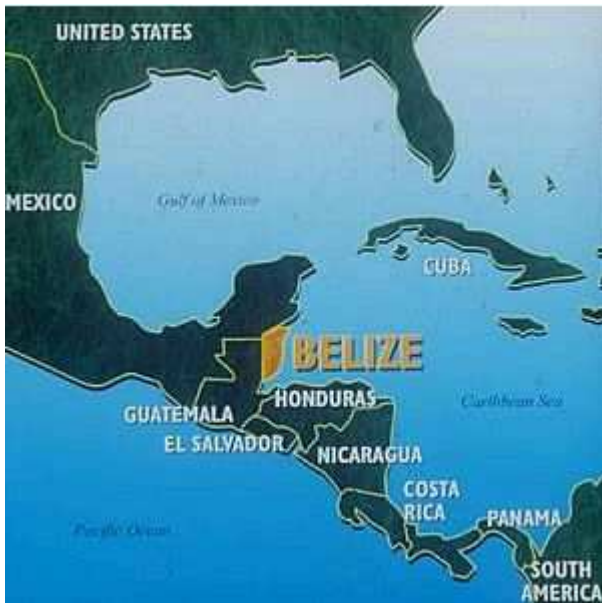


Oct., 18, 2007

Great decision from Belize on Indigenous rights...

From: First Peoples Human Rights Coalition [<mailto:sjasper@firstpeoplesrights.org>]

Important Belize Supreme Court ruling supporting Maya customary land tenure, in accordance with Maya customary law and usage.



From the ruling below: “In contemporary international law, the right to property is regarded as including the rights of indigenous peoples to their traditional lands and natural resources. Belize is a party to several international treaties such as the **International Covenant on Civil and Political Rights (ICCPR)** 999 U.N.T.S. 171; the **Convention on the Elimination of All Forms of Racial Discrimination (CERD)**, 660 UNTS 195; and **The Charter of the Organization of American States (OAS)** 119 UNTS 3; all of which have been interpreted as requiring states to respect the rights of indigenous peoples over their land and resources.”

In his final conclusions, the Chief Justice orders and grants as follows:

- a) *A declaration that the claimants Villages of Santa Cruz and Conejo and their members hold, respectively, collective and individual rights in the lands and resources that they have used and occupied according to Maya customary practices and that these rights constitute “property” within the meaning of sections 3(d) and 17 of the Belize Constitution.*
- b) *A declaration that the Maya Villages of Santa Cruz and Conejo hold collective title to the lands their members have traditionally used and occupied within the boundaries established through Maya customary practices; and that **this collective title includes the derivative individual rights and interests of Village members** which are in accordance with and subject to Santa Cruz and Conejo and Maya customary law.*
- c) *An order that the government determine, demarcate and provide official documentation of Santa Cruz’s and Conejo’s title and rights in accordance with Maya customary law and practices, without prejudice to the rights of neighboring Villages.*
- d) *An order that the defendants cease and abstain from any acts that might lead the agents of the government itself, or third parties acting with its acquiescence or its tolerance, to **affect the existence, value, use or enjoyment of the property** located in the geographic area occupied and*

used by the Maya people of Santa Cruz and Conejo unless such acts are pursuant to their informed consent and in compliance with the safeguards of the Belize Constitution. This order [will] include, but not be limited to, directing the government to abstain from:

- i. issuing any lease or grants to lands or resources under the National Lands Act or any other Act;*
- ii. registering any such interest in land;*
- iii. issuing any regulations concerning land or resources use; and*
- iv. issuing any concessions for resource exploitation and harvesting, including concessions, permits or contracts authorizing logging, prospecting or exploration, mining or similar activity under the Forest Act, the Mines and Minerals Act, the Petroleum Act, or any other Act. (emphasis added)*

The Chief Justice refers to *Mabo and others v Queensland*, *Delgamuukw v British Columbia*, *International Covenant on Civil and Political Rights*, *Convention on the Elimination of All Forms of Racial Discrimination*, *Mayagna (Sumo) Awas Tingni Community v Nicaragua*, *CERD General Recommendation XXIII*, *Ian Brownlie, Mary and Carrie Dann v United States*, the *ILO 169*, and the *UN Declaration on the Rights of Indigenous Peoples* (references to *Declaration* in paras. 131, 132, and 133 below) as well as other sources for his ruling.

[EXCERPTS]

Full text of Supreme Court ruling at:

http://www.law.arizona.edu/depts/jplp/advocacy/maya_belize/documents/ClaimsNos171and172of2007.pdf

IN THE SUPREME COURT OF BELIZE, A.D. 2007

CONSOLIDATED CLAIMS

CLAIM NO. 171 OF 2007

BETWEEN:

AURELIO CAL in his own behalf and on behalf of the MAYA VILLAGE OF SANTA CRUZ

and

BASILIO TEUL, HIGINIO TEUL, MARCELINA CAL TEUL

and SUSANO CANTI

Claimants

AND

THE ATTORNEY GENERAL OF BELIZE

and

THE MINISTER OF NATURAL RESOURCES AND

ENVIRONMENT

Defendants

CLAIM NO. 172 OF 2007

BETWEEN:

MANUEL COY in his own behalf and on behalf of the MAYA VILLAGE OF CONEJO

and

MANUEL CAAL, PERFECTO MAKIN

and MELINA MAKIN

Claimants

AND

THE ATTORNEY GENERAL OF BELIZE

and

THE MINISTER OF NATURAL RESOURCES AND

BEFORE the Honourable Abdulai Conteh, Chief Justice.

Ms. Antoinette Moore for the claimants.

Ms. Nichola Cho with Mrs. Andrea McSweeney McKoy for the defendants.

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JUDGMENT

23. 1. Is there in existence in Southern Belize, Maya customary land tenure?

The main thrust of the claimants' case is their contention that there is in existence in the Toledo District, in Southern Belize, Maya customary land tenure system according to which, they, as members of the villages of Santa Cruz and Conejo respectively, are entitled to the lands they occupy and use as their ancestors before them had, and that this form of tenure is or should be a form of property cognizable at law, and like any other form of property, is deserving of the constitutional protection afforded by the Belize Constitution to property.

44. ... I find and hold that there is in existence, in Southern Belize, in particular, in the Toledo District, Maya customary land tenure.

68. ... The nature of this title is communal, entitling the members of the community to occupy, use the lands for farming, hunting, fishing and utilizing the resources thereon as well as for other cultural and spiritual purposes, in accordance with Maya customary law and usage.

76. Did change in or acquisition of territorial sovereignty extinguish pre-existing rights and interests in the land?

Did the acquisition of sovereignty over the territory of what is today the independent state of Belize, first by the Crown and later by the successive independent governments (including the defendants) overwhelm or eradicate any interests in or rights to land that the Maya people might have had? ...

77. I have given deep and anxious consideration to this aspect of this case. I am, however, convinced and fortified by authorities that the acquisition of sovereignty over Belize, first by the Crown and later, by independent governments, did not displace, discharge or extinguish pre-existing interests in and rights to land. The mere acquisition or change of sovereignty did not in and of itself extinguish pre-existing title to or interests in the land.

78. ... The Crown by a combination of the various treaties with Spain and later with Guatemala, first acquired interests in British Honduras and by effective occupation and administration together with the passage of time, gained sovereignty over the territory which it legally passed on to independent Belize on 21st September 1981. This sovereignty did not without more however, affect or alter or extinguish the pre-existing rights of the Maya people to their lands.
79. From the evidence, it is manifest that throughout the unfolding drama regarding the territory, first, between Spain and later Guatemala on the one hand, and the British authorities on the other, the Maya people were all the while living on their land. There was some forced removal of some of the Maya people by Spanish authorities from some parts of the land; but the fact remains that they were never wholly removed so as to make the land terra nullius rendering it ownerless or unoccupied. The Maya, who are the indigenes of the land, remained with fluctuating numbers. And from the evidence, some of those whose ancestors had been removed, came back to their ancestral lands. There was much fluidity in the colonial borders with Guatemala. ...
80. There is no evidence in any event, to warrant me to find that the Maya of southern Belize as the indigenous inhabitants ceded their lands or suffered them to be taken as spoils of conquest when the borders of British Honduras were extended south of the Sibun River in 1859, to include what is today Toledo District. There is no evidence even of any consultation with the indigenous Maya, or that they even knew what was happening to their lands. In the dark recesses of their forests they did not, I think it is fair to surmise, know about borders or of the extension of the borders ...
81. Indeed, how could they have? But the defendants did acquire territorial sovereignty over the area. Did this fact, as argued for the defendants, extinguish the pre-existing rights to and interests in the land after the assumption of territorial sovereignty? As I have already said at paragraph 77 above, it is my considered view that it did not, I endorse with respect, the statement of principle on this point by Brennan J. in the High Court of Australia in Mabo and others v Queensland (No. 2) 145 CFR IFC 92/04 where he stated at paragraph 61:
- “The preferable rule, supported by the authorities cited (the learned Justice having earlier referred to a number of authorities on this point), is that a mere change in sovereignty does not extinguish native title to land (the term ‘native title’ conveniently describes the interests and rights of indigenous inhabitants in land, whether communal, group or individual, possessed under the traditional laws acknowledged by and the traditional customs observed by the indigenous inhabitants) the preferable rule equates the indigenous inhabitants of a settled colony with the inhabitants of a conquered colony in respect of their rights and interests in land and recognizes in the indigenous inhabitants of a settled colony the rights and interests recognized by the Privy Council in re Southern Rhodesia as surviving to the benefits of the residents of a conquered colony.”*
92. It is for all these reasons that I find and hold that the acquisition of territorial sovereignty by the defendants, as the Government of Belize, the linear successor to the Crown, and the system of reservation introduced over some parts of the land, by the Crown Lands Ordinances and the National Lands Act, did not extinguish the claimants’ right to and interests in the land of the indigenes. The defendants became vested with the radical or ultimate title to the land as it no doubt possesses over all lands in Belize, when territorial sovereignty vested in first the Crown and then the Government of Belize, but this title is burdened by the pre-existing rights to and interest of the claimants in the land, and these survived the defendants’ acquisition of sovereignty; as a mere change of sovereignty is not to be presumed as meant to disturb rights of private owners. The preferable rule as Brennan J stated in Mabo supra at para. 61, a view in which I respectfully concur, is that a mere change in sovereignty does not extinguish native title to land. That is, the rights and interests of the indigenous inhabitants in the land before acquisition or change of sovereignty.
93. I therefore conclude that the villagers of Conejo and Santa Cruz, as part of the indigenous Maya people of Toledo District, have interests in land based on Maya customary land tenure that still survive and are extant.

99. In the light of the conclusions I have reached in this case regarding the first and second issues agreed by the parties for the determination of this case, I am of the considered view that the interests of the claimants in land based on Maya customary land tenure are clearly deserving of the protection afforded by the Belize Constitution to property. That is to say, these rights and interest of the claimants according to Maya customary land tenure constitute under the Constitution “property” and should be so readily cognizable.

101. ... indigenous title or interests have their origins in and are given their contents by the traditional law acknowledged by and the traditional customs observed by the indigenous inhabitants of a territory. The nature and incidents of indigenous title must be ascertained as a matter of fact by reference to those laws and customs – **Mabo supra** at para. 64. Indigenous title is now correctly regarded as **sui generis** – **Delgamuukw v British Columbia (1997) 3 SCR 1010.**

It is now also accepted that indigenous title extends to all rights of indigenous inhabitants in land, whether community, group or individual, possessed under traditional laws and customs. ...

102. I therefore conclude that the claimants’ rights and interests in lands based on Maya customary land tenure are not outwith the protection afforded by the Belize Constitution, but rather, constitute “property” within the meaning and protection afforded to property generally, especial here of the real type, touching and concerning land - “communitarian property”, perhaps, but property nonetheless, protected by the Constitution’s prescriptions regarding this institution in its protective catalogue of fundamental human rights ...

Moreover, ... I have no doubt that the claimants’ rights to and interests in their lands in accordance with Maya customary land tenure, form a kind or species of property that is deserving of the protection the Belize Constitution accords to property in general. There is no doubt this form of property, from the evidence, nurtures and sustains the claimants and their very way of life and existence.

103. *(b) Do the Government’s acts and omissions violate the claimants’ rights to property in sections 3(d) and 17 of the Belize Constitution?*

This issue relates to a broad-gauged complaint by the claimants against the defendants. They claim that the Government of Belize violates their property rights by failing effectively to recognize their customary land tenure or to secure their communal lands, by issuing to third parties (presumably non-Maya) concessions to extract natural resources from their villages, and by purporting or threatening to grant property rights within these lands that are not consistent with Maya customary land tenure. The claimants say that these actions and omissions by the Government of Belize are part of a broad pattern of complete disregard for Maya customary property rights throughout the Toledo District,

104. The claimants complain as well that instead of extending legal and administrative protection to their property rights, government officials have told them and other residents in their villages that they have no secure rights in their lands unless they obtain government-issued leased to those lands. The claimants further complain that the government (the defendants) has also issued a concession to conduct oil exploration over the whole of Toledo District to US Capitol Energy Ltd. and that seismic testing and oil exploration has begin within Conejo Village and neighbouring village lands without adequately consulting the affected Maya communities ...

105. ... the defendants have behaved as if Maya customary property rights do not exist and that even in the Defence in this case, the defendants argue that the Maya people have no customary land rights.

110. Although the evidence discloses substantial impairment and infringement of the claimants’ rights to and interests in their lands by the non-observance of these rights and interests. I am not however, satisfied that this impairment reaches the level of arbitrary deprivation or compulsory acquisition of the kind contemplated and provided for by the Constitution. But the impairment nonetheless violates the protection the Constitution affords to property in that they have granted concessions to third parties to utilize the property and resources located on lands belonging to the claimants.

111. (c) Do the defendants' acts and omissions violate the claimants' right to equality guaranteed by sections 3 and 16 of the Constitution?

The claimants say that the acts and omissions deposed to in the several affidavits filed in this case and attributable to the defendants (see paras. 103 - 106 above) are, as well, violative of their right to equality guaranteed by sections 3 and 16 of the Constitution. This complaint is premised on the failure by the defendants to provide legal protection to their Maya customary land tenure.

113. Whether any treatment is in fact discriminatory is a matter for appreciation in the light of the circumstances of the particular case. In some instances, the discriminatory treatment would be so self-evident that it is easily perceivable as such. On the facts of this case I am satisfied that the treatment accorded to the claimants' rights and interests in their land, in particular the defendants' failure to provide them with the necessary mechanism or protection necessary to exercise their rights to property fully and equally with other Belizeans is, in my view, discriminatory and does not accord with the right to equality guaranteed by sections 3 and 16 of the Belize Constitution. I find that this discriminatory treatment stems largely from the fact that the claimants are Maya and practice the customary land tenure system of their people. The failure of the defendants to recognize and validate this system falls short of the Constitution's guarantee of equality and non-discrimination ...

114. I agree with the submission of the claimants that because of their communal aspect and unique source, Maya customary rights to lands and resources are by nature, different from the type of property rights routinely respected by government offices and ministries. Therefore, by failing to accommodate this difference by, for example, treating individualized leases as an adequate substitute for a Maya farmer's customary interest in his village lands (as deposed to in several affidavits), and by treating lands used collectively by Conejo and Santa Cruz Villages as vacant national lands, government officials, as agents of the defendants, are acting discriminatorily against the claimants.

116. From the evidence in this case, it is evident that the Maya claimants rely on agriculture, hunting, fishing and gathering for their physical survival. It is also clear that the land they traditionally use and occupy plays a central role in their physical, cultural and spiritual existence and vitality. The claimants have complained as well in these proceedings that the actions and omissions of the defendants by disregarding their rights to and interests in their traditional lands violate the security of their being and deny them the protection of the law.

117. I am inclined to agree with the claimants in this respect because, without the legal protection of their rights to and interests in their customary land, the enjoyment of their right to life and their very lifestyle and well-being would be seriously compromised and be in jeopardy. This, I find, will not be in conformity with the Constitution's guarantees.

118. **International law obligations of the defendants regarding the claimants**

I cannot part with this judgment without adverting to some of the obligations of the defendants, as representing the State of Belize, in international law. Of course, these are domestic proceedings; but undoubtedly in the light of the issues raised they engage in my view, some of the obligations of the State in international law. I find that some of these obligations resonate with certain provisions of the Belize Constitution itself which I have adverted to earlier.

119. The claimants in the arguments and submissions of their learned attorney adverted to some of these obligations. Belize, of course, is a member of the international community and has subscribed to commitments in some international humanitarian treaties that impact on this case. A part of this commitment is to recognize and protect indigenous people's rights to land resources. The claimants in these proceedings are members of the Maya community, an indigenous group that has lived in Belize since time immemorial.

120. **Treaty obligations**

In contemporary international law, the right to property is regarded as including the rights of indigenous peoples to their traditional lands and natural resources. Belize is a party to several international treaties such as the **International Covenant on Civil and Political Rights (ICCPR)** 999 U.N.T.S. 171; the **Convention on the Elimination of All Forms of Racial Discrimination (CERD)**, 660 UNTS 195; and **The Charter of the Organization of American States (OAS)** 119 UNTS 3; all of which have been interpreted as requiring states to respect the rights of indigenous peoples over their land and resources.

121. For example, in the **case of Mayagna (Sumo) Awas Tingni Community v Nicaragua** 79 Inter-Am. Ct.H.R. (Ser C) (2001) that Court held that:

“Among indigenous peoples there is a communitarian tradition regarding a communal form of collective property of the land, in the sense that ownership of the land is not centered on an individual but rather on the group and its community. Indigenous groups, by the fact of their very existence, have the right to live freely in their own territory; the close ties of indigenous people with the land must be recognized and understood as the fundamental basis of their cultures, their spiritual life, their integrity, and their economic survival. For indigenous communities, relations to the land are not merely a matter of possession and production but a material and spiritual element which they must fully enjoy, even to preserve their cultural legacy and transmit it to future generations” at para. 149.

122. In the **Maya Indigenous Communities case supra**, before the Inter-American Commission on Human Rights (an organ of the Organization of American States of which Belize is a member) found that the rights to property protected by the OAS Charter through Article XXIII of the American Declaration of the Rights and Duties of Man, *“are not limited to those property interests that are already recognized by States or that are defined by domestic law, but rather that the right to property has an autonomous meaning in international human rights law. In this sense, the jurisprudence of the system had acknowledged that the property rights of indigenous peoples are not defined exclusively by entitlements within a state’s formal regime, but also include that indigenous communal property that arises from and is grounded in indigenous custom and tradition”* at para. 171.

123. As a party to CERD ...The United Nations Committee on the Elimination of All Forms of Racial Discrimination (which is mandated to monitor states’ compliance with CERD) has confirmed that the failure of states to recognize and respect indigenous customary land tenure is a form of racial discrimination that is not compatible with CERD. The Committee therefore in 1997, issued a call upon states:

“to recognize and protect the rights of indigenous peoples to own, develop, control and use communal lands, territories and resources and where they have been deprived of their lands and territories traditionally owned or otherwise inhabited or used without their free and informed consent, to take steps to return these lands and territories.” **General Recommendation XXIII: Rights of Indigenous Peoples** para. 5 UN Doc A/52/18 Annex V. (Aug. 18, 1997).

124. The Committee in a letter dated 9th March 2007 to the defendants through Belize’s Ambassador to the United Nations stated that it *“is preoccupied by reports regarding privatization and leasing of land without the prior consultation or consent of the Maya people, as well as the granting of concessions for oil development, logging and the production of hydro-electricity.”* (Correspondence from Chairperson of CERD to Belize’s Permanent Representative to the UN).

125. In my view, given Belize’s commitment under CERD, the defendants should take this communication seriously and respond accordingly.

126. These considerations, engaging as they do Belize's international obligation towards indigenous peoples, therefore weighed heavily with me in this case in interpreting the fundamental human rights provisions of the Constitution agitated by the cluster of issues raised, particularly, the rights to property, life, security of the person, the protection of the law and the right not to be discriminated against. I draw particular support and inspiration from the preamble of the Belize Constitution which requires policies of the state to "*protect the identity, dignity and social and cultural values of Belizeans ... including Belize's indigenous peoples.*"

127. Belize's obligations under customary international law and general principles of international law

Treaty obligations aside, it is my considered view that both customary international law and general principles of international law would require that Belize respect the rights of its indigenous people to their lands and resources. Both are, including treaties, the principal sources of international law: see Article 38 of the International Court of Justice. Customary international law evolves from the practice of States in matters of international concern and "general principles" are those commonly accepted by States and reflected in their international relations or domestic legal systems – See Ian Brownlie, Principles of Public International Law (6th Ed.) pp. 15 – 19. It is the position that both customary international law and the general principles of international law are separate and apart from treaty obligations, binding on States as well.

128. Both sources of international law are discernible from international instruments, reports and decisions by authoritative international bodies, such as UN Commissions/Committees and those of regional human rights commissions and courts; states assertions and communications at the international and national levels and the actions of states internationally and domestically – see generally S. James Anaya, Indigenous Peoples in International Law (Oxford Univ. 2nd ed. 2004) pp. 16 – 26.

129. In the Mary and Carrie Dann v United States, Case 11.40, Report No. 75/02 of the Inter-American Commission of Human Rights dated 27th December 2002, a case concerning claims by members of the Western Shoshone indigenous people to lands in the State of Nevada, U.S.A., the Commission stated that the general international legal principles in the context of indigenous human rights include the following:

- "*the right to indigenous peoples to legal recognition of their varied and specific forms and modalities of their control, ownership, use and enjoyment of territories and property*";
- "*the recognition of their property and ownership rights with respect to lands, territories and resources that they have historically occupied; and*
- "*where property and user rights of indigenous peoples arise from rights existing prior to the creation of a state, recognition by that state of the permanent and inalienable title of indigenous peoples relative thereto and recognition that such title may only be changed by mutual consent between the state and respective indigenous peoples when they have full knowledge and appreciation of the nature or attributes of such property. This also implies the right to fair compensation in the event that such property and user rights are irrevocably lost*" at para. 130.

130. Moreover, although Belize has yet to ratify Convention No. 169 of the International Labour Organization concerning Indigenous and Tribal Peoples in Independent Countries (ILO No. 169) of 7th June 1989, it is

not in doubt that Article 14 of this instrument contains provisions concerning indigenous peoples right to land that resonate with the general principles of international law regarding indigenous peoples.

131. Also, importantly in this regard is the recent Declaration on the Rights of Indigenous Peoples adopted by the General Assembly of the United Nations on 13 September 2007. Of course, unlike resolutions of the Security Council, General Assembly resolutions are not ordinarily binding on member states. But where these resolutions or Declarations contain principles of general international law, states are not expected to disregard them.

This Declaration – GA Res 61/295, was adopted by an overwhelming number of 143 states in favour with only four States against with eleven abstentions. It is of some signal importance, in my view, that Belize voted in favour of this Declaration. And I find its Article 26 of especial resonance and relevance in the context of this case, reflecting, as I think it does, the growing consensus and the general principles of international law on indigenous peoples and their lands and resources. Article 26 states:

“Article 26

1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.

2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.

3. States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.”

132. I am therefore, of the view that this Declaration, embodying as it does, general principles of international law relating to indigenous peoples and their lands and resources, is of such force that the defendants, representing the Government of Belize, will not disregard it. Belize, it should be remembered, voted for it. In Article 42 of the Declaration, the United Nations, its bodies and specialized agencies including at the country level, and states, are enjoined to promote respect for and full application of the Declaration’s provision and to follow up its effectiveness.

133. I therefore venture to think that the defendants would be unwilling, or even loath to take any action that would detract from the provisions of this Declaration importing as it does, in my view, significant obligations for the State of Belize in so far as the indigenous Maya rights to their land and resources are concerned. Finally, Article 46 of the Declaration requires that its provisions shall be interpreted in accordance with the principles of justice, democracy, respect for human rights, equality, non-discrimination, good governance and good faith.

134. I conclude therefore, that the defendants are bound, in both domestic law in virtue of the Constitutional provisions that have been canvassed in this case, and international law, arising from Belize’s obligation thereunder, to respect the rights to and interests of the claimants as members of the indigenous Maya community, to their lands and resources which are the subject of this case.

136. ... I order and grant as follows:

- a) *A declaration that the claimants Villages of Santa Cruz and Conejo and their members hold, respectively, collective and individual rights in the lands and resources that they have used and occupied according to Maya customary practices and that these rights constitute “property” within the meaning of sections 3(d) and 17 of the Belize Constitution.*
- b) *A declaration that the Maya Villages of Santa Cruz and Conejo hold collective title to the lands their members have traditionally used and occupied within the boundaries established through Maya customary practices; and that this collective title includes the derivative individual rights and interests of Village members which are in accordance with and subject to Santa Cruz and Conejo and Maya customary law.*
- c) *An order that the government determine, demarcate and provide official documentation of Santa Cruz’s and Conejo’s title and rights in accordance with Maya customary law and practices, without prejudice to the rights of neighboring Villages.*
- d) *An order that the defendants cease and abstain from any acts that might lead the agents of the government itself, or third parties acting with its acquiescence or its tolerance, to affect the existence, value, use or enjoyment of the property located in the geographic area occupied and used by the Maya people of Santa Cruz and Conejo unless such acts are pursuant to their informed consent and in compliance with the safeguards of the Belize Constitution. This order [will] include, but not be limited to, directing the government to abstain from:*
 - i. *issuing any lease or grants to lands or resources under the National Lands Act or any other Act;*
 - ii. *registering any such interest in land;*
 - v. *issuing any regulations concerning land or resources use; and*
 - vi. *issuing any concessions for resource exploitation and harvesting, including concessions, permits or contracts authorizing logging, prospecting or exploration, mining or similar activity under the Forest Act, the Mines and Minerals Act, the Petroleum Act, or any other Act.*

A.O. CONTEH

Chief Justice

DATED: 18TH October 2007.

First Peoples Human Rights Coalition (*First Peoples Rights*) contributes to a growing understanding that the inherent and inalienable rights of Indigenous peoples are human rights and need to be respected as such. The urgent on-the-ground challenges confronting us today require that more people, more of the time, be more familiar with the rights we do have.

