

NATIONS UNIES
HAUT COMMISSARIAT AUX DROITS DE L'HOMME



UNITED NATIONS
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Excellency,

You will recall that the Committee on the Elimination of Racial Discrimination, at its 70th session held from 19 February to 9 March 2007, considered the seventeenth and eighteenth periodic reports of Canada and adopted concluding observations in relation thereto (CERD/C/CAN/CO/18).

Pursuant to Article 9, paragraph 1, of the Convention, and Article 65 of the Committee's rules of procedure, as amended, the Committee requested in paragraph 32 of its concluding observations that your Government provide information, within one year, on the way it has followed up on the recommendations contained in paragraphs 14, 21, 22 and 26.

To date, the Committee has not received any information from the State party in this respect. Meanwhile, however, the Committee has been made aware of the unresolved dispute concerning the North Central Corridor Pipeline (TransCanada Corporation) between the Lubicon Lake Indian Nation and the federal and provincial governments. The information received points to a lack of clarity with regard to the land rights over territory through which the Pipeline would be routed, and therefore to doubts as to whether the Government of Alberta and the Alberta Utilities Commission may legitimately authorise the construction of a pipeline across Lubicon Territory without prior Lubicon consent.

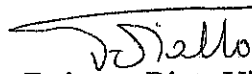
In light of the above, the Committee would like to recall paragraph 22 of its concluding observations, in which the Committee, with regard to aboriginal land claims, urged the State party: "to engage, in good faith, in negotiations based on recognition and reconciliation, and ... examine ways and means to facilitate the establishment of proof of Aboriginal title over land in procedures before the courts".

H.E. Mr. Marius Grinius
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In light of the above, and in order to continue a constructive dialogue with your Government, the Committee requests the State party to submit information on its response to the claims of the Lubicon Lake Indian Nation and on the status of the proceedings with respect to the construction of the pipeline referred to in this letter. The Committee also reiterates its request to receive comments with regard to the implementation of the recommendations contained in paragraphs 14, 21, 22 and 26 of its concluding observations. The Committee wishes to receive such comments no later than 31 December 2008.

Allow me, Excellency, to underline that the Committee's requests for information are made with a view to assisting your Government in the effective implementation of the Convention.

Yours sincerely,



Fatimata-Binta Victoire Dah
Chairperson of the Committee for the
Elimination of Racial Discrimination