

Take A Stand With

The Last Of The Lubicon Cree



Traditional Ways. Members of the Lubicon Cree sit near a meat-smoking rack used to preserve game meat gathered from hunting in their traditional territory. The band is currently seeking a land claims settlement with Ottawa to save themselves, their community and their way of life.

File photo

Lubicon struggle for land claim settlement

Lubicon struggle for land claim settlement

Chief dealing with governments, industries, dissident band members over agreement

By D.B. Smith • WCWC Editor
Edmonton, Alta.

The Government of Alberta is back negotiating the Lubicon land claim again, but no one will say what's up for grabs.

Provincial negotiator John McCarthy joined Lubicon and federal negotiators in Peace River in late July. The tripartite group met to iron out a new deal for the Lubicon Cree based on the nine-point Grimshaw Accord, the agreement signed by Lubicon Chief Bernard Ominayak and former Alberta Premier Don Getty in 1988.

McCarthy was at the table to confirm the province's commitment to hand over 95 square miles of land designated under the accord, a federal Indian Affairs spokesman said.

No Comment

The Lubicon and Ottawa agreed to go with land allotments specified in the 1988 agreement, Lubicon negotiation team spokesman Clayton Blood said.

But further details from the province, Ottawa or the Lubicon were not available at press time as all parties agreed to an information embargo with the media while the talks are in progress.

Federal negotiation team spokesman Wayne Hanna said in early August negotiations were proceeding positively, but he would not comment further.

There is also no word on how much

money the deal involves. The original cost studies on a cash award were updated last month to account for inflation but final figures were not available.

Any cash award would go towards infrastructure construction and repair costs, including new roads, schools and housing for a new community to be located 30 miles south of the present Little Buffalo site, 240 miles northwest of Edmonton.

"A lot of people get misled about these payments," said Blood. "They think it goes right into the Lubicon people's pocket.... It's not a windfall."

Revenue sharing

Negotiations could also include an agreement on lumber, oil and gas revenue sharing, he added. But those details were also not available.

The final agreement will encompass all the Lubicon Cree, despite a recent attempt by some band members to work out a separate deal with Ottawa, Blood added.

Long-absent band member Billy Joe Laboucan announced June 22 he intended to form his own band and negotiate a separate deal with the federal government.

Laboucan, who said he represents about two-thirds of the band, told reporters at a press conference his group wants a "divorce" from Ominayak's administration.

The announcement didn't generate the

kind of sympathy Laboucan was seeking. Federal negotiator Harold Millican and Indian Affairs spokesman Albert Oostendorp agreed they would not invite the splinter group to the negotiations.

But the plan had officials from Alberta Premier Ralph Klein's Conservative government answering questions about their suspected involvement in the separation bid.

Provincial meddling

Wayne Bill, the Calgary-based media consultant hired to lead Laboucan's press conference, refused reporters' requests to confirm who paid for his services on behalf of the dissident group.

Bill, who works closely with the premier's own chief media advisor, said Laboucan's Edmonton-based lawyers John Gill and Karen Tracy hired him.

The two lawyers later denied that.

Bill then said a third party referred him to Laboucan, but refused to name the individual.

Aboriginal Affairs Minister Mike Cardinal later denied the province was ever involved in the Laboucan initiative.

Chief Ominayak also refused to comment, saying he was trying to "avoid too much negotiation in the media."

Negotiators went back to the talks August 11. They hoped to have a draft agreement in place by Sept. 15.

In this issue: Articles by Lubicon Chief Bernard Ominayak, the Western Canada Wilderness Committee's Gray Jones, the Aboriginal Rights Coalition's Ed Bianchi and the Pacific Environment & Resource Center's Chris Genovali

Unocal boycott first step in saving Lubicon

Securing band's traditional territory key to Lubicon future

by Lubicon Chief Bernard Ominayak

Little Buffalo, Alta.

As Lubicon, we see our traditional territory differently than the oil and gas and forestry companies.

They see it as a place to conquer, exploit and then leave. We see it as the place where we belong, the place where the Creator put us and intends for us to stay.

The resource companies don't see the Lubicon as people with rights to their traditional unceded territory. They see us as an obstacle to be overcome in their relentless drive to exploit the valuable resources that our traditional territory holds.

We believe we not only have rights but that

the Creator charged us with a special responsibility to protect and preserve our traditional territory, that only by preserving and protecting our traditional territory will it be able to support future generations of our people.

The oil and gas companies come from elsewhere and will move on after they have stripped our traditional territory of its resources. We have no place else to be. If we can no longer survive on our traditional lands, we will cease to exist as a people.

Before the massive resource exploration in our territory, moose were our primary source of

companies and their allies in the Alberta government.

In the process, they have destroyed our traditional economy and way of life, reducing us to a state of poverty and dependency. Oil and gas company activities inflict terrible social and medi-



Home on the range? Buffalo eat tainted grasses near Unocal's sour gas plant at Little Buffalo, Alta.

File photo

cal problems that we have never before faced including tuberculosis, respiratory and skin disease, cancers of all kinds, miscarriages, birth defects and still births, family break downs, alcoholism and suicide.

Our hunting is ruined. When the petroleum companies first came in, moose harvests quickly dropped from 200 per year to only 37. In 1983, the harvest dropped to about 19 per year and stayed there. Our income from trapping dropped at the same time from a little more than \$5,000 per trapper per year to under \$400 per trapper.

Welfare dependency was not an inadvertent side-effect of our contact with industrial society. It was the deliberate strategy of the Alberta government. Canada's Supreme Court rules that aboriginal rights are based in part on a peoples'

ability to pursue their traditional livelihoods. The Alberta government intentionally destroyed our hunting and trapping grounds through industry and forced us onto welfare to convince the courts we were no longer supporting ourselves by traditional means.

The California-based oil company Unocal was one of the first to move in. They did not consult with us or ask our permission. They moved in, took our trails, bulldozed our traplines and scared away

the game. They ignored our protests and used their wealth and political influence to block our efforts at legal redress.

Unocal has recently constructed a sour gas plant less than two miles from the site where we want to establish our reserve. It is the first such plant in the area and poses a grave health risk. It processes hydrogen sulfide and sulfur dioxide, chemicals associated with respiratory and skin disease and several cancers.

We have asked Unocal to shut down or move the plant about 12 miles to the south where

our territory, moose was our primary source of food. Trapping was our primary source of disposable income. We didn't have many material possessions but we were happy and content. We had what we needed to meet our responsibilities to our children and each other.

But between 1979 and 1983, the petroleum industry drilled more than 400 oil and gas wells within a 15-mile radius of our traditional community of Little Buffalo. These wells generate \$500 million in revenue each year for the oil com-

pany. Welfare dependency soared from less than 10 per cent to more than 90 per cent.

Welfare dependency devastates a people and their society. Having to stand in line with your hands out just to feed yourself and your family robs you of your self-sufficiency and independence, your self-esteem, confidence and dignity. It does terrible damage to relationships between young and old, husbands and wives, parents and children, leaders and the people who look to them to solve problems.

move the plant about 12 miles to the south where it would no longer be directly upwind from our reserve site. Unocal has refused, saying the costs are too high and that there is no health threat. They leave us with little choice but to communicate with them in the only language they seem to understand — the language of profits and losses.

Unocal's main consumer outlet is the 76 Products Company, which includes Unocal's West Coast refining, marketing and transportation operations. The majority of Unocal's retail outlets

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Oil companies exploiting Lubicon to near-extinction

by Gray Jones • Executive Director •
Western Canada Wilderness Committee
Edmonton, Alta.

The Lubicon people's struggle to preserve their traditional land is the most researched, documented and long-standing indigenous land claim dispute in the world.

The despicable treatment of the Lubicon people stems from a quest for money and the need to protect its continued flow.

In 1979, the oil company crews resembled an invading army as they came into the area with bulldozers and exploration equipment. Access roads, cat-gouged seismic-lines, pipelines and refining facilities soon fragmented the forest, driving away the game animals and destroying traplines.

The oil and gas companies exploiting the region realized an average of \$500 million per year in revenues from Lubicon lands alone. Between 1980 and 1995, oil corporations including Norcen, Nova, Husky and Unocal generated a staggering \$8 billion of which the Province of Alberta received approximately 20 per cent in royalties.

Daishowa

It is in the interest of both the oil and gas companies and the Alberta government not to resolve



Lubicon Band Chief Bernard Ominayak Photo: Chris Bruun

the Lubicon land claim. It is to the mutual benefit of these big players to do business as they have until all oil and gas reserves on Lubicon lands are exhausted.

It is also in the interest of the enormous Japanese forestry company Daishowa and Ralph Klein's Conservative government to promote the dismemberment of Lubicon society by clearing the rich,

easily accessible hardwood trees from the Lubicon's lands to feed Daishowa's pulp mill at Peace River, Alta.

The Lubicon's 4,000 square mile traditional territory is encased within Daishowa's forest management area, a 11,600 square mile tree-harvesting region handed over by the provincial government. Daishowa has the province's permission to clear cut all the unceded territory of the Lubicon people.

To stop this, the well-connected international group Friends of the Lubicon mounted the largest consumer boycott in Canadian history, pitting themselves against companies that buy Daishowa paper products. As a result, several large corporations have stopped using Daishowa products. This ongoing boycott assists the Lubicon in defending their lands from Daishowa's clear cutting.

No cuts yet

So far, the company has not begun clear cutting on Lubicon land. But the problem has not gone away.

"What we have experienced so far is slow genocide," said Lubicon Chief Bernard Ominayak. "If Daishowa crosses the river, it will

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are the Union 76 gas stations, which sell 13 billion gallons of gas a year.

With the help of the California consumer, we hope to teach Unocal that ignoring human rights and the environment costs more than closing or moving a small refinery.

We ask Californians to buy their gas from someone other than Union 76, or return their company credit cards with a note saying why they did so, until Unocal either shuts down the Little Buffalo refinery or moves it at least 12 miles downwind. Such a move will not eliminate all of our social ills, but our children will not have to live in the shadow of a sour gas plant.

And other resource companies will get the message that they cannot disregard people and the environment in their pursuits of profit.



Photo: Chris Braun

Sacred ground. A sunset over Fish Lake shows some of the unsullied beauty of the region.

Boycott halts unjust logging on Lubicon territory **Daishowa's plans on hold for now**

by Ed Bianchi • National Coordinator • Aboriginal Rights Coalition
 Ottawa, Ont.

A good way to tell if you are doing something right is if there are people who are mad at you.

Well, if lawsuits are any indication, the Friends of the Lubicon boycott of Daishowa is the right thing to do.

Friends of the Lubicon (FOL) is a Toronto-based, grassroots support group for the Lubicon Cree that was formed in 1988.

That year, the Province of Alberta gave Daishowa Inc., which is owned by the gigantic Daishowa Paper Manufacturing Company of Japan, a licence to harvest trees in an area that almost blankets the entire 4,000-square mile Lubicon territory.

The judge further ruled that secondary picketing, where Lubicon supporters hold information pickets outside stores that use Daishowa products, is not illegal. The company's reaction was to immediately demand a speedy trial and to appeal the decision.

Since the boycott, Daishowa has not cut one tree on Lubicon territory. The boycott is an effective and peaceful way for consumers to ensure that Daishowa complies with basic human rights. In a capitalist, consumer-driven society, the ability to inform people about their purchases is crucial if companies are to be held accountable for their actions.

Daishowa does not need to go to court to end the boycott. It need only make a clear, public commitment not to cut or buy wood cut on unceded Lubicon territory until all land rights are settled and a fair and

to harvest trees in an area that almost blankets the entire 4,000-square mile Lubicon territory.

In the fall of 1991, the Lubicon were worried Daishowa was going to start cutting trees on their land as soon as the logging season began. They asked supporters to help keep Daishowa out of their traditional territory until they had negotiated a land rights settlement. The FOL responded by calling for a boycott of Daishowa products at a press conference in Ottawa that November.

In January 1995, Daishowa initiated legal action against the FOL, accusing them of engaging in illegal activities and seeking an unspecified amount in damages. By then, 47 companies representing more than 4,300 retail outlets across Canada had chosen alternate paper suppliers. Daishowa claimed \$5 million in lost sales.

Daishowa also tried to prevent Lubicon supporters from effectively pursuing the boycott until a full trial could be heard by seeking an injunction. But on May 19, 1995, an Ontario Provincial Court judge delivered a 131-page decision rejecting Daishowa's claim that the boycott was illegal. She ruled that Daishowa had no grounds for an injunction against the FOL as the company had not proved their accusations of wrongful interference with economic interests, defamation, injurious falsehoods or nuisance.

only make a clear, public commitment not to cut or buy wood cut on unceded Lubicon territory until all land rights are settled and a fair and environmentally balanced timber harvesting agreement is reached.

For more information or to get involved, contact:

The Friends of the Lubicon

485 Ridelle Avenue, Toronto, Ontario

Canada, M6B 1K6

Phone: (416) 783-4694 Fax: (416) 603-2715.

E-mail: kthomas@envirolink.org

The FOL is also part of a coalition called the Unocal Information Campaign (UIC), initiated to oppose Unocal's soar gas facility on Lubicon land. The UIC calls upon Unocal to address all Lubicon concerns about the gas plant and to inform the public of the company's activities in Canada and overseas. The UIC is also contacting Unocal customers in the hope they will investigate these matters themselves.

You can contact the UIC at:

Box 192, 253 College Street

Toronto, Ontario

Canada, M5T 1R5

Phone: (416) 631-3576 FAX: (416) 971-2292.

F a c t s a n d F i g u r e s

Alberta was always interested in the Lubicon land claim settlement, chiefly because the areas involved sit on top of one of the richest oil and gas deposits in the country. As one energy resources official, said the region represents the "Saudi Arabia" of Western Canada. Losing a portion of the land and mineral rights to the natives would cost Alberta hundreds of millions of dollars a year, greatly upsetting Premier Ralph Klein's "Alberta Advantage" and his provincial debt elimination plans. What's good for the Lubicon is bad for Alberta. The numbers speak for themselves.

• *Average profit earned each year since the late 1970's by the petroleum companies exploiting Lubicon territory:*

\$500 million

• *Amounts earned by now:*

\$8 billion

• *Royalties paid to the Lubicon people, who have lived and hunted in the area for generations, since oil and gas development began:*

Zero

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be the end of the Lubicon people."

Federal and provincial governments have come and gone but the Lubicon's situation never changes. The land claim is unresolved. Political bureaucracies survive the winds of change and remain intent on diffusing the Lubicon claim.

Government tactics of bribing and dividing the band and constantly pulling out of negotiations have successfully delayed the talks while breaking

apart the Lubicon leadership and society. The petroleum companies continue to extract oil and gas while skirting their role in the destruction of the Lubicon by hiding behind government regulations; corporate bullies sanctioned by a witless government.

Social justice

The *Last Stand of the Lubicon Cree* by John Goddard, available from the Western Canada Wilderness Committee, explains this situation in

greater detail. The terrible tragedy unfolding on Lubicon land concerns everyone who believes in corporate or government responsibility and social justice. If we cannot assist the Lubicon in resolving their land claim and protecting their environment, we have failed not only the Lubicon children but our own children as well.

Canada's current Prime Minister Jean Chretien said "resolving the Lubicon land claim is a number one priority of my government."

The world must hold him to his word.

Daishowa + Unocal = Lubicon Destruction

by Christopher Genoali • Pacific Environment Resources Center
Sausalito, Calif.

It comes as no surprise to environmentalists in California that Unocal is leading the industrial assault against the Lubicon Cree and their boreal forest homeland in Northern Alberta

Unocal's record in its home state of California is one as a rogue corporate polluter with little respect for the environment, the community or the law. Unocal's activities in Lubicon territory are part of the company's continuing disregard for the ecology of the planet and for human rights.

Unocal has a long rap sheet of environmental violations and a history of polluting for profit, as the group Citizens For A Better Environment (CBE) has pointed out in its report *Poison For Profit*. Unocal's toxic dumping of selenium and dioxin wastes into San Francisco Bay threatens shellfish, fish, birds and marine mammals, as well as the people who depend upon the bay for their main source of food. The CBE is going to court to halt Unocal's trashing of the bay.

Unocal is not only the biggest selenium polluter of San Francisco Bay, it holds the record for the largest toxic spill in California's history. The 15-year-long "leak" occurred at Unocal's San Luis Obispo facility. The company continually denied there was a problem until it was finally forced to accept full responsibility.

Activists in California are also campaigning against Unocal because of its questionable operations in Burma, where the company invests in gas projects that support a repressive military junta. Unocal claims it is doing nothing wrong in Burma despite significant evidence to the contrary. Burma activists have also called for a boycott of Unocal products.

So when Unocal acts in a callous and calculating manner regarding the sour gas plant in Lubicon territory, concerned Californians should be made aware. As CBE stated in its report, Unocal's extraordinary rate of polluting is part of a conscious international strategy. There is a reason the periodical *Multinational Monitor* (watchdog of transnational corporate behavior) recently named Unocal as one of the ten worst corporations on the planet.

Environmental organizations in California working on various Unocal issues are joining forces and coordinating efforts. They include:

Pacific Environment & Resources Center
Canadian Forest Protection Project
Fort Cronkhite, Building 1055



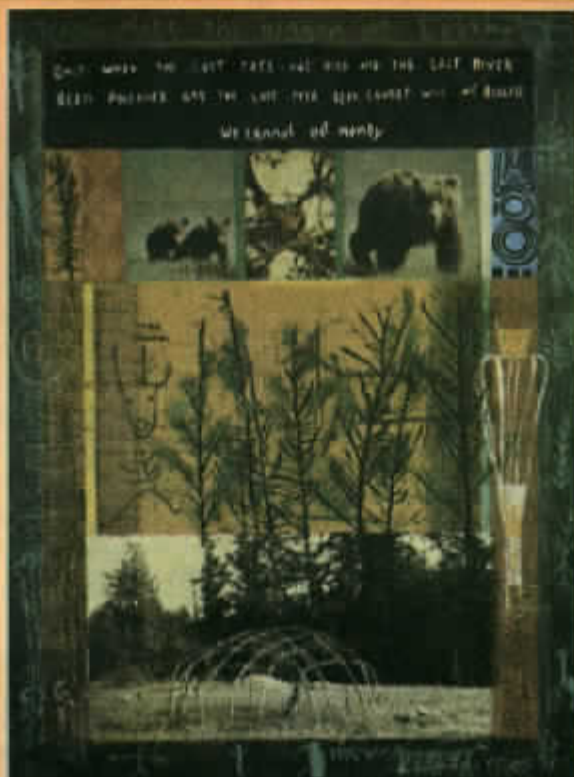
The Lubicon's traditional territory in Northern Alberta.

Sausalito, CA 94965
Phone: (415) 332-8200

Citizens for a Better Environment
500 Howard Street
Suite 506
San Francisco, CA 94105
Phone (415) 243-8373

The Burma Forum
383 - 2118 Wilshire Blvd.
Santa Monica, California
94043
Phone: (310) 451-4493

Please contact them for more information.



The Western Canada Wilderness Committee, in cooperation with the Lubicon people, is offering a Jane Ash Poitras Limited Edition Serigraph Print and T-shirt as a fundraiser for the Lubicon and the WCWC Lubicon Campaign.

The Lubicon situation is critical and funding is needed NOW.

\$5.95 Shipping and Handling per T-shirt. S & H for the Limited Edition Serigraph by special arrangement.

Please send me: _____ X \$295.00 Lt. Edition Serigraph
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Enclosed is payment by: Cheque Visa MasterCard

Card # _____ Expires: _____

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Yes!

I want to support the Lubicon in their quest to save their traditional lands from the petroleum and forestry companies.

I want to join the Western Canada Wilderness Committee. Here is my \$30 annual membership fee. Please keep me informed about the progress of your Lubicon campaign (membership fees include a 1996 calendar, so they are not tax deductible).

I will support the Western Canada Wilderness Committee and their campaign to help the Lubicon preserve their traditional territory from oil and gas, logging and external political interests.

Here is my tax-deductible donation of:
 _____ \$25 _____ \$50 _____ \$100 _____ \$500 _____ \$1,000 _____ other

NAME: _____ ADDRESS: _____

CITY: _____ PROVINCE: _____ POST CODE: _____

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Please make cheques payable to WCWC and mail them to:

WCWC Lubicon Campaign

#4, 10121 Whyte Avenue, Edmonton, AB. T6E 1Z5

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