



WOLF LAKE FIRST NATION

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February 12, 2009

UNFCCC Secretariat
P.O. Box 260124
D-53153 Bonn
Germany

Dear Sir/Madam:

The Wolf Lake First Nation is pleased to be able to provide the attached comments to the Subsidiary Body for Scientific and Technical Advice (SBSTA) on Agenda Item 5 from its 29th Session in Poznan, Dec. 1-10, 2008. These comments are in response to Paragraph 11 of the Draft Conclusions proposed by the Chair at the close of the SBSTA's 29th Session.

Respectfully,

Harry St-Denis
Chief of Wolf Lake First Nation



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**Comments on Draft Conclusions proposed by the Chair of the
Subsidiary Body for Scientific and Technical Advice (SBSTA) at its
29th session in Poznan, December 2008 on Agenda Item 5: Reducing
emissions from deforestation in developing countries.**

General Comments

The Wolf Lake First Nation (WLFN) is one of ten recognized communities that form the Algonquin Nation in Canada. We are pleased to have the opportunity to provide comments on the Draft Conclusions proposed by the Chair of the Subsidiary Body for Scientific and Technical Advice (SBSTA) at its 29th session in December 2008, in Poznan, on Agenda Item 5: Reducing emissions from deforestation in developing countries: approaches to stimulate action. While this Agenda Item seems to pertain to developing countries only, the WLFN believes that it should also apply in developed countries, such as Canada. Provided that the rights of Indigenous Peoples are recognized and respected in all aspects of forest management contemplated under the UNFCCC. In general, the WLFN believes that the final conclusions should recognize, respect, protect and promote the rights and participation of Indigenous Peoples in promoting biodiversity and measuring anthropogenic emissions.

Specific Comments

Para 11 & Annex 1c):

From WLFN's experience the references to Indigenous Peoples in these two sections are woefully ineffectual because they are inconsistent with the international standards set out in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), which has been overwhelmingly adopted by 144 States. The social dimension of the effects of climate change need to be included in the SBSTA's proceedings, therefore, the WLFN agrees with the AFN suggestions, which have already been sent to the Secretariat:

1. An unequivocal reference to the Rights of Indigenous Peoples and to the UN Declaration on the Rights of Indigenous Peoples be reinserted into the Draft COP14 Decision text on REDD.
2. All references to Indigenous Peoples include an "s", acknowledging that Indigenous Peoples around the world represent a multitude of nations and cultures and cannot be treated as a single 'people'.

Development of Avoided Deforestation Methodologies

For several years, our community has been evaluating long-term economic alternatives to the forest resource depletion industries which:

- decrease forest degradation on the territory;
- provide alternative employment to its growing population, - few young persons can find employment;
- create economic opportunities that are compatible with the cultural values and aspirations of its members,
- build on environmental stewardship opportunities which reflect and strengthen Algonquin culture which can also benefit the general public of our country and beyond.

We have identified carbon credit reforestation and prevented deforestation carbon projects as a new area of economic development and environmental stewardship and focus for our community.

In principle, the REDD initiative is in keeping with WLFN's work to date. As more and more individuals and countries are concerned about global warming and are seeking to reduce their climate impact, "Avoided Deforestation" will provide a significant contribution to addressing global warming. However, we do feel the program should not be limited to developing countries as forest degradation, Indigenous Peoples' poverty and climate change are global issues.

In Canada, we intend to co-ordinate our efforts in the forestry and carbon project area with the following areas of concern described in Quebec provincial draft forestry act guidelines:

- intensive silviculture,
- management units, and
- our community land allocations for carbon projects

On October 14, 2008 in Quebec City, Quebec the Algonquin Nation, as represented by Wolf Lake, made a presentation to the Quebec Commission on Labour and Economy regarding the Occupation of Forest Land in Quebec and the constitution of Forest Management Corporations regarding our rights and interests in carbon forestry development and territorial land use planning.

Recent Supreme Court of Canada rulings have set out the legal principles for Aboriginal Title:

The Delgamuukw decision sets out that Aboriginal Title includes "an inescapable economic component".

The Haida decision, requires the Crown to not only consult First Nations but to accommodate them depending on the nature of the right asserted.

Our community has documented and substantiated our connection and rights to the land in both historical and contemporary terms.

This is important because it determines our role in the development of provincial and federal initiatives that affect our Territories and our way of life such as carbon forest management.

Federally, we are currently avoided deforestation protocol development proponents under the current Environment Canada Industry Provincial Offset Group fast track development process. However, WLFN made these arrangements on their own initiative and believes further coordination with and among government officials and recognition by all governments of the unique nature of the Rights of Indigenous Peoples, participation and role is required in order for to successfully move ahead with those plans that affect all Indigenous Peoples and their territories.

Canada's decision at the 29th Session of the SBSTA in Poznan to exclude all references to Indigenous Peoples, is completely unacceptable to our First Nation and should not be accepted as a norm by the SBSTA.

Canada's position completely ignores our constitutional and legal right to the subject of these hearings – our forests – and we call upon the SBSTA to reinsert the text that was removed as a result of Canada's request.

Finally, to ensure that the knowledge and experience of Indigenous Peoples are included in the proceedings of the SBSTA, the WLFN strongly urges the SBSTA to invite Indigenous Peoples Organizations to participate in an Indigenous Peoples Advisory Group to assist the SBSTA with the ongoing REDD planning.