

Paragraph 6, section 5, page 7, does not accurately characterize our comments. It should read "and adds that many of the rights addressed in the instrument will be occasioned by membership in the indigenous group or enjoyed in community with other members of the group." On line 5 of the same paragraph the example given should read "rights of subsistence", such as hunting, fishing and trapping, not "the right to live as a group" as stated in the document.

Canada also suggested that the rights to integrity of the person, prohibition of cruel or degrading punishment or treatment, and proscription of slavery could be dealt with in one article.

In paragraph 4, section 15, page 16, the reference to Canada's comments is incomplete. Canada stated that a general reference might be given to protection of the rights of the child, but that the Article 19 of the American Convention on Human Rights and the United Nations' Convention on the Rights of the Child are more appropriate venues for discussion of these rights. Canada noted that individual, family and community interests must be weighed when considering the "best interests of the child".

In paragraph 3, section 19, page 19, the situation in Canada has not been accurately portrayed. In Canada, indigenous people have the same rights as other Canadian citizens regarding federal, provincial or territorial elections and may have additional rights relating to their governments. Selection of indigenous governments is expected to be done in accordance with the Canadian Charter of Rights and Freedoms, however the Canadian constitution provides that the Charter should be interpreted in a manner that does not abrogate or derogate from aboriginal, treaty or other rights and freedoms that pertain to the aboriginal peoples of Canada. It should be noted that the status of the proposals put forward to include indigenous voting districts in federal elections and senatorial representation is not certain at this time. Finally, aboriginal people must be consulted before changes are made to constitutional articles directly affecting them.

In paragraph 3, section 22, page 21, Canada stated that just, equitable, and satisfactory conditions of work, trade union rights and social security rights should apply to indigenous people equally as with the rest of the population and need not be specifically addressed in this instrument. Accordingly, Canada's name should then be struck from paragraph 5 on social security which states that social security be gradually extended to indigenous populations.