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Ktunaxa to Submit Application for Judicial Review of Jumbo Resort Approval From Issues Magazine Sept./Oct. 2012 Contributed by: Jack Blower

Recently the Ktunaxa Nation announced their formal decision to apply for Judicial Review of the B.C. Government's recent approval of the Jumbo Glacier Resort. The resort would be built in the heart of what the Ktunaxa call Qat'muk (GOTMOOK), which is located an hour west of Invermere, BC.

The home of Grizzly Bear Spirit, Qat'muk, is vital to both Ktunaxa culture and of the region's environment. The BC Government's approval of the resort in the heart of Qat'muk represents a desecration of a principal Ktunaxa sacred site, the potential undoing of Ktunaxa traditional spiritual and religious practices, and consequently a significant and unjustifiable violation of Ktunaxa constitutional rights.

According to the Ktunaxa creation account, Qat'muk is where Grizzly Bear Spirit was born, goes to heal itself, and returns to the spirit world. For the Ktunaxa, relying on the continuation of traditional spiritual and religious practices, Grizzly Bear Spirit is a unique and indispensable source of collective as well as individual guidance, strength, and protection. Qat'muk's importance for living grizzly bears now and in the future. "The Ktunaxa have a stewardship obligation and duty to the Grizzly Bear Sprit and Qat'muk, said Ktunaxa Nation Chair, Kathryn Teneese.

"Ktunaxa have been on record as being opposed to this resort since it was first proposed, principally on the spiritual importance of the Qat'muk area for Ktunaxa people, as well as the concerns for the protection of wildlife populations, biodiversity and water quality."

"Throughout the consultation process, the Ktunaxa Nation clearly and consistently indicated that proceeding with the resort would destroy the spiritual, cultural and environmental values of Qat'muk. Yet, they did not hear our words."

Despite considerable efforts made by the Ktunaxa to convey the cultural, spiritual and religious significance of Qat'muk, the BC Government approved the resort on March 20, 2012. Efforts (Continued next column)

Our Mission

The Boundary Peace Initiative represents a growing number of area residents of diverse backgrounds brought together over the Iraqi crisis.

We support multilateral action for non-violent conflict resolution, human rights, ecological integrity for the planet and international law, through education and dialogue locally and globally. We encourage everyone's participation as we strive for peace and justice to build a better world for future generations.

BPI web site: www.boundarypeace.20m.com

Boundary
Peace Initiative
meets @ 7 pm
on the 2nd &
4th Thursday @
the Slavonic
Seniors Center
on 72nd Ave.

To Do

BC Southern Interior Peace Coalition Regional Conference in Kelowna, Oct. 13th. For info contact Laura: 250 442 0434 or email l4peace@telus.net

Sing For Peace: Choir directed by Joan Thompson sings to build peaceful communities and hope for the future. Rehearse on 2nd Tuesdays at 7:30 pm at Studio A. the old Gazette Building. For info contact Joan at 250-666-0113 or email jkathleen@shaw.ca



Rosemary Phillips honors International Day of Peace on highway in Christina Lake, B.C. Thank you, Rosemary!

(From last column) Ktunaxa

by Ktunaxa included the release of the Qat'muk Declaration and Stewardship Principles and the release of the Schaffer Economic Report, which concluded that there was no net economic benefit to the region or the Province of B.C.

"The resort was approved despite the strong evidence of the critical impact it would have upon our culture," continued Teneese. "We now have no other choice but to challenge the BC Government's decision-making process. We feel that this decision will not stand in a court of law, and will be found to show that the BC Government did not make the correct decision in approving the resort in the heart of Qat'muk."

"We feel it is important to protect our culture at any cost," said Teneese. "However, this legal challenge is an expensive proposition to the Ktunaxa, and we are currently bearing this cost alone. As a result, we are inviting the public to contribute to our legal costs through our website www.beforejumbo.com. There is also a second fund for visitors, which will support the cultural activities and education, related to Qat'muk. Donations to this fund qualify as charitable donations. We cannot issue tax receipts for the legal fund, but we can for all donations over \$20 to the cultural activities fund. All contributions are greatly appreciated."

For more information on Qat'muk, or to donate money either to the legal action fund, or to the charitable activities fund, please visit:

www.beforejumbo.com.

Ktunaxa people have occupied the lands adjacent to the Kootenay and Columbia Rivers and the Arrow Lakes of British Columbia, Canada for more than 10,000 years. For more information to the Ktunaxa visit: www.ktunaxa.org.

For further info contact: Garry Slonowski **250-919-2848** or **gslonowski@ktunaxa.org** *Grizzlies at Qat'muk—Jumbo Resort*



We Need Diplomacy, Not Saber-rattling, says Canada's largest peace group September 7, 2012

The decision by the Harper government to sever diplomatic ties with Iran and to expel all Iranian diplomats from Canada is a dangerous and unwanted escalation of the current crisis. The Canadian Peace Alliance condemns this decision and calls on the government of Canada to normalize relations and to call for a peaceful and negotiated settlement.

This is not the first time that the government of Canada has led the drive to war with Iran. Prime Minister Stephen Harper has stated publicly that Iran is the "greatest threat to world peace." The severing of diplomatic ties shows that, in fact, the Harper government is the real threat to peace and stability.

"The global community is calling for negotiation and dialogue to avert war," said Sid Lacombe, coordinator of the Canadian Peace Alliance. "Keeping diplomatic channels open for that discussion is an absolute prerequisite to finding a peaceful solution to the conflict. The Harper government has just told the world that they don't care for peace and are instead paving the way to war."

Iranian-Canadians also spoke out against the decision to sever ties.

"We are worried that these actions by the Harper government are a sign of imminent attack," said Niaz Salimi, president of the Iranian Canadian Community Council. "We are opposed to any actions which brings us closer to war."

A war with Iran would cause untold civilian deaths and could escalate into a much larger regional conflict. There is no credible evidence that Iran is using nuclear technology to create a weapon, yet the Canadian public is being asked, once again, to put its faith in fictitious claims about Weapons of Mass Destruction. The fact that no weapons were ever found in Iraq - and that the evidence of such a program was deliberately fabricated - renders any accusations against Iran extremely questionable.

This October 6th, Canadians will demonstrate their opposition to the possibility of war against Iran by joining anti-war events across Canada.

For more information, visit http://www.acp-cpa.ca.

Support Your Peace Movement

DONATE TO THE CANADIAN PEACE ALLIANCE.

The Canadian Peace Alliance needs your support to continue our campaigns against war, racism and the reckless militarism of the Harper Government. We do not accept government or corporate donations. All our campaigns are funded by our member groups and the generous support of people like you. Please give and help us build a strong voice for peace in Canada.

Ed. Note: The BPI will have an information table Friday, Oct. 5th at The Source in Grand Forks, BC from 11:30 am to 2 pm. Come by to add your voice to the petition and get more information on Iran.

Quakers Oppose the Development of the Enbridge Northern Gateway Pipeline

Canadian Yearly Meeting of the Religious Society of Friends (Quakers) opposes the development of the Enbridge Northern Gateway Pipeline. This opposition is based on:

- far-reaching decisions being made for British Columbians and Albertans by the Canadian government that have ramifications for climate change and for the health and well-being of present and future generations;
- solidarity with Indigenous Peoples regarding their sovereignty over their territories, as expressed in the Coastal First Nations Declaration and the Save the Fraser Declaration. Development should not take place on Indigenous territories without the free, prior and informed consent of the affected peoples. This principle is consistent with the UN Declaration on the Rights of Indigenous Peoples, Indigenous peoples' rights and related government obligations under Canada's constitution, and with Supreme Court jurisprudence that calls for consent on "very serious issues";
- high probability of devastating damage to major B.C. and Alberta rivers from pipeline disasters and the hazards to navigation for oil supertankers using the coastal port at Kitimat, B.C.;
- unavoidable damage and destruction of B.C.'s unique habitats and ecosystems, including destruction of wildlife and loss of biodiversity at a time when all life forms, including human, are under extreme environmental threat;
- inevitable decline of cultures, communities, and livelihoods, which are sustained by the lands, rivers, and ocean waters of British Columbia. This statement may be shared with ecumenical and other groups that carry a concern about the pipeline.

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Ed. Note: For further info please contact Susan

Taking Liberties: Canada's Growing Torture Infrastructure

By: Matthew Behrens: September 20, 2012

The ease with which self-described democratic states embroil themselves in torture continues to be illustrated by the manner in which agencies of the Canadian state, from spies to judges, have wedged open a door to legitimize complicity in a practice that both domestic and international law ban outright. Before dismissing that paragraph as preposterous, it is worth considering that two federal inquiries into the torture of Abdullah Almalki, Maher Arar, Ahmad El Maati, and Muayyed Nureddin revealed a sinister level of Canadian complicity in torture, from which no accountability or systemic changes have emerged. Further, damning documents reveal Canadian knowledge of and culpability in the renditions and torture of Benamar Benatta and Abousfian Abdelrazik. Meanwhile, the Federal Court, while accepting CSIS memos acknowledging that secret trial "security certificate" cases are based largely on torture, continues with hearings that could result in deportations to torture. That latter possibility is courtesy of a 2002 Supreme Court of Canada decision[8] that left open the possibility of such complicity in torture under "exceptional circumstances."

Outrage over Canadian involvement in torture remains fairly muted, especially as each new revelation of deepening complicity is met by government officials not so much with shamefaced promises to keep our hands clean, but rather bald-faced justifications in the name of security. Indeed, as in the U.S., there appears a growing Canadian effort to justify as legal and legitimate that, which is neither.

Part of that process of legitimization -- accepting torture as a normal course of social and political events in much the same mundane way we would assess price drops in overseas markets -- is now firmly fixed at the Canadian Security Intelligence Service (CSIS). As we learned last month in a declassified memo, CSIS runs a thinly disguised torture committee, using the more group hug-like moniker of the Information Sharing Evaluation Committee.

According to a formerly secret [9] August 2011 memo from CSIS Deputy Director of Operations Michel Coulombe, a group of six people sit around the table and shoot the breeze about information coming across their desks that may have come from torture (or, to use their preferred term, "mistreatment"). Their task is to decide whether to act on the fruits of torture and whether to share information that could lead to the torture of someone else. This may sound familiar, because it's exactly what CSIS and the RCMP were already found to be up to in the decade following 9/11. Rather than ending such practices, they've developed an Orwellian process whereby they justify doing what they are not supposed to do, with subsequent Public Safety memos from Vic Toews to the Canadian Border Services Agency and the RCMP outlining the same process.

All of these documents clearly state that the "Government of Canada does not condone the use of torture," but then proceed to justify involvement in torture.

So what does the Gang of Six do when they decide whether they have to defy the law by getting down and dirty with torture? Their list of sources to consult starts with "CSIS databases," a less than objective or reassuring source of information which the departed Inspector General of CSIS, Eva Plunkett, slammed in her November 2011 report as "unreliable." (Her position has since been eliminated to save \$1 million, while the War Department continues to spend upwards of \$2 million on Viagra).

CSIS is then to look at their "foreign arrangements" as well as "assurances" that have been received by the foreign entity. In deciding whether to turn someone over to the Gestapo or to share information with those who turn the screws, CSIS must decide whether the Gestapo's promise not to torture someone can be taken at face value (this practice of "diplomatic assurances" has long been condemned as another disgrace that erodes further the outright ban on torture).

(Continued page 4)

Every year the Kootenay Region United Nations Association appeals for donations starting Sept. 21st, UN International Day of Peace, and runs until Dec. 10th, UN Human Rights Day. This year they seek donations to help a local filmmaker, Rachel Schmidt. Her film entitled, 'Defensora' is about Canadian mining in Guatemala and documents the Mayan Q'egchi people's struggle to reclaim their ancestral lands, and find justice for the murder, shootings and rapes that have occurred in their communities and in which many in Canada and the USA are linked to through our government policies, promoting the expansion of North American corporate interests globally, and through pension plans and private fund investments in these companies.

To donate please contact the USCC offices in Grand Forks at 250 442 8252 or in Castlegar at 250 365 6877.

To check out the project go to https://vimeo.com/41162423 and to donate on-line go to http://www.indiegogo.com/defensora

Book & Film Recommendations



B.C. People: Portraits of Diversity in B.C. Copyright 2011

Writer and Publisher—Julie Gordon

The question, for the author, that prompted the project was: What exactly is multiculturalism and what does it mean to the people of B.C?

B.C. is home to more than 4 million people. Almost 30% of them emigrated from another country in their lifetimes. One quarter are visible minorities. And 5 % identify as Aboriginal. The most ethnically diverse province in Canada, B.C. welcomes nearly 40,000 new immigrants every year.

The project promotes awareness and understanding amongst and between the diverse peoples and communities of B.C. and was funded by the B.C. and Canadian Governments. A CD for more in-depth commentary, interviews and information, written and verbal, accompanies the book. There is also a web site to explore at www.bcpeople.ca.

Films donated by the No Boundaries Film Club to the Grand Forks Public Library

{Ed note: I am sorry I do not have a description of the below films but they are worth the effort}

Soldiers of Conscience Pray the Devil Back to Hell H2Oil Burma VJ

(From page 3) Canada's Growing Torture

CSIS can also check the human rights reports from DFAIT (the Department of Foreign Affairs and International Trade). DFAIT was found to be complicit in torture by two federal inquiries (and their memos with respect to the torture of Abdelrazik, detained in Sudan for years, illustrated similar culpability as well). DFAIT human rights reports are not made public, according to the Arar Inquiry, because "there is some concern about the impact public reports may have on Canadian commercial interests with these countries." In addition, the reliability of DFAIT reports is far from certain. The Arar Inquiry [10] pointed out that while a DFAIT report on torture in Syria in 2001 referenced "credible evidence of torture" and the use of torture to extract confessions, the 2002 report qualifies the use of torture as "allegations" and omits mention of the use of torture to extract confessions. Notably, while Canadians like Maher Arar, Ahmad El Maati and Abdullah Almalki were detained and tortured in Syria, the DFAIT annual report failed to make any mention of them.

And when a perhaps junior staffer at DFAIT has the gall to report the truth, it is rewritten. Indeed, we learned in 2008 that an 89-page PowerPoint DFAIT training manual listed, among countries using torture, the U.S. and Israel (both of which are well-documented facts). Former foreign affairs minister Maxime Bernier reacted by declaring [11]: "It contains a list that wrongly includes some of our closest allies. I have directed that the manual be reviewed and rewritten."

The other items checked include "open source information" (code word for the *National Post* and other right-wing publications and websites from which CSIS builds its cases). To cover their derrieres, they throw a sop about consulting Amnesty International, Human Rights Watch, and U.S. State Department reports, but they likely carry no weight given that CSIS and DFAIT officials have repeatedly refused to acknowledge that torture has been systematic in countries like Syria and Egypt.

By choosing to be part of the torture chain, and using lawyers at Canada's Department of Justice for cover (as they were during the torture of Canadians in Syria and Egypt), it appears that the Canadian government seeks not to hide its involvement, but rather to sanction it under the cover of law

Skeptics might ask whether this is blowing things out of proportion. Yet this is precisely what happens when the door to torture has been opened. U.S. lawyer Alan Dershowitz famously said that Americans should be able to obtain torture warrants for "extreme" cases," yet if one is to open that door, who does the torture? How is it practiced to ensure a torture team will be available and ready to roll when it is mandated by a torture warrant? Thus we enter the world of "torture controls and limitations," in much the same twisted way in which we have global holocaust controls with nuclear weapons limitations.

Richard Matthews of Mount Allison University, in his excellent book *The Absolute Violation* [12], notes that just as fighter pilots need to train so they can drop their bombs, "at some points torturers have to practice on victims if they are going to be any good. The spread of state torture is not merely a risk but is in fact inevitable once the state decides that torture serves a state interest."

In this instance, CSIS has clearly defined its state interest in torture by declaring there will be times when it is necessary to engage in the odious practice.

(Continued next column)

The Boundary Peace Initiative (BPI) welcomes articles, which are the sole responsibility of the authors and may not be common consensus. To contribute please contact **Laura** at **250-442-0434** or **14peace@telus.net**. The BPI is a member of: Southern Interior Peace Coalition, Canadian Peace Alliance, Abolition 2000, Lawyers Against the War, Canadian Voice of Women for Peace and an affiliate of the Fellowship of Reconciliation as well as other local and global groups.

(From last column) Canada's Growing Torture

Matthews notes that "defenders of torture typically accept that every human being has a right not to be tortured, and they agree that this should be enshrined in international law. The debate is not about whether there is such a right but about whether such rights may ever be overridden." [emphasis added] Matthews, whose book was published in 2008, has clearly hit the nail on the head, since this is exactly how the CSIS memos are structured. What follows from this rationale, he notes, is a concerted effort to incorporate such processes within the framework of the law, so that any decision that leads to blood on the hands will be seen as lawful.

This is made possible because in the UN Convention Against Torture [13], its early definition includes a dangerous exception in Article 1, when it states torture "does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions." From this definition, one can see the emerging legal and moral calisthenics engaged in by the Bush administration as well as Canada's Justice Department and associated government agencies when they try and bend the definitions, use temperate language, and wrap their procedures in the soothing gauze of international law and respect for human rights. Indeed, in the CSIS memo and related documents, torture becomes mistreatment, and an interrogation session with electric shock or genital crushing gets reduced to a "detention interview."

Furthermore, CSIS declares that it will not "knowingly rely upon information" derived from torture, a convenient construction given the willful blindness with which it operates with its foreign partners. If CSIS does not knowingly acknowledge that Syria engages in torture, then how can it be knowingly relying on the fruits of torture when it receives information from Syria? With such reasoning CSIS maintains it is "essential" to nurture these relationships because, in their eyes, they're doing nothing wrong.

As Canada continually refuses to apologize to and provide compensation for the numerous returnees from overseas torture whose lives the government has ruined, it becomes even clearer how high the stakes have become in these cases: any acknowledgement that what was done in these situations was wrong, illegal, or unethical, would bump Canada from its comfortable position in the global torture chain.

Matthew Behrens is a freelance writer and social justice advocate who co-ordinates the Homes not Bombs non-violent direct action network. He has worked closely with the targets of Canadian and U.S. 'national security' profiling for many years

Published on *rabble.ca* (http://rabble.ca) Home > Taking Liberties: Canada's growing torture infrastructure

One is left with the horrible feeling now that war settles nothing; that to win a war is as disastrous as to lose one.

Agatha Christie

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