

First Nations Summit

NEWS RELEASE

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First Nations Summit concerned about safety of Wet'suwet'en peoples and others remaining in vicinity of Gidimt'en camp

Coast Salish Territory/Vancouver, BC — Following yesterday's arrests, the leadership of the First Nations Summit (FNS) is concerned about the safety and well-being of Wet'suwet'en peoples and others who remain at or in the vicinity of Gidimt'en camp, located near Houston, BC, as the RCMP continue to enforce an interim injunction order obtained by Coastal GasLink.

Until yesterday, Wet'suwet'en peoples and others who are opposed to construction of a pipeline by Coastal GasLink set up a checkpoint at a bridge located near the Gidimt'en camp, which effectively prevented access to the project site by Coastal GasLink. A December 14, 2018 BC Supreme Court injunction prohibits opponents of the pipeline from interfering with or impeding persons or vehicles from accessing an area south of the Gidimt'en camp to carry on pipeline business, including pre-construction and construction activities.

In a background statement issued by the RCMP's BC North District office in Houston on January 6, 2019 titled, "Background on BC RCMP's role in enforcing injunction order" the RCMP stated that "...it is our understanding that there has been no declaration of Aboriginal title in the Courts of Canada."

FNS Task Group member Grand Chief Ed John said "We take issue with the erroneous statement made by the RCMP about Aboriginal title. The Supreme Court of Canada made a declaration of title in the landmark Tsilhqot'in decision and Aboriginal title has been recognized as an existing legal interest in land in other landmark decisions such as Sparrow, Delgamuukw/Gisday'wa, Tsilhqot'in, Haida and Taku. Aboriginal title and rights are at the heart of this issue and the RCMP's erroneous statement arguably compromises the force's impartiality and neutrality."

Grand Chief Ed John added that: "These legal pronouncements have been buttressed by political recognition of Aboriginal title and rights by Canada and BC. In his [February 14, 2018 speech](#), Prime Minister Trudeau stated that the recognition and implementation of Aboriginal rights, which includes Aboriginal title, will be the basis for all relations between Indigenous Peoples and the federal government going forward. In a December 1, 2018 [Principals Accord](#) entered into by Canada, BC and the First Nations Summit, the parties acknowledge that Aboriginal rights and title are inherent and not contingent upon recognition by the Crown, government action, court declarations or agreements for their existence."

"The RCMP's statement about Aboriginal title goes beyond the scope of its mandate and will not contribute to peaceful diffusion of the issue at hand. It is not within the purview of the RCMP to interpret the case law or to make statements about whether and where Aboriginal title exists," said FNS Task Group Member Robert Phillips. He added that "In this case the authority of the RCMP is limited to enforcing the injunction and keeping the peace. In an era of reconciliation, it is not helpful for Canada's senior law enforcement agency to make erroneous statements about Aboriginal title that effectively perpetuate misunderstandings about the constitutionally protected rights of Indigenous peoples. Although the RCMP has subsequently retracted its erroneous statement, the harmful effect of this statement in perpetuating the denial of Aboriginal title and rights and colonial views on the law of Aboriginal title are not so easily undone."

FNS Task Group member Cheryl Casimer stated, "We urge the RCMP to refrain from the use of unnecessary force on Wet'suwet'en peoples and others who have been peacefully protesting construction of the pipeline. We encourage respectful dialogue and open lines of communication among the RCMP and opponents of the pipeline who remain in the vicinity of the Gidimt'en camp and urge the RCMP to exercise caution and diplomacy in implementing the injunction."

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The First Nations Summit speaks on behalf of First Nations involved in treaty negotiations in British Columbia. The Summit is also a NGO in Special Consultative Status with the Economic and Social Council of the United Nations. Further background information on the Summit may be found at www.fns.bc.ca.

For further information:

Debra Hanuse on behalf of Colin Braker, First Nations Summit: (604) 926-9903