

February 6, 2025

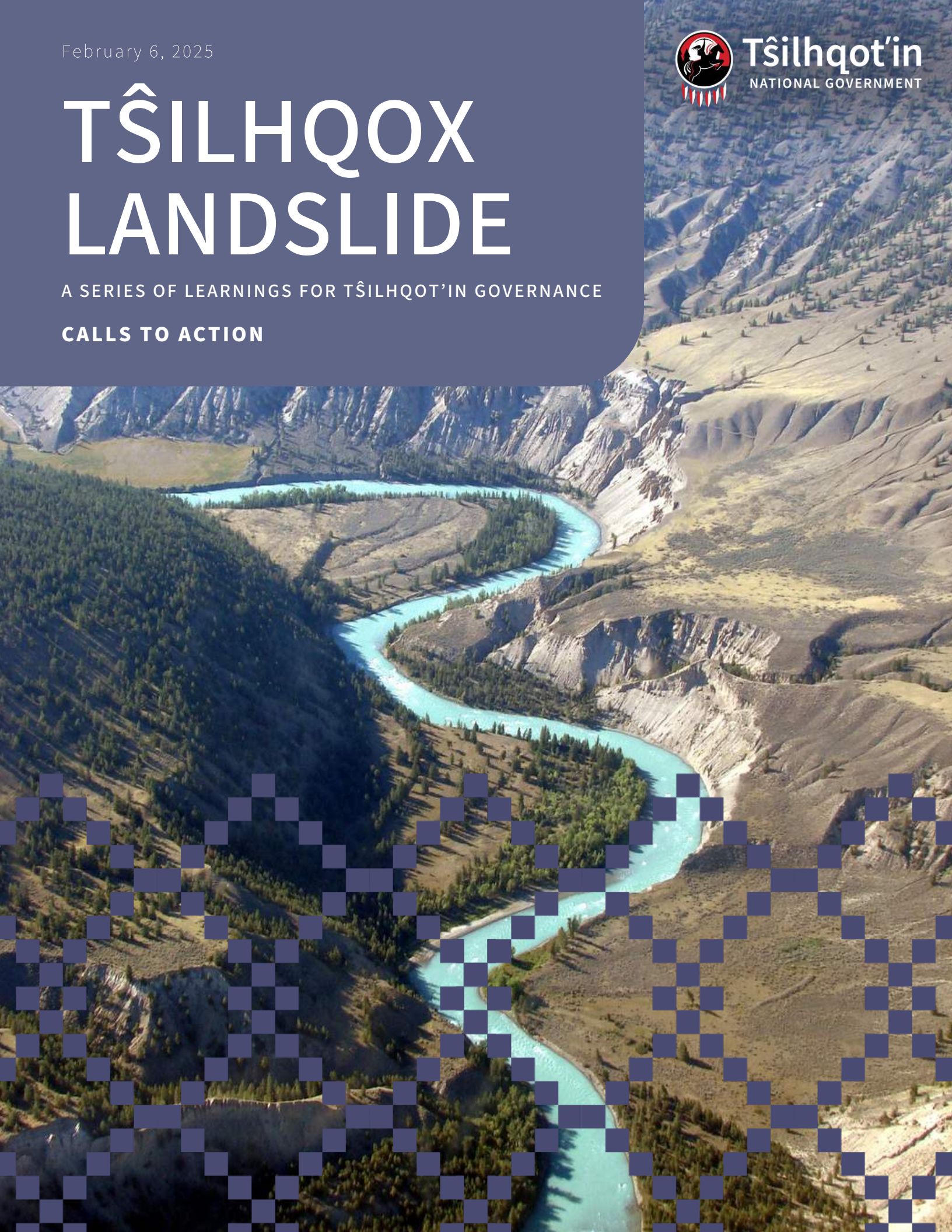


Tsilhqot'in
NATIONAL GOVERNMENT

TŜILHQOX LANDSLIDE

A SERIES OF LEARNINGS FOR TŜILHQOT'IN GOVERNANCE

CALLS TO ACTION





BACKGROUND

On June 26, 2014, in *Tsilhqot'in v. British Columbia* 2014 SCC 44, the Supreme Court of Canada (SCC) declared the T̓silhqot'in Nation Aboriginal title to more than 1,700 square kilometers of land, primarily within in the Xení Gwet'in (Nemah Valley) caretaker area of T̓silhqot'in. As a result of the SCC declaration, British Columbia and the T̓silhqot'in signed the *Nenqay Deni Accord* (2016) which was later followed with a tripartite reconciliation framework -- the *Gwets'en Nilt'l Pathway Agreement* (2019).

After the 2014 declaration of title, Premier Christy Clark exonerated the T̓silhqot'in Chiefs that were wrongfully hanged in 1864/65. On March 26, 2018 the Prime Minister Trudeau followed, making a statement in the House of Commons exonerating the Chiefs. These were vital steps toward repairing some of the colonial harms enacted on the T̓silhqot'in Nation.

British Columbia and Canada have both committed to implementing the United Nations Declaration on the Rights of Indigenous Peoples. Amongst other important principles, the UN Declaration reflects the self-determining right of Indigenous Peoples, the right of Indigenous Peoples to traditional territories, the right to consent to legislative and administrative measures that may affect them, and it underscores that Indigenous rights are human rights.

While British Columbia (BC) and Canada have entered into reconciliation agreements and made many promising public statements, jurisdictional issues within T̓silhqot'in territory continue to impede the full exercise of inherent T̓silhqot'in authority. The wildfires of 2017 sparked the need for another tripartite to form – the Collaborative Emergency Management Agreement (2018), renewed in 2022. The agreement between BC, Canada and the T̓silhqot'in Nation aimed to provide seamless response to emergencies eliminating jurisdictional ambiguity.



Chiefs at the T̓silhqot'in Title Case Celebration, July 7th 2014



T̓silhqot'in/B.C LOU signing September 10th, 2014



Prime Minister Justin Trudeau exonerates T̓silhqot'in War Chiefs of 1864, March 26, 2018



BACKGROUND

Drawing on key learnings from the 2024 *T̓silhqox Landslide*, the following calls to action reinforce previous calls to action from *Nagwedižk'an gwaneš gangu ch'inidžed ganexwilagh* (The Fires Awakened Us) and *Dada Nentsen Gha Yatastig: T̓silhqot'in in the Time of COVID*. These new calls to action outline the significant work that needs to be done to uphold T̓silhqot'in laws and jurisdiction across T̓silhqot'in territory.

The T̓silhqot'in expect BC and Canada to fulfill their duties as tripartite government partners to make meaningful advancements, not only to the previous calls to action, but to the following calls to action as well.

“The landslide is sending us a message that we need to change our practices.”

**- NITS'IL?IN
FRANCIS LACEESE**



August 4, 2024 - Water pooling behind the slide

1. T̓silhqot'in Land, Water and Resources Management

Nagwentled signifies a changing of the waters. It guides us toward a reactivation of responsibilities to the *nen* and *tu*, and a realignment of relationships with government partners.

TNG calls on British Columbia and Canada to uphold and support the exercise of T̓silhqot'in laws and jurisdiction over T̓silhqot'in territory *nen* (land) and *tu* (water) resources, specifically by:

Establishing core funding for a T̓silhqot'in "Emergency Reserve Fund" (as originally called for in the Fires Awakened Us) and a T̓silhqot'in "Nen Restoration Fund" to enable the Nation to implement urgent emergency response and recovery actions with less financial risk.

2. Ts'eman & Lhuy (Fish) Stewardship

Ts'eman (sockeye salmon) are the heartbeat of the T̓silhqot'in nation. The ts'eman and *deni* (people) have together faced compounding colonial and environmental threats. Together they are resilient. As stewards of the T̓silhqot'in *tu* and *nen*, the Nation inherently knows to care for the ts'eman and other *lhuy*, including making hard decisions about conservation in the face of the landslide and other threats.

We call on British Columbia and Canada to:

Prioritize reforms to their fisheries management regimes that ensure the survival and rehabilitation of ʔElhdaqox (Fraser River) ts'eman, jaš, and other lhuy, to uphold the inherent and constitutional rights of the T̓silhqot'in and other First Nations to fish, and to support Indigenous jurisdiction over fisheries in policy and in practice.



March 7, 2006 - Nagwentled in its natural state



TNG Fisheries Team at T̓silhqox Biny Spanning Grounds

3. Emergency Salmon Task Force

The T̓silhqot̓in Nation is in the best position to lead a collaborative approach to salmon and lhuy governance. Deep place-based knowledge, technical sophistication and a values-based approach to fisheries flowing from T̓silhqot̓in law and jurisdiction allowed the Nation to quickly mobilize technical experts and government partners to prioritize the survival and recovery of the salmon and other lhuy.

In order to sustain and strengthen this success, we call on British Columbia and Canada to:

Build on the success of the Emergency Salmon Task Force by transitioning the task force into a long-term arrangement for harnessing strong technical expertise in support of the exercise of T̓silhqot̓in jurisdiction, and by aligning relevant areas of provincial and federal regulation with Task Force work.



Ts'eman (Sockeye Salmon)

4. Emergency Management

The T̓silhqot̓in Nation leads emergency management in T̓silhqot̓in territory and has actively negotiated government-to-government protocols for coordinated emergency management since the 2017 fires. The multi-faceted response to the 2024 T̓silhqox landslide generated a mixed track record of government officials respecting T̓silhqot̓in jurisdiction through the implementation of these protocols.

We call on British Columbia and Canada to:

Integrate consultation, cooperation and consent-based protocols across all government departments to ensure Indigenous jurisdiction is respected even in urgent emergency response and regardless of which government entities are enlisted in response.

and

Support long-term integrated T̓silhqot̓in cumulative impacts recovery through planning, agreements and funding that advance holistically T̓silhqot̓in jurisdiction.



Nits'il?in Francis Laceese at the Nagwentled Ceremony, August 2024