

SUBMISSION BY GIDIMT'EN LAND DEFENDERS, WET'SUWET'EN NATION



MILITARIZATION OF WET'SUWET'EN LANDS AND CANADA'S ONGOING VIOLATIONS

Submission to the Expert mechanism on the Rights of Indigenous Peoples,
United Nations Human Rights, Office of the High Commissioner

For consideration for "The militarization of indigenous land: a human rights focus" by the Expert Mechanism and its presentation to the Human Rights Council at its session in September 2022.

Submitted on February 7, 2022 by:

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This submission is formally endorsed by our allied organizations:

Union of BC Indian Chiefs
Lawyers' Rights Watch Canada
Sierra Club BC
Greenpeace Canada
Rainforest Action Network
Leadnow
BC Civil Liberties Association
HIV Legal Network
Stand.Earth
The WaterWealth Project
Indigenous Climate Action
Solidarity Notes
Pasifika Uprising

Amnesty International Canada (English Speaking)
West Coast Environmental Law Association
RAVEN: Respecting Aboriginal Values & Environmental Needs
Battered Women's Support Services
Canadian Centre for Policy Alternatives
Council of Canadians – Le Conseil des Canadiens
Migrant Workers Alliance for Change
February 14th Women's Memorial March Committee
West Coast Legal Education and Action Fund
Women's Earth and Climate Action Network
Indigenous Environmental Network
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Summary

1. The forced industrialization and police militarization of Wet'suwet'en land is a violation of Canada's international obligations as outlined in the UN Declaration on the Rights of Indigenous Peoples (UNDRIP). By ignoring the UNDRIP, Canada has violated our right to our traditional territories (Article 26); to life, liberty and security (Article 7); to govern our territories and to free, prior and informed consent (Articles 19, 32); to protect and conserve our lands (Article 29); to not be forcibly removed from our lands or territories (Article 10); and to determine our own development priorities (Article 23).¹

Recent Context

2. The Wet'suwet'en people, under the governance of our Hereditary Chiefs, are protecting our territories and sacred sites against Coastal GasLink (CGL), a pipeline construction company subsidiary of TC Energy Corporation. The CGL pipeline, spanning 670 kilometers, will transport fracked gas to the proposed LNG Canada processing plant, which is the largest single private sector infrastructure project and one of the largest energy investments in Canadian history.² Under 'Anuc niwh'it'en (Wet'suwet'en law) all five clans of the Wet'suwet'en have opposed all pipeline proposals and environmentally and culturally destructive industrial activity. Since 2010, many investors have pulled out of projects throughout our territory. However, CGL's fracked gas pipeline project is proceeding without our Free, Prior, and Informed Consent, in violation of 'Anuc niwh'it'en (Wet'suwet'en law), Canadian constitutional law,³ and Canada's obligations under the UNDRIP and human rights conventions.
3. The Wet'suwet'en struggle is a frontline to protect the inherent rights of Indigenous peoples and to prevent climate change, in alignment with articles 29, 32, and 23 of the UNDRIP. Since 2009, in accordance with our governance structure, a number of re-occupation sites across Wet'suwet'en territory are affirming our jurisdiction to our territory. These sites are populated by Wet'suwet'en families, elders, and children, and include residential cabins, pithouses, bunkhouses, healing lodges, hunting camps, and cultural camps. In accordance with Wet'suwet'en law and UNDRIP Articles 19 and 32, we have implemented an FPIC protocol that requires any visitors to the territory to seek permission from the Hereditary Chiefs to enter. Coastal GasLink has never received this permission or consent to operate on our territory. In February 2019, Wet'suwet'en Hereditary Chiefs called for a stop work order on the pipeline, and, in January 2020, Wet'suwet'en Hereditary Chiefs issued an eviction notice to CGL.
4. Operating under the terms of a civil injunction, Canada has forcibly removed/evicted,⁴ racially profiled, surveilled, harassed, unlawfully arrested, and jailed peaceful Wet'suwet'en land defenders, Hereditary Chiefs, and matriarchs through militarized police raids on our territories, in violation of Articles 10 and 7 of the UNDRIP. In three large-scale police actions in January 2019, February 2020, and November 2021, a total of 74 people have been arrested and detained, including legal observers and members of the media. The Royal Canadian Mounted Police (RCMP), Canada's national police force, were equipped with military assault weapons, helicopters, and dog units. RCMP and CGL operated together to bulldoze and burn down our buildings and desecrate our ceremonial spaces. In violation of Article 26 of the UNDRIP, the RCMP also implemented unlawful exclusion zones on Wet'suwet'en territory, blocking the movement and access of Indigenous peoples, media, legal observers, food, and medicines.
5. Civil injunctions are a legal weapon that have become a mechanism for the militarization of our communities and criminalization of our people. According to a national study on injunctions against First Nations in Canada, the Yellowhead Institute found that 90 percent of injunctions sought by corporations and 80 percent sought by governments against First Nations were successfully granted by Canadian courts.⁵ Injunctions are used to grant access to police to patrol Indigenous territory, criminalize Indigenous title holders, and allow companies to carry out operations regardless of whether the question of Indigenous consent has been answered. This has been the case in our territory since December 2018 when the BC Supreme Court first granted CGL an interim injunction. In her decision to grant a stronger

interlocutory injunction in December 2019, Justice Church noted that the issue of Wet'suwet'en title was beyond the scope of the injunction and needed to be addressed through negotiation or litigation.⁶

6. Government officers - in particular provincial and federal ministers responsible for public safety and the justice system - are also implicated in these paramilitary police manoeuvres against Wet'suwet'en land defenders. RCMP are contracted by the provincial BC Government to provide police services, and RCMP operations are overseen and controlled by the federally appointed RCMP Commissioner. The RCMP deployments in Wet'suwet'en territory were authorized and supported by the provincial BC Ministry of Public Safety & Solicitor General.⁷ Nearly \$20 million in public money has been spent between 2019 and 2020 to surveil and police Wet'suwet'en land defenders, our Indigenous neighbours such as the Gitksan, and our allies.⁸ Federal government public safety documents, compiling information from police and intelligence agencies, smear Wet'suwet'en leaders as "aboriginal extremists."⁹
7. Ongoing human rights violations, militarization of Wet'suwet'en lands, forcible removal and criminalization of peaceful land defenders, and irreparable harm due to industrial destruction of Wet'suwet'en lands and cultural sites are occurring despite declarations by federal and provincial governments for reconciliation with Indigenous peoples. By deploying legal, political, and economic tactics to violate our rights, Canada and BC are contravening the spirit of reconciliation, as well as their binding obligations to Indigenous law, Canadian constitutional law, the UNDRIP and international law.
8. In 2019 under the Early Warning and Urgent Action Procedure, the United Nations Committee on the Elimination of Racial Discrimination (CERD) called upon Canada to urgently take a number of measures necessary to comply with legal obligations under the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD).¹⁰ The Committee called for Canada to halt work on the Coastal GasLink pipeline, Trans Mountain Pipeline Expansion project, and Site C dam until free, prior, and informed consent is obtained from Indigenous peoples. The Committee expressed that they were "disturbed by forced removal, disproportionate use of force, harassment and intimidation by law enforcement officials against indigenous peoples who peacefully oppose large-scale development projects on their traditional territories." The Committee told Canada to withdraw RCMP and security forces from Wet'suwet'en lands, and to refrain from forcibly evicting and using lethal force against Indigenous peoples. The Committee urged Canada to incorporate free, prior and informed consent into domestic legislation and encouraged Canada to seek technical advice from the UN Expert Mechanism on the Rights of Indigenous Peoples (EMRIP). Instead of treating its obligations under the ICERD as serious, and responding to CERD's requests for information on measures in a timely manner,¹¹ Canada has rejected the Committee's findings and continuously ignored legal obligations under the ICERD.
9. In a November 2020 letter to Canada in follow up to Decision 1(100), the CERD Committee highlighted Canada's improper interpretation of the obligation of free, prior and informed consent.¹² Canada and BC have not yet brought their legislative and regulatory frameworks into alignment with the free, prior, and informed consent of Indigenous peoples. In November 2019, BC brought into law the *Declaration on the Rights of Indigenous Peoples Act*, establishing the UNDRIP as the Province's framework for reconciliation. However, the statute's Draft Action Plan says little about consent, and the Minister of Indigenous Relations described Indigenous Peoples' free, prior, and informed consent as simply an obligation to "...work together in good faith." Federally, the *United Nations Declaration on the Rights of Indigenous Peoples Act* is similarly robbing Indigenous consent of any enforceable affect.
10. Despite the ongoing COVID pandemic, construction on the CGL project continues without the consent of the Wet'suwet'en, enabled by an ongoing RCMP presence that continues to intimidate, surveil, and harass Wet'suwet'en people. There is currently an RCMP Community Industry Response Group (CIRG) detachment and various private security companies present on the territory. The RCMP-CIRG unit has an explicit mandate to protect corporate resource and energy sectors in Canada, which has, in effect, led to the criminalization of lawful Indigenous advocacy through militarized police enforcement of court-ordered civil injunctions.¹³ Armed with semi-automatic weapons, RCMP continue to patrol our territory

on a daily basis, including patrols at remote cultural sites, cabins, and hunting camps. The presence of RCMP and their methods of surveillance and harassment affects the ability of Wet'suwet'en people to exercise our Aboriginal rights to hunt, trap, fish, gather, and conduct ceremony on our traditional territories. Wet'suwet'en people are routinely threatened with arrest for carrying out our constitutionally protected rights on our own lands. Many elders are so terrified and scared of RCMP harassment that they no longer engage in some of our land-based cultural activities. Further, this police harassment goes far beyond the injunction area to other areas within the traditional territory and includes the surveillance of Wet'suwet'en individuals, families, and land defenders in their home communities, some many hours' drive from the CGL pipeline route. The safety of Indigenous land users and land defenders is at stake.

Wet'suwet'en Title and Governance

11. We, the Wet'suwet'en people, have never sold, surrendered, or in any way relinquished our collective title to Wet'suwet'en land. We have continued to exercise our unbroken, unextinguished, and unceded right to govern and occupy our lands by continuing and empowering our 'Anuc niwh'it'en (Wet'suwet'en law) and clan-based feast governance systems to govern our people and our lands. The 22,000 square kilometers of Wet'suwet'en Territory is divided into five clans and thirteen house groups. The Baht'lats (feast hall) is the forum of Wet'suwet'en governance, and, under Wet'suwet'en law, each clan has the responsibility and full jurisdiction to control access to their territories.
12. The creation of the Gidimt'en Checkpoint was announced in our Baht'lats, with the support of all Chiefs present in 2018. The Gidimt'en Checkpoint is controlling access to Cas Yikh House territory within the larger Gidimt'en clan territory at 44.5 km on the Morice River Forest Service Road. The collective House Chiefs made the decision to support Gidimt'en Checkpoint on December 14, 2018. The five clans ratified the decision in a Baht'lats in Witset on December 16, 2018.
13. Canadian jurisprudence upholds the validity of the Wet'suwet'en governance system.¹⁴ In *Delgamuukw v. British Columbia*, the Supreme Court of Canada upheld the territorial integrity of the Wet'suwet'en Yin'tah (territory), ruling that Wet'suwet'en and Gitksan rights and title to 58,000 square kilometers of territory had never been extinguished. The Court recognized that the proper Aboriginal title and rights holder must be determined on the basis of the respective laws of the Indigenous nation. In the case of the Wet'suwet'en, it affirmed that our Title is collectively held with the hereditary leadership as the proper rights holder and that the Baht'lats is the forum of Wet'suwet'en governance. In *Tsilhqot'in v. British Columbia*, the Supreme Court upheld its ruling in *Delgamuukw* that Aboriginal title covers the whole territory over which an Indigenous nation historically exercised jurisdiction, and, further, that Aboriginal title includes the right to exclusive use and occupation of land, and the right to decide its use.

Militarization of Wet'suwet'en Lands and Canada's Ongoing Violations

14. In January 2019, shortly after the BC Supreme Court granted an interim injunction to CGL, the RCMP conducted an armed raid resulting in the arrests of 14 Wet'suwet'en people and supporters. This included the forcible removal of Wet'suwet'en people from Gidimt'en Checkpoint. RCMP cut off communications to Wet'suwet'en land defenders prior to their forcible removal, creating a very dangerous situation. A few days later, the Wet'suwet'en Hereditary Chiefs agreed to allow pipeline workers entry into the territory to avoid further arrests and traumatization. Investigative reporting has since revealed the RCMP discussed and planned an unacceptable excessive level of force, including lethal force, for its raid of Gidimt'en Checkpoint.¹⁵ Notes from RCMP commanders' detail "lethal overwatch is req'd" and instruct officers to "use as much violence toward the gate as you want."
15. Despite the CERD-issued action procedure, in February 2020 the RCMP conducted a second raid on a number of Wet'suwet'en sites, deploying over 100 tactical officers with semi-automatic rifles, snipers, police dogs, heavy machinery, and snowmobiles. Wet'suwet'en people and their supporters were forcibly and violently removed and jailed. This included the arrest and removal of Wet'suwet'en Chief

Howihkat (Freda Huson) and Chief Geltiy (Brenda Mitchell), the director of the Unist'ot'en Healing Centre Karla Tait, and 25 other people including Indigenous youth. Footage following the event shows that the first arrests occurred at night, as unarmed sleeping individuals were violently removed from the territory. Youth pleaded to have sniper rifles taken off of them as bulldozers cleared the way for dozens of paramilitary officers. Ultimately, no criminal or civil charges were laid against any of those arrested.

16. During this second raid, an illegal exclusion zone was established by the RCMP many kilometers away from the injunction area, blocking the only public access to the site of the raid. Hereditary Chiefs, Wet'suwet'en people, lawyers, legal observers, the media, and even a Canadian Member of Parliament were prohibited from accessing the area. The Wet'suwet'en Hereditary Chiefs, British Columbia Civil Liberties Association, and Union of BC Indian Chiefs sought redress by filing a policy complaint to the federal Civilian Review and Complaints Commission for the RCMP (CRCC) in which they called for an investigation into the heavily militarized RCMP presence and the implementation of the exclusion zone, describing it as "completely unjustified and unlawful."¹⁶ The CRCC Chairperson responded, issuing a strong rebuke to the RCMP's expansion of authority without lawful ground.¹⁷ In a recent case regarding the policing of a different land defense blockade at Fairy Creek (Pacheedaht territory), a BC Supreme Court judge ruled that the RCMP's practice of employing vast exclusion zones are illegal.¹⁸
17. The militarized police raid spurred solidarity across Canada and internationally. Highways, railways, and ferries were shut down in hundreds of protests and blockades across the country, including by other Indigenous people in solidarity with Wet'suwet'en. In March 2020, the protests abruptly halted due to the pandemic. However, it was later revealed that CSIS, Canada's spy agency, had been conducting extensive surveillance on this solidarity movement, but refused to release their internal records by using an exemption normally reserved for gathering intelligence to detect or suppress "terrorism."¹⁹
18. In September 2021, while carrying out construction work near our sacred Wedzin Kwa (Morice River), CGL used heavy machinery to destroy an ancient archeological village site. Under the authority of Dini ze' Woos, the house Chief of Cas Yikh house of the Gidimt'en Clan, Wet'suwet'en land defenders and allies then reoccupied Ludhis Bin territory, erecting a clan cabin on the drill pad site. The RCMP violently arrested two supporters, one of whom was tasered and the other of whom was subjected to gruesome pain compliance tactics. This was followed by daily patrols and harassment by the RCMP and RCMP-CIRG team, with officers hiding badge numbers, making jokes about genocide, emptying water cisterns, slashing tires, stealing ATV keys, and harassing media and legal observers.
19. On October 27, 2021, Likhts'amisyu Hereditary Chief Dsta'hyl was arrested and forcibly removed from his territory, along with one supporter from the Gitksan Nation. On November 14, 2021, Wet'suwet'en served CGL with an immediate eviction order, enforcing our previous 2020 eviction notice.²⁰ The order gave CGL eight hours, later extended to ten hours upon the request of the RCMP, to vacate. On November 17, 2021, Gidimt'en Checkpoint Media Coordinator, Jen Wickham, was stopped by the RCMP and denied access to her territory. She was on her way to deliver warm clothes, food and medication for an elder. She was told by one RCMP officer that the "standing order is that no one is to pass this point" and by another officer that "if you attempt to cross the line you'll be placed under arrest."²¹ The RCMP also declared a media exclusion zone in the area. The Canadian Association of Journalists expressed strong concerns over the violation of press freedoms, and reiterated the RCMP's legal obligations to "take account of the media's special role in a free and democratic society."²²
20. Between November 18 and 21, 2021, the RCMP undertook a large-scale third raid to forcefully evict Gidimt'en Checkpoint and Coyote Camp. Approximately 100 RCMP officers, in military garb and equipped with assault weapons, sniper rifles, helicopters, and dogs, were deployed. Despite RCMP having no warrants required to enter any dwellings, two cabins were breached by the police with an axe, chainsaw, dog unit, and snipers aimed at the door. Among the 32 people arrested were Gidimt'en Checkpoint spokesperson Sleydo', Dini ze' Woos' daughter Jocelyn Alec, Indigenous people from allied nations, legal observers, and journalists. Most of those arrested have upcoming court dates on February

14, 2022, and Gidimt'en land defenders have punitive and unjust conditions of release that deny them access to their own territory, in violation of Wet'suwet'en law and Articles 26 and 7 of the UNDRIP.

21. Civil society organizations²³ such as the BC Human Rights Commissioner and Amnesty International-Canada expressed grave concern about the militarized use of force by RCMP and arrests of elders, journalists and legal observers. Grand Chief Stewart Phillip of the Union of BC Indian Chiefs stated, "We are absolutely outraged that the Province of BC authorized a military-style raid on peaceful land defenders in order to allow Coastal GasLink to build their Liquified Natural Gas (LNG) pipeline, while much of the Province is suffering from life-threatening, catastrophic flooding related events."²⁴ These climate-induced emergencies are directly related to fossil fuel projects, such as the CGL pipeline, that Wet'suwet'en land defenders are trying to stop. Notably, CGL has an extensive and persistent history of non-compliance with the provincial Environmental Assessment Office's binding project conditions.²⁵

Militarization, Industrialization, and Gendered Violence

22. Militarization accompanying forced industrialization has especially impacted Indigenous women, girls, trans and two spirit people. As a result of the increasing militarization of our lands and increased policing and private security companies on our territories, Indigenous women, girls, and trans people face fear and intimidation, as well as suffer from a loss in our livelihoods and cultural practices. A militarized environment makes it difficult for us to access our territories to harvest food and medicines due to displacement, checkpoints, and other types of surveillance and criminalization.
23. The introduction of industrial man camps (temporary housing facilities for mostly non-Indigenous male workers on resource development projects) has also increased gendered violence. Reports show a direct correlation between man camps and violence against women.²⁶ James Anaya, the former United Nations Special Rapporteur on the Rights of Indigenous Peoples, found: "Indigenous women have reported that the influx of workers into indigenous communities as a result of extractive projects also led to increased incidents of sexual harassment and violence, including rape and assault."²⁷ There will be around fourteen man camps, housing 500-800 workers each, along the CGL route, which is already close to the infamous Highway of Tears where dozens of Indigenous women have been murdered or disappeared. Violence against our lands and gendered violence is connected. Colonialism has targeted Indigenous women and gender-diverse people since settler-colonial contact, and man camps are a continuation of this violence.
24. The "*Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls*," calls on all government bodies and resource extraction industries to consider the safety and security of Indigenous women, girls, and 2SLGBTQQIA people, and for "governments and bodies mandated to evaluate, approve, and/or monitor development projects to complete gender-based socio-economic impact assessments on all proposed projects as part of their decision making and ongoing monitoring of projects."²⁸ In 2020, the Wet'suwet'en asked the BC Supreme Court to set aside BC's decision to extend the environmental certificate for the CGL pipeline. The Wet'suwet'en argued in court that BC's Environmental Assessment Office acted improperly in granting the extension because they didn't examine new evidence of potential harms caused by CGL's project, as called for by the National Inquiry's *Final Report*. In April 2021, the BC Supreme Court rejected our challenge, but we maintain that gendered violence from man camps must be considered.²⁹

Conclusion

25. The governments of BC and Canada continue to violate Wet'suwet'en jurisdiction and the UNDRIP. Reconciliation will not come at the barrel of a gun. Canada and BC must withdraw the RCMP and associated policing and security services from our territory, and must immediately halt construction and suspend all permits for the construction of the CGL pipeline, in compliance with the CERD Recommendations. We also urge relevant UN bodies to conduct a field visit to our territory. We will continue to uphold our sacred responsibility and the right to be Wet'suwet'en for all future generations.

¹ UN General Assembly, *United Nations Declaration on the Rights of Indigenous Peoples: resolution / adopted by the General Assembly*, 2 October 2007, A/RES/61/295.

² Government of Canada confirms support for largest private investment in Canadian history, June 24, 2019, <https://www.canada.ca/en/innovation-science-economic-development/news/2019/06/government-of-canada-confirms-support-for-largest-private-investment-in-canadian-history.html>; LNG Canada, <https://www.lngcanada.ca/about-lng-canada/>

³ Section s. 35(1) of the *Constitution Act*, 1982 states “The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.”

⁴ According to the UN Special Rapporteur on adequate housing, “The right to housing prohibits forced evictions as a gross violation of human rights, in line with the Declaration [on the Rights of Indigenous Peoples], which prohibits the forced eviction of Indigenous peoples from their lands and requires free, prior and informed consent.”

⁵ Land Back: A Yellowhead Institute Red Paper, Yellowhead Institute, October 2019: <https://redpaper.yellowheadinstitute.org/wp-content/uploads/2019/10/red-paper-report-final.pdf>

⁶ *Coastal Gaslink Pipeline Ltd. v. Huson*, 2019 BCSC 2264.

⁷ Brett Forester, “B.C. greenlit more Mounties on Wet’suwet’en territory before 3rd raid,” *APTN News*, December 2, 2021, <https://www.aptnnews.ca/national-news/b-c-greenlit-mounties-wetsuweten-territory-3rd-raid/>; Charlie Smith, “Solicitor General Mike Farnworth authorized redeploying RCMP resources in response to Coastal GasLink’s injunction,” *Georgia Straight*, March 5 2020, <https://www.straight.com/news/1369066/solicitor-general-mike-farnworth-authorized-redeploying-rcmp-resources-response-coastal>.

⁸ Amanda Follett Hosgood, RCMP Has Spent Almost \$20 Million Policing Wet’suwet’en Territory, *The Tyee*, August 16, 2021, <https://thetyee.ca/News/2021/08/16/RCMP-Spent-Almost-20-Million-Policing-Wetsuweten-Territory/>

⁹ Justin Brake, Government document calls Unist’ot’en leader ‘aboriginal extremist’, *APTN News*, December 3, 2018, <https://www.aptnnews.ca/national-news/government-document-calls-unistoten-leader-aboriginal-extremist/>

¹⁰ CERD/EWUAPCERD Decision 1(100) (13 December 2019).

¹¹ Amanda Follett Hosgood, “Canada Puts Off UN Request for Indigenous Rights Update,” *The Tyee*, November 17, 2021, <https://thetyee.ca/News/2021/11/17/Canada-Puts-Off-UN-Request-Indigenous-Rights-Update/>

¹² CERD/EWUAP/102nd session/2020/MJ/CS/ks.

¹³ Molly Murphy, “The C-IRG: the resource extraction industry’s best ally,” *Briarpatch Magazine*, January 5, 2022, <https://briarpatchmagazine.com/articles/view/the-c-irg-the-resource-extraction-industrys-best-ally>

¹⁴ *Delgamuukw v. British Columbia*, [1997] 3 S.C.R. 1010; *Tsilhqot’in Nation v. British Columbia*, [2014] 2 S.C.R.256.

¹⁵ Jaskiran Dhillon and Will Parrish, “Exclusive: Canada police prepared to shoot Indigenous activists, documents show,” *The Guardian*, December 20, 2019, <https://www.theguardian.com/world/2019/dec/20/canada-indigenous-land-defenders-police-documents>

¹⁶ BC Civil Liberties Association, Wet’suwet’en Hereditary Chiefs, Union of BC Indian Chiefs, “Policy Complaint Concerning RCMP Checkpoint on Morice West Forest Service Road”, January 29, 2020, <https://bccla.org/wp-content/uploads/2020/01/RCMP-Complaint-Public.pdf>; BC Civil Liberties Association and Union of BC Indian Chiefs, “Update - Policy Complaint and Public Interest Investigation Concerning RCMP Exclusion Zone and RCMP Operations on Morice West Forest Service Road,” February 9, 2020, <https://bccla.org/wp-content/uploads/2020/02/Policy-Complaint-Update-RCMP-Operations-in-Wetsuweten-2020.pdf>

¹⁷ CRCC Response to Concerns about RCMP Actions in Wet’suwet’en Territory raised by the BCCLA, the Wet’suwet’en Hereditary Chiefs and the Union of B.C. Indian Chiefs, February 20, 2020, <https://www.crcc-csetp.gc.ca/en/CRCC-Response-Concerns-RCMP-Actions-Wetsuweten-Territory>

¹⁸ *Teal Cedar Products Ltd. v Rainforest Flying Squad*, 2021 BCSC 1554, para. 2, the judge concluded “the RCMP has not shown that their exclusion zones and associated checkpoints are reasonably necessary to carry out their enforcement duties.”

¹⁹ Jorge Barrera, “CSIS withholds information on Wet’suwet’en demonstrations citing national security threat exemption,” *CBC News*, October 2, 2020, <https://www.cbc.ca/news/indigenous/csis-wetsuweten-indigenous-demonstrations-1.5747306>

²⁰ A comprehensive account and timeline of events: <https://www.yintahaccess.com/news/wetsuweten-strong-one-month-on>

²¹ “RCMP Denying Medication for Wet’suwet’en Elders,” Gidimt’en Checkpoint, November 17, 2021, <https://www.facebook.com/wetsuwetenstrong/videos/865195901547591>

²² Canadian Association of Journalists, “Open letter to the RCMP about press freedom concerns in Wet’suwet’en territory,” November 19, 2021, https://caj.ca/blog/Open_letter_to_the_RCMP_about_press_freedom_concerns_in_Wet_suwet_en_territory

²³ A comprehensive list of hundreds of support statements can be found here: <https://www.yintahaccess.com/letters-of-support> and <http://unistoten.camp/support-us/solidarity-statements/>. BC Human Rights Commission Kasari Govender’s Twitter posts, November 19, 2021, <https://twitter.com/KasariGovender/status/1461801176979157001> and Amnesty International, “Open letter: Amnesty International urges federal government, BC and RCMP to protect the rights of Wet’suwet’en land defenders,” November 18, 2021, https://amnesty.ca/wp-content/uploads/2021/11/OpenLetter_Wetsuweten_18.11.2021.pdf.

²⁴ Union of BC Indian Chiefs, “BC Pours Resources into RCMP Raid on Wet’suwet’en Territory during Provincial Climate Emergency,” November 18, 2021, https://www.ubcic.bc.ca/bc_pours_resources_into_rcmp_raid_on_wet_suwet_en_territory_during_provincial_climate_emergency

²⁵ Betsy Trumpener, “Coastal GasLink failed to fix nearly 2 dozen environmental violations along pipeline route, B.C. officials say,” *CBC News*, December 6, 2021, <https://www.cbc.ca/news/canada/british-columbia/cgl-failure-to-comply-environmental-problems-1.6275468>; Amanda Follett Hosgood, “Still No Penalties for Coastal GasLink Environmental Violations,” *The Tyee*, January 13, 2022, <https://thetyee.ca/News/2022/01/13/Still-No-Penalties-Coastal-GasLink-Environmental-Violations/>;

²⁶ Amnesty International, 2016, “Out of Sight, Out of Mind: Gender, Indigenous Rights, And Energy Development in Northeast British Columbia, Canada,” <https://www.amnesty.ca/sites/amnesty/files/Out%20of%20Sight%20Out%20of%20Mind%20ES%20FINAL%20EN%20DA.pdf>; Clarice Eckford and Jillian Wagg for The Fort St. John Women’s Resource Society, 2014, “The Peace Project: Gender Based Analysis of Violence against Women and Girls in Fort St. John,” https://thepeaceprojectfsj.files.wordpress.com/2014/03/the_peace_project_gender_based_analysis_amended.pdf; The Firelight Group with Lake Babine Nation and Nak’azdli Whut’en, 2017, “Indigenous Communities and Industrial Camps; Promoting Healthy Communities in Settings of Industrial Change,” http://www.thefirelightgroup.com/thoushallnotpass/wp-content/uploads/2016/03/Firelight-work-camps-Feb-8-2017_FINAL.pdf; Honour the Earth, Man Camps Fact Sheet, http://www.honorearth.org/man_camps_fact_sheet; Karina Csyzewski and Frank Tester for the Canadian Women’s Foundation, 2014, The Impact of Resource Extraction on Inuit Women and Families in Qamani-tuaq, Nunavut Territory: <http://pauktuutit.ca/wp-content/blogs.dir/1/assets/Final-mining-report-PDF-for-web.pdf>; Women’s Earth Alliance and Native Youth Sexual Health Network, 2016, Violence on the Land, Violence on our Bodies: Building an Indigenous Response to Environmental Violence, <http://landbodydefense.org/uploads/files/VLVBReportToolkit2016.pdf>

²⁷ Statement by the UN Special Rapporteur on the rights of indigenous peoples, James Anaya to the International Expert Group Meeting on the theme: “Sexual health and reproductive rights: articles 21, 22(1), 23 and 24 of the United Nations Declaration on the Rights of Indigenous Peoples,” January 15, 2014: <https://unsr.jamesanaya.org/?p=1083>

²⁸ “Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls,” 2019, <https://www.mmiwg-ffada.ca/final-report/>

²⁹ Office of the Wet’suwet’en, “Wet’suwet’en Hereditary Chiefs vow to take tall steps necessary to ensure the health of Wedzin Kwa in the wake of the BC Supreme Court decision in Coastal Gas Link judicial review,” April 26, 2021, http://www.wetsuweten.com/files/Wetsuweten_EAO_Judicial_Review_media_release_April_26_2021_FINAL_edited.pdf