



Wet'suwet'en Legal Challenge to Coastal GasLink to be heard in the BC Supreme Court

FOR IMMEDIATE RELEASE

Wet'suwet'en Yintah/Vancouver, October 1, 2020 - The Office of the Wet'suwet'en is asking the B.C. Supreme Court to set aside B.C.'s decision to extend the environmental certificate for Coastal GasLink's (CGL) proposed fracked gas pipeline in northern B.C. for another five years. The Wet'suwet'en application for a Judicial Review will be heard by the B.C. Supreme Court on October 1, 2020.

The extension decision is of crucial importance to the Wet'suwet'en as it represents the only opportunity for legally binding conditions to be added to Coastal GasLink's certificate in order to address adverse effects not anticipated at the time of the original assessment. One such adverse effect, not widely understood until the 2019 final report of the Inquiry of the Missing and Murdered Indigenous Women and Girls (MMIWG), is the risk of harm to Wet'suwet'en women and girls arising from the project, including an influx of temporary labour and the proximity of CGL's work camps, also known as "man camps". The MMIWG report found a direct link between work camps for resource projects and the increase of gender-based violence in Indigenous communities.

"With some of our own members, murdered and missing, the stakes couldn't be higher for us. And yet the B.C. Environmental Assessment Office says the Wet'suwet'en are not a party and are owed only a minimal duty of fairness in their decision-making on Coastal GasLink," said Dini'ze Woos of the Gitdumt'en Clan. "Meanwhile, BC government ministers pay lip service to UNDRIP in our ongoing negotiations, compounding the disrespect."

The Coastal GasLink pipeline would cut through the heart of Wet'suwet'en territories, through Wedzin Kwe, and much of it closely parallels the infamous Highway of Tears where a number of Indigenous women were murdered or have disappeared. Three worker camps, expected to house 500-800 workers each, have been built or are being built in the yintah and in the vicinity of Wet'suwet'en communities. Overall, there will be 14 worker camps along the CGL route.

The Wet'suwet'en legal challenge also highlights CGL's extraordinary record of persistent and ongoing non-compliance with legally binding project conditions since 2016, as evident from EAO's official record. The Wet'suwet'en argue that EAO had a

legislated obligation to consider CGL's compliance record as a key factor in the decision whether to extend the project's environmental certificate.

"Far from being exceptions, these infractions - including instances of destroying Wet'suwet'en cultural heritage sites, interfering with Wet'suwet'en traplines, allowing sediment and contaminated soil from their operations to enter creeks, and others - show an established pattern of non-compliance on the part of CGL," said Dini'ze Hagwilneghl of the Laksilyu Clan. "EAO's decision to extend the certificate despite these infractions can only promote an atmosphere of impunity within Coastal GasLink and the resource sector as a whole."

"As a Nation with a strong presumption of title we believe the Wet'suwet'en are owed full procedural fairness by British Columbia, especially for a decision that has such profound impacts on the lives and safety of Wet'suwet'en women and girls, said DJ Larkin of Woodward and Company, counsel for the Office of the Wet'suwet'en. "We are asking the court to quash Coastal GasLink's permit extension and direct the EAO to comply with their legislated duty to consider CGL's record of non-compliance and the safety of the Clans and communities in their decision-making."

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Contact:

Dini'ze Woos, Gitdumt'en Clan: 778-669-0070

Dini'ze Hagwilneghl, Laksilyu Clan: 250-877- 0526

DJ Larkin, Woodward and Company: 604-340-8422