

Wet'suwet'en Hereditary Chiefs vow to take tall steps necessary to ensure the health of Wedzin Kwa - Morice/Bulkley River, the yintah and People in the wake of the BC Supreme Court decision in Coastal Gas Link judicial review



Wet'suwet'en Yintah/Smithers, April 26 2021 - The Wet'suwet'en Hereditary Chiefs are deeply concerned about the environmental impacts on the Wedzin Kwa (Morice/Bulkley River) area in the wake of a BC Supreme Court decision to dismiss their petition for a judicial review of the extension of Coastal Gas Link (CGL)'s environmental certificate, the Office of the Wet'suwet'en (O.W.) said today in a statement.

"Our deepest concern is for the health of the Wedzin Kwa and surrounding watershed," said Dini ze' Woos. "If our Yintah is treated with wiggus - respect - then all life on it flourishes: fish, plants, animals and people. This includes not only our clans, house groups of the Wet'suwet'en people and our culture but also our neighbours that live within the yintah, in Smithers, Hazelton, Houston and Burns Lake, many of whose businesses and livelihoods depend on the beauty and wellbeing of the Wedzin Kwa."

In the Judicial Review, the Wet'suwet'en had argued that before extending CGL's permits the BC Environmental Assessment Office (BC EAO) had a duty to assess new evidence of the project's harms, including the findings of the Inquiry on Missing and Murdered Indigenous Women and Girls, and to take into account CGL's record of numerous instances of non-compliance.

Despite dismissing the Wet'suwet'en petition, the Court found that important Wet'suwet'en interests are at play, and left the door open for further advocacy.

"The Judicial Review process was conducted under old legislation - before DRIPA, before the new Environmental Assessment Act - that did not give weight to the Wet'suwet'en unique constitutional status and rights," Dini Ze Woos said. "This is a concern for any future decisions on major projects that are still being conducted under the old system, and which are threatening the health of our land and our people."

While the Court did find that serious potential harms articulated in the Wet'suwet'en petition disproportionately impact women, girls and gender-diverse people, the Wet'suwet'en are disappointed that CGL workers will continue to trespass on Wet'suwet'en lands while Wet'suwet'en concerns about harms to Indigenous women and girls go unaddressed. Of particular urgency is the fact that the majority of these workers are moving in and out of the yintah amid high rates of Covid infections throughout the province.

The nature of judicial review is quite narrow and so the finding that the decision was reasonable is certainly not the end of the matter. The Court based their finding on assumptions about what data may be contained in the EAO reports, the Executive Director made an error in not considering these reports, such as the MMIWG inquiry report. The Wet'suwet'en will continue to advocate for informed decisions, demand for women and girl's safety and for MMIWG Inquiry report implementation and to lead by example.

The Wet'suwet'en Hereditary leadership is carefully considering the possibility of an appeal based on Wet'suwet'en laws.

"Our responsibility and our mandate as hereditary leadership under Wet'suwet'en laws are quite clear. We will do our due diligence and take all the steps we need to ensure the health of our Yintah and our people," said Dini Ze' Woos.

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