

# ALL CLANS FEAST



2010

Moricetown Multiplex – Moricetown, BC  
April 24 & 25, 2010

# ALL CLANS FEAST

APRIL 24, 2010

Donation taken for Elsie & Russell Tiljoe – son Larry Tiljoe = \$416.00

Opening Prayer: - Wigetimestachol (Dan Michell)

Welcoming – Wah tah K'eght (Henry Alfred)

Chiefs in regalia drummed in by Frank Alec, introduced by Wiil'aat

**Kloum Kuhn (Alphonse Gagnon)** – I want to talk about some of the issues that we are going to be faced with. It is dealing with the hereditary system. When we come up with solutions, it is final. I was concerned about doing this business feast style.

By this process, we silence a lot of our members; it is generally the chiefs that speak.

I must listen when my members speak, I'm not a dictator if they want to say something, and I do not over rule them. I want my members to speak. Others have their concerns. We must discuss this before we get into trouble.

**Woos (Roy Morris):** We must open up with San'nelth. It is a sacred, spiritual song (Madeek, Woos, Gisday'wa, Wah Tah K'eght, Samooh, Wigetimestachol, Kloum Khun, Rita George, T'sek'ot, Walter Joseph).

**Frank Alec:** This song was a symbol that business was going to happen. Woos explained it was not to silence or disrespect anybody but to open the discussion about the most important step of Wet'suwet'en nation which is the Delgamuukw-Gisday'wa decision. Chiefs before us took on this challenge.

## DELGAMUUKW/GISDAY'WA COURT CASE

### Gisday'wa (Alfred Joseph):

(Interpreted by Theresa Tait-Day & T'sek'ot)

In the beginning people always talked about the land. We brought people in and treated them with respect. Chief business is this way. In the beginning, they talked to the elders at the court case. They had hard time as chiefs and elders in the past, their legacy is here.

In 1960 they had a meeting at the church. Everyone has gotten together from the different villages and we have been talking about our land.

In 1977 we met with the minister. When they started the court case, they had various meetings. It was directed by the people. They have paved the way.

In 1986 Albert Tait (Gisday'wa) passed away and his nephew Ken Muldo took the name. Ken died before the court case ended. Earl Muldo then took the name. Unis T'ot'en used to come to Hagwilget and people all met there. All the past chiefs, Mary Seymour from Unis T'ot'en and others met at Hagwilget. People came from all over the territories and met. Andrews had a very expensive head stone. He had one foot stone and one head stone. People from different territories had a place at Hagwilget and they got together and talked about their land.

Charlie Williams, Big Seymour's cousin is Goohlaht. He came into his grandfather's house. He spoke about Gisday'wa history, took out the drum and began to sing. When they finished, they started discussing the issues. In the old days, people got songs made for them. In Namox house they sang and in different houses they sang and talked about the elders, history and land.

1987 we went to Vancouver. Sekanie called us wanted to tell us how we share the land. They made a dam at Sekanie. While they were talking a white guy stood up and began talking, he began to cry and said in Newfoundland where he was from all the Indians died. The white men chased them all away from their land in Newfoundland. They burnt their nets and shot them. Only one woman (Mary Marsh) survived and she died in 1850.

Now the white people don't talk about it. When they first came 150 years later the people all died. In 1492 Columbus came to the Eastern provinces. The people that started the court case traveled across the eastern provinces. They sang the San'nelth and a woman cried as it reminded her of her history. When they traveled back east, they reminded them of their own history. The chiefs had to go to court and they were tried. The white people made a mistake when they tried us.

**T'sek'ot (Ron Austin) will interpret:**

- o How we came upon land claims. People were involved. It was a long road in history. Land claims started a long time ago.
- o We asked the elders how we lost our land, Ootsa, Burns Lake
- o 1960 first attempt to open the court case. Met in Kitsagulka.
- o We spoke about the land.
- o Gitinyow joined us.
- o In 1977 a minister joined us. Gitinyow and Kitwanga came, they were strong people. We met at Centennial Hall.
- o Victor Jim, (Misaloos) wrote names of all people and experience on the territory. It was not a job done hastily.
- o People who knew the territory were Ben McKenzie and Peter Muldo. Peter Muldo was a great help.
- o Kitsagulka had many people who spoke Wet'suwet'en. Their parents were Wet'suwet'en
- o In 1986 at Smithers, court case opened. Judge McEachern
- o Albert Tait passed on during court case then Ken Muldo took the name. Before he could finish he passed on. Earl Muldo took the name Delgamuukw who finished the court case.
- o In early days everyone lived in Hagwilget. It was a meeting place.
- o Jimmy Andrews had a head and footstone. They all talked about the territories, talked about their land and got drums for Nek who made songs for everyone. In Googlaht's house and other houses they sang songs.
- o During talks a white man spoke to us and he cried as there are no more natives from Newfoundland. Tribes there have all perished, been chased from their land. They were all killed and chased out. A native lady was hired in Newfoundland in 1850 and worked in the kitchen. She was sent to bring her people where they were exiled. 150 after white man landed on Newfoundland there is no more natives.
- o 1492 Columbus also did the same when he arrived in the Caribbean. 2 tribes were extinguished.
- o Wet'suwet'en have entered into dangerous times. During a trip across Canada, Harold Blackwater told the people our story about our problems with DIA and our history. A lady started crying (in Saskatoon). She said she did not hear about that for a long time. Why did we not go to Newfoundland?
- o To prevent our children from drugs and bad things in society should read "Our Footsteps".
- o George Holland was the translator.
- o We used our hereditary system to start the court case.

## Frank Alec

Wigetimstachol will continue after lunch with his history and involvement. There are diabetics in the building and lunch must be served.

Prayer: Wigetimstachol

## LUNCH

**Kloum Khun:** Welcomed everyone from out of town. I see new faces here and it's good to see everyone from the territory. Look at the genealogy charts and update them where you connect. It is important that we have all pictures of chiefs on the walls; some don't have their pictures up. Send a picture to the office in Moricetown so everyone is represented. When the complex was built all chief pictures were put up.

**Rita George:** Introduced her family. Emily Augusta's children and grand children and great children.

Donations received from members for Tiljoe family.

Rita George – presented money to Tiljoe family.

## Wigetimstachol (Dan Michell)

(Translated by Theresa Tait-Day)

Thank you for coming here today. We live here on this reserve. Some from Gitanay and Babine. Here we are all related. People come from Babine and all over. We shared love with each other and helped each other out.

All old people were talked to – the past chiefs gave evidence at the court case. When they started, they met with Peter Grant fresh out of law school. When people lived out on their territory, they were asked to leave the territory and aboriginal people were put on reserve. Many were living on other parts of the territory.

We used to meet in Hagwilget and that is where they talked. Wigetimstachol, Wah Tah K'eght, & Gisday'wa got together and met with Peter Grant in Hazelton. They spoke about land claims and realized their land was taken.

There were plans to build Kemano 2, hydroelectric project, which precipitated meetings amongst their people.

We had no money at the time, a woman from out east gave money for the court challenge and

*“IT WAS STRESSED IN THOSE DAYS OUR STRENGTH WAS WORKING TOGETHER, HELPING EACH OTHER; ONE PERSON CANNOT DO THE JOB HIMSELF”*

we were able to put evidence together. Gitxsan discussed the Kemano 2 project and wanted to go against the project. They talked to the elder’s then and put affidavits together. The ancestors spoke about land use, they came from different areas and used lands, no one owned the land, and everyone used the land. They had their areas from different parts of the territory. The white people tried to move them off their land.

When they started at meetings, they used their own money and used court challenge money. The elders that gave evidence, they won the court case, as it was their history on how they used their land. Their names were passed down and hunting areas shown.

It was stressed in those days our strength was working together, helping each other; one person cannot do the job himself. Elders in the past loved and helped each other.

This is where our governance is, where elders standing together won the court case. There was never one person that said this belongs to me, that it is my land. They could never get ahead that way. The only way to get ahead is if we are together and working together. Non-status people were enfranchised and taken off this reserve. Some people stayed on the reserve.

We could not do our business if we are against each other. We cannot do business without incorporating all our people together. The people were living on the territories when white people came, some trap lines were registered. John Baptist reserve, elders got behind these people and were able to save that area.

All our relations were in Moricetown and it was a place where many of our relations are married into Gitxsan and Babine. In those days they loved each and helped each other and this is strength of our people, governance through the feast system and kin ship of each other. We cannot do business on our own.

I was a chief in old days and fought the government and was very invaluable in the court case due to being chief council. He did work with his own money. Before law changed bill C31, this part of the reserve did not exist. Others started clearing the land. This is the work of our people. As leaders we show our strength, not

trying to be better than others. We do this to better our community. The Government has been against us since the beginning and put us on reserves.

There were not many people at that time during court case. All there was DIA giving out a little money. It was not until the court case that they recognized we had aboriginal rights and we had not signed any treaty and continued to use our lands as our elders used in past.

In 1934 I went to Buckingham Palace with David Melton in England and saw what they thought were statues but were actually guards. They met the queen to impress on her, as there are not treaties, lands still belong to Wet'suwet'en. In white law we are not conquered. When you become conquered we lose language and land and are no longer Wet'suwet'en.

Wigetimstachol emphasized strongly that it is our children we are working for and for their future. It is our land and our customs and language we are fighting for. We don't have a treaty, we have aboriginal rights. The elders who had a long and hard road have given us the wisdom. They were very poor. They protected our land and language. We must go forward together; no one person can do anything alone. We have authority on our territory but our fight is with the government, not with each other. In the old days we helped and loved each other.

In the old days we used horses and now we use 4 wheel drives. We can do more these days but we must be together to do these things. We must work together as one nation, as one nation we are strong. If the government sees us fighting they will see us as weak. We should recognize what the elders did in the court case and how they came together and moved forward according to our laws. Your words in this room are important.

**Wah Tah K'eght (Henry Alfred):**

(Translated by Rita George)

It's been a long time. The tribal council was formed while my wife worked at the hospital. I worked for the band driving a truck. Everyone left without me. They were away for 2 months. Peter Grant wanted to talk to me. My mom was in court for 3 weeks in Vancouver. I was to give testimony and my mom took time off to support me. I was terrified the first day.

My dad took me on the territory in 1963 and told me names of the territories; all traditional names.

My father died in 1967 and in 1968 I took the name Wah Tah K'eght.

On the first day of the trial I was nervous and could not remember the names of the territories. On the second day I was okay.

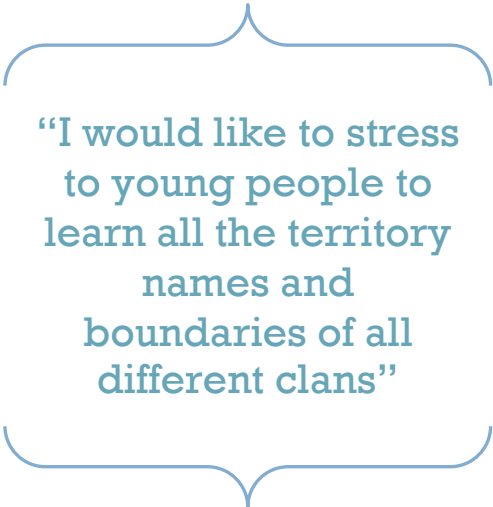
When I was asked, "Do you remember the names of the territories", I could not remember for a while. I remembered what dad told me about traditional names and I remembered and told them about boundary names without any problems. Then I remembered and I told them traditional names and Peter Grant was amazed.

Fletcher was the Assistant Game Warden and built a house on the territory. Now different people live there.

Write down all the tradition names of your territories as it is up to young generation to carry on what we are talking about today.

When I went to Vancouver, I was told it was 2 weeks but it turned out to be 6 weeks. After 6 weeks I checked my traps and they all had animals in them. I was told to bring furs back to Vancouver for evidence on how we trap. It was tiring to be on the witness stand but we worked hard to gain evidence.

Again, all young people try to write down all territory names, boundaries and our traditional name, as this is where it will be the beginning of your life today. Thanks to each of you for listening to me, thank you.



**"I would like to stress to young people to learn all the territory names and boundaries of all different clans"**

**Frank Alec:**

You heard words of the 3 remaining chiefs on how the Delgamuukw ruling came about in 1987 with elders that are still with us.

We have a DVD of an all clans meeting that took place in 1986 that is history for you. If you want a copy of the DVD, please contact the Office of the Wet'suwet'en. This information is for your children.

Madeek will go through the Communications and information he wants to share in terms of what communication will look like for the people from the OW.

Woos with his experience, will discuss unity with his years of being a speaker at the potlatch.

Kloum Khun will go through governance for tomorrow's discussion on how the office and protocols will work for the people and be improved. We are getting you to visual some improvements on how this can be done.

Debbie Pierre will cover office functions but it will be better for tomorrow after everything has been heard. From that information, the chiefs, OW workers will look at how this information will start working together.

Come with your ideas, don't be afraid to write down your suggestions or speak with your chiefs. Verbalize your concerns and issues and bring them forward. This is the only way you will see improvements. Everyone will be part of the process and will walk away with knowledge that there will be improvements.

## UNITY

### Woos (Roy Morris)

(Translated by Rita George)

It is good you have come here today. Our history and our work at the table are not closed. In the old days they sat on the floor, put things on the floor. In the middle is where the fire burns, it is our work. Recently they started using the table.

Now our names show how we live together. For a long time our children have died and this table has been here. When our relative's die, we come back to the table and feasts and burials are paid for. Down at the community hall when they made that in 1967 it shows our work from the elders that built that. We managed 4000 years in our feast system. This is how we all came together and talk about our head chief.

We listened to our leaders today. In our territories there are many different species. They have spoken about what they have done in the court case. Cheslatta, Nee Tai Buhn, Skin Tyee, they have names in those areas. Head of Frances Lake is Nee Tai Buhn. There was no village here; our people went to Hagwilget and Burns Lake and Gitimskee. We met in Burns Lake Tom with different villages.

There is now a road as you can see but in the 1800's we used dog teams in the winter and in the summer we used horses. People came from Fort Babine to make salmon. Where Alphonse lives now that was a village. The elders put us at the table, now there are only 3 of us left from the court case.

We started with tribal council in 1986 at the old hall. We talked about this very thing, our land. We cannot separate for anything, we have our land, and our elders put us here from history. What will I do if I separated from you? My elder Mary George came from Skin Tyee. She was talking about Hagwilget and they got up. They always watched their words and spoke softly and carefully with respect and love and we came to talk about that in the same way. No one will sell the land, not one person. I cannot sell my land where I come from otherwise I am nothing.

*"We cannot separate for anything, we have our land and our elders put us here from history"*

We closed 2 mines on Gitdumden territory at Morice Lake, Goohlgets territory. We were successful to close them. Hudson Bay Mountain they closed that mine. We cannot work against each other.

A log hall was built 100 x 60. My great great grandfather's had a hall that someone burnt down. We talked about those things. In 1942/45 they opened a hall in Skin Tyee, in Babine and every other place they did this work as one. They fed the people and worked as one together. You can see our history has shown how we managed. They put us here to follow their footsteps for our great grand children and we speak for them. We were told we were going to be the next leaders someday.

It s not going good right now, that's the government that insists on putting us down. The government tried to take our lands. Now it is good we are all together and you have been invited here. We have been meeting since 1987 about the land. We are all one. Nee Tai Buhn and Unis T'ot'en were one big family.

My father said we are here to help each other, not to push each other way. We hear words, how careful we are, our laws were very strong and no one was allowed to trespass on someone else's territory without our consent. If we all stand together, we can make the

business work better. We should correct everything and move forward. You can see the government is aggressive. They want to mine, even if we don't want a mine they insist. We have to become one; that is the way our elders were, they loved each other. We came from an area of Uncha Lake; from there I came to Moricetown. We used dog teams in 1942. It took 2 weeks to get to Hagwilget.

Our ancestors talked to each other in the eastern territories, and talked about their future and how they will conduct themselves with respect.

The court case was one and we should all be as one. Delgamuukw/Gisdaywa won the court case for us. God created this land and our job is to take care of the land. You can see it in the bible. If you hate someone, you hate all people. We are all related. Do unto him, you do unto me. I want to see us as one. We have to hold each other's hands and become one as a nation from Skin Tyee, they are my family. The elders have spoken on how we should conduct ourselves.

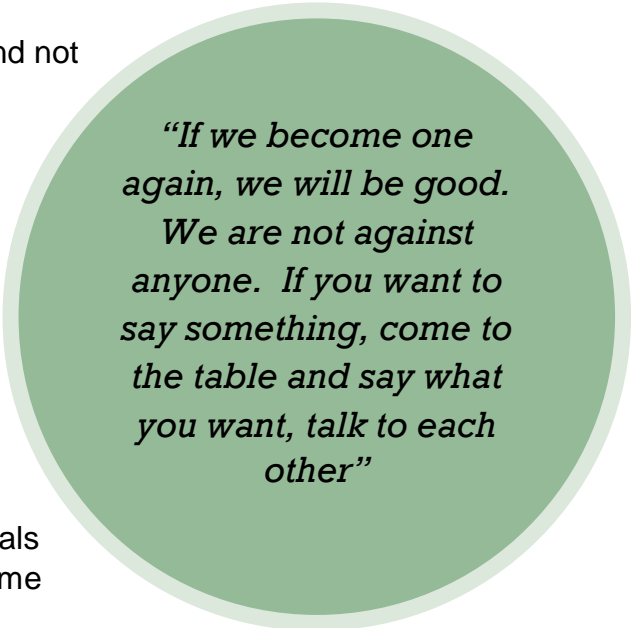
**Kloum Khun:** Some things I will talk about are where we are today and where our future should be. Some will be contentious issues and we need to pay attention to that. There are differences of opinion on certain areas. Tomorrow all your voices will be heard. I recognize the work before the court case, trips to Ottawa and how it got us to where we are today.

Since the treaty process, we have been bogged down and not moving ahead.

Due to the court case, they bring threats, many participation dollars come into the OW for researchers and referrals.

While the court case was going on, there were still referrals coming in. Forest Renewal dollars were coming into to deal with forestry and staffed 7 people in our office. Government forestry at that time had a lot of people working in the same field. Even with 7 people, it was not enough. Since then we got to a point, our referrals are being paid by us so industry and government can come on our territories. It is user paid.

Out of Delgamuukw, in our favor was the provincial delegation missed the mark so bad that it was easy for the Supreme Court to make a decision in our favor. We had to pay attention to our oral evidence. The courts realized these people were real. The Province said it was fabricated.



*“If we become one again, we will be good. We are not against anyone. If you want to say something, come to the table and say what you want, talk to each other”*

While dealing with that, we were a threat. Federal dollars came in for staffing for referrals and consultation. That is what threat does. The elders before us pulled evidence showing our strength and that threatens industry and government.

The problem is we got very slack since treaty. Our hammer is very small. When the court case was over, the government did a risk assessment on the court case. There was little chance for us to go back to court and we were considered a low risk. It tells them not to worry about us.

Now, getting into 1994 all unity was growing, we spoke to all nations, Gitksan, Carrier Sekanie etc. We agreed boundaries were solid. Since then as dealing with oral history, we are having people coming across boundaries making claims in our territory. We should have ensured our boundaries were strong. We had 5 bands and 13 house chiefs. The Bands left the table and we now have hereditary chiefs. Parts of our community are being neglected, they pull back and end up in situation and look as we do today.

I found with BCTC we became slack. It is enabling government and industry to continue to extract resources. Sitting in treaty allowed them to see us sitting in consultation. People with trap lines got a letter to remove traps as we they were doing logging.

There was frustration coming out of progress of treaty. At the All Clans meeting in October the clans made a decision and told us as hereditary chiefs they did not want to be in the treaty process. We have 13 house chiefs at the OW and some seats are vacant, as chiefs have not been replaced. Of 13, there was a structure, which created an Executive Committee of 5, one representing each clan.

In a meeting after the clan decision, we asked staff what money was sitting around and ways we needed to operate. The Executive Committee decided we cannot function at the current level of employment with no treaty dollars coming in.

We had an SRI trust fund and protected it well. We stepped out of the treaty process before and used that money for operational costs for the OW and again it is being hit.

We had the office look at the budget. We asked how much would be coming out of SRI fund. They needed \$105,000 to cover wages for the Natural Resource Manager and Referrals - John Ridsdale. We made a recommendation that Debbie Pierre, as Executive Director would slow down the office. We recommended she hand out layoff notices which would give us time to wind down the office. That meant there would be money left in SRI trust fund.

This decision was overturned at a regular chief meeting. The office is still operating. It should have been shut down March 31, 2010. If it was costing us too much to operate that it was

failing, we were doing something wrong. Changing directions does not mean abandoning the work leading up to the court case decision and what the office has accomplished since then.

**Gladys Naziel:** What was the SRI trust fund? What was the money to be used for? Was it for programs for elders and children?

**Kloum Khun:** When selling licenses, we lost 20% of volume that they originally had. They agreed to pay the OW X number of dollars to transfer the license. It was to be used for all of us. We can discuss this tomorrow.

Tomorrow the office staff will have something to say. It is under our watch. One disaster was when we look at mining; mines were shut down without worrying about heavy metals left behind. Huckleberry Mine is sitting in middle of our territory. The PTP pipeline is making way for Enbridge. Agreements are being made by our FN people, which set up a model for Enbridge. Enbridge has the same risks as PTP. We don't get good help from our litigation team. They look at the strength of claim, and it is not standing good right now.

I'm worried about accepting money from mining and Enbridge, look at the environmental damages that will occur. They promote us as people they are consulting with. Afterwards, they damage us. We allow taking money then hand them a writ.

Lions Gate Metals: The office accepted some funds for them to look at exploration. Equity mine damaged Unis T'ot'en territory. It is logged off. It is being overrun by cattle.

This leads to ILMB; they have a process to turn land into private lands. The Province issues them land they have to get rid of it. Look at Francois Lake turning into private land. Government is selling Land and we must stop that.

When court case was won, forestry and Alcan before Rio Tinto was an intervener. They feared what the court case would produce. We let them off the hook. Agreements should have happened with Alcan before the dredging project went through. The sale of Alcan to Rio Tinto was a window of opportunity. The newest thing is the fact that Carrier Sekanie had a ruling and opened it up to us, that time passed. Many things are slipping through our fingers. In this mode, things are happening that could affect our lives.

We can look at Rio Tinto and turn it into an infringement case. We keep losing places where we have advantages. We cannot let these opportunities go.

Interest in our territory: Oil & Gas was high, metallic content high. Lions Gate Metals have approval for exploration around the Davidson Project.

Mining: Duncastle Gold exploration, on the mountain behind Moricetown. These are happening all at once.

**Gladys Naziel:** Who gives permission? A non-native company logged McDonald Lake. How will my child pick berries in the future? My grandmother went to Delgamuukw for my grandchildren and me. Why are companies coming on our territories and destroying them? Who is giving you the right to take my future and say let's do it. The Wet'suwet'en nations need to know what is going on out there. I'm very upset about what is going on.

**Kloum Khun:** Bring your concerns up tomorrow. I will stand on what I am saying. Others will have their point of view. As long as we are being squeezed and they are not making IBA with us, they keep us in poverty. When in poverty, what do you do? You fight within your community. Eastern communities are having financial difficulties running their band offices. This causes people to become suspicious, and look at other communities. We need to look at the real villain.

We need to look at how we have been doing business and how we change directions. We need to look at it with different eyes. See the potential for moving ahead.

**Matt Morris:** While doing test drilling they should be charged for that. We need to deal with them with roadblocks.

**Kloum Khun:** The existing HSS programs are not problems. These programs could be housed somewhere else. I believe we need to regroup.

Look at maps formed for the Delgamuukw court case. We continue to hear from other territories within the territories. We are losing people that know these territories.

We have a problem with the litigation team. When creating some cases, our team says we do not have a strong case. The office changed the litigation team.

Recommendations: Future of Treaty Negotiations. Business discussed in October 2009, what were the thoughts at the time. Financial Report – where is money coming from – how much money is there and potential money coming from? We need to reorganize the office and use Wet'suwet'en Governance, hire clan reps.

This is coming from me. If we keep doing what we have always done, we will get the same results. It is time for a change.

**Frank Alec:** You can see sensitivity in information. It looks like it has been ongoing and there are solutions to all problems. It looks better for the entire nation. Tomorrow you will look at

your desires and aspirations.

## COMMUNICATIONS

### Madeek (Jeff Brown)

Communication seems to be the biggest problem we have. We are developing a communication strategy. I was speaking to a young lady and she heard our own language on the radio today. She was surprised. She said it was nice to hear our own language on the radio; I wish I knew what they were saying. It was the invitation for this All Clans feast put on the radio by the office.

“We need to start communicating and cannot do it without talking to each other”

We need to start communicating and cannot do it without talking to each other. We are seeking funding for 5 clan runners. In the past, clan runners would run out to Ootsa Lake and invite them to Hagwilget. One clan runner was my dad. It is something we need to think about. We are thinking about one for each clan to bring information to the members. On Wet’suwet’en facebook many people want to know what is going on. There is communication on our website at Wetsuweten.com. All information must be transparent. All minutes are available from our office. We are not hiding anything; we are not going behind anyone’s back.

We had a Vision Statement for the OW when the office was first formed. Not one part of the territories was sold or given away. We still own that and hold that in our hearts. What we do today, the unborn children will benefit from that. We have no desire to fill our pockets with our coin. All industry must consult the table otherwise they are infringing. We are still maintaining the protection of the territories. Our children will walk the same places we walked. We will not buckle to industry or pipelines. They come to talk to us and we will not surrender. We can be proud of what we have done today. We will never be rich by what is going on in the office; the only riches are where our children walk on the trails. My father spoke about the serenity when walking on the territories; he was talking about the riches out there.

There is a lot of talk about mining. No one has talked to us. It is infringement and we need to deal with that and we must be united at this table together. That is the unity. Look on the walls here, most are our past leaders.

I want to thank each and every one of you coming today. I hope we can work together.

**Knedebear (Warner William):** In October my clan walked away from treaty. In July there was an agreement made with Lions Gate Metal and Don Ryan was to speak to that. Our elders are fighting for our rights and territory; a 1994 society act was signed to protect our territory.

A risk is taken on roadblocks. My clan made up their mind they will not step back as we are protecting our territory. We were not consulted. They talked about the MOU signed. It was signed in August 2009.

Some say we should work together. Two days after the October meeting, we met at the chief meeting and were told we don't have expertise to look after our territory. I take my hat off to our elders. Sarah was part of it and I went to Vancouver at my own cost. It sounds like if treaty stops, we lose land claims. It is up to us to move ahead. We need to move ahead together. Treaty will not work. On the blockade staff told us that Lions Gate Metals would only listen to them and not us. My grandmother said – look after our land. You will not walk away from that. I overheard some Neto said they had a rifle.

Thanks to Rita and Sophie for supporting us. I give my niece credit. Down the road it will happen. You cannot stop the government.

It is not easy to forget our land and how people talk to you. We have respect for each other. I do not accept what we were told. Some people thought we were in the wrong. No one can talk about your territories.

#### **Frank Alec:**

Tomorrow will be more deliberations, recommendations and issues. Out of that come solutions. In everyone's own mind, I want to see a show of hands, how many of you know or have a solution?

Just about everyone has a solution. That is what will happen tomorrow. It will be in a form of writing and that is how the process will come out. I looked at this job as a very good experience for myself. I was visited by chiefs and told there would be contentious issues and it could be intense. I see your intention is not to walk away and to stand up for what you believe in. Have that desire put forward and it will bring out good things and will set direction for future generations. Respect is shown amongst yourselves.

Tomorrow we will start earlier. At 8:00 a.m. tomorrow there will be an Elder's pancake breakfast.

There was a suggested that the seating plan be looked at. I will speak to organizers.

**Vi Gellenbeck:** I have a request for tomorrow; we don't meet like this often. I can't remember this many people that have turned out for an all clans meeting. The objective of this meeting should be that the staff and chiefs at this table report 100% to the members. That is what this

meeting is about. House members need information. When I first got the email inviting me to the meeting, I asked for that finance statements be provided to us. When we come to the meeting tomorrow, we need information what the staff and table has been done for the past year. You are shutting us up when we are not provided with that information. Thanks for everything shared with us today.

**T'sek'ot:** I've been listening and I hear today we realize we have a big job ahead of us. We need to come to a solution together. The government is already having a heyday. We need to show them strength and unity and let them know we mean business. It is a long road; bumpy at times we must get on the paved road heading home. We need a good solution together without feeling animosity towards each other. Our elders worked hard. We are now frayed not working together.

**Chap Austin:** I have my grandson and wife here today. We were in Vancouver last year, and our grandson Darien had an accident in Kitwanga. Many people contributed towards our problem, this is what happens when you work as one. I'm here to thank you for your prayers and support. My thanks go out to Desmond and Sherry who acted as a go between.

**Wigetimstachol:** Prayer

# ALL CLANS FEAST

APRIL 25, 2010

Prayer: Woos.

Recap:

- Yesterday was an information gathering session for the Facilitator
- You heard 3 hereditary chiefs speaking on their experiences with Delgamuukw.
- Chiefs spoke to agreements in place, office work and some information that was concerning by chiefs and members
- I will put it in perspective as a facilitator; I am unbiased with this information. I have no involvement with this discussion. I need to provide this information to you so you can work with it.
- Not to mention contentious issues; I have listened to principles and values that were very clear. When the principles and values were intact, there was respect.
- What has happened in the past, the Nations Vision was set in place
- Issues surround governments and municipality/industry. A few documents mentioned MOU, IBA and Protocol Agreement. Instruments used by industry and federal government.
- Indian Act was not mentioned. That is another Wet'suwet'en organization.
- When documents are signed, the OW is looking at these documents and being regulated and ensuring the monies are spent accordingly.
- There was contentious information at end of meeting and it was very tense. It needed to happen. There is a disconnect between the developments happening and the traditional system. Communications between the traditional system for members and OW level shows a disconnect.
- Another area is strategic planning which involves what worked before and moving ahead on how you can do your work systematically and economically as possible.
- I also noted yesterday and my job is to listen to information from staff and community members. Disconnect is in the governance work. I am referring to work that is written and in a form of rules and regulations based on your traditional system and moving into your strategic plan.

Today we have Peter Grant who was involved in the Delgamuukw-Gisday'wa court case right from the start. He will give you a perspective on what it looks like today and will be careful on wording with his sensitive information. He will discuss his experience with other FN. After that, we will begin the process of solving the disconnect. Some people will have their voices heard and they will be listened to.

## PETER GRANT

- It's an honor to come back into one of your all clans feast and to speak to you
- I don't have answers, I have suggestions
- This is a critical time for your nation and important decisions needed to be made
- There is a time for aboriginal nations when something comes together. It is an opportunity and not always in your control.

Presentation by Peter Grant to the Wet'suwet'en Chiefs  
and Members of the Wet'suwet'en Houses  
(April 25, 2010)

***Delgamuukw/Gisday Wah and the Wet'suwet'en: How can the Delgamuukw case  
be advanced by the Wet'suwet'en?***

1. In my opinion, the current dispute with Canfor and British Columbia in the BC Supreme Court over the Red Top portion of Key'lah's territory ["the Red Top dispute"] marks a potential for a key pivotal point in the history of the advance of Wet'suwet'en aboriginal title and rights.
2. After reviewing the *Delgamuukw/Gisday Wah* decision<sup>1</sup> and how it applies to the Wet'suwet'en specifically, I shall return to the significance of the next Court battle that the Wet'suwet'en have committed to advance.
3. The modern history of the Wet'suwet'en over the last thirty years is indelibly linked to and to a significant extent affected by *Delgamuukw*, from the initial discussions in 1977 by the Wet'suwet'en chiefs embarking on a case to establish Wet'suwet'en rights of ownership and governance to Wet'suwet'en lands based on Wet'suwet'en laws to the delivery of the Supreme Court of Canada's judgment in December 1997. *Delgamuukw's* has effected law,

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<sup>1</sup> *Delgamuukw v. The Queen*, [1997] 3 S.C.R. 1010. In this paper, the decision is referred to as either *Delgamuukw* because it has been known internationally as *Delgamuukw* or as *Gisday Wah* who was the first leading Wet'suwet'en Chief in the case.

politics and indigenous-non-indigenous relations in British Columbia, Canada and elsewhere<sup>2</sup> down to the present day.

4. Even before the first discussions of *Delgamuukw/Gisday Wah*, Wet'suwet'en Chiefs such as Maxlax leh (Johnny David) fought for the recognition of their traditional lands and their fisheries.
5. Although taking their territorial and governance claims to the courts was a novel tactic, the Wet'suwet'en Chiefs who initiated the *Gisday Wah* case were carrying on the struggle of their predecessors to force the Crown, as a matter of basic justice, to recognize and respect their ancestral rights to and over their lands.
6. The Wet'suwet'en Chiefs who *together* made the decision to pursue their claims through the courts understood, as their predecessors had understood, that they would face obstacles and setbacks. They also understood that pursuit of their claims in the courts came with no guarantee of a favorable result. In this respect also, they shared with their predecessors the understanding that the fundamental justice of their cause made advancing their claims imperative, no matter how the Canadian state and its courts might ultimately respond. Those chiefs also knew what they were raising with the case. They were prepared to put Wet'suwet'en laws and Wet'suwet'en title before the Canadian Courts to have the court tell the Crown how to behave and relate to Wet'suwet'en aboriginal rights and title.
7. For *Gisday Wah*, Kweese, Max Lax Leh, Wah Tah K'eght and the other Wet'suwet'en chiefs who took the case forward, they knew their rights and title. They wanted the Court to tell the Crown to conduct itself properly.

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<sup>2</sup> For example, indigenous peoples appearing before both the Inter-American Commission on Human Rights and the Inter-American Court on Human Rights have referred to the Supreme Court of Canada's decision in *Delgamuukw* to advance their rights as indigenous peoples under international human rights law. See. e.g., *Maya Indigenous Communities of the Toledo District v. Belize* (2004), Inter-Am. Comm. H.R., No. 40/04 at notes 39 and 103, Annual Report of the Inter-American Commission on Human Rights 2004, OEA/Ser.L/V/II.122, Doc. 5 rev. 1; and *Case of the Saramaka People v. Suriname* (2007), Inter-American Court of Human Rights (Ser. C), No. 172 at note 122.

8. Despite the positive things stated by Chief Justice Lamer in his reasons for decision in *Delgamuukw* regarding, for example, oral history evidence, the *sui generis* nature of aboriginal title, the economic and non-economic aspects of aboriginal title, and the Province's inability to extinguish aboriginal rights, his order to send the case back for a new trial of the Wet'suwet'en claims to rights of title and governance was disappointing.
9. Nevertheless, the Chief Justice gave the Wet'suwet'en Chiefs good reason to believe that the Wet'suwet'en had achieved enough in the *Delgamuukw* decision to make treaty negotiations a viable path for a just resolution of Wet'suwet'en claims. The Court stated:

Finally, this litigation has been both long and expensive, not only in economic but in human terms as well. By ordering a new trial, I do not necessarily encourage the parties to proceed to litigation and to settle their dispute through the courts. As was said in *Sparrow*, at p. 1105, s. 35(1) **“provides a solid constitutional base upon which subsequent negotiations can take place”**. Those negotiations should also include other aboriginal nations which have a stake in the territory claimed. **Moreover, the Crown is under a moral, if not a legal, duty to enter into and conduct those negotiations in good faith. Ultimately, it is through negotiated settlements, with good faith and give and take on all sides, reinforced by the judgments of this Court, that we will achieve what I stated in *Van der Peet, supra*, at para. 31, to be a basic purpose of s. 35(1) – “the reconciliation of the pre-existence of aboriginal societies with the sovereignty of the Crown”**. Let us face it, we are all here to stay. [Para. 186]

10. At the close of his concurring reasons for judgment, Justice La Forest echoed the Chief Justice's words, incorporating a quote from Justice Lambert's reasons in the Court of Appeal:

On a final note, I wish to emphasize that the best approach in these types of cases is a process of negotiation and reconciliation that properly considers the complex and competing interests at stake. This point was made by Lambert J.A. in the Court of Appeal ...:

So, in the end, the legal rights of the Indian people will have to be accommodated within our total society by political compromises and accommodations based in the first instance on negotiation and agreement and ultimately in accordance with the sovereign will of the community as a whole. The legal rights of the Gitksan and Wet'suwet'en peoples, to which this law suit is confined, and which allow no room for any approach other

than the application of the law itself, and the legal rights of all aboriginal peoples throughout British Columbia, form only one factor in the ultimate determination of what kind of community we are going to have in British Columbia and throughout Canada in the years ahead. [Emphasis added.] [Para. 207.]

11. The Wet'suwet'en Chiefs, based on these principles, committed to a good faith effort to obtain a just resolution of their claims through the BC treaty process. This commitment was based on the recognition of their oral histories by the Supreme Court and a clear direction to the Crown and the Aboriginal Nations to negotiate their relationship.
12. After more than a decade of treaty negotiations with the Crown while third parties continue to be licensed by the Crown to exploit Wet'suwet'en lands and resources much as they had prior to *Gisday Wah* and with little movement on the Crown's part to agree to a just settlement of Wet'suwet'en rights, the Chiefs decided to pull out of treaty negotiations in October 2009.
13. Wet'suwet'en frustration with the Crown's intransigence in treaty negotiations is based on the limitations of what they will negotiate. At the 'Common Table' of 47 Nations, there was an opportunity for the Crown to modify their position and get support from several Nations for a re-invigorated Treaty process. After almost two years, the Crown advised last July that they would not modify their position on key issues such as 'certainty' and the status of 'treaty lands'.
14. In its recent decision on the admissibility of the Hul'qumi'num Treaty Group's petition alleging that Canada is in violation of their human rights,<sup>3</sup> the Inter-American Commission on Human Rights (IACHR) took note of the untenable situation in which the Wet'suwet'en had, despite their best efforts, found themselves:

The IACHR takes note of the *amicus* brief filed by the Wet'suwet'en People, one of the peoples party to the case of *Delgamuukw* cited by the State, where it is pointed out that the judgment in this case defined what an aboriginal title is, but ordered that the court of first instance re-examine the indigenous peoples' claim. The judgment did not rule on the merits of the case, the recording of title deed to the lands requested by the indigenous people. The Commission points out that this case lasted more than 15 years and cost the indigenous peoples involved

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<sup>3</sup> *Hul'qumi'num Treaty Group v. Canada* (1999), Inter-Am. Comm. H.R., No. 105/09, Annual Report of the Inter-American Commission on Human Rights, OEA/Ser.L/V/II/Doc. 51, corr. 1.

over \$14 million, and due to the lack of financial resources they have not been able to continue litigation in the courts. The authors of the brief point out that in the meantime, the State and third parties continue to exploit the natural resources in the ancestral lands of those indigenous people. [Note 11]

15. That the present challenge in a small part of the Gineeklaiyax Territory of Key'lah marks a pivotal point is best appreciated by the fundamental question this case poses for the Wet'suwet'en, namely, Is *Delgamuukw/Gisday Wah*, so far as the Wet'suwet'en are concerned, a spent force or is there still a Wet'suwet'en recognition within *Delgamuukw*?

16. There have been several arguments suggesting that *Delgamuukw* is a spent force, including that:

- after the Supreme Court of Canada's decision in December 1997 to order a new trial, the Wet'suwet'en eventually found themselves in no better position vis-à-vis aboriginal title, treaty negotiations, and Crown consultation regarding their lands and resources than other First Nations who were simply asserting their titles; and
- subsequent decisions on aboriginal title and in particular the Supreme Court of Canada's decision in *R. v. Marshall; R. v. Bernard*, [2005] 2 S.C.R. 220, have, through their emphasis on intensity of physical occupation, so narrowed the geographic extent of title as to make it unlikely that the Wet'suwet'en could ever succeed in proving title to more than a fraction (village sites or postage stamp areas) of their overall territory, with the possibility of not succeeding at all in some house territories.

17. The Chiefs are likely aware of these and similar arguments suggesting that *Delgamuukw* is a spent force. However, the apparent initial attraction of this analysis really does not apply to the Wet'suwet'en. In stating this, we make the following comments:

- the Supreme Court of Canada's order of a new trial was premised partly but significantly on the Court's conclusion that the trial judge had mishandled the oral history evidence;
- the basic problem thus was not an insufficiency of evidence proving Wet'suwet'en title but the judge's handling of the evidence presented to him;
- in its dealings with the Wet'suwet'en subsequent to the Supreme Court of Canada's decision, the Crown continued to ignore, much as Chief Justice

McEachern had ignored, the strength of the evidence of title that the Wet'suwet'en had presented at trial;

- the Crown appears to have assumed that the Chiefs would find it too difficult to challenge its conduct through further litigation; and
- the Wet'suwet'en people's relationship to their lands and resources is reflected in the full *Delgamuukw* vision of aboriginal title, with its source not only in Wet'suwet'en occupation and use but also in Wet'suwet'en law.

18. Furthermore, the Supreme Court of Canada made some very important comments on Wet'suwet'en aboriginal title. Although there has been much general comment about *Gisday Wah*, the specific comments providing a basis for Wet'suwet'en title and recognition of Wet'suwet'en governance by the Court have not been stressed. For example:

77. This defect in the pleadings [i.e. no amendment re the amalgamation of the individual claims brought by the 51 Gitksan and Wet'suwet'en Houses into two collective claims, on by each nation, for aboriginal title and self-government] prevents the Court from considering the merits of this appeal. However, given the importance of this case and the fact that much of the evidence of individual territorial holdings is ***extremely relevant*** to the collective claims now advanced by each of the appellants, the correct remedy for the defect in pleadings is a new trial.... [emphasis added]

102. Finally, the trial judge also erred in his treatment of the territorial affidavits filed by the appellant chiefs. Those affidavits were declarations of the territorial holdings of each of the Gitksan and Wet'suwet'en houses and, at trial, were introduced for the purposes of establishing each House's ownership of its specific territory. Before this Court, the appellants tried to amalgamate these individual claims into collective claims on behalf of each nation and the relevance of the affidavits changed accordingly. I have already held that it is not open to the appellants to alter fundamentally the nature of their claim in this way on appeal. ***Nevertheless, the treatment of the affidavits is important because they will be relevant at a new trial to the existence and nature of the land tenure system within each nation and, therefore, material to the proof of title.*** [emphasis added]

19. It is also often overlooked that the Supreme Court of Canada underlined the importance of Wet'suwet'en "pre-existing system of aboriginal law" as the basis for aboriginal title.

The Chief Justice repeatedly referred to the importance of aboriginal law:

114. Another dimension of aboriginal title is its source. ... However, it is now clear that although aboriginal title was recognized by the [*Royal*] *Proclamation*, it arises from

the prior occupation of Canada by aboriginal peoples. That prior occupation, however, is relevant in two different ways, both of which illustrate the *sui generis* nature of aboriginal title. The first is the physical fact of occupation, which derives from the common law principle that occupation is proof of possession in law.... ... What this suggests is a second source for aboriginal title – the relationship between common law **and pre-existing systems of aboriginal law.** [emphasis added]

126. As I discussed earlier, aboriginal title arises from the prior occupation of Canada by aboriginal peoples. That prior occupation is relevant in two different ways: first, because of the physical fact of occupation, and second, because **aboriginal title originates in part from pre-existing systems of aboriginal law.** However, the law of aboriginal title does not only seek to determine historic rights of aboriginal peoples to land; it also seeks to afford legal protection to prior occupation in the present-day. **Implicit in the protection of historic patterns of occupation is the recognition of the importance of the continuity of the relationship of an aboriginal community to its land over time.** [emphasis added]
20. These comments by the Chief Justice of the Supreme Court of Canada are contrary to the apparent comments in *Regina v. Bernard and Marshall*, which focused on “site specific rights”. It is critical that the pessimistic approach arising from the *Bernard and Marshall* analysis does not overwhelm the Wet’suwet’en who have, notwithstanding the Crown’s behaviour and treatment of Wet’suwet’en rights since 1997, a very strong case of aboriginal title founded in Wet’suwet’en laws and of which the Court was aware when it made those comments.
21. The foregoing observations and comments suggest that *Delgamuukw*, so far as the Wet’suwet’en are concerned, is not a spent force. The potential still remains for use by the Chiefs to press the Crown to recognize and respect their ancestral rights to and over their lands. Whether the potential is realized is really up to the Wet’suwet’en.
22. With this in mind, we want to reiterate our view that the current dispute with Canfor and British Columbia in the BC Supreme Court over the Red Top portion of Key’lah’s territory marks a pivotal point in the history of the Wet’suwet’en.
23. Underlying the Red Top dispute is a unusual convergence of a number of factors, many of which ground a strong and – not to be ignored, from a judge’s point of view – sympathetic

case for Wet'suwet'en title to the area. It is unlikely that such a favourable convergence of facts will occur again in the near future.

24. During my oral presentation I provided some of the factors that will make the Key'lah case a powerful tool to re-invigorate the successes of *Gisday Wah*. In order to consider and advance this case, it was very powerful that all of the Wet'suwet'en Chiefs and the people at the meeting supported Key'lah.
25. A concern may be that advancing the Key'lah case may not assist other Wet'suwet'en Houses and Clans? I refer to the *Wii'litsxw* decision in which Justice Neilson of the BC Supreme Court recognized the importance of the House system for the Gitinyow. Notwithstanding that the Gitinyow were not in the *Delgamuukw* case, this decision evidences a further understanding of the legal relevance of the aboriginal legal system in understanding the nature of aboriginal title.
26. The Key'lah case can give an opportunity for the Wet'suwet'en to push forward the strength of Wet'suwet'en laws over lands and resources.
27. Finally, as the Supreme Court stated in *Gisday Wah* decision:
- 127. ... The relevance of the continuity of the relationship of an aboriginal community with its land here is that it applies not only to the past, but to the future as well. That relationship should not be prevented from continuing into the future.**  
...[emphasis added]

### **Conclusion**

I hope that these comments are of assistance as the Wet'suwet'en Chiefs look to how to address the issues impacting throughout Wet'suwet'en territory.

- I recognize that many houses and clans are having serious issues now. I was saddened on how much has been done on your territory in the past 12 years and it is no accident.
- I think your modern history over 30 years has been linked to and affected by *Delgamuukw*. Initial discussion in 1977 talked about a loan with Gitanay by denial of your title.
- 1981 lead to a decision and it took 3 years of preparation. All chiefs worked together with Gitanay for filing in 1984 of the court case
- It was established for the government rights and ownership over your land
- There were hard fought disputes between the chiefs and they debated and faced challenges and did not always agree. At end of the day, some here, stood together.
- They were dealing with a government and crown and said you don't really exist.
- *Delgamuukw* established your rights of Wet'suwet'en laws not only in BC but internationally. Aboriginal nations of the world have used *Delgamuukw* to their advantage
- Before *Delgamuukw*, Johnny David fought for his trap line system. It was about your territory.

- I believe taking your territories and government to court was a novel way of using your laws. They were carrying on the struggle to force the crown to recognize and respect ancestral rights of your lands
- In early 1980 chiefs recognized the challenges
- All elders were cross examined under oath and that was not respectful to them and they stood up to that
- This is your heritage you have inherited and use that as you discuss your decisions today
- All chiefs knew their rights and title and had the court tell the government it is your rights and title.
- The unfortunate fact was that the Supreme Court sent the case back to trial because the judge after having heard 380 days of evidence could not get it right.
- The court gave you reason to enter into treaty negotiations.
- Section 35: Negotiated settlements with good faith, we will achieve reconciliation.
- Through all these issues, 4 years later Key'lah made an agreement with the crown which the crown has broken
- Through blood, sweat and tears, you committed a good faith act through the treaty process based on recognition of strength of claim and oral histories
- There was little movement on crown part to make an agreement
- I want you to know you are not alone. A common table was established to change treaty mandates. 2 land statuses and certainty, a presentation was done, 2 years of discussion to overcome treaty hurdles. After 2 years Canada said we would not change mandates.
- Is Delgamuukw a spent force? Is it over for Wet'suwet'en? If it is, there is little or nothing to be gained by invoking title. Spent force, cut your losses and walk away. It is drastic. Several arguments and many lawyers have adopted it that it is a spent force
- It's like you never went to court. This supports the theory that Delgamuukw is over and we are in a new era.
- You are aware of these arguments that minimize Delgamuukw. There is appeal to them. I would like to say;
  - Ordering a new trial on conclusion the judge mishandled your oral history
  - It was not that you did not make your case, the judge handled it wrong
  - Dealing with Wet'suwet'en subsequent to that decision, the judge ignored strength of evidence at trial. The Crown assumed Wet'suwet'en would challenge the crown in future litigation.
  - The court through aboriginal title and court found they did not make it (Marshall).
  - Your relationship to the land is in Delgamuukw, but in your use of Wet'suwet'en laws.
- Delgamuukw changed the law so drastically due to the oral history principal that everyone was looking at those big principals.
- If I am speaking to other nations, I use Delgamuukw principals, not Wet'suwet'en title.
- No one has gone back to Delgamuukw for the Wet'suwet'en
- Example: the current dispute over Redtop is a pivotal point in history for you. All facts are in your favor. The company and crown think they can divide you. I don't see any other case with other nations being infringed on that have with such a convergence of factors.

- Evidence pre 1846 – Key’lah lived on the land during forced removal. You have continued possession of the aboriginal title in that area. This did not go by trap line registration, or patrilineally, it followed on matrilineal and we can show that.
- History and consequences in Key’lah and all your territories result in the significance of this area.
- They keep taking your resources. If you agree to it and get a benefit it may be right. But if you have nowhere left to exercise rights and title, what is the use. It makes Delgamuukw meaningless.
- They devastated Key’lah territories and they need to protect this
- The OW Chiefs made decision in December or January to support Hagwilnegh in this battle. Consistently you stood together in the Delgamuukw case.
- The crown has played on pleading issues to create uncertainty on how to deal with houses and clans. We will deal with OW or this or that. That is fine if that is how you want it. You decide how it will work. In this case, Key’lah made the agreement. Now you see the crown want to go to the OW and they encourage division.
- There is pressure on your people is to make agreements to move things along. Then this leads to problems. I am dealing with that with 4 different nations. The Crown is doing everything to divide those nations.
- The Redtop dispute involves one house but is about the entire Wet’suwet’en system. It is about whom the crown has to deal with. I will make a modest proposal at the end of this discussion.
- The Supreme Court was clear that the evidence was strong. How do you make it real to make the crown behave itself?
- A success here will be success for all Wet’suwet’en.
- Example is Gitinyow: They ended up in court 4 times.
- 8 houses only. The House territory was impacted like houses here. They won 4 cases, did it apply only there, no, and it applied to all Gitinyow. They stayed together while doing this and supported that house group and achieved the benefit.
- How can we advantage not just Key’lah but others?
- Suggestion: Key’lah’s claim for title is in Delgamuukw. The whole territory and title is a live court proceeding. Combined with Gitany. We are fighting for an injunction and founding it on 2001 agreement and title. Title is operated with clan, house and Key’lah. That is what Delgamuukw supports and why title is protected.
- We propose a decision by Wet’suwet’en chiefs that Key’lah area be taken out of Delgamuukw and be fought as the foundation of injunctions. Canfor wants the injunction to clear out the area. We say they have no basis for a court case. Our basis of this is Wet’suwet’en title. We will say Key’lah has title and we are prepared to raise that. It will be a situation of who blinks first. All facts and history are from Key’lah from Key’lah’s father down. If we win such a case it then starts changing the dynamics in Wet’suwet’en territory.



“All Chiefs in good faith listened to the Supreme Court and entered into treaty. It has all been one sided”



- Delgamuukw is about your title. If we can get the courts to say Wet'suwet'en are not in the same position as Haida, they are in a different position because they took their case to Supreme Court.
- If that occurred, other clans and houses with issues, changes the dynamics of negotiations. It is no longer about Wet'suwet'en systems of governance and laws over your whole territory. If Key'lah had authority making the 2001 agreement as part of law, so do other clans.
- Key'lah and the office want the court case to be held in Smithers. It will be 5 days of hearing starting June 21<sup>st</sup> in Smithers (this date has been changed to July 5<sup>th</sup>). Office personnel have been very helpful and Key'lah and her family have been ready to stand alone.
- Canfor wants to enter into agreements. There is no evidence that if they can't log this area that they will go out of business. An effort is being made to divide. Huge economic development with high value timber may be their motivation.
- If chiefs asked me what would I like, I would like other chiefs to support if Key'lah advanced her portion of title. We could frighten the government and crown.
- Related to governance issues, I found your title was based on your traditional governance system. You use OW mechanisms, and any decisions based on traditional system, reinforce your title.
- You have difficult decisions to make, please consider this. I hope Wet'suwet'en show solidarity on June 21<sup>st</sup> (changed to July 5<sup>th</sup>) with Key'lah who is protecting her land.

Peter Grant invited Key'lah and her family to be introduced, Mabel Critch (Key'lah), Angeline Bowes (Daughter), Richard Sam (Son) & Samantha Vincent (Grand daughter).

**Richard Sam:** This is an important step to further everyone's rights to our lands. It was a long winter, had a roadblock all winter and we are glad to go to court. This is a good opportunity for Wet'suwet'en to keep fighting. They are ripping our territories apart big time and coming harder the more we get concerned. It's important to stick together, we need everyone's support. All territories will be affected by the court decision. I am inviting all chiefs to the court case on June 21<sup>st</sup> (changed to July 5<sup>th</sup>) in your regalia. This invitation is to everyone; let's fill that courtroom up. We fought to get it in Smithers and we welcome all of you and need all of you in the courtroom.

**Theresa Tait-Day:** Thank you Peter for your dedication to our people. I hear you saying with this court case we have won a major victory in terms of establishing our boundaries and cultures. I heard you say due to Delgamuukw we went into a treaty process. The Crown was to accommodate us by negotiating. I heard you say that did not happen. Our lands are still being used up. How can we move forward? Is it going to be this court case? Will Key'lah's case apply to all jurisdictions in our territory? How do we do that?

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Unistonen did that and have the ability to manage that territory. Currently we are not in that situation. How do we put forward existing aboriginal rights? If not in treaty, it takes money to come to these meetings, how do we do the work we need to do? How do we get money from industry? Can we force government and industry to abide by the Delgamuukw court decision? The court is not standing up to their own agreement. Agreement between crown and industry can bring out necessary funds for that house to manage.

That has been the objective that houses manage their authority through the OW.

Peter:

- This is where your authority is. Delgamuukw was remitted back to a new trail. Crown used that as you are in the same position as other nations. The Crown is wrong in my view. You have not used the success of Delgamuukw to push your position up to this point; they will keep saying the same thing.
- I wish I had answers to economics.
- If you want to use what was recognized in Delgamuukw and the laws of Wet'suwet'en title to move beyond crown's denial you were given nothing. This is a perfect storm of continued occupation by a 2001 agreement with Key'lah. This will create a strong case. That opportunity should not be wasted.
- How to get government and industry to pay: some clients have multiple billion-dollar projects and that gets them afraid. At this time, the crown puts the Wet'suwet'en in the same category as other nations. They are not afraid. They will carry on business.
- Whatever you decide, you must work together. I see 5 other nations being divided, as that is the government's focus so industry can step in. This government ignored

*As you know  
if we litigate,  
it takes  
money.  
Being out of  
treaty we  
have no  
money, now  
we are stuck  
in the  
middle and  
are here  
today to find  
that solution.  
How do we  
breathe life  
into our  
territory?*

the First Nation file. I don't have an answer to that issue. Wet'suwet'en took the biggest aboriginal case in commonwealth history. Be strategic and now you have an opportunity to be strategic.

**Kloum Khun:** It is good to get information from someone working with our people so long. We have Key'lah and Unistonen doing battle. Rio Tinto is an issue for all Gil\_seyhu. The result of the blockade is that we will need funds for litigation. When looking at infringements over time have changed how we function as aboriginal people. How hard would it be to take Alcan or the government on infringement? We used to move with fish and caribou and flooding of Ootsa Lake started it. The devastation of Unis T'ot'en lands (Equity Mines) resulted in fish and beaver is gone. After the life of this mine, they could expect Poplar Lake looking the same as Sam Goosley Lake. We have 2 fronts we are dealing with. How can we deal with them?

Peter:

- I talk about title differently from aboriginal rights. Key'lah is about title. I want to see recognition of title in some part of Wet'suwet'en territory and that is why you have a perfect case. The interim injunction in June will start to change dynamics.
- A decision on Rio Tinto will come down. Infringements of Equity Mines. If we are fighting in one part of Wet'suwet'en territories for aboriginal rights, we could win the battle on infringement of rights. Justifiable infringement. Title meant you make decisions on how land is being used. I want a case of title because that changes everything, and then you have the right to make decisions.
- My colleges say the crown talks about title as a bundle of rights. Title is the right to make decisions on how land is used. It changes the power balance. Title discussion is really important. Then choose an area of infringements. Strategically, Key'lah was imposed. You may choose to challenge on infringement. This must be done strategically.
- Maybe something more important that chiefs should discuss and decide is what is most important. Focus on that area. Strategically there are advantages. Timing could work well. The June decision is only an injunction. Turn up the heat.
- Government is coming to you with treaty talks, as they have nothing to fear. Infringement is the next stage.
- Post Delgamuukw no one has taken it to the court for damages. BC and Quebec filed protective writs. No one has gone to the next step. Then you will negotiate once you have decided where on infringement.

**Kloum Khun:** Bundle of rights – compensation and recognition of aboriginal rights of people of land, and industry, Kemano 2. Environmental and aboriginal concerns were to stop the Kemano 2 project. People of the land are recognized less than foreign people. Foreign people have more rights than us. Compensation was pushed off the table first. How do we get our rights where we are not recognized stronger than foreign people coming on our land?

Peter

- Compensation for infringement will be a loss of access to territory and in Delgamuukw you did claim damages. Since 1984 you have an outstanding claim. Government said compensation would be dealt with in treaty. Economic loss you suffered was part of it.

**Peter David:** In 1970-1980 Peter Grant started with the Wet'suwet'en government. We had the power from the chiefs at the table. Moses, Johnny David, Andy Leonard George, only one left out of them, George Holland. Others are gone. I'm happy Peter came in. He has the power and we can feel it in this hall how the chiefs talk. White people say you can move a mountain together. It's nice to feel that power again that Peter brought back on this table. If we operated a white way, we could not get anywhere. We must use our traditional system and then we will win. That is what I wanted to say.

**Larry Joseph:** I want to express my feelings of happiness to see Peter Grant. I've listened and I see the Delgamuukw court case really made no difference when I see what is happening here and elsewhere in BC. I am concerned about the advances other FN made in this province and some have taken a leadership. A Trust Fund was established on the coast of BC, \$100,000 to fund activities. That exceeds anything taken on Wet'suwet'en territory. How will you fund activities? Some FN is charging for referrals. In Burrard Inlet, which encompasses the Vancouver area, get thousands of referrals (1500) and charge for referrals to pay for their effort of workforces. Water rights has never been extinguished in Canada and SW Alberta people received compensation for \$125 million dollars and it was done out of court. This has the potential to fund Wet'suwet'en efforts if we look at issues of aboriginal rights. Can you talk a bit about that? How do you see the strategic view of water rights in regards to Rio Tinto?

Peter:

- Larry engaged me in a discussion. The question of referral fees has been successful. The Crown in the lower mainland bent over backwards to get referral fees. I have other clients trying to do that and the government is showing resistance. Water rights – if you seek compensation, it is better to get the government scared with a court action loaded. Out of court settlements have been much better. Quantum of damages scares them. Given the nature of water resources in your territory is important. We fought in terms of river for water rights in 1982. It is a sleeper in BC. The government has not woken up to that yet in BC. Alberta government on aboriginal file is afraid to go to court. The Alberta government has an unending flow of funds. It is worth it for the Chiefs to look at water rights.

Prayer: Rita George

Lunch

**Wiil'aat (Sue Alfred):** The Elders Pancake breakfast funds are going towards the elder's trip to Salmon Arm. A profit of \$490.00 made. We want to thank everyone that purchased breakfast this morning.

**Woos:** David's father clan made a vest for David who works for the Chief's office. David's family honored David with a ceremony and dressed him in his vest.

**David deWit:** I'm honored today by the support of my father clan with the vest. It is an honor and privilege to be part of our traditional governance system. Asserting title is based on this system and I am honored and proud to be part of this system.

**Adam Gagnon:** It is a wonderful thing to get together to work at a unified nation. I want to thank Mabel Critch for Redtop and Unis T'ot'en house on what they did up at the Morice and Poplar. I want to present a couple of CD's called "Wet'suwet'en Warrior" and will present to a couple of chiefs. I want to present this to Key'lah and Knedebeas for the good fight. Adam played one song from the CD.

**Wah tah K'eght:** My mother gave evidence and Peter Grant was the lawyer. They walked with them on the territory. I want my members to get Peter Grant up here to welcome and walk with us again.

**Carla Lewis:** As Wet'suwet'en it is our responsibility to protect our land and stop industry. If we take measures of restoring damage already done such as taking out dams, restoring roads, parklands and forest, what will happen to Wet'suwet'en if we take measures asserting our title and responsibility?

Peter:

- This is not strictly legal but I perceive the government of BC and Canada are in huge debt and exploit resources quicker than they did 2 year ago. 2 years ago they pushed for non-conventional gas in BC. A "Cabin Gas" plant will be a big boom to BC and will cover health and education budget over 10 years. Environmental effects of this are another story. When gas prices went down, their reaction was to double gas production to get the revenue. We are not talking about a small thing. Whenever federal or provincial government run out of money in Canada, they fall back on resources and the FN of Canada have a right to share the economic wealth.
- Last summer the treaty process that governments refused to use the Common Table to move forward.
- Recognition legislation, I advised a number of nations to oppose it, it watered down title. Very prominent legal council took a legal view but I was worried for my clients. The government in Victoria and Canada see the aboriginal file as low.
- Your question is a good one. Chiefs and elders spoke to that 20 years ago. What is critical to protect? Dams, forest rights. If you work together, jointly develop the most important strategy. I took Key'lah's issue and focused energy on it to get the biggest bang. The government needs money. If that is the strategy, focus on the issue collectively which the chiefs did with Delgamuukw, bring the other issues forward. Do the same as Key'lah, get it

in one place and changes the dynamic. Where will you draw the line? If done strategically you change the dynamic. You have international recognition they are not recognizing your rights. We have a government that says we will be the greenest Province. Carbon Gas will be a huge polluter. They want to flood the Peace Valley we heard last week. Focus your resources on what is strategically important. Consider the target, i.e. Sam Goosley. I know evidence given by the chiefs and how important it was. The central coast allied with environmental movement.

**Lloyd Austin:** A number of issues resulted from treaty talks. There are so many different views on how to proceed in those talks. As far as the decision for Delgamuukw has gone and number of year's treaty has been in place, there have been no substantive measures on part of the process. It is basically the status quo. It was an incremental process.

Madeek shared that if we take wee steps that will benefit our people. The Government and industry go all out to do it as they have the resources in place as a result of tax revenues. They mention tax revenues; it is generated from the lands and resources of FN people. Look at the balance between the governments compared to ours; there is nothing in there for us. People have paved roads, infrastructure built on their side but we have nothing. That is part of the taxpayer dollars. Acquiescence – when we don't stand our ground on the territories, we are giving them permission to do what they do.

Several cases have precedence in regard to title that will affect our title on the land, Elk Case, must consult with FN of that territory. In my house if it's in municipality, and is burdened. It all lines up with environment and economically and sustenance use of laws we have. The title document in Delgamuukw did not result in title. It was only with land use and with fishing and hunting rights. The title declaration of our people needs to be spoken. There are provisions under UN. I look at how the Mauri structured and made declarations with UN and with ICJ (INTERNATIONAL COURT OF JUSTICE). There are provisions in the UN for partnership and self-government. There is a system that they have in place and needs to be activated and put on the front lines.

I thank my cousin Adam for the music and statement of our people.

What I want to see is direct action to get the government respond to the needs of the people. We have done that in our office, we developed terms of reference for consultation process and resulted in the notice of seizure and seized logs and skidders and drew government and industry doing development on the land that they must come through our process.

Strategic watershed analysis technicians are a template for self-governance and I hope that will get everyone more involved. People have come a long ways on direct action – I thank you. It is not for us, it is for the future of our kids. They will go through the same thing and government are industrial based and there for the economy. We are there for balance and sustenance. These are

models that will be put in place for the future. It brings us together as industrialists and environmentalists.

It's time the leadership define warrior societies to pressure all government to come to the table to find something that will work for the benefit of the future of our people.

**Louie Madam:** When Mike Harcourt was in, BC & Saskatchewan were involved in environmental issues. In Alberta they don't have that type of system. We will be plowed over with industry. When talking education, in Prince George, the Alcan project was taking place and damming more of Kemano. I studied that. One thing to help us towards us is what can we do? English is a powerful thing to use. In the past they used the English language and turned the systems around. I found highly toxic chemicals being made with producing aluminum, more toxic than cyanide. I sent the report to Mike Harcourt and the NDP turned around the Alcan plant and shut it down.

Is there a system to use in that matter to alleviate this government take over snow plowing industries? Alberta does not have that. Natives are dying in Alberta and you are blessed with moose meat and fish.

Peter:

- I think the example of Kemano completion. There were alliances with other FN. The Wet'suwet'en are inundated with industry, how do you choose. If you try to answer everything at the same time, it will be a generalized attack and you will not be as strong. If I know what is most critical fighting together, strategy can be developed, letters, reports and studies, or infringement, environment, water rights. All of these are possible. The reason I use a small example is that you must get aboriginal title understood that entire territory is governed that way to push Delgamuukw beyond where it was. It is a huge decision; you have a lot of things going on. What is strategic? The last speaker gave an example. Wet'suwet'en were right in the middle of that battle.

**Gladys Naziel:** What is our goal, plan and how are we going to come together with unity? I asked a question what is left of the SRI fund? \$480,000. What is going on? We need to know. The Key'lah court case is going on. We need clarification of what the goal is for the Wet'suwet'en. A lot of employees are working there and only one person was laid off in March. We are all Wet'suwet'en and care for our lands and want to protect them for our future children.

**Frank Alec:** Clarification of questions asked needs to be answered.

**What is the goal of the Wet'suwet'en?**

**T'sek'ot:** The main goal of our office is unity and the betterment for all. Our vision statement states everything. When we stepped out of treaty it affected our workforce and we curtailed some employees. Our goal is to get our land back, have full governance over it to the well being of our people.

## How do we get to unity?

**Wiil'aat:** We lose one elder we lose our language and lose our table and respect.

**T'sek'ot: Translating:** She said she thanked everyone for being here to listen to business that transpired today. The chief's table is not our table; it is the table of our ancestors. They used to help each other all the time. We never said anything harsh, it was developed for respect. She spoke to members of Tsayu clan that have left. Our table here is sacred, we do not speak harshly. If we don't take care of that what are we teaching our children? When we went home yesterday, we were sad, now we are like pups that bark at each other.

## Why was only one employee let go at March 31, 2010?

**Debbie Pierre – Executive Director:** Thank you to all previous speakers.

- Since October the table heard the membership in regards to treaty negotiations.
- Recommendations were made at the All Clans meeting in October to step out of treaty. In our discussions to meet that, we had to look at the current operation of the OW and what would be required to maintain capacity. With the treaty negotiation, the Hereditary Chiefs and the way they operated over 14 years since its inception, there has not been on day that BC or Canada came to the table that was acceptable to the chiefs.
- The OW maintains the 22,000 sq. km of territory. Children are no longer taken from our community.
- Inuk Nu'at'en versus the current world.
- We had over 10 years of strategic planning. Satsan, the membership and chiefs strategized Breathing Life into Delgamuukw. Work from that is a collection of all resources around the Delgamuukw to ensure we apply those in our activities.
- We created another plan with Don Ryan in 2007. We did talk to him and he has been called away to his sister in palliative care.
- How do you apply plans to our organization and apply to our membership by way of territories? Through that process we had systematically organized, ensure we had proper information to move forward. Going back to the 2007 document by Don Ryan, asserting Wet'suwet'en title and rights. All recommendations put forward applied through HSS, Natural Resources and Fisheries.
- Since October the chiefs looked at ways to move forward and looked at all your information from your clan meetings. We have made available to you an overview of the clan workshops. Key issues clans put forward and all your concerns and issues have been document and recommendations in relationship to that issue. This document includes Agriculture, Communication, Cultural Heritage, Economics, Education, Environment, Finance, Fishing, Forestry, Health, Hunting/gathering, Land Strategy, Mining and Pipelines, Resources, Tourism, Treaty and water. Those came from your discussions. We summarized on how we can apply those recommendations daily through our departments.

*“Since October we have not talked to BC or Canada. We have continued with bilateral (Wet'suwet'en & Federal or Wet'suwet'en & BC) on various NR, HSS, and FISHERIES projects.*

- The Chiefs have moved forward on unity, communications, and the governance. We need to move forward to bring these documents from your voices from the clan meetings.

**Frank:** There is information to mix up issues. You are going back and forth with participants, some information is not complete. Answers are not going to the participants. It is what I see. To respect the process, it has to be completed. There is a disconnect at the table. My responsibility is to point this out so the process can go ahead. We need to identify what is holding it back. If there is going to be a form of a satisfied approach to come up to answers, I think that needs to happen. It is all a matter of process. What happens is when information is not complete, people will walk away unsatisfied and this will result in more tensions growing. It is up to the people at this table and in this room to put it back together. After discussions yesterday, the process moved toward solutions. How can that solution avoid what is going on right now. There does not seem to be a unified answer to the three questions.

Managers need to answer the questions.

**Debbie Pierre:** Since October there was a decision to cease negotiations therefore the table made a decision not to proceed with 2010 and 2011 negotiations. With no funding, the treaty team was let go, as there were no longer negotiations.

**David deWit:** Natural Resources Manager

- The goal of our department is to preserve our cultures, traditions and territories. Working together for the betterment of all.
- Peter Grant provided an option. This is not the first time we have served a writ. In 2005/6 BC timbers sales destroyed cash pits on Uncha Lake. We challenged that in court. It was not a strong case and is still on the shelf. It is our title.
- The Natural Resources department does not hold title, we represent title. Our land has never been ceded, we have not lost a war and we are hanging onto that title.
- From Natural Resources, our cultural and traditions are tied to the land, we need to have the government recognize the owners of the land who have title. That was key for Peter to share with you. Each clan must support that.
- Unity, here is a case right here. All clans supported the blockade and we are now going to court. Unity lies in the potlatch system where we work together. In times of loss and crisis, we unite.
- We need to defend our lands; there are major threats, Sam Goosley and the reservoir for example.
- One pipeline is approved (PTP) and another proposed pipeline (Enbridge) is oil/condensate, which is proposed to run through our territories, which will contaminate ground, invade our territories and that is a crisis.
- We have a cabin-building project (David recognized the employees of that project). They are building cabins for you. We harvested trees with no permits. That is an action. In October we said each clan is to get a cabin to assert your authority to your territory. Peter said is not just on past occupation but on current use. Put a cabin on the pipeline corridor.

- Threat to mines, Nanika, Lucky Ship, put a cabin there. We are exercising our title so we can practice our traditions to ensure we are watching our territory. That is our Inuk Nu'at'en.
- I invite all clans to our Natural Resources department and we are ready to share this information where threats are.
- We have maps showing the proposed pipelines. We need to strategically place cabins along those corridors. Names of chiefs are tied to the territories.
- The quotes on the walls, the DVD, those words from our elders are not lost, they are waiting for you. Our governance will unify us. The government has divided us.

**Joan Hunt: Human and Social Services Manager:**

UAJ: We work in partnership with the Canadian Justice System to enhance Wet'suwet'en traditions and laws. We do it by way of workshops and work with the provincial justice system and youth. We ensure children do not forget where they come from

Reconnections: Reconnect with children in care. This year we have taken an approach to included foster parents; educate them, brought them to workshops. When parents are reconnecting we are part of that. Diana has helped with clan photo albums and genealogy charts.

HBHF: We have intervention programs and provide a range of services to aboriginal parents and children in the Bulkley Valley. This year we are also providing services to Hagwilget and Brohman Lake. Honoring our Grandparents this year. Education of teens in regards to alcohol, sex and drugs and the effects on them and the community.

ECD: Enables the community of Smithers to build capacity to deliver a full range of family services. We provide services to wherever Wet'suwet'en reside. We work with UAJ and their youth. Ages and stages is a program for children. Community kitchen.

Culture Camp: Strengthens the Wet'suwet'en connection to their territory. Last year we held a language camp. We had elders come in at the end of camp and produced a language book available to everyone. This year we want to have 5 camps, on each clan territory. We want to bring in HSS team to camps. We have no funding for culture camp from the province this year. We are fighting the balance with the province.

Child Welfare Agency: We secured a 2<sup>nd</sup> round of financing for that. The bands will update you on the progress.

**Walter Joseph: Fisheries Manager:** The goals of our department are for the conservation of fish stocks. Secondly is to ensure we meet our food fish needs. Thirdly is economics, to make use of fish economically.

- Conservation: Our major accomplishment is to protect the Nanika sockeye. 5 years ago commercial fisheries hit the Nanika run. Since raising these issues, we have gathered data to support our claim. We have proved the run has been depleted due to the mismanagement of DFO. Until 2000 DFO looked at salmon stocks. Due to our concerns, DFO no longer looks at Babine sockeye only but look at small stocks. They are now

protecting the Nanika run. Major problem I seen in regards to sockeye, is the small run that goes up towards Maxxam Lake. It is only in the hundreds. The proposed Enbridge pipeline plans to go through a spawning stream for that stock. Maxxam might meet the species at risk criteria. We need to gather more data on that stock.

- We need to protect that to meet our food fish needs.
- Our tagging program has been running for many years and we have accurate data and it is the best in BC. It has been funded by DFO and generates jobs in the community.
- Unity: the fishery does affect the entire nation, not just one clan. It is a nation resource and we must protect it.

**Deb Frazer: Financial Controller:** The main goal of our department is to ensure all funds coming in are spent as mandated.

- Last year we had 45 programs and had \$3.4 million to run them.
- We do all financial reporting up to financial audit.
- Our responsibility is to ensure the sustenance of the organization and look at ways to amass money for the nation as a whole.
- We looked at a 30% decrease in funding.
- We do monthly financial reporting to the table and statements are posted on the website.
- We are trying to be as transparent as possible for the membership. Our door is always open.

**Debbie Pierre:** I want to share with you that the work these managers and staff do are a result of mandates that come from the chief's table.

Protocols and MOUS go through the chief table for approval to ensure the visions of Wet'suwet'en are met.

Programs and services, the chiefs talk about capacity building in the houses. All house members can be aware of what is happening on their territory. The Wet'suwet'en have always said our nation is not just about Natural Resources. Treaty talks are based on Natural Resources. Our primary resources are our children and were expanded in 1996 to include Human and Social Services.

Question around finances. With reduced funding, this fiscal year for 2010/11, funds available are \$691,510 for operational costs. We are a non-profit society and do not have core funding, no annual budget comes to the organization. Funding is based on proposals and non-government organizations.

A lot of the work being done is to find a vehicle for this information to be shared with all Wet'suwet'en.

**David deWit:** It is really to understand the expense to litigation.

- We got an injunction and Key'lah was served legal papers due to the roadblock with Canfor. They served us an injunction. They want a ruling to continue logging.
- To defend ourselves was \$75-90,000.
- We were advised to do a counter injunction.
- We spent a long time with the family filing affidavits. So far we have spent \$80k. We sought funding from non-government organizations and have borrowed \$25k from the Fundraising Fund.
- It will be @ \$200k. We have raised \$75. We have been writing proposals seeking funds. That is strategic litigation. Peter Grant has a long history working with Wet'suwet'en.
- We have a library with words from our elders while in court. They laid their hearts out. A lot of information is videotaped and refined to bring into court. We took all that information and maps and have put it on the computer. It is coverage of where old trails, village site, cabin sites, burial site, cache pits were. It is your information. We need to share this information. That is where the title is and we have it in a form that we can share. That was our intention of having clan runners.
- Gitdumden clan booked a date for a clan meeting after October 24<sup>th</sup> but we experienced losses. We still need to do that with all clans. We want to train people and give them information. That evidence is available for you to protect and live on your territory. Our intent is to create more communication. Cultural Information is available. You need to learn your cultural areas and which leads into taking water samples, etc.
- We have promoted an Environmental Monitoring program through the colleges. We want Wet'suwet'en watchmen. We are working with the college to get a watchman program.
- In our department we only have 5 people for the whole territory. One chief said they want to elect someone from his clan to have a clan runner. We need to mentor our members culturally and technically. We can't hire nedo's to do that; we want our members to do that. We have maps at our clan meetings to give you. The names on the territories are house chiefs, a generalization they used for the court case. The court case was outside boundaries. Not all boundaries are correct. We need to do our homework with our maps. We have resources. We have no core funding but work hard to have partnerships.

*“Strategically, gaining title will empower all clans. We need to think strategically what the next step is”*

**Debbie Pierre:** All information you have heard and seen are available to you in the small hall. Our staff will answer any questions.

**Frank:** You have heard some information from the OW Managers. There are a lot of questions to be asked of the office. People are getting restless. Make your comments as short as possible.

**Caspit (Stanley Morris):** We came to this table to ask for changes for the future.

- The Staff have reports that have been ongoing on for the past 10 years. I have a room full of minutes, all reports and no action.
- Strategic Planning – without local recourses management and reports, we cannot get funding and reporting for money needed.
- I look at the office when it started, we would do things together. Capacity building was set in place, no one cared. If I did not want you, you are not coming to our meeting and they are still following the same process.
- Success of unity, let's act differently, bring 13 chiefs to rotate every 2 years.
- The office and table is lacking leadership. We have nothing to be proud of. After all you said today and yesterday, I feel I am against you guys. This is why they gave me Caspit from David Dennis. He talked about it, take care of your name, they gave him land. The office took it all away and I am not allowed to talk about it. If they can do it to me, they can do it to anyone in this building.
- It is a lack of trust. We talk about how we are going to work together. Hagwilnegh had trust in me. It looks good in the feast hall but not at home.
- People are having a hard time with no work; people in the crowd get jobs. I thought about it a long time I wish they could work together.
- Pat Namox said at the court case gave him words, grand children do not listen and things are going sideways. Hagwilnegh, as long as the office is open, I will be there to protect other people.

**Norma Shepherd:**

- I want to address chiefs table and am honored to ask my questions.
- Somebody said they had \$75,000 collected for a court injunction and will cost more than that. Why have the chiefs not helped out to protect our land?
- Infringement clause – it should be looked at. We will be pushing forward even if we have to do it on our own. Our land is sacred and ask any elders, going through our territory will be detrimental to our animals and fish and we are all going to work the land.
- I'm proud of Key'lah, if she can do it alone so can we.
- Respect, that is all well and good but it works every way. If you want it, you must earn it. I've heard after we pulled out of chief's office, an MOU was signed from the chief's office. That hurt big time, where is that respect for us? With or without you we will go ahead alone.

**David dewit:**

- The \$75,000 is in support of the legal fees for Key'lah court case. There was \$50,000 sought out through non-government organizations and in addition there will be another \$120,000 required.
- Why have the chiefs not helped infringement? We had chiefs go to the roadblock and they said they did not want chiefs or staff to be there.

- The basis of MOU's to be signed with industry on our territory. Copies of the MOU were handed out. It lays out Wet'suwet'en rights and title. The MOU is designed for industry. Industry recognized Wet'suwet'en title. They must consult with house groups. This MOU is to support NR staff and have clan meetings. It does not consent to activity but alludes to activities that may or may not be of interest to the house group. This is an MOU with a company. The real legal case is the government. They give away mineral title and do not consult with Wet'suwet'en. That is the biggest issue and needs to be addressed.
- Kloum Khun attended the Common Table meetings.
- Who will stand up and take that case. We need to have title recognized. It is getting owners recognized. We need the government to know the houses make decisions for the territory, it is not OW. When we get there, we need to line them up. Pipelines, minerals, past infringements on our territory.
- If you focus on something, you will strategically get somewhere. That is goal setting, where have we gone, where are we going.
- We must discuss what the next goal is. FN is getting big grants and the Wet'suwet'en can do the same thing. Those FN groups are united and are not fighting with each other. We need to be united, as the government trick is to divide and conquer. We have our Inuk Nu'at'en, crests, father clans etc.
- NR wants to sit with Unis T'ot'en and the chiefs want to meet with them. We need to support each other. We cannot be divided. Our fights are with government. This MOU says LGM never ceded rights..... and this is a positive step. Our next step is to get government to recognize title and we need to work together to do it.

**Violet Gellenbeck:** We have been here for 2 days talking. We came to talk about business and we have not touched it.

- My family came from a long way. Mom is 90 years old. She has been here 2 days. When it first started I have been there from the beginning. One winter we met and you see what is written on the board – “traditional systems”. We have not talked about that. Wiil'aat spoke about respect. The elders have gone, we have forgotten about our ancestors "quanbiya" where is our leader?
- Wah tah Kwet's that is where our house is built. Now our leader if we had one would be good but it is not the way it is. Our family is sad.
- This table is like puss. It's like this is why we are here talking to listen to each other. This is the way our elders have to talk. Now this feast system, our seats behind us feels like it is closed. All seats in the back.
- I am speaking with respect to this table and I pay homage to our ancestors who have left and those sitting here have followed in their footsteps. They were to follow work our ancestors did. It is not the way it is going. Every year we are to have this meeting and it never happens. Every year that agenda is on the table. We come here and talk with great pride, honesty what we want to see happen and it never goes forward.
- There is anger and tempers boiling in the background that must be settled.
- We repeat ourselves year after year and get nowhere. In the past when we first started the court case the work ahead of it and done during court case and what happened after, there was unity in the beginning. I was part of it. They set one goal and worked towards it until it was achieved. It included elders at this table and in this room. They are still here.

- My mother gets upset when coming to a feast as we are losing our culture because she sees it changing. She speaks on that clearly. With no disrespect to this table, we really lack a strong leader. That should be our goal. A leader who is knowledgeable about Wet'suwet'en history and who has gone through and experienced the last 20 years of our history. We need a leader who is cognizant of different levels of government and how we are part of that government system. We need that person. We need a person who knows of our culture and traditions.
- Why are we floundering if we don't have that leadership. Look around, who is that person? Who is it that we need? Some of our chiefs are elderly and need support of a leader, someone they can lean on. A leadership position is the backbone of any organization in the Western or Wet'suwet'en system. One person who's dedication to meet our statement of Strategic goals. That would be that person's responsibility to work for the betterment of all Wet'suwet'en no matter where they live.
- I'm getting very sentimental as I have seen good leaders and I have worked with this organization when we were Gitksan/Wet'suwet'en and leaders at that time were Herb George and Don Ryan. I saw our chiefs how they related to these two men and blossomed in their work in that situation. What happened after we moved away from Gitksan? Many things happened and you know what it is. Once we left a unified group and went on our own, it has been difficult to get back together because of money.
- Money is a demon as it destroys people. Through treaty negotiations we are able to get a million dollars per year to work with. We did well for a couple of years but then the fabric of our organization filtered away. It is sad for me to see it. Yesterday and today not one person got up here and said, let us look at who will be our leader? How should we go about finding this leader? Without him, Peter will have a difficult job to do the work for us. It is a hard job for our managers as they are missing that position between themselves and chiefs to move things along.
- I don't want to take up anymore of your time; I will find another venue or meeting. The goal I see for Wet'suwet'en today is to find that leader to lead us into the future.
- People around the world look at Delgamuukw and are using it as a model.



“If united we would  
have our governance  
and have it all set up  
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with around the world”



**Rita George:** It has been very nice to get together and at same time it is very stressful. Last night we all met as Gitdumden for the first time.

- We have no communication from the office; we don't have communication in our clan. We call meetings and half the members don't come. We don't come together. Some of the people come up to us saying there is too much division. It is like a competition.

- Last night Madeek gave us a very small view of what happens at the meeting table in regards to the territory building log houses on Gitdumden territory. I feel there is not communication.
- It is good to hear all the Wet'suwet'en office making reports. It is good to know what you are doing. When discussing things on table, it does not reach out to the clans, as there is not communication.
- Unity: We need that and the chief's office with representatives around the table and to our clan. How do we get that unity? It was stated that there never used to be a problem with our ancestors, they were on the ball with each other in the clan from the leadership. It is not there now. I told my clan last night, there was a way a while ago and told them teasingly as we don't get to each other. They used a telegraph before, then telephone, then TELL A WOMAN to deliver a message.
- Wiil'aat touched on it, we must have respect. When holding a chief name, our father clan talks about why we are fit to get a name. When my son Andy got a name, I sure liked what his father clan told him, she said to him, "now you have an important name, you must respect the name and not to dirty it to talk roughly and harshly to others and to quit drinking, be an example". I thought that was a good message. Our Father clan told us to talk kindly, respectfully and especially of our territory.
- A long time ago if a clan crossed into another clan to hunt they needed permission. Now there are cars at Owen Lake. Other clans go there and get beaver and we look on. Some people are now taking license plate numbers. In the spring time cars are lined up there that is Gisday'wa territory. Other clan members go up there and help themselves. That respect must start, it is our traditional system.
- I told Madeek he was a relative of Gitdumden, whatever decisions comes to table, it should be delivered from the table to the clan members so they know what is going on. Decisions are made without our knowledge. With no communication and we feel the chief's office sign things without our knowledge.
- There are good reports the chiefs are doing in that office but we need to hear right away what your decisions are. Gitdumden will meet once per month at different locations so we can work together. We need to do that.
- I'd like to thank Wigetimstachol. When anything comes to the table, we must respond to it. The non-status Indians. This hall is clearing out as they came a long ways. It is true what he said, when non-status was not allowed to go on their reserve. Every non-status Indian received this card. When I married Andy I was 20 and I did not know I was marrying a non-status Indian. 3 months later I got this in the mail. It says this is from the Citizen and Immigration Indian affairs branch, both governments, to certify that Rita George formally of Omenica band was disenfranchised by order of council, 1960. I got a letter with it, deemed not to be an Indian in the Indian act. In the letter it says you are no longer Indian, you cannot trespass on Indian reserve, fish or hunt on Indian reserve. All non-status got this. It affected us really bad. It hurts as we suffered when the government divided us. Non-status discussed regarding division amongst our territory, potlatch system and voluntarily to sign up for non-status. We became non-status, signed up to be a white man. Our relatives and children apprehended by the government and lost language and everything, our potlatch system, culture and clan. Government put us through that. Bah tats had not discrimination. Allowed to come on reserve for that. DIA – each member had to be off reserve for 3 months and is why there was a half full on non-status yesterday as they worked on farms in 1940. Cared for lands for the farmers. Rose Lake hacking ties, struck off reserve.

Feathers affected very bad, struck off. Not allowed to go on reserve, they struggled and live in the terr. They trap, hunt and take from the territory that was non-status Indian. George and Owen Lake, they lived as non-status, no power and no running water. The decedents are here. A Cree woman fought this at court and won the case. We were designated to different bands. They want me to return this card right away. They are trying to hide the treatment. That was discrimination and I will hold it to prove what we went thru.

- We lived on the territory. I taught them to fish, hunt and identify boundaries. To save the caribous. How many Gitdumden, will it be open to youth, open to them? I wanted my children to know their grandmother and my brothers were drunk. He showed a rifle to me; don't come in otherwise I will shoot you. I still love my brother. He died from cancer and I forgave him; he did not know why he suffered out there. We were labeled as non-status Indian and were marked. My brothers were chronic alcoholics and I have strength within me to carry on. Why are those people coming back to the reserve, we have no room for them? Due to DIA, welfare gave us money, there was a lot of separation and not recognized. On behalf of all non-status 1988 the constitution says we are not longer non-status Indian as it is discrimination.
- You talk about the territories. I don't want to be left out of the business and we don't want to be marked anymore. I want the chiefs in this hall to put everything in the past and not to bring it back up and want us through the chiefs or band; we put closure on all this and all children apprehended. We need to be recognized and accepted, we want no more division.
- I think I stand before you as a Wet'suwet'en saying we have suffered long enough. It is going on too long. I'm asking for unity, so we can all work together. Put this behind us. Look at all of us. I'm brave enough to stand up here and tell you what we went through. Half the people don't know. My house in Brohman Lake, discussed non-status Indian. We need to put this behind us and we are asking for assistance. We can all be one.

**Lucy Verigan:** I have the same problem and so do my children. We lived in Houston around 1940-43. We were all status. In the fall my husband did not work much and was low on money. He wrote to Indian Affairs in Hazelton and asked for a box of shells. They used to give them to them in the fall. We got letter back saying, as we were not on reserve, we cannot accept anything from the reserve. I was born in Houston. What does that mean? No one knows what non-status means.

The trapping was the job and to sell furs. After that the people don't know what to do and quit buying furs and plastic came out. There is work on reserve and we worked for \$1.00/day with a horse made \$2.00/day. We kids helped my dad. When building the airport, reserve people cleared the land. Soon there was nothing to live here for and people moved away.

My dad was told to be enfranchised to get a good job. They took it, Rita mentioned people in Telkwa, Smithers all got enfranchised in the same year. My husband got a job in the sawmill. He

got another letter saying he cannot stay on reserve; he can visit one day and one night only. We suffered a lot and I am still suffering today. White man meetings were held in Smithers – we could not go there or in Moricetown, we had nothing. Today I feel I am non-status. Dan was a chief and I asked him if I could move back, I was married to a white man in terrace. The government will not build a house for you I was told. It did not work out, we did not do it.

3 years ago I came here when I was sicker and again I went to band office manager's house and asked what I could do. I told her I have my own house with one acre. If I sell and build here, I want to know if I can do it. We went back home. She said to write a letter. Up to the day I am sitting here, I have not heard from Moricetown Band, any phone call or letter. I love my people.

How many times I have talked how people lived and did not talk about this problem. It is upsetting, I was raised in Moricetown and my ancestors lived in Moricetown.

He wanted grandchildren to live together. When he was alive he gave that to Alec's mother. That is where it went. He gave the other side of canyon land to another nephew. He is Tsayu and that name is lost. He was a big chief on Tsayu, my dad's father I am talking about. We grew up in Houston, Buck Flats and had a summer home. We had no trouble until the government and priest came to take our children to residential school. 17 kids from here put on a train. If the father says no, he will go to jail for 10 months. All the kids went. They all died, I'm the only one alive. We did not where we were going on the train in 1932. The nuns were so mean to us, cut our hair short and would not let us speak our language. They dragged them by the ear, spanked them.

Alcohol came around 1950. Look at today, after alcohol, look at our graveyard. Children killed on the highway, next came drugs. What is going on with our children, gambling comes, what does this mean for our people? I feel I am not welcome to our own village; they don't want me there. The graveyard is full of my family. The government gave me a hard time all my life.

**Rita George:** I felt a big relief when I sat down after I let my people know what we went through.

**Lillian Bazil:** When the feast came about, we as a family sent the invitation to everyone. I got a response from my niece in Alberta, daughter of Sandra (read letter). She is 32 years old and speaks the same words as Johnny David. Attached is the letter from Heather Robinson.

**Knedebear:** Earlier you said we must respect this table, our elders before us sat at this table. It makes me wonder. All it is a fight at this table. We talk about unity. It seems we are going around

the table. When we walked away from the table, all clans moved away from treaty. At the end of March we were to shut down the office. It is not easy for me to say how I feel about this table.

Some staff on April 5<sup>th</sup> told Lions Gate Metals to not listen to us; they will only listen to the treaty office. They signed MOU but they have to deal with the clan and it did not happen. I hope you know where I stand when you ask for respect and do what the office is doing to us. Our elders respected each other, not treaty. Why talk of unity with this table here? If you cannot be straight with your people, you cannot discuss unity. They did not protect treaty. They were humble people, if they had problems, 3 clans; host clans made their opinion and it was dealt with at that feast. My clan with our fight will carry on and get into bigger problems. If the office wants respect, they will not listen to us; I have no respect for this table. It is trouble for us. What other choice do I have? My grandmother was on the territory every fall, dad and mom. Grandma cooked moose meat, deer. Now we are faced with a blockade, it does not make sense.

**Brenda Michell:** Treaty: I am a student and my final paper was research on treaty. I spoke to an elder on negotiated treaties, Darcy Band. Before it was brought to the community, we hired a woman – what does 5% of the land mean? Divide this table into 100 and this corner is what you get. Government won't pay you \$200 million up front– it is over 20 years. Money comes from the land they take from you in resources and use that to pay you. It was ours to begin with.

I think my family needs to be apologized to. My chief stood, we had a feast and the MOU still went through. Industry was trying to set up a camp to begin drilling at Poplar Lake. If our clan said no, we expect OW to stand behind us. We heard over and over how much that territory meant to Knedebeas, knew there was a day to fight for our territory. We want no industry on our territory. We go there every fall, fish, gather as a family and any chance we can get to go there and feel close to our ancestors. We are being told by industry they won't talk to us, only to OW. If industry finds something, what will stop them from setting up a mine? We need to keep them out of there so greed won't over power us. I feel my family was disrespected. Their grandma taught them well, they are teaching us. I had to check before I spoke, we learn respect. If we move forward, we need an apology.

*“We need to walk together. I don't see that. We need to change the way we do things here. Don't let the yintah go, we will protect what grandma told us to protect and will continue to live on it”*

Where do we go now after treaty? We need to look at the answer for that. Kloum Khun discussed that yesterday. We thought today we could raise our hands and give ideas. People are tired; finally we are able to get to voice our concerns, many have left. We need to think how we walk

today. I heard that yesterday and today and we need to look at that. Even Peter Grant said we need to be together.

They are asking for support for June 21<sup>st</sup> and it is important we come together to support that. There are others supporting us, can't come on our territory, it is not for sale. We expect others to stand behind us. No more MOU on Unistonen territory, anybody's territory for that matter. I've heard many are feeling left out. They are not being consulted or asked. I find it hard to swallow decisions made on behalf of us without our house chief there – that must start then you will have unity. Now we don't have unity. You need to consult with all clan members that those MOU's affect.

**Freda Huson:** I see what is creating our problem with unity is what we have is society act and hereditary system. From my understanding the society act is for social programs out of OW. There is a need to consult house chiefs with territory business. After the elders passed, this disappeared. The Hereditary system should take precedence over the Society Act. Must teach chiefs their system. We as a clan will utilize our territory, own family camps, teach them to the hereditary chiefs who are not being groomed to be respectful to other chiefs. Need to get back to our culture and hereditary system. It has carried our elders this far. We are being divided by a little money that take resources and our people are still suffering and poor. Chiefs need to take clan members and show them their system. I've witnessed this, and was disrespected, as I did not have a name; you are disrespecting chiefs that put me there. We were feeling disappointed this would not happen. We were being spoken to. People need to be heard. We get called a disgruntled group. It is sad to see the territories are half stripped while we sit and fight with each other and the government is taking our resources.

**Doris Rosso:** I want my people to know Huckleberry Mine. How many of our people work there? Poplar Lake or Unis T'ot'en land is not for sale, no more MOU and if you want to sign any, talk to us. No more.

**Sarah Jean Mitchell:** I want to say that I am a mother of 4 that I love dearly. I would like our land to be kept how our great grandparents left it. There is a reason our animals are coming back. Why take that way from our family? We have many family reunions on that land in honor of Christine and I don't understand how the OW allows industry to come and destroy our land. My son shot his first bear. The more you have industry come in, the less our children will learn as there will be nothing left. Our ancestors have left land for our children. If money makes you happy go somewhere else. Our ancestors went into the back yard to get medicine. You must stop bringing companies in and destroying our land. I see Uncle Warner crying. It really hurts my heart and you better think twice about signing any MOU.

**Frank:** I want to capture this moment. When things are not going well, people stand up. This is a situation between the OW office and MOU's and consultation that has not happened. I heard clearly from Knedebeas that an apology was required. It is a sensitive moment. If you walk away without an apology it will intensify. There has to be some form of closure.

**Knedebears:** We wanted Don Ryan to review the MOU. I said we have to restructure for 12-14 years. When we ask for respect, we have to earn it. At the all clans meeting, we said we have to restructure our office. New leadership is not happening. All staff were invited on October 25, they told us their concerns, that we must have qualified negotiator. Without a lead negotiator, we should have a qualified negotiator. Someone who can meet with industry. We don't have that. We hired a consultant. Why do we keep the same consultant? The 1994 Society Act included 13 house and 5 chiefs. Now we walk away and don't have that number. A handful of chiefs speak for us. My dad said words could kill. I can take criticism. This is the first time my family stood behind me. Why will this table not listen?

**Frank:** Something this sensitive, it is appropriate with understanding. There is an apology needed. It is required from the table. For an apology to be effective the person or group admits the wrongdoing, mistakes made and issues an apology to the group of people. When it is delivered it is up to you to accept it or not.

**Vi Gellenbeck:** Unistonen – I am their father clan and it is my responsibility is to advise them. In order for an apology to be accepted, the table must accept the wrongs cited by Unistonen and in future the apology would come with a change that will take place on our yintah.

**Debbie Pierre:** Knedebears and Doris, we have heard what has been said. It is very difficult as an organization working in a non-profit society guided by a hereditary governance and dealing with industry and government. From the start of this process, it started before the organization, we heard Sarah talk about her siblings buried at Poplar Lake. She did cry, she cried to protect the territory and spoke closely with Goochlaht around the struggles of the territory. The chiefs are with you, around the protection of the territory. The fight is not here. The fight is industry wanting to come on our territories and the government is approving that. This far exceeds land claim issues or Delgamuukw.

I hear the frustrations, anguish with our chiefs, how they protect the territories. They have not been interested in sacrificing the territory; it is not our right to negotiate the future of our generations away. Chiefs have talked about that. From the chief's point of view, all agreements, they do not want strings tied to those agreements.

The MOU you are referring to was discussed with the chiefs. It is not Gil\_seyhu standing alone. There was a decision at chiefs table to work as one. A decision was made to ensure the representation was open, move together as one. The MOU was discussed for some time and went through a litigation process. On July 24<sup>th</sup> there was a meeting with the chiefs, staff and under guidance of Don Ryan who approved the MOU for the purpose of industry recognizing title and rights to that area. A commitment was made so clans had a voice in that MOU.

When all this began, our assistant negotiator recommended to you to develop a trust fund outside the OW. In my email to him, I said it was premature for a staff member to suggest that as the OW has been working on a trust fund and it was in its final format.

Under the guidance of our leadership, mandates provided to us the MOU were signed. In this document, it is forcing industry that comes to our territories to respect title and rights and ensures consultation and the \$10k was attached to this. It is to support that work.

**Knedebears:** Why were we not notified? Under your Society Act, the clan representative must be involved. 1994 society act was signed, and 2007 reconciliation, they have to consult with the clan. We were not notified.

**David deWit:** On behalf of my staff and Natural Resources department, I want to extend an apology. We met with the clan with Huckleberry work. Monthly chief meeting don't cut it. In October we discussed that. At Uncha Lake we met on other things.

We did not tell the government to issue a permit for the work. We did not agree to that. We have our Consultation & Accommodation policy, how do our nations ratify processes? We are learning and need to talk about this.

There are minutes where chiefs discussed MOU's. We do need to talk. I'm sorry we did not apologize sooner. We need to deal with problems sooner than we have been. I am ready with my staff and chiefs to sit down, and move forward. We can use this court case in June to move forward. We do need to plan.

**Knedebears:** Before we leave, I see it as long as the treaty table is under Society Act, you are protected and we are not protected as a clan on the territory. Some nedos say they have rifles. You don't hear me, as long as we have this table, we won't move forward. When signing the Society Act, some meetings you only have a handful of chiefs present. How will you carry on? You now have in-house meetings to discuss that and need to give us an answer on that.

**Kloum Khun:** I've been told we have questions to be answered. I don't think it is appropriate. Our society is not Wet'suwet'en. I'm hearing from the side this afternoon there was a question asked and the answer and is not satisfactory. How much money came in before the treaty process? It covered more than the negotiators. Some positions are the Executive Secretary, Executive Director, Financial Controller, HSS and NR. What is happening is that we are digging into the SRI fund; programs should pay for those positions. We should not dig in our pockets to keep this office going. Recommendation made at the Executive Committee was that it was to protect the money in the SRI trust fund, shut down, reform the office and then come back again.

Transparency and accountability – you half answered the question and it is not transparent. Listening to people speaking about goals in their departments. Let's bring the Wet'suwet'en nation back together. Everyone looked at the nation. That should be the goal. When using the traditional system, use it on the proper people. They are saying they feel invisible and are not being heard. People do not see the hurts, cares and aspirations they have. Let's use appropriate systems.

**Frank:** This table is under the society act. I said earlier, there are contentious issues being brought up. Everyone is at point where traditional system is at a high level – Kes cannot be fooled

around with. If people are going to walk away with incomplete information, they will continue to have that feeling. They said something in this gathering and came very close. It will just carry on and escalate. I feel that an apology has been asked for. It is not a complicated process. The issues are sensitive to everyone, no disrespect on that. Intentions of office, chiefs, there need to be a starting point to make something happen. It is almost happening. The wrongs and mistakes have been identified and it was clear. In that sense an apology was requested and when it is presented, there is admittance to a mistake. Amends then must be made.

**Lucy Verigan:** I am sorry here talking about my troubles. It is good we do that. It is important we meet and think of our problems and cry and I feel better. Now, Frank and Alphonse are saying the same thing. All need to work on unity. Please forgive me is an easy word to use.

Let's get back together as our ancestors were. I'm still lively, my eyes get me down. I'm sorry to have cried. I love my people in Moricetown. We helped each other without a dollar bill. Our ancestors will be happy again.

**T'sek'ot:** On behalf of Wet'suwet'en chiefs, I would like to apologize for whatever we did or what you think we did. I've been thinking about this for a while. Our organization we let disease of DIA slip in and it could be why we are in disagreement. Anyway, we issue an apology from our office.

**Theresa Tait-Day:** For 15 years you sat as part of this table, Knedebeas was there and grandmother was there. The fight today is not in this room. It is the government; you hear Peter Grant say that. You heard Brenda talk about treaty. I've been home for 20 years; I have my great grandmother's name. This is how the names come down the system and we respect that. As Indian people, I am happy what I hear you say. Everything you want to do, I'm behind you 100% and so are all the chiefs. For 15 years I was the only one speaking against treaty and was ostracized for speaking against treaty. We don't have a title case. We have tried to use this table to get there but the government has rules and regulations and agendas.

Chief office, I have never been part of it; I got on this table after October. If we throw away the office, who will government and industry talk to? We must rebuild our house. This was how houses were formed. How can we strengthen each house? We are fighting the government, not each other. Chiefs made our roads. I am getting dirty looks here. It's not about me; it's the government that put us in this situation. MOU's are required by government, not us.

I want to apologize for the hurt I've seen over the years. How do we bring constitutional rights forward? We can't be against each other. We are so fragile. We are all family and want the same things and fight has been with government.

**Dolores Bazil:** I'm addressing the chiefs today. I've heard of the problems before today. I wanted to discuss that this table needs to bring back an old tradition that is active in this community. Our aboriginal justice system and conflict resolution is needed. I've been saying that for 2 hours and must now go home. I'm upset on information of speeches I already knew. I know what Delgamuukw means; I have a political science degree. My family was hurting. I don't want

this community to fall apart and I want it to get back together through conflict resolution. In our clan, our chief is not here. No one is here to listen to us. I don't have a chief's name even though my chiefs are not at the table to speak for me. I would like to see the UAJ spirit be used in the whole community and should start at this table.

**Doris Rosso:** We hear nothing from your meetings, and are told our ass will be kicked, feathered. How do you think we feel? Tell me. Our own Gil\_seyhu are working against us. You work at the office and are to be working for us. We were told we were off the table.

I had a grandmother who was 111 who passed on, my dad was named Hagwilnegh living off land and at 19 I lost my mom. I learned a lot. Why did we have smoke feasts? Our ancestors are buried in our trap lines. Talking about Yintah I am talking about dead people and I must talk about smoke. Pat Namox said we are not dogs, we came from somewhere. There had to be a woman and man to make a child and here we are today. Some of your office staff is not nice to our family. I don't harass you. Don't tell me I don't know my culture; we know what we are talking about. You say we call you liars. Show you papers that were signed. We want clarification, work for us, and be nice. We know about our traditional ways. I want you to understand I have nothing against you guys. We don't operate like that. We are not trying to take away your trap line Roy. We are speaking about ours. That is Knedebeas territory. I can't tell you what to do on your territory. It takes one hour to Houston and another hour to Poplar Lake. We have 3 cemeteries. You can't say we call you liars. We have papers and signatures dated in 2004, 2005 and 2009. We need clarification. We are not fighting you; we are fighting for our yintah. Don't tell me you will kick our ass. Put C'us on us? I'm not picking on you, watch what you say. I'm standing my ground for my yintah, not just for me but all of us. No need to talk like that. We have five clans. We will hold our ground.

**Woos:** Doris don't get me wrong. I stand here representing Gitdumden clan. There is no support. They took our word. I put my blanket on and told them no mining up here. You write about our territory and they tell about what they do up there with the char and whatever they get.

I support you 100% and I went right up to the cabin last week. My sister, Rita and I went there. I was up there to look for Knedebeas and they told me 9:00 in the morning and I took my brothers car and went to Poplar Lake. I was looking for them. I have been in every territory. How many of you benefited from that mine? When I was up there I didn't want to hurt any more people. I was up there to support my father clan. Now look at that I was there in 1948-47 with my uncle and aunty Knedebeas, I was there and to take the body back out. My dad was there Patty Isaac, Peter Alfred George and Dick Naziel and more were there at the house. Mary George supports this and she talks about it, I still have the tape. I have interviewed lots of people and the last was Mary George.

There were talks of blockades at Two Mile and Blunt Creek and how he and Stanley Nikal almost got shot for blockading. We were not recognized and now there is no sawmill. Yes, how are we going to get recognized? That mine is going right up to Bill Nye. I know that it is going to spoil the water and the land. That is what is going to happen.

As a chief myself I am still standing here for you I love you all each and every one of you. When a death comes I am there for you. I am there for you to see that tear drop. I have been sick in and out of the hospital and yet I am still here for you. Let's all work together. When the prayer was said today it was in the prayer. When one is done on the left hand it is on the right hand. It's all in the bible and here. Let us bind us together it's in the bible. We have to talk, sit down and talk about it talk about that water.

Gitdumden had a meeting last night and we are going to meet each other every month. Our ancestors talked over a cup of tea.

**Frank:** I would like to thank chief Woos when they went to the blockade and the risks that were taken. Thanks chief Woos for the recognition. I would like to make a short observation. Yes, there has been an apology but it is not resolved. There is no peace unless there is unity, no peace unless action is taken. Peace until the steps are taken for reconciliation, take place in several steps in a community level and many steps till it is resolved.

**Russell Tiljoe:** I stand before you with a heavy heart and I stand here trying to hold my tears back. Last January I turned 74. My dad was Namox and I grew up in this culture. From what they have told me about our culture, it is respect for one another. Our tribal laws are still strong and with us and we live by our tribal laws and we do not need lawyers to stand up and we know our tribal laws. I feel very sad that I have to take sides among my people and I should not have to take sides. We are all one people we all live together we are all proud people. We can tell the world how proud we are to be Wet'suwet'en. I am proud of who I am. We are forgetting the laws that we have. We need that unity and the respect comes with the unity. The tribal laws are in our territory and our territory pounds it into us. The laws are there and speak for their territory. We have laws that cover all other aspects of our life. We should not have to take sides for or within our own people. Many of us live in our territory in poverty or lower than poverty levels and we must all work together to see success. Our tribal laws cover all this and it's from our ancestors. There was an apology asked for earlier. I shouldn't have to take sides we should all be working together and standing together. Emphasis our tribal laws respect for each other and stand together. We are born into our names. We grow up to the name and in that family.

**Dianna Johansen:** My patience has been tried today I stand before you with my family I am the granddaughter of Goohlaht and Wah'tah'kwets. My family stands behind me today and we come from the Thin House. Goohlaht – Lucy Namox was our house chief. I have been raised by Goohlaht. We are still in mourning for Lucy and Chris and we are dealing with Cora and her fight for cancer.

As of the all Clans Feast back in October 2009 our family has been stepped on and stripped of our dignity by fellow clan members of the Gil\_seyhu clan in the following ways:

1. Being told that Goohlaht - Lucy Namox does not come from Moricetown.
  - a. We want the proof that these people speak of that Mosquito Flats is not part of Wet'suwet'en territory and proof that her mother and father are not Wet'suwet'en people. Yet they have held chief names.

2. That she stole this name for the betterment of herself.
  - a. It is disrespectful to speak against the departed. Where were you fifty years ago and why did you not approach them then rather than wait until they are gone before you speak. Aunties hearts were broken we could not speak because of the mourning period. Thank you Doris for being there and when we first lost mom. We went to school here and were taught how we belong and now we don't belong now that mom is gone.
  - b. We want proof and evidence that she did not go through the feast system to get this name.
3. As we stand before the chiefs of the Wet'suwet'en from East to West, why is it that these people from a different house think they have the right to tell us that the name belongs to them and that they want it back.
4. Everything that was done was done behind our backs.
5. My aunties hearts were broken already and then they were in tears when all this was said and at this time because of our traditions we couldn't speak up because our mourning period and now we are no longer going to let this happen. You all speak of your rights, we as clan members have rights too.
6. I want you all to know I went to school here in Moricetown and was taught by one of the accusers about our territories, our chiefs and our feast system. Not once did my grandparents say she was wrong in her teachings. Now that my grandparents are not with us, they take the time to tell us we are not from here and that by taking this name into their own hands that we are not part of the system. I feel that I was taught nothing but lies and this contradicts her teachings.
7. I am a strong believer in the Office of the Wet'suwet'en and all that they stand for. This is something that my grandparents were a part of from the beginning. I feel that all these accusations you place on the office is like ripping the rug out of under chiefs who are with us today and the ones who have gone before us.

**Jeffrey Namox-** I have a present, when you make your first drum you're supposed to give to your father clan and this is my first drum and I am giving it to Lucy Bazil. I am not a good artist but this is what I made and I'm sorry if it's not what it's supposed to look like, it's my first drum.

**Vi Gellenbeck:** Talks of Pat and Lucy in native language. I know you remember that dinner with Uncle Pat. It is a very difficult position that I am in because I live here and I am the head of my family. Pat Namox is my uncle I am very broken hearted the fight is starting to grow bigger here. My uncle gave me a response long before anything like this was ever happening and he was taking Wah tah Kwets back and there is Babine Wah tah Kwets and Moricetown and there is always one in both places. That is how it used to be and always has been. When they were planning to do this they had a dinner and had me and Peter Jim and we told them of what they were planning on doing. So we can prepare for the feast. I went in the van to invite for the feast Hagwilget and Gittimax and all over the place and it took three days. My understanding and responsibility before he died was that you are the father clan and take care of my family. I am Laksilyu and the father clan –speaking to Namox's. It is disappointing about the division is in one house. And now in public I have to ask you and think things over. Lucy we will sit down and try to

bring these two families back together. I heard two sides say unity; if I had a little part in this reconciliation then I have done my part as a father clan. Missih

**Teresa Tait-Day:** Vi you are right there is the genealogy is right there. A photo is shown talks of Wah tah Kwets in Moricetown and Babine. It talks of her genealogy. The name comes from Besty Pius- Alec Williams-to Susan's side. It's true about two of each name. Louie Tommy had the name then John Namox. My family I have a right to let you know and clarify how the names go down. When Uncle Pat died then it is with Frank Patrick. I apologize for Frank not being here he had prior obligations.

**Wigetimstachol:** The lord led me to this meeting. It was god that led me here; no one told me of this meeting it was the lord that brought me here. Anything you do you do it for me. It's what the lord told me.

I was a tough guy and everyone was scared of me in the area. They were scared of a dirty fighter and they called on me and I put him down and they started kicking him. I have been delivered from these. I don't want to hurt anyone with my words; you can hurt someone with your words. I was president and stripped of that title and then put back in again and same thing happened again. I was the president of the sawmill back then and there is plans made that there is 50% to Moricetown and Northwood. I signed for a loan for the mill I did this with a sore hip and no one will drive for me so I drove myself down and got the loan. Loan is paid and then the band council takes over because they didn't want to be liable for that loan. Whenever there is an audit that is when they need me I am a rubber stamp. Still they do that and now it's time again and they want my signature. Anything we do we have to remember. Forgive one another; forgiveness is the main key to Christianity. Father in heaven will forgive you.

I had a grudge and I went all the way to Florida for healing of that sore hip. There was a big line up and I just waited and he came closer and he touched me and I went down the only thing I seen is that I had to forgive someone back home. It shows me how we must forgive one another. We must forgive whether it's my fault or her fault we ask for forgives. The spirit moves us and it's not fighting each other. Like Russell said, he does not want to take sides and they will stay neutral. I was not planning to talk but I was led here to talk. I already forgot about how tired I am and have been standing here a long time.

**SamooH:** We talked about forgiveness. Two brothers fight all day long. The father said, what happens if he dies in his sleep and you don't forgive your brother, but what if he wakes up in the morning?

The Bazil's are my cousins. Everyone is related one way or the other. I'm not perfect. Unity is important for all of us. It's not just one clan member, it is all clan members. Look at our elders that have passed on. Where do we go from here? Elders pass on and they take the name, a chief

name must be protected and must be honored. We must stand together as one as we can't fight against ourselves.

We need another meeting for next steps in our office. I'm not against any members. We are all brothers and sisters. We've got government laws we are abiding. There are 10 commandments that I believe in.

**Frank:** You have been recorded so you will be heard.

**Molly Wickham,** Victoria: Daughter of June Wickham, granddaughter of Late Julie Tom & Paddy Isaac. Molly asked that the following questions be a part of the minutes. Unfortunately, due to time constraints these questions were not read out at the feast. Some questions have been answered. Please contact your house chief for answers you require.

1. How are you going to restore our decision to reject the treaty process?
  - a. The Office of the Wet'suwet'en stepped away from the treaty process in November, 2009.
2. Why are you signing MOU's on our behalf when by taking the money requires (1.1) developing a long term mutually beneficial relationship"?
3. Why is the MOU confidential between the OW and Industry (12.1)?
  - a. The MOU's have always been signed at the chief table and this information is available from your house chief.
4. Where is the funding coming from for clan runners?
  - a. Funding has not yet been obtained for the clan runners.
5. Why weren't Gitdumden consulted about the new resorts that are in the works on our territory?
6. How will the OW be accountable to Gitdumden for any development going on our territory?