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CANADIAN INDIGENOUS PEOPLES TAKE LNG PROTEST TO THE UN

New York (May 12, 2016) – First Nations leaders from northern British Columbia took a strong stance at the United Nations on Thursday in opposition to plans to build a liquefied natural gas project in their ancestral lands. They called upon member nations of the world body to support their demand that Prime Minister Justin Trudeau’s government reject the proposed Pacific Northwest LNG project being advanced by Malaysia’s state oil company, Petronas.

“We will not sell our salmon future for any price,” said Algmxaa, Murray Smith, one of the House Leaders of the Gitwilgyoots Tribe – one of the Nine Allied Tribes of Lax Kw’alaams that has expressed deep concerns about the threat posed to wild salmon habitat by Pacific Northwest’s \$36-billion fossil fuel project proposed for the mouth of the Skeena River.

“We are not against development, but we are against this dangerous, irresponsible, foreign-owned and illegal intrusion into our sacred homelands,” Smith said. “We stand against this project for all the peoples of this world. We don’t want money, we want justice. We invite you to join our battle, to add your voices to our struggle to protect the only home we have ever had.”

Smith was joined at the United Nations by Li’dytsm’Lax’nee’ga Neexl, Christine Smith-Martin, of the same tribe; by Na’ Moks, John Ridsdale, a Hereditary Chief of the Wet’suwet’en First Nation and spokesperson for the Office of the Wet’suwet’en, an up-river tribe whose salmon resources are also imperilled by the project; and by HapWilxsa, Kirby Muldoe, of the up-river Gitxsan First Nation.

Their appearance at the UN came just two days after the Canadian government earned cheers at the 15th session of the Permanent Forum on Indigenous Issues, at which Canada pledged to abide fully with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

“Right now, in our ancestral lands, everything the Trudeau government has pledged to get right with Canada’s Indigenous peoples is in danger of going very, very wrong,” Ridsdale said. “It is 2016, and Petronas is the wrong project in the wrong place at the wrong time.”

“We are not here to pick a fight,” Smith-Martin said. “We are here to respectfully entreat our government to do the right thing – and we want the world to bear witness to our concerns. The Prime Minister talks of building a nation-to-nation relationship. Well, our nation is again telling Canada that it cannot build this project, and we are telling the world that we will continue to fight this project. It simply will not get built in the Sacred Tidewaters of our Salmon Nation.”

The Canadian government is currently considering an amended proposal from Pacific Northwest LNG as part of a federal environmental assessment that has been harshly criticized

by salmon and climate scientists, and by Aboriginal legal scholars who believe the process does not meet the standard of “free, prior and informed consent” required by UNDRIP.

The project directly threatens eelgrass habitat at the mouth of the Skeena, the second-biggest salmon river in Canada. It also promises to become the single largest point source of greenhouse gas emissions (GHG) in Canada, directly undermining Trudeau’s commitments – signed at the UN less than three weeks ago – to become a world climate change leader.

“To us, what happens in the Skeena right now is a litmus test for our new government,” Muldoe said. “Our food security is at risk. So is our culture. We are the natural stewards of the Skeena, and we will not allow it to be desecrated by an offshore oil company, period.”

Smith-Martin said: “What we are hearing at the UN is that many other hereditary Canadian First Nations leaders share our concern that the Trudeau government is confused about where decision-making authority lies when it comes to our lands and waters. Our band councils are not nations. If the Government of Canada wants a nation-to-nation relationship, then that begins and ends with our ancestral, hereditary leadership. And in the case of Petronas, that begins by putting an end to this project without further delay.”

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NOTE: A copy of Murray Smith’s statement to the Permanent Forum appears below, as do issue briefing notes, and a photograph of the delegation arriving at the United Nations on May 11.

Statement by Algmxaa (Murray Smith), one of the House Leaders of the Gitwilgyoots Tribe – one of the Nine Allied Tribes of Lax Kw'alaams

**United Nations Permanent Forum on Indigenous Issues
New York, May 12, 20116**

My ancestral name is Algmxaa. I am one of the House Leaders of the Gitwilgyoots Tribe, and I bring you greetings from the Lax Kw'alaams peoples, the Tsimshians of the northwest coast of Canada.

I share this precious time with you with my niece, Christine Smith-Martin, and with honored members of our neighboring tribes, Chief Na'Moks of the Wet'suwet'en First Nation, and Kirby Muldoe from the Gitksan First Nation.

We are honored to come to your meeting house today, and thank you for listening to an issue that is of great urgency not just for our people, but for all peoples of the world.

As you know, two days ago, Canada's Minister of Justice and Attorney-General, and our Minister of Indigenous and Northern Affairs, came before you and pledged to fully support the language and intent of the United Nations Declaration of the Rights of Indigenous Peoples without qualification.

As First Nations people, and as Canadians, we thank our federal government for its commitment to justice for Canada's first peoples.

Our Prime Minister has said, and I quote:

“No relationship is more important to me and to Canada than the one with Indigenous Peoples. It is time for a renewed, nation-to-nation relationship with Indigenous Peoples, based on recognition of rights, respect, co-operation, and partnership.”

We agree, and the time to make good on that promise is right now.

Right now, the Prime Minister and his government face a critical first test of how serious was the pledge they made to this Forum on Tuesday.

Right now, Prime Minister Trudeau can demonstrate that he means what he says, and that his government will listen to our people, and honour our demand that developments on our land proceed only with our free, prior and informed consent.

I wish to inform this Assembly that, right now, our people face a grave threat to our very way of life.

I come to you from a faraway place, from the mouth of one of the world's great rivers, the Skeena River. For my people, and for our many neighboring tribes, the Skeena River is a sacred place.

We are salmon people, and the Skeena River is the second-largest salmon river in Canada. We have survived for thousands of years on our sea resources. All our songs, all our stories, the very cradle of our culture – it all depends on wild salmon.

Right now, a foreign company owned by the Malaysian government plans to build a huge liquefied natural gas development in our ancestral lands. There would be a pipeline stretching for hundreds of miles, and at the end of the pipeline, a huge gas hub and shipping terminal would be built on top of the most sensitive salmon habitat on Canada's west coast.

Scientists have warned the government that the project will destroy the salmon habitat. If that happens, we lose everything. And so do more than 20 other communities up-river who depend on wild Skeena salmon.

That alone is reason enough to stop the project that has been proposed by Petronas.

But it is worse. Our people have not been properly consulted about this project. When we did hear about it last year, our people voted to reject more than one billion dollars in so-called benefits offered by the company – because no amount of money can compensate us for the loss of our salmon.

Yet the company, and our provincial government, have tried to divide our people. They have misled our people, and they continue to disobey our ancestral laws. People in this house should know that the project does not have our consent, and it will not get it. If our Prime Minister is serious about forging nation-to-nation relationships with the Indigenous peoples of Canada, he can start right now by listening to what our nation is saying about this project.

Our Prime Minister was in this place less than three weeks ago, pledging to honour climate change commitments made in Paris six months ago. Yet his government continues to consider approving a project that will dramatically increase greenhouse gas emissions in Canada, making it impossible for Canada to meet its climate commitments.

So let me be very clear.

By turning down the false promise of a billion dollars in so-called benefits, we have told the world that you cannot buy a social licence from the Lax Kw'alaams people. We will not sell our salmon future for any price.

We are not against development, but we are against this dangerous, irresponsible, foreign-owned and illegal intrusion into our sacred homelands.

We stand against this project for all the peoples of this world. We don't want money, we want justice. We invite you to join our battle, to add your voices to our struggle to protect the only home we have ever had.

We ask you to tell our Prime Minister to honour his commitments to our people, and that he can start right now by supporting us in our sacred duty to protect our home. The Sacred Tidewaters of our Salmon Nation are must be protected for all Canadians.

Oh Canada, Oh Canada – our Home and Sacred Land.

Thank you.

ISSUE BRIEFS

LEGAL ISSUES:

Skeena River Aboriginal groups have identified two critical legal issues that have emerged from the federal environmental assessment of the project. These issues have not yet been resolved and demand the federal government's immediate attention. The legal issues that arise from the federal assessment process are:

- the absence of consultation with upriver aboriginal groups whose s. 35 rights will be affected by the Project; and
- the exclusion of some hereditary groups from the aboriginal consultation process.

Luutkudziiwus, a 600-member house of the Gitksan Nation, plans to file a judicial review in B.C. Supreme Court challenging regulatory permits issued for the Prince Rupert Gas Transmission pipeline, a 900-kilometre line that would stretch from Hudson's Hope in northeast B.C. to the Pacific Northwest LNG plant proposed for Lelu Island. The pipeline's route would cross 34 kilometres of the Luutkudziiwus' traditional territory known as the Madii Lii and the Gitksan house believes that poses a significant and unacceptable environmental risk.

Several other First Nations and are preparing to launch legal action if the project receives federal approval.

CLIMATE CHANGE:

When upstream emissions are included, the Pacific Northwest LNG project would add between 18.5 and 22.5% to British Columbia's GHG emissions. This would make it virtually impossible for B.C. to meet its GHG emission reduction targets, and would undermine Canada's international climate change commitments. The Canadian Environmental Assessment Agency (CEEA) has found that the carbon emissions of the proposed PNW LNG terminal and associated upstream natural gas development would be "high in magnitude, continuous, irreversible and global in extent." Claims that LNG exports will replace consumption of oil and coal in markets like China are unsubstantiated.

FLAWS IN THE ENVIRONMENTAL ASSESSMENT PROCESS:

In March of this year, more than 130 scientists wrote to Environment Minister Catherine McKenna, urging her to reject CEEA's draft report on the environmental risks of the PNW LNG project as "scientifically flawed and represent(ing) an insufficient base for decision-making."

The scientists said the CEEA report:

- Misrepresented the importance of the project area to fish populations, especially salmon. “A worse location is unlikely to be found for PNW LNG with regards to potential risks to fish and fisheries.”
- Formed flawed assumptions based on a lack of information. “There are many aspects of this ecosystem and the proposed PNW LNG project for which there is little scientific knowledge. Lack of knowledge does not equate to a lack of risks.”
- Relied to heavily on science that was funded by the proponent. CEAA adopted the conclusions of a proponent-funded model that claimed “*no harmful effects*” from the PNW LNG project, “even though external and professional analyses identified several critical errors in their methods.”



L-R: Na'Moks, John Ridsdale; Algmxaa, Murray Smith; Li'dytsm'Lax'nee'ga Neexl, Christine Smith-Martin; and HapWilksa, Kirby Muldoe arrive at the United Nations.