First Nations’ Evolving Role – (Syilx) Okanagan People and the Columbia River Treaty

Presented FOOS Conference
by: Jay Johnson, ONA Sr. Policy Advisor, and Chief Negotiator

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Okanagan (Syilx) Nation
Revitalization of an Okanagan Fishery & the *Salmon* People

Seven member band communities:
1. Osoyoos Indian Band
2. Penticton Indian Band
3. Westbank First Nation
4. Okanagan Indian Band
5. Upper Nicola Band
6. Lower Similkameen Band
7. Upper Similkameen Band, and
8. Colville Confederated Tribes (USA)
"The key resource for many of the Okanagan groups was fish, especially salmon."

“It has been determined that the Syilx consumed four or five times more salmon than other game animals.”

CRT IMPACTS

Fishing at Kettle Falls
NO FISH PASSAGE

Grand Coulee Dam
CEREMONY OF TEARS
COLUMBIA RIVER TREATY

“The Treaty has disrupted our way of life in ways that very few other things have.”

Grand Chief Stewart Phillip,
Okanagan Nation Alliance
A DIFFERENT FUTURE AHEAD
The Changing Context

- 1. Tsilhqot’in
- 2. UNDRIP
- 3. TRC
- 4. Territorial Governance
- 5. Moving from denial to implementation and recognition
Aboriginal Title is real and meaningful, and can exist over large tracts of land.

Aboriginal Title includes the vesting of the full beneficial and economic interest in the land to the Aboriginal group.

Where Aboriginal Title exists, consent of the Aboriginal group is required for the Crown or industry to use that land; and failing consent, the Crown has to meet the test of justifiable infringement; and

If the Crown authorizes activities on land which are demonstrated to be Aboriginal Title land, projects and permits may be cancelled, and damages owed to the Aboriginal group.
Article 32

1. Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.

2. States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.
• Canadian Truth and Reconciliation Commission ("TRC") finished its work in 2015 and issued 94 Calls to Action.

• Canada has committed to fully implement the Calls to Action.

• The Calls to Action include extensive measures on child welfare, education, and health, new structures and processes, changes to the justice system, measures to protect language and culture, and public education.

• It also includes the adoption of UNDRIP as a framework for reconciliation.
ONA CRT Needs

- Fisheries restoration and mitigation
- Fish Passage restored
- Resolution to Industrial reservoir’s on-going impacts (BC Hydro/BC)
- Deeper Involvement Consistent with Tsilhqot’in SCC decision – incl. CRT Negotiations
- A New CRT with meaningful eco-system functions – Addressing all species
- Meaningful Economic Benefits
- On-going decision-making
WHEN WE TAKE CARE OF THE LAND AND WATER, THE LAND AND WATER TAKE CARE OF US.

THIS IS OUR LAW.

ONA ANNUAL GENERAL ASSEMBLY, 2013
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