TITLE:	Support for the Tsilhqot'in Nation and Call for Rejection of the "New Prosperity" Mine
SUBJECT:	Environmental Stewardship
MOVED BY:	Chief Joe Alphonse, Tribal Chair, Tsilhqot'in National Government, BC
SECONDED BY:	Chief Francis Laceese, Tribal Chair, Carrier Chilcotin Tribal Council, BC
DECISION:	Carried by Consensus

WHEREAS:

A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) identifies the Aboriginal right to *free, prior and informed consent* regarding all development on traditional lands.

B. The Tsilhqot'in Nation, with the support of the Assembly of First Nations (AFN), Union of British Columbia Indian Chiefs, and First Nations Summit, successfully defended their Aboriginal title, rights and the integrity of their lands and waters threatened by the Prosperity Gold-Copper Mine (the "Project"), which sought to completely destroy Teztan Biny (Fish Lake) and Nabas areas.

C. Entire communities of the Tsilhqot'in people attended the public hearings held by the Federal panel (the "Panel") conducting the environmental assessment of the Project and Tsilhqot'in members from as young as 7 to as old as 90 explained the cultural and spiritual importance of these lands and waters to the Panel.

D. The independent Panel concluded that "the Project would result in significant adverse environmental effects on fish and fish habitat, on navigation, on the current use of lands and resources for traditional purposes by First Nations and on cultural heritage, and on certain potential or established Aboriginal Rights or title" and on threatened grizzly bears and grizzly bear habitat.

E. The Panel specifically concluded that the mine would permanently destroy lands and waters described as an "important and spiritual area" for the Tsilhqot'in people, "an important teaching environment" for

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Tsilhqot'in youth, an "important source of fish for their sustenance" and "a place of spiritual power and healing for the Tsilhqot'in".

F. The Panel further warned that "the loss of the Teztan Biny (Fish Lake) and Nabas areas for current use activities, ceremonies, teaching, and cultural and spiritual practices would be irreversible, of high magnitude and have a long-term effect on the Tsilhqot'in" and these "impacts on the physical and mental health of the Tsilhqot'in communities would be long-term".

G. The Panel noted that even the alternative Project proposals considered by the company, which might preserve the integrity of Teztan Biny (Fish Lake), would also have significant adverse impacts, and that "the proximity of the open pit and associated mining facilities would be close enough to Teztan Biny (Fish Lake) to eliminate the intrinsic value of the area to First Nations even if another alternative were chosen."

H. In July 2010, the Chiefs-in-Assembly supported the Tsilhqot'in Nation through Resolution # 01/2010, which called upon the Federal government to reject the proposed Prosperity Gold-Copper Mine and to advocate on behalf of the Tsilhqot'in Nation. This resolution was a pivotal part in the effort to stop the mine.

I. In November 2010, the Government of Canada rejected the Project based upon the Panel's assessment that Minister of Environment Jim Prentice described as "scathing" and "probably the most condemning report that I've seen."

J. Since the November 2010 decision, the proponent has twice submitted one of its alternative proposals to the Federal government, which both the proponent and the Panel had rejected as a viable option in the original Panel review of the Project, in part because it would be even more environmentally damaging. The proponent now claims that the revised proposal "addresses the concerns identified during the original Federal review process".

K. The company continues to proceed with these submissions without the consent or support of the Tsilhqot'in Nation, who have vowed to protect their lands and waters from this mine.

L. The alternative proposal would still completely destroy the Nabas area, Little Fish Lake, Fish Creek, and surround Teztan Biny with a 2 kilometre-wide open pit, a massive tailings pond and other mine works, and would still threaten the integrity of Teztan Biny.

M. The Tsilhqot'in Nation view the latest revised proposal as equally or more destructive than the first, and one which does not address the severe environmental and cultural impacts identified by the Panel.

N. The Tsilhqot'in Nation view the continued lobbying of the company as an indication that it does not understand how to respect the Aboriginal Rights and title of the Tsilhqot'in Nation.

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THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:

1. Fully support the efforts of the Tsilhqot'in Nation to protect their lands of profound cultural and spiritual value from the proposed New Prosperity Gold-Copper Mine, and will stand behind the Tsilhqot'in Nation in defence of these lands regardless of whether the Federal and Provincial governments deem the new proposal worthy of review or approval.
2. Call upon the Federal and Provincial governments to heed the cautions of the independent Panel which conducted the environmental assessment, demonstrate commitment to environmental protection and the cultural survival of First Nations, and deem the New Prosperity Gold-Copper Mine proposal not worthy of environmental review.
3. Advise the Federal and Provincial governments that First Nations across Canada are watching their decisions to see whether there remains any value or integrity in environmental assessments for major projects, or whether First Nations must turn to litigation and other means to assert our rights and protect our cultures.
4. Caution the Federal and Provincial governments that proceeding with a review of the proposed New Prosperity Gold-Copper Mine, despite the clear warnings of the independent Panel and the clear objection of the Tsilhqot'in Nation, would demonstrate utter disregard for the survival of First Nations as distinctive cultures within Canada and its commitment to the *United Nations Declaration on the Rights of Indigenous Peoples*.
5. Direct the National Chief and Assembly of First Nations to advocate on behalf of the Tsilhqot'in Nation and communicate the clear support of Chiefs-in-Assembly.

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