Indigenous Peoples' Solidarity Movement Ottawa (IPSMO) Newsletter
February 27, 2010

The Indigenous Peoples' Solidarity Movement Ottawa acknowledges Ottawa exists on unceded Omâmiwinini (Algonquin) territory.

IPSMO is a grassroots organization that directly supports indigenous peoples in diverse struggles for justice. We also work within communities to challenge the lies and half-truths about indigenous peoples and colonization that dominate Canadian society.

IPSMO is open to both indigenous and non-indigenous peoples, and focuses on local and regional campaigns.

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**Events**

**La citoyenneté autochtone en question: Que penser de l’expulsion des non-Mohawks de la communauté de Kahnawa:ke?**

**Rethinking Indigenous Citizenship: Perspectives on Kahnawa:ke “Mohawk Only” Policy**

Lundi, 1er mars 2010 12.00 – 13.30

Monday, March 1, 2010, 12:00 – 1:30 pm

Pavillon Desmarais 3102
Demarais Bldg. 3102

Speakers:
Sébastien Grammond, Doyen, Faculté de Droit Civil, Université d’Ottawa
Martin Papillon, professeur, École d’études politiques, Université d’Ottawa

Présentations en français, discussion en anglais et Français
Presentations in French, discussion in English and French.

Presented by FASR/ FERA Forum for Aboriginal Studies and Research -
Faculty of Social Sciences University of Ottawa

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**Decolonizing Social Justice: The Anti-Violence Movement and the Non-Profit Industrial Complex**

The Institute of Women's Studies of the University of Ottawa is pleased to invite you to the Shirley Greenberg Annual Lecture in Women's Studies entitled "Decolonizing Social Justice: The Anti-Violence Movement and the Non-Profit Industrial Complex" given by Andrea Smith, Assistant Professor, Department of Media and Cultural Studies, University of California, Riverside Co-founder of INCITE! Women of Color against Violence and The Boarding School Healing Project

**Wednesday, March 3, 2010 at 5:30 p.m.**

Alumni Auditorium, 85 University Private, University of Ottawa
FREE ADMISSION
Info: womenst@uOttawa.ca or Kathryn.Trevenen@uOttawa.ca


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**Indigenous Sovereignty from Turtle Island to Palestine**

Friday, March 5, 2010 at 7:00 pm

Carleton University, Fenn Lounge, Residence Commons Building
Featuring: Dr. Jamal Zahalka, and Dr. Paula Sherman

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**Bios**
Dr. Paula Sherman is a mother and grandmother and a Family Head for Ka-Pishkawandemin Family Head's Council for Ardoch Algonquin First Nation and also an associate professor in Indigenous Studies at Trent University. Besides her community responsibilities and teaching responsibilities, Paula currently serves as the Director of the PhD Program in Indigenous Studies at Trent. Paula's research interests are focused on articulating Indigenous conceptions of history and relationships with the Natural World.

Dr. Jamal Zahalka, MK is a Palestinian-Israeli member of the political leadership of Balad - The National Democratic Assembly in the Israeli Knesset (Parliament). Dr. Zahalka was one of the leaders and founders of the anti-occupation movement within the Green Line in the 1980s, and was imprisoned in 1972 for 2 years for being politically active. He is the Former General Director of the AHALI Center for Community Development, and a member of Education and Culture Committee, The Science and Technology Committee, and the Committee for War Against Drugs in the Knesset. Dr. Zahalka works as a pharmacist, speaks Arabic, Hebrew, and English, and currently resides in Kfar Qara with his wife and five children.

CPO Speakers Series - “Sisters in Spirit”
In Honour of International Women’s Day

Monday, March 8th, 2010, 8:00 a.m.
City Hall, 110 Laurier Avenue West, Andrew Haydon Hall (Main Floor)
8:00 a.m. Coffee and muffins will be served!
Presentation: 8:30 to 10:00 a.m.
Featuring: Kate Rexe, National Director

The Sisters In Spirit initiative addresses violence against Aboriginal (First Nations, Inuit and Métis) women, particularly racialized and/or sexualized violence, that is, violence perpetrated against Aboriginal women because of their gender and Aboriginal identity. In particular the campaign focuses on the high rates of missing and murdered Aboriginal women in Canada.

Kate has worked in the social policy and research field with a particular interest in understanding the social, political, cultural, and economic barriers to Aboriginal peoples in Canada.

r.s.v.p. to Francine Demers, Crime Prevention Ottawa (limited space)
francine.demers@ottawa.ca or 613-580-2424 ext. 22454

IPSMO General Meetings in March and April
All four meetings are to be held in room 301, Jock Turcot University Centre, University of Ottawa

Saturday March 6, 1:00pm
Monday March 15, 7:00pm
Saturday April 3, 1:00pm
Monday April 19, 7:00pm

Mark your calendars!!

INDIGENOUS EARTH: PRAXIS & TRANSFORMATION CONFERENCE: Revitalizing Indigenous knowledge & shaping a new approach to sustainability

The intent of the conference is to connect an emerging and diverse range of academics to share theories, experiences and methods for applying indigenous knowledge to complex environmental and social realities. This conference will launch a series of research publications that will propose solutions to address current environmental concerns and to build a bridge between Indigenous knowledge and western scientific
approaches.

Please join us on March 9-12, 2010 in Penticton, British Columbia, Canada for our first annual International Conference. The En’owkin Centre and FORREX will host this event at the Penticton Lakeside Resort that invites you to come and listen to a diverse range of academics and practitioners that will share theories, experiences and methods for applying Indigenous knowledge to complex environmental and social realities. Please view the attachment for more information.

Questions about the conference may be directed to Ellen Simmons at ecommunity@vip.net. http://www.enowkincentre.ca/home.html

The Elizabeth Fry Society of Ottawa Justice Walk

The Elizabeth Fry Society is hosting its first ever Justice Walk on May 2, 2010 along some of the nicest walking trails in Ottawa, around Mooney’s Bay Park. The walk will help raise funds to support the programs designed to assist some of the most vulnerable women and youth in our community – those who have been criminalized, or are at risk of becoming criminalized.

Those interested in participating can download a registration package here Justice Walk Welcome Package.

Action Alerts

FAMILY NEEDS YOUR ASSISTANCE

Beverley Sunday and her husband, Joseph Sayer were in a serious car accident in Hull on Friday, February 19, 2010. Currently, both are in ICU at the Hull campus Hospital (116 Boulevard Lionel-Emond, Gatineau). They are heavily sedated with a collapsed lung each, broken bones and serious head injuries.

Joe is self-employed, and Beverley is building an Aboriginal-inspired health and wellness fitness studio in Ottawa that will empower generations of all ethnicities to take back their health and create stronger families and communities. Its grand opening is scheduled to occur this spring.

Bev, Joe and their three children need your support at this time. We are currently encouraging prayers for their recovery and the wellbeing of their children, who are currently being cared for by extended family. A Facebook group, the “Sunday-Sayer homepage” has been created to keep people up-to-date on their progress. Please pass this information along to all your contacts http://www.facebook.com/group.php?gid=3197071998&ref=mf

In addition, donations can be made to the Sunday-Sayer Family Fund trust account at TD Canada Trust. If you wish to make a donation from another bank to this account, contact the above Facebook page or Dawn Maracle (below) to assist you with this transaction.

For further information, please contact Dawn Maracle at dmaracle@rocketmail.com

Picture: Sunday/Sayer family. Note Beverley & Joe who are in Torchbearing outfits for the Olympics, last December 12, 2009 as the torch came through Ottawa. Bev also performed as a traditional dancer at the opening ceremony in 2010 in Vancouver.

For more information on Bev’s business, see http://centretownnewsonline.ca/index.php?option=com_content&task=view&id=1329&Itemid=99
Please take FIVE MINUTES to ask that our elected officials take action to end the violence against missing and murdered Indigenous women in Canada.

Indigenous women living in Canada are five times more at risk of dying a violent death than other women, according to a Canadian government statistic. A study by the Native Women's Association of Canada (NWAC) concluded that 521 indigenous girls and women have gone missing or been murdered since 1980, and calls for an emergency strategy. Some activists believe the number of missing to be much higher, as many cases go unreported, often due to distrust between First Nations communities and police.


Please ask that our elected representatives do something about this important issue:

SENT AN QUICK MESSAGE FROM THE WEBSITE OF THE JUSTICE FOR MISSING AND MURDERED INDIGENOUS WOMEN CAMPAIGN: http://www.missingjustice.ca/voiceyourconcern

Seven Free Ways to Make a Difference for First Nations Children

1. Be a Witness – To the federal government appearing before the Canadian Human Rights Tribunal to answer charges that it is discriminating against First Nations children today by providing them less child welfare supports than other children receive. A year after the apology for residential schools, this is your chance to follow this historic tribunal and decide for yourself whether or not you feel that the federal government is treating First Nations children fairly.

2. Support Jordan’s Principle – Register your individual or organizational support for Jordan’s Principle which is a child first principle to resolving inter governmental jurisdictional disputes.


4. Get Healthy Schools that Support Learning – Help the children of Attawapiskat First Nation get a safe school. Watch this 2 minute video and then click here to learn how you can take action.

5. Reconciliation and children – Help reshape the child welfare system so that it better supports Aboriginal children, youth and families by endorsing the Reconciliation in Child Welfare: Touchstones of hope for Indigenous children and youth.

6. Engage Young People – Learn how to respectfully engage young people in your organization's work by registering your support for the Declaration of Accountability on the Ethical Engagement of Young People and Adults in Canadian Organizations.

7. Healthy Aboriginal Children – Join us in supporting the Many Hands One Dream principles to guide improvements to Aboriginal health care resulting in healthier Aboriginal children and young people.

For more information, visit First Nations Child and Family Caring Society of Canada - http://www.fncaringsociety.com/home.html

Canadian Human Rights Tribunal

From Ed. Bianchi, Indigenous Rights Program Coordinator
KAIROS: Canadian Ecumenical Justice Initiatives

As you know, the government of Canada's latest attempt to prevent the Canadian Human Rights tribunal from hearing a complaint of discrimination against First Nations children brought forward by the Assembly of First Nations and the First Nations Child and Family Caring Society (FNCFCS) got under way yesterday, Feb 23, in Ottawa with the cross-examination of FNCFCS Exec. Dir. Cindy Blackstock.

Thanks to all those who were able to show their support by attending the cross-examination in person.

Tomorrow, February 25, the process moves to Toronto. Tom Goff is a consultant who opposes Canada's motion to dismiss the tribunal. His cross examination is open to the public and you are encouraged to attend. While the exact location has yet to be determined, check the <fnwitness.ca> web site for more information.

On Friday, February 26 (10:00 a.m. to 5:00 p.m.) the process moves back to the Canadian Human Rights Commission offices in Ottawa, 160 Elgin Street, 11th Floor.

Odette Johnston, Director of Social Program Reform Directorate, Indian and Northern Affairs Canada, supports Canada's motion to dismiss the tribunal. While the Federal government has insisted this be closed to the public, you may want to show your support by showing up anyway.

On March 3, 2010 (10:00 a.m. to 5:00 p.m.) at the CHRC offices in Ottawa, Elsie Flette, CEO of the Southern First Nations Authority, Manitoba will be cross examined. She is opposing Canada's motion to dismiss the tribunal. This session is open to the public and everyone is encouraged to attend.

Check the <fnwitness.ca> web site for more information.

Follow the tribunal - http://twitter.com/Caringsociety
Protect Teztan Biny / Fish Lake

Teztan Biny is part of the Tsilhqot'in homeland and the Taseko River / Fraser River watershed.

At Teztan, Nabas, and Jididzay, Tsilhqot'in families have hunted, trapped and fished, and gathered medicines in their traditional way of life for decades, just like their ancestors, the Esghaydam, did before them.

Today, Teztan is still a beautiful and powerful place where they go to practice their culture and preserve their way of life. Since settlers came into their land, they have worked hard to protect their culture and their way of life from the settlers destructive ways. Now Taseko Mines Ltd. wants to build a huge mine there. They want to cut the trees, tear up the land, and make a lake of poisoned waters there, forever destroying this lake. We do not want to see Teztan Biny/Fish Lake and the lands and waters poisoned and destroyed for short-term gain. We want to see it preserved for our lives, for our children, and for our grandchildren after them.

We all say ‘No’ to this mine and the destruction of the land and our clean water resource.

Sign the petition: [http://www.protectfishlake.ca/petition.php](http://www.protectfishlake.ca/petition.php)

Send a Message to President Obama: SIGN THE LETTER - STOP THE PIPELINES

Stop the oil sand pipelines from coming to America. Tell the Obama administration we want clean energy, not dirty oil. Sign our petition and get a sticker for your board.

Dear President Obama,

Canada's oil sands threaten our winters and our clean energy future. Right now, Big Oil is proposing a sprawling network of pipelines that would carry this dirty oil into the United States. By denying permits for oil sands pipelines, you can signal to the world that America is a global leader in the clean energy economy. Please save winter. Stop the Oil Sands.

Click [http://www.lovewinter.org/TakeAction.html](http://www.lovewinter.org/TakeAction.html) to sign the letter.

Ask Royal Bank of Canada to Stop Financing Dirty Tar Sands Oil

Are you tired of corporations trying to greenwash their environmental blunders? So are we. This week, Royal Bank of Canada (RBC) gets the greenwash-of-the-week award for spending $105 million (USD) to become a lead sponsor of the 2010 Winter Olympics, while simultaneously bankrolling billions of dollars in investments in the dirtiest oil project on Earth - the Alberta tar sands. RBC's efforts to advertise themselves as Canada's most caring corporate citizen through their Olympic sponsorship is incompatible with financing Canada's most polluting industry.

The tar sands oil extraction project is systematically turning vast stretches of the breathtaking Canadian boreal forest into a wasteland the size of Florida, eradicating wildlife habitat and jeopardizing the health of First Nations communities across Alberta. Let's do something about it.

[Email RBC's CEO Gordon Nixon and ask him to stop financing dirty tar sands oil and start funding a clean energy future.](mailto:AskRoyalBankOfCanadaToStopFinancingDirtyTarSandsOil@gmail.com)

The Facts

- The United States is the single largest purchaser of tar sands oil
- Air and water pollution from tar sands oil contains 11 times more sulfur and nickel and 5 times more lead than conventional oil
- Cancer rates have increased in Indigenous communities downstream from the tar sands by as much as
400 times

- The tar sands are Canada's fastest growing source of global warming pollution

**Ask Royal Bank of Canada to Stop Financing Dirty Tar Sands Oil**


Rainforest Action Network

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**Articles**

**CN construction destructive, land claim unresolved: Tyendinaga Mohawks targeted**

(February 20th, 2010) Tyendinaga Mohawks are reviewing their options after federal officials ordered the Ontario Provincial Police to move against organizers of the 3 year old occupation of Culbertson Tract Lands.

Last week, in an unprecedented move, the OPP laid charges against 3 individuals for the "unlawful use of land" after a trailer was moved onto lands adjacent to the quarry. It was stated by police, at that time, that the "indians do not have the right to be on the land because the government (federal) has told them that the land will never be returned."

The government's use of police in enforcing its land claim position comes on the heels of the Mohawk community stopping the construction of a $700 million CN thirdline project running between Ottawa and Toronto. On January 25th, the project was brought to a halt after it was revealed that CN Rail had intentionally disregarded the construction guidelines and environmental recommendations put in place by the Department of Fisheries and Oceans (DFO) pertaining to the protection of water tributaries serving the First Nations community.

A report issued by the Department, dated February 8, 2010, identifies CN's construction deficiencies and characterizes their work as destructive to wildlife and fish habitat. It goes on to say that the failure of CN to comply with environmental recommendations have resulted in "spoil piles" or unearthed contaminates to directly enter the watershed after heavy rains and ice flows compromised the worksite in late January. The report goes on to state, "Based on DFO's observations during the site visit we also identified construction activities which could negatively impact fish and fish habitat. These included spoil piles and the construction staging area within the floodplain. This is not acceptable to DFO and is contrary to advice provided by our department."

At a community meeting held on February 11th, 2010, CN officials were put on the defensive over their handling of the situation. Frustration turned to anger when CN front people, seemingly oblivious to Tyendinagas drinking water crisis, offered employment opportunities instead of answers. One by one, community members rose and chastised CN for its disregard of the environment and the ease with which it is prepared to add to the burdens already faced by the Mohawk community.

One member spoke to a thunderous applause, "We are facing the imposition of the Harmonized Sales Tax (HST), we have unresolved land issues and members being arrested for being on the land, we have a federal government willing to contribute 400 million dollars to improve CN's bottom line, while refusing to pay 12 million to provide clean water to our children. I say no to CNs third line expansion project until we get results on the issues that are important to us."

As the meeting came to a close, it was put forward by Chief and Council that an independent biologist be hired to oversee the remediation of the CN work site in an effort to mitigate the harm and limit future impact.

The three men responsible for bringing environmental concerns forward against CN could not be charged because they prevented the company from continuing in activities that were in contravention of federal law.

They were, however, the only three men charged for the "unlawful use of land" relating to the Culbertson tract, and coincidentally, given conditions "Not to attend on any property owned by the Canadian National Railway..."
except for the purposes of passing over the rail lines by road or highway."

According to Shawn Brant, one of the three men charged, "The most pressing issue facing our communities is the Harmonized Sales Tax (HST). It is an attack on our very right to exist, and failing to stop its implementation will certainly result in reduced incomes for our people, greater poverty, and a heightened justification for provincial agencies to remove children from our homes. CN should be a player in that struggle."

- Tyendinaga Mohawk Territory

**Okanagan Band launches road block to protect their water supply**


The Okanagan Indian Band (OIB) launched a “protective blockade” this morning, February 23, at the Okanagan campsite near Bouleau Lake in southern British Columbia.

A member of the greater Okanagan Nation, the OIB say they have been left with no choice but to stop the logging company Tolko Industries from endangering their water supply.

“This is not an action we took lightly, nor is it one we commenced without exhausting all of our legal options,” states OIB Chief Fabian Alexis, in a recent press statement. “However given the active collusion between the Ministry of Forests and Tolko and the continued indifference of the federal government, we had no choice but to act…”

Since at least 2003, the OIB has been seeking the legal protection of their water, which is provided by the Browns Creek watershed. The region has been extensively logged for more than forty years; and now, the Okanagan People fear that any further logging will threaten their health and safety.

“The fact is that when our reserves were first established it was with the clear understanding that our water supplies would be maintained for future generations,” notes Chief Alexis. “Instead the federal government abandoned its fiduciary obligation and allowed the Province of British Columbia to sell off our water rights thus resulting in a number of fish bearing creeks that run through our reserve being reduced to dry gullies.”

“Even as these creeks ran dry the province continued to authorize the industrial clear cutting of the watersheds that provide our drinking water, thus presenting a clear threat to the safety and well being of all residents both indigenous and non-indigenous who live on and near our reserve,” he adds.

The OIB is also concerned that Tolko will cause irreparable harm to archeological sites scattered throughout the region. The Okanagan National Alliance explains:

“The Brown’s Creek Watershed is a sacred area of the Okanagan people that houses archaeological, ethno-botanical and cultural evidence that has been at the heart of litigation in the Wilson case since 1999. The litigation area is subject to a preservation order issued by Mr. Justice Sigurdson, entitling the Okanagan Nation to preserve and record evidence pertaining to Okanagan Title. Tolko's logging plans would destroy title evidence, dating back as far as 7,500 years and extending into modern times, the Okanagan Nation have committed to ensuring that our traditional laws and governance systems are upheld for generations to come. This is our responsibility and sacred duty as Syilx (Okanagan) People.”

Despite the governments awareness of this, and the fact that there is ongoing litigation concerning Aboriginal title in the watershed, on January 11, the British Colombia Supreme Court gave Tolko Industries permission to commence logging in eight separate “cutblocks”.

Commenting on the decision, Grand Chief Stewart Phillip of the Okanagan Nation Alliance stated that, “the Courts failed to deal with the proprietary nature of Aboriginal Title to the lands and resources within the territory;” and, that, as a result of the ruling, “third party interests are protected at the expense of the community's drinking water, archaeological history and their constitutionally protected rights.”

Following this, on Feb. 20, the OIB held an emergency meeting to discuss their options. As a result of the
meeting, Elders and band members unanimously agreed to establish check-points on Westside Road, which Tolko has been using without the OIB’s permission. They also agreed to establish a protective blockade in the watershed.

With the blockade now ongoing, Chief Alexis today declared a full moratorium on all logging in the watershed, stating that “no commercial logging will be permitted in these areas until further notice.” “Finally, in order to avoid any further repeat or escalation of this conflict we would also advise the Province of British Columbia to stop issuing cutting permits in areas where their title to the land is in dispute and is still a matter to be resolved by the courts,” Chief Alexis concludes.

What You Can Do

Chief Alexis is asking people to call their local MLAs and MPs to express their support for the OIB.

Supporters are also encourage to attend the blockade in person. If you’re in the area, a ride can possibly be arranged by contacting the Okanagan Indian Band Territorial Stewardship Office at (250) 542-7132.

For more information please contact: Chief Fabian Alexis cell (250) 306-2838, phone (250) 542-4328 or Sherry Louis, Executive Assistant Okanagan Indian Band – 12420 Westside Road, Vernon, BC, V1H 2A4 – okibcouncil@okanagan.org – PH: 250.542.4328 FAX: 250.542.4990

OKIB Blockade
By Dan Wilson - Syilx

Please go to the following website http://www.vpike.com and in the Address box, type in: Bouleau Lake, BC, Canada Go to the map icon, and select satellite map. Bouleau Lake is the focal point of the long running dispute between the Okanagan Nation, versus the Province of BC and Tolko corporation. Bouleau Lake is located in the Browns Creek watershed. Browns Creek has been the centre of contention, since 1999, in the Wilson/ Jules court case presently before the BC Supreme Court. The Browns Creek Watershed is severely over logged. The Okanagan Nation is protecting the watershed from further devastation. This is a distant view of the devastation caused by Tolko's massive clear-cuts. When you are close to the fresh clearcuts, the ground is all scared up from the skid trails, and there are broken, jagged tree limbs and trees spewed haphazardly all around.

It is not safe for a human being to walk across these jagged clear-cuts, let alone wildlife. But, the main thing, this satellite map shows, is what is left around the lake and on the slopes. To paraphrase Okanagan elder, Ralph Marchand: The forest is like a sponge that holds the water during the spring run off and releases it over the course of the summer and fall. That is why we have to leave the big trees, with the big root systems near the lakes and streams. If we don't, we will be facing even more high speed run offs in the spring, and drought conditions in the summer. The impacts are already happening. When I was growing up here in the 1970's, there were plenty of fish in the three main creeks that flow through our reserve at the Head of Okanagan Lake. Whiteman Creek is one of our main creeks, which is fed by Bouleau Lake. I can recall fishing at Whiteman Creek with my uncles: John, Willard, James and Earl Tonasket, when I was about 4 years old. We fished rainbow trout in the spring, brook trout in the summer, and kokanee in the fall. At the height of their spawning season, the creek was red with kokanee. They were so thick that you couldn't walk across the creek without stepping on one. I recall the fish were plentiful until the 1980's, when all the clear-cuts began to dot the back woods, out of sight of the general public. Up above, more and more of the sponge was cut away, and down below, the high speed run off in the spring washed away the gravel spawning beds, and left boulders in their wake.

Recently, we have had some dry years. Some years, the creek fails to make it to the lake all the way. It dries up and kills the fish. Whiteman Creek, once upon a time, gave life to hundreds of thousands of fish, today, however, we can only count a few hundred, if we are lucky. Water is our life blood.

For more updates: http://www.okib.ca/
Ecological values & drinking water compromised in clash of laws and cultures

By Jessica Clogg

25 February, 2010


We are now 2 days into a stand-off between the Okanagan Indian Band and Tolko Industries at Browns Creek on the west side of Okanagan Lake. The dispute brings to a head the long-standing conflict between Tolko’s plans to clear cut log in the watershed and the Okanagan’s resolve to protect their water supply, their ability to map and collect evidence establishing their Aboriginal Title and Rights, and their future use of the watershed and its ecological abundance.

But the issues go even deeper than this. Indeed, the story playing out in Browns Creek is one that raises profound moral and legal questions. The Okanagan Nation have been the owners of this land since time immemorial, never ceding or relinquishing it to anyone. Today, the Okanagan are exercising their right and their responsibility under Okanagan law to protect their land and territories from the threat of logging.

The situation, however, appears very different from a Canadian legal perspective. Although the Browns Creek watershed has been the subject of Aboriginal Title proceedings for over a decade, the Crown has continued to grant permission to companies like Tolko to log in the area. In turn, Tolko’s Tree Farm Licence and cutting permits gave it sufficient rights to seek an injunction preventing the Okanagan from interfering with logging and road construction, which was ultimately successful with some provision for additional archaeological work. While finding that the counter-claim of the Okanagan Nation Alliance against Tolko for trespass raised a “serious question to be tried,” Madam Justice Brown, in a manner all too typical of similar proceedings, was much quicker to find that Tolko’s potential economic losses represented “irreparable harm” than the environmental and cultural losses raised by the Okanagan.

It should trouble us morally and legally as Canadians that the ancient legal principles, rights and responsibilities of First Nations peoples, rights which are constitutionally protected, are routinely expected to give way in the face of the statutory and contractual rights of corporations and their economic interests. And we all lose when the environment and drinking water are degraded in the result.

Can the provincial government and companies be encouraged to better respect Indigenous environmental laws? West Coast Environmental Law has been working for many years to support First Nations partners in developing land use plans and written policies and codes that embed principles of the nation’s traditional environmental laws in technical terms that the Crown and third parties are more familiar with. Reconciliation negotiations with the provincial government and legal agreements about shared decision-making and land use planning can sometimes set the stage for legal protection of key areas in both First Nations and Canadian law. There are also precedents for providing interim protection while this work is ongoing, and legal authority for doing so in provincial law. Regrettably, however, it has often taken conflicts like that currently playing out at Browns Creek to galvanize the political will of the Crown to implement proactive solutions.

The Okanagan Nation is in the process of developing a land use plan that would “give the land a voice” and will no doubt provide further weight to their decision to protect the Browns Creek watershed from clear cut logging. The questions is: when this hard work is done, will it be too late for Browns Creek?

Before You Say You’re Sorry

The government apologizes to one generation of aboriginal Canadians while wronging another

by Nicole Stradiotto

Source: http://www.walrusmagazine.com/articles/write-the-wrong2009/

The government now recognizes that the consequences of the Indian residential schools policy were profoundly negative and that this policy has had a lasting and damaging impact on aboriginal culture…[positive experiences of the system] are far overshadowed by tragic accounts of the… neglect of helpless children, and their separation from powerless families and communities.

Flashbulbs lit up, cameras rolled, and newsstands overflowed with coverage as mainstream news sources
detailed the event. Yet, as Harper spoke, a new “policy” which will ultimately have a “lasting and damaging impact on aboriginal culture” was being endured by Canadian aboriginal children of the 21st century. This is the real headline: once again, a generation of aboriginal youth is suffering badly at the hand of government institution and inaction. History is repeating itself, if journalists—our nation’s eyes and ears—would care to take notice. Many of the injustices of the Residential School system have been reincarnated in Canada’s First Nations Child and Family Services to the extent that our nation is in gross violation of the United Nations Convention on the Rights of the Child (UN CRC). The plight of aboriginal children in Canada’s foster care system is an issue that deserves far more attention from the nation's media.

The UN CRC dictates that “states should always ensure that the principle of the best interests of the child is the paramount consideration in any alternative care placement of indigenous children.” Now, separating a child from their family is widely recognized as a measure of last resort among childcare professionals. Instead, “least disruptive measures” programs are favoured as in the child’s best interest. For all other foster care programs in Canada, all such methods of prevention and alternative arrangement must be exhausted before a child is removed from their home. Not so for aboriginal families. Cindy Blackstock, in her 2007 report to the Senate, explains, “Many of the First Nations agencies will tell you that it is not a problem to get $300 a day to put a child into foster care, but try to give $25 to a family so they can afford to feed the child and keep him or her safely in their home, and it is not possible under the current formula.” Where these programs exist, they are grossly underfunded. This methodology is in large reason why aboriginal children are overrepresented in the nation’s child protection services; while only comprising 3.8 percent of the Canadian population, they make up a staggering 30 percent of children in foster care.

Perhaps the most tragic aspect of this situation is that the vast majority of children are taken into care because of ‘neglect.’ When one closely examines the definition of the term and its key drivers—poverty, inadequate housing and addiction—it is debatable whose ‘neglect’ that is. In the words of the National Children’s Alliance, “It is important to note that two of the three factors are largely outside of parental control.” The National Council of Welfare last year pointed out that the rates of physical, sexual, and emotional abuse, as well as domestic violence, are no higher in aboriginal homes than in non-native homes. In effect, aboriginal children are being removed from their families and communities en masse because of the neglect of the government.

Even more disturbingly, this system amounts to assimilation. For the most part, aboriginal children are not being placed in homes of their culture; that is, three out of four are placed in non-aboriginal resources. In many cases, the cultural legacy of these youth is not even considered. According to Dexter Kinequon of Indian Child and Family Services, “Rarely does the continuity of the child’s culture influence the placement of the children in care.” This is in direct violation of the UN CRC, which states that when placing indigenous children in childcare, states must “pay due regard to the desirability of continuity in the child’s upbringing and to the child’s ethnic, religious, cultural and linguistic background.”

Undeniably, a major underlying cause of the system’s ineffectiveness is a lack of funding. In a 2005 report, The First Nations Child and Family Caring Society exposed that the Department of Indian Affairs and Northern Development supplies 22 percent less funding per child to the aboriginal branch of foster care than the average province. The First Nations Child and Family Caring Society of Canada and the Assembly of First Nations have also recognized this injustice. In 2007, these groups filed a complaint with the Canadian Human Rights Commission, which alleged that the federal government’s “conscience under funding of child welfare amounted to racial discrimination within meaning of the Canadian human rights act.”

It is the role of the media to elucidate issues which require in-depth analysis and a broad perspective. The journalist also shoulders the responsibility of speaking for those who cannot speak for themselves. There is no issue in recent Canadian history that cries out for these services such as this one: the aboriginal foster care system is a twisted web of mismanagement whose sufferers have traditionally had no voice in our society.

In light of the aforementioned statistics and testimonies, it is easy to envision the coming of another apology much like Stephen Harper’s. Reporters will flock as the future Prime Minister announces that “the government now recognizes that the consequences of the [Canadian child welfare system] were profoundly negative and that this policy has had a lasting and damaging impact on aboriginal culture.” On TV, radio and in print, our leader will lament the “…neglect of helpless children, and their separation from powerless families and communities.”
The Canadian media has a choice. It can immediately investigate and make public the injustice of the child protection system, provoking debate, activism, government action, and perhaps even change. Alternatively, journalists can simply wait a generation or two, and cover this speech.


**Why Addressing the Over-Representation of First Nations Children in Care Requires New Theoretical Approaches Based on First Nations Ontology**

by Cindy Blackstock, Ph.D.
QNW is troubled with the decision taken by the Mohawk Council of Kahnawà:ke (MCK) to evict non-Native residents from the community of Kahnawà:ke

QNW is troubled with the decision taken by the Mohawk Council of Kahnawà:ke (MCK) to evict non-Native residents from the community of Kahnawà:ke, a decision which ruptures the family unit and the community as a whole. It is imperative that clarification be made regarding Mohawk customs as a huge misconception has been conveyed by the MCK that misrepresents all Mohawk people to the public.

According to Mohawk customs, women are the titleholders of the land, a tradition that was undermined by the Indian Act which was originally created to define who was an “Indian” and to keep “white men” from living on “land reserved for Indians”. In fact, adoption of non-Mohawks in Mohawk communities was and still is a common practice and includes ceremonies to welcome new residents, reinforced by an adoption belt thereby securing the individuals rights to live on the territory. But adoption also comes with responsibilities which include learning the language, honouring and upholding the laws and traditions of the Mohawk people and obligations to the adopted clans.

However, since the creation of the Indian Act every effort has been made to oppress the customs and rights of all Indigenous peoples. Even now, all membership codes must still be approved by the Minister of Indian and Northern Affairs. The 4 types of membership codes identified by Stewart Clatworthy and Anthony H. Smith in 1992 are in one way or another based on blood quantum either explicitly or by being tied to Indian Act status rules and do not follow any Indigenous peoples laws or customs. Consequently, it is important to clarify that the eviction notices do not follow Mohawk customs or tradition.


Statement

Native Youth Movement
Statement to the Universe
War for Land and Freedom continues…

Indigenous Peoples are celebrating Worldwide after claiming victory over the 2010 Winter Olympic Games. Invaders were warned not to enter our Lands and now they are to blame for the “worst Olympic games ever”. For the first time there is no natural snow in the host Olympic city, which sits on un-surrendered Indigenous Territories. 20,000+ tickets had to be refunded after the cancellation of many events because of no snow. A Georgian lugers’ name now stands alongside Harriet Nahanee and millions of other life forms that were killed for the Olympics. The bad outcome can be seen as a small taste to what awaits any investors, companies or civilian invaders* who enter Indigenous Territories.

Why we must Fight
Indigenous Objectives

We fight for Land and Freedom. The struggle for our Lands and way of life remains the exact same as when Crazy Horse, Geronimo, Tecumseh and Tupac Amaru were alive. The only thing different is the minds, the
physical reality is that another group of humans are still imposing their beliefs and will on our Indigenous Peoples and Lands at gunpoint. Our Lands are occupied by invaders, raped for profit, war, entertainment and human comfort. The invaders have not stolen our land, the land is still here, under concrete or not, it remains, and as long as we remain we will fight to expel all invaders who destroy or seek to destroy it.

The invasion and continued occupation of our Indigenous Lands is not simply just another issue, it is the root cause of all problems. This occupation of our Lands must be the focus of education and discussion. If you are Native we need to constantly ask ourselves how do we get the invaders to de-occupy our Lands and rid our Mother Earth of these evil parasites. If you are a supporter you must ask yourself who’s Indigenous Territory you are illegally occupying and how can you help with the de-occupation of Native Lands by invaders? That should be our focus if you say you want to help the problems then address the root cause of what is actually causing the problems, which is this fake man-made colonial system of existence. This is not Canada, America, Mexico, or any other fake European neo-colonial country. Just as our allies world-wide are fighting to expel civilian, industrial and military colonialists from their lands, so are we.

They fear the Unity of Indigenous Peoples so much they denied representatives from dozens of Indigenous Nations ability to attend the Indigenous Peoples Assembly (hosted by the Secwepemc Nation in so-called British Columbia, kkanada) and the 2010 Convergence, all because of a fake line put to divide our people. No matter what they attempt we cannot be stopped—our thoughts and prayers helped to make sure there was no snow and the Olympics were a sloppy failure at best. A message to the world was sent: We do not want mining, resorts, dams, power lines, highways, railways, cities, deep sea ports, fish farms, garbage dumps, industrial parks or any invasion military or civilian, in our lands which cause massive destruction to our Territories.

While kkanada tried to show the world they are our friends, the Okanagan Nation set up a roadblock to defend their lands from logging destruction.

Only an hour away from Whistler, an Olympic venue, sits a new village, Sutikalh, established almost 10 years ago in the mountains of the St’at’imc Nation, to stop a $550-million ski-resort from being built into some of the last untouched pristine alpine valleys.

In the Tahltan Nation, a camp has been established to stop Shell Oil from drilling into their Sacred Lands, the Headwaters of 3 of the biggest Salmon bearing rivers left in the World.

The Secwepemc continue their decade long fight with sun peaks ski-resort, stopping Mining in the Headwaters of the Adams River watershed, which is, home to the largest sockeye salmon spawning grounds in the western hemisphere, as well as protecting sacred burial grounds from Trans Canada highway and CP railway expansions.

The Wet'suwet'en are fighting to stop two major pipelines from being built through their territory, as well protecting their Lands from mining and logging.

The Haudenosaunee People, a Six Nation Confederacy of the Seneca, Oneida, Onondaga, Cayuga, Tuscarora and Mohawk are relentlessly confronting encroachment, destruction and occupation of their lands.

Algonquins of Barrie Lake are fighting to stop logging in their Territory and save their water and way of Life.

Dene Nation is fighting the largest Industrial project in the history of humanity and the most destructive process known to man-kind, the Tar Sands.
Mayan People are fighting kankanadian mining companies while villages are being destroyed and Indigenous Peoples assassinated daily.

In Grassy Narrows, Annishinabe have been fighting logging for years, halting their operations. In Northern Ontario, Annishinabe are also fighting mining from destroying the still pristine boreal forest.

Indigenous Peoples in the Amazon are also fighting kankanadian mining and oil exploration having major clashes resulting in the massacre over 30 Indigenous Peoples. Indigenous Peoples are fighting back with 24 police officers impaled and killed with Indigenous spears. Awajun and Wampis Peoples detained five employees from the Canadian mining company IAMGOLD, which did not have any authorization to enter their territory.

Lakota, Indigenous Peoples in South Dakota, so-called united states is continuing the fight for their Sacred Black Hills and to stop a kankanadian mining company from drilling uranium in the Heart of Mother Earth.

Indigenous Land Fighters, coast to coast were targeted and harassed by integrated Olympic security unit (that has unified all military and police forces throughout kankanada) for years prior to the Olympics. The head of Olympics security is Bud Mercer, the notorious redneck Indian hater who was an ERT (emergency response team) member that tried to blow up Indian people with a land mine. The explosion kicked off a shoot-out which saw the police (including mercer) shoot an excess of 77,000 rounds of ammunition trying to kill Secwepemc people in their own ceremonial grounds (Gustafsen Lake, 1995). This was the largest RCMP operation in kankanadian history.

We do not seek pity or recognition from the white-man, it is us who have the power of recognition and there is only one thing we recognize, that this man-made system is an enemy of all life and we will never stop fighting until it is rid from our beautiful lands. Our land is not for sale!

We Stand in Solidartiy with the People and Lands the Olympics will be Invading next, London and Sochi, we know the resistance will grow. We Stand in full Alliance with the Indigenous People of Tabasco fighting for their lands and against a massive 2010 colonial celebration in the south. To the brothers and sisters of the Tuhoe Nation, we send our War Cry of Unity to all of you fighting and being forced into the illegal white-mans court, you will be freed. Drop all charges of JR Valrey. To Gloria Arenas and Jacobo Silva we are elated to hear of your release from behind enemy lines, we demand the same for Leonard Peltier, John Graham, the prisoners in Atenco and Oaxaca, Mumia Abu-Jamal, Russell Maroon Shoats, the Move 9, Mapuche Warriors, and all those they fear, we look forward to meeting with you on the battlefield in unity against our collective enemies.

Indigenous Peoples, our Warriors of fighting age are the majority once again. We send our militant embrace to the Zapatistas, the Mapuche, Dineh, Kuna, Seminole, Nuxalk, Gitksan, Taino, Maori, Nasa, the Warriors of West Papau, Indigenous Peoples of the Philippines, and all Indigenous Peoples of the World fighting the enemies of the Earth. Let us Unite with the Plants, Animals, Wind, Sun, Air, Water and all Creation in a Warriors Alliance to fight for Life.
We are Earths’ Army. We will not stop until we Win. We will never surrender. Warriors Unite.

Native Youth Movement, Society of Warriors
Un-surrendered Mountains of the Northwest
http://nativeyouthmovement.org/ (check the video section to see more footage of Fight for Land)
For more information on the Indigenous Land Struggle
St’a’imc – Sutikalh
http://sutikalh.blogspot.com/
http://www.flickr.com/people/42868206@N03/
Tahltan – documentary Nigeria North
http://www.firstnations.eu/mining.htm
http://www.youtube.com/watch?v=V2RUhJGbjDM
Gustafsen Lake Standoff
www.firstnations.eu/development/secwepemc-tspeten.htm
http://www.firstnations.eu/media/06-3-1-wolverine.mp3

*settlers is not a correct term, it is very passive giving the impression that the occupation of our Indigenous Lands are okay, that the invaders occupation here is settled, done and agreed upon but it is not. Current day civilian invaders could still right the wrongs, support Indigenous Autonomy.*