

Be a Witness For The Peace

Site C Tabling Guide

Be a 'witness' as First Nations go to court to uphold Canada's Treaty responsibilities

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Along with the two First Nations behind the legal challenge and many others, **Amnesty International is calling on the BC government to not oppose a First Nations application to suspend construction of the Site C dam while critical, unresolved treaty-rights issues are before the courts.**

In late July, a BC court will begin hearings in a case that may be the best hope for halting the massively destructive Site C dam and upholding the rights of First Nations in northeast BC. The government deliberately refused to even consider their Treaty rights obligations before deciding to flood this unique cultural and ecological landscape. This has forced the First Nations to bear the entire burden of upholding the Treaty relationship by initiating a potentially long and costly legal challenge, pitting them against the well-resourced legal teams of the federal and provincial governments and BC Hydro. Now that the West Moberly and Prophet River First Nations have launched this challenge, the BC government should agree to suspend construction so that a fair hearing can take place and Indigenous legal rights can finally be addressed.

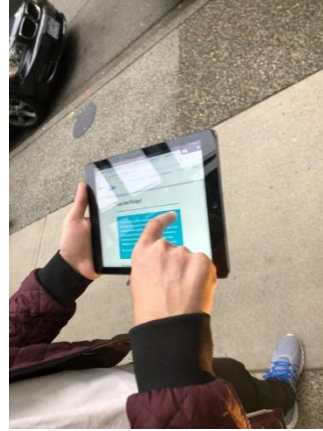
It is not too late for the BC government to take a stance that is aligned with respect for Indigenous rights. In May the federal government told the court it would not oppose the First Nations' injunction application. This victory attests to the power of holding governments accountable for what they say in court in cases where human rights are at stake. We are urging the provincial government to follow this example. Deciding not to fight the injunction would demonstrate that the BC government is sincere about implementing the UN Declaration on the Rights of Indigenous Peoples.

Action:

By pledging to be a "[Witness for the Peace](#)", you are letting the government know that you want them to uphold their Treaty obligations and that you care about what they argue in court on behalf of the "public interest".

Tabling Instructions:

Ask people walking by to “Be A Witness For The Peace”!



Directly through the website:

If you have access to an ipad, tablet, large smart phone or laptop you can ask people to sign up directly to the website!

1. Connect to the internet. This will be simple if you are tabling indoors in a community space, school or private venue etc. However, if you are tabling outside you may have to use data.
2. Open your web browser and type <https://witnessforthepeace.ca/speak-out/> in the address bar.
3. Once the page is open you can walk around with your ipad or tablet and talk to people about Site C. Once someone seems interested, hand them your device and ask them to read the pledge and fill out the information requested on the page.



Paper and Pen:

Don't have easy access to a device or the internet? Don't worry, you can use good old paper and pen.

1. Print extra the Site C Pledge-Paper Form
2. Once your tabling session is completed, either take the information filled out in the form and input it yourself directly to the witnessforthepeace.ca website OR mail it to Amnesty International Canada 312 Laurier Avenue East Ottawa, ON K1N 1H9 for this to be done.

Upcoming court case a critical test of federal and provincial commitments to reconciliation

SHERYL LIGHTFOOT & SHIN IMAI

Updated: May 17, 2018



The concrete-batch-plant area on the south bank at the B.C. Hydro Site C dam construction project. B.C. HYDRO / PNG

Late last week the federal government told a B.C. court that it wouldn't oppose a First Nations application to suspend construction of the Site C dam while critical, unresolved treaty-rights issues are before the courts. The two First Nations behind the legal challenge have now called on the provincial government to follow suit, as have the Union of B.C. Indian Chiefs, Amnesty International and many others.

It's a reasonable request and wholly consistent with the province's commitments to respect and uphold the rights of Indigenous peoples. After all, Premier John Horgan has publicly acknowledged, as recently as last October, that the question of whether Site C violates federal and provincial Constitutional obligations has never been addressed and could eventually result in the courts stopping the project entirely.

The federal-provincial Joint Review Panel that studied Site C found that flooding the Peace River Valley would cause significant harms to the traditional harvesting activities of First Nations that couldn't be mitigated. However, it was explicitly directed not to consider whether such harms would violate the legal responsibility of the federal and provincial governments to uphold Treaty 8. In response to

previous legal challenges, the federal and provincial governments successfully argued that only a full-scale lawsuit could resolve these issues.

Now, the West Moberly and Prophet River First Nations have launched exactly the kind of lawsuit that the federal and provincial governments said was necessary to resolve the issue of possible treaty-rights violations. Given the scale of harms identified in the environmental-impact assessment, it's hard to see how justice can possibly be done if construction of the dam proceeds while the case is still before the courts.

Public opinion polls show that British Columbians remain deeply divided over the Site C dam. In announcing that his government would support continued construction despite the NDP's previous criticism of the project, Horgan commented that there are deep differences of opinion about Site C even within his own family. Despite such divisions of opinion, we hope that there is room for common ground on certain fundamental points about justice and fairness.

First, the rights of Indigenous peoples set out in treaties, affirmed in the Constitution, and protected in international legal instruments like the UN Declaration on the Rights of Indigenous Peoples aren't second-class rights that can simply be ignored or pushed aside when they're inconvenient to government. The federal government and the Government of B.C. have both committed to upholding the rights of Indigenous peoples. We all have a part in demanding that they honour these commitments.

Second, upholding Canada's legal obligations without discrimination means working toward fair and timely resolution of the many disputes over lands and resources that exist as the consequence of the long history of colonial denial of Indigenous peoples' fundamental rights. Fairness and justice also require concrete measures to ensure these rights aren't further eroded or undermined before such a resolution can be reached.

Third, when Indigenous peoples turn to the justice system for protection of their rights, the federal and provincial governments shouldn't exploit the marginalization and impoverishment of Indigenous nations to bully them before the courts. The Truth and Reconciliation Commission of Canada called for greater transparency and accountability for the positions taken by government lawyers. The federal and provincial governments have both committed to implementing these calls to action.

The federal and provincial governments now face precisely the kind of legal challenge to Site C that they all but asked for. How they respond will be a crucial test of the sincerity of their commitments to build new, respectful relationships with Indigenous peoples.

Sheryl Lightfoot is Canada research chair in global Indigenous rights and politics at the University of B.C. Shin Imai is a board member of the Justice and Corporate Accountability Project and professor emeritus at Osgoode Hall Law School.



make the pledge to

HONOUR THE TREATY

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West Moberly and Prophet River First Nations have been forced to launch a court case to protect the Peace River Valley from the destructive Site C dam and uphold their Treaty Rights.

By pledging to be a “Witness for the Peace”, you are letting the government know that you want them to uphold their Treaty obligations and that you care about what they argue in court on behalf of the “public interest”.

**I want Canada and BC to honour their Treaty obligations and respect the rights of Indigenous peoples. I will follow the West Moberly and Prophet River First Nation court case to protect the Peace River Valley and speak out whenever the federal and provincial governments dishonour their obligations or disrespect the rights of Indigenous peoples.
We are all Treaty people.**

I will be a “Witness for the Peace”	I will be a “Witness for the Peace”
First Name	First Name
Last Name	Last Name
Email	Email
City	City
Province or Territory	Province or Territory
Country	Country
Do you want to receive updates or occasional event announcements?	Do you want to receive updates or occasional event announcements?
Yes No	Yes No
Do you want your name displayed on this website as a Witness for the Peace?	Do you want your name displayed on this website as a Witness for the Peace?
Yes No	Yes No
I will be a “Witness for the Peace”	I will be a “Witness for the Peace”
First Name	First Name
Last Name	Last Name
Email	Email
City	City
Province or Territory	Province or Territory
Country	Country
Do you want to receive updates or occasional event announcements?	Do you want to receive updates or occasional event announcements?
Yes No	Yes No
Do you want your name displayed on this website as a Witness for the Peace?	Do you want your name displayed on this website as a Witness for the Peace?
Yes No	Yes No

*All information on this form is meant to be directly uploaded to the www.witnessforthepeace.ca/speak-out page. Tablers can either do this themselves or mail this form to Amnesty International Canada, 312 Laurier Avenue East Ottawa, ON K1N 1H9.