

WATER IS LIFE LEGAL SUMMIT

Exploring Water
Protection Through An
Indigenous Lens

Final Report

Presented by:

KEEPERS OF THE WATER

In partnership with:

INDIGENOUS KNOWLEDGE
& WISDOM CENTRE

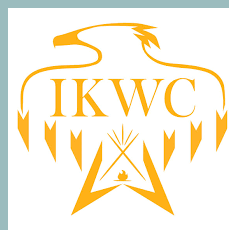


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Introduction

The 'Water is Life' Legal Summit, presented by Keepers of the Water and the Indigenous Knowledge and Wisdom Centre, shed light on topics related to Indigenous sovereignty and the protection of water from an Indigenous worldview. These presentations highlighted the significance of recognizing Indigenous nations as sovereign entities and emphasised their inherent rights, natural laws, and rich cultural traditions that have endured both before and after treaties were established. Knowledge keepers and Elders from across Treaties 6 & 8 travelled to share their knowledge, stories and rich traditions.

The Legal Summit took place over three days December 6 - 8, 2022, in Edmonton, Ab, Treaty 6 territory.

The Summit was opened in ceremony with a pipe ceremony conducted by respected Elders. Following protocols, each day, the conference began and closed in prayer.



Throughout the Legal Summit, the speakers underscored the importance of data sovereignty, community engagement, knowledge mobilisation, and the intersectionality between Indigenous rights and environmental concerns. Collectively, these narratives serve as a call to action, urging society to honour and uphold Indigenous sovereignty while safeguarding the vital resource of water.



The Summit closed in song with the 'Water is Life' Round Dance, inviting Community to take part and celebrate the protection of water for all.



Water is life.

Water is Life - Legal Summit



Water is Life - Legal Summit



Preface:

Our sacred teachings from our Elders of Cree, Dene, Blackfoot, and Métis cultures teach us about the sacredness of water. These teachings reflect the deep reverence and profound understanding of the interconnectedness between water, life, and spirituality within our Indigenous traditions.

In Cree teachings, Nipiy, water is seen as a source of life and a gift from the Creator. It is recognized as a vital element that sustains all living beings and plays a central role in ceremonies and healing practices. The Cree people hold great respect for water bodies, emphasising the need to protect and care for them to maintain the balance of nature.

Within Dene culture, Tu, water is considered a powerful and transformative force. It is believed that water holds the ability to cleanse and purify not only physically but also spiritually. Dene teachings highlight the importance of harmonious relationships with water and the recognition of water as a provider of life and spiritual renewal.

Among the Blackfoot people, Aohkii, water is regarded as a sacred entity that carries deep spiritual significance. The Blackfoot teachings emphasise the interconnection between water, land, animals, and humans, emphasising the responsibility to protect and honour water sources. Water is considered a source of wisdom, clarity, and a conduit for spiritual communication.

The Métis teachings also acknowledge the sacredness of l' dilô, water and its role as a life-giving force. Métis culture emphasises the importance of living in harmony with water and the natural world. Métis teachings highlight the need for responsible stewardship of water resources, recognizing that the health and well-being of future generations depend on the protection and preservation of water.

These teachings from Cree, Dene, Blackfoot, and Métis cultures underline the profound understanding of water's sacredness and its essential role in the interconnected web of life. They call upon individuals and communities to honour and protect water as a spiritual, cultural, and life-sustaining resource. By embracing these teachings and incorporating Indigenous knowledge systems into our collective consciousness, we can foster a deeper appreciation for water's sacredness and work towards its preservation for the benefit of all beings and future generations.



Tar Sands

Industrial resource extraction, particularly in the context of tar sands and mining, has had significant and detrimental impacts on First Nations, Métis, and Inuit communities, both near the projects and downstream. The extraction of tar sands, such as those found in Alberta's Athabasca region, has resulted in severe environmental degradation and health challenges for Indigenous peoples.

The extraction process of tar sands involves large-scale surface mining and the use of water-intensive methods, which leads to the contamination and depletion of local water sources. First Nations and Métis communities living in proximity to tar sands projects have experienced the pollution of their traditional lands, including rivers, lakes, and groundwater, due to toxic tailings ponds and the release of pollutants during extraction and processing. This contamination has had devastating effects on their ability to access clean drinking water and has caused adverse health outcomes, including higher rates of respiratory illnesses, cancers, and other chronic diseases.



Furthermore, the impacts of tar sands extraction extend downstream, affecting Indigenous communities who rely on waterways for their livelihoods and cultural practices. The pollution from tar sands operations can contaminate rivers and lakes, impacting fish populations and disrupting traditional hunting, fishing, and gathering activities. Species at risk, such as the Woodland Caribou, have seen their habitats fragmented and diminished due to tar sands development, further threatening their survival.

Mining

Mining activities in Alberta and the Rocky Mountains have had significant impacts on First Nations communities living in proximity to the mines, as well as downstream regions. These mining operations often involve the extraction of resources such as coal, metals, and minerals, but they also bring forth a range of environmental challenges.

One of the key concerns is the contamination of waterways with toxic pollutants. Mining activities can release hazardous substances, including heavy metals, acid mine drainage, and other pollutants, into nearby rivers, streams, and groundwater sources. These pollutants can persist in the environment for extended periods, leading to long-term water pollution.

First Nations peoples who rely on these waterways for drinking water, subsistence fishing, and cultural practices are particularly affected. The presence of toxic pollutants in the water can pose serious health risks to both human communities and aquatic ecosystems. It can result in the bioaccumulation of contaminants in fish, making them unsafe for consumption and undermining traditional food systems and practices.

Furthermore, the discharge of contaminated water into water bodies can harm the habitats of fish and other aquatic species. The alteration of water chemistry and the introduction of pollutants can degrade or destroy important spawning areas, disrupt migration patterns, and decrease overall fish populations. This, in turn, can have ripple effects throughout the food chain and impact the balance and health of the entire ecosystem.

The impacts of mining on wildlife and animal habitats are not limited to aquatic ecosystems. The disturbance caused by mining operations, including habitat destruction, fragmentation, and the loss of critical vegetation, can disrupt the natural habitats of various terrestrial species. This can lead to the displacement or decline of wildlife populations, affecting biodiversity and the delicate ecological balance of the region. This loss of biodiversity not only affects the ecological balance but also disrupts Indigenous peoples' cultural practices and traditional ways of life that rely on healthy ecosystems.

Mining cont.

The impacts of industrial resource extraction, particularly in tar sands and mining projects, have disproportionately affected First Nations, Métis, and Inuit communities. These impacts include compromised access to clean drinking water, adverse health effects, loss of traditional livelihoods, and the degradation of ecosystems vital for cultural practices. Upholding Indigenous sovereignty and addressing these environmental injustices is crucial to ensure the protection of Indigenous rights, the preservation of cultural heritage, and the sustainable management of natural resources for present and future generations.

These environmental impacts are not only a threat to their physical well-being but also a challenge to their cultural identity and connection to the land. The degradation of waterways and loss of traditional food sources have far-reaching implications for Indigenous communities' health, cultural practices, and overall well-being.

Addressing these impacts requires recognizing and respecting the rights and knowledge systems of Indigenous communities, and implementing robust environmental protections. By upholding Indigenous sovereignty and incorporating Indigenous perspectives and traditional ecological knowledge into decision-making processes at all levels and timelines, it is possible to stop the environmental impacts of mining and tar sands development, and protect the vital waterways and ecosystems that sustain both Indigenous communities and the world.

Keepers of the Water



Keepers of the Water is an organisation dedicated to the protection and preservation of water resources, guided by Indigenous knowledge and perspectives. They recognize the sacredness of water and the vital role it plays in sustaining all life.

Keepers of the Water actively works to address the impacts of industrial resource extraction, including tar sands and mining, on Indigenous communities and the environment. They advocate for the recognition of Indigenous sovereignty and the upholding of treaty rights in decision-making processes related to resource extraction. By highlighting the impacts of these activities on First Nations and Métis peoples living near and downstream from these projects, Keepers of the Water raises awareness of the environmental and social injustices faced by Indigenous communities.

The organisation's focus on protecting water aligns with the concerns raised regarding the contamination of waterways by toxic pollutants from mining activities. Keepers of the Water seeks to ensure that Indigenous communities have access to safe and clean water for drinking, cultural practices, and the sustenance of traditional lifestyles.

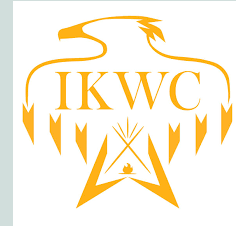
Moreover, Keepers of the Water acknowledges the impacts of mining on fish and animal species at risk, as well as the broader ecological consequences. By emphasising the importance of maintaining healthy habitats and biodiversity, the organisation aims to safeguard the interconnectedness of ecosystems and the well-being of Indigenous communities that rely on them.

Through their advocacy, education, and community engagement efforts, Keepers of the Water actively promotes the protection of water and the environment through an Indigenous worldview. They work collaboratively with Indigenous nations, government bodies, and other stakeholders to address the systemic issues and ensure that Indigenous voices are heard and respected in resource management and conservation.

Keepers of the Water strives to address the impacts of industrial resource extraction, protect clean drinking water, and safeguard the ecological health of waterways and habitats. Their efforts reflect a commitment to Indigenous sovereignty, the preservation of traditional knowledge, and the sustainable management of water resources for the benefit of present and future generations.

<https://www.keepersofthewater.ca>

Indigenous Knowledge & Wisdom Centre



Vision Statement:

Igniting the fire of our ancestors' ways of knowing.

Mission Statement:

We will:

- Honour the diversity among indigenous cultures
- Honour the inherent and treaty rights of our peoples
- Celebrate and sustain our environments, languages, cultures and identities
- Develop a legacy of knowledge and teachings for life long learning

History:

The Indigenous Knowledge & Wisdom Centre (IKWC) is not a new idea as it was borrowed from Citizens Plus, June 1970. This concept was called the 'Alberta Indian Education Centre' and was designed to promote studies of Indian history, culture, language and values (Citizens Plus, Indian Chiefs of Alberta, June 1970). It is noteworthy that the 'red paper' was drafted in the very same building the IKWC office is located in today. The idea of an 'Education Centre would have certainly been lost if it was not for Ms. Marilyn Buffalo and Ms. Sheena Potts who insisted on the idea that a cultural education centre be included in the Education MOU.

In the spring of 2012, a draft of an IKWC business plan was developed by the IKWC sub-table, and was revised a year later in the spring of 2013. On June 13, 2013, at a duly convened meeting of the Assembly of Treaty Chiefs, the Chiefs Resolution: #2013-06-12/R10 was passed in support of IKWC. In 2016, a Chiefs' Roundtable was held in Kananaskis, AB; the Chiefs agreed to proceed to create a federally incorporated not-for-profit entity and appointed an Interim IKWC-Board of Directors.

The IKWC office opened its doors and began operations in the spring of 2017 where it will be a centralized location offering education, policy, language and culture. It will provide a repository of information on Treaty No. 6, Treaty No. 7 and Treaty No. 8. Members, and a First Nations directed environment to learn and share information.

<https://www.ikwc.org/>

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Legal Summit Presentation Summaries

Dr. Diana Steinhauer: Our Way of Life premised as Treaty First Nations peoples' protections and permissions

Key themes: Traditional Ecological Knowledge, Indigenous knowledge(s), women's role in protecting water, Intellectual Property Rights (IPRs), Treaties, collective ownership, and water's impact on health.

Bio:

Saddle Lake Cree Nation, Treaty 6.

Dr. Diana Steinhauer is an educator with 30 years of experience in teaching, curriculum development, and administration in K-12 schools and post-secondary institutions.



Most importantly, she is a mother and first teacher of her two children; grandchildren.

Diana completed her doctorate in iyiniw pimātisiwin kiskeyitamowin (Indigenous Peoples' Knowledge) at University n Blue Quills (2011). She is particularly grateful to Elders and Knowledge Keepers who have guided and mentored her in ancestral knowledge and ways of being as a kise iskwew.

Recognizing the value and work of iyiniw pimātisiwin, Diana's work as a change agent in language, education, and governance is grounded upon her late father's adage, pimātisîtotetân kimiyikowisiwininaw, Let us live life the way our Creator intended us to live.

The keynote presentation by Dr. Diana Steinhauer, focused on the importance of water and the Indigenous perspective on water as a living entity. Dr. Steinhauer emphasised the significance of Traditional Ecological Knowledge (TEK) and Indigenous knowledge in understanding water and finding solutions to water-related issues.

Dr. Steinhauer began by acknowledging water as essential for life and expressing gratitude for the opportunity to share ancestral knowledge. She highlighted that her knowledge comes from her ancestors who lived before her, and she aims to honour their wisdom and teachings. She discussed the concept of water as TEK, emphasising that water has spirit, memory, and healing properties.

As a woman and part of Indigenous nations, Dr. Steinhauer emphasised the role of women in protecting and caring for water. She shared that women have been entrusted with songs for the water, symbolising their responsibility to hold and protect it. She discussed the connection between women, water, and the ability to give birth.

Dr. Steinhauer explained that Indigenous knowledge faced hurdles due to Western science and its perception of Indigenous peoples as primitive. Indigenous knowledge and institutions are often considered illegitimate and replaced by supposedly superior Western institutions. Despite this, Indigenous knowledge has allowed Indigenous peoples to live sustainably on their lands for thousands of years, since time immemorial.

The presentation also touched on the issue of intellectual property rights and the lack of protection for Indigenous knowledge. Dr. Steinhauer mentioned that traditional knowledge is considered in the public domain, and states possess ownership over it. She highlighted the limitations of Intellectual Property Rights (IPR) in protecting Indigenous knowledge, as it often cannot be claimed due to age and collective ownership.

The presentation then explored various examples and challenges related to water, such as the impact of human activities on glaciers and the drinking water crisis in Indigenous communities. Dr. Steinhauer emphasised the importance of treaties and the Treaty relationship between Indigenous peoples and the Crown. She argued that treaties should take precedence over Canadian law and called for the protection of Indigenous knowledge and cultural expressions.

Dr. Steinhauer discussed different approaches to protecting Indigenous knowledge, cautioning against relying solely on IPR, as it has limitations and can lead to the loss of knowledge after a certain period. She highlighted the need to go back to Indigenous methods and mechanisms, such as the teachings within treaties and collective ownership, to safeguard knowledge.

The speech concluded by highlighting the example of a successful water treatment system, Cardinal Drinking Water Treatment Plant, developed by Indigenous peoples based on the knowledge shared by Grandmother Moon. Dr. Steinhauer stressed the importance of removing regulations that restrict Indigenous knowledge and urges standing up against bullying techniques. She reiterated that water has spirit, memory, and healing properties, and affirmed the need to honour and protect it for the benefit of future generations.

“Water has spirit, water has memory, water heals because water is medicine.”

-Dr. Diana Steinhauer

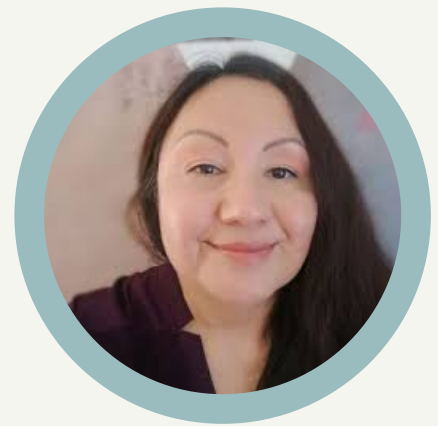
Dr. Josie Auger: Personhood of Rivers

Key themes: Indigenous perspectives, human rights, and legal pluralism, legal personhood for water, the relevance of UNDRIP (United Nations Declaration on the Rights of Indigenous Peoples) and UN SDGs (Sustainable Development Goals), Indigenous relationality to the earth and water, and global case studies

Bio:

Bigstone Cree Nation

Dr. Auger has served Indigenous peoples as an experienced senior administrator and elected leader for Bigstone Cree Nation (Treaty 8). worked with colleagues from Athabasca University and nationally as a principal investigator, co-applicant, and collaborator on research projects with the University of Calgary, McGill University, University of Montreal, University of Saskatchewan, Thompson Rivers University, and Wilfred Laurier University. Dr. Auger's current fields of study include indigenous studies focusing on research, health, legal traditions, environment, architecture and history.



Dr. Josie Auger's presentation began with an exploration of the experiences of Indigenous peoples, particularly the original peoples of Turtle Island (North America), who have been impacted by colonialism and subjected to Canadian laws. Dr. Auger highlighted the marginalisation, vulnerability, and historical injustices faced by Indigenous communities. The importance of indigenous knowledge, connection to the land, and the concept of blood memory were emphasised as essential elements for empowerment and healing.

Dr. Auger discussed Indigenous concepts of community and relationality, emphasising the holistic view that acknowledges the interconnection and reciprocal nature of all beings and the responsibility to each other. The very real challenges faced by Indigenous human rights defenders who speak out and the need to recognize the harms done to the environment were also addressed.

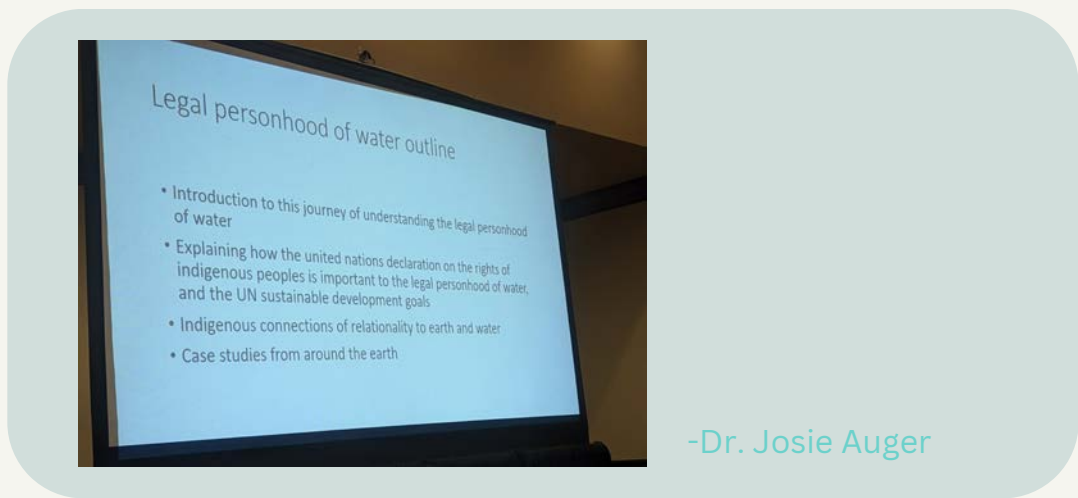
Dr. Auger further examined the implementation of United Nations Rights On Indigenous Peoples (UNDRIP) and the significance of legal pluralism in the recognition of Indigenous peoples' rights. The rights outlined in UNDRIP related to lands, territories, resources, cultural identity, and environmental protection were highlighted, along with the need for effective mechanisms for redress and mitigation of adverse effects.

The roles of the mother and the importance of caring for children and youth, passing on ancestral knowledge, and involving them in advocating for the protection of water were affirmed. The revitalization of Indigenous legal traditions and the role of self-determination and sovereignty in enacting legal pluralism were discussed.

Dr. Auger included case studies from different parts of the world, such as the Whanganui River in New Zealand, the Ganges and Yamuna rivers in India, and the Magpie River in Quebec, Canada, were presented as examples where legal personhood has been granted to rivers. The rights and responsibilities associated with these legal frameworks were explored.

The presentation concluded by raising questions related to cultural re-imaginings, the importance of sharing stories about rivers, the role of leaders in building relationships with governments, and the need to support Indigenous women and girls in the movement for environmental protection.

Overall, Dre. Auger's presentation highlighted the significance of recognizing the personhood of rivers from Indigenous perspectives, advocating for the implementation of UNDRIP, and embracing legal pluralism to ensure the rights and well-being of Indigenous communities and the environment.



-Dr. Josie Auger

Cody Looking Horse, Makasa Looking Horse, and Eryn Wise: We resist for water

Key themes: water protection, land defence, youth activism, climate change, and indigenous rights.

Bio:

Cody Looking Horse

Haudenosaunee and Lakota, Sioux

Cody Looking Horse, is Haudenosaunee and Lakota, Sioux. He resides on the Six Nations of the Grand River. An accomplished Rider, he joined the Dakota 38 + 2 from December 15th - December 26, in 2008 to retrace the footsteps of ancestor's to honour them. President Lincoln hung 38 Chiefs on Christmas day, the largest mass hanging in US history. He hasn't been home for Christmas in 8 years, instead rides in frigid weather across the open plains with his Father.



Bio:

Makasa Looking Horse:

Haudenosaunee and Lakota, Sioux



Makaśa Looking Horse was born on Six Nations of the Grand River territory and is Mohawk and Lakota. Known for her activism with Six Nations on water security; including a grassroots resistance movement against Nestle overuse of aquifers. She is youth leader for the McMaster University/Global Water Futures project, as well as producer and on-air talent for the Let's Talk Water Podcast. Makaśa is a Sundance leader for women and was a member of the United Nations Global Youth Caucus at the United Nations Climate Summit.

Bio:

Eryn Wise:

Jicarilla Apache Nation – Pueblo of Laguna

Eryn Wise comes from the Jicarilla Apache Nation and Pueblo of Laguna. They are a nonbinary community advocate centering their work around body sovereignty, protection of cultural cornerstones, the liberation of unceded Indigenous lands, waters, and lifeways, and people of the global majority. They have been honoured to be part of leadership teams within the International



Indigenous Youth Council, Seeding Sovereignty, and Love and Healing Work. The work they've done with youth leaders and grassroots organisers has earned national accolades including the 2018 Robert F. Kennedy Human Rights Award which was shared by United We Dream, Color of Change, and March For Our Lives. Ensuring a future for generations to come is a duty and responsibility to them, and they honour the traditional teachings of their predecessors by continuing to build intersectional communities in the spirit of kinship and Indigenous resurgence. They aim to do all their work in homage to their ancestors who continue to empower and inspire their journey. They are a human being, just like you.

Cody Looking Horse

Themes: Language, land back, land defender, youth, extraction (oil), climate change, activism/protest, Murdered, Missing Indigenous Women (MMIW)

Cody was a youth activist at Standing Rock protests in 2016, which aimed to protect Indigenous lands from the construction of a pipeline. Cody shared his experiences at Standing Rock, and the origin of his call to action. He emphasised the importance of youth-led movements and highlighted the ongoing challenges faced by Indigenous communities due to historical and current injustices, which include racism and violence. Cody also discussed his advocacy work, including participating in the Dakota 38 ride and organising events to raise awareness about Indigenous rights, MMIW in honour of his late cousin, and environmental issues.

"I am going to be talking about the standing rock protests in 2016. I was 17 years old when this happened. It was youth-led. Like many other reservations, a pipeline went through our lands."

-Cody Looking Horse

Makasa Looking Horse

Themes: Youth, water protectors, women, relationships, land, consent, health, food, climate change.

Makasa focused on the role of women in water protection and their connection to the land. She shared her experiences as a Mohawk and Lakota woman and emphasised the responsibility of women in upholding Indigenous laws and protecting future generations. Makasa also discussed her involvement in ceremonies, such as the Sundance, and highlighted the importance of community support activating indigenous cultures. Makasa also shared the importance of relationality and connections to earth and animal beings.

“Women are connected to the water in different ways, from the moon cycle and the water in the womb. Water is our first environment. We have to reciprocate that relationship because that water will always be there and protect future generations.”

-Makasa Looking Horse

Eryn Wise

Themes: Women, extraction (mining waste, oil), more than human kin, activism, trans and queer voices, youth, advocacy.

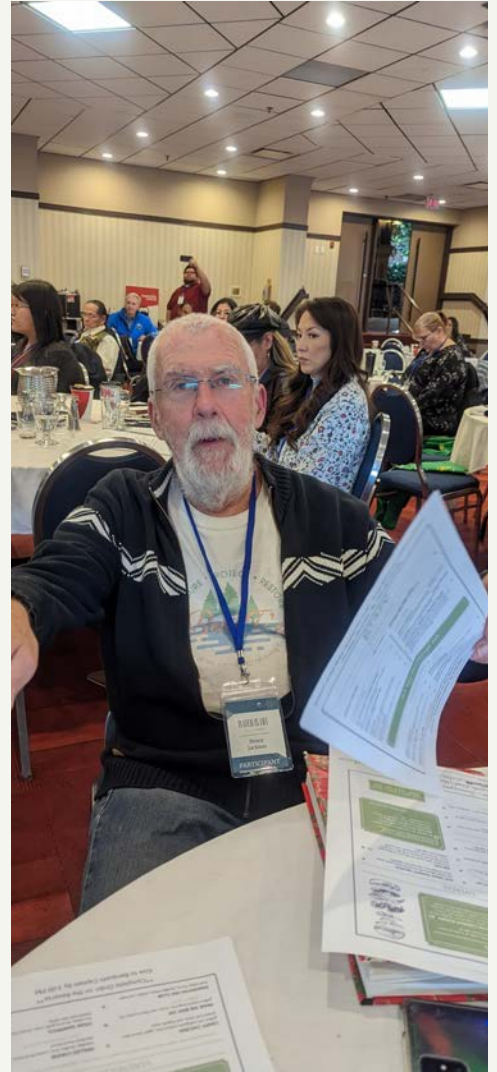
Eryn discussed their work in activism, with a focus on storytelling for water, lands, and lifeways. They highlighted the impact of mining waste and oil extraction on indigenous territories, particularly mentioning the dumping of mine waste into rivers and the contamination of water sources. Eryn also emphasised the importance of trans and queer voices in activism and the need to recognize the non-binary nature of the environment and embrace diversity in solutions.

“It is important for the young people, if they are inheriting the world then they need to see their place in it. We can't rely on a binary solution.”

-Eryn Wise

The youth panel presentations reiterated the importance of indigenous voices, youth activism, and the protection of water, land, and indigenous rights in the face of environmental and social challenges.

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Eriel Deranger and Zachary Biech: How much does the government of Canada spend on fighting Indigenous people in court

Key themes: climate change, government tactics and land defence

Bio:

Eriel Deranger

Dënesuḷiné - Athabasca Chipewyan First Nation

Eriel Deranger is the Executive Director And Co-Founder Of Indigenous Climate Action (Ica). Deranger Is A Member Of The Indigenous People Forum On Climate Change, And Sits On Various Boards Including Bioneers, It Takes Roots

Leadership Council, Climate Justice Resiliency Fund Council Of Advisors, And Wwf Canada; A Founding Member Of The Global Indigenous Youth Caucus.



Bio:

Zachary Biech

Nehiyaw, Plains Cree

Zach joined Ecojustice in 2021. He is from Cochrane, Alberta. He graduated with High Distinction from the University of Toronto in 2016, where he received an Honours Bachelor of Arts in Public Policy, Aboriginal Studies, and Russian Language. Zach received his JD from the University of Toronto Faculty of Law, where he was also awarded the Gordon Cressy Student Leadership Award. Zach completed his articles in 2020 at Olthuis Kleer Townshend LLP, a law firm which specialises in representing Indigenous communities on a wide range of legal issues, and was called to the Ontario Bar in 2020. At Ecojustice, Zach works on a variety of legal issues including Indigenous rights, protecting biodiversity, and holding industry to account.



The presentation by Eriel Deranger and Zachary Biech discussed the issue of how much the government of Canada spends on fighting Indigenous peoples in court. Eriel highlighted the intrinsic connection between Indigenous peoples and the lands and territories that have supported them for generations. The presentation criticised the historical framework of treaties between Indigenous and non-Indigenous peoples, pointing out that many treaties were signed under duress and have been violated. The impact of industrial development on Indigenous communities, particularly in Northern Indigenous communities, was emphasised, with a focus on the importance of traditional food sources and the need for a clean and healthy environment for physical and cultural survival.

The keynote affirmed the relationship between Indigenous peoples and the environment, highlighting the wealth of Indigenous knowledge that has been passed down through generations. It highlighted the role of Indigenous peoples in safeguarding and protecting lands, resulting in significant carbon sequestration. The Canadian government's approach to land as carbon sinks and its economic projects that utilise Indigenous lands were criticised, as these projects often exclude Indigenous peoples and cause harm to their communities.

The presentation questioned the acceptance of such injustices and calls for opposition to these projects, not only for the benefit of Indigenous communities but for all Indigenous peoples globally. The significant contributions of Indigenous lands to global biodiversity and conservation areas were highlighted. The keynote also challenged the cooptation of Indigenous peoples through Impact Benefit Agreements and shared that partnerships with the government are not genuinely equal.

“Our identity as Indigenous peoples is intrinsically related to the lands and territories that have supported us since time immemorial. Everything, from animals to rocks, trees, grasses, are intrinsically part of who we are. Need to love and respect everything and this needs to permeate the ways we live our everyday lives.”

-Eriel Deranger

Zachary Biech presented research by Ecojustice and Indigenous Climate Action, shedding light on the financial resources spent by the Canadian government to fight Indigenous peoples, including government departments; Crown-Indigenous Relations, Environment Canada, and Fisheries & Oceans, which allocate millions of dollars to legal budgets for this purpose. The presentation criticised the biased portrayal of Indigenous opposition to oil and gas development as a vocal minority, highlighting sustained and widespread opposition by Indigenous communities over several decades.

Due to Indigenous resistance against projects on Turtle Island (referring to North America), approximately 1.8 billion metric tonnes of CO2 remain underground in the United States and Canada.

“How much does Canada spend fighting Indigenous peoples? Depends on how we understand “fighting Indigenous peoples....Crown-Indigenous Relations (CIRNAC) – close to \$350 million in legal fees fighting against Indigenous peoples in court over just a few years.”

-Zachary Biech

The presentation concluded by calling for a different future and a reimagining of the relationship between the government and Indigenous peoples. It emphasised the need to contest and challenge the existing legal system and call for increased spending by the government in defending against Indigenous opposition. The keynote stressed that the fight against these projects is not just about government spending but also about protecting the earth for future generations and reclaiming Indigenous knowledge systems and inherent rights.



Paul Belanger and Mandy Olsgard: A scientific look at the dangers of tailings ponds

Key Themes: dangers of tailings ponds, impact on the environment, industry impact in relation to unnatural disasters- earthquakes, climate change and effects by industrial development, and Alberta government plan for dischargement of tailings release.

Bio:

Paul Belanger - Settler/Ally

Paul is an environmentalist, entrepreneur and designer. He has been a business owner since 1984 and founded an environmental organisation in 1987. He is currently focusing on a new research company which is patenting innovations of Belanger in the cleantech sector. Belanger's education in the environmental sciences started at 14 when he signed up to participate with the Youth Science Foundation. This education, which was project and research-based, included mentorship under scientists. Belanger continued this education for four years.

In 1977 he was presented with a national "Environmental Design" award by the University of Calgary. Later Belanger continued mentoring under environmental architects for several more years.

Paul currently works as a Science Advisor for Keepers of the Water providing a great service in translating highly technical reports.



Bio:

Mandy L. Olsgard M.Sc., P. Bio. Principal, Sr. Toxicologist/ Risk Assessor

Mandy Olsgard is currently the owner and Senior Toxicologist at Integrated Toxicology Solutions. Over the past 15 years Mandy has worked as a toxicologist and risk assessor in research, consulting and regulatory environments to develop coordinated and effective risk management plans for energy and non-energy resources by collaboratively addressing industry, regulatory, First Nations, Metis, and public stakeholders' concerns.

The focus of Mandy's career to date has been on researching and developing methods to understand the toxicity of environmental contaminants released from conventional and non-conventional oil and gas, mining and municipal sectors and impacts to environmental and human health. She has done this through provision of technical expertise on regulatory application reviews, regulatory hearing proceedings, multi-stakeholder technical working groups and independent research.



Paul Belanger's presentation spoke of Syncrude's strategy to partially treat tailings using petroleum coke as activated carbon, but highlighted the problems such as depleted oxygen in treated water, algae presence, high salt levels, caustic pH, and high levels of heavy metals were reported. Suncor's alternative strategy of deep well disposal, pumping concentrated wastewater into isolated non-freshwater aquifers, was mentioned but raised concerns about proximity to fresh drinking water sources.

Other options like end-pit lakes, where old mine pits are filled with water and the material is left in them, were also suggested by Mr. Belanger. The cumulative impacts already known include leachate from tailings ponds reaching groundwater, the increasing volume of tailings, acid rain and downstream accumulation affecting treaty areas, acid rain affecting Saskatchewan and its lakes, health issues such as rare cancer and asthma, tumors found in wildlife, heavy metals in berries, and inadequate government monitoring and data accessibility.

The slow progress of reclamation work, low-cost and unproven post-mine closure concepts proposed by companies, insufficient consultation with Indigenous communities, and the need for FN (First Nations) involvement, traditional ecological knowledge (TEK), and quality science in reclamation projects were emphasised. Mr. Belanger argued against allowing industry accountants to design reclamation projects, advocating for the inclusion of good science and Indigenous experts.

“Ecological facts: we know that the Athabasca watershed and surrounding lands have been damaged by ongoing industry and climate change impacts. Industry now wants to discharge treated tailings into the Athabasca River.”

-Paul Belanger

Mandy Olsgard's presentation focused on health threats related to current and future tar sands tailings management. She acknowledged the Western Science approach used in her presentation but recognized the importance of Indigenous Health Approach, which considered the interconnectedness between people and the environment, including social and cultural determinants of health.

“Science isn’t the problem here. Indigenous peoples know what the land should look like, science knows how to get there – it all comes down to economics. “The top environmental problems are selfishness, greed and apathy and to deal with these we need a cultural and spiritual transformation.”

Mandy L. Olsgard

Ms. Olsgard explained that tailings were complex mixtures resulting from bitumen production, containing water, sand, clay, hydrocarbons, trace elements and metals, solvents, and coagulants. The current regulatory structures and management of oilsands tailings, including Directive 85, which outlines criteria for tailings management plans, were discussed. However, the emphasis was primarily on geotechnical stability and groundwater monitoring, while other aspects like chemical remediation and health risks received less attention.

Mandy highlighted the increasing volume of tailings containing chemicals and the reporting of bird contacts in the tailings ponds. Although bird contacts per area are now reported instead of absolute amounts, the numbers remain significant, indicating potential impacts on wildlife. The seepage of tailings ponds to groundwater was mentioned, with reports of reaching shallow aquifers connected to surface water and drinking water sources. The risk at closure, when tailings are left in permanent end-pit lakes or wetlands, is considered a great concern.

She argued that passive and inexpensive water treatment processes are planned to be implemented on top of current tailings ponds, but their effectiveness is questionable. The closure phase poses the greatest risk, and Ms. Olsgard suggests that science and Indigenous knowledge are not the problems but rather economic factors. A quote emphasised the need for cultural and spiritual transformation to address selfishness, greed, and apathy was included to highlight the underlying issues.

Carrie Selin and Roy Auger. Metis Settlements: Landback & Indigenous Protected areas

Key themes: Metis community, access to land, extraction activities such as oil and gas, Indigenous Protected Areas - IPCAs, conservation, land rights, and consultation with Indigenous communities.

Bio:
Carrie Selin

Carrie is the Environmental Consultant providing Project Management support To Indigenous communities that includes engaging community, teams, and partners to successfully execute project plans. She has extensive experience in facilitation, program planning, engagement and communication that supports the development and delivery of indigenous economic and environmental projects. She works collaboratively with indigenous communities to build capacity, identify community priorities, and facilitate processes to solve challenges.



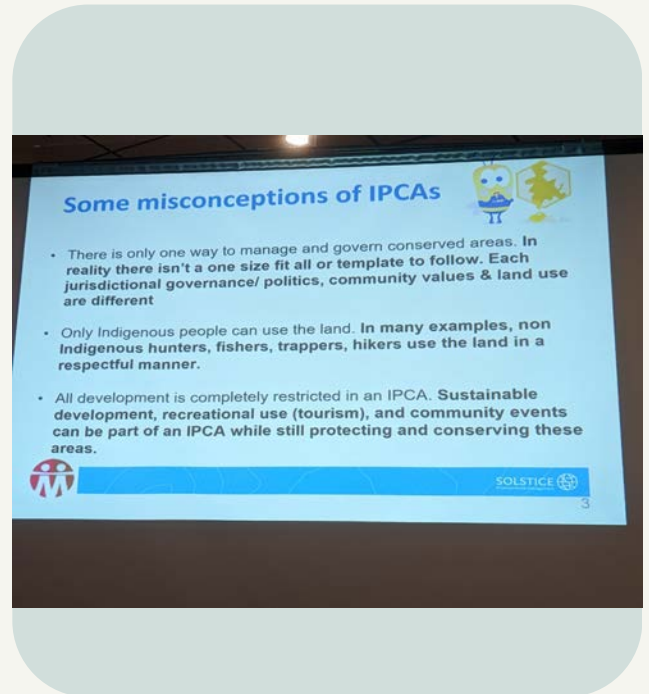
Bio:
Roy Auger - Buffalo Lake Métis Settlement



Consultation Officer For Over 5 Years, Has Extensive Knowledge In His Field And Is Often The First Point Of Contact For Any Industry, Government Or Business Looking To Have Bi-Lateral Or Other Relations With The Community. Roy Regularly Meets With Proponents And Negotiates For The Best Interests Of The Buffalo Lake Metis Settlement And Works Closely With Leadership Throughout The Process.

The presentation highlighted the history of the Metis settlements in Alberta. Initially, 12 settlements were created under the Metis betterment act, but the government rescinded some of them, leaving only 8 remaining. The presentation discussed the lack of access to land, healthcare, and schools for the Metis community. The Metis Settlement General Council (MSGC) was established to provide a voice for all 8 settlements and create legislation to assert credibility for activities like oil and gas development.

The concept of Indigenous Protected and Conserved Areas (IPCAs) was introduced as a tool for conservation identified by a panel of Indigenous experts. IPCAs are areas where Indigenous peoples and governments commit to long-term protection, led by Indigenous communities, and focused on preserving Indigenous culture, knowledge, and language. The presentation clarified some misconceptions about IPCAs, emphasizing that they do not aim to restrict access for non-Indigenous users such as recreation and hunting. Some IPCAs may consider sustainable forms of development, including tourism.



The presentation included examples of IPCAs like Edehzhie in the Northwest Territories and Kitaskino Nuwenene Wildland in Alberta. These examples highlighted the importance of protecting ecosystems and preserving land for conservation while allowing for certain activities. The feasibility study for an IPCA by the MSGC was mentioned, clarifying that it is an idea being explored and not an established IPCA. The process involves stakeholder engagement and gathering information on land usage by both Indigenous and non-Indigenous groups.

The presentation concluded with the discussion of the Wolf Lake area as a potential study area for the MSGC. It described the historical context of the Wolf Lake settlement, the current land use, and the need for responsible development and preservation. The session highlighted the importance of government support, diverse land uses, collaboration with other Indigenous communities and First Nations, and the inclusion of Indigenous knowledge in land management decisions.

The next steps mentioned include the completion of a report by the MSGC, sharing it with the Provincial Government, and determining which parcels of land should be included in the IPCA based on Indigenous knowledge and community needs. The presentation highlighted interviews conducted with community members regarding land use and the significance of individual land ownership within the Metis community.

Restoration, Not Release

#ToxicTailings



Francois Paulette

Key themes: Land, language, knowledge, knowledge keepers, relations, women, treaties, the Canadian Court, laws and legislation, racism, genocide, extraction (pipelines), rights, health, and climate change.

Bio:

Denesuline, Smith's Landing First Nation, Treaty 8

Francois Paulette survived the residential school system before going on to become the youngest chief in the NWT Indian Brotherhood in 1971. In 1972, along with sixteen other chiefs from the Mackenzie Valley, he challenged the crown to recognize treaty rights and aboriginal title to over 450,000 square miles of land in the historic Paulette case. He remains a passionate and outspoken advocate of treaty and indigenous rights in all matters affecting his people, and is recognized in the courts as an expert witness on historic Treaties.



Francois Paulette, Dene, emphasised the importance of language and its connection to identity as "people of the land." He highlighted the significance of speaking the Dene language from a spiritual perspective and being a "grand knowledge keeper," someone living a clean and spiritually fulfilling life.

"Our people, we talked about this day and night- what are we to do. They have the money, they want to build a pipeline through our Dene lands. What are we to do? This debate went on through the night. Then we concluded in 1972, 50 years ago, that we were going to take the Government of Canada to court and that was the beginning of the case."

- Francois Paulette

Francois shared the importance of relationality, family, and life stories including his role as a Chief. He reflected on the late 1960s when he was involved in meetings about the government's attempt to abolish treaties. He recalled becoming a chief unexpectedly and the responsibility it brought.

The presentation focused on a significant event in 1972 when a consortium wanted to build a pipeline through Dene lands in the Northwest Territories. Paulette and other chiefs decided to take the Government of Canada to court, challenging the government's understanding of treaty rights and land surrender.

During the court proceedings, the Dene Elders, who had firsthand knowledge of the treaties, spoke up and asserted that the idea of surrendering land was not part of their discussions. They emphasised the importance of their land and water for future generations.

Paulette mentioned the initial scepticism and racism they faced during the legal process. However, the court ruled in their favour, recognizing the Indigenous peoples' aboriginal rights and their prior interest in the land. This landmark case had a significant impact on government policies and the way First Nations were considered.

The presentation also highlighted the importance of protecting the environment and water. Paulette discussed the impact of pollution, climate change, and the need for chiefs to advocate for water conservation. He stressed the sacredness of water and the responsibility to protect it for future generations.

Paulette shared his belief in the power of ancestral guidance and encouraged individuals, regardless of their cultural background, to reconnect with and reconcile with Mother Earth.

He concluded by expressing gratitude for the work being done and looking forward to the 50th anniversary celebration of the case in 2023, hoping to witness it in his community.

In closing, Paulette's message was that without water, humanity is nothing, emphasising the vital role that water plays in sustaining life.

"I am guided by my elders, the prophecies. I share those stories with my grandchildren. Because it's important. Water is life and we need to protect it. We need chiefs to come out and stand up for water. I have travelled other parts of the world, you can only do so much. But here, the power is in our hands."

-Francois Paulette

Eleanore Sunchild: Acts of War - Colonial Realities of Prairie Life

Key themes: racism, systemic racism in the Canadian legal system, justice, accountability, transformative shift in society needed for change.

Bio:

Thunderchild First Nation

Eleanore graduated from the University of Alberta, Faculty of Law and has been a member of the Saskatchewan bar since 1999. B.A. in Political Science and studied in French immersion at Faculte St. Jean, U of A. Eleanore is the sole owner of Sunchild Law, a law firm that specialises in Indigenous issues. Eleanore has appeared at all levels of the Canadian judicial system. certified life coach and embraces her Cree practices and traditions.



“Background:

August 9, 2016, in the RM of Glendale near Biggar, SK, a young Indigenous male from Red Pheasant First Nation, named Colten Boushie, was shot and killed by a white farmer named Gerald Stanley.

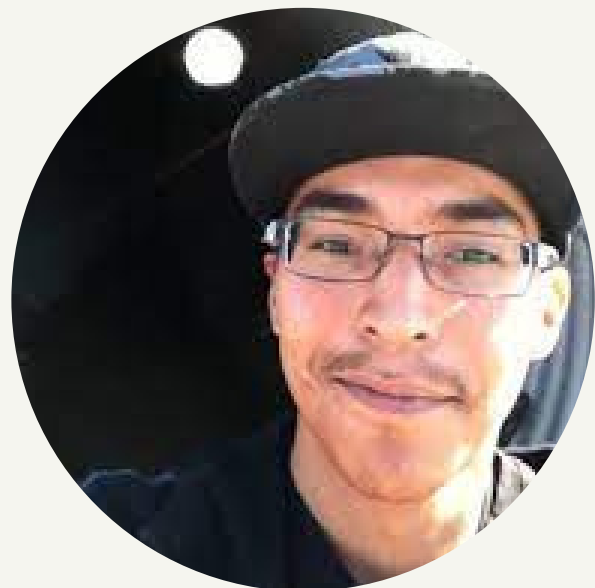
Stanley said he was stealing, but Colten and his 4 friends went to the farm for help after an afternoon of swimming, because they had a flat tire. Two of his friends got out of the vehicle and tried to start a quad parked in the yard. Someone in the house started to yell, and the youths got back in their vehicle and tried to drive away. Sheldon Stanley, son of Gerald, smashed their windshield with a hammer. Unable to see, the driver drove into another vehicle. Two jumped out and ran away. Colten was sleeping at the time when all this started. Shots were fired at the young men who were running away. Colten jumped into the drivers seat and Gerald shot him in the back of the head. He claimed it was an accident, but his account seems very unlikely. The gun used was a Tokarev-T33, a restricted firearm. 911 was called. The girls ran away. The Stanley family went inside after Colten was killed, and had coffee for an hour and a half as they waited for the police to show up.

Gerald Stanley was acquitted by a jury with no Indigenous jurors. There were grounds to appeal, but the Saskatchewan Crown decided not to appeal it, and held a press conference (without notice to lawyers or the family) announcing that they would not – despite Indigenous lawyers arguments that they should and the Premier of SK assuring the family that they would be given justice and a fair trial. Eleanore and her law partner have continued to push for justice, approaching Parliament and the UN – making sure Colten will not be forgotten.”

The keynote presentation by Eleanore Sunchild delved into the case of Colten Boushie, a young Indigenous male who was fatally shot by a white farmer named Gerald Stanley. The incident occurred when Colten and his friends sought assistance from the farmer after experiencing a flat tire. A confrontation ensued, leading to shots being fired, resulting in Colten's death. Stanley claimed it was an accidental shooting, but there were many doubts cast on his account.

Ms. Sunchild described how the legal proceedings surrounding the case were marked by several troubling aspects. Gerald Stanley was acquitted by a jury in which no Indigenous jurors were present, raising concerns about fair representation. The firearm used in the shooting was a restricted weapon, and there were grounds for an appeal. However, the Saskatchewan Crown decided against appealing the verdict, disappointing those seeking justice for Colten.

Eleanore Sunchild also drew attention to a similar case in Alberta involving the killing of Metis hunters by the Bilodeau family. She emphasised the importance of holding racists and white supremacists accountable for their actions to prevent such tragedies from recurring. In the context of ongoing injustices faced by Indigenous communities, she discussed the existence of unmarked graves, the issue of Missing and Murdered Indigenous Women and Girls (MMIWG), and the historical trend of violence and marginalisation driven by the desire for Indigenous land, resources, water, and knowledge.



Throughout the presentation, Ms. Sunchild highlighted various flaws and injustices within the Canadian legal system. The conduct of the Royal Canadian Mounted Police (RCMP) during the investigation was called into question. They conducted an illegal search at Colten's mother's house, discriminated against her, and arrested and questioned Indigenous witnesses. The RCMP mishandled critical evidence, leaving the vehicle in which Colten was killed uncovered during rain, potentially compromising important forensic information. Additionally, there were allegations of favouritism towards Gerald Stanley's family, including his release on bail and excessive police presence during court appearances.

The trial itself revealed further concerns. All Indigenous jurors were excluded from the jury, a practice that has since been removed. The defence portrayed Stanley as a hardworking farmer defending his property, while Colten and the First Nation witnesses were painted in a negative light. In an emotional moment, a defence lawyer unexpectedly showed a witness a photograph of Colten's lifeless body, which caused distress. The jury acquitted Stanley, leaving Colten's family devastated. The flawed jury charge provided limited options, and Stanley's family and white jurors left the courthouse in celebration, highlighting the racial divide in public perception. Eleanore Sunchild emphasised the flaws and injustices within the case, including the initial focus on the actions of the Indigenous young people rather than the actions of the person who killed Colten. She mentioned the racist rhetoric that emerged on social media and in surrounding communities, perpetuating discrimination against Indigenous peoples. In response, she encouraged attending town halls, challenging racist views, and responding with kindness and love while standing up for one's people, land, and rights.

Through her keynote, Eleanore Sunchild aimed to shed light on the racism and systemic issues within the Canadian legal system, emphasising the urgent need for justice, accountability, and a transformative shift in society to address the ongoing injustices experienced by Indigenous communities.

Colten Boushie (October 31, 1993 – August 9, 2016) was a 22-year-old Indigenous man of the Cree Red Pheasant First Nation who was fatally shot on a rural Saskatchewan farm by its owner, Gerald Stanley. Stanley stood trial for second-degree murder and for a lesser charge of manslaughter, but was ultimately acquitted in February 2018.

Dawn Martin-Hill: Co-Creation of Indigenous Water Quality Tools

Key themes: water governance, Indigenous-led water stewardship, participatory mapping, health and wellness impacts of water insecurity, and knowledge mobilisation.

Bio:

Mohawk, Wolf Clan

Dawn holds a PhD in cultural anthropology and is one of the original founders of the indigenous studies program at McMaster university. She is the recipient of a us-canada fulbright award, outstanding teaching award from the Aboriginal institutes consortium. Dawn was named the 2022 University of Oklahoma International Water Prize recipient for her commitment to improving water security for the people of the Six Nations of the Grand River.



Dawn Martin-Hill's presentation focused on the co-creation of Indigenous water quality tools and various projects related to water stewardship and community empowerment. One of the projects mentioned was the Ohneganos project, which utilised the Great Law to develop water laws specifically for the Haudenosaunee people. The project emphasised data sovereignty, enabling real-time monitoring of water conditions through the use of sensors.

Martin-Hill's presentation highlighted the importance of building capacity among young women from Six Nations and training them to be leaders in environmental issues. The content was presented using pictographs, which are central to Haudenosaunee culture.

*"We use the Great Law to make water law for
Haudenosaunee people."*

-Dawn Martin-Hill

The participatory mapping project involved gathering data in the Mohawk language to document Mohawk people's knowledge about the land. High school students were involved in data collection and mapping, and the information was presented using Terrastories, a platform for creating story maps. The focus was on establishing a baseline of ecosystem knowledge and allowing creators to control the ownership and permissions of the data.

Another project mentioned was a study with the Lubicon Cree Nation, involving the comparison of government metrics to Indigenous metrics, testing fish for contaminants, and mapping pipelines in Canada in correlation with Missing and Murdered Indigenous Women and Girls (MMIWG) hotspots. The goal was to bring this information to the United Nations for advocacy.

Dawn Martin-Hill emphasised the importance of community benefit and ethical research standards. She collaborated with Mohawk governance bodies, elders, and local researchers to ensure that communities have ownership and derive benefits from the research conducted. The presentation also introduced the Global Water Futures project, specifically the development of low-cost water sensors for real-time monitoring of water quality. The project aimed to provide accessible data visualisation for communities and data export capabilities for researchers.

Martin-Hill's presentation concluded with discussions about school outreach, a real-time turtle tracking project, and the integration of these projects with Terrastories. Overall, Dawn Martin-Hill's work focused on empowering Indigenous communities, integrating traditional knowledge with modern tools, and addressing environmental and health issues related to water.

“Part of governance is knowing, having knowledge of your waterways, understanding what are the issues, what is happening, what you need to do to restore it back to health.”

-Dawn Martin-Hill

Daniel T'seleie and Jean L'Hommecourt: Free, Prior, and Informed Consent (FPIC)

Key themes: FPIC, language, land, relations (including non-human and spiritual connections), human rights, collective rights, consent, law, extraction (such as oil and pipelines), indigenous jurisdiction, health, tailings, and the United Nations (UN).

Bio:

Daniel T'seleie

Daniel T'seleie is K'asho Got'ine Dene from Radili Ko (Fort Good Hope). He is a retired lawyer working with Indigenous communities and organisations on Indigenous rights and land protection issues. Daniel is also the N.W.T. Outreach Manager with Keepers of the Water. He helps raise awareness about N.W.T. issues and concerns concerning water and builds partnerships to protect water. Daniel has been advocating for action on climate change for over a decade. He is a novice trainer in non-violent direct action tactics and strategy focusing on environmental justice and Indigenous sovereignty.



Bio:

Jean L'Hommecourt

Jean L'Hommecourt is Denesulinè, a registered member of Treaty 8 with the Fort McKay First Nation, AB, who works tirelessly, advocating for the Denesulinè traditional territory and the environment by representing her community through many different forums, committees, and working groups. She served as an expert witness panel for the Shell JackPine Mine Expansion Hearing, Teck Frontier Mine Hearing, and Prosper Petroleum Hearing.



In their talk, Jean L'Hommecourt and Daniel T'seleie discussed the concept of Free, Prior, and Informed Consent (FPIC) in relation to indigenous rights, particularly concerning land, water, and the environment.

Daniel T'seleie

Themes: FPIC, language, land, relations (non-human, spirituality etc), human rights, collective rights, consent, law, extraction (oil, pipelines), veto, indigenous jurisdiction, health, tailings, UN.

Daniel highlighted that indigenous knowledge and rights are embedded in the land, passed down through stories and experiences, and should be protected. He stressed that access to the land is vital for indigenous peoples to uphold their spirituality, culture, language, and governance, which are all considered human rights.

Daniel explained the difference between the duty to consult, a requirement in Canadian law when the state's decisions may impact indigenous rights, and FPIC. While the duty to consult aims to improve discussions between indigenous peoples and the state, FPIC goes further by requiring free, prior, and informed consent. Consent should be free from coercion or pressure and obtained before the decision is made, influencing the planning process. The state must provide all necessary information to indigenous communities to make an informed decision, potentially involving the provision of funds for hiring experts.

He noted that FPIC is not always a mandatory requirement, but in cases of projects resulting in relocation or storage of toxic waste on indigenous lands, consent becomes an absolute requirement. He disagreed with the characterization of FPIC as a veto, emphasizing that it represents an exercise of indigenous jurisdiction based on their laws and rights. He called for reframing the understanding of FPIC as more than just a veto.

“The important thing to point out about Dene is the fact that we have places on the land that are significant for various reasons, specific place names and stories. Going to these places is how we learn our history, culture, laws and languages. That is written on the land, not in books. The pedagogy is to go on the land and tell these stories. It is not just place names, but things on the land like animals. A lot of the knowledge is told through stories. Part of identity is being on the land, going to those places and the places that teach us about our laws, language and governance. Spirituality, culture, language are human rights. They have to be protected and can't be infringed on. Unique for indigenous people is how we access them, those universal human rights, we need to be able to go on the land to access, protect and transmit this.”

-Daniel T'seleie

Jean L'Hommecourt

Themes: Consent, women, tailings, Treaties, health, oral histories, land, relations, territory, access.

“Everyday we see the effects, we drive into fort mcmurray for groceries. We have to travel for 45 minutes on the highways built for all these companies. You drive past a lake and a tailings pond, seeing all the stacks of smoke billowing out, that are toxins, cancer causing toxins, all I know is that it makes us sick and that it is killing people. Even youth. There was a time when elders used to live for a long time. No more. So when we drive into Fort McMurray we face all the workers who are there to make money, it’s a money making town, and that is where the treaty was signed. On our way home, 10 mins before we get home, we have to pass three tailing ponds past suncore. You feel the stench, it affects our throat, the smell. Some people say that’s the smell of money. Well I don’t like that smell.”

-Jean L'Hommecourt

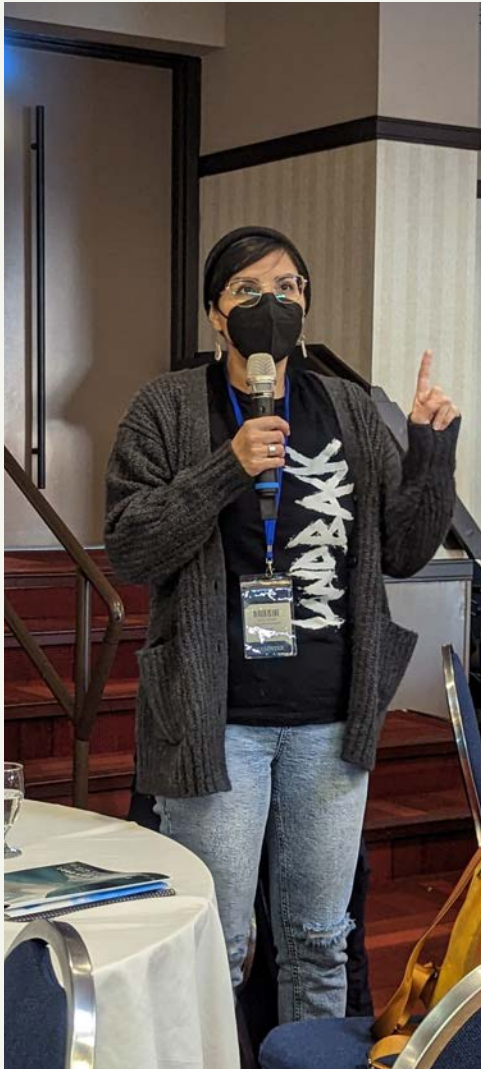
Jean focused on the importance of water and the role of women as givers of life and keepers of water. She expressed her refusal to give consent to the release of tailings, which are causing harm and referred to as waste water. She described the impact of tar sands extraction on the environment, including the transformation of sacred sites, the physical and emotional effects on the community, and the violation of treaties.

Jean emphasised the connection between water and their cultural heritage, relying on oral histories and ancestral knowledge. She highlighted the negative consequences of the oil sands industry, such as airborne toxins and the destruction of land and trees. Jean called attention to limited access to traditional territories due to extensive mining activities and stressed the need to fight for water preservation and the fulfilment of treaty commitments.

Water is Life - Legal Summit



Water is Life - Legal Summit

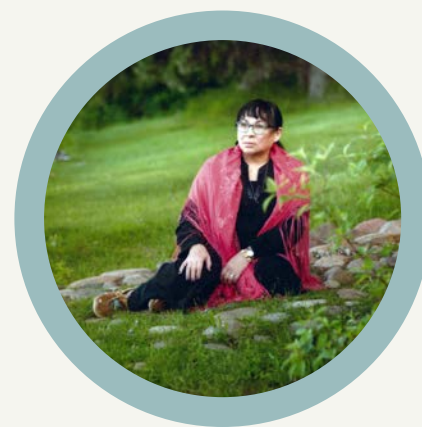


Sharon Venne: UNDRIP and Doctrine of Discovery (Keynote)

Key themes: Women, laws, ceremonies, knowledge, the UN, international law, the Doctrine of Discovery, treaties, non-human entities, territory, papal bull, sea ice, language, and the importance of water.

Bio:

Sharon H. Venne (masko-nôcokwêsiw manitoukan) is a Cree woman BA (Hon), LLB, LLM. She has worked at the United Nations prior to the establishment of the Working Group on Indigenous Peoples in 1982. The background research to the many clauses on the Declaration on the Rights of Indigenous Peoples are included in her book: *Our Elders Understand Our Rights: Evolving international law regarding Indigenous Peoples*. She was a professor of law at the University of Saskatchewan College of Law and has lectured on the rights of Indigenous Peoples in Australia, New Zealand, Norway, Sweden, France, Italy, Hawaii, United States and Canada. Sharon worked to secure a UN Study on Treaties from the first introduction of the resolution in 1983 until the report was finalized in 1999. Sharon has written numerous articles on the Treaty Rights of Indigenous Peoples. All her work internationally and domestically relates to the promotion of the rights of Indigenous peoples.



“Water is life. Talk about our own laws in relation to water and I am talking about the ceremonies that women do for water. We’ve always had these ceremonies.”

-Sharon Venne

During Sharon Venne's keynote address, Venne emphasised the significance of water and the ceremonies that women perform for it. These ancient ceremonies involve offering water of all attributes. She stressed the importance of acknowledging and respecting these various forms of water.

Venne discussed the historical context of the Doctrine of Discovery, which was drafted by Spanish lawyers for the Pope to sign in 1493. This doctrine divided the world into Christianized and non-Christianized territories, justifying the colonisation and mistreatment of Indigenous peoples. Venne mentioned that these papal bulls still exist as legal documents in Spain, and the US continues to base its authority on the Doctrine of Discovery.

Venne explained that in the northern part of Turtle Island (referring to North America), the Royal Proclamation established that no one could enter Indigenous territories without a treaty, and the Crown had an obligation to remove them. She highlighted the difference between how the Crown did not assert the Doctrine of Discovery, while the Canadian state continues to do so. Venne mentioned a complaint filed against Canada, which prompted the court to ask for documents proving their ownership of Indigenous lands, but no such documents have been produced.

Venne discussed the United Nations and the drafting of declarations on the rights of Indigenous peoples (UNDRIP). Venne highlighted that Indigenous peoples have distinct responsibilities in the world and worked together to ensure their rights were recognized. She mentioned specific examples, such as the provision to protect sea ice, which was initially misunderstood but eventually included in the declaration, and then removed.

Venne highlighted concerns about Article 46 of the Declaration, which states that the territorial integrity of a state cannot be dismembered. She argued that this provision inadvertently gives Canada rights to Indigenous territories and waters. She highlighted the importance of performing ceremonies and fulfilling responsibilities to protect water and emphasised the value of water as the most important commodity, surpassing oil, gas, gold, and diamonds.

Venne mentioned the significance of beavers and their role in the ecosystem. She shared examples of reintroducing beavers to restore ecosystems and highlighted the need to treasure them. Venne stressed the importance of recognizing the original document's references to creation and the negative impact of removing references to sea ice.

Regarding the papal bull, Venne mentioned Indigenous peoples from Central and South America writing a letter to the Pope in 1989 to address the suffering caused by the Catholic Church. The Vatican responded in 1990, stating that the papal bulls would not be repealed due to the celebration of Catholicism in the Americas.

Lastly, Venne highlighted the history of treaty making between Indigenous peoples and the Crown, citing the meeting with Queen Anne in 1710 and the Royal Proclamation as important historical milestones. She urged the audience not to forget this history and cautioned against viewing the UN Declaration as a sufficient solution without considering the broader context.

“Treaties ‘as long as the water flows’ Treaty is life like water is life. If we don’t do these ceremonies then the water dries up. It is our responsibility to take care of the water.”

-Sharon Venne

Gwen Musqua and Margo Auger: Sovereign Nations of Treaty 8

Key themes: sovereignty, Treaty rights, Treaty 8, the Honour of the Crown, Nationhood, and calls for action to protect their waters, lands, air, and resources.

History of TREATY No. 8 Organizations

- Initially began as the Grand Council of Treaty 8, involved almost all the Nations but eventually resulted in the formation of Treaty 8 First Nations in Alberta, a non-profit organization.
- This was due to government policies that were created to divide the Nations by interprovincial statutory funding regulations, thus limiting our Nations from meeting.
- As a result, the Chiefs at that time established their political organizations to continue advancing their mutual interests to protect, promote, bring to life implement and sustain the True Spirit and Intent of Treaty No. 8 as long as the sun shines, the grass grows and the Waters Flow and until such a time as Yidah should reverse”.
- Treaty 8 First Nations of Alberta is the political assembly where our Nations meet to establish legal, political, fiscal, and economic relationships between themselves, and to identify and develop comprehensive plans and mutually acceptable standards whereby the recognition of our Inherent and Treaty Rights and jurisdictions are advanced nationally and internationally. The vision is about our land, our people, our ways and that the True Spirit and Intent of Treaty No. 8 are respected and honored.



Gwen Musqua and Margot Auger's presentation revolved around the concept of sovereign nations within Treaty 8 and their work in protecting treaty rights. They emphasised that Indigenous peoples entered into treaties because they are sovereign nations, possessing natural laws, traditions, and inherent rights that cannot be taken away by any government. The presentation focused on the 23 nations within the Alberta boundary but also highlighted their alliance with all nations in Treaty 8.

“We are treaty peoples – but why were we able to enter into treaty? Because we are sovereign nations, sovereign peoples of this land. We have natural laws (laws of the land and all that inhabit), ceremony, traditions, we are the people of the land. We have inherent rights. Born with them, cannot be taken away by any government. True before treaty, and still today.”

-Gwen Muskwa

The speakers discussed the historical context of treaties, specifically Treaty 8, which was entered into with the British Crown in 1899 under the premise of sharing the land in peace and friendship. However, the Crown did not fulfil the promises made regarding education and health for Indigenous nations. The timeline provided traced the historical events and legislation that have impacted Indigenous rights, including the Doctrine of Discovery, Royal Proclamation of 1763, Indian Act of 1876, and the Natural Resources Transfer Act of 1930.

Case law was highlighted to illustrate the recognition of Aboriginal title, pre-existing Aboriginal rights, and the duty to consult and accommodate First Nation peoples. Various court cases are mentioned, such as *Calder vs. Attorney-General of BC*, *Delgamuukw*, *R v. Sparrow*, *Tsilquot'in Nation v BC*, and others, which have shaped the understanding of Indigenous rights and the Crown's obligations.

The presentation included maps showcasing the reduction of First Nation lands over time and emphasised that even reserves are part of First Nations territory. The speakers expressed concern over the government's efforts to transform reserves into municipalities and challenge the requirement for Indigenous peoples to pay taxes to the Crown, asserting their sovereignty.

The presenters highlighted the issue of the Canadian government signing a Memorandum of Understanding (MOU) with the Assembly of First Nations (AFN) to "co-develop" laws, which they argue has caused the AFN to no longer act at the direction of nations. Consequently, Treaty 8 has withdrawn from this arrangement. The government of Alberta was criticised for independently determining the meaning of treaty rights, managing land, and creating laws and regulations without the involvement of Indigenous nations.

The presentation concluded by emphasising the critical time Indigenous nations face and calls for action to protect their waters, lands, air, and resources. The audience was encouraged to consider what they, their nation, and the treaty can do to safeguard these vital elements.



“Sovereign nations entered into a treaty with the British Crown, 1899, both under Creator. We know from oral history: this was an agreement to come and share the lands in peace and friendship. Indigenous nations were to benefit from bounty and benevolence of the Queen in return for sharing the land. Promises of education, health. But the Crown did not honour the promises they made.”

-Gwen Muskwa

Closing

In conclusion, the Legal Summit presentations serve as powerful reminders of the inherent sovereignty of Indigenous nations and their deep connection to the land and to the water. The Indigenous worldview recognizes water as a sacred element, integral to our cultural identity, spirituality, and sustenance.

Upholding Indigenous sovereignty is not only a matter of justice but also essential for protecting the environment and ensuring the well-being of future generations.

It is crucial for society to engage in meaningful partnerships, recognize the value of Indigenous knowledge systems, and actively support Indigenous-led initiatives aimed at water stewardship. By embracing an Indigenous worldview and honouring the inherent rights of Indigenous nations, we can work towards a more just and sustainable future where the protection of water is prioritised and Indigenous voices and perspectives are respected and valued.

Round Dance



Round Dance



THANK
YOU

WATER IS LIFE

Exploring water through an Indigenous lens



We thank you for your ongoing support of our Legal Summit

Acknowledgements

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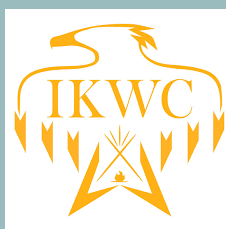
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