



OKANAGAN NATION ALLIANCE

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MEDIA RELEASE | October 7, 2024

tkwəłniwt Westbank

Sylx Okanagan Nation Welcomes Joint Statement with David Eby on Transborder Consultation Policy with US Tribes, Including on Big White Ski Resort Expansion; Nation Asks All Party Leaders to Clarify Their Positions Ahead of Elections

Nation launches public awareness campaign to assert its role as the representative of Sinixt people in Canada and says First Nations located on the Canadian side of the border must always be the priority and primary focus of all levels of government.

tkwəłniwt Westbank, Sylx Okanagan Territory (October 7, 2024) - The Sylx Okanagan Nation and NDP Leader, David Eby, have issued [a joint policy statement](#) clarifying their position on an issue many British Columbians are unaware of, but that could have significant implications for BC and Canada: transborder consultation with US-based tribal groups, including on expansion plans for Big White Ski Resort, located in the heart of Sylx Okanagan Nation Territory.

BC currently faces potential transborder Aboriginal claims by US Indigenous citizens across the province, north and south.

Specifically, the Sylx Okanagan Nation, as represented by the Chiefs Executive Council, has been raising concerns over the ever-expanding transborder claims of the American-based Confederated Tribes of the Colville Reservation, their recently created “Sinixt Confederacy,” and most recently, potential consultation with the Confederacy on expansion plans at Big White Ski Resort, situated in Westbank First Nation’s area of responsibility within Sylx Okanagan Territory.

Consultation with the Confederacy could cause serious harms to the Nation, because the Sinixt are already represented in Canada by the Sylx Okanagan Nation itself.

“We welcome NDP Leader David Eby’s clarification of his position on the critical issue of transborder consultation, through our joint policy statement, because the stakes are high for all British Columbians,” said Chief Robert Louie of the Westbank First Nation. “Our joint statement affirms that First Nations located in BC must always be the priority and primary focus of all levels of government, and we encourage all party leaders to affirm this same position.”

“All party leaders, both provincially and federally, must clarify their positions on transborder consultation with US Tribes,” said Chief Clarence Louie of the Osoyoos Indian Band and Tribal Chair of the Sylx Okanagan Nation. “We thank David Eby for his recognition and respect of the Sylx Okanagan Nation’s representative role in relation to Sinixt people in Canada in Sylx Okanagan Territory, and we believe all party leaders should publicly affirm and extend this same respect to all First Nations on the Canadian side of the border.”

[The joint statement](#) emerged after weekend discussions between David Eby and Chief Robert Louie over the Nation’s concerns that consultation plans, such as those for potential expansion at



Big White Ski Resort, could go beyond anything prescribed by the courts to date, and would risk opening a Pandora's box of transborder claims across the province. The Desautel Supreme Court of Canada decision, for example, affirmed a singular right to hunt Elk. The case was not about Aboriginal Title.

The Chiefs are also simultaneously launching a public awareness campaign to counter misinformation and a troubling pattern of consultation that has arisen, particularly in the eastern part of our territory, since the recent unilateral creation of the "Sinixt Confederacy" by the Confederated Tribes of the Colville Reservation Business Council. This campaign, which includes guidelines for stakeholders and all levels of government, makes clear that: Sinixt have always been part of the Syilx Okanagan Nation; our members, including those with Sinixt ancestry continue to use and occupy all areas of our territory, including the Arrow Lakes area; and that governments and stakeholders have a duty to consult and accommodate the Syilx Okanagan Nation regarding decisions and projects that impact all areas of our territory and our Title and Rights.

"In keeping with federal and provincial commitments to implement the UN Declaration on the Rights of Indigenous Peoples, we expect all governments to understand and respect that Indigenous self-determination means that we define who we are and who represents us. Our laws must be followed," said Rosalie Yazzie, a lawyer, Sinixt descendant and member of the Syilx Okanagan Nation. "Choosing to acknowledge unilateral claims of US-based Tribal organizations would give them a platform to try to dictate the future of our unceded land in Canada. We want our Syilx/Sinixt family south of the border to be acknowledged, but not to our exclusion. Whoever forms the next provincial and federal governments must approach this issue very thoughtfully and with our consent. Neither the Sinixt Confederacy nor Crown governments can sever our territory."

While the story of the historical denial and alleged "extinction" of the Sinixt is tragic, it should not be used to deny the exercise of Syilx Okanagan Nation Title and Rights within our territory or to deny the identity of Syilx Okanagan peoples in Canada who are of Sinixt descent. The previous unity of the Syilx Okanagan Nation north and south of the imposed Canada-US border was reflected in the [Syilx Unity Declaration](#) of 2010 that was signed by political representatives, Elders, and respected community members from the Okanagan Nation Alliance and Colville Confederated Tribes to reflect the longstanding shared cultural, kinship, territorial, economic, and political ties of the Syilx people.

The Sinixt – just like other nsyilxcən-speaking communities such as the Similkameen - have always been part of our Nation, and our people, including those of Sinixt descent, have always exercised our Title and Rights within our territory. We have one language, one culture, one land, and one people. We are nsyilxcən-speaking people, and we have always been—and always will be—united by our common language, our sqix^wtcawt (culture), and our tmx^wulax^w (land), which we have continuously occupied and relied upon for thousands of years, as reflected in our oral history and land use practices.

Unfortunately, Colville Confederated Tribes walked away from the Unity Declaration following the Supreme Court of Canada's decision in *R. v. Desautel* which found that one of its tribes – the Lakes Tribe – was one successor group to the Sinixt, and that its members had a hunting right in the Arrow Lakes area. Importantly, the Court did not determine that it is the only successor group. In Canada, the Syilx Okanagan Nation is the successor group for the Sinixt, and Crown governments in Canada can't and shouldn't consult and accommodate a tribe on the US side of the border the same way they consult Syilx Okanagan Nation on the Canadian side.

"We have tried to resolve this issue internally as a family, but the US-based Colville Confederated Tribes and their 'Sinixt Confederacy' are creating conflict in our previously unified Syilx Okanagan Nation and confusion among stakeholders and well-meaning allies," said Chief Clarence Louie of the Osoyoos Indian Band and Tribal Chair of the Syilx Okanagan Nation. "We have committed

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through our countless declarations and oral histories to advance, protect and defend our Title and Rights by any means necessary. It's time the public began hearing about our history and interests from the representatives of Sinixt people in Canada."

The Court's finding that the Sinixt are not extinct was a victory for all Syilx Okanagan people. The Syilx Okanagan Nation intervened in the Desautel case at every level of appeal because Sinixt have always been part of the Nation, and the Arrow Lakes region is part of our territory where we exercise our Title and Rights. Our Syilx Okanagan Elders – respected language speakers and knowledge keepers, who are Sinixt descendants – testified at trial and confirmed our Sinixt lineages are alive and well in Canada and provided evidence of our continued use and occupation of the area.

Understanding that the Syilx Okanagan Nation must always be consulted and accommodated on issues involving any parts of our territory, including the Arrow Lakes area, is a critical part of truth and reconciliation. Failure to understand and accept this threatens reconciliation by seriously harming government-to-government relationships and drives further wedges between our own internal family relationships with members of the Colville Confederated Tribes.

The joint statement between David Eby and Chief Robert Louie is available here:
<https://syilx.org/wp-content/uploads/2024/10/Joint-Statement-NDP-WFN-ONA-FINAL.pdf>

Guides for governments, media, cultural and educational institutions, and allies on how to report stories, consult and accommodate Sinixt people and the Syilx Okanagan Nation, are available here: www.syilx.org/arrowlakes.

A high-resolution copy of a map of Syilx Okanagan Nation territory is available here:
<https://syilx.org/wp-content/uploads/2024/09/ONA-Map-Welcome-Cropped-V2.pdf>

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