



To : The Right Honourable Justin Trudeau, Prime Minister of Canada
The Honourable Marco Mendicino, Minister of Public Safety
The Honourable Marc Miller, Minister of Crown–Indigenous Relations
The Honourable John Horgan, Premier of British Columbia

Date : June 6th, 2022

Re : Third letter from the United Nations Committee on the Elimination of Racial Discrimination (CERD) and the Secwepemc and Wet'suwet'en communities

Dear Prime Minister Trudeau, Ministers Miller and Mendicino, and Premier Horgan,

On April 29, 2022, the United Nations Committee on the Elimination of Racial Discrimination (CERD) called on Canada for the third time to stop the construction of the Coastal GasLink (CGL) pipeline and the Trans Mountain pipeline, remove police and security forces from Wet'suwet'en and Secwepemc territories, and fulfill its obligation to obtain the consent of both nations, including Wet'suwet'en hereditary chiefs who unanimously oppose the pipeline.¹ To date, Canada has not only failed to implement or adequately respond to these recommendations, but has increased surveillance and policing of Indigenous people in the territory, including land and water defenders.

Free, prior and informed consent was not sought from all Wet'suwet'en and the Secwepemc. Under international law, in a consultation process to obtain consent, all parties involved must be consulted, not just Band Councils. Furthermore, the 1997 *Delgamuukw v British Columbia* decision established that hereditary chiefs are the title holders of the Wet'suwet'en traditional territory and therefore have authority and jurisdiction to make decisions about their territory.

We again remind the federal and British Columbia governments that they have enshrined the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) in legislation. We once again call on the government to fully and sincerely implement the UNDRIP, with particular attention to Articles 3, 18, 19 and 25, including the requirement of free, prior and informed consent for all new energy projects, regardless of the jurisdiction or stage of development of a project.

We are also concerned about the arrests that have taken place and continue to take place against land defenders and the surveillance they face. The Royal Canadian Mounted Police (RCMP) have made several arrests since 2019 to enforce an injunction obtained by Coastal GasLink. The RCMP enforced the order directing them to remove people from a dam aimed at

¹ April 29th 2022,
tbineternet.ohchr.org/Treaties/CERD/Shared%20Documents/CAN/INT_CERD_ALE_CAN_9554_E.pdf

preventing drilling under the Wedzin Kwa (Morice River) - a major source of drinking water for communities in the territory and a spawning ground for wild salmon.

Land defenders and members of the Wet'suwet'en Nation are intimidated and harassed, and live under constant surveillance on a daily basis. Community spokespeople report that beginning in February, the RCMP and Coastal GasLink have increased surveillance and presence on the yintah (territory). Residents report that the RCMP is cutting the chains and locks on their doors. Spokespeople also told Amnesty International staff that they were threatened with arrest and charged with obstruction when they ordered officers to leave, that community members were arrested and fined on the roads leading to the area, and that officers tried to prevent the community from organizing.

Coastal GasLink is on the brink of drilling under the Wedzin Kwa. It is therefore urgent for the Canadian and BC governments to act.

In 2018, at the United Nations General Assembly celebrating the 20th anniversary of the adoption of the Declaration on Human Rights Defenders, Canada declared in plenary that "Attacks on human rights defenders are attacks on the rights of everyone. No one should ever be threatened or suffer violence for peacefully promoting human rights or expressing ideas and opinions."

We call on the Canadian and British Columbian governments to act on its words and:

- Respond as requested by the United Nations Committee on the Elimination of Racial Discrimination (CERD) by July 15, 2022.
- Comply with the recommendations of the CERD, including removing all police, RCMP and other agencies from the Wet'suwet'en and Secwepemc territories, halting work on Coastal GasLink and Trans Mountain, and ending the harassment of land defenders.
- Accept the invitation of the Wet'suwet'en Hereditary Chiefs to meet with them and engage in a constructive dialogue about the Coastal GasLink pipeline.
- Respect the laws, self-determination and the free, prior and informed consent of the Wet'suwet'en and Secwepemc nations.

Both the federal and British Columbia governments regularly express their dedication to both climate action and reconciliation, yet undermine both by condoning the ongoing violence against Indigenous land defenders. Climate action cannot be separated from the broader project of Indigenous self-determination and decolonization.

Sincerely,

Climate Action Network - Réseau action climat Canada
Amnistie internationale Canada francophone
Above Ground
Action Environnement Basses-Laurentides
Association québécoise de lutte contre la pollution atmosphérique

Climate Action Network Canada – Réseau action climat Canada

305 - 75 Albert Street | Ottawa, ON | K1P 5E7 | Canada
Tel: +1 343 633-4701 | info@climateactionnetwork.ca
www.climateactionnetwork.ca | [@CANRACCCanada](https://twitter.com/CANRACCCanada)

Association québécoise des organismes de coopération internationale
Blue Green Canada
Canadian Association of Nurses for the Environment
Canadian Association of Physicians for the Environment
Canadian Interfaith Fast For the Climate
Canadian Voice of Women for Peace
Citizen's Oil & Gas Council
Citizens' Climate Lobby Canada
Climate Emergency Unit
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Council of Canadians
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Green 13
Green Majority Radio
Greenpeace Canada
Indigenous Climate Action
L'Assomption en transition
Leadnow
Manitoba Energy Justice Coalition
Mères au front
Ministry for Social Justice, Peace, and Creation Care - Sisters of St. Joseph of Toronto
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NON à une marée noire dans le Saint-Laurent
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Protect Eisner Wetland
Protect the Planet
Qathet Climate Alliance

Climate Action Network Canada – Réseau action climat Canada

305 - 75 Albert Street | Ottawa, ON | K1P 5E7 | Canada
Tel: +1 343 633-4701 | info@climateactionnetwork.ca
www.climateactionnetwork.ca | [@CANRACCCanada](https://twitter.com/CANRACCCanada)

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