

***“We urge the Government to halt present and future fossil fuel infrastructure projects”***

**A Response to the Coastal GasLink and Trans Mountain Pipeline Projects from the Mennonite Church of British Columbia Indigenous Relations Task Group**

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*October 5, 2021*

We, the members of the Mennonite Church B.C. (MCBC) Indigenous Relations Task Group, wish to register our opposition to the Government’s support for the Coastal GasLink Pipeline (bringing fracked gas from the Peace River to Kitimat, B.C.) and the Trans Mountain Pipeline (bringing bitumen from the tar sands in Alberta to tidewater in Burnaby, B.C.). These pipelines violate the fundamental right of free, prior and informed consent (FPIC) of Indigenous Nations and contribute to escalating climate change.

By granting approval to the Coastal GasLink pipeline, the governments of Canada and British Columbia fail to respect the Supreme Court of Canada’s 1997 ruling that Wet’suwet’en title constitutes an ancestral right protected by section 35(1) of the Constitution Act, 1982. Presently, construction of this pipeline is poised to destroy the ancient village site, Ts’elkay Kwe Ceek, that is culturally important and archeologically significant.<sup>1</sup> The Trans Mountain Pipeline route also threatens 50 species at risk of extinction. Both pipelines endanger salmon stocks and water quality during the construction phase at river crossings and pose a risk of future pipeline ruptures.

In our view, government backing of these pipelines serves the interests of the fossil fuel industry and fails to have the free, prior and informed consent of Indigenous Nations. We recognize that many First Nations band councils have signed mutual benefit agreements along both pipeline routes. We know that some genuinely support these projects, while others have made a pragmatic decision, believing that the pipelines are inevitable (i.e., that without signing these agreements their communities will be left out of any economic benefits). Nonetheless, these mutual benefit agreements do not satisfy the principle of FPIC. As Chief Judy Wilson (Secwépemc) says, “The proper title-holders are our people,” and not band councils.<sup>2</sup> As Canada and B.C. have recently acknowledged in relation to the Wet’suwet’en, “Rights and title are held by the Wet’suwet’en houses under their system of governance.”<sup>3</sup> The Wet’suwet’en houses and hereditary chiefs have not approved the Coastal Gaslink pipeline.

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<sup>1</sup> See “Wet’suwet’en Blockade Erected to Stop Coastal Gaslink Drilling Under Sacred Headwaters,” (September 27, 2021), accessed October 4, <https://static1.squarespace.com/static/5c51ebf73e2d0957ca117eb5/t/615363131b4ce541bf8589c3/1632854804716/SEPT+26+Press+Release+Stop+Drilling+Under+Sacred+Headwaters+-+Google+Docs.pdf>.

<sup>2</sup> See “Canada Approves TMX Despite Failing to Achieve Consent: Declaration of Climate Emergency Rings Hollow,” Union of BC Indian Chiefs, July 2019, accessed October 3, 2021, [https://www.ubcic.bc.ca/canada\\_approves\\_tmx\\_despite\\_failing\\_to\\_achieve\\_consent](https://www.ubcic.bc.ca/canada_approves_tmx_despite_failing_to_achieve_consent).

<sup>3</sup> “Memorandum of Understanding Between Canada, British Columbia, and Wet’suwet’en,” (February 29, 2020), accessed September 30, 2021, [https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/consulting-with-first-nations/agreements/signed\\_mou\\_bc\\_canada\\_and\\_wetsuweten\\_may\\_14\\_2020.pdf?platform=hootsuite](https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/consulting-with-first-nations/agreements/signed_mou_bc_canada_and_wetsuweten_may_14_2020.pdf?platform=hootsuite).

We recognize that although the fossil fuel industry in Canada plans on increasing production in the coming years<sup>4</sup>, we will need to rapidly replace that infrastructure through green energy such as wind and solar. The window for profiting from the extraction of fossil fuels is closing, creating an urgency for exploiting the resource while it remains in demand. We also recognize that the government and corporations have a monopoly on the power of the courts, RCMP and private security firms to push the pipelines to completion despite the lack of consent from Indigenous Nations and a growing number of concerned citizens.

In the interests of achieving the government's commitments to reaching its climate targets<sup>5</sup> and demonstrating a commitment to a social contract for reconciliation with Indigenous Nations and climate conscious citizens, we urge the government to halt present and future fossil fuel infrastructure projects to prevent further ecological damage and the erosion of trust with Indigenous Nations. As the latest Intergovernmental Panel on Climate Change report makes plain, we have no time to spare.<sup>6</sup> "The burning of fossil fuels and deforestation are choking the planet and putting billions of people in immediate danger," with Indigenous peoples and the poor particularly vulnerable.<sup>7</sup> We also call on the government to cease subsidizing this industry with money from taxes coming from citizens that do not agree with the government's actions in this regard. The Coastal GasLink and Trans Mountain pipelines contradict the government's stated policy directions. We urge the government to aggressively move forward on its climate agenda as well as its commitment to reconciliation with Indigenous Nations, as articulated in both federal and provincial legislation to honour and implement the *UN Declaration on the Rights of Indigenous Peoples*.<sup>8</sup> These policy initiatives have our full support.

Sincerely,

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<sup>4</sup> See "Canada's climate solution? Keep increasing fossil fuel extraction," National Observer, (September 15, 2021), accessed September 30, 2021, <https://www.nationalobserver.com/2021/09/15/analysis/canadas-climate-solution-keep-increasing-fossil-fuel-extraction>.

<sup>5</sup> *Canadian Net-Zero Emissions Accountability Act* (June 29, 2021), accessed September 30, 2021, <https://parl.ca/DocumentViewer/en/43-2/bill/C-12/royal-assent>.

<sup>6</sup> *IPCC, 2021: Summary for Policymakers. In: Climate Change 2021: The Physical Science Basis. Contribution of Working Group I to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change* [MassonDelmotte, V., P. Zhai, A. Pirani, S.L. Connors, C. Péan, S. Berger, N. Caud, Y. Chen, L. Goldfarb, M.I. Gomis, M. Huang, K. Leitzell, E. Lonnoy, J.B.R. Matthews, T.K. Maycock, T. Waterfield, O. Yelekçi, R. Yu, and B. Zhou (eds.)], accessed September 30, 2021, <https://www.ipcc.ch/report/ar6/wg1/>.

<sup>7</sup> *Secretary-General Calls Latest IPCC Climate Report 'Code Red for Humanity', Stressing 'Irrefutable' Evidence of Human Influence*, August 9, 2021, accessed September 30, 2021, <https://www.un.org/press/en/2021/sgsm20847.doc.htm>.

<sup>8</sup> Bill C-15 in Canadian federal legislation and Bill 41 in BC provincial legislation.