



Honouring Treaties: Upholding the Political and Territorial Sovereignty of Indigenous People

In May 2020, members of the Canadian Anthropology Society (CASCA) voted overwhelmingly in favour of a resolution supporting the Wet'suwet'en and all Indigenous peoples political and territorial sovereignty. The resolution is as follows:

The Canadian Anthropology Society (CASCA) expresses solidarity with the Wet'suwet'en Nation, and all Indigenous nations, in their struggle for recognition and respect for Indigenous self-governance, autonomy, and sovereignty over their territories. In particular, we call attention to the fact that Wet'suwet'en territory is unceded and, as such, is subject to the 2014 SCC Tsilhqot'in decision that sets out standards for obtaining consent from proper Titleholders. We call on all levels of government in Canada to respect Indigenous law and follow Free, Prior, and Informed Consent, as set out in the United Nations Declaration on the Rights of Indigenous Peoples. We also call for the RCMP to immediately withdraw their tactical forces from Wet'suwet'en lands. Respectful and meaningful nation-to-nation dialogue is required at this time.

Furthermore, provincial governments and politicians have escalated tensions with statements referring to Indigenous protesters as "thugs," being armed, and have even gone so far as to propose draconian legislation outlawing peaceful protests near infrastructure. This escalation of tension and threat and use of force has deeply undermined, if not completely destroyed the possibility of reconciliation. At the foundation of much of this discourse is the rhetoric of the 'rule of law.' As such, we ask that:

1. Canada and the various governments operating within the political boundaries of Canada, respect and recognize Indigenous law which requires respecting living laws that have existed long before Canada or any of its provinces and territories came into being. These include self-determination, Indigenous governance, unsundered sovereignty, and unceded land title.
2. We also ask that these same governments recognize, respect and abide by the following laws and legal decisions decided by governing structures within Canada. These include: Royal Proclamation of 1763 and the subsequent treaties negotiated on a nation to nation basis; Calder vs. British Columbia in 1973 that recognized Indigenous title in Canadian Law; Section 35 (1) of the Constitution Act 1982 that affirms Indigenous rights and treaties; The Supreme Court of Canada in Delgamuukw vs. British Columbia (1997) stating that Indigenous title is an ancestral right protected by the Constitution; 2014 SCC Tsilhqot'in Decision that sets out standards for obtaining Consent from proper Titleholders when the Crown advances developments on their unsundered territories; Honouring and upholding the terms of historical and modern treaties; Honouring and implementing the recommendations of the Truth and Reconciliation Commission, in particular, Recommendation 45 to create a Royal Proclamation and Covenant of Reconciliation; Honouring and implementing the principles of the United Nations Declaration of the Rights of Indigenous People; and To comply with the Canadian Human Rights Tribunal's 2019 ruling to compensate First Nations children discriminated against within the on-reserve child welfare system.
3. Canada and the various governments operating within its borders recognize that further projects in resource development or infrastructure on unceded Indigenous territories are

not possible until jurisdictional disputes are negotiated through nation-to-nation negotiations.

4. Finally, we ask that all levels of Canadian government, RCMP, and police halt any and all use of force against land rights defenders on unceded Indigenous territories. Exercising police force on unceded territories is akin to sending armed Canadian police into another sovereign country, which any government would agree is a reckless violation of sovereignty.