

Review of Islands Trust Policy Statement Draft

Reviewed by the Coast Salish Peoples of Galiano Island Society Manager, Shar Wilson – Indigenous Rights Advocate, Matriarch, Indigenous Knowledge Keeper, Gitxsan, Resident of Coast Salish Lands. Discussion with representatives of the Coast Salish living on so-called Galiano Island.

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This review is from an Indigenous lens.

There is also discussion about interaction with current Galiano Island Trust trustees and with Senior Intergovernmental Policy Advisor, Lisa Wilcox.

In summary, this document does not meet the minimum standard set by the Province of BC, it's legislation the Declaration on the Rights of **Indigenous Peoples**, and certainly not the United Nations Declaration on the Rights of **Indigenous Peoples**, as it relates to the Indigenous people living on the southern gulf islands in 'so called Island Trust area'. The language is weak, exclusionary, and Indigenous peoples were not consulted in a meaningful way.

The interchangeable use of First Nation and Indigenous speak to the attempt of the IT to exclude some Indigenous peoples. The IT's attempt to steward these Indigenous lands and waters in cooperation &/or collaboration with 'First Nations' is meaningless until the IT sees ALL Indigenous people as humans and equal.

Indigenous people are not 'pan-Indian', you cannot fit us into one group. This document does just that with phrases like 'Indigenous way of knowing' when discussing guiding principles. This is especially interesting when the policy portion only uses the words **First Nation** to identify who the IT will work with.

PART 1: INTRODUCTION

Sec 1.1 Acknowledgement:

The first thing I see is the non-inclusive acknowledgement that excludes Lelum Saraughtanaogh, a nation on Galiano Island. The trust, the Galiano trustees Wolverton and Rockerfella have lived among us as we have lived on this island long before the trustees and long before the Islands Trust and the Islands Trust Act, BC and the formation of Canada.

The Islands Trust is attempting to spin the UNDRIP document to read as if they are referring to 'First Nations'. First Nations is a white word for us and is driven by the racist Indian Act. UNDRIP refers to **Indigenous** peoples. The provincial government uses **Indigenous Peoples** in the DRIPA Act of 2019.

The provincial government passed the [Declaration on the Rights of Indigenous Peoples Act \(Declaration Act\)](#) into law in November 2019.

Why the Calls to Action are important

It's important to recognize the historical and ongoing wrongs perpetrated against Indigenous peoples and the legacy of colonialism still in place today.

The legacy of that separation and suppression of culture has had a profoundly negative impact on Indigenous communities, families and cultural connections through the generations.

The TRC calls to action address the ongoing impact of residential schools on survivors and their families.

They also provide a path for government and Indigenous and non-Indigenous communities in British Columbia to create a joint vision of reconciliation.

B.C. is working collaboratively with Indigenous organizations, communities, and stakeholder groups to ensure all parties undertake comprehensive and meaningful actions on all the TRC calls to action.

Call to Action (CTA) #20 relates to health but also relates to off-reserve Aboriginal Peoples:

20. In order to address the jurisdictional disputes concerning Aboriginal people who do not reside on reserves, we call upon the federal government to recognize, respect, and address the distinct health needs of the Métis, Inuit, and off-reserve Aboriginal peoples.

We, Lelum Saraughtanaogh, the Coast Salish Peoples of Galiano Island, are off-reserve Aboriginal peoples.

CTA #43 reads:

43. We call upon federal, provincial, territorial, and municipal governments to fully adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples as the framework for reconciliation.

UNDRIP specifically speaks to "Recognizing that the situation of indigenous peoples varies from region to region and from country to country and that the significance of national and regional particularities and various historical and cultural backgrounds should be taken into consideration," LIKE GALIANO ISLAND and the SOUTHERN GULF ISLANDS.

Article 2 through 6 of UNDRIP states "Article 2 Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity. Article 3

Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development. Article 4 Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to 4. Resolution 217 A (III). 5 their internal and local affairs, as well as ways and means for financing their autonomous functions. Article 5 Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State. Article 6 Every indigenous individual has the right to a nationality.”

I have to repeat Article 6 to further emphasize the racism of excluding Lelum Saraughtanaogh in your acknowledgment:

Article 6 of UNDRIP: EVERY INDIGENOUS INDIVIDUAL has the right to a nationality. Lelum Saraughtanaogh are Coast Salish and we live on Galiano Island, we have never left.

DRIPA (BC) Article 43 & 44:

Canadian Governments and the United Nations Declaration on the Rights of **Indigenous** People

43. We call upon federal, provincial, territorial, and municipal governments to fully adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples as the framework for reconciliation. I believe this includes your organization.

44. We call upon the Government of Canada to develop a national action plan, strategies, and other concrete measures to achieve the goals of the United Nations Declaration on the Rights of Indigenous Peoples.

Transparency about engagement with First Nations is lacking in this document. Who did you ‘engage’ with and what does this engagement look like? You did not engage with Lelum Saraughtanaogh at anytime for this new draft policy statement. You did not engage with Penelakut. Who? When? What happened? The confidentiality reason to not disclose even a First Nation name indicates that there was NO MEANINGFUL engagement with any First Nation. In discussions with your Senior Intergovernmental Policy Advisor, Lisa Wilcox, I was unable to ascertain her nation. She mentioned Squamish many times but I learned that she only knew a few people from Squamish Nation, one ‘who took her under his wing’. Was this relationship indicative of the meaningful engagement you speak of on the briefing note dated July 7th, 2021. When meetings are mentioned, dates are not. This is standard business protocol to post ‘ENGAGEMENT MEETINGS’, especially with Indigenous groups and to have these meetings witnessed by other nations. This did not happen. I only mention this because I spoke with a few chiefs or managers of First Nations who indicated that they did not speak with Lisa or the Islands Trust. For example, Cowichan Tribes, Halalt First Nation, The Elders of Penelakut, Qualicum First Nation, Tseycum First Nation, Tsartlip First Nation to name only a few.

I also must speak to your authority over the reserve lands located on the southern gulf islands. You do not have any authority – which is why most First Nations do not engage with Islands Trust. Your organization is a thorn in our sides because your organization was created without Indigenous input.

Having said that, Lelum Saraughtanaogh and its members are living on the southern gulf islands, are Indigenous Individuals with a right to belong to a nation as accepted as a global norm via UNDRIP, are stakeholders on these islands, were never consulted.

ENTER your ‘government to First Nation government’ policy. Your legal spin doctors’ favourite phrase and the now known favourite racist phrase of the Islands Trust. This was invented in the ‘spirit of

reconciliation'. You have totally ignored DRIPA and UNDRIP and created a sub definition that fits your purposes. Even after, our group, an Indigenous group with our own story, shared our story with the trust you cite an AMERICAN WHITE author and scholar as one of the reasons you mention this:

"Many of the Indigenous people living on the islands have connections to the First Nations governments within the Islands Trust area but those connections have been lost due to the Indian Act, enfranchisement, and marriage to non-Indigenous settlers who moved to the islands from the 1800s to present" – WILCOX briefing, November 2021.

In the November 2021 briefing there is a bullet about IT staff meeting:

Islands Trust staff facilitated a meeting on Galiano Island on October 6, 2021 with Indigenous and non-Indigenous community members and First Nations Elders, Cultural Knowledge Holders, and Hereditary Chiefs; ****THIS WAS A MEETING TO DISCUSS THE GALIANO ISLAND CEMETERY WITH THE ANGLICAN CHURCH. WE SPECIFICALLY LOOKED AT JANE WOLVERTON AND TOLD HER IT WAS NOT A CONSULATION MEETING. IT WAS FACILITATED BY SARAH TWEEDALE, THE ANGLICAN REPRESENTATIVE. TWEEDALE SENT THE INVITATION AND IT WAS SIGNED BY HER, ROSEMARY GEORGESON (THEIR FACILITATOR) AND JANE WOLVERTON. WE, THE COAST SALISH PEOPLES OF GALIANO, RECEIVED THIS INVITATION THE DAY OF THE MEETING. SHAME ON YOU.****

Who were the Indigenous people in this meeting? Galiano does not have Hereditary chiefs for your information. Who were the Cultural Knowledge Holders. I represent Lelum Saraughtanaogh, all Indigenous people living on Galiano who are on the Indian registry, and none of them attended this meeting. Maybe you are meeting with people who are not on the status registry nor do they have the authority to speak for our group, who represent 5% of Galiano's population at last count.

Finally, DRIPA and UNDRIP utilize Indigenous and Aboriginal while you hang onto the First Nation definition created by a white person in an ivory tower that proves to be exclusionary when referring to all Indigenous peoples.

Section 1.2 ESTABLISHMENT OF THE ISLANDS TRUST

I think the Islands Trust should own up to their biggest mistake of excluding Indigenous people right from the start by not recognizing Indigenous people as the true stewards and land keepers of these lands.

Section 1.3 PRESENT CONTEXT

Indigenous people should be used as per UNDRIP and DRIPA, not First Nation. Steps that the IT are going to take in the adoption of the Reconciliation Declaration should be laid out in a clear, concise, measurable manner and not super summarized in a paragraph. This is so much bigger than the IT and deserves it's own platform. You must begin to accept this, then understand what this means. You can't white wash this responsibility anymore. Doing so will be detrimental to your organization.

You must cite what you mean by 'Indigenous way of knowing'. Your recent history indicates that you clearly do not understand that this is a relational term not to be spin doctored or defined by one person or few persons.

Indigenous peoples were not involved in the research conducted by the IT Conservancy in a meaningful way. That is not to say it's not valid, it can be, but it will be biased to your interest of keeping power.

Housing: you have to be honest here and state that various groups have been trying to 20 years to get affordable housing with no movement. Again, cut the First Nation and use Indigenous. Indigenous is inclusive, First Nation is not in your jurisdiction or authority. Indigenous peoples have been living on these islands as a sovereign nation since time immemorial.

Section 1.4 THE ISLANDS TRUST OBJECT AND ITS MEANING

When citing the treaty and territorial lands I was reminded about a publication I read in 1999. It too discussed cultivated features of landscape, interrelationship between landscape and all beings, etc, etc.

This whole section seems like an effort to make the original 'object' work in today's world when it clearly does not. Everything has changed and the object is not effective nor demanding of respect. The object also fails to include Indigenous peoples as the only stewards of these lands.

Section 1.5 LOCATION OF THE ISLANDS TRUST AREA

This needs to be updated to include ALL the names of the islands so that Indigenous peoples will know if your organization is infringing on our territory and lands.

PART 2: PURPOSE AND IMPLEMENTATION OF THE POLICY STATEMENT

Section 2.1 PURPOSE OF THE ISLANDS TRUST POLICY STATEMENT

Again Indigenous vs First Nation per DRIPA and UNDRIP.

Define 'place protection planning'.

The purpose statement works hard to limit it's involvement with Indigenous peoples by only acknowledging a few. This section must be reworded to include measurable context as it relates to Indigenous peoples.

2.2 ROLES AND RESPONSIBILITIES

Again, use Indigenous vs First Nation as per DRIPA and UNDRIP if you really want to reconcile your past actions.

Indigenous people are not here to 'assist, cooperate, and collaborate' with the IT, we are here to sit at the table in a meaningful way at all times.

Indigenous peoples are not included in the 'Role of Islands Trust Council'. They should be.

Role of First Nation: very weak and should be defined and inclusive. This is a fail on all points of DRIPA and UNDRIP.

2.3

Maybe this should be changed to also include MIRR to align with DRIPA.

PART 3: REGIONAL GOVERNANCE

THE GOVERNANCE CHALLENGE: The challenge is 'fear-based' and this approach never works. All these challenges must be proven by unbiased researchers and must be proven to be true. The opening summary sounds like you have no where to start from so you make statements like, 'nonetheless, if the Trust Area's unique amenities and environment are to be preserved and protected for current and future generations, priorities must be defined and management strategies established.'. I can purchase template and cut and paste **Trust Area** with any words and create the same document.

ESTABLISHING PRIORITIES AND LIMITATIONS: "Indigenous cultural heritage"? One, bravo for utilizing the word Indigenous, two, we are not pan-Indians. You must identify the groups you are referring to. This 'pan-Indian' phrasing dilutes your duty to adhere to DRIPA and UNDRIP. "Indigenous way of knowing" – please define where you will get this, who will provide you advice. Just stating this is too broad, you must identify us as human beings. But, again, you used the word Indigenous.

REGIONAL AND LOCALIZED APPROACHES: You simply need more context here.

3.1 Regional Governance Policies

Commitments of Trust Council

All of these should note that they are working in 'partnership with Indigenous groups' not leading. Indigenous knowledge should be one of the guiding principles.

A review of your 'Precautionary Principle' is necessary.

3.1.6: per DRIPA, per UNDRIP, use the word INDIGENOUS and not FIRST NATION when discussing engagement. STOP writing rules to EXCLUDE Indigenous peoples living on the islands now. The IT has no jurisdiction over federal reserves. Indigenous peoples are organized on the islands and must be consulted as well as per UNDRIP and DRIPA. Indigenous rights must be considered according to the Constitution and the Supreme Court of Canada. Your amended policy cannot skirt this no matter what your legal department says.

3.1.9 an example of what this looks like or how a community does this would clarify this.

3.1.12 You are giving yourselves too much objective power here on the backs of 'Indigenous cultural heritage'. Wrong.

3.1.13 English please.

3.1.15 "shall rewrite all official community plans and regulatory bylaws to include all Indigenous views".

PART 4: ECOSYSTEM PRESERVATION AND PROTECTION

Environmental Integrity: Use Indigenous vs First Nations.

Restoration: I think a review of how the IT Conservancy has managed lands is a good add to this paragraph.

Adaptive Management + Nature-Based Solutions + Sustainable Stewardship: I have to ask...are you qualified to do any of this as trustees? If you aren't, then are you creating a bottle neck for everything that needs to be done and not solving anything because you can't speak to any of these without hiring an expensive consultant to answer a simple question?

4.1 ENVIRONMENTAL INTEGRITY POLICIES + 4.2 Freshwater Stewardship Policies + 4.3 Forest Stewardship Policies + 4.4 Agricultural Land Stewardship Policies + 4.5 Soil and Mineral Stewardship Policies + 4.6 Coastal and Marine Stewardship Policies

I believe these are 'steps' to a grander policy and should be in a procedure manual, land use plan, or community plan vs policy. These 'policies' state 'why not' but do not state the reason. Some of these 'policies' are NOT in your jurisdiction. Some of these policies are just too broad to be a policy which makes them moot.

Indigenous peoples should be your guiding partners.

Indigenous peoples harvest in ALL areas of the Southern Gulf Island and the so called Islands Trust Area.

PART 5: HERITAGE PRESERVATION AND PROTECTION

So called Galiano Island has been our home since time immemorial. That is before the ITA, before BC was a province, before Canada was a country and before the Indian Act. The exclusion of our people will be to your detriment.

You cannot combine Indigenous being and old houses into one word. Heritage is not a 'unique amenity' of the Trust Area.

First Nation and Indigenous are not interchangeable from a legal standpoint. In doing so, you weaken your position and this document.

5.1 Heritage Preservation and Protection Policies

Too weak and Indigenous Way of Being should be fundamental to all of Islands Trust Policy.

This doesn't mean anything if your actions do not match what you write. Past history action is a good indicator of future actions.

PART 6: SUSTAINABLE AND RESILIENT COMMUNITIES

Some of these are micro policies that I want to remain in control of. I don't think the IT should dictate how one lives or warms one's house, or how Indigenous people should access water.

If the trust is going to write policy on how people should warm their houses, they should also write policy on how ALL houses on the islands should change to conform to the policy.

Some of this policy is way out of your jurisdiction.