

The Cost of Not Settling Claims




A research project by the Union of BC Indian Chiefs

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UN Declaration on the Rights of Indigenous Peoples


Article 28

1. Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent.
2. Unless otherwise freely agreed upon by the peoples concerned, compensation shall take the form of lands, territories and resources equal in quality, size and legal status or of monetary compensation or other appropriate redress.



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What has been lost due to delays in settling claims?



What can money never buy back?

What are the unquantifiable damages of unsettled claims?

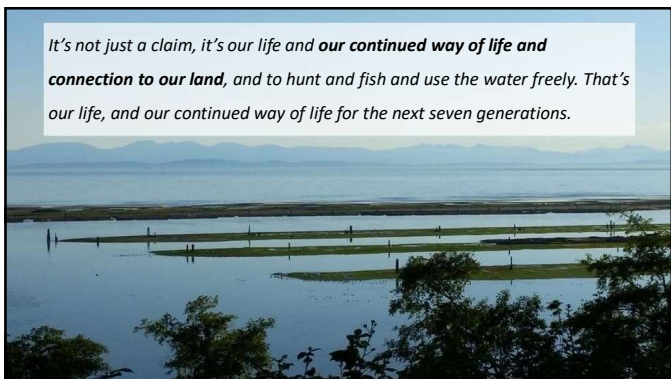
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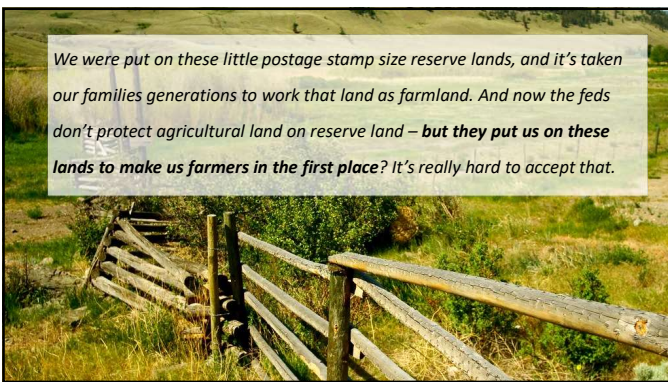
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Looking at it from historic [times] to now – and show them that **what was given to us as a homeland doesn't really sustain us** like the thoughts were 200 or 300 years ago. This changes how we're supposed to exist – we have to prove this transitioning for how we're supposed to survive.



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We were put on these little postage stamp size reserve lands, and it's taken our families generations to work that land as farmland. And now the feds don't protect agricultural land on reserve land – **but they put us on these lands to make us farmers in the first place?** It's really hard to accept that.



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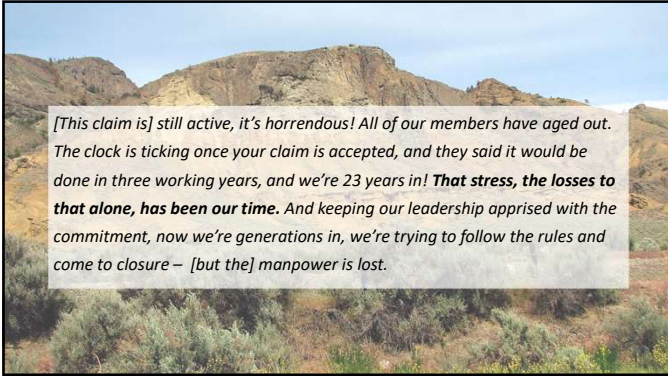
The injustices of stolen land

What does the government not "get" about the history of claims?



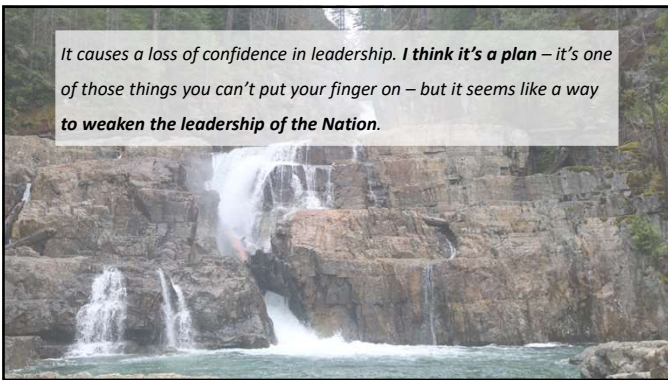
Why is the specific claims process so unfair?

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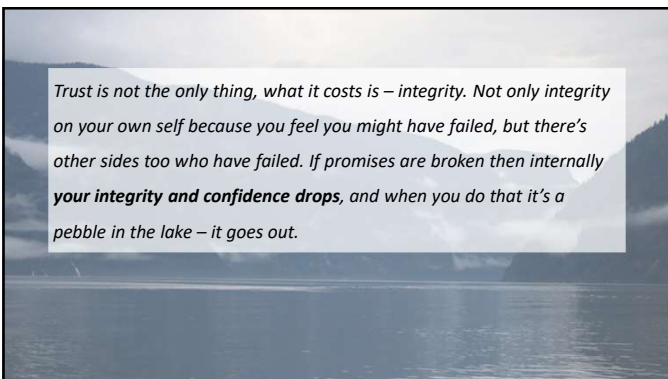
*[This claim is] still active, it's horrendous! All of our members have aged out. The clock is ticking once your claim is accepted, and they said it would be done in three working years, and we're 23 years in! **That stress, the losses to that alone, has been our time.** And keeping our leadership apprised with the commitment, now we're generations in, we're trying to follow the rules and come to closure – [but the] manpower is lost.*

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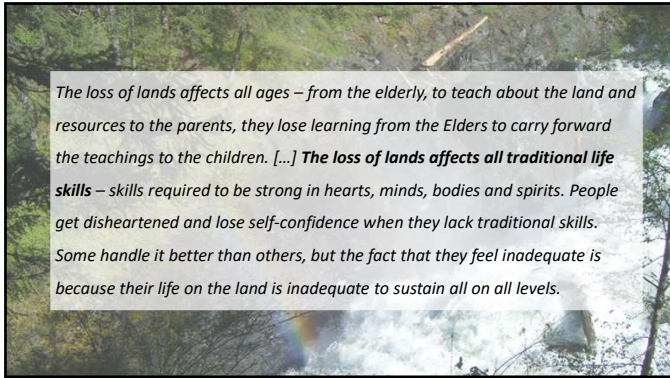
*It causes a loss of confidence in leadership. **I think it's a plan** – it's one of those things you can't put your finger on – but it seems like a way to **weaken the leadership of the Nation.***

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*Trust is not the only thing, what it costs is – integrity. Not only integrity on your own self because you feel you might have failed, but there's other sides too who have failed. If promises are broken then internally **your integrity and confidence drops**, and when you do that it's a pebble in the lake – it goes out.*

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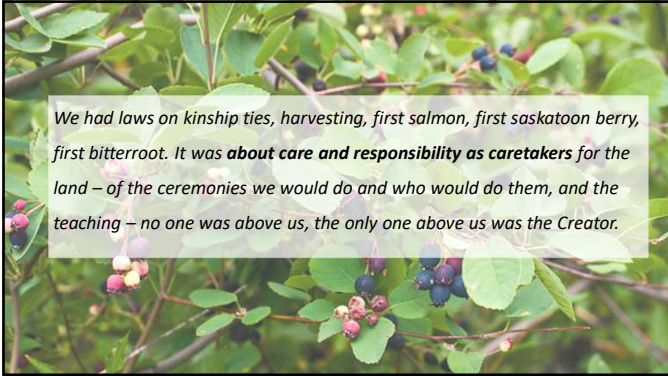
The human costs of delays in settling claims



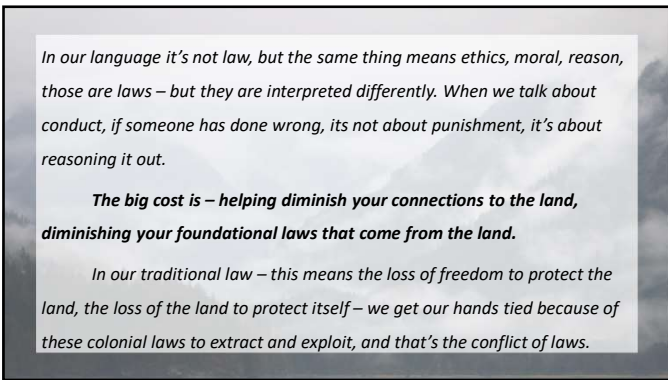
What does it feel like personally to not have access to these claims?

Are there Elders or knowledge holders you've lost that were critical to "proving" claims?

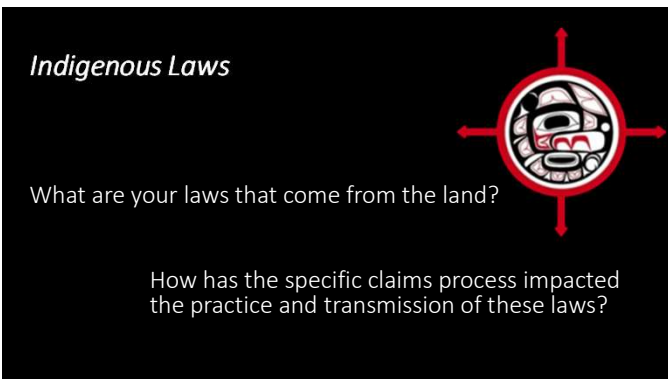
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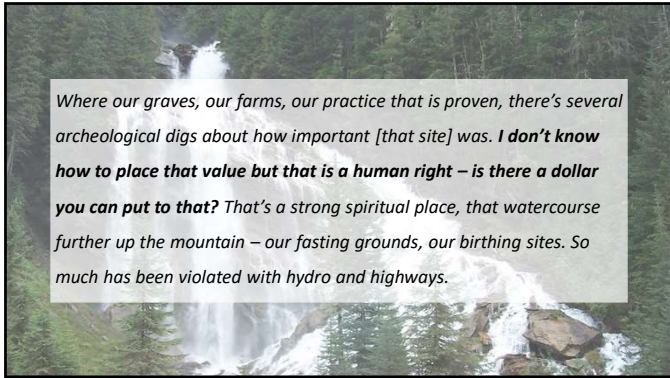
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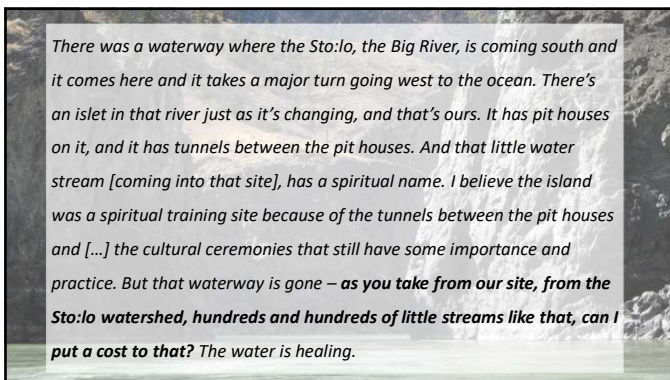


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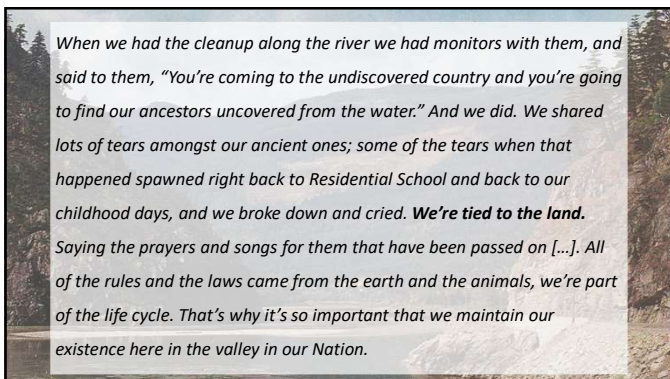
Where our graves, our farms, our practice that is proven, there's several archeological digs about how important [that site] was. **I don't know how to place that value but that is a human right – is there a dollar you can put to that?** That's a strong spiritual place, that watercourse further up the mountain – our fasting grounds, our birthing sites. So much has been violated with hydro and highways.

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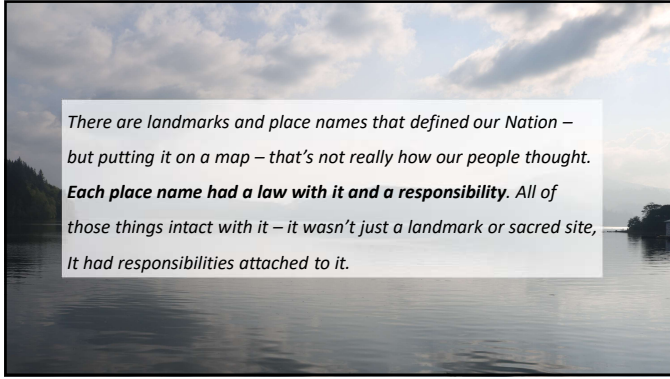
There was a waterway where the Sto:lo, the Big River, is coming south and it comes here and it takes a major turn going west to the ocean. There's an islet in that river just as it's changing, and that's ours. It has pit houses on it, and it has tunnels between the pit houses. And that little water stream [coming into that site], has a spiritual name. I believe the island was a spiritual training site because of the tunnels between the pit houses and [...] the cultural ceremonies that still have some importance and practice. But that waterway is gone – **as you take from our site, from the Sto:lo watershed, hundreds and hundreds of little streams like that, can I put a cost to that?** The water is healing.

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When we had the cleanup along the river we had monitors with them, and said to them, "You're coming to the undiscovered country and you're going to find our ancestors uncovered from the water." And we did. We shared lots of tears amongst our ancient ones; some of the tears when that happened spawned right back to Residential School and back to our childhood days, and we broke down and cried. **We're tied to the land.** Saying the prayers and songs for them that have been passed on [...]. All of the rules and the laws came from the earth and the animals, we're part of the life cycle. That's why it's so important that we maintain our existence here in the valley in our Nation.

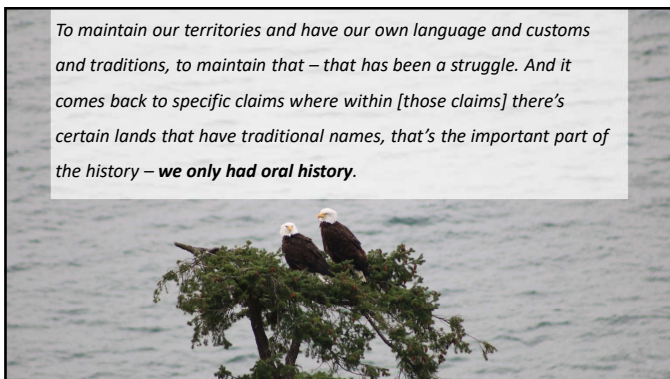
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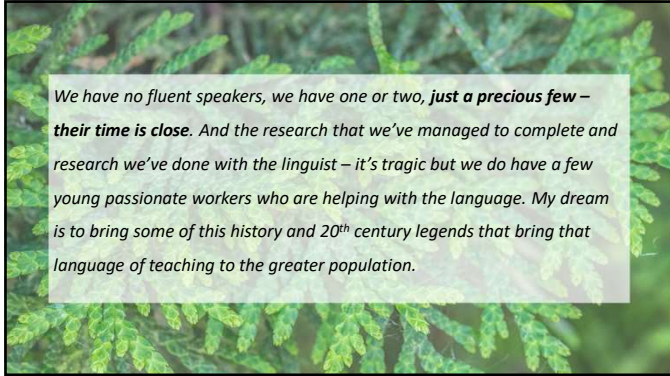
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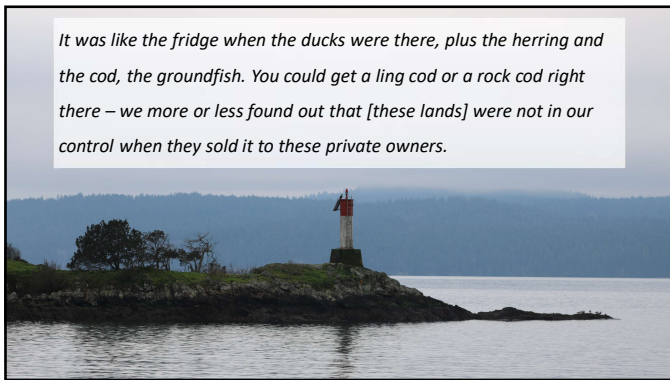


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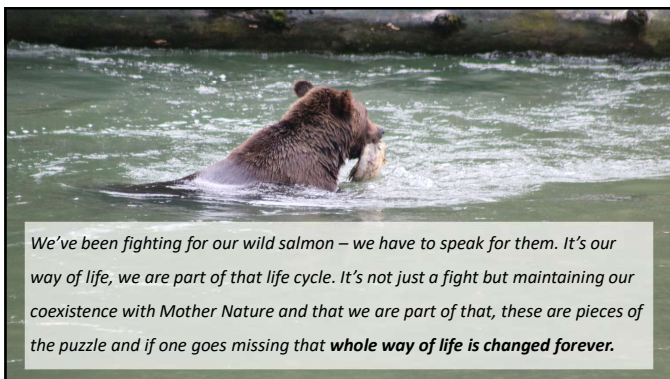
*We have no fluent speakers, we have one or two, **just a precious few – their time is close.** And the research that we've managed to complete and research we've done with the linguist – it's tragic but we do have a few young passionate workers who are helping with the language. My dream is to bring some of this history and 20th century legends that bring that language of teaching to the greater population.*

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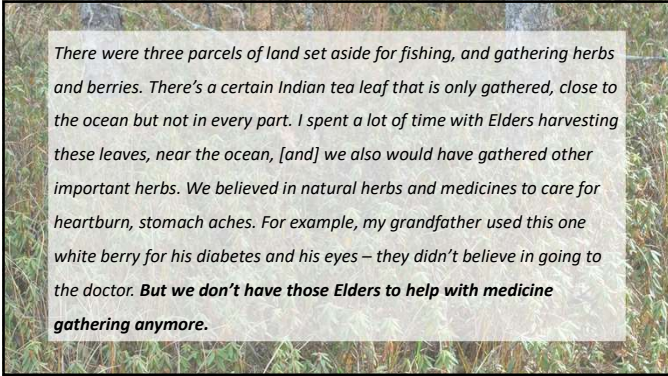
It was like the fridge when the ducks were there, plus the herring and the cod, the groundfish. You could get a ling cod or a rock cod right there – we more or less found out that [these lands] were not in our control when they sold it to these private owners.

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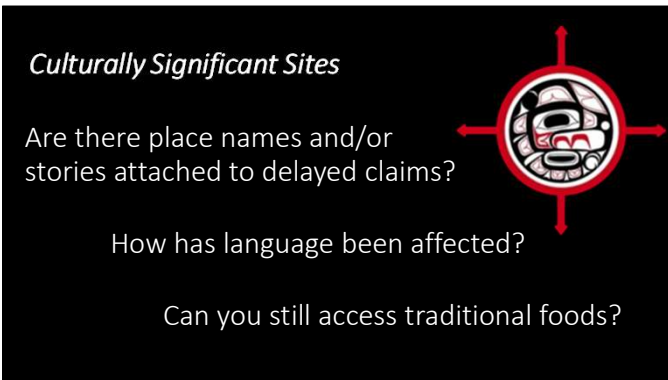


*We've been fighting for our wild salmon – we have to speak for them. It's our way of life, we are part of that life cycle. It's not just a fight but maintaining our coexistence with Mother Nature and that we are part of that, these are pieces of the puzzle and if one goes missing that **whole way of life is changed forever.***

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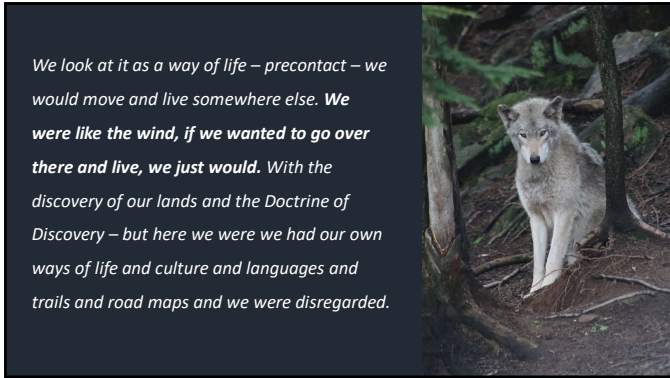
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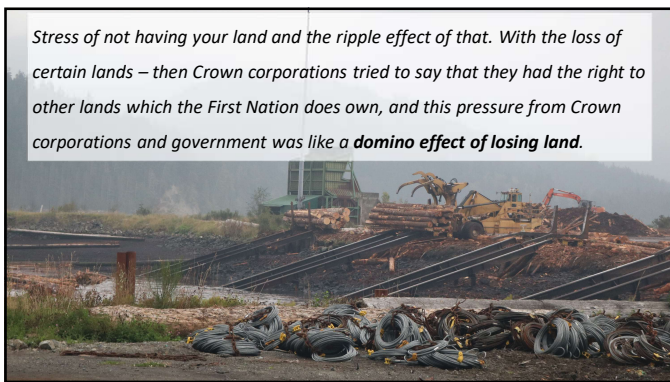
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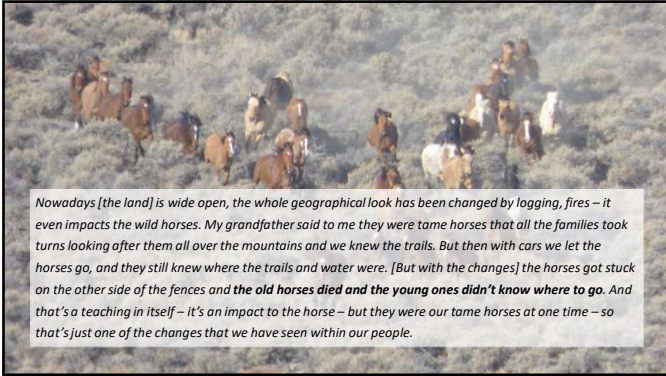
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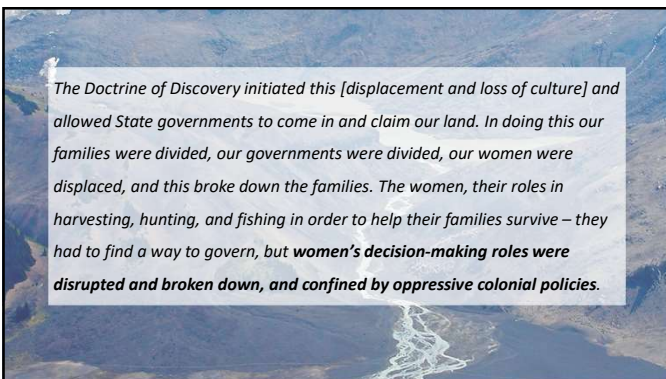
Climate change and Biodiversity

How is climate change affecting your claims?

What role does industry play?

Have land use changes impacted your claim areas?

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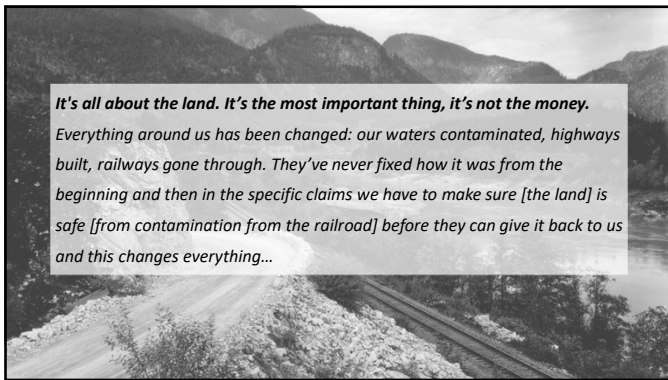
Disproportionate Impacts



How were/are women impacted differently by the claims process?

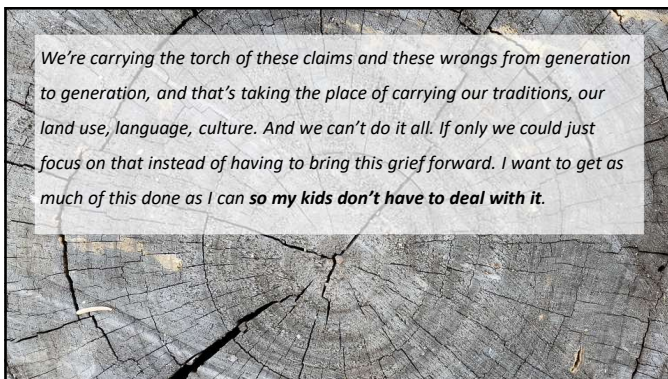
Were sites of importance to Two-Spirit and gender diverse people considered in claims?

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It's all about the land. It's the most important thing, it's not the money.
Everything around us has been changed: our waters contaminated, highways built, railways gone through. They've never fixed how it was from the beginning and then in the specific claims we have to make sure [the land] is safe [from contamination from the railroad] before they can give it back to us and this changes everything...


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*We're carrying the torch of these claims and these wrongs from generation to generation, and that's taking the place of carrying our traditions, our land use, language, culture. And we can't do it all. If only we could just focus on that instead of having to bring this grief forward. I want to get as much of this done as I can **so my kids don't have to deal with it.***

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Just and Fair Redress




What would justice *really* mean?

Is redress possible? How?

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Thank you!



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