

AUGUST 25, 2020

WATSON LAKE, YT

PRESENTATION TO YG, YUKON MINERAL DEVELOPMENT STRATEGY PANEL

My name is Hammond Dick. I am a Kaska elder. I want to welcome the YG Yukon Mineral Development Strategy (YMDS) Panel members to Watson Lake. I am a private citizen of the Kaska Nation, and I have lived here off and on for a long time. You might say I'm an old timer.

I want to say a few words to the YG YMDS Panel members regarding their undertaking to come up with several recommendations to be considered by YG. I commend the YG for this initiative.

To my knowledge the Kaska Nation have not ceded, surrendered or extinguished their Rights, Title and Interests to our Traditional Territory in the Yukon, southeast Northwest Territories and northern British Columbia, although we are being bound by governments to the provisions of the Umbrella Final Agreement (UFA), a statute we did not approve of, in this Territory. There is a provision in the UFA that was supposed to address those Yukon First Nations who have not concluded their Agreements to hammer out a process to address their involvement in environmental and Resource Development process within our Traditional Territory, but that process has not come about to my knowledge, instead we are forced to take part in the regimes of the UFA because we have no other process to address our issues and also for the sake of wage economy in our communities.

Our negotiations to conclude our grievances with Canada ended abruptly in 1995, but life goes on. Our Leaders have tried many alternatives to address these shortcomings but to no avail and our Leaders had to revert to legal actions to protect our interests. Those legal actions maybe our only option for the protection we seek.

We have always said that we are not opposed to Developments in our Traditional Territory as long as we are consulted in a meaningful way.

We were always of the opinion that settlement of our grievances prior to land alienation by governments in our Traditional Territory, was our preference. Every

time any land alienation is approved by governments in our Traditional Territory, we should be compensated for such land alienation.

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) is the most comprehensive international human rights instrument to specifically address Indigenous economic, social, political, civil, spiritual, and environmental rights globally.

It recommends that governments in conjunction with Indigenous peoples, use the *Declaration* as the basis for reviewing and reforming laws and policies to ensure that Indigenous peoples' rights are upheld.

We are one of three First Nations in Yukon that can argue the 1870 Order, these are "commitments" made by the government of Canada in the "Rupert's Land and Northwestern Territory Order" of 1870, this is still a binding provision today.

The federal government has not made adequate provision in two specific ways-1) that it has not protected the rights of Indian tribes as self-determining political entities and, as in our case here in the Yukon and 2) that it has not provided to them the means for self-sufficiency." The order was drafted when Rupert's land was acquired by Canada from Great Britain, furthermore, the following resolution was passed by the Canadian parliament on May 28, 1869, "that upon the transference of the territories in question to the Canadian Government it will be the duty of the government to make adequate provision for the protection of the Indian tribes whose interests and well-being are involved in the transfer." This provision has a constitutional obligation "to make adequate provision for the protection of the Indian tribes whose interests and well-being are involved in the transfer."

I want to conclude by saying that Yukon Government must take heed of our dilemma in which we find ourselves and help us find a solution that will benefit everyone. We have been left by the wayside for far too long. It is time we are taken seriously.

Sougi Sinla