

# Sinixt Nation

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## **Notice: Press Release and Statement: Date: April 12, 2013**

Sinixt Nation has worked diligently over the past three decades to correct the 1956 Canadian government's extinction status of Sinixt people. The Crown has recognized Sinixt people as indigenous peoples of Canada (as a tribal group) but not as the Indian Act's defined term of "Aboriginal peoples of Canada" as presented in a document dated August 9<sup>th</sup>, 1995 and signed by then Indian Affairs Minister Ron Irwin which stated: "*The Arrow Lakes Band ceased to exist as a band for the purpose of the Indian Act when-its last [registered] member died on October 1, 1953. ... It does not, of course, mean that the Sinixt people ceased to exist as a tribal group.*"

Sinixt Nation has acted in good faith to address the issue of our people being wrongfully extincted and whereas the Crown has not. Our most recent legal challenge against the Crown to protect Sinixt interests to cultural sites was struck down and resulted in the BC Supreme Court forcing the Sinixt people involved to pay for the court costs. We feel this is contrary to the obligations held by the Crown.

*"The Crown holds legally binding obligations under international law to recognize and promote the fundamental rights of all human-beings, including the economic, social, cultural, civil, political and religious rights of all Sinixt peoples regardless of the Canadian laws that exist such as the Indian Act,"* said Sinixt Nation Headman Vance Robert "Bob" Campbell Sr..

Campbell went on to further state, "*The United Nations Convention for the Prevention and Punishment of the Crime of Genocide reads under Article 2(b) that "causing mental harm to members of a group" constitutes genocide and clearly the Canadian government is causing mental harm to myself and the other members of the Sinixt Nation by continuing to strip us of our inherent rights as indigenous human-beings.*"

Robert Watt, caretaker of the Sinixt Nation cultural sites in the Slocan Valley, said, "*The government has continued to act in a disrespectful and hostile manner towards Sinixt peoples who claim their inherent rights in Canada. The Crown is well aware that we as Sinixt people continue to exist on and use our traditional territory as we have done prior to the assumption of Crown sovereignty in 1846.*"

Members and representatives of the Sinixt Nation filed a land claim in 2008 by writ of summons in the BC Supreme Courts (file No. 14324) and has notified the Canadian government (and both Provincial and Federal treaty commissions) that our unceded territory is not to be a negotiation tool with any other tribal groups who are not historically documented as anything but visitors to Sinixt lands.

The treaty negotiations are being put forward to the public by the government as an act of reconciliation with first nations peoples.

When asked her opinion about the BC Truth and Reconciliation Process and the recent allotment of “Crown Land” near Nakusp BC to the Ktunaxa Nation Council through treaty negotiations, Marilyn James Spokesperson for Sinixt Nation said, *“The current process lacks conscience and reason and is sadly, a blatant violation of domestic and international law, and is seen as a continuation of the genocidal policies against Sinixt people who are in the pursuit of our fundamental cultural rights as indigenous peoples in Canada.”*

James went on to add, *“The Canadian government holds a fiduciary responsibility to Sinixt peoples whose territories are impacted by government policies and industry and that for the Crown to maintain the current extinction status of our tribal group is nothing short of the “cowboys and indians” mentality of the Wild West.”*

*“The recent settlement of land granted to the Ktunaxa around the Nakusp area and the planned settlement of lands in the Castlegar area is just another example of the Canadian government acting against the rights of Sinixt people and is taking an act of genocide to a new level by not only committing the act of genocide against the Sinixt peoples in their territory but by embroiling the Ktunaxa and the public in a collusion of that act,”* James said.

Modern day colonial government actions are but a continuation of the derogation of Sinixt people's basic rights and are to benefit the interests of the Ktunaxa Nation Council, who as the archeological record verifies, never occupied the lands around the Arrow Lakes.

These colonial strategies are nothing new to Sinixt people. Archived Journals of the BC legislature saw a motion made on March 1<sup>st</sup> 1892 to impose a 50 dollar foreign hunter fee on Sinixt peoples in an effort to keep Sinixt from occupying and using their ancestral homelands and at the same time to benefit the interests of the Ktunaxa peoples. The record from the BC Legislature Journals states:

*“Mr. Kellie moved, seconded by Colonel Baker—*

*That whereas, owing to custom, the Indians [Sinixt] from the neighbourhood of Colville, in State of Washington, do annually come into British Columbia and hunt along the Arrow Lakes and Columbia River [Sinixt territory], and by so doing exclude the Indians of Kootenay [Ktunaxa], in British Columbia, from following the chase in those parts of the Province above mentioned ;*

*Be it therefore resolved, That in the interests of British Columbia, our Government do instruct its officers in Kootenay, or elsewhere, to see that the provisions of the "Game Act," empowering the collection of the sum of fifty dollars for all non-residents who come into British Columbia for the purposes of hunting, be enforced in regard to these foreign Indians [Sinixt] when they cross the International Boundary for the purpose of hunting in British Columbia,*

*The motion was withdrawn.”*

Unlike the 1892 motion that was withdrawn, the Archives of the BC Legislature show that on December 3<sup>rd</sup> 1894 the Crown, in the interests of Ktunaxa resolved to exclude Sinixt peoples

from Canada by prohibiting their movement across the Canada/US border. Below is the excerpted text from the Archived Journals;

“On the motion of Mr. *Hume*, seconded by Mr. *Kellie*, it was *Resolved*,--  
That whereas, owing to custom, the Indians[Sinixt] of the *State of Washington*, in the *United States*, do annually come into *British Columbia* and hunt along the *Columbia River* and *Arrow Lakes*, and by so doing exclude the Indians of *Kootenay[ktunaxa]*, in *British Columbia*, from following the chase in those parts of the Province above-mentioned And whereas there are known cases of the maltreating of settlers along said river and lakes:  
Be it therefore Resolved, That an humble Address be presented to His Honour the Lieutenant-Governor, praying him to move the Dominion Government to take such steps as may be deemed advisable with the *United States Government* to exclude these Indians[Sinixt] from crossing the International Boundary,”

These said legislated acts would most definitely be defined as “*genocide*” today however the term “*genocide*” was not legally defined at the time the acts were committed and therefore are not recognized legally as acts of genocide. However, when perceived as the continuation of these same systemic policies of stripping Sinixt Nation members of our basic rights for the benefit of the Ktunaxa, it can only be received as an act of genocide.

The traditional winter shelter of the indigenous people of the headwaters of the Columbia River and that of all interior Salish peoples was the pit-house. Hundreds of house-pit depressions are found throughout the region. The archaeological reports confirm that Sinixt people lived in pit-houses while the Ktunaxa people did not.

Obviously the indigenous people of the Arrow Lakes region were Salish in origin as can be determined by the place names in the region having their roots in Salish culture. The name for Nakusp itself is named after a sn-selxcin word (Lakes-Okanagan language), “*nkwusp*.” The town of Slocan is named after the sn-selxcin word, “*slhu7kin*,” translated as “speared in the head” in reference to the Sinixt tradition of spear-fishing in the region.

The Nakusp Museum holds an impressive collection of local Sinixt artifacts from the region some of which were donated by Sinixt Nation Headman Vance Robert (Bob) Campbell Sr.

Over the past 20 years Sinixt Nation has worked with schools in Nakusp, Trail, Nelson, Castlegar, Winlaw and more to share traditional stories with children such as the Frog Mountain (Mt. Wilton) Story. School District 20 has officially recognized the Sinixt Nation as the indigenous people of their region and Trail BC.

Sinixt Nation hereby informs everyone of their obligations to indigenous and international laws and also that they have a duty to respect and recognize Sinixt Nation members inherent and entitled rights to our traditional territory. A map of Sinixt territory can be found online on our website.

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For further information and evidence documents please see: <http://sinixtnation.org>