

A Brief
On The Proposed Policy for Replacement
of Volume-Based Tenures By Tree Farm Licenses

Presented to the Public Information Session chaired by

The Honourable Dave Parker
Minister of Forests

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by

Vancouver Branch, Project North, B.C.

(Aboriginal Rights Coalition)

Introduction:

This brief is respectfully presented by the Vancouver Branch of Project North, B.C. (Aboriginal Rights Coalition) a coalition of major Christian churches in Canada:

- Anglican Church of Canada
- Canadian Conference of Catholic Bishops
- Council of Christian Reformed Churches in Canada
- Evangelical Lutheran Church of Canada
- Mennonite Central Committee (Canada)
- Oblate Conference of Canada
- Religious Society of Friends (Quakers) in Canada
- Society of Jesus
- United Church of Canada.

It stands with Native people in support of justice and recognition of Aboriginal rights.

We address the subject of Forestry policy in B.C., with particular reference to the case of Ingenika and Mesilinka people and the application by Fletcher-Challenge/Finlay Forest Industries for the Mackenzie Tree Farm License.

The Mackenzie TFL:

This application covers over six million hectares, an area twice that of Vancouver Island. It includes Williston Lake and the major tributary watersheds, the District of Mackenzie with a population of 5,542, and the small settlements of Fort Ware, Ingenika, and Mesilinka. The Southern portion is traversed by Highway 97 and the British Columbia Railroad.

History of the Sekani People of Mesilinka and Ingenika:

The Mackenzie TFL also engulfs the homelands of the Sekani people. Sekani lived in bands, each identified with a territory, through which they hunted and fished in seasonal cycles. Their expertise and detailed knowledge of the land, their skill as hunters, travelers, and guides, were much in demand and greatly assisted Euro-Canadians who began to enter the area in 1793.

Sekani populations were diminished by introduced diseases, to a low of 160 persons by 1923 (Denniston p. 440). The present population of registered Sekani is 665, with 424 in the Ingenika and Mesilinka Bands (INAC, 1987). Few in number, and dispersed among the mountains, they were outside the view of early government officials, and not contacted by Treaty Eight Commissioners (Madill p. 46). They have never signed treaties or relinquished aboriginal title and rights to their land.

A gold rush to the Omineca River brought some 1200 Whites by 1870 (Denniston p. 440). Trekkers to the Klondike passed through in the 1890s, and there was a rush to Ingenika River in 1908 (The Ingenika and Mesilinka Story, p. 27-28). Governments afforded no protection to Sekani property or resources at this time.

Finally, in 1916, when most of these Whites had left (Denniston p. 440), two tiny Indian reserves, of 320 and 168 acres, were assigned to what was called the Fort Grahame Band. The Sekani remained self-sufficient -- gaining their income from the produce of their traditional lands.

In 1967 the W.A.C. Bennett dam was completed. It flooded the basins of the Parsnip and Finlay Rivers and the lower reaches of many tributaries, covering over for ever the lowland forests so valuable to Sekani as habitat for fish, game, and fur-bearing animals, as major transportation routes, and as sites of cemeteries, hunting cabins, and the villages of Finlay Forks and Fort Grahame.

There was no attempt to negotiate surrender of aboriginal rights to the land destined for flooding, and the Sekani were not even fully informed of the disaster being thrust upon them. Only minor payments were made for some of their lost property. And finally, reserve lands to replace those lost, have not been granted yet (Ingenika and Mesilinka Story, pp 36f.)

In 1966 the District of Mackenzie was created. It soon included a town, with pulp mills and sawmills. The Sekani did not benefit from this development. In 1971 a number of them deliberately fled to relocate away from the destructive life on the fringe of town.

Stephen Rogers, Minister for Native Affairs of B.C., expressed shock at the living conditions endured by Sekani when he visited them in 1987 (Vancouver Sun, June 12, 1987, p. A2).

Unemployment, dependence on social assistance, chronic illness, and a multifaceted array of social problems have been the Sekani's share of modern resource development.

Weaknesses of the Current Forest Policy:

The Bennet Dam and the mills at Mackenzie have provided some employment, government revenues, and corporate profits. But these have been at great cost to the environment, natural resources, and to the Sekani.

Studies also suggest they have not been as beneficial to other citizens as they might have been. Mackenzie, like many similar towns, suffers severe unemployment when markets decline. It has a high rate of labour turn-over, with low commitment by the work force to permanent residence (Marchak 1983: pp. 314-315). Furthermore, as the industry continues to modernize the labour demand continues to decline in relation to production (Ibid. pp. 360-1).

Workers and small business people do not know these conditions from text books, but from the hard facts of sudden loss of jobs and investments in homes and equipment.

Downturns in export markets also hit hard at the public purse. British Columbia, which has consistently underpriced its forest resource (Ibid. pp. 368-9) to attract investment, sees forest revenues reduced still further when markets slump, and so, must meet increased social costs from falling revenues.

Change is clearly needed.

The Mackenzie TFL Proposal:

Transition of Forest Licenses to Tree Farm License will not introduce the needed changes. If anything, it will accentuate weaknesses which now characterize the industry.

The Mackenzie TFL would concentrate further the control by private interests. The applicants propose to contract logging, hauling, clean-up, silviculture -- in short, all bush operations -- to independent small businesses. But the large company would still determine prices and conditions under which those businesses and workers would operate. Once again, workers and small businesses would bear the brunt of unfavorable market trends.

The application provides for public input into decisions about saving buffer zones for recreation and alternate use, but there are no provisions that would require the company to defer to public interest. And there are no provisions committing the company to maintain minimal levels of production and employment. It will be, as in the past, external market conditions and company policy that govern the conduct of resource use.

The Mackenzie application contains a section called "Native People's Economic Development Program" (Fletcher-Challenge/FFI application p. 33) which proposes to encourage Native people to engage in logging, slashing, and silviculture. All that this proposes, is to allow native people to participate as workers or small contractors, without any greater control over their participation, or security for their futures than they now have. In short, it proposes nothing, because Native people, like others, have such rights now.

A more fundamental deficiency of this part of the application, is the fact, as Project North has been informed by Ingenika and Mesilinka representatives, that it has been written into the application without their consultation.

Has it not occurred to the company that Sekani have a right to be informed and to discuss proposals that will shape their future?

Has your government considered sufficiently its obligation to protect such rights?

Your proposal to increase the number of TFLs would also extend third-party interests (ie. parties in addition to Native Indians and Government) over an increased proportion of provincial crown land. Sekani land would be wholly covered by such interests. This would make even more difficult the achievement of a just settlement of claims arising from aboriginal title.

To see the issue of aboriginal rights as a contest between Whites and Natives over property, is to oversimplify and confuse the issues. All peoples wish to have some control over decisions which shape their lives and futures. All people wish to have the opportunity obtain a living, to raise families, and to live in accord with community values. Where Native people differ is in the fact that their identity and very existence is linked to their traditional lands. They did not come from some other place to be where they are. They do not want to be forced to go elsewhere.

Large companies competing in world markets and measuring success by profits, attend first to the interests of shareholders. If responsibility for planning and control of forest resource use is given over to companies whose proper business is making profits, profits will come first. Conveying control of the Mackenzie lands to outside interests is not 'planning for the future', it is an abrogation of responsibility. Native peoples are leading the way by asking to be stewards once again, of their own lands. It should be the role of government to assist in that task.

Consequences of the Mackenzie TFL for the Ingenika and Mesilinka;

The impact of the hydro-electric dam and the forest industry upon the Sekani, have been devastating. Few other Canadians have suffered so much in such a brief time. This record is a permanent stain on our history and a betrayal of what Christianity stands for.

On Jan. 26, this year, a young woman was found in a Vancouver apartment corridor, brutally beaten to death. She was a member of the Ingenika Band, born the year after the Bennett dam was built. Far from her people, up-rooted and adrift, her life came to a cruel and senseless end. It would be an oversimplification to see her death as a result of the building of the dam, the failure of governments to protect its citizens, or the fact that the Sekani were overlooked by the Treaty 8 commissioners. But it would be just as wrong to conclude that this shameful sequence of oppression, neglect, and injustice, had nothing to do with her death. It did.

Her death and similar deaths of many of her kinfolk, weigh on all of us. They diminish us -- in our own eyes, in the eyes of the world, and in the sight of God.

This chain of oppression must be broken.

Project North Asks:

that as Minister of Forestry, you

1. reject the Mackenzie TFL application and all others currently received;
2. call a Public Enquiry under the Public Enquiries Act to examine the conduct of the B.C. Forest Industry, as a basis for a new programme that puts the interests of people first;

and that as a member of Cabinet you

3. urge your fellow members of government to replace immediately, to the satisfaction of the Ingenika and Mesilinka Bands, the flooded Indian reserve lands;
4. urge immediate negotiations of their damage claims for other losses arising from the flood;
5. urge Provincial recognition of aboriginal title in B.C. as a basis for negotiation of Native Claims and a means of achieving stable, just, and harmonious futures for all citizens.

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