



MEDIA RELEASE | April 23, 2021

## Supreme Court of Canada Confirms Aboriginal Rights in Arrow Lakes

### FOR IMMEDIATE RELEASE

**tkwəʔniwt (Westbank), Syilx Territory:** The Chiefs of the *Syilx* Okanagan Nation welcome today's decision of the Supreme Court of Canada in *R. v. Desautel*, recognizing and protecting Sinixt Aboriginal hunting rights in B.C. Many members of our *Syilx* Okanagan Nation communities are descendants of *Sinixt* (sʔaltikʷt) people and we all share common language, culture, history, traditions and ancestry. As a result, this confirmation that Sinixt rights continue to exist in *Syilx* Okanagan Territory is critically important to our Nation, particularly given the Crown's denial of those rights over many generations.

The case was an appeal of the BC Court of Appeal's decision that upheld that Richard DeSautel, a member of the Lakes Tribe of the Confederated Colville Tribes and a United States citizen, has an Aboriginal right to hunt in the Arrow Lakes area of British Columbia.

The Supreme Court of Canada dismissed the Province's appeal and confirmed some key legal principles:

- The purposes of s. 35(1) are to recognize the prior occupation of Canada by Aboriginal societies and to reconcile their modern-day existence with the Crown's assertion of sovereignty over them.
- The honour of the Crown is engaged in its relationship with Aboriginal people and reconciliation is an imperative.
- It is for Aboriginal peoples to define themselves and to choose by what means to make their decisions, according to their own laws, customs and practices.

In commenting on the decision, Chief Clarence Louie, Tribal Chair of the Chiefs' Executive Council of the *Syilx* Okanagan Nation stated that: "We are pleased that the Supreme Court of Canada has confirmed what we have always known: that the Sinixt (in our language, the sʔaltikʷt) are not extinct, and that the imposition of international boundaries and forced displacement of our people through colonization could not take away our Aboriginal rights."

Chief Louie went on to note: "The international border between Canada and the US was imposed on our people without our consent. Our members were forced to choose which side of the border to live on - some moved south to the Colville reservation and others moved west to the Okanagan valley - but we continue to be united through our cultural, familial, territorial, economic and political ties. As nsyilxcen-speaking peoples, we will continue to advance and protect our Aboriginal title and rights in our territory."

The ONA participated in the Supreme Court of Canada appeal, and two *Syilx* Okanagan Nation members - Richard Armstrong and Hazel Squakin - shared their knowledge of the Arrow Lakes area at Mr. Desautel's trial. The Okanagan Nation Alliance and its Chiefs' Executive Council represent *Syilx* Okanagan Nation members and are mandated to protect, advance and defend the *Syilx* Okanagan Nation's

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collective Title and Rights. Syilx Okanagan Nation communities include thousands of members who are Sinixt descendants and whose ancestors historically lived in the Arrow Lakes area.

For more information please contact:

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