

DECISION OF THE SSN JOINT COUNCIL ON THE PROPOSED KGHM AJAX

Wi7st.s re sqw7els re kupkúkwpi7 te Tk'wem7íplem' ne Stk'emlúps. Tsq'ey' n7éne te SSN. Tqwelmíns k emétens re KGHM te [Ajax Mining Inc.]. Yeri7 re [KGHM] qwenén e tsíqle7cwens k tsqwéscen ell kwelkwáscen [copper and gold] ne tmicws re Stk'emlúpsmc ell ne Secwepemcúl'ecw. Stqwelmínstem pyin te Ajax Mine. Nu7 ne ts7emetúl'ecwstem te Pípsell, tsúnses e tsíqle7cwens re tmicw e sk'úlems tek [mine].

This is the decision of the Stk'emlúpsmc te Secwepemc (SSN) regarding a proposal by KGHM Ajax Mining Inc. (KGHM) to build and operate a copper and gold mine within Stk'emlúpsmc te Secwepemcúl'ecw. The project is known as the Ajax mine. The Ajax mine is proposed to be constructed in an area known to us as Pípsell.

PÍPSELL IS A SACRED SITE

Re Pípsell me7 tswíkstem ne st'ye7úl'ecw te tmicw (900-1,000 km) hégen e (10 km) tscwi7ekst te selselékwe te setétkwe, re Simpcwétkwe ell re Secwepemcétkwe. Ta7a k skécmens k tmicws re Secwépemc.

C7étsxe7tns re qelmúcw ri7 nu7 ne Pípsell. Xuxwiýúlecwem t'l u7 re sténes re p'úsmens re sxwixwéytemc.

Ta7penhén me7 sxilt.se sixelcúl'ecwentem re Pípsell, pll-stseptékwll re Pípsell. Re stsmémelt ne Pípsell tlrí7 re stekstémes re stk'wenem7íplen'tem re qelmúcw: pll-ckúl'ten ri7 xwexweyt re stem ne

Pípsell comprises the land and waters located in the mid elevation grassland, at an altitude of about 900 – 1,000 km approximately 10 km south of the confluence of two rivers, Simpcwétkwe (the North Thompson) and Secwepemcétkwe (the South Thompson). Pípsell is unequivocally within Secwepemcúlecw, uncaded territory of the Secwepemc Nation.

Pípsell is a sacred place of fundamental significance to our people. It contains the spirit of our people. We are spiritually connected to Pípsell and our ancestors' spirits who are at Pípsell still.

We have an irreplaceable historical, cultural and spiritual connection to Pípsell which derives from the Trout Children stseptékwll. The Trout Children stseptékwll expresses and sustains our Indigenous law about our conduct on the land



tmicw, ts'ílem re qelmúcw me7 tsyewemíntem xwexwéyt. Ell tli7 re st'7ékwas re sqwentsín, re ck'úl'ten'kt, re tmicw re syewemíntem re písell (trout) ne pésellkwe, xwexwéyt wel me7 t'7ek te st'íqt.

Xen7ésq't, ri7 re tmicw m-n7ék'es te m-xewílc, m-k'wiyúsem re qelmúcw ell k w7ec ne tmicw. W7ec re xílmes e tá7us e sle7 k swestém re tmicw.

Ts'ílem nu7 ne Pípsell. Ne cucwéwll me7 wíktcwes re tsrep te st'7ek te pésellkwe, Nu7 re qelmúcw wes re tsxyemstéses re Pípsell, te m-q'wéysem. E ta7 ke7 sxílem, me7 x7ensq't.

Re c7étse7tn ne Pípsell, ta7 k sxitl.s e sixelcúl'ecwentem: t'lu7 re sténes re ck'úl'ten-kt te lexéy'entem ne stseptékwll.

Lecúlecw te tmicw re Pípsell. E le7 e syewemíntem re Pípsell. Me7 xpqenwéns xwexwéyt re sw7ecs ne Pípsell ell te ts'ílmes re sle7úys.

Re tmicw, me7 xpqenwens k sx7étsxe7tns, wes e tsyewemíntem, e stá7s e sk'estwíles, ts'ílem te tsq'éy'es ne Tkenem7íple7tns re Secwepemc.

and our reciprocal accountability to living beings on the land, our social conduct across generations and within generations, and provides spiritual, cultural, and environmental teachings and guidance. In its plot, message and meaning, it connects the world of humans in a described landscape of indigenous root-bearing grasslands, the under-the-water world of a trout bearing lake and the “upper world” of the sky country.

X7ensq't, the land and sky will turn on you, expresses a relationship of reciprocal accountability between the land, the sky, the water, humans and all our relations. Certain places in the Secwepemc landscape are inhabited by powers that interact with people by producing sudden violent changes in the weather if the people who travelled there did not show respect. Pípsell is one of those places. The prayer tree located on a trail from the lake is a place where Secwepemc people must show their respect for the power of Pípsell, and the significance of Pípsell to the Secwepemc people, by making offerings and blackening their faces. Failure to respect the place and its power will result in the land and sky turning on you.

Our spiritual and religious connection to Pípsell, a sacred place, is irreplaceable. We cannot transport our connection to Pípsell to another site. Pípsell is marked by our people, one of our central stseptékwll originates in the place itself, which makes this a sacred site for our people.

Pípsell is a place of wonder. In its highest and best use, Pípsell is a place where all Canadians can come to learn and experience the profound significance of the place. Pípsell is a sacred site, and one which needs to be maintained in its best state, to be shared with all Canadians, in accordance with Secwepemc law.



RIGHTS AND TITLE OF THE STK'EMLÚPSEMC TE SECWEPENC NATION

Re Stk'emlúpsenc te Secwepenc ri7 re tmicws ne Secwepencúl'ecw ell ne Yucwemínem, ts'ílem t'lu7 ne Pípsell xwexwiýúlecwem te tmicws re SSN.

Re SSN tmicws ri7 re Pípsell. Yúmell we7 tsq'empéllcwentmes t'lu7 te tmicws le q'7es te Secwepenc, le westémes le [Colonial Laws], m-kwectls te tmicw-kt re semsémé7 te m-tsigrép pent'lu7, t'lu7 ell ne Pípsell m-xílltem re qelmúcw. Ta7a lu7 k skécmentem-kucw re tmicw. Tsq'ey' ey k stmicws-kucw te m-sq'7est.s. Ta7penhén k tnucwéntém k swet e nék'ens k stem ne tmicw.

Stk'wenem7íple7tn [stsq'ey'] ne Secwepenc ri7 re tsq'ey'es re tmicws re Stk'emlúpsenc, t'hé7en e ts'ílmes e swestém k tsigrép ne Secwepencúl'ecw, ell tsellts'ílle re swestém te sxyemstém xwexwéyt te tsq'ult ell te w7ec ne tmicw. Stk'wenem7íple7s-kucw ne Stk'emlúps ri7 tsq'ey e syecwemíntem re tmicws-kucw pyín, ell wel me7 yews ne Pípsell.

Ne sk'wenem7íple7tns re Secwepenc me7, Yecwemíns re tmicw ell xwexwéyt tek tsq'ult nerí7. Xwexwiýúlecwem ne Secwepencúl'ecw ts'ílem re sw7ecs k nek'úsem tek qelmúcw. Pll-s7elkst ne syecwemínem te stem. Re syecwemínems re SSN, ne Pípsell pll-s7elkst e syecwemíns re tmesmescén', re swewll, re tsreprép, re tsq'ult te stem te tmicw, te séwllkwe ell k sten ne tkwékweltns re tmicw, yecwemíns re

The Stk'emlúpsenc te Secwepenc claim both aboriginal rights and aboriginal title to Secwepencúlecw (Secwepenc Traditional Territory) including over Pípsell and the Project area.

SSN asserts aboriginal title over Pípsell. This assertion of title is made notwithstanding the fact that Secwepenc people were dispossessed of their lands through various Colonial laws and expropriations which allowed non-Indigenous people to hold our lands in fee simple, including the lands at Pípsell. We have never consented to the transfer of our lands to private land holders. Our aboriginal title to the lands is a pre-existing title, an interest which underlies and pre-exists Crown title, and which has never been surrendered or extinguished.

Stsq'ey' (Secwepenc laws) govern the boundaries of Stk'emlúpsenc te Secwepencúlecw, our relationships with outsiders (or guests on our land), land access and tenure within Secwepenc Territory, and our reciprocal accountability with all living things on the land. We assert the right to self-govern and to determine land use objectives for Pípsell and the surrounding area using our traditional governance models, including the right to determine future land use for Pípsell.

In Secwepenc law, the concept of yecwemínem involves the caretakership, management and stewardship of lands and resources. The responsibility belongs to different geopolitical units of the Secwepenc Nation. The SSN are the yecwemínem of Pípsell under Secwepenc law. The responsibilities of the SSN include the monitoring and protection of game, fish, plants, water and mineral resources, implementing a



tmicw e sta7s e kítsentem tek tucwt'ícwll tek qelmúcw e sk'sékstmentem, ell w7ec re tscentwécws te sw7ecs méte kupkúkwpí7s re k'wselktknéws te qelmúcw.

Re stseptékwll te tsq'ey' te slexéy'em ne Pípsell, ri7 q'7es te tk'wenem7íple7tns re qelmúcw: Me7 xyemstém xwexwéyt re stem ne tmicw, yerí7 sw7ecs xwexwéyt re Secwepemc we7 t'hénes e mútes. Yecwemíntem-kucw re qelmúcw, re tmicw ell xwexwéyt re stem ne tmicws-kucw, ell xwent e skwéntem-kucw we7 stémes ne Secwepemcúl'ecw. Ta7 k sne7éks k tk'wenem7íple7tns te m-sq'7est.s.

Ell tkwen'menténs-kucw re [UN Declaration of the rights of Indigenous Peoples (UNDRIP)]. Ne May 2016 lexéy'entem ne [Canada] k snék'ens k stsq'ey's ell e skwens re [UNDRIP] ell xyemstés re [Declaration].

Re Canada m-kwens re tsq'ey' ne UNDRIP, tselxemwílcs7s k stk'wenem7íple7s re qelmucwe7úwi e pll-tmicws ell xwexwéyt nerí7 tek tsk'ult, ne tmicws te m-sq'7est.s, ell tsq'ey' e sutenmíns, e tnmíns, tsq'ey' e xillt.s te sptínesmens ell e syecwemínems ne tmicws. (Article 26)

variety of management regimes, the protection of lands from invasion by outsiders, and the negotiation and implementation of treaties between nations as arranged by the chiefs of particular communities of respective Indigenous nations.

Oral histories originating at Pípsell are foundational for Secwepemc stsq'ey' and confirm the reciprocal and mutually accountable relationships between humans and the environment. The foundational histories and laws associated with Pípsell are of significance to the whole of the Secwepemc Nation. We assert the right of self-governance and the right to maintain and use all the resources in our territory.

We also rely on the principles set out in the UN Declaration of the Rights of Indigenous Peoples ("UNDRIP"). In May 2016, Canada announced that it had removed its objector status to UNDRIP and was a full supporter of the declaration.

In supporting UNDRIP, Canada has recognized that indigenous peoples have the right to the lands and resources they have traditionally owned, occupied or used, and that they have the right to own, use, develop and control the lands and resources which they possess through traditional ownership or use (Article 26).

SSN GOVERNANCE

Ne 1910 le [Sir Wilfrid Laurier] le répentmes, le q'7es te stsq'ey's le tk'wenem7íple7s ne tmicw te syecwemínem pen'tlú7, yerí7 t'7ekstés te sw7ec re SSN re Tk'wem7íplem', ts'ílem ey re syecwemínems ne tmicws, te tsímelles ne [twentieth century]. Yerí7 te t'ekstés ne syecwemínem ne Secwepemcúl'ecw. E tsle7s-tp-

The 1910 Memorial to Sir Wilfrid Laurier is a historic document that demonstrates SSN leaders' historical assertion of Aboriginal title, rights, and sovereignty in the early twentieth century. It reflects our continued and consistent traditional land ownership concepts as the hosts in Secwepemc lands, and the reciprocity that the



kucw me7 tsle7-stst ell, m-w7ec-ucw ne Secwepemcúl'ecw. P'7ecw lu7 re syecwemíns re tmicw pent'lú7, ta7 k sts'ílems pyin te ts'ílmes, re Tk'wem7íplem' te stsq'ey' te kupkúperman lexéy'ens t'hénes wes e xílmes, emétctem te semseme7úy. [Crown]. Ell kukuperman ne 1910 tsut le kupkukwpi7i: Re tmicw ts'ílem te sweméc-kt ri7.

Le tqwelmintmes le Frank Oliver ne 1911, tli7 ptínsmenses re SSN le sw7ec pent'lú7, melk'wílc xwexwéyt re Secwepemc te kupkúkwpi7 ell re s7i7llcw te kupkúkwpi7s re k'wseltktnéwst.s e sqwlenés le [Canada's Minister] t'7élye te tmicw, [BC Government] le Frank Oliver. Nerí7 tsq'ey'es, re kwens m-sutenmínses re qelmucúl'ecw, ta7 nukll k stsq'ey's e s7éyentem re qelmucwe7úw'i tek stem:

"Te m-sq'7est.s, k7ep-kucw re p'úsmens, ta7 penhén me7 sllépentem wel me7 qwtseq-kt ell héqen me7 xyemstélt tek e éyentls. E kwéct.ses tke7 súten k swet me7 tselxemstéc ell nwi7s k kwect.s tek stem me7 tselxemstés ell, re tmicw, t'hé7en me7 xílmes e skwéntem e slegwentém? Tswíkstem kwemtús, e késtmes re tmicw me7 stslax."

Ne ptek te upeklltyénecwem te swucwt re Stk'emlúpsenc te Secwepemc. Tselts'elílcstem-kucw re stk'wenem7íple7tns, kwéntem-kucw le

host-guest relationship entails. It underscores the Aboriginal concepts of land ownership and tenure, Aboriginal political authority, and sovereign relations with the Crown and government. As the Secwépemc Chiefs expressed it in 1910 in the Memorial to Sir Wilfrid Laurier, "our land is the same as our life."

The 1911 Memorial to Frank Oliver is a document that demonstrates the involvement of SSN leaders in describing the history of the relationship between the Chiefs of the Secwepemc (Shuswap) and Interior Tribes and the BC Government. The Memorial is written as a statement of facts to the Government of Canada's Minister of the Interior, Frank Oliver. The memorial summarizes how the British Columbia Government has laid claim to tribal territories and taken possession without treaty or payment:

"The soreness in our hearts over this matter has been accumulating these many years, and will not die until either we are all dead, or we obtain what we consider a just settlement. If a person takes possession of something belonging to you, surely you know it, and he knows it, and land is a thing which cannot be taken away, and hidden. We see it constantly, and everything done with it must be more or less in view."¹

In the past decade, we, the Stk'emlupsemc te Secwepemc, "stood ourselves up" (ts'elílcstem) as our traditional geopolitical unit, collectively

¹ Chiefs of the Shuswap, Couteau or Thompson, Okanagan, Lillooet, Stalo or Lower Fraser, Carrier and Tahltan tribes in the Interior of BC, Memorial to Frank Oliver, May 1911



sw7ecs le q'7es te Tk'wem7íplem' Kwéntem-kucw le q'7es te tk'wenem7íple7tns le q'7es te qelmúcw ell le sw7ecs le tk'em7íplem'.

going back to our traditional indigenous governance model and ways of organizing politically.

THE SSN REVIEW PROCESS

Re SSN tqwelmíns ell sts'exél'etcwens stém'i k sp'tínesmentem re [Ajax mine], e ts'ílmes k swestém te ts'ílmes re tk'wenem7íple7tns re qelmúcw7úw'i, e kénmes e sxyemcítls te stselxmem-kt ell te ck'ul'tn-kt.

The SSN Review was initiated as a process to review the proposed Ajax mine in accordance with our SSN stsq'ey' and governance. It facilitated informed decision-making by our communities, in a manner which is consistent with our laws, traditions and customs. It assessed the Ajax mine proposal in a way that respects our knowledge and perspectives.

Tqwelmíntem-kucw:

Our Review Process was:

- Te ts'ílmes re tk'wenem7íple7tns-kucw te m-sq'7est.s.
- Elkstmentem-kucw ne ck'ul'tns-kucw.
- Elkstmentem-kucw ne seséle te cptín'estn, ne qelmucwe7úw'i ell ne seme7tsín. Tqwelmíntem-kucw ell tsq'ey le élkstmentem-kucw.
- Cw7it re sp'tínesmentem-kucw: Me7 kénem re stet'e7ék te qelmúcw te se7wít-kt? Ell tqwelmíntem-kucw le kítsentltes le xetáqs te semseme7úy, tqwelmíntem-kucw re ts'ucwlém te swestéls-kucw te m-s7emétentem yi7élye te tmicw, [Canada ell British Columbia].
- Cw7it re sp'tínesmentem-kucw re ck'ul'tns-kucw, ta7 nerí7 k stsq'ey's, tsukw re [BC] ell re [Canadian Environment]. Ta7 k stsq'ey's nerí7 e sxyemcítls te c7étsxe7ktn-kt ell xwexwiýúlecwem nu7 me7 k'estwílcst.ses re tmicw.

- Founded on our laws and traditional governance structures that transcend time.
- Centered on our rich cultural perspectives, collective knowledge and history that goes back millennia.
- Built on the Principle of Walking on Two Legs- Secwepemc and Western. Information was provided both in oral and written format.
- A long view that delved into the long-term intergeneration impacts as well as the pre-contact past to address the legacy of wrongs that our people have faced since Canada and British Columbia's foundation.
- In-depth, examining aspects that are currently lost in the BC and Canadian Environmental processes and inclusive of information regarding the "intangible" impacts to spirit, culture & immeasurable impacts.

Re SSN te [Review] tqwelmíntem te k'wselktnéws te wew7éc, k tsúntem te k'wséltktns e stqwlútmens k sp'tínesemctem te

The SSN Review process brought together representatives from each of our families, our youth, our elders, and our leadership. The SSN



sw7ec, tsmet' re tutuwíwt, re stet'ex7ém ell re Tk'wem7íplem' ne SSN. Re SSN te w7ec te qw7el, séwentem te [Joint Council] e sc7ú7tsens xwexwéyt te tsuns e s7élkstmens re KGHM:

Tselxemstép tsq'ey'-kucw e syecwemíntem-kucw re Pípsell ell re tmicw t'lu7, t'lu7 re w7écwes-kucw te ets7étsemes re qelmúcw, Stk'emlupsemc te Secwepemc. Re Stk'emlupsemc te Secwepemc, kénem k stnucwentés k swet e sw7ecs t'lu7 e snék'ens re tmicw e stsíqle7cwens e sk'úlens re [Ajax Mine]? Me7 ts'ílmén te ck'úl'tns re SSN e tnúcwentésés? Me7 cwelcwéltén re qelmúcw e t'ekstémes k [mine]? Me7 xyemcítlsen te c7étsxe7tn-kt? Ne tk'wenem7íple7tns re SSN ell ne syecwemínems ne tmicw ts'ílem te tsilkst te tsq'ey': sw7ecs re qelmúcw, re scwelcwélt, re tmicw, xyemstwécw, squqwentsín ell ck'úl'tens re qelnucwe7úw'i.

Review Panel was asked by the SSN Joint Council to review all the evidence and make recommendations to the Joint Council, which would allow the Joint Council to answer the following question:

In recognition of the Declaration of Title to Pípsell (Jacko Lake & its surroundings), a cultural keystone area with significant spiritual and historical importance to the Stk'emlupsemc te Secwepemc Nation, does the Stk'emlupsemc te Secwepemc Nation give their free, prior and informed consent to change the land use objective to allow for development of the lands and resources for the purposes of the Ajax Mine Project in accordance with the Stk'emlupsemc te Secwepemc Nation's laws, traditions, customs and land tenure systems supported by the following five assessments: Indigenomics, Health & Wellness, Tmicw, Integrity and Respect.

PÍPSELL REPORT AND THE SSN PANEL RECOMMENDATIONS

The SSN Review Panel received evidence and submissions, both oral and written, and deliberated over 9.5 months. An extensive report, described as the Pípsell Report, was produced, and on February 23, 2017 the SSN Panel Recommendations were presented to the SSN Joint Council. The SSN Joint Council adopts in their entirety, the Pípsell Report and the SSN Panel Recommendations .



DECISION OF THE SSN JOINT COUNCIL

Re SSN ta7penhén k stsuns k swet e sw7ec ne tmicws, k stsuns. Ye7éne ri7 re tmicws-kucw, nerí7es k k'úlentpes k Ajax Mine.” Ta7at'ri7.

Nu7 ne tsúnses e sk'úlens re [Ajax Mine]. Ta7 ri7 k ts'ílems te sptínesmentem tek sw7ec nerí7 ne tmicw.

*Re Pípsell te tmicw,
xexe7úl'ecw te tmicw wes ne
ets7étsxemes re qelmúcw,
me7 tskwenstém re tmicw e
sta7s e sne7ék's k sw7ec nu7,
tsukw k ck'ul'tn-kt me7
t'ekstém. Me7 ts'ílem te
ts'ílmes te m-sq'7est.s re
sw7ecs ne
stk'wenem7íple7tens re
Secwepemc.*

Re SSN kwens re tk'wenem7íple7tns ne wi7st.s te sqw7els ne stscentwécwmentem re Pípsell. Tsukw k le7 tek sw7ec nu7 ne Pípsell me7 t'ekstém ell me7 ts'ílem te ts'ílmes te m-sq'7est.s, tsukw e sw7ecs nu7 re qelmúcw, te sts'ílmes le sw7ecs le q'7es te Secwepemc, me7 yucwemíns re tmicw ne Pípsell te stsq'ey's ne tk'wem7íle7tns re Secwepemc, ell me7 tswíkstem re tmicw te qelmúcw ne xuxweyúlecwems ne [Canada].

The SSN does not give its free, prior and informed consent to the development of the lands and resources at Pípsell for the purposes of the Ajax Mine Project. The Ajax Mine Project in its proposed location at Pípsell is fundamentally in opposition to the SSN land use objective for this sacred site.

Pípsell is a cultural keystone area which must be preserved in a state consistent with the traditional importance of the site to the Secwepemc people. Pípsell must only be used in ways which preserve and sustain the area, which allow for the culture of the Secwepemc people to be exercised and maintained, and which preserve the use of Pípsell for all Canadians in accordance with Secwepemc law.

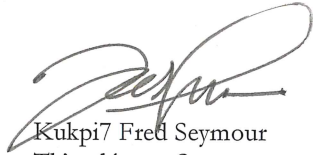
The decision of the SSN Joint Council is made in accordance with Stk'emlúpsemc te Secwepemc Nation's laws, traditions, customs and land tenure systems supported by the evidence and assessments as presented in the Pípsell Report and SSN Panel Recommendations Report, and in recognition that Pípsell is a cultural keystone area with significant spiritual and historical importance to the Stk'emlúpsemc te Secwepemc Nation, which significance is fundamental and undiminished.



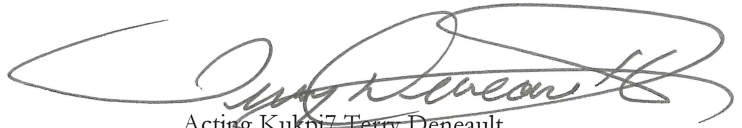
FINAL WORDS

In closing, in December 2016 Prime Minister Justin Trudeau laid out his plan to reset Canada's relationship with its Indigenous peoples and stated, "It is time for a renewed, nation-to-nation relationship with First Nations peoples, one that understands that the constitutionally guaranteed rights of First Nations in Canada are not an inconvenience but rather a sacred obligation."

Witnessed by the members of the Stk'emlúpsmc te Secwepemc in attendance at Moccasin Square Gardens at Tk'emlúps in the traditional territory of the Stk'emlúpsmc te Secwepemc Nation near Kamloops, BC this 4th day of March, 2017.



Kukpi7 Fred Seymour
Tk'emlúps te Secwepemc
Stk'emlúpsmc te Secwepemc Nation



Acting Kukpi7 Terry Deneault
Skeetchestn
Stk'emlúpsmc te Secwepemc Nation

