



**FOR RELEASE FEBRUARY 22, 2023**

**ENVIRONMENTAL LAW CENTRE, T̂SILHQOT'IN RELEASE RECOMMENDATIONS FOR HERITAGE PROTECTION**

VICTORIA, BC: As Heritage Week continues in British Columbia, the Environmental Law Centre, in partnership with the T̂silhqot'in National Government and other Nations have released a cultural heritage guide, *Protecting Indigenous Cultural Heritage Resources on Private Land*, which provides recommendations to all levels of government in the province on how to empower Indigenous management of heritage resources.

The publication documents the legal tools and innovative strategies that Nations in BC are currently using to protect cultural heritage resources, while also making detailed recommendations for Indigenous, provincial and municipal governments. Heritage resources include items such as artifacts, regalia, burial grounds, spiritual sites, initiation sites, transformation sites, cultural practice sites, spiritual bathing sites, and culturally significant landscapes, landmarks and trees.

“One aspect of revitalizing and holding up our language and culture is to protect our sacred sites and artifacts as tools for education and honouring our past,” says Chief Otis Guichon, Vice-Chair of the T̂silhqot'in National Government. “We know that it takes effort from all levels of government to preserve this history. This guide created with ELC and other Nations is a step down a path of working together with a common understanding and objective.”

*Protecting Indigenous Cultural Heritage Resources on Private Land* compiles specific measures Nations have used, or may want to consider, to protect Indigenous cultural heritage resources and to assert jurisdiction on private lands. It also provides direction to local and provincial governments on how to support Indigenous-led solutions.

“Archaeological and cultural heritage resources are subject to BC’s *Heritage Conservation Act*, but the *Act* fails to adequately recognize the full ambit of irreplaceable heritage resources – and fails to provide adequate authority to Nations to manage their heritage. Too often, enforcement of the *Act* is not taken seriously,” says Calvin Sandborn, KC, senior counsel with the ELC. “Resource development, construction, urbanization, tourism, theft, and vandalism routinely desecrate or compromise Indigenous cultural heritage resources. This destruction is a striking example of ongoing colonial injustice, and it must stop.”

Nations have used different legal tools and have asserted their jurisdiction to protect sacred sites and resources on their territories. This includes establishing First Nation permitting systems supported by comprehensive heritage policies—as the Stó:lō and Sts’ailes have done. Nations have also increased their internal capacity and monitoring of their territory, as well as developed strong relationships with proponents and municipal governments. Other tools include registering covenants, establishing Indigenous Protected and Conservation Areas, purchasing land and establishing local government Indigenous Heritage Bylaws. Jurisdictions outside of BC have established comprehensive lists of

protected sites that are integrated into local development and planning. The ability of a Nation to negotiate shared decision-making under the *Heritage Conservation Act* is also explored.

“We hope this document helps to raise awareness about the lack of protection for Indigenous cultural heritage resources in BC—and motivates colonial governments to address the gaps in their law and policies,” says Sandborn. “We also hope that it provides resources for interested Nations dealing with cultural heritage issues and contributes to the important conversations Nations are now leading on cultural heritage issues.”

- 30 -

**RESOURCES:**

*Protecting Indigenous Cultural Heritage Resources on Private Land*

- <https://elc.uvic.ca/publications/protecting-indigenous-cultural-heritage-resources-on-private-land/>
- [2023-01-30-Protecting-Indigenous-Cultural-Heritage-High-Res.pdf \(tsilhqotin.ca\)](#)

**CONTACTS:**

Calvin Sandborn, KC  
Senior Counsel  
Environmental Law Centre  
250-472-5248  
[csandbor@uvic.ca](mailto:csandbor@uvic.ca)

Myanna Desaulniers  
Communications Manager  
Tsilhqot'in National Government Organization  
250-302-3731  
[myanna@tsilhqotin.ca](mailto:myanna@tsilhqotin.ca)