

**For Release
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Media Statement on International Joint Commission Reference Regarding Transboundary Kootenay Watershed

ʔa·kiskʷaqʷiʔit/Cranbrook – The governments of Yaʔit ʔa·knuqʷiʔit, ʔakisqʷnuk, Yaʔan Nuʔkiy and ʔaqam as well as the Ktunaxa Nation Council (KNC) Chair communicated their disappointment and outrage at the recent decision by Global Affairs Canada to reject the request to refer the issue of transboundary watershed pollution of the Kootenay River to the International Joint Commission (IJC). In their May 6 letter to Minister of Foreign Affairs Melanie Joly and Minister of Environment and Climate Change Steven Guilbeaut, the Ktunaxa governments outline the failure of Global Affairs Canada to meaningfully engage and implement *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) through the development of a referral to the IJC on the issue of transboundary pollution on the Kootenay River.

Decades of mining operations and impacts in the Kootenay River watershed have led to pollution in the transboundary river – a violation of Article IV of the *1909 Boundary Waters Treaty*. The treaty was established to directly deal with the issue of managing transboundary waters between Canada and the United States. Under Article IV, disputes regarding pollution can be referred to the IJC. As stated in the letter, the expertise and institutional independence of the IJC make it well suited to helping Canada, the US, BC and the transboundary Ktunaxa better understand solutions for managing and reducing pollution throughout the watershed. It is the view of the Ktunaxa governments that the IJC reference is of great value.

Ktunaxa ʔaqʷsmaknik (Ktunaxa people) have a duty to care for the land and those who reside within it, including those downstream on the Kootenay River across the 49th parallel. The decision made by Global Affairs does not reflect meaningful consultation or discussion with Ktunaxa and flies in the face of Canada's commitment to reconciliation and its commitment to fully implement UNDRIP.

The governments of the Ktunaxa Nation call upon Canada to reverse this decision immediately and to recommit to consent-based engagement with the Ktunaxa Nation on a joint IJC reference.

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