



Opposition to TimberWest sale grows as Vancouver Island First Nations agree on Declaration

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(Ladysmith, B.C) First Nations from throughout Vancouver Island within the E&N Railway Grant area have united in protest against the takeover of forest giant TimberWest.

A declaration opposing the sale of the company to Canada and BC public service pension funds, or any other buyer, has been agreed to by leaders of nations whose traditional territory includes more than 113,000 hectares of TimberWest lands that were part of the 2 million acre E&N Railway land grant of 1883.

The declaration followed a meeting in Ladysmith on May 19 at which leaders came out to add their voices and support the Hul'qumi'num Treaty Group in opposition to the proposed sale. HTG gained the attention of the world's financial markets a week earlier when it announced its opposition to the \$1 billion sale.

Within hours of HTG filing a Precautionary Measures request with the Inter-American Human Rights Commission (IACHR), TimberWest shares tumbled in value on the Toronto Stock Exchange. The IACHR is an independent body of human rights experts, within the Organization of American States, of which Canada is a member. The filing was part of HTG's larger human rights complaint against Canada.

“We were very heartened by the support we received from other nations, both on and off Vancouver Island,” said Robert Morales, the chief negotiator of HTG. Other Island leaders see that our fight is also theirs. We are all opposed to the large-scale sale and resource extraction on private lands in our traditional territories.

“These lands have never been surrendered or ceded, yet others have benefited from land sales such as this for 150 years. Our interests in these lands continue, even as they are being clear-cut of timber and subdivided for development.”

The E&N Declaration states the signers' objection to the lack of consultation and accommodation when decisions are made about lands such as those controlled by TimberWest. In doing so, the Declaration laid down a legal and moral challenge not only to federal and provincial governments, but also to business and industry.

"Governments and corporate entities have an obligation under both Canadian and international law to honour our rights," Morales said. "The Declaration calls on all of them to fulfill that obligation."

He said the HTG campaign has resonated far outside the boundaries of Vancouver Island and BC.

"When we first filed our original petition with IACHR in 2007, First Nations across Canada immediately understood our position: that government, federal and provincial, and local, has been ignoring our steadfast opposition to what is happening in our traditional territories. That refusal to consult with us is what makes it a human rights issue.

"Now the corporate world realizes that such issues can seriously impact their bottom line," Morales said. "After HTG sent out its media announcement last week, we have been receiving calls from financial centres in many locations.

"Investors in resource companies like TimberWest are worried. When investors are worried, governments get worried. It means we have their attention."

Chief Negotiator Rod Naknakim of the Laich-kwil-tach Treaty Society says "our Chiefs have instructed me to explore legal remedies such as filing an application for an injunction regarding the proposed sale by TimberWest in the BC Supreme Court.

Chief Douglas White III of the Snuneymuxw First Nation and a member of BC's First Nations Summit Executive stated "Approximately 20,000 ha of TimberWest lands are at the core of Snuneymuxw territory in the Nanaimo River watershed. The alienation of these lands, as part of the E&N Land Grant, represents a fundamental breach of the Snuneymuxw Douglas Treaty of 1854. We have written to both TimberWest and the Pension corporations to put them on notice of this dark cloud on the title to this land. Snuneymuxw stands with our relations in opposition to the proposed sale. We will be raising this matter on the Summit agenda when First Nations from across British Columbia convene in Vancouver in early June."

"There is no question about this," Chief Richard Thomas of Lyackson First Nation and HTG's president said. "We will not continue to have our fundamental human rights and our aboriginal rights ignored by government and corporate interests. He said direct action will continue before TimberWest shareholders gather in Vancouver, B.C. to vote on the proposed sale on June 14."

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