



DECLARATION OF STATE OF EMERGENCY

TO CANADA, BRITISH COLUMBIA AND ALL THOSE PERSONS WHO RESIDE ON THE ʔAMAKʔIS KTUNAXA (TRADITIONAL TERRITORY OF KTUNAXA).

WE ARE THE PEOPLE OF ʔAQʔAM, who are also known as ʔaqʔamnik, or “people of the dense forest” and we are part of the Ktunaxa Nation, which includes all Ktunaxa people who are members of the following bands: ʔakisqʔnuk First Nation, ʔaqʔam, Lower Kootenay Indian Band (Yaqaʔ Nukiy), Tobacco Plains Indian Band (Yaqʔit ʔa·knuqʔiʔit), as well as all other Ktunaxa peoples who are located either in Canada or the United States, and or who are Ktunaxa by virtue of our Indigenous Ktunaxa Laws.

WE, THE PEOPLE OF ʔAQʔAM, DECLARE THAT ʔaqʔam is in a State of Emergency characterised by:

- an unprecedented number of ʔaqʔamnik who have turned to the use of opioids and other illicit and illegal drugs to self-medicate from the impacts of both direct and intergenerational trauma, and as a result live at risk of harm to their health and safety;
- the harmful effects of opioid, illicit and illegal drug use on ʔaqʔam Lands, which includes both overdose and violence-related deaths of ʔaqʔamnik;
- ʔaqʔamnik who have turned to involvement in gangs and the distribution of drugs as a way of financing their lifestyles and being part of “something”, and in doing so have lost their way from our qanikitʔi (fundamental values and principles) and created the conditions for violence and death to occur in our community; and
- a public health and safety crisis on ʔaqʔam Lands.

Despite our own efforts, combined with the efforts of Canada, British Columbia, local governments, and Indigenous health entities, opioids and other illicit drugs continue to cause harm to ʔaqʔamnik and continue to be brought onto ʔaqʔam Lands by both ʔaqʔamnik and members of gangs for distribution to ʔaqʔamnik.

WE FURTHER DECLARE THAT ENOUGH IS ENOUGH, we want all opioids, other illicit drugs and gang activities out of our community now!

WE FURTHER DECLARE THAT WE HAVE INHERENT AND INALIENABLE RIGHTS that are broader than those formally recognized by Canada or by Canadian courts, both of which have consistently been under-inclusive in their interpretations of our rights. Our rights are formally recognized in the *Constitution Act of Canada* and world-wide in the *United Nations Declaration on the Rights of Indigenous Peoples* ("UNDRIP"), and they include rights to:

- autonomy or self-government in matters relating to our internal and local affairs,
- practice and revitalize our cultural traditions and customs, which include traditions and customs regarding the health, wellbeing, and safety of all ʔaǰamniǰ;
- improvement of our social conditions, including health and social security, with special attention to the rights and special needs of our elders, women, youth, children, and persons with disabilities;
- our own use and control of our lands and territories, which we possess by reason of traditional ownership, occupation and use;
- determine the responsibilities of individuals to our community; and
- each ʔaǰamniǰ having a right to life, physical and mental integrity, liberty, and security of the person.

WE FURTHER DECLARE THAT ALL ʔAǰAMNIǰ SHARE THE FOLLOWING QANIKITǰI (FUNDAMENTAL VALUES AND PRINCIPLES):

- **Family:** ʔaǰam puts family first and recognizes the importance of individual roles within the family. ʔaǰam shares responsibility in the raising of children and honours its elders and children.
- **Unity and Co-operation:** ʔaǰam comes together to provide support when a person or family is in need. ʔaǰam values everyone's talents and unique place within ʔaǰam.
- **Love and Kindness:** ʔaǰamniǰ are considerate of each other and the needs of ʔaǰam. ʔaǰamniǰ care for one another and ensure no ʔaǰamniǰ goes without food, clothing, or shelter. ʔaǰamniǰ appreciate and honour one another and celebrate one another's successes. ʔaǰamniǰ gain strength and realize the vision and values of ʔaǰam through their love for one another.
- **Safety and Security:** ʔaǰamniǰ maintain peace in ʔaǰam, protect ʔaǰamniǰ children and do not tolerate abuse of any kind.
- **Healthy and Balanced Living:** ʔaǰamniǰ have active lifestyles and take care of themselves, spiritually, physically, mentally, and emotionally.

WE FURTHER DECLARE THAT BOTH CANADA AND BRITISH COLUMBIA in their assertions of sovereignty over ʔamakʔis Ktunaxa (the traditional territory of Ktunaxa) have acted contrary to our rights and interrupted our qanikitʔi (fundamental values and principles). In doing so, they have contributed to ʔaǰamnik living in social and economic conditions that make it extremely challenging for ʔaǰamnik to overcome and practice abstinence from opioid use, other illicit drugs, and gang activities.

AS SUCH, WE RESPECTFULLY DEMAND THAT CANADA AND BRITISH COLUMBIA TAKE ALL NECESSARY STEPS TO IMMEDIATELY:

1. Ensure that suspected opioid and other illicit drug related activities occurring on ʔaǰam Lands contrary to the *Criminal Code* and/or *Controlled Drugs and Substances Act* are:
 - a. Duly investigated by peace officers appointed under the *Royal Canadian Mounted Police Act*, (R.S.C., 1985, c. R-10) when we report those activities to those peace officers; and
 - b. That those suspected activities are brought to the attention of the Organized Crime Agency of British Columbia – Combined Forces Special Enforcement Unit.
2. Ensure that Crown Counsel appointed under the *Crown Counsel Act*, [RSBC 1996] Chapter 87, who are assessing whether or not to proceed with charges against persons allegedly acting contrary to the *Criminal Code* and/or *Controlled Drugs and Substances Act* on ʔaǰam Lands take this State of Emergency into serious consideration when deciding whether a prosecution against those persons is in the public interest.
3. Ensure ʔaǰamnik have information about and equitable access to all programs and services that are funded by Canada or British Columbia that focus on responding to the national and provincial opioid crisis, illicit drug use and/or the end of gang-related activities, including:
 - a. All programs and services that focus on opioid use prevention, treatment, and harm reduction, mental health and wellbeing.
 - b. All Combined Forces Special Enforcement Unit – BC Gang Intervention and Exiting Team services and supports for persons who are engaged in gang-related activities, including drug trafficking, and wish to exit gang life.
4. Create, or make available, government funded options for opioid, illicit drug-use, and other addictions treatment and intervention services for ʔaǰamnik and their families.

5. Provide ʔaḡam the financial means required for us to:

- a. Revitalize our social and cultural institutions that focus on health and wellbeing.
- b. Access training, services, and programs focussed on mental health, and crisis intervention with an intergenerational trauma focus.
- c. Implement our *Trespass and Access to ʔaḡam Lands Law, 2017*.

WE ALSO RESPECTFULLY DEMAND THAT ALL PERSONS RESIDING ON, OR ACCESSING ʔAḠAM LANDS,

1. Document and report to both ʔaḡam and the Royal Canadian Mounted Police all suspected opioid and other illicit drug related activities occurring on ʔaḡam Lands that are contrary to the *Criminal Code*, (R.S.C., 1985, c. C-46) and/or *Controlled Drugs and Substances Act*, (S.C. 1996, c.19). Contact Information is as follows:
2. Document and report to ʔaḡam CAO all opioid and other illicit drug-related breaches of our qanikitḡi (fundamental values and principles) and *Trespass and Access to ʔaḡam Lands Law, 2017*. Contact information is as follows:

ʔaḡam Administration	Cranbrook RCMP Detachment
7470 Mission Rd Cranbrook, BC V1C 7E5 Phone: 250-426-5717 Online at: https://www.aqam.net/	31 – 11th Avenue South Cranbrook BC. V1C 2N9 Phone: 250-489-3471 Online at: https://ocre-sielc.rcmp-grc.gc.ca/cranbrook/en
For 24 hour emergency services contact 911	

3. Cease and desist from all opioid and other illicit drug related:

- a. Activities occurring on ʔaḡam Lands that are contrary to the *Criminal Code* and/or the *Controlled Drugs and Substances Act*, including all drug trafficking and distributions of drugs to our community members.
- b. Breaches of our qanikitḡi (fundamental values and principles) and *Trespass and Access to ʔaḡam Lands Law, 2017*.

THIS DECLARATION IS HEREBY MADE ON BEHALF OF ALL ᑭᐱᐱᐱᐱᐱᐱ at a duly convened meeting of the ᑭᐱᐱᐱᐱᐱᐱ ᑭᐱᐱᐱ (Council) this 11th day of August, 2023.



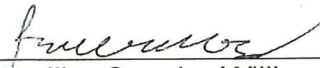
Nasuᑭᐱᐱ (Chief) Joe Pierre Jr.



Councillor Julie Birdstone



Councillor Jason Andrew

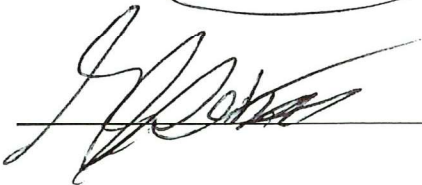
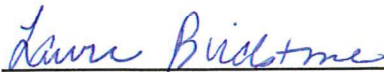



Councillor Sancira Williams-Jimmy



Councillor Dallas Cardinal-Clement

THIS DECLARATION IS ENDORSED BY THE FOLLOWING PERSONS:



gthtd

B. Merigan

Jim McLeary

Arlye Thomas

B. Merigan

McClough

Blond, Ktunaxa Nation Member.