



**November 25, 2024**

*For Immediate Release*

## **Government of Yukon Attempts to Suppress First Nation Treaty Rights, Relitigate Peel Watershed Decision in Court**

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A hearing is scheduled this week on a proposed mining project in the Peel Watershed Region that, if approved, would undermine the Peel Watershed Regional Land Use Plan and First Nation treaty rights. The Government of Yukon has filed an unprecedented lawsuit against the Yukon Environmental & Socio-economic Assessment Board (“YESAB”), which will be heard November 27-29, 2024, at the Law Courts in Whitehorse. The First Nation of Na-Cho Nyäk Dun (“FNNND”) and Tr’ondëk Hwëch’in (TH) will stand in court to advocate again for our treaty rights and to protect the pristine Peel Watershed.

The Michelle Creek Exploration Project (“the Project”) is the first development of its kind proposed in the Peel Watershed since the signing of the Peel Watershed Land Use Plan (“the Peel Plan”) in 2019. Based on the information presented to YESAB from Silver47 Exploration Corp. (“the Proponent”), along with information provided by the Government of Yukon Department of Environment and affected First Nations, YESAB found that the Project’s effects to wildlife and First Nation wellness were significant and cannot be mitigated. In its evaluation, YESAB noted that the Project was not consistent with specific directions under the Peel Plan, as the Proponent had not collected adequate baseline data on existing environmental conditions in the area. YESAB therefore recommended that the Project not proceed. Rather than issuing a decision document or proceeding to consultation, the Government of Yukon instead filed a lawsuit aiming to quash the recommendation, put the project back in front of YESAB for a new recommendation, and declare YESAB’s initial assessment unfair to the proponent.

The Peel Plan is the result of a 14-year struggle to fulfill the core treaty promise that Yukon First Nations co-manage our traditional territories with the Government of Yukon, including through land use planning. It is a plan negotiated and signed by the Government of Yukon, the First Nation of Na-Cho Nyäk Dun, the Tr’ondëk Hwëch’in, the Vuntut Gwitchin First Nation, and the Gwich’in Tribal Council and it cannot be discarded or ignored based on the influence of parties who are not signatories. We urge the Government of Yukon to reconsider its wasteful use of taxpayer resources to obstruct the agreed upon terms of the Peel Plan, however, we are fully prepared to defend the plan through the courts if necessary and anticipate our treaty rights being once again upheld by law.

## QUOTES

“Yukon’s lawsuit makes a mockery of the Peel Plan. The First Nation of Na-Cho Nyäk Dun had to defend the Peel Plan before the Supreme Court of Canada in 2017, and we won. We will defend the Peel Plan as many times as we need to, until Yukon Government upholds the Plan and our treaty right to land use planning. We had to defend this exact treaty right in Yukon courts last year—and we won again. Our Treaty promised that we would co-govern our lands with Yukon Government in partnership; until that promise is realized, we will keep fighting for our rights—in court and out.

We are deeply disappointed that Yukon Government brought this lawsuit against YESAB, particularly as our Nation is still reeling from the Eagle Gold Mine catastrophe,” Chief Hope said. “After Eagle Gold, responsible environment stewardship must be our top, shared priority. Yet Yukon Government continues to prioritize mining and corporate interests over our constitutionally protected treaty rights, our environment, and our future generations.”

—**Chief Dawna Hope, First Nation of Na-Cho Nyäk Dun**

“We are deeply disturbed by the actions of Yukon Government and their continued disregard for the Peel Watershed Land Use Plan. When we signed the Plan in 2019, we assumed we had finally come to an understanding with Yukon Government, not only that the Peel Watershed is worth protecting, but that First Nations have the inherent right to protect it. We negotiated in good faith for a Plan that balanced our rights with the need for economic development in the region, and we are disappointed to learn that our good faith was misplaced. As we have done since time immemorial, we will do now: we will defend the land. We are confident that the Courts will yet again uphold our treaty rights, and the land-use provisions described in the Plan.”

—**Hähkè Darren Taylor, Tr’ondëk Hwëch’in**

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