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Canada: Suspended sentence for the three criminalised Indigenous defenders of the Wet'suwet'en Nation's territory, but the impact of colonisation persists

Front Line Defenders welcomes the avoidance of further jail time to be served by the Indigenous land defenders, [Sleydo' Molly Wickham](#), [Shaylynn Sampson](#), and [Corey Jocko](#), who have been given a suspended sentence of seventeen, twelve and nine days respectively and 150 hours community service. The organisation also welcomes the recognition of the ongoing impact of colonisation in this case by British Columbia's Judicial System but expresses its concern over the restrictions the existing injunction, which banned land defence actions near the construction of the Coastal GasLink (CGL) pipeline, will continue to pose on their right to defend the Wet'suwet'en Nation's ancestral land. The suspended prison sentences handed down by the British Columbia Smithers Court on 17 October 2025 will only be served if the land defenders breach this injunction in the coming year.

The judge who ruled for the suspension of the jail sentences stated during the hearing that this is an exceptional case as the actions of the three Indigenous defenders were taken to tackle the ongoing impacts of colonisation and the failure of the federal and provincial governments to effectively recognise the Wet'suwet'en Nation's rights. The judge referenced the lack of action towards the implementation of the Memorandum of Understanding (MoU) between Canada, British Columbia and Wet'suwet'en Hereditary Chiefs agreed in 2020, which established that Canada and B.C. recognised Wet'suwet'en rights and title throughout the Yintah (territory), and that the three parties committed to negotiating the legal recognition of Wet'suwet'en title.

The judge also acknowledged "the dark shadow of the legacy of colonisation" in this case and stated that he had suspended the sentences to advance the goal of reconciliation with Indigenous Peoples in Canada. This recognition of the ongoing impacts of colonisation by Canada's Judicial System is important and sets a relevant precedent involving Indigenous Peoples. The decision to impose the alternative punishment of 150 community service hours, which will be carried out by the defenders in partnership with the Lax'yip Firekeepers of the Gitxsan Nation, will ensure the Indigenous defenders ancestral rights are not further violated by the sentences they will serve.

The sentence also considered the 18 February 2025 ruling in favour of the [abuse of process application](#) brought by the Indigenous land defenders in the criminal case against them for taking peaceful actions at the CGL pipeline construction sites in 2021. The judge affirmed that the treatment the Indigenous land defenders received during their detention was "the most extreme deprivations one can endure". In August 2024, Front Line Defenders joined a statement [denouncing](#) the arbitrary detention of Indigenous Peoples which separates them from their community as it can cause serious effects on them and their communities, limiting their right to defend their interests and collective rights, and violating their identity and unity. Front Line Defenders therefore welcomes the suspended prison sentences as a measure that avoids further unnecessary ill-treatment and separation of the Indigenous land defenders from their communities.

While welcoming the positive aspects of the Court's decision, Front Line Defenders also expresses its concern that the injunction banning land defence actions near the construction of the CGL pipeline against the Indigenous land defenders remains in force. This is despite the [decision](#) issued in 2019 by the UN Committee on the Elimination of Racial Discrimination (CERD) calling on Canada to cease halt the construction of and suspend all permits and approvals for the construction of the Coastal GasLink pipeline in the ancestral land of the Wet'suwet'en Nation, as well as to cease any forced evictions against them. The court decision on 17 October 2025 did not address this issue and, by sentencing the indigenous land defenders, it validates the application of the injunction. The sentence against the Indigenous land defenders sparks a chilling effect on Indigenous land defenders, reinforces the restriction of movement on their territories, and denies their legitimate right to protect Wet'suwet'en territory against the extractive projects that affect their land and lives.

The recognition of the work of human rights defenders is important to legitimize their activities, by not doing so, institutions risk lacking with its responsibility of duly protecting them. Front Line Defenders will continue to support Indigenous defenders of the territory of the Wet'suwet'en nation as they keep protecting their land and collective rights.

Front Line Defenders calls on the authorities in Canada to put the Court's recognition of the "dark shadow of colonisation" into practice by stopping the criminalisation of Indigenous and land defenders, protecting the rights of Indigenous defenders to defend their ancestral lands, and complying with their obligations under [international law](#) to recognise, respect and reinforce the work of human rights defenders.

"We are standing on what our ancestors believed and lived, and the lands that sustained them, that sustained the children. Today, we were talking about the [Delgamuukw] court case and how they did it for us, and today that really showed, what they did and how hard they fought and the fact that we still have lands and territories, and the fact that we're still here and we're still fighting and we are being strong Indigenous people." Sleydo'

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