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## **Canada: Upcoming hearing of three defenders of the Wet'suwet'en territory facing criminalization**

On 17 June 2024, the British Columbia Supreme Court will hold a hearing on the case against human rights defenders **Sleydo' Molly Wickham, Shaylynn Sampson and Corey Jayohcee Jocko**. The hearing concerns the abuse of process application filed by the defenders after they were found guilty of criminal contempt of court on 12 January 2024. Front Line Defenders will join an international delegation to British Columbia as part of an observation team of the trial.

[Sleydo'](#), also known as Molly Wickham, is land and water protector and a Wing Chief of Cas Yikh, a house group of the Gidimt'en Clan of the Wet'suwet'en Nation. She has been the public face of a high-profile indigenous land rights movement, currently working as the spokesperson for Gidimt'en Access Checkpoint, a reoccupation site of the Wet'suwet'en nation that controls access to the territory of the Cas Yikh house, as a way to defend their land, water and its ecosystem from the negative effects of the construction of a gas pipeline, demanding the free, prior and informed consent of the Wet'suwet'en Nation in the framework of extractive projects that aim to be activated in their land.

[Shaylynn Sampson](#) is a land and water protector from the Lax Gibuu, Wilp Spookw of the Gitxsan Nation. They continue to fight against colonial occupation of Gitxsan Lax'yip (territory) as well as further destruction from industrial projects on the Yintah.

[Corey Jayohcee Jocko](#) is a Mohawk from Akwesasne of the Haudenosaunee Confederacy, a [multidisciplinary creator](#) and defender of Indigenous and environmental rights. He has been a crucial supporter in movements to protect land, water and the rights of all living beings. Arrested at Standing Rock and during the #ShutDownCanada movement and most recently in Wet'suwet'en territory, Corey is currently facing trials in both Ontario and BC. His latest single, "Dreams," written during his ongoing trials, speaks to resilience and the power of perseverance, urging listeners to keep dreaming despite obstacles.

On 12 January 2024, the British Columbia Supreme Court found the human rights defenders guilty of criminal contempt for breaking a court order forbidding them from blocking construction sites of the Coastal GasLink pipeline, a 670-kilometre pipeline planned to carry natural gas across northern British Columbia to a terminal in Kitimat. The three human rights defenders filed for abuse of process applications, arguing that their human rights were violated by the Royal Canadian Mounted Police (RCMP) during their arrests and detention in November 2021.

The human rights defenders are being prosecuted for their rights as indigenous peoples, as well as their freedom of assembly in peacefully protesting the human rights impacts of the

construction of TC Energy's Coastal GasLink pipeline, which does not have the free, prior and informed consent of the Wet'suwet'en Hereditary Chiefs. In 2019, the [UN Committee on the Elimination of Racial Discrimination issued a decision to the Canadian State](#), urging them to halt the construction and to suspend all permits and approvals for the construction of the Coastal Gas Link pipeline in the ancestral land of the Wet'suwet'en Nation, as well as to cease any forced evictions against them.

Although the letter was sent to Canadian authorities, and the construction of a pipeline blatantly disregards the Wet'suwet'en laws and traditions, the project continued and the injunction remained in force during the following years, which caused indigenous human rights defenders to peacefully block access to their territory. The three human rights defenders were arrested on 19 November 2021 in the cabin structures along the Morice Forest Service Road, where a camp was peacefully occupying a key work site of the gas pipeline project.

According to the testimonies of the human rights defenders and the [report of the United Nations Special Rapporteur on the rights of Indigenous Peoples on his visit to Canada last year](#), in November 2021 "the federal police (under contract with the government of British Columbia) conducted a series of raids using tactical officers, helicopters, assault rifles and police dogs to arrest 74 Wet'suwet'en land rights defenders", including Sleydo', Shaylynn Sampson and Corey [Jayohcee](#) Jocko, despite the previous letter of the Committee on the Elimination of Racial Discrimination above-mentioned. The defenders also stated that the RCMP used derogatory and mocking terms against them during their detention period. It is expected that these actions will be subject to observation during the abuse of process hearing to take place next week.

Aside from the criminalization case of these three land defenders, there have been similar trials for other indigenous human rights defenders resulting in their sentencing. Five Wet'suwet'en land rights defenders were detained in March 2023 and charged with criminal contempt for allegedly violating the terms of an injunction and are waiting for their trial dates to be set. In February 2024, human rights defenders and Likhts'amisyu Clan Wing Chief Dtsa'hyl was found guilty of criminal contempt for violating the terms of an injunction order and will be sentenced in July 2024. The B.C. Prosecution Service is requesting jail time.

In this context, the [United Nations Special Rapporteur on the human rights to safe drinking water and sanitation released a statement](#) expressing his concern over the harsh living conditions of Indigenous Peoples and the inadequate access to safe drinking water and sanitation. Such concerns are derived from the impact of extractive activities and discharges under the control of the Canadian provincial authorities, jeopardising their right to water and sanitation, and the situation of criminalization of water rights defenders of these lands.

Front Line Defenders expresses its concern with the misuse of criminal law against these human rights defenders, as it believes they are being targeted as a reprisal for their legitimate human rights work in defence of their environment and their ancestral land, in an attempt to refrain them in their work. Indigenous rights defenders, especially those working against the

negative effects of the implementation of extractive and infrastructure projects on their lands, have been living in a high risk situation, with many of them being threatened, attacked and criminalized,. Indigenous Peoples in Canada have also faced restrictions on their lands, with the use of injunctions against them by corporations.

**Front Line Defenders urges the authorities in Canada to:**

1. Immediately drop all charges against human rights defenders Sleydo', Shaylynn Sampson, Corey [Jayohcee](#) Jocko and other land defenders subject to criminalization, as it is believed that they are solely motivated by their legitimate and peaceful human rights work;
2. Review the use of judicial tools against Indigenous Peoples under a human rights and indigenous rights' approach and with a view to lifting undue restrictions on freedom of assembly;
3. Ensure that all human rights defenders in Canada are able to conduct their peaceful and legitimate activities without undue restrictions and without fear of harassment, threats or retaliation, including judicial harassment against them

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