

ESKETEMC closing remarks are as follows:

1. Esketemc has aboriginal title and rights to their lands and Territory.
2. Esketemc has the right to self determination and the inherent right to govern themselves and to choose their way of life.
3. Since the engagement of this process, the Esketemc Government and each and every Esketemc elder, youth and other community member as wells and all documentation submitted by Esketemc including the interim reports and the comments during the Public Hearing stated clearly that Esketemc is opposed to the development of the Prosperity Gold and Copper Mine and it associated transmission line by Taseko for many reasons including but not limited to:
  - a. Aboriginal Title which among other characters of the right includes subsurface rights;
  - b. Aboriginal Rights which among other characters of the right includes the right to a traditional diet, health and foods;
  - c. Concern that Esketemc is a low income community that heavily on these traditional food sources for their basic needs and the present pressing issues of access and availability of food sources;
  - d. Historical and on going colonial oppression and impacts;
  - e. Complete disappearance of traditional resources, polluted waters, a fishery on the verge of complete collapse;
  - f. Yesterday evidence was submitted by the Betty Ford centre by Patrick Haggerson letter in which he expressed serious concerns that this mine will re traumatize / re victimize a community that recovering from a brutal colonial regime of oppression, genocide, theft and alienation of lands and resources and marginalization of Esketemc culture;
  - g. Existing land use conflicts and problems exercising rights and a completely useless and unfair referral process that does not reconcile the issues such as grazing, drift fences, wild horses, destruction of ungulate habitat. These conflicts of uses are lengthy between Esketemc and the Crown.
  - h. Involvement in the treaty process and borrowing millions of dollars to deal with their basic rights;
  - i. Esketemc tabling to the governments maps and reports of sacred areas and protected areas and cultural and land use plans that are ignored;
  - j. Existing transmission lines and corridor issues;
  - k. Lack of trust and confidence in the government and third parties given the Nemiah case;
  - l. Taseko lack of engagement to:
    - i. Enter into I and B agreements
    - ii. Politically acknowledge title and rights of Esketemc but instead Taseko deny the existence and shift all responsibility to the Government when

Taseko knew or ought to have known (given they are a Vancouver based company and have an existing mine in the Cariboo) the high level of uncertainty of tenure given the outstanding issues in BC.

- iii. Yet Taseko presented and held out to its share holders and public that millions have been expended on this mine to date and now they are caught in the middle and blame the governments and First Nations for not “stepping up to the plate”
  - iv. Considering the profit but after listening to Mining Watch Canada maybe the profits are not as they are stated – but it is the second largest low grade ore deposit in Canada. Taseko is fostering the conflict between the Federal and provincial governments and native and non native populations – instead of squarely addressing the outstanding issues and concerns brought forward by all parties about this MINE and its impact on the Esketemc and the environment that all Cariboo people share now and into the future. And after today they will leave behind a climate of racism and miss trust and fear of the future and blame it on the Indians. Shame on Taseko.
  - m. You heard that Esketemc is not opposed to development or joint ventures where values, rights and interests are incorporated. However, Esketemc strongly objects to the arbitrary imposition of this Panel process that is unable nor set up to address Esketemc rights.
4. Esketemc wants the Panel to recommend to the Minister that this mine not proceed any further until
- a. the Constitutional issues are firmly resolved which include but are not limited to:
    - i. certainty and protection of aboriginal title and rights;
    - ii. treaty negotiations and the debts associated with these negotiations and the unilateral removal of these lands and resources without any discussions;
    - iii. Gap analysis of base line data and real findings of FACT of cultural use within the transmission line and mine area. The deficiency of this process and the lack of information is well document in the letter from Chief Fred Robbins to the Minister. In this 25 page letter it confirms the Esketemc’s cultural exercise of rights and the mines impact on those rights.
      1. Esketemc needs to know the real cumulative IMPACTS of this project on Esketemc rights and title and how this mine is going to affect their ability to maintain their culture, language, and history.
      2. This mine has the potential to completely prevent Esketemc from passing on their ways of living sustainably from the land to their children – their hunting, fishing, trapping, gathering rights are already threatened.
      3. The migration routes of wildlife on which Esketemc depend are being interfered with.

4. Esketemc sacred sites which define who they are and enable them to continue their way of life will be destroyed by this Project.
  5. Esketemc shared that have extensive experience of the approval of one transmission line that turned into two more and its devastating impacts of transmission lines on their rights.
- iv. Meaningful consultation has occurred. In history of the “Concept of “consultation” to date ESKETEMC haven’t heard a First Nation or more specifically Esketemc say - I feel like ESKETEMC constitutional rights were meaningfully addressed, accommodated and reconciled There has not been consultation. Esketemc considers the Panel process to be wholly deficient as a process of consultation concerning Esketemc over 5000 year history of cultural use, occupation, stewardship, governance, language, development of intellectual property rights and ESKETEMC could go on here.
5. We think to approve this mine even with recommendations given what the Panel has heard about the aboriginal concerns, the extensive environmental impacts and real facts about social implications of mines would result in mockery of Esketemc’s Constitutional rights and its purpose and our Environmental laws. The facts are not here to show that that this mine is not going to erode already pressed and difficult rights of the Esketemc. To approve the mine even with recommendations would constitute an act of environmental racism by the Government of Canada.
  6. In the short 3 days of community hearings Esketemc told you some of the impacts that will affect ESKETEMC rights:
    - ESKETEMC Right to Water is Impacted
    - ESKETEMC Right to Hunt is Impacted
    - ESKETEMC Right to Fish is Impacted
    - ESKETEMC Right to Trap is Impacted
    - ESKETEMC Right to Gather in Sacred Areas is Impacted
    - ESKETEMC Right to use these rights to make a livelihood is Impacted
    - This list is not Exhaustive
  7. Esketemc told you that they do not have fully information on:
    - the key resources relied upon,
    - the use of resources,
    - the ecological requirements for each resource,
    - the vulnerability of the resources due to climate change,
    - the socio-economic conditions necessary for Esketemc to exercise their rights;
    - the key issues affecting resource harvest – ecological, socio-cultural, and economic;
    - the key factors to affect the resource in the future;
    - culturally acceptable management practices; and

- Cumulative impacts affecting ESKETEMC rights.
  - These lists are not exhaustive.
8. ESKETEMC do not have information on the amount of land, water and resources required in order to exercise ESKETEMC rights to hunt, fish, trap, gather, and exercise ESKETEMC Aboriginal rights now and into the future in a way that maintains ESKETEMC culture, language and spirituality.
  9. Esketemc came to the Panel under duress, underfunded and without being provided the necessary time, information, technical support, resources, and tools to properly assess the impact of this Project on their rights and title.
  10. The federal government has stated that it will be relying on the review panel process to discharge the duty to consult and accommodate, to the extent that is possible.
  11. Esketemc considers this panel process to be WHOLLY DEFICIENT to satisfy the duty to consult and accommodate. There has been a lack of effort put forth by the proponent to show that it has genuinely listened to and heard Esketemc's concerns. When Mr. Bel Irving was asked by Ms. Nalaine Morin about whether Mr. Bel Irving has changed his mind about Taseko's findings in the EIA reports based on what he heard at these hearing and he said NO – that was on the wildlife matter. There has been a lack of effort put forth to show how they will try to address Esketemc concerns in a meaningful way. The proponent has another mine in this area and has shown its complete lack of interest to resolve long standing issues which include cultural, environmental and financial issues. This DISENGAGEMENT means that the Panel process CANNOT be relied on by the Crown to uphold its honour in discharging its duty to consult.
  12. The purpose of these Panel hearings is not just so that the Panel has information, but also so that Esketemc's community concerns can be ADDRESSED. If there is no real and meaningful RESPONSE to Esketemc concerns than there is NO ACCOMMODATION.
  13. The adequacy of consultation is judged by looking to see if there is a fair process (which there is not here), but also - by looking to see what accommodations are put forward and whether those accommodations are reasonable. During this process parties have shared information to the panel but no accommodation of Constitutional rights.
  14. The Proponent's approach to the community hearings, and its lack of response to Esketemc's concerns, displays the TOTAL FAILURE and INADEQUACY of this Process to provide a Forum for Meaningful Consultation and Accommodation.
  15. Today, there is NO evidence that Esketemc's concerns about the impact of the project on their rights were Heard and address. You need real facts of the issues with real solutions that is signed off by the governments and all parties.

16. The purpose of consultation and accommodation is RECONCILIATION, and to ensure that Aboriginal rights, interests, and ambitions are taken into consideration, and included, in project design to protect the long-term sustainability of Esketemc rights and title.
17. The Panel has stated that it will be relying on the information provided through the public and community hearing process to fill in the gaps for the information deficiencies previously identified. However, the proponent has totally DISENGAGED in relation to addressing the Esketemc community or how Esketemc concerns will be addressed.
18. There is NO INFORMATION being provided today in SPECIFIC RESPONSE to ESKETEMC community's concerns.
19. The approach of Taseko to these hearings further shows that THIS HEARING PROCESS did NOT fulfill its mandate - in gathering sufficient information to adequately assess Esketemc rights and concerns.
20. Indeed, today, no one is even trying to PRETEND to address Esketemc concerns.
21. Esketemc community members were not there at the other community hearings. ESKETEMC did not hear what Taseko and the Panel had to say in response to the concerns - similar or not - of other First Nations but ESKETEMC know that many of their concerns are the other First Nations concerns – RIGHTS, TITLE AND CONSULTATION
22. THERE ARE MANY SERIOUS FUNDAMENTAL FLAWS IN THIS PROCESS TO EVALUATE THE IMPACT ON THE ENVIROMENT AND ESKETEMC CULTURE.
23. What ESKETEMC knows is that the Duty to Consult and Accommodate - is NOT a duty to respond and provide information to THE PANEL. It is also NOT a duty to consult "SOME" First Nations, or only to listen to and respond to the concerns of the First Nations that were scheduled at the top of the hearings list.
24. Esketemc has the RIGHT to be Heard - but also - the RIGHT to have Esketemc concerns addressed - HERE AND NOW - so that Esketemc know what is being proposed as measures to ensure that Esketemc Rights will continue long into the future.
25. In this process, Esketemc concerns about the future of Esketemc rights were minimized
26. There is NO CROWN HONOR that has been displayed in these proceedings, and for the record, the position of Esketemc is that these proceedings are WHOLLY INAPPROPRIATE and TOTALLY DEFICIENT at constituting any forum, or any part of meaningful consultation and accommodation, which is Esketemc's' Constitutionally protected right.

27. Esketemc expects that their concerns will be DIRECTLY addressed by the Crown in a meaningful Consultation Process outside of these Panel hearings, and ESKETEMC ask that the Panel make the Recommendation to the Minister today - that this project go no further until there is a process set up to address ESKETEMC rights, the impacts on ESKETEMC rights, and measures of appropriateness to accommodate - before any approvals are given.
28. The hope that the Panel make the HONOURABLE decision to raise ESKETEMC outstanding concerns which need to be addressed to the Minister before any decisions can be made.
29. ESKETEMC ask that you right the wrong that is upon us today, and not permit this Project to proceed in these circumstances.
30. ESKETEMC ask that you HONOUR Esketemc now. ESKETEMC ask that you HONOUR ESKETEMC children who will be here long after you leave their lands and live with your decisions.

Thank you Mr. Chairman and Panel Members and your support team