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Q. Why & how should I be involved? We have a chief negotiator and staff to negotiate the treaty.

- The Chief Negotiator & staff cannot negotiate a successful treaty without membership involvement.
- Members are the ones who are experts on their territories.
- Members can bring their valuable experience and traditional knowledge to the table.
- Members know about special resource areas, spiritual places and everything else that the negotiating team needs to know.
- It is the members who can set the priorities in health and housing, education, family services, economic development, language, culture, resources, preservation or development, protection of sacred and special places, land identification.
- A combination of knowledge coming from the membership will make the treaty a success.

Excerpt from the Discussion Guide about Treaty Negotiations for FN Members.

Stó:lō Nation Treaty Update

"S'olh téméxw te íkw'elò. Xólhmet te mekw'stám ít kwelát."

"This is our land. We have to look after everything that belongs to us."

Resuming Treaty Negotiations

Stó:lō Nation Treaty negotiations resumed June 2006 and currently include Aitchelitz, Skawahlook, Leq'a:mel, Popkum, Skowkale, Tzeachten and Yakweakwoose. These First Nations comprising the Stó:lō Nation Treaty Table (SNTT) Association are currently at Stage 4 of the 6 Stages established to organize First Nations' progress towards Final Agreements.

Stage 4, the Agreement in Principle Stage, entails reaching agreement on each of the topics that will form the basis of the treaty. Communication is key at this time to keep members informed and involved in the treaty-making process. To facilitate this communication, the Stó:lō SNTT have

appointed three members to the Treaty Outreach Team: Cathy Hall, Jenz Malloway and Stacey McKamey. To date, the Treaty Outreach Team has developed a working knowledge of the treaty process and the Stó:lō Nation's standing in the BC Treaty Process with the assistance of the Stó:lō Research and Resource Management Centre (SRRMC) staff. They also continue to observe each level of preparation and negotiations at monthly working groups addressing the substantive issues and observe Stó:lō Side and Main Table meetings.

Their main objective is to make themselves available in the communities on a regular basis so members

have a direct link to the Treaty Negotiation Team, represented by the following members:

Alisa Noda, Chief Negotiator—a lawyer practicing in BC and the Yukon Territories with 21 yrs experience with First Nations.

Chief Joe Hall, Political Advisor (Skw'omkw'emexw) - President of the Stó:lō Nation Chiefs Council.

S o n n y M c H a l s i e (Naxaxalhts'i) - *Manager and Cultural Advisor* of the SRRMC.

Dave Schaepe — *Co-Manager & Technical Advisor, Research Mgr, & Sr. Archaeologist*, of the SRRMC.

Submitted by

Jenz Malloway, Treaty Liaison

Rights & Responsibilities

Excerpts from the Discussion Guide about Treaty Negotiations for FN Members.

As a First Nation member, being involved in treaty-making is vitally important to a successful treaty. We hope to encourage First

Nation members to:

Be aware of and understand their rights and responsibilities in treaty negotiations;

Be more actively involved in the treaty negotiations taking place; and

Be more involved with the treaty team in charting the path for a treaty.

This and other pamphlets are available from the BC Treaty Commission. Toll free: 800-665-8330 or visit www.bctreaty.net

Q. What are treaties?

- Constitutionally protected, government-to-government agreements creating long-term, mutually binding commitments.
- Treaties negotiated through the BC treaty process will identify, define and implement a range of rights and obligations, including existing and future interests in land, sea and resources, structures and authorities of governments, regulatory processes, amending processes, dispute resolution, financial compensation and fiscal relations.
- Historic treaties are those signed with aboriginal people in Canada between 1701 and 1923.
- Treaties negotiated today are known as modern treaties.
- Modern treaties deal with areas of Canada where treaties were never signed with aboriginal peoples, like most parts of B.C.

Excerpt from the BC Treaty Commission website.

...“Many other First nations are impatient to move ahead with treaty negotiations. The treaty process is bigger than any one First Nation. It took us a long time to get a seat at the table and this is still our best opportunity to resolve the issues that have pitted First Nations against the other governments.”

*Chief Commissioner
Steven Point*

*Excerpt from the May 2007 issue of the
Kablon , page 5*

Stage 4: Agreement in Principle (AIP)

Stó:lō Nation is currently at Stage 4—Negotiation of an Agreement in Principle.

The three parties examine in detail the issues identified in the framework agreement, with the goal of reaching an agreement in principle. The agreement in principle identifies and defines a range of rights and obligations, and forms the basis for the treaty.

It is important that our members are involved in a meaningful way.

Communication is key—not everyone is available to attend meetings, workshops, annual meetings, etc. in their home communities so newsletters, websites, and other communications tools are important to keep our members informed and to let them know how they can

participate.

We must ensure that all views are heard and recorded and that all questions are, or will be, answered.

We must recognize and acknowledge different viewpoints and perspectives.

Through the Stó:lō Treaty Liaison Outreach Team, Stó:lō Nation will provide regular updates and opportunities to submit input to the negotiating team.

First Nation members have a responsibility to inform themselves and be a part of the decision-making process that will result in a treaty.


The goal is to reach agreement on each of the topics that will form the basis of the treaty.


Once the agreement in prin-

ciple is completed, it is important that members understand the content of the agreement.

The BC Treaty Commission does not make the rules for First Nation voting. First Nation members must decide for themselves on their method of voting, for example the number of votes needed for approval.

These ratification procedures are also negotiated with Canada and BC so that there is an agreed basis for continuing with or discontinuing negotiations.

 **Aboriginal Rights are distinct and different from the rights of other Canadians.**

 **Aboriginal Rights & Title cannot be extinguished by simple legislation because they are protected by the Constitution Act, 1982.**

Aboriginal Rights and Treaty Rights

Aboriginal rights refer to practices, traditions and customs that distinguish the unique culture of each First Nation and were practiced prior to European contact. Aboriginal title is an aboriginal property right to land.

Treaty rights refer to aboriginal rights that are set out in a treaty. For example, the

Niga’a Lisims government is an expression of the aboriginal right to self government. Aboriginal rights and treaty rights are protected under section 35 of the Constitution Act, 1982.

In the past, the Government of Canada required First nations to “cede, release and surrender” their aboriginal

rights in exchange for treaty rights. This is referred to as an “extinguishment model.” One of the key challenges of the treaty process is to achieve certainty of land ownership and jurisdiction, while not extinguishing aboriginal title.

BC Treaty Commission

We need your feedback...

Working Toward a Successful Treaty—What will this Achieve?

A successful treaty for the Stó:lō will result in a tremendous change in the way we currently live. We are currently working hard on treaty negotiations. This is an exciting journey that will include the ability for Aboriginal people to self govern, develop self sufficient economies, improve living conditions and increase educational achievements.

Who will benefit from our Treaty?

We need to determine parameters that clearly define who (which Stó:lō) can benefit from our treaty agreement. More specifically, who is entitled to be a Stó:lō Xwexwilmexw citizen?

What is a Stó:lō Xwexwilmexw Citizen?

A Stó:lō Xwexwilmexw Citizen will be entitled to benefits of the Treaty, including

voting in elections and generally receiving access to programs and services. However, citizenship will not automatically grant any rights that are traditionally inherited in a cultural way (i.e. names, masks, dances, songs, fishing sites, etc). Those cultural rights and privileges remain for the families to regulate.

What happens after Treaty is adopted in terms of Post-Treaty Self-Governance?

After a treaty is adopted, we will no longer be paternalistically ruled by the Indian Act as “Indian Act Bands.” We will do away with the Indian Act and “Indian Act Bands.” We will have an opportunity to develop our own governing structure. Our government will be based on and represent our true historical membership prior to those Government created Indian Act Bands of today.

What Challenges do we

Face?

The challenge will be changing the mindset that all of us have become so accustomed to because of the Indian Act. The Treaty will be our launch point for “de-programming” the Indian Act mentality. We need to see ourselves as self-governing people as we move to regain control over our own lives.

How can you Help?

The Stó:lō Treaty Negotiating Team needs input from the membership. We are gathering thoughts and ideas from community members to help in developing our treaty. Your input is essential and vital to the Treaty negotiation process!

We appreciate your input and efforts answering the questions on the enclosed insert.

Please complete and return the Questionnaire in the self-addressed stamped envelope OR fax it to the Stó:lō Treaty office at 604-824-2518. Thank you!

...Point said the future of the treaty process is not resting on the shoulders of the Lheidli T'enneh, or Tsawwassen First Nation or the five Maa-nulth First Nations on Vancouver Island...

Excerpt from the May 2007 issue of the Kabton, page 5

Q. What is being negotiated in the Stó:lō Nation Treaty?

Substantive Issues:

- Certainty; Justice & Policing; Stó:lō Nation Governance & Jurisdiction; Intergovernmental Relations among Stó:lō Nation; Federal, Provincial & local governments.
- Lands; Access; Land Use Planning; Environment Protection & Assessment; Parks & Protected Areas.
- Fiscal Arrangements; Taxation; Economic Development
- Education & Training; Child & Family Services; Social Programs & Services; Health; Language, Culture & Heritage.
- Vital Statistics; General Provisions; Ratification; Amendment; Implementation; Dispute Resolution; Enrolment & Eligibility.
- Subsurface & Mineral Rights; Fisheries & Aquatic Resources; Wildlife; Forests & Forest Resources; Water & Water Use; Air & Air Quality.



Left: Rock wall at Xelhálh, near Yale. Right: Kw'ikw'iyá:la “stingy container”, Fishing Rock, & skw'exweq, pool for s'ól:lmexw “water babies”, Hope.

Stó:lō Nation Treaty Update

Stó:lō Nation Treaty Liaison Reps

Stó:lō Nation Treaty Outreach

#1—7201 Vedder Road

Chilliwack, B.C. V2R 4G5

Phone: 604-824-5315 Fax: 604-824-2518

Toll Free: 1-800-565-6004

E-mail: cathy.hall@stolonation.bc.ca

SOUTH REGION: Jenz Malloway (604-799-3603)

- Aitchelitz, Skowkale, Tzeachten, Yakweawkwoose

NORTH REGION: Stacey McKamey (604-217-1544)

- Le'qá:mél

EAST REGION: Cathy Hall (604-795-0597)

- Popkum, Skawahlook

Join us on the Stó:lō Placenames Tour



Left: Naxaxalhts'i, Sonny McHalsie, Manager/Cultural Advisor, Stó:lō Research and Resource Management Centre, has created Áselaw Tours that encompasses many of the local placenames from Abbotsford to Yale. He provides the meaning and significance at each placename and shares many sxwoxwiyam and sqwelqwel emphasizing our relationship to our land and our resources. On July 19th, the Treaty Outreach team is organizing a tour for the **Stó:lō Nation Treaty** members 16 yrs+. This is an all day tour with lunch provided.

If you are interested in going on the Stó:lō Placenames Tour please register with Jenz Malloway by Thursday, July 12th at 604-799-3603 or e-mail: jennifer.malloway@stolonation.bc.ca



☀ NOTE:

Photos on pages 3-4 courtesy Cathy Hall. Taken during Áselaw Tour, April 2007.

Excerpt from Treaty Commission Update, April 2007.

...**"This process has been a bridge for the community to examine itself, to look at the bad things, the good things and say where do we need to go, where do we need to be in a hundred years from now. It really has been a process by which people have started to think about the future and think about what is going to happen to the kids. What is going to happen to their territory, to their resources, to their language, to their culture?"**...

Laurell Crocker, Treaty Coordinator
Nazko First Nation

Stó:lō Treaty Representatives

Aitchelitz First Nation—Chief Jimmy George (Yulla/meluk)

Le'qá:mél First Nation—Barb Leggatt

Popkum First Nation—Chief James Murphy

Skawahlook First Nation—Chief Maureen Chapman

Skowkale First Nation—Councilor Jeff Point

Ch'iyáqtel First Nation—Councilor Glenda Campbell

Yakweawkwoose First Nation—Chief Frank Malloway (Siyémches)