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"S'olh téméxw te ikw'elò. Xólhmet te mekw'stám ít kwelát."
"This is our land. We have to look after everything that belongs to us."

Q. So, treaties should have been made yet weren't. Isn't it too late in the day to revisit this? Aren't we living in a different reality?

Under section 35 of the *Constitution Act, 1982*, aboriginal rights and treaty rights, both existing and those that may be acquired, are recognized and affirmed. The reality that we are faced with is:

- Canadian law says aboriginal land title, and the rights that go along with it, exist whether or not there is a treaty.
- Without a treaty there is uncertainty about how and where those rights apply.

The reason that this issue is being dealt with so late in the day is due in part to:

- **The Indian Act's ban on land claims activity.**

Not until the **1970s** was a First Nation able to ask the Supreme Court of Canada to do what the courts in the United States and New Zealand had done over a century earlier: to rule on the status of aboriginal title as a legal right.

Excerpt from the BC Treaty Commission booklet "Why Treaties?" A legal perspective..

Treaties reassuring for other First Nations

There was a great deal of joy within the Tsawwassen First Nation that night late in July when members voted overwhelmingly to approve a comprehensive treaty with federal and provincial governments.

Four days later the Huu-ay-aht—(one of the 5 First Nations voting on the *Maa-nulth Treaty*)—also voted overwhelmingly to approve a treaty negotiated by its treaty team.

In both cases the local enthusiasm was understandable—after more than a century being marginalized in every imaginable way, these two communities had rid themselves of the paternalistic Indian Act, regained access to land and resource, negotiated a share of the wealth being produced on their traditional lands, stabilized cultural and community institutions and, most importantly, had once again become the masters of their own destiny.

Most of the public discussion following these votes focused on what it all meant for the people directly involved. The larger story—mostly overlooked—is the enormous, positive impact these treaties will have on other first nations in B.C., and on the province as a whole.

The Tsawwassen and Huu-ay-aht treaties were the first completed under a modern-

day treaty process set up in 1992 by governments and first nations. While this process has its passionate supporters in B.C.'s first nations, many leaders and many ordinary band members had remained skeptical.

Who could blame them? Fifteen years after being launched, the process had not yet proven itself. However, with the approval of these two treaties earlier this summer, all that changed. We now have "proof of concept" for the treaty process. Believing in it no longer requires a leap of faith.

It also puts to rest several specific concerns shared by many aboriginal people.

Although the process may seem endless, Tsawwassen and Huu-ay-aht illustrate that the talking eventually stops and the treaty gets finished. There is an end-point.

Not only does the process reach an end-point, but—as demonstrated in Tsawwassen and Huu-ay-aht—it produces an end-point acceptable to a majority of aboriginal people.

First nations people take treaty votes very seriously. They ask tough questions about their survival as a distinct culture on their land, their ability to catch up economically and participate in the prosperity of this prov-

ince, their requirement for community services and their right to manage their own affairs. They ask if they are doing the right thing for future generations. The high-majority support for the recent treaties indicates that these concerns were met.

Each of two recent treaties was quite different from the other, a reflection of vastly different circumstances and histories. Most of Tsawwassen's traditional territory is already developed and in the hands of private owners. (Privately owned land is not available for the land component of treaty settlements—only Crown land.) On the other hand, most of the Huu-ay-aht traditional territory is undeveloped Crown land with intact natural resources.

The terms of each of these two treaties reflects these differences. The Tsawwassen settlement was "made in Tsawwassen;" the Huu-ay-aht settlement "made in Huu-ay-aht."

This is profoundly reassuring to other first nations. It shows that government is willing to be flexible and adapt individual treaties to the needs of individual first nations. Every aboriginal group can now aim for its own version of a "made at home" treaty settlement.

*By Bill Cranmer & Alex Chartrand
Vancouver Sun, Sep. 4, 2007*

Stó:lō Governance

Siyá:m

(Respected Leaders)

- Carried the laws of the land and people.
- Harmonized extended family interests.
- Reached a consensus on issues
- Responsible for extended family's welfare and comfort.
- Leadership was followed because of their wise opinions, conflict resolution skills, proven good judgment.
- Worked hard to retain their family's respect.
- Actions of Stó:lō regulated by s̓w̓w̓wiyám (oral narratives, customary law, Constitution), guidelines to living and acting properly.

Erosion of Stó:lō Governance

Erosion occurred through 2 institutions:

- Colonial Missionaries
- External Governments

Treaty Related Measure—Governance

Stó:lō Nation Treaty Outreach will be holding several community information sessions on “Governance”.

Your contribution is key to the creation of a Stó:lō governance system!

Why? You are in charge of your government, not only represented by it. Your government has to suit your needs to be successful!

The goals of these sessions are:

- To provide background on Stó:lō governance.
- Explain current governance structure.
- Receive your feedback on governance — questionnaire & discussions.

Governance is a central component of ANY treaty. Only through control over our governance we are able

to exercise our rights, title, and responsibilities to the landscape, resources and our own people.

The Stó:lō Constitution has always been alive. It is an inherent part of our treaty process as well as regaining Stó:lō governance.

Our people have always been asked to carry this oral tradition forward, now we're doing it in a different format, through treaty—and YOU are still asked to carry this on for the benefit of future generations.

Why do we need our own governance? To fully exercise our rights, title, responsibilities to the landscape, resources, and our own people. To control our own lives!

Why should we have our own governance? It is our

right! Our right to govern ourselves, make decisions for our future and exercise a full range of authority over our people and territory. We have articulated our right to governance before the courts, public inquiries and Parliamentary committees.

Why is it important to us? The right of governance is inherent and comes from within our own Nation. We have always exercised this right!

Please watch for the flyers on these upcoming community sessions. Learn about the background on Stó:lō governance, current structure, proposed structure and give us your feedback. Come on out and join us for a great meal and door prizes!

Considering Solutions & Resolutions

The Canadian Constitution guarantees Aboriginal people certain rights, based upon their occupation of the land prior to European contact. Among these are the right to self-government. Currently, this right remains legally undefined. Many Stó:lō leasers have, however, expressed what self-government means to them. Stó:lō Nation Chief's Representative Steven Point has defined Stó:lō self-government as a process whereby the Stó:lō regain control of their

lives—become self-supporting, and self-determining. This implies breaking free of the demoralizing cycle of dependency on government grants and subsidies. To accomplish this, the Stó:lō require a sufficient land base to meet their cultural, residential, and economic needs. They maintain that they require at least the land base originally surveyed under the direction of Governor Douglas. Of course, with the extent of private land now alienated in the Fraser Valley, it

would be difficult to re-establish the original reserves. But, the Stó:lō are considering options...In 1995 the Stó:lō Nation filed a statement of intent to participate in these (treaty) negotiations...The Stó:lō are acutely aware that the rivers, lakes, forests, and minerals within traditional Stó:lō territory all provide regular revenue to the federal and provincial governments. These resources still belong to the Stó:lō ...

*Excerpt from
“You Are Asked To Witness.”*

Petitioning the 1913 Royal Commission

“After this reserve was surveyed for me by Sir James Douglas, from then I came to learn that there would be compensation made to us Indians for all the land in the province.”

-Chief William Sepass

▶ IF WE DON'T GET A TREATY, WHAT WILL HAPPEN TO US AND OUR FUTURE GENERATIONS?

▶ WHO WILL DECIDE WHO IS IN CHARGE? WILL WE STILL HAVE CHIEFS AND HEREDITARY CHIEFS?

▶ WILL WE CONTINUE TO GET EDUCATION FUNDING? WILL WE GET BETTER MEDICAL COVERAGE?

Future focus

YOUTH PAGE

“TRICK OR TREATY”

STÓ:LŌ NATION TREATY YOUTH INFORMATION SESSION TO ALL YOUTH 16-25 yrs old from:

Aitchehitz, Loq'á:mél, Pəpkum, Skawahlook, Skowkale, Tzeachten & Yakwekwicose

OCTOBER 25, 2007 5:30 pm – 8 pm

Tzeachten Community Centre

Join us for some ghoulish treaty talks, freaky fun, door prizes & frightening food!

Call to confirm your attendance 604-824-5315

For transportation call: Joy or Sheri toll free 1-800-565-6004 ext. 5315



Above: Kurt Joe, Kaylee Phillips & others during Place Name tour.

The future is in our hands



Sto:lō Treaty vision, 1922

“We claim we have an interest in all parts of our old tribal lands outside the Indian reservation...this includes land, water, timber, minerals, game, fish, etc. our rights in these lands are still good as we have never surrendered them nor in any other way given

up nor lost our aboriginal title in those territories. The government has taken possession of these lands without negotiation or agreement with us and we are entitled to compensation of some kind for our share or title in same... We once had complete sovereignty over these lands and water etc. and made a full and ample living from

their resources. We cannot be debarred or seriously restricted from their use now without injury to ourselves...”

Dennis S. Peters on behalf of Chief Pierre, Edward Lorenzetto and others

LET'S FINISH WHAT OUR ANCESTORS STARTED



In the decades following the “Trutch reductions,” Stó:lō leaders continually expressed their dissatisfaction with the colonial government’s Indian land policies. When the colony of British Columbia joined Canada in 1871, jurisdiction over “Indian matters” transferred to the federal government. Stó:lō leaders seized the opportunity to try and reverse the policies of Douglas’ successors. In 1874, two Stó:lō leaders, Chief Peter (Pierre) Ayessick of Hope, and Chief Alexis of Cheam (near Chilliwack), organized a meeting with 23 other Stó:lō leaders and 31 other Aboriginal leaders from neighbouring communities at St. Mary’s Mission. ...with the assistance of the Catholic Oblate priests, they drafted a petition to Ottawa asking that their land base be increased. *(excerpt from “You Are Asked To Witness: The Stó:lō in Canada’s Pacific Coast History”)*

Stó:lō Nation Treaty Update

Stó:lō Nation Treaty Liaison Reps

Stó:lō Nation Treaty Outreach Mailing Address:
#7—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: Joy Hall has replaced Nikki LaRock - Aitchelitz, Skowkale, Tzeachten, Yakweakwioose

NORTH REGION: Sheri Seymour - Leq'á:mél

EAST REGION: Cathy Hall - Popkum, Skawahlook

Phone: 604-824-5315 Toll Free: 1-800-565-6004 ext 5315

TO ALL STÓ:LŌ NATION TREATY FIRST NATIONS MEMBERS:

(Aitchelitz, Leq'á:mél, Popkum, Skawahlook, Skowkale, Tzeachten, and Yakweakwioose)

As part of the Governance Chapter of the Stó:lō Nation Treaty Table, we are offering Information Sessions throughout the 3 regions. Your input is very important and much appreciated. Please check which workshop date works best for you. We are providing **DINNER & DOOR PRIZES**, so please contact our office to confirm your attendance.

Stó:lō Nation Treaty: Information Sessions on "GOVERNANCE"

ALL SESSIONS: 5:30 pm – 8:00 pm

- OCTOBER 15 - Skawahlook Centre
- OCTOBER 17 - Skowkale Community Centre (Skowkale / Yakweakwioose)
- OCTOBER 23 - Aitchelitz Chief's Residence (6:00 pm–8:00 pm)
- OCTOBER 25 - YOUTH GATHERING - all 7 FN's (at the Tzeachten Community Centre)
- NOVEMBER 7 - Tzeachten Community Centre (Tzeachten / Popkum)
- NOVEMBER 8 - Leq'á:mél Community Centre

PLEASE CONFIRM YOUR ATTENDANCE by calling:
Stó:lō Nation Treaty Liaison - 604-824-5315
Or Toll Free 1-800-565-6004 Ext. 5315



We would like to introduce our new Legal counsel for Treaty: **Jean Teillet**, Partner, Pape Salter Teillet, Toronto, ON and Vancouver, BC.

Ms. Teillet is a graduate of the University of Toronto Faculty of Law and is now called to the Bar in Ontario, BC, NWT and Manitoba. She practices primarily in the area of Aboriginal rights litigation and negotiations.

Ms. Teillet was lead counsel in *Powley* at the Supreme Court of Canada, the first case to recognize Métis rights. She has also acted in several important First Nation cases including *Pamajewon*, *Taku River*, *Delgamuukw*, *Haida* and *Paul*. She also acted as legal counsel for the Tlicho, in their land claim and self-government negotiations, in particular with respect to the creation of their new Constitution.

Ms. Teillet has published several articles in law and academic journals and one of her articles is included in the 2nd edition of *Great Questions of Canada*.

Ms. Teillet is a former Treasurer and Vice-President of the Indigenous Bar Association of Canada. She currently sits on the Chairperson's Advisory Group to the Canadian Judicial Council, the Executive of the National Aboriginal Achievement Foundation and the Board of Directors for Vancouver's Theatre under the Stars and (as of Oct 2007) the Association for Canadian Studies.

Jean is the first recipient of the Law Society of Upper Canada's Lincoln Alexander Award granted for outstanding service to the community in 2002. She is the great grand niece of Louis Riel.

Stó:lō Treaty Representatives

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

Leq'á:mél First Nation—Councillor Barb Leggat

Popkum First Nation—Chief James Murphy

Skawahlook First Nation—Chief Maureen Chapman

Skowkale First Nation—Councillor Jeff Point

Tzeachten First Nation—Councillor Glenda Campbell

Yakweakwioose First Nation—Chief Frank Malloway (Siyémches)

