



SXTA

Stó:lō Xwexwilmexw Treaty Association UPDATE

*"S'ólh témexw te íkw'elò. Xólhmet te mekw'stām ít kwelāt."
"This is our land. We have to take care of everything that belongs to us."*

Tempo:kw

"Time for Sts'ailes Spring Salmon."

Treaty Update

TREATY CHAPTERS:

1. Definitions
2. General Provisions
3. Lands
4. Land Title
5. Access
6. Crown Corridors & Rights of Way
7. Fish
8. Forest Resources
9. Harvesting Wildlife & Gathering Plants
10. Migratory Birds
11. Water
12. Environmental Planning, Management & Assessment
13. SXTA Role Off SXTA Lands
14. Parks & Protected Areas
15. Culture & Heritage
16. Governance
17. Local and Regional Government Relations
18. Indian Act Transition
19. Capital Transfer
20. Taxation
21. Resource Revenue Sharing
22. Fiscal Relations
23. Approval of AiP
24. Eligibility & Enrolment
25. Ratification
26. Implementation
27. Amendment
28. Dispute Resolution

Note: Many other issues come under these main headings.

On August 25-26, 2014 the SXTA held their quarterly workshop. Many thanks to the Chiefs/Councilors for their excellent attendance and participation. Your input is very much appreciated!

SXTA Annual General Meeting:

Elections for SXTA Executive Directors and Chairperson:

⇒ EXECUTIVE by acclamation: *President Chief Maureen Chapman, Vice-President Chief Angie Bailey, and Secretary-Treasurer Chief Glenda Campbell.*

⇒ SXTA Chairperson by acclamation: *Grand Chief Joe Hall.*

SXTA Workshop:

(developed & facilitated by the TNT & Treaty team)

AGENDA items included: Discussion on the Tsilhqot'in Case; Agreement in Principle (AiP) - Rolling Draft; Governance – Constitution; Consultation; Citizenship & Eligibility; and Harvesting. Topic presentations included:

Tsilhqot'in Case

Jean Teillet, Chief Treaty Negotiator gave a presentation on how the Tsilhqot'in Case effects the treaty process followed by a Question & Answer session.

In addition to information presented in the Tsilhqot'in article in the August issue of the SXTA newsletter:

Tsilhqot'in provides advantages at the Treaty

Table affecting three main areas:

- 1) Increase in Treaty settlement lands (TSL)
- 2) Shared decision making off TSL – because First Nations have a pro-active right to use and manage their aboriginal title lands.
- 3) Cultural site protection off TSL – these are clearly aboriginal title lands and our right to protect them should now be recognized.

Tsilhqot'in provides a real opportunity to get a much better deal at the treaty table, as well as paving the way for us to achieve our treaty goals: self-government; cultural protection; law-making powers; and building relationships.

Plainspeak: Content & Progress on the SXTA – AiP

Jean Teillet gave an update on the progress of the AiP through a Plainspeak power point presentation. Highlights included 10 Basic Treaty Principles (as set out in the AiP) :

1. The treaty will be protected by s.35 of the Constitution Act, 1982.
2. The treaty does not create a new aboriginal people called Stó:lō Xwexwilmexw.

Stó:lō Xwexwilmexw will continue to be Stó:lō, one of the "aboriginal peoples of Canada." Having a

Continued on page 2



Treaty Update from page 1

treaty simply means Stó:lō Xwexwilmexw have a different governing structure, powers and land base.

3. The treaty will not affect the ability of Stó:lō Xwexwilmexw to participate in or benefit from any existing or future constitutional rights for Aboriginal peoples which may be applicable to them.

If in future new constitutional rights are found, Stó:lō Xwexwilmexw will be able to access them.

4. Stó:lō Xwexwilmew citizens will continue to be entitled to all the rights and benefits of all other Canadian citizens.

All benefits, such as social assistance and Canada Pension will continue.

5. Stó:lō Xwexwilmew citizens will continue to be eligible to participate in or benefit from any existing or future programs and services established by BC or Canada for aboriginal people unless Stó:lō Xwexwilmew has assumed responsibility for such programs and services.

You lose no social services or programs by joining treaty.

6. The Charter of Rights and Freedoms will apply to Stó:lō

Xwexwilmew Government.

This is rights protection for individuals (freedom of speech, religion, equality, etc). Section 25 of the Charter also ensures that other individual rights do not undermine aboriginal or treaty rights.

7. After treaty, “bands” and “reserves” will no longer exist. Treaty Settlement Lands will not be “Lands reserved for Indians” under s. 91(24) of the Constitution Act, 1867.

Instead Stó:lō Xwexwilmew will have villages and lands that they own and control.

8. The Indian Act will no longer apply to Stó:lō Xwexwilmew citizens except for the purpose of determining who is an “Indian”.

Stó:lō Xwexwilmew will be out from under the Indian Act.

9. The treaty will NOT extinguish the aboriginal title and rights of the Stó:lō Xwexwilmew.

NO EXTINGUISHMENT OF ABORIGINAL TITLE & RIGHTS WILL RESULT FROM THE TREATY.

10. Stó:lō Xwexwilmew will have self-government over its citizens and on its Treaty Settlement Lands. ☼

Constitution/Tsilhqot'in Update at Leq'á:mél



On September 8, 2014 the SXTA Treaty Negotiating Team (TNT) presented the Stó:lō Constitution to Leq'á:mél community members. The Constitution DVD was shown followed by a question/answer period. Jean Teillet then did a presentation on the Tsilhqot'in court case decision and its effects on treaty. Thanks to Leq'á:mél members for your input. Some questions/comments included:

- ♦ Citizenship: I am wondering how it has been discussed as each band has a different code and Leq'á:mél recognizes many of our members as members but INAC (AANDC) doesn't recognize them? Answer: We don't think of treaty as a step backward. It needs to be a step

forward. You will decide—all your citizenship will be up to you to decide. There will still be some people that can be registered as Indians and others as not.

- ♦ Comment: Regarding Tsilhqot'in, BC/Canada completely understand that it is a new world. They are looking for certainty, we are looking for certainty.

Photos on left of lucky door prize draws: Top-Dawn S. (\$300 Walmart gift card); Andria F. (\$150 Walmart gift card) Justin L. (wireless speaker); and Gary P. (Basket of goods)

Congratulations to all!!



FUTURE FOCUS Youth Page



INDIAN ACT— Status & Band Membership

Historically, entitlement to Indian status and Indian band membership have been complex and controversial issues.

The legal definition of the term "Indian" has brought with it certain benefits and eligibility for federal programs, as well as a history of limitations on rights.



Disputes over the definition of Indian status, the authority to determine band membership, and access to rights tied to status and membership have given rise to conflicts between Indian bands and governments, and within Indian communities.

In 1985, amendments to the Indian Act (Bill C-31) removed a number of discriminatory provisions from the Act. One result has been a significant increase in the size of the status Indian population.

The changes also increased band control over membership and other aspects of community life.

While eliminating some problems, in the ensuing decade the amendments introduced a number of new political, social and financial issues for Indian communities. In recent years, membership-related disputes, often tied directly to Bill C-31, have resulted in a number of significant court cases.

A consideration of these issues also raises broader questions about the changing nature of the Indian population in Canada, the rights of individuals and communities, and the power to determine membership under self-government arrangements...

*Excerpt from Library of Parliament,
Parliamentary Research Branch,
Political & Social Affairs Division*

STATUS

The Indian Act defines who

Indian Act Status "Equation"

6(1)	+	6(1)	=	6(1)
6(1)	+	6(2)	=	6(1)
6(2)	+	6(2)	=	6(1)
6(1)	+	Non-Status	=	6(2)
6(2)	+	Non-Status	=	Non-Status



is and is not eligible to be legally entitled a "status" Indian person.

This does not mean that all aboriginals actually have status though.

Some may be members of their "Band" (First Nation), and not hold a status card.

Some may have status, but may not have a particular Band which they belong to.

The Metis and Inuit are unable to attain this certain "status", but are Aboriginal under the Indian Act.

A "full status" Indian is called a 6(1).

A descendant of a 6(1) Indian and a non-status person is considered 6(2), which is still a full status, but with a non-status parent.

If a 6(2) and a 6(2) have a child, that child becomes a 6(1).

If a 6(1) and a 6(1) had a child, the child is still 6(1).

If a 6(1) and a 6(2) have a

child, the child is considered a 6(1).

Now, if a 6(2) and a non-status person have a child, the child is no longer eligible to receive status, even though the child is still a descendant of a 6(1) and 6(2) and still has the 'blood' line from the grandparent(s) and 6(2) parents.

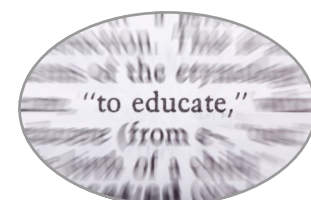
The Indian Act applies to "Status Indians" to this day.

Many provisions in this Act are considered outdated and archaic. ✨

More on the Indian Act and Status in our next issue!

*Excerpts from the "Indian Act"
<http://laws-lois.justice.gc.ca>*

Submitted by Emily Kelly, Outreach





**Stó:lō Xwexwilmexw
Treaty Association**

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Aitchelitz First Nation— Chief Angie Bailey

Skowkale First Nation—Councilor Jeff Point

Tzeachten First Nation—Councilor Lawrence Roberts / Chief Glenda Campbell

Popkum First Nation—Councilor Harry Murphy / Chief James Murphy

Yakweakwoose First Nation—Grand Chief Frank Malloway / Councilor Terry Horne

Skawahlook First Nation—Chief Maureen Chapman / Councilor Deb Schneider

Leq'á:mél First Nation—Chief Alice Thompson / Councilor Mike Kelly



SXTA TS'ELXWEYÉQW RIVER VALLEY PLACE NAMES TOUR

We would like to raise our hands to the SXTA members and non-members that participated in our Ts'elxweyéqw (Chilliwack) River Valley Place Names Tour on Saturday, September 13th, it was a great turn-out from elders to youth! Naxaxalhts'i (Sonny McHalsie – Cultural Advisor for the Treaty Negotiating Team) narrated the tour and shared many fascinating stories about the history of the Ts'elxweyéqw River area.

We made a stop at T'amíyehó:y (Tamihi) Creek and learned about some of the sacred swimming spots situated around the creek. Then we travelled to Sxotsáqel (Chilliwack Lake), having lunch along the way. Once we arrived we went for a short 15-minute hike to a pedestrian bridge that crosses the Chilliwack River. Then we were off to the next stop for another 20-minute hike to the Chipmunk Caves where some of us climbed through them and just hung out inside for a while enjoying the peacefulness.

This tour was a great opportunity to mingle with the outreach team and Sonny sharing stories and asking questions. We hope to see you on our next tour!! ☼

Emily Kelly, Outreach



SXTA Upriver Place Names Tour



Upriver (Yale) Place Name Tour

SATURDAY, OCTOBER 25, 2014

Enjoy the majestic mountains and waterways of the Upper Fraser Valley on a tour departing from Chilliwack destined for the scenic Fraser Canyon above historic Yale B.C. Listen and learn about the unique relationship between the Stó:lō "the River People", their land and their environment through the narratives provided by Naxaxalhts'i (Sonny McHalsie). You must pre-register by October 17th for catering and transportation purposes. Thank you.



YOU MUST PRE-REGISTER FOR TOUR

For catering & transportation purposes
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