



GETTING TO 100%

Hul'qumi'num Treaty Group

s'aa'lh p'e' tthu tumuhw

This is an important time in the history of the Hul'qumi'num people, and indeed all people in British Columbia and Canada.

We Have Listened to Members — Chemainus, Cowichan,

We are shaping the direction of our communities for generations to come through negotiating a treaty which defines in law our traditional lands and resources, and creates new relationships with the federal and provincial governments and between our own First Nations communities.

The Hul'qumi'num people are in the BC Treaty Process, establishing the principles for our final treaty. The treaty will determine our ownership and jurisdiction of our lands and resources, as well as government structures and relations.

In order to ensure that the wishes of our people are fully integrated in our treaty, we have listened to members of the six Nations that comprise the Hul'qumi'num Treaty Group: Chemainus, Cowichan, Lake Cowichan, Halalt, Lyackson and Penelakut. We have consulted extensively with Hul'qumi'num elders, Chiefs, community members and youth. In all cases we have heard a resounding response: land is the most critical priority for treaty. Our people want title recognized to 100% of Hul'qumi'num territory, and we want greater control over or compensation for lands and resources within that territory.

“FORTUNATELY, THERE IS STRENGTH IN NUMBERS. SIX FIRST NATIONS WORKING TOGETHER GIVES US ADDED STRENGTH IN THE PROCESS”

Lake Cowichan, Halalt, Lyackson and Penelakut

While definitive, the “getting to 100%” mandate presents us with some major challenges in our treaty negotiations. The provincial and federal governments have expressly stated that the expropriation of private land is not on the table for negotiations, yet our people’s core traditional territory is 84% privately owned.

Beyond ownership of lands, therefore, the Hul’qumi’num Treaty Group is negotiating for other creative ways to benefit through treaty from 100% of our territory. We are negotiating for jurisdiction over and access to our lands and resources, revenue sharing agreements, measures to revive and

maintain our cultural heritage, and financial settlement for lands and resources.

Another major challenge we face in our negotiations is the federal government’s refusal to consider the issue of compensation for past losses. The Hul’qumi’num people have told us that they believe compensation should be on the table. Should the government refuse to bend on these key issues of private lands and compensation, it is possible we will face a stalemate in our negotiations.

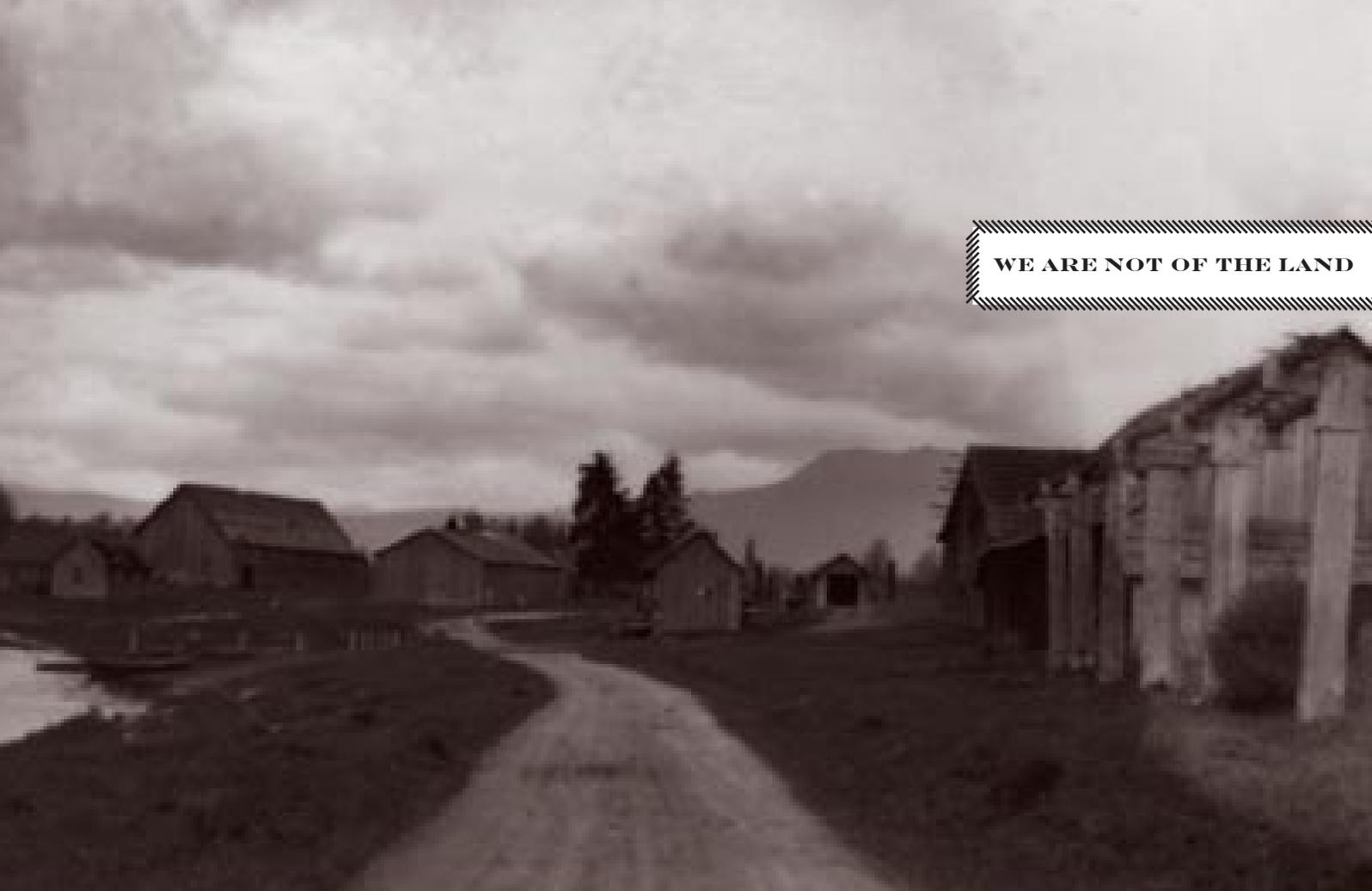
Fortunately, there is strength in numbers. Six First Nations working together gives us added strength in the process, and will reinforce our own relationships and governments once a treaty is in place.

At this critical stage in our history, I encourage you to read carefully through this book and discuss it with your family and members of your community. The Hul'qumi'num Treaty Group has listened to the interests of the Hul'qumi'num people, and in this book, we hope to inform you how we intend to get to 100% at the treaty table.



Huy ts'eep q'u
Respectfully,
Robert Morales
Chief Negotiator

A handwritten signature in black ink, appearing to read "Robert Morales". The signature is stylized and cursive.



WE ARE NOT OF THE LAND



WE ARE THE LAND

“OUR FIRST ANCESTORS ARE SAID TO HAVE DESCENDED FROM THE SKY OR EMERGED FROM THE LAND OR SEA AT VARIOUS LOCATIONS WITHIN OUR TERRITORY”

We are Hul'qumi'num Mustimuhw

The Hul'qumi'num Treaty Group was founded in 1993 to jointly negotiate a comprehensive treaty with British Columbia and Canada in the BC Treaty Process. We represent over 6,000 members in six First Nations: Chemainus First Nation, Cowichan Tribes, Halalt First Nation, Lake Cowichan First Nation, Lyackson First Nation, and Penelakut Tribe. Hul'qumi'num is the shared language that connects us, as do our common traditional territory, culture, and history.

Hul'qumi'num Mustimuhw refers to those people who speak the Hul'qumi'num language. We are part of a larger group of First Nations: the Coast Salish

people. Our communities are socially, culturally, and economically inter-connected by marriage, travel and trade, and sacred ceremonies. Our communities are further inter-related by the winter dance, other ceremonies and religious practices, our Indian names, canoe races and other sporting events. These ties weave throughout the Coast Salish world.

According to our creation narratives, the First Ancestors of the Hul'qumi'num Mustimuhw were the original occupants of our territory on southeast Vancouver Island, the Gulf Islands, and the Lower Fraser River. Archaeological evidence dating back more than 9,000 years shows the Hul'qumi'num

people's continuous occupancy of *s'ulh tumuhw*, our land. Our maps show more than 500 Hul'qumi'num place names blanketing the landscape, demonstrating our ongoing connection to local lands, waters and resources.

Our oral history links the Hul'qumi'num people to our territory. Our First Ancestors are said to have descended from the sky or emerged from the land or sea at various locations within our territory — places like Mt. Prevost, Koksilah Ridge, Penelakut Spit, and the mouth of the Chemainus River. The hereditary names, ceremonial rights and privileges, and Hul'qumi'num teachings that continue to be practised today come from these First Ancestor stories.

In the days of our First Ancestors, Hul'qumi'num people held great spiritual powers. *Xeel's, the Transformer*, came through the world at the end

of these mythical times and changed human and animals into features of the natural landscape. Rocks, rivers, and other natural features are some of the abiding visible reminders of our ancestral teachings and laws. Today, our people continue to recognize and experience the power of our ancestors in the performance of our winter dances and other important cultural traditions.

The connection between our people and the land is fundamental to the Hul'qumi'num Mustimuhw's cultural identity and way of being. Our oral history and customary laws teach us that we are not *of* the land, we *are* the land and its resources. Our connection to our territory is based on our ongoing history of use, occupancy, and customary laws of land ownership and is deeply rooted in our cultural fabric. Our *snuw'uy'ulh, Hul'qumi'num laws*, tell us that our inalienable connection to the land and resources is not only our right, it is our responsibility.

Xwulunitum Settlement of our Territory

The arrival of *Xwulunitum*, European explorers and settlers, dramatically altered the lives and landscapes of the Hul'qumi'num people.

Access to our traditional lands and resources was limited when settlers pre-empted 59,000 hectares of our most valuable lands along the eastern coast of Vancouver Island and the Gulf Islands in the 1860's. Further land alienations followed, including the most dramatic in the late 1800's, when the federal government handed over 268,000 hectares — 84% of our territory — as payment for the building of the Esquimalt & Nanaimo (E&N) railroad. The railroad privatized the majority of Crown lands in the territory and made way for large-scale mining, forestry and other industries. This resulted in dramatic impacts to our natural resources; today, for example, only 0.5% of our territory is original old growth forest.

With settlement, our people were largely relegated to small land reserves, often the former sites of old villages, burial grounds and fishing camps. The majority of reserves in Hul'qumi'num territory are less than 40 hectares in size, and even our larger reserves are still very small by Canadian standards.

Average Indian Reserve Size in BC	3,000 Hectares
Average Indian Reserve Size in Canada	6,000 Hectares
Average Indian Reserve Size in Washington State	48,000 Hectares
Average Indian Reserve Size in USA	124,000 Hectares
Size Range for the 5 Large HTG Indian Reserves	700–1,200 Hectares
Size Range for the 20 Small HTG Indian Reserves	1–40 Hectares





A History of Resistance

Unlike our First Nation neighbours to the east, north and south, the Hul'qumi'num people never ceded our lands nor signed a treaty for them. In fact, our people have attempted to assert our title and resisted the colonial alienation of our lands and resources since first contact with European settlers.

The Hul'qumi'num people were historically renowned as a people who vigorously asserted control over our lands and resources. After *Xwulunitum* settlement, our ancestors are reported to have confronted early colonial settlers and undermined their claims by using such forceful tactics as the removal of survey stakes and the killing of livestock. In 1863, our ancestors came into conflict with the newly formed Colony of Vancouver Island over the alleged murder of settlers. The incident resulted in the British Navy's destruction of our village of Lamalchi on

Kuper Island and the subsequent alienation of our land there.

The Hul'qumi'num people also have a history of more peaceful resistance. Our communities travelled to England and Ottawa to file petitions with King Edward and Britain's Privy Council. We also continued to lobby local, provincial and federal governments to resolve our aboriginal title. For decades, we openly protested the occupation and appropriation of our lands.

Building on our history of resistance, the Hul'qumi'num Treaty Group asserts that our people's aboriginal title to our territory remains intact. A fair treaty is the opportunity for a just resolution to this claim.

Insult upon Injury

When the Canadian government introduced the *Indian Act* in 1876, it fundamentally changed the relationship of our people to the Crown. Most aspects of aboriginal people's lives became regulated, effectively removing the individual and collective freedoms we had previously enjoyed. We were prohibited from openly practising our cultural and spiritual traditions. We were unable to vote for government. Reserves were created, and our people were not permitted to own land outside them and still remain "Indian" in the eyes of the law.

The insults imposed by government policy were also reflected by the inequalities felt in daily life. We could no longer hire lawyers to pursue just land claims. For a time, we were forced to sit in 'Indian sections' of the theatre, not allowed to visit beer parlours, and made to use bathrooms separate

from the European settlers. Our people were forced into labouring for next to nothing on settlers' farms, and when Hul'qumi'num people fenced in lands to perform agriculture for themselves they were often jailed.

Perhaps the most devastating impact on our people, culture and language derived from the residential school system. Our children were removed from their homes — often forcibly — and made to live in and attend the residential schools at young ages. The separation alienated our youngsters from their own families and unique Hul'qumi'num culture. Ironically, our people were often forced to build the very schools that took away their children. Those same children, considered relatively ineducable, were only schooled in the early grades and then released in order to provide labour for settlers.



kw'am'kw'um

*Our Hul'qumi'num ancestors
helped to build the nation that
is now Canada.*

We participated in the creation of BC's infrastructure, helping build railways, roads and schools. We fought in both world wars to defend the nation. And yet, we have historically been treated as lesser citizens than European settlers and their descendants. Whereas today our people are amongst the poorest in the region, descendants of the settlers who confiscated our lands have reaped innumerable benefits — monetary and otherwise.

The ratification of a just treaty is an opportunity to return to the Hul'qumi'num people the opportunities for prosperity from our lands, and respect as a founding people of British Columbia and Canada.



WORKING TOGETHER



LIKE THE PADDLERS IN A CANOE

“THE BOTTOM LINE IS THAT WE ARE NEGOTIATING A TREATY THAT WILL ALLOW US TO GENERATE THE WEALTH OUR COMMUNITIES NEED TO THRIVE AND PROSPER”

The Road to Self-Determination

The treaty process is an opportunity for the Hul’qumi’num people to officially secure recognition of our aboriginal title and rights, and to shape our destiny within British Columbia and Canada. Establishing a treaty that pleases everyone will not be without challenges, but by joining together, the six Nations of the Hul’qumi’num Treaty Group are strongly positioned to meet these challenges, both during negotiations and after a treaty is signed. By securing recognition of title to our traditional lands and regaining control over our resources, we can work toward building healthy, productive and sustainable communities for our people — today and in the years to come.

Six First Nations Working Together

The Hul’qumi’num Treaty Group is a unique organization that provides a strong, united voice for the interests of our six communities, while giving collective support to individual member First Nations to have their specific interests addressed at the table. Working collectively in the treaty making process, we join together with our extended family members for greater strength and impact. The resulting treaty will reflect our Hul’qumi’num peoples’ shared history, culture and resources.

Governance: After the Treaty

How Hul'qumi'num government will be organized — how it will operate and how each of our six member Nations will be involved — is one of the greatest challenges faced by the Hul'qumi'num Treaty Group. We have heard clearly that there are many benefits to working together — like the paddlers in a canoe — on issues that affect all Hul'qumi'num people. We also understand that each First Nation has its own sense of autonomy, and its own aspirations for governance. The challenge our communities face is to build a Hul'qumi'num government that provides the strength and benefits of working together, while recognizing local authorities and goals.

A key part of our treaty will be to establish the structure and constitution of the two levels of Hul'qumi'num government. Roles and responsibilities will be defined for both the collective Hul'qumi'num government and our individual Nations' governments.

These will be informed and shaped by the input and the wisdom of our people and guided by principles of traditional knowledge and community relations.

The provisions in the treaty will ensure that the Hul'qumi'num peoples' right to determine the founding principles, form, and structure of governance, both as individual communities and as a collective Nation, will be recognized and assured for current and future generations.

The Way to Prosperity

Hul'qumi'num community members have expressed concerns about losing services and benefits once we become self governing. A major area of concern is the potential impact on our families that would result from the government's demands that we give up tax exempt status. Another issue is the fear of losing essential services, such as health care and unemployment insurance, currently provided by the federal

and provincial governments. These are fears we take seriously and are taking the time to fully address.

The bottom line is that we are negotiating a treaty that will allow us to generate the wealth our communities need to thrive and prosper. The financial component of our settlement will play an integral role in securing stable funding for the same kinds of services for our people that are available to other Aboriginal Canadians. Our governance authorities that are secured in treaty will allow us to establish our own policies and directions. Our new financial position will allow us to choose which of these services to deliver and to enhance.

Once a treaty is in place, the collective Hul'qumi'num government and the individual Nations' governments will assume responsibility for a number of activities now governed by federal, provincial and municipal authorities.

Some areas where we will have law making authority are:

- Resource management and land use planning
- Environmental protection
- Health services
- Education
- Child and family services
- Income assistance
- Taxation
- Marriage and divorce
- Public works

As self governing people, we will ultimately be better positioned to create a future for our families based on the historical abundance we enjoyed prior to *Xwulunitum* settlement. A fair and just treaty settlement of land, resources, and cash, combined with the ability to protect our ancestors and our cultural identity, will allow us to move forward toward a more prosperous future.

The Six Stages of the BC Treaty Process

Stage 1: Statement of Intent

The process is initiated when a First Nation files a Statement of Intent with the Treaty Commission. The statement identifies the First Nation and its members, and describes the core traditional territory.

Stage 2: Preparation for Negotiations

At this stage, the First Nation, provincial and federal governments confirm their commitment to negotiate a treaty. They also establish that they have the authority and resources to commence negotiations as well as a means to develop their mandates. A broad outline of what each party wishes to negotiate is established.

The end of Stage Two is marked when Canada and BC submit readiness documents to the Treaty Commission. These documents identify and establish ways to address community interests in the region.

Stage 3: Negotiation of a Framework Agreement

A Framework Agreement is created to: define the issues the parties have agreed to negotiate; establish the objectives of the negotiation; identify the procedures that will be followed; and set a timeline. During this stage, public consultation expanded and communications efforts are initiated.

Stage 4: Negotiation of an Agreement in Principle

Substantive treaty negotiations take place during Stage Four.

The Agreement in Principle sets out the key objectives and elements to be included in the treaty and ultimately forms the foundation for the final treaty.

Stage 5: Negotiation to Finalise a Treaty

Outstanding legal and technical issues are resolved at this stage. Formal signing and ratification of the Agreement brings the parties to Stage Six.

Stage 6: Treaty Implementation

This is the final stage of the treaty process. Plans to implement the treaty are put into effect or phased in as agreed.



HUL'QUMI'NUM LAND



BELONGS TO OUR PEOPLE

“THE HUL’QUMI’NUM PEOPLE SHOULD BENEFIT FROM AND HAVE A MEANINGFUL SAY ON 100% OF THE TERRITORY THAT BELONGED TO OUR ANCESTORS”

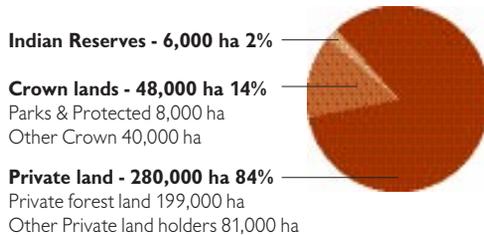
Getting to 100%

Hul’qumi’num core traditional territory covers just over 334,000 hectares of land on southeast Vancouver Island, the Gulf Islands and the Lower Fraser River. It reaches north to the Nanaimo River, and south to Goldstream River in Saanich Inlet. It stretches west past Lake Cowichan to Tuck Lake, and east up the south arm of the Fraser River to Douglas Island. Hul’qumi’num people have owned, used and lived in this territory for millennia. This is our homeland.

The Hul’qumi’num Treaty Group has listened to our community and we understand that our people’s

priority is land and water, and further that we want title recognized to 100% of our territory. The history of colonial land sales has created a major challenge to reaching this goal. Unlike most First Nation territories in BC where there is abundant Crown lands, Hul’qumi’num territory is currently 84% privately owned. This is not just residential and agricultural land; even the forests are largely held by a few private companies. Clearly, we have a wide gap to bridge in order to get to our 100% mandate.

Today the breakdown of land ownership is as follows:



Getting to 100% will not mean getting complete ownership of 100% of this land back. Beyond the governments' refusal to consider private lands as part of the settlement, many factors make the full return of lands impractical, such as the implications of displacing non-Hul'qumi'num residents and the high costs of real estate in the region. The Hul'qumi'num Treaty Group intends to respect the wishes of our people, however, so striking the right

balance will be a critical part of the negotiation. Ultimately, we believe that the Hul'qumi'num people should benefit from and have a meaningful say on 100% of the territory that belonged to our ancestors.

Ways we can do this will likely consist of a combination of the following:

- Full ownership of a significant quantity of our core traditional territory
- Shared jurisdiction and authority over all of the lands, waters and resources within our territory
- Harvesting rights and access to lands, waters and resources throughout the Coast Salish world for hunting, fishing and other traditional activities
- Measures to protect and enhance our culture and heritage
- Shared management of and benefits from resources throughout our territory
- Cash settlements and compensation



Land Ownership

Full ownership of lands will provide an opportunity to significantly expand our small land base throughout our core traditional territory. These lands will be called *Hul'qumi'num lands*. A major benefit of full ownership is that it gives our people certainty over the jurisdiction of lands and waters, and the resources therein. It also allows us to realize a better economic potential from our lands while respecting community values. Ownership is a major move away from the *Indian Act* system and from the Minister of Indian Affairs controlling our affairs on our lands. Our priority, therefore, is to acquire full ownership of as much as possible of our people's core traditional territory.

The land selection component of the treaty settlement package will consist of existing Indian reserves, Crown lands, and willing seller private lands.

Existing *reserves* account for less than 2% of our territory, and are currently under legal ownership of the federal government. We will gain full ownership of these reserve lands.

Crown lands currently make up 48,000 hectares of land in Hul'qumi'num territory, comprising 15% of our Statement of Intent. Approximately 8,000 hectares are held as parks and protected areas. Crown lands will form an important core of the treaty settlement land package, increasing the Hul'qumi'num land base beyond the reserves in economically and culturally important areas of our territory.

The remaining 280,000 hectares — 84% of Hul'qumi'num territory — are privately owned. Approximately 199,000 hectares are owned by five forestry companies as private forest lands. Another 81,000 hectares are held by other private landowners, used for residential and agricultural purposes.

Virtually all of the ocean and river front properties are held in private residential ownership. In addition to being highly economically valuable today, these waterfront areas are historically and culturally important to Hul'qumi'num people. The Hul'qumi'num Treaty Group will negotiate that private lands, purchased by government as part of the treaty package on a *willing buyer/willing seller* basis, are critical in meeting the community housing, economic and cultural land needs of our people into the future.

Jurisdiction and Law Making Authorities

The treaty will provide clarity for how Hul'qumi'num authorities and jurisdictions will be exercised throughout our territory and what our relationship will be with the provincial and federal governments in exercising this power. It will establish the extent

to which we can participate in heritage management, habitat protection and land use planning. It will also dictate how we share in the revenues from the resources of the lands and waters within our territory that do not become Hul'qumi'num lands. As the original stewards of these lands and resources, we assert that we should receive the authority to continue to be responsible for their protection for future generations.

We are negotiating for a model of management that provides for opportunities to have Hul'qumi'num leaders participate in government decision making. This will ensure that our values and visions are reflected in decisions made throughout our territory.



muhw stem 'o' s'aa'lh

*Our law making authority will
empower us to be the architects of
a sustainable future for our lands.*

Culture and Heritage

Protection of Hul'qumi'num culture and heritage is a critical aspect of our treaty negotiations. Measures designed to protect, respect and enhance Hul'qumi'num culture and heritage include:

- Protection of and access to Hul'qumi'num heritage sites, including archaeological sites and sacred cultural landscapes
- Repatriation of Hul'qumi'num artifacts, cultural heritage objects and our ancestors' bones and funerary remains from Canadian museums
- Revival of the Hul'qumi'num language
- Recognition of Hul'qumi'num place names
- Protection of our intellectual property, such as legends, songs, masks and dances

HERITAGE SITES

Heritage sites are areas that carry a deep cultural significance for the Hul'qumi'num people. They include both tangible, *archaeological sites* — ancient

monuments and cemeteries built by our ancestors, and the intangible *cultural landscapes* that, according to Hul'qumi'num legends and oral history, have symbolic and sacred significance for our people.

Archaeological sites are areas where physical evidence of our historical land and resource use has been preserved. Archaeological sites in Hul'qumi'num territory include the locations of our ancestors' ancient villages and settlements, cemeteries, rock art sites, and resource harvesting locations. Our cultural beliefs and practices concerning our deceased ancestors themselves underlie the importance we are giving to greater protection for our archaeological sites at the treaty table.

There are more than 1,000 identified archaeological sites within Hul'qumi'num territory. Of these, 85% are located on private property, presenting us with a challenge at the negotiating table. The provincial

government currently holds the authority to protect First Nations' archaeological sites based on their scientific, cultural and public significance to Canadian history. However, aboriginal cemeteries and other heritage sites have not always been accorded the same kind of legal protection and respect as non-aboriginal cemeteries in British Columbia and Canada. The province has frequently permitted development of many of these sites for private land use, despite repeated protests from our Hul'qumi'num Elders.

The Hul'qumi'num Treaty Group is negotiating for the tools and authorities to protect archaeological sites. Government may purchase key, privately owned sites on a willing seller basis as part of the cultural land selection component of the treaty. On Hul'qumi'num Lands, we expect our people to hold significant jurisdiction over the protection of our heritage sites. Outside of Hul'qumi'num Lands, we assert that the

Hul'qumi'num people must play a meaningful role, in co-operation with British Columbia, in protecting and managing our archaeological sites.

Cultural Landscapes are special places, such as where our First Ancestors descended from the sky or where Xeel's marked the land. These cultural landscapes are honoured today by the Hul'qumi'num people as sacred heritage sites due to their spiritual significance. They commemorate our ancestors, venerate the spirit world, and reflect our people's ongoing cultural relationship with our land. The social and religious value of these cultural landscapes to our people has never been officially recognized in Canada. These sacred places remain completely unprotected from the impacts of modern land-use.

We are negotiating in treaty to purchase key cultural landscapes and to build effective co-management relationships with provincial and local governments.



xe'xe'

This will allow our people to pursue spiritual, cultural and educational activities — fostering greater public awareness and appreciation of our traditions.

LANGUAGE

Second to land ownership, the protection and revival of the *Hul'q'umi'num'* language is the foremost concern of our Elders. Assimilationist policies, particularly residential schools, largely wiped out the use of our language. There are currently less than 100 *Hul'q'umi'num'* master speakers alive today, the majority of which are over 60. Fluency levels decrease significantly amongst our younger generations. We urgently need to revitalize our language so that it will continue to be spoken for generations to come. Law making, funding opportunities, and changes to the education system will be key aspects of our treaty work related to language.

PLACE NAMES

More than 500 *Hul'q'umi'num'* language place names are now documented, resonating a deep cultural connection between the *Hul'qumi'num* people and

our territory. We envision having selected geographical place names officially recognized on maps by British Columbia and Canada. Official recognition of these place names within *Hul'qumi'num* territory will help to protect our language and reassert our cultural identity.

CULTURAL PROPERTY

Many *Hul'qumi'num* artifacts and heritage objects, even ancient human remains, are held by museums and private institutions across Canada and internationally. These items were removed from our communities by explorers, missionaries, government agents and private collectors over the last two centuries for reasons of scientific interest, colonial influence and commercial profit.

Some of these are everyday items; others are sacred objects. They include everything from ancient stone and bone tools to carved house poles to sacred spirit

dance regalia. We are negotiating for the return of Hul'qumi'num heritage objects currently housed at Canada's Museum of Civilization, the Royal British Columbia Museum, and other museums in Canada to restore this important part of our cultural heritage to our communities.

INTELLECTUAL PROPERTY

Intangible cultural properties such as our hereditary names, sacred songs, and images are at risk of being exploited by non-Hul'qumi'num people under existing intellectual property laws. We are seeking to develop mechanisms to protect these intangible cultural properties as an expression of our aboriginal rights in the treaty.

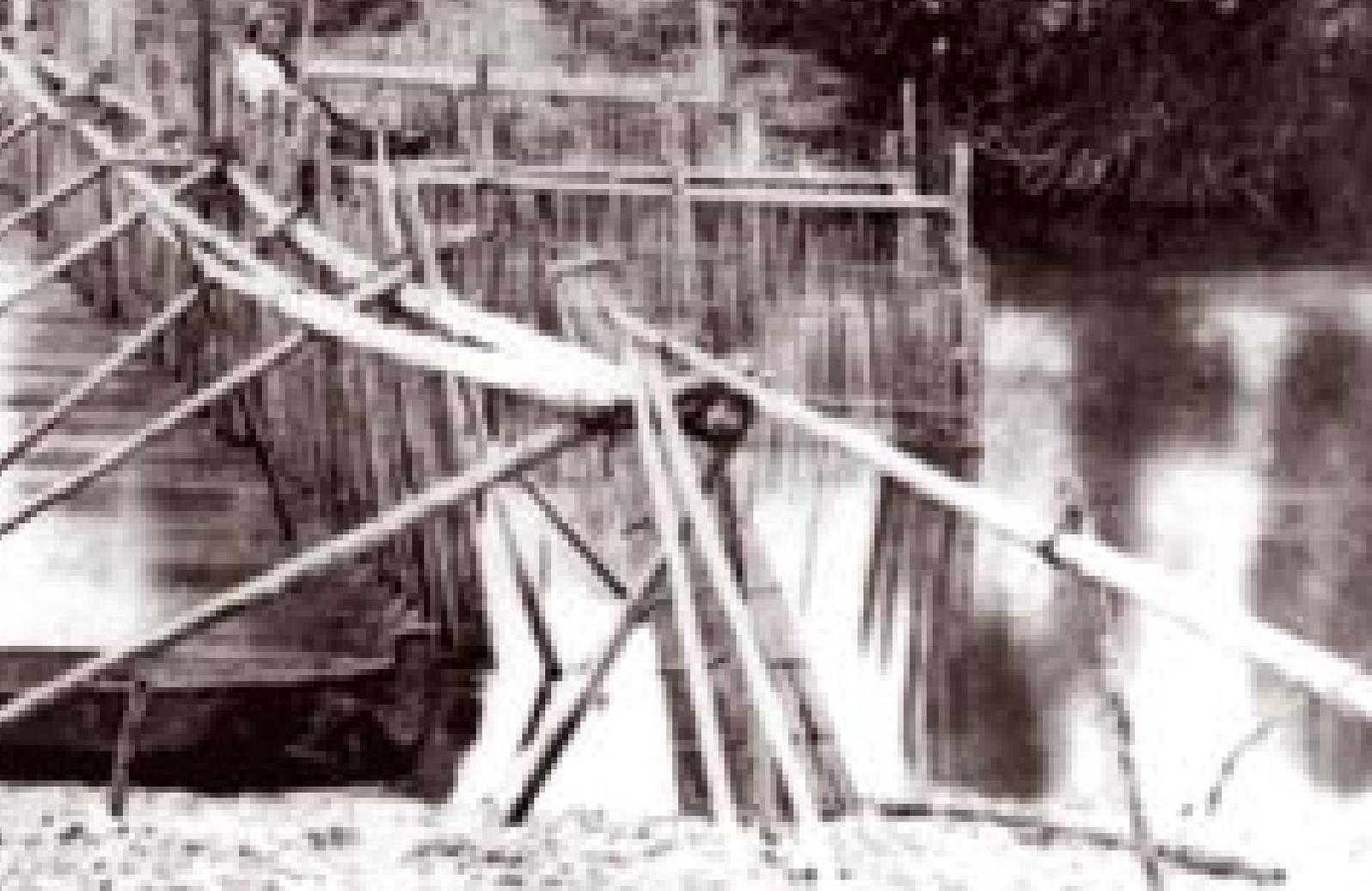
Resources

A key component of creating healthy Hul'qumi'num communities depends on having access to the natural resources both within and beyond our core

traditional territory. Marine and forest resources have always provided food for our people and played a key role in our social and cultural lives. These resources are essential to sustaining our economies and generating wealth for our communities. Our once rich ecosystem has been depleted over the years by the over-harvesting, pollution and ongoing development. Accordingly, the Hul'qumi'num people have lost opportunities to practise and prosper from our traditional ways of life.

We will work in treaty to gain access to resources that sustained our traditional way of life, both within our traditional territory and beyond, as well as to gain a meaningful say in the management of the shared ecosystem. We will also work to ensure that the treaty provides mechanisms for the recovery and restoration of the abundance and diversity of natural resources in our territory.





WITHIN OUR CORE TRADITIONAL TERRITORY

Hul'qumi'num people have long developed sustainable management and stewardship principles that guide us in caring for our lands and resources. Defining our role in managing and benefiting from our lands, waters and resources within the treaty will allow us to continue to act as stewards of our territory for generations to come.

BEYOND OUR CORE TRADITIONAL TERRITORY

Before contact, the Hul'qumi'num people maintained an extensive network of trade and economic relations along the Pacific Coast. We voyaged beyond the boundaries of our core traditional territory in order to trade and participate in the potlatch economy with our neighbours in the larger Coast Salish world. We travelled frequently and extensively in order to harvest resources that were culturally or economically important but not

locally available, such as mountain goat, eulachon, and sturgeon.

Our relationship with our neighbours rooted in historic travel, trade and extended ties forms the foundation of our future vision for our people's place within the Coast Salish world. We envision continuing our traditional way of life as well as ensuring responsible stewardship over the shared resources in this region. We intend to continue to respect the rights and territories of our aboriginal neighbours and are actively working on creative ways to continue to work co-operatively, particularly in the areas of fisheries, wildlife harvesting and harvesting of forest lands.

FORESTS

Forest lands and the timber and non-timber resources on them will form an important component of the treaty. Hul'qumi'num lands will provide our

communities with expanded ownership of access to timber areas for economic development. Throughout our law-making authorities, our people will be able to control the way forestry is practised on our lands, protecting the environment while allowing for much needed economic development.

Of all the forest lands in Hul'qumi'num territory, 12% are currently Crown lands and 88% are privately held. This creates some serious challenges at our treaty table. We are developing approaches to co-management, revenue sharing and harvesting rights — including the harvesting of non-timber resources — on other Crown and privately owned forest lands to meet our objectives of getting to 100%.

FISH

Fishing remains an integral part of Hul'qumi'num culture and economy. Our people have traditionally fished and harvested sea resources within a broader

area than that defined by our core traditional territory. Our fishing territory extends north to Cape Mudge, east to Yale on the Fraser River, south into Puget Sound and west along the Juan de Fuca Strait. Our commercial fishermen have travelled still farther in pursuit of their traditional livelihoods. We have always traded and sold our marine resources with our neighbours and respected each other's territories.

The treaty must provide opportunities for our people to continue this way of life into the future. Fish allocations will provide certainty and priority for our traditional needs by defining the number and types of fish we will have a right to harvest. The allocations will carve out a secure place for our people's food, social and ceremonial needs, and opportunities to make what the courts have called a “moderate livelihood.”

For non-allocated species, we feel that Hul'qumi'num people still have a priority right. This means that

when a species is in decline, other users, such as sport and non-aboriginal commercial fishermen, would be restricted from harvesting that species before restrictions are placed on Hul'qumi'num fishermen.

Agreements for commercial fishing and aquaculture capacity will provide opportunities for Hul'qumi'num communities to generate wealth. We are negotiating for an agreement regarding access to fish and marine resources throughout our fishing territory that will provide wealth producing, commercial fisheries opportunities.

In areas where sedentary intertidal and marine species — such as clams and crabs — live, we are developing ways the treaty can provide the same kind of strong management of and access to marine resources as our people have traditionally practised.

WILDLIFE

As they did with fish, our ancestors travelled extensively to harvest wildlife resources, a practise that is continued today by our hunters. Our hunting territory is therefore greater in scope than our core traditional territory. Furthermore, economically-driven land use decisions by governments and land holders have increased the need in recent years for our people to hunt far away from our homes and core traditional territory.

To reflect the historic and present realities, we are negotiating for the recognition of a harvest area which ensures that Hul'qumi'num hunting rights can be exercised throughout the Coast Salish world. Protocols with our First Nations neighbours will inform the way we exercise our right to harvest and manage wildlife resources throughout this area into the future.

Cash vs. Compensation

An important part of getting to 100% will be a cash settlement for lands not returned to Hul'qumi'num ownership. Cash will go toward rebuilding the cultural, social, and economic health of our communities.

It will help us to take control of our resources, establish viable livelihoods, revitalize our language and culture, and provide health care and other essential services to our people. Cash can also be used to acquire additional privately owned land, such as historically and spiritually significant sites.

Yet while cash for land is clearly on the table for negotiations, the federal government has to date refused to discuss the idea of compensation — or the inclusion of cash paid to First Nations people as reparation for losses suffered by the Hul'qumi'num Mustimuhw.

Hul'qumi'num elders and our communities at large have clearly stated that compensation must be on the table. Innumerable economic losses have been suffered by our people due to land pre-emptions and the resulting lack of access to our resources and livelihoods. Further destruction was wrought on our culture and communities through the loss of our right to self govern, attempts at assimilation, and the residential school system.

Where we once enjoyed a vibrant and sustainable lifestyle, our communities continue to live largely in poverty. The median income for Hul'qumi'num people living on reserve is just \$6,820 per year, barely a third of the 2001 provincial average. Clearly, the impacts on our lives due to the federal and provincial governments' historic treatment of aboriginal people has resulted in significant monetary losses by our people. We are firm in our belief that compensation must be a part of the treaty process.



“OUR INALIENABLE CONNECTION TO THE LAND AND RESOURCES IS NOT ONLY OUR RIGHT,
IT IS OUR RESPONSIBILITY”

Summary

Achieving our vision of a just reconciliation and resolution of our aboriginal title and rights within our territory will not be without challenges at the negotiating table. By reaching an agreement in treaty, however, Hul’qumi’num people and indeed all Canadians will benefit. We stand firmly united in our conviction to negotiate a fair and honourable treaty — one that will enable our Hul’qumi’num communities to restore our historical prosperity and to ensure that our distinctive culture will flourish into the future.

We need to share in the control, as well as the benefits, of 100% of our core traditional territory. We intend to do so using a combination of measures:

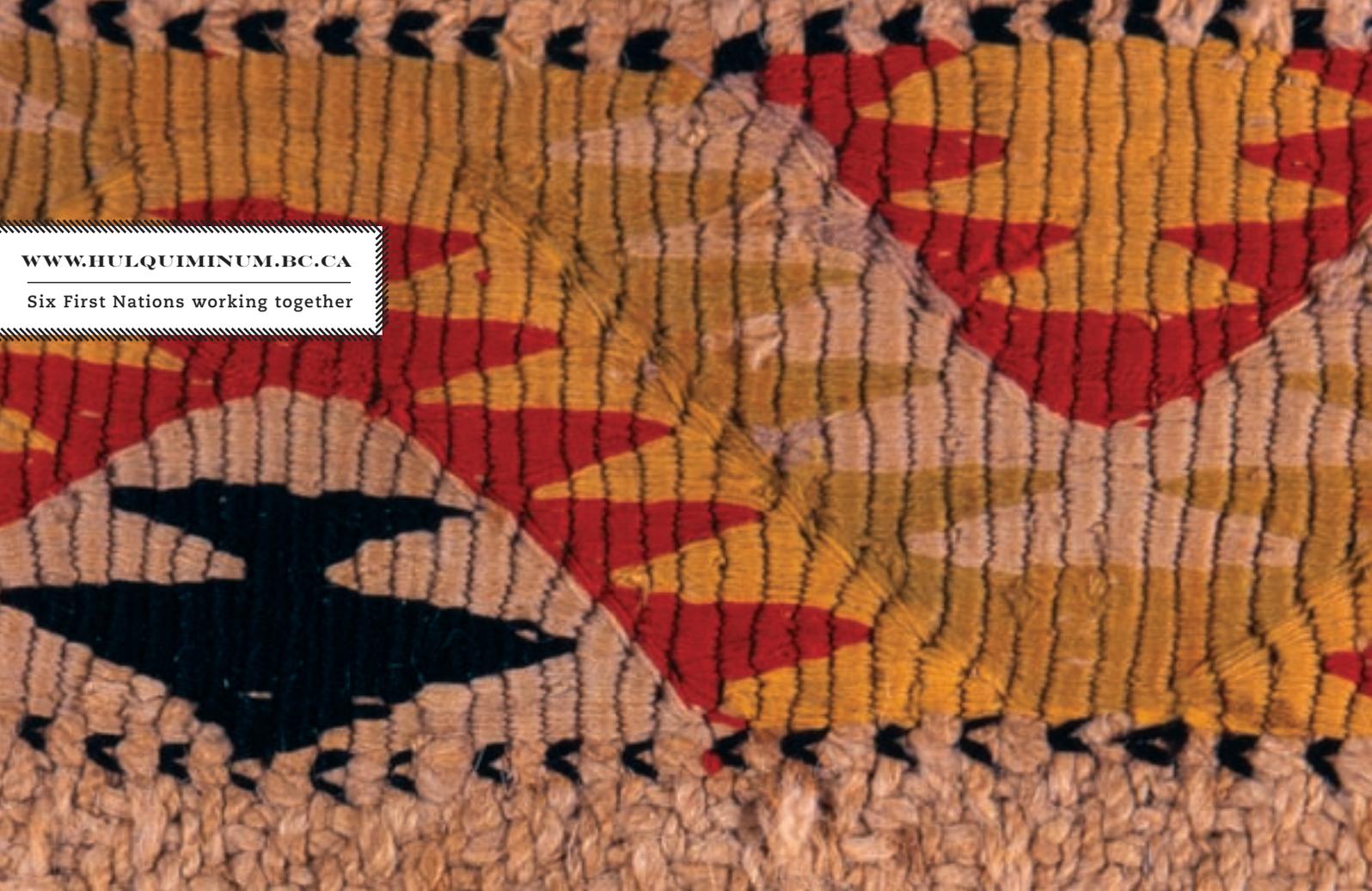
- returned ownership of lands
- jurisdiction over the environment
- sharing in the benefits of land and marine resources
- recognition of our history, protection of our culture and revitalization of the *Hul’qumi’num*’ language
- cash settlement, including compensation for losses suffered by the Hul’qumi’num Mustimuhw

Many people have profited from the resources on Hul’qumi’num lands. Now we, too, will benefit. The success of a just, honourable and fair treaty will be evident in our communities; we anticipate a revival of our traditional culture and increased prosperity for all our people.

ts'its'uw'atul

***Most importantly, we foresee
regaining control over our
own destinies, allowing for
strong, healthy communities
for generations to come.***

Front and back cover photo: Swuqw'a'lh (blanket) made of mountain goat and sheep's wool was woven by Spa'qel'tunaat of Xinupsum (Green Point), according to UBC Museum of Anthropology records. She was married to Xwuni'qultun of Chilliwack, was the granddaughter of Chief Jacob Charlie, and was the niece of Qelpii'mult'xw. The weaving passed from him to his granddaughter, Mrs. Willie George (Spa'qel'tunaat's cousin) of Xwulqw'selu (Koksilah). The purchase of the weaving by the Museum of Anthropology was supported by the National Museum of Canada Emergency Purchase Fund. Photo detail courtesy of the UBC Museum of Anthropology, Vancouver, Canada. A17200



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Six First Nations working together