



FIRST NATIONS SUMMIT

NEWS RELEASE

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SUPREME COURT OF CANADA HEARING LANDMARK ABORIGINAL TITLE CASE THURSDAY: FIRST NATIONS SUMMIT INTERVENING IN SUPPORT OF TSILHQOT'IN NATION

Coast Salish Territory (Vancouver, BC) – First Nations Summit leaders are in Ottawa this week to observe the Supreme Court of Canada (SCC) hearing in the Tsilhqot'in Nation case (William v. British Columbia) on November 7, 2013.

First Nations in BC and across Canada have fully supported the Tsilhqot'in leadership in their appeal of the 2012 BC Court of Appeal decision to the Supreme Court of Canada seeking a declaration of their Aboriginal title to their traditional lands and territories.

"The importance of this appeal cannot be overstated. After a long history of government denial, it is finally time for the Supreme Court of Canada to recognize Aboriginal title on the ground – for the first time in Canadian history", said Grand Chief Edward John of the First Nations Summit political executive.

The First Nations Summit is actively engaged as an Intervenor in this case, not only in support of the Tsilhqot'in Nation, but all First Nations in BC.

"As far as First Nations in BC are concerned, we hold Aboriginal Title to every part of our respective traditional lands and territories. We do not accept the 2012 BC Court of Appeal's view that the land rights and Aboriginal Title we inherited from our ancestors applies only to salt licks and fishing rocks. The SCC has already determined that Aboriginal Title has never been extinguished in the past or now. We fully expect the SCC to confirm this when they render their decision in this case in the months ahead", said Chief John.

"This appeal can be the turning of a page - a new chapter in what has been a shameful history for this country. We look forward to the long overdue recognition of Aboriginal title – which is critical to our survival as distinct Peoples and to our peaceful co-existence. We look forward to a SCC declaration of Tsilhqot'in title to Tsilhqot'in lands", concluded Chief John.

Those intervening in support of the Tsilhqot'in are:

- Amnesty International and Canadian Friends Service Committee (Quakers)
- Assembly of First Nations
- Chilko Resorts and Community Association and Council of Canadians
- First Nations Summit, with the support of Sechelt First Nation, Musqueam Nation and Tl'azt'en Nation
- Gitanyow Hereditary Chiefs
- Gitxaala Nation
- Council of Haida Nation

- Hul'qumi'num Treaty Group
- Indigenous Bar Association
- Te'mexw Treaty Association
- Tsawout First Nation, Tsartlip First Nation, Snuneymuxw First Nation and Kwakiutl First Nation
- Coalition of the Union of BC Indian Chiefs, the Okanagan Nation Alliance and the Shuswap Nation Tribal Council and their member communities, the Okanagan, Adams Lake, Neskonlith and Splat'sin Indian Bands
- Office of the Wet'suwet'en Chiefs

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The First Nations Summit speaks on behalf of First Nations involved in treaty negotiations in British Columbia. The Summit is also a NGO in Special Consultative Status with the Economic and Social Council of the United Nations. Further background information on the Summit may be found at www.fns.bc.ca.

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Background

Originally brought to the courts by then-Chief Roger William, on behalf of all Xeni Gwet'in and Tsilhqot'in people, this action sought declarations of Aboriginal Title to part of the Cariboo-Chilcotin region of British Columbia. The original trial commenced in Victoria in November 1992 and included 339 trial days at a cost of over \$30 million. The 2007 BC Supreme Court decision was appealed in the BC Court of Appeal in 2010 with a decision rendered by the BCCA in June of 2012.

The Tsilhqot'in people – in particular the Elders – have demonstrated leadership and courage in advancing this critically important case; they have been required to provide a great deal of evidence to the Court of who they are as a People; what lands they used and occupied from the time of European contact and since; how their rights have been infringed and how they hope to steward their lands and resources.

The trial judge found that the Tsilhqot'in met the legal test to prove title to a portion of Tsilhqot'in territory, however the BC Court of Appeal ignored those findings and held that reconciliation is best achieved by confining Aboriginal title to "small spots" (reserves, salt licks, fishing rocks) and that title is not necessary to provide cultural security. This decision was made without due consideration of Tsilhqot'in laws and legal orders.

This case of great importance to First Nations. 23 First Nations and organizations are intervening in support of the Tsilhqot'in before the Supreme Court of Canada.

Four non-Aboriginal organizations are also intervening in support of the Tsilhqot'in and the need for honourable reconciliation between the Crown and Indigenous peoples.