



We, the Tsilhqot'in Nation, or People of the River, have occupied our ancestral nen (land) since time immemorial. We have never ceded or surrendered our rights or title to our Territory. We depend on clean lakes and rivers that carry wild fish, and we have a sacred responsibility to protect our lands and waters for future generations.

Tsilhqot'in nen (land or territory) encompasses the "Chilcotin" plateau, in what is now central British Columbia, Canada. Our Territory extends from the Coast Mountains to the east side of the Fraser River. Our territory is located in central British Columbia and our Nation is made up of six Tsilhqot'in communities: Xeni Gwet'in First Nations Government (Nemiah), Yunesit'in (Stone), Tl'esqox (Toosey Band), Tl'etingox (Anaham), Tsi Dedel (Alexis Creek), and ?Esdilagh (Alexandria).

To save their spiritual and economic homeland from industrial logging, twenty-seven Tsilhqot'in Elders and members testified in a historic 339-day trial that successfully put a stop to this threat. Many spoke only in the Tsilhqot'in language – some were travelling outside of their territory for the first time to appear in court.

They succeeded in proving Aboriginal rights to hunt, trap and trade throughout these traditional lands. And for the first

time in Canadian history, the BC Supreme Court identified the lands where Aboriginal title had been proven -- some 200,000 ha of core lands at the heart of their culture and way of life.

On Nov. 7, 2013, the Supreme Court of Canada will hear the historic appeal of this case. Many of the Elders who testified at trial are no longer with us. We intend to honour them by finishing what they started, by leaving a legacy for our people and our culture.

Elder's Journey: Donations

You are invited to support the Tsilhqot'in Elders on this journey with your prayers, your comments and, if possible, financial support to help make this journey a reality.

Donations can be made via PayPal at <http://www.tsilhqotin.ca/abouttng.html>.

OR at R.A.V.E.N. Respecting Aboriginal Values and Environmental Needs Website for a tax-deductible donation: <http://www.ravenrust.com/takeaction/donate.html>.

OR at the Union of BC Indian Chiefs website: <http://ubcic.bc.ca/>

SECHANALYAGH (thank you)!

Please visit our facebook page for daily updates:
Search for "Indigenous Land Title Express: Tsilhqot'in Journey for Justice"

Indigenous Land Title Express

First Nation's Journey for Justice



Recognition of Aboriginal title is the starting point for Canada, as a nation, to finally start dealing honourably with First Nations.

On November 7, 2013, the Supreme Court of Canada is scheduled to hear the historic appeal of the Tsilhqot'in Nation's Aboriginal title case. In order to honor the many Elders that testified at the BC Supreme Court trial, especially those who are no longer with us, a journey has begun from Tsilhqot'in homelands to Ottawa.

This is about our survival as Tsilhqot'in people. Forty years after the Calder decision, twenty years after the Constitution Express, the Indigenous Land Title Express is a testimony to the long journey

for justice of the remaining Tsilhqot'in Elders and members that stood witness for the Tsilhqot'in people at trial. As we travel to Ottawa by bus, we seek to gather support for the just resolution of this struggle before the Supreme Court of Canada.

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Read on and find out how to donate.



Background on Tsilhqot'in Nation v. British Columbia and Canada

The Tsilhqot'in Nation's Aboriginal title case started over two decades ago, when the Tsilhqot'in Nation blockaded and then went to court to save some of its last intact traditional lands from industrial logging.

The Claim Area comprises some 438,000 hectares of remote and beautiful territory in the Chilcotin Region of British Columbia, which takes its name from the Tsilhqot'in people. It is the economic and spiritual homeland of the Xeni Gwet'in, one of six Tsilhqot'in communities.

After five years of trial, in November 2007, the BC Supreme Court held that the Tsilhqot'in people hold Aboriginal rights to hunt, trap and trade throughout the entire Claim Area, including the right to capture and use wild horses.

The BC Supreme Court went further. The Court found that the Tsilhqot'in Nation had proven Aboriginal title to approximately 40% of the Claim Area – lands that the Tsilhqot'in people exclusively controlled when the Crown asserted sovereignty in 1846, and used year after year, season after season, to sustain their communities and their culture.

Although the Supreme Court of Canada has confirmed that Aboriginal title continues as a legal right in British Columbia (in the 1997 case of *Delgamuukw v. BC*), this was the first time in Canadian history that Aboriginal ti-

tle was recognized by a court on the ground. Aboriginal title is a right of collective ownership, which would give the Tsilhqot'in people the primary rights to decide how the lands would be used and to the economic benefit of the lands and resources.

However, in June 2012, the BC Court of Appeal overturned the BC Supreme Court's ruling on Aboriginal title. It fully endorsed the BC Supreme Court's ruling on Tsilhqot'in Aboriginal rights to hunt, trap and trade; however, as a matter of law, the Court of Appeal held that First Nations can never hold Aboriginal title to more than specific, intensively used sites, such as permanent villages, salt licks, or particularly effective rocks used for gaffing salmon.

First Nations across Canada denounced this judgment as making a mockery of Aboriginal title, and as a discriminatory ruling that denigrates and disregards Aboriginal ways of life, and in particular their distinctive systems of law and land use. This is the wrong path. It is the path of greater and greater conflict.

Recognition of Aboriginal title is the starting point for Canada, as a nation, to finally start dealing honourably with First Nations.

The sole issue before the Supreme Court of Canada on November 7, 2013 will be Aboriginal title.

Watershed Moment: Opportunity to Navigate a Path to Reconciliation

The outcome of the Supreme Court of Canada will shape the future of Canada's Aboriginal peoples, as evidenced by the unanimous resolutions in support of the Tsilhqot'in from the Assembly of First Nations, the Union of BC Indian Chiefs, the BC Assembly of First Nations, and the First Nations Summit.

First Nations want to achieve reconciliation with the Crown through honourable negotiations and partnerships. We seek respectful and principled co-existence, where our identity as pre-existing societies with land and governance rights is respected in both law and practice.

For generations, our peoples have fought for recognition of our rights to our homelands. We've been ignored, dismissed, impoverished, sent to residential schools. But step by step we have sought justice from the Canadian courts.

Calder and *Delgamuukw* were landmark cases. But now, 40 years after *Calder*, true recognition of Aboriginal title is long overdue. It can be denied no longer if there is to be reconciliation in Canada.

The integrity of s. 35 of the Constitution is directly at stake, as is the legitimacy of the Canadian legal system as a forum for the just resolution of the Land Question.

The BC Court of Appeal's judgment cannot stand. It is based on the premise that our ways of using the land, our legal systems, our ways of life, are inferior to European ways.

This is the same discriminatory reasoning that has been used to deny our land rights for centuries: that our cultures are inferior, that our lands don't really belong to us. **We will not accept this. Canadians should not accept this. We need to move beyond this.**

The Tsilhqot'in Nation will call on the Court to continue on the path that it has charted, to end the long era of denial and discrimination that has shadowed the nation's past, and to provide long-overdue recognition of Aboriginal title on the ground, as the starting point for true and lasting reconciliation.

