



Stó:lō Xwexwilmexw Treaty Association

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Impacts of Yale Final Agreement on Stó:lō Rights and Title

1. Stó:lō today are approximately 10,000 people. They have lived in, used and occupied their traditional territory – including the Lower Fraser River Canyon - for at least 10,000 years.
2. Stó:lō is a nation composed of several tribes, including the *Tit* (Upriver) Tribe represented by a group of settlements from Central Fraser Valley through the lower Fraser River Canyon. The Indian Affairs 'Yale Administrative Unit' included all the Stó:lō villages in the *Tit* Tribe, not just the village of *Xwoxwelá:łhp*, which is now known as the Yale Indian band. The government established 'Yale' reserves in the Canyon to preserve the fishing sites used by all Stó:lō, not just the Yale Indian band.
3. Yale is an *Indian Act* band of 150 people, associated with the Sto:lo- *Tit* Tribal village of *Xwoxwelá:łhp*. 68 Yale members ratified the Yale Agreement. The Yale band is a member of the *Tit* Tribe, which is one of the Stó:lō tribes. Only in the last 20 years has the Yale band decided that it is not Stó:lō.

Over 60% of Stó:lō's food fishery comes from its fishing sites in the Lower Fraser Canyon.
4. Aboriginal rights and title are collective rights. Collective rights reside with the nation, not with bands. Yale's rights and title are part of the collective Stó:lō rights and title.

Stó:lō have 77 fishing sites in the Canyon.
5. The Yale Agreement proposes to appropriate land in the Lower Fraser Canyon and Upper Fraser Valley to the Yale band in fee simple for their exclusive use and benefit. That land is subject to Stó:lō's collective rights and title, which are jointly held by all Stó:lō, including Yale. Those lands also are home to Stó:lō fishing sites, cemeteries, ancient village sites, trails and other heritage sites. These lands are currently used by Stó:lō for their cultural practices. The Canyon is a unique and irreplaceable feature of the Stó:lō cultural landscape.

Yale has 1 fishing site in the Canyon.
6. The ownership of Stó:lō rights and title cannot be appropriated to one small part of the Stó:lō collective (Yale) without the consent of the rest of the Stó:lō collective.

The Yale Agreement will impact 42 Stó:lō fishing sites in the Canyon.
7. The Yale Agreement has an "access" provision which states that Stó:lō will have to obtain permission from Yale for access to their own lands for "recreational and non-commercial" activities. Yale's Chief has repeatedly said he intends to issue permits for access and will not treat Stó:lō access any differently than other requests. This is a fundamental denial of Stó:lō rights and access to their own lands for food fishing, spiritual and cultural practices, which are not, by definition, "recreational" activities. The Yale Agreement will permanently alienate Stó:lō from their traditional lands. No access provision can accommodate Stó:lō for the permanent alienation of their proprietary interests.
8. Canada still has the opportunity to ensure that the Yale Agreement is done properly. Canada should insist that a Stó:lō – Yale Shared Territory Agreement is finalized prior to its ratification of the Yale Agreement. Failure to do so will lead to legal uncertainty, political unrest, and potential violence, protests and litigation. That is not what the treaty process is trying to accomplish. By all means, let's do the Yale Treaty – but do it right – in a way that does not irreparably damage Stó:lō rights.