



**UBCIC RESEARCH**

**500-342 Water Street ~ Vancouver, BC ~ V6B 1B6**

**SEPTEMBER 26,  
2001  
LETTER FROM  
CHIEF STEWART  
PHILLIP  
TO PRESIDENT  
OF BCAL**

**500-342 WATER STREET • VANCOUVER, BC • V6B 1B6**

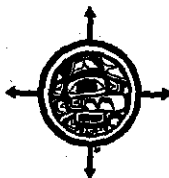
**TEL: (604) 684-0231 • FAX: (604) 684-5726**

**Email: [research@ubcic.bc.ca](mailto:research@ubcic.bc.ca) Web: <http://www.ubcic.bc.ca>**

# OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE  
345 Yellowhead Highway  
Kamloops, B.C. V2H 1H1  
Tel: (250) 828-9746  
Fax: (250) 828-0319



VANCOUVER OFFICE  
5th Floor, 342 Water Street  
Vancouver, B.C. V6B 1B6  
Tel: (604) 684-0231  
Fax: (604) 684-5726  
Email: [ubcic@ubcic.bc.ca](mailto:ubcic@ubcic.bc.ca)  
Website: [www.ubcic.bc.ca](http://www.ubcic.bc.ca)

Bill Valentine  
President and Chief Executive Officer  
British Columbia Assets and Land Corporation  
5th Floor - 609 Broughton Street  
Victoria, BC V8W-1C8  
Telephone: (250) 356-1282

September 26, 2001

SENT VIA Fax: (250) 356-0105

Dear Mr. Valentine:

RE: LEASING OF CROWN LAND AT MCGILLIVARY LAKE, KAMLOOPS (BCAL FILE: 3400525)

As you are aware, members of the Secwepemc have protested on numerous occasions at the offices of the British Columbia Assets and Land Corporation (BCAL) in Kamloops and Victoria. The protests focussed on BCAL offices due to the continuing disregard of BCAL of the Aboriginal Title and inherent Aboriginal Rights of the Secwepemc people to not only the area of McGillivary Lake but to the whole of their territory.

In light of recent events at the Sun Peaks Resort, the anxiety of the general public reacting to the events internationally and the court proceedings occurring this week against the Elders, the youth and land-users of Skwelkwew'elt who choose to actively protect their Aboriginal Title interests in the Sun Peaks area, I would submit that the actions of BCAL to date, with its accelerated process of disposition of "parcels" of Secwepemc Territory, is absolutely irresponsible. In particular, the leasing of land at McGillivary Lake is contributing to the rising tension in the area. Such action moves away from any possible reconciliation and contradicts the intent of the 1997 *Delgamuuk'w* decision of the Supreme Court of Canada.

*Delgamuuk'w* confirmed that Aboriginal Title exists and that meaningful consultation must occur when there is infringement of Aboriginal Title and Rights. A letter with an arbitrary timeline of response which essentially states that if the Neskonalith and/or Adams Lake Band does not respond, their silence would be taken as tacit approval of the disposition of land, is not meaningful consultation.

As a sign of good faith, I urge you to immediately suspend plans for the leasing of land surrounding McGillivary Lake and within the Secwepemc Territory until a credible process can be established. It is my sincere hope that such a process will be initiated on the principle of good faith negotiations and be one where the governments of Canada and British Columbia will address the inherent Aboriginal Title and Rights of the Secwepemc people to their territory.

Sincerely,

Chief Stewart Phillip  
President

Union of British Columbia Indian Chiefs.

CC: Chief Arthur Manuel, Neskonalith Band  
Chief Ronnie Jules, Adams Lake Band  
Janice Billy, Skwelkwew'elt Protection Centre  
Geoff Plant, Attorney General - Government of British Columbia  
Robert Nault, Minister of Indian and Northern Affairs Canada, Government of Canada  
UBCIC Chiefs Council  
Peter Walters, Acting Regional Manager - Kamloops Region, British Columbia Assets and Land Corporation



UBCIC RESEARCH

500-342 Water Street ~ Vancouver, BC ~ V6B 1B6

**OCTOBER 17,  
2001**

**UBCIC PRESS**

**RELEASE:**

***BRITISH  
COLUMBIA  
ASSETS AND  
LANDS  
SELLING OUR  
FUTURE***

500-342 WATER STREET • VANCOUVER, BC • V6B 1B6

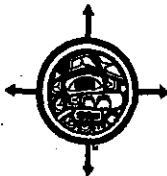
TEL: (604) 684-0231 • FAX: (604) 684-5726

Email: [research@ubcic.bc.ca](mailto:research@ubcic.bc.ca) Web: <http://www.ubcic.bc.ca>

# OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE  
345 Yellowhead Highway  
Kamloops, B.C. V2H 1H1  
Tel: (250) 828-9746  
Fax: (250) 828-0319



VANCOUVER OFFICE  
5th Floor, 342 Water Street  
Vancouver, B.C. V6B 1B6  
Tel: (604) 684-0231  
Fax: (604) 684-5726  
Email: [ubcic@ubcic.bc.ca](mailto:ubcic@ubcic.bc.ca)  
Website: [www.ubcic.bc.ca](http://www.ubcic.bc.ca)

**PRESS RELEASE**  
October 17<sup>th</sup>, 2001

**FOR IMMEDIATE RELEASE**

## **BRITISH COLUMBIA ASSETS AND LANDS** **SELLING OUR FUTURE**

(Vancouver, Coast Salish Territory/October 17<sup>th</sup>, 2001) "I am deeply concerned about the greatly accelerated disposition of our Aboriginal Title lands as the British Columbia Assets and Land Corporation (BCAL) rips through the backlog of corporate applications for land tenure. I am particularly alarmed that BCAL believes that a simple letter reflecting an arbitrary timeline of response, which essentially states that if the community does not respond their silence will be taken as tacit approval of the disposition of land, is being construed as meaningful consultation." Chief Stewart Phillip was responding to the growing concerns of communities over the obviously zealous approach of BCAL's stated goal to eliminate the entire backlog of applications by March 31<sup>st</sup>, 2002.

Chief Phillip noted "In light of recent events at the Sun Peaks Ski Resort and Halfway River, where communities have chosen to actively defend their Aboriginal Title interests, I would submit that the actions of BCAL has profound implications for all First Nations in British Columbia." The activities of BCAL move away from any possible reconciliation and contradict the intent of the 1997 *Delgamuukw* decision of the Supreme Court of Canada. *Delgamuukw* confirmed that Aboriginal Title exists and that meaningful consultation must occur when there is a possible infringement of Aboriginal Title or Rights.

"When a First Nation receives a land referral, the onus has always been on the community to demonstrate that its Aboriginal Title or Rights would be infringed upon. Often times, there is a very short time-frame to respond which is compounded all the more by many First Nations' lack of capacity to adequately scrutinize the referral's impact. It appears that BCAL believes that the threshold of consultation is nothing more than a letter of invitation to consult and that BCAL has no duty to address Aboriginal Title or Rights."

The fundamental concern is that BCAL, in its attempt to jumpstart the BC economy, will purposely strengthen the rapid expansion of corporate tenures that will only serve to further the alienation of our Aboriginal Title lands and continue the systemic marginalization of our Aboriginal Title and Rights within BC. "Without a process founded on the recognition of Aboriginal Title and Rights, we will see more land-use disputes, like Sun Peaks and Halfway River, throughout the province as tenures are quickly granted and acted upon. BCAL appears to be promoting a frontier-like land development policy which features the stalling or delay of any settlement of the land question while alienating Aboriginal Title lands to third party interests as quickly as possible."

**FOR MORE INFORMATION CONTACT:**

Chief Stewart Phillip  
President  
Union of British Columbia Indian Chiefs

Cell: (250) 490-5314