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13th Annual General Assembly  
Union of B. C. Indian Chiefs

Italian Centre  
3075 Slocan Street  
Vancouver, B. C.  
430-3337

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28 - 30 October 1981

M I N U T E S

28 October 1981:

STEVEN POINT: Are there any other delegates in the crowd? The tables established in the front are for the delegates. We have an Opening Prayer this morning. I would like to call on Chief John L. George. I would like to ask everyone to stand please.

CHIEF JOHN L. GEORGE: (In the Squamish tongue.)

Great Spirit, I wish to briefly ask you to help and preside over this assembly so that people may have a good discussion and try to help rectify some of the wrongs that have happened to our people in the past. We are very confident that you will take care of us as human beings among our fellow human beings. For these few words, Great Spirit, I wish to thank you in advance that you take care of our people.

STEVEN POINT: I ~~would like to~~ cordially welcome all of the delegates to the 13th Annual General Assembly of the Union of B. C. Indian Chiefs. I would like to introduce you to the Elder next to me, who has been recommended as Chairman of the Convention. I introduce to you ~~Mr.~~ Wilfred Sylvester.

ELDER WILFRED SYLVESTER: Thank you very much Steven. I want to thank all of you wonderful people who gave me the honour to chair your meeting today. I also want to thank the wonderful Chiefs and all the Executive for all the ~~the~~ hard work they are going through for the betterment of <sup>our</sup> ~~their~~ future people. They have been working very hard these last few years, trying to iron out some of the obstacles that have been put on by the Indian Affairs and the Government. I hope, in time to come, that you will conquer these obstacles. There is a lot of hard work to do and I hope you will have the courage to face this, to carry on your work because we didn't come here today to <sup>it</sup> ~~lay~~ down. I want everybody to voice their opinion today, try to iron out what we have to iron out. I haven't seen the agenda yet, but don't be afraid to voice your opinion. This is where to voice your opinion, right here, that's <sup>all</sup> ~~what~~ I have to say for now.

STEVEN POINT: Just a few housekeeping items that we need to take care of this morning before we go on to the agenda. Among these housekeeping items is the acceptance of the recommendations of the Chiefs Council:

- i. the Chairman
- ii. the Co-chairman
- iii. the Elections Committee
- iv. the adoption of the Agenda.

I would like to deal with these in three consecutive motions. First of all, with the acceptance of the Chairman and the Co-chairman, we have two names put forward by the Chiefs Council, Wilfred Sylvester and Chief Richard Malloway; as Co-chairmen, myself, Steven Point and Chief Philip Paul. The Chair would entertain at this particular time, a motion to accept a recommendation from the Chiefs Council for a Chairman for this meeting.

MOTION #1: (Chief Ray Harris, Chief Wilson Bob)

So moves to accept the recommendation from Chiefs Council for the Chair person be adopted.  
CARRIED.

This morning the Chiefs Council met to discuss the names they wanted to put forward for the Elections and Resolutions Committees. I will briefly read these names to you, at which time we can entertain a motion. For the Elections Committee, they recommended Clo Astroff, who I understand is a legal advisor, Rosalee Tizya, Millie Poplar and Victor Jim. For the Resolutions Committee, we have Arnold Adolph, Clo ~~Astroff~~ <sup>CStvok</sup>, and Cliff Hanuse. It needs to be clearly understood that although the Chiefs Council has made recommendations that these members be accepted, by no means does it negate you, the Assembly, putting forward other names in terms of these particular committees.

MOTION #2: ( )

So moves that the Resolutions Committee and the Elections Committee, as recommended by Chiefs Council, be adopted.  
CARRIED.

In regards to the adoption of the Agenda, there were a few recommended changes to the Agenda. I hope that you make a note of these changes before we move ~~as~~ to accepting or rejecting the Agenda. The first change was to have the nominations of the Executive positions moved from Thursday afternoon at 2:00 p.m. to Wednesday, 3:30 p.m., this afternoon. The reason behind this recommendation was it would give a bit of time to the Assembly, between nominations and

elections, to consider the nominees. The other change or the addition that was made, apparently Bob Burroughs, from the Regional Office of the Secretary of State, had requested to attend this Assembly. It was recommended that Mr. Burroughs be given fifteen minutes at 2:00 p.m. Friday, to address the Assembly. With that insertion, under other business, we have Mr. Burroughs, Secretary of State, making a fifteen minute presentation. With those two changes, that is the nominations for the executive members be moved from 2:00 p.m. Thursday to 3:30 p.m. Wednesday; and the addition of Bob Burroughs, Secretary of State, to 2:00 p.m. Friday, ~~are there any other,~~ The chair would entertain a resolution or a motion to accept the agenda.

CHIEF DENNIS ALPHONSE: ~~I would like to ask,~~ Are the elections to be held to-morrow?

STEVEN POINT: The elections <sup>will</sup> ~~would~~ be held at the regular time as stated in the Agenda, which is 2:00 p.m. Thank you Dennis, that should be clarified.

CHIEF HOWARD WALE: (Gitanmaax Band)

Thank you, Mr. Chairman. I want to ~~question to~~ have a better understanding of the time slot given to Mr. Burroughs on his presentation Friday afternoon at 3:00 p.m. I think the recommendation was that he be given only fifteen minutes, and it is an in and out position. If there is ~~any~~ question period after his presentation, I think it should be left to the discretion of the Chairman. I think the recommendation that came from Chiefs Council was that he be only here for that period, not any other time of the convention.

STEVEN POINT: Thank you, Howard, for the clarification.

That certainly was the point made by the Chiefs Council this morning. Are there any other questions and clarifications about the Agenda? Can we entertain a resolution to accept the Agenda as presented by Chiefs Council. Does that mean everybody is happy with the Agenda, or unhappy with the Agenda? The General Assembly requires at least some kind of a consensus to carry on with the Agenda. I would like to ask then, <sup>as</sup> is a show of hands <sup>above</sup> in favour of the Agenda, ~~in terms~~ as it is presented. All those in favour of the Agenda, raise your right hand please, ~~are~~ there any opposed to the Agenda? Thank you. We will accept that as ratification of the decision of the Chiefs Council.

We should have the members of the Resolutions and Elections Committees please come forward and be identified so that the delegation can see these people in terms of having resolutions passed forward. These are the people you hand them to. The Elections Committee is Clo Astroff, Rosalee Tizya, Millie Poplar, Victor Jim. Would these people please come forward. Also the Resolutions Committee: Arnold Adolph, Cliff Hanuse, Clo Astroff. We're not asking them to tell any jokes or do any dances, but only that they be identified. The Resolutions Committee is certainly a relevant portion of any Assembly. It certainly helps to streamline the resolutions activity. Arnold, we request that you be the Chairman for the Resolutions Committee. Arnold has accepted, the resolutions could be streamlined through him. For the Elections Committee, Clo Astroff, would you act in the capacity of Chairman as well.

I understand the next on the Agenda is the address by the President, and George is not available, so we will move on. What I am going to recommend we do at this particular time, if it is agreeable with the General Assembly, is that we

begin with the reports on the Constitution. When George arrives we could break at that time and carry on with his Presidential Report. I understand his report, along with the Constitution reports, are part and partial and certainly they would be ducktailing and congenial.

It's been recommended that Howard Wale, who had a request from Chiefs Council, ~~to~~ bring up his concern with regards to ~~the~~ hunting at this time? Do you want particular time on the Agenda before the reports begin? Is that agreeable with you Howard? With that then, we are going to move on to the legal action in Britain. And the lawyer Louise Mandell, to give her report on the legal strategy.

LOUISE MANDELL: ~~Hello,~~ I would like to say good morning to the people who are here, the familiar faces. What I would like to do this morning is make everybody aware of the legal case the Indian Nations have and how crucial a moment this is for the Indian people with the patriation of the Constitution.

Last year when we talked about the people being in a 'State of Emergency', we had a feeling about it, but we didn't know how serious the matter was, and exactly the way it was serious. Since last year when I spoke to you, we have spent an intensive year researching over four centuries of law and researching as much information as we could possibly get our hands on. This began with the relationship of the British Crown with the Indian Nations way back when colonization first began, and it was in the course of all that research that we began to put together the unique constitutional position of the Canadian Indian Nation. The reason why we had to go looking as deeply as we did was because the historians, just like the politicians, have never made clear

what relationship the Indian Nations have under the Constitution of Canada because it has always been within their interest to deny the Indian peoples rights. It has certainly been true that when the legal scholars and the historians have written about the constitutional history of Canada, they begin far after the actual Constitution of Canada begins because it is usually said that the Constitution of Canada begins with the British North America Act of 1867. It is very interesting because the Government and the people who have talked about the Constitution, not the Indians talk about the beginning of the Constitution, at the time when the Government of Canada was strong and when the Indian Nations had become weaker in terms of the law. The Constitution is the basic document of a country which organizes who has power, which Government has power, and it is definitely clear to me that the Government of Canada should talk about the Constitution at a point when the Governments of Canada, both the Federal and Provincial Governments, had already consolidated their power. But the real constitutional history of Canada begins not in 1867, but earlier, when the contact between the Crown and the Indian Nations were first begun. The history begins about the 14th and 15th century.

Now I am going to take you back just a ways to the beginnings of that history and lead you through to the point where we are today, with the Canada Act. It is my opinion that the Trudeau proposal is attempting to sever the relationships that the Indian people have with the Crown; to say it more clearly, to make it impossible for those obligations which the Crown has undertaken to the Indian Nations ever to be fulfilled. When you look at the Canada Act, on its terms, what it proposes to do is place the

Indian people in a state where they legally do not have any rights within the Constitution of Canada. I am going to take you through the steps I've come to demonstrate how I've come to that conclusion. The constitutional history begins between the Imperial Crown and the Indian Nations. It was always the Law of Nations when Britain came over to Canada that they couldn't take over any land which they came across if that land was occupied. If the land was occupied, they either had to conquer the people, or they had to obtain the consent of the people in order to take away their land, or to impose any new government on them. This is the law of the law of nations, and it is also the law which Britain herself accepted in her dealings with the Indian Nations. This law was enunciated clearly by King George III in the Royal Proclamation of 1763, where through an exercise of the King's prerogative, the King rules and sets forward a policy to govern all of Canada. No lands should be taken from the Indians until those lands were voluntarily ceded and the consent of which given to the Crown by the Indian Nations in an open Band meeting where all of the Indians present would be able to show their support and consent of the alienation of their land, or to the change from their Indian governments to accepting the sovereignty of another government. The Royal Proclamation of 1763 is the first constitutional act of Canada. I say that, not because I am interested in applying its force but because the Courts of Britain have themselves ruled that. There are two cases which were decided by the Privy Council, at the turn of the century, which held that the Royal Proclamation of 1763 has the force of statute in Canada, and has never been repealed. It is the first constitutional instrument and I say that because it ordered the basic relationship between the Crown and the Indian Nations. And the basic principle was that the Indian Nations and the



Crown were to be governed by principles of consent. Now all of the courts that have looked upon the Royal Proclamation, and have looked upon the British policy and the Crown relations in those early times, has affirmed that the Indian Nations and the Crown are governed by principles of consent. I'm going to read you a short passage from a case which was decided in 1830 where the Cherokee people, for ten years, were putting their case before the Supreme Court of the United States, the questions which the courts were deciding was whether or not the Indian Nations and the Crown, in fact, were governed by principles of consent. And the court, at the end of ten years of judgement, concluded that there is no doubt that the Indian Nations in North America were part of a policy and were part of the nation which had the right to their own land and to their own sovereignty until that land had been taken from them. When Britain acquired dominion over the country, says the court, then all that gave the Crown in Britain, was the right to get the land from the Indian Nations when the Indian Nations consented to give it to them. In other words, by Britain winning the fight between other European nations over the Dominion of Canada, what Britain won, as a matter of law, was the right to acquire Indian peoples' land when Indian people consented to give it to them. They didn't win the land, and this was affirmed by the courts as early as 1830. The court said, and I am reading from the judgement of Chief Justice Marshall, in Worcestershire, Georgia, talking about the Indians, they were admitted to be the rightful occupants of the soil with legal as well as the just right to retain possession of it and to use it according to their own discretion. But their right to complete sovereignty as independent nations were necessarily diminished and their power to dispose of the soil at their own will to whomsoever they pleased was denied by the original fundamental principle that discovery gave

exclusive title to those who made it. In other words, they said that you had absolute rights to the soil and rights to your own government, and the only limitation to your sovereignty as a matter of Crown law was that you couldn't sell your land to anybody if there was to be an open surrender, it was to be the Crown of Britain only. And that is the matter of fundamental law governing the relationships between the Crown and the Indian Nations in the early years. As land was voluntarily ceded, as the Indian Nations engaged in treaty-making, it was only at that point that land came under legislative authority of the Federal and Provincial Government. And I must stress that at the time we are talking, through the period before 1867, there was no Federal Government. We were only, at that point, talking about the Government of Britain and the Government of the Provinces, the Federal Government was not created until 1867. Now I want to demonstrate that point which I have just made to you that the Indian Nations continued to use their land under their own free will until it was voluntarily sold to the Crown. And only at that time that there was a cession did the local government have any authority over that land whatsoever. We reviewed all of the history, legal history of Canada, in that early time and we came across a number of cases which prove that point. One example was the case of Marie Joseph Phillabough. This was the case which came before the Court of Appeal in 1766. Joseph Phillabough wanted a grant of land in the Colony of Quebec and the land hadn't been ceded by the Indians. The court had to decide whether or not that land was available for settlement. This is what the Judge tells: The committee having taken the same into consideration and are of the opinion, the land so prey to be assigned are, or acclaimed to be the property of the Indians, and as such by His /

Majesty's express command, as set forth by the Proclamation of 1763 not within their power to grant. The Committee are further of the opinion that they are restrained by His Majesty's said order from granting lands but upon the conditions they are contained. So in other words, the early courts said to the Government and the Colony of Quebec that they had no authority over lands that were not ceded, that because the lands were Indian lands, because they hadn't<sup>NCT</sup> been surrendered, because the Royal Proclamation of 1763 was clear about that, the lands simply could not be granted to this person who wanted them by the Colony of Quebec. Now consistent with the Royal Proclamation of 1763, there were well over eighty treaties which were concluded between the Crown and the Indian Nations, and all of the treaties recognized the sovereignty of the Indian Nations to conclude those treaties, and although there are differences among the terms, the treaties set up a second form of constitutional obligation on the Crown to the Indian Nations. Because each treaty was negotiated between one Indian Nation and the Crown, it was negotiated pursuant to the Proclamation. It was based upon the consent of the Indians, and the Crown agreed that their promises made in the treaties would carry on forever. And there is absolutely clear law that the treaties were only meant to restrict the authority of the Indian Nations only so far as the terms of the treaties so stated. It was only intended between the Crown and the Indian Nations that the treaties were to fully take in the Indian Nations under the Government of Canada. The only authority the Government of Canada was given over the Indian Nations was the authority which was voluntarily given over to the Government or to the Crown by the Indian Nations who signed those treaties. And this is very much in keeping with the promises which the Queen and her representatives made at the time of treaty-making. I am reading for you one of the

representations which was made at the time of the signing of the treaties in the east. The representative of the Crown stated the Queen has to think of what will come long after today, therefore the promises we have to make to you are not for today only, but for tomorrow, not only for you, but for your children, born and unborn. And the promises we make will be carried out as long as the sun shines above, and the waters flow in the ocean, and so a matter of law, and as a matter of representation, as a matter of practice, the very first constitutional principle in this country is the constitutional principle which was enacted in the Royal Proclamation of 1763 which says that Indian consent is required in the taking of Indian land or to the change of Indian sovereignty. Pursuant to the Royal Proclamation, the treaties which were concluded between the Crown and the Indian Nations are the second constitutional instrument which has force in the Constitution of Canada today.

Now I am going to move to the discussion of how the Government of Canada, <sup>AND THE</sup> ~~and~~ the Governments of the Provinces, <sup>THE</sup> ~~The~~ Governments of Britain are important in this discussion, because it is through an understanding of the power which <sup>?</sup> those governments have that you can begin to fully understand the unique constitutional position of the Indian Nations and what we <sup>have</sup> ~~we~~ got to do about the question in the Constitution of which Trudeau is proposing today. The principle of the Royal Proclamation and the treaties which were concluded are Crown obligations to the Indian Nations when the Government of Canada was formed in 1867. There was the British North America Act which was enacted by the British Parliament which designed the administration of Crown obligations to the Indian Nations. It was always assumed that the Crown obligations to the Indian Nations would prevail as the representatives of the treaty making said

they were to prevail as long as the sun shines. There was never a dispute that the Crown obligations would be honoured, the only question was how those Crown obligations were to be administered. What the British Parliament did in enacting the British North America Act was design a very careful distribution of legislative authority between the British Parliament, the Federal Parliament, and the Provincial Parliament, to ensure that Crown obligations to the Indian Nations would continue. The Federal Government was assigned legislative authority over Indians under Section 91 (24). To the Provinces, under Section 109, they would receive the resources and the land of the Provinces subject to Indian peoples' rights under the Royal Proclamation. The courts have held that the Provinces do not receive their resources and do not receive their land completely until the Indian people cede those lands and it is only after the Indian people exercise their consent in voluntarily ceding their rights to the lands, do the Provinces obtain full title to their lands and the Provinces. The British Parliament retains the supervisory jurisdiction, making it impossible for either the Federal or the Provincial Parliament to extinguish the administration of Crown obligations to the Indian Nations. I want to explain that really carefully so that you really understand it. The Provinces have no authority, for example, to negotiate land claims with you, only the Federal Government has the authority to negotiate land claims, but once the land claims have been negotiated it<sup>is</sup> the Provinces who benefit from the land. The Federal Government does not benefit. Neither the Federal Government nor the Provincial Government together can ever eliminate the full jurisdiction to administer Crown obligations to the Indian Nations. This is completely within the authority of the British Parliament. Let me show you how, by example, it worked. In 1969, when Trudeau had begun his White Paper

Policy, it was always part of the White Paper Policy that there would have to be a trip made to Britain to make sure that the British Parliament let the Federal Government off the responsibilities of jurisdiction under Section 91 (24). At the time when the Federal Government wanted to assimilate Indian people, and wanted to expropriate their land into Canada, wanted to make Indian people part of the municipalities of Canada, the Government of Canada did not have the authority to do that. They had to go to Britain in order to get an amendment to the British North America Act so as the Federal Government would be able to take away its jurisdiction under Section 91 (24). It<sup>is</sup> through this very careful distribution of the balance of power, the Crown obligations to the Indian Nations were intended to be carried out. I know that the Federal Government has asserted that they have full jurisdiction over the Indians and land reserved for Indians. Nobody in any court of law has ever tested whether or not the jurisdiction under Section 91 (24) has, in fact, full jurisdiction over Indians. And from the way that we <sup>have</sup> understood the law in all of our research, it simply is not.

I am going to move into what Trudeau is proposing to demonstrate, exactly what is at stake. What Trudeau says is that aboriginal and treaty rights are recognized and confirmed. That<sup>is</sup> what the proposal says. He says that the definition of aboriginal and treaty rights are to be left to the courts, or are to be left to the First Ministers during the period of transition from patriation to the new Constitution, which is two years time. In other words, the treaties which were negotiated by consent between the Crown and the Indian Nations, the aboriginal rights which are affirmed in the Royal Proclamation of 1763, which is the right of Indians to maintain their land except through

their consent. Trudeau says that the doctrine of consent is dead, and that the courts and the Governments of the Provinces and the Federal Government can now define aboriginal and treaty rights without regard to the original compact made between the Crown and the Indians, and without regard to the Royal Proclamation of 1763, if need be. In other words, the very basis upon which aboriginal rights and treaty rights have been recognized in this country, the very basis upon which the Constitution of Canada has always protected aboriginal and treaty rights, is the consent of the Indians. The consent of the Indians is needed to change those basic Crown obligations because it was with the consent of the Indians that those Crown obligations were set up. And Trudeau proposes that those obligations, the definition of them, which is the very essence of them, can be defined in the new Constitution without Indian consent. Aboriginal and treaty rights can be amended or eliminated by the Federal or Provincial Governments, in other words, <sup>it is</sup> ~~it is~~ possible, and this is the legal bottom line to the whole exercise. <sup>it is</sup> ~~it is~~ possible after the patriation for the Federal and Provincial Governments together to eliminate the jurisdiction under Section 91 (24), to eliminate the protections under Section 109, to define or eliminate aboriginal rights, and to define or eliminate treaty rights. Now this is the legal bottom line. Politically, that <sup>is</sup> ~~is~~ going to happen, politically that <sup>is</sup> ~~is~~ another exercise which the politicians will speak of in more force and the Indian Nations will define as the period between patriation on into history. Legally, for the first time in Canadian constitutional history, Canada will be in a position to eliminate Crown obligations to the Indian Nations.

I want to take this discussion into the arena of what we have done and what we want to do, in a legal point of view.

There are two levels of the discussion. One is we know the Constitution history, and we know the way in which Trudeau's proposal is going to seriously violate fundamental Crown obligations to the Indian Nations, and we know how seriously the proposal is illegal on the basis that Indian consent is needed and it simply has not been obtained. We know the problem is proving that in a form which will be able to enforce our right, and one of our major difficulties is the lack of education on the part of everybody in Britain and in Canada, and even in the world situation, about the position of the Indian Nations. And the other difficulty is money. Since we formulated the position and grew to understand the legality of it, we investigated a number of legal roots to try and get a hearing. We were successful in participating in Rotterdam in November at the Russell Tribunal, which is a group of international jurors who were set up to hear the story of indigenous peoples around the world. Although Canada was invited, she did not attend, and I must say that the Indian Nations here are in a better position than some of the Indian Nations in Latin America. At least we didn't <sup>not</sup> walk into the Tribunal with bags over our heads, which was the situation of many of the indigenous people from the Latin American countries. But had they heard our case on the Constitution, the Tribunal ruled that the Indian Nations should be part of the constitutional discussions, which are now talking about a renewed Constitution. That is wrong for Trudeau to be excluding the Indian Nations and to be violating Crown obligations. But the Tribunal has no teeth, it <sup>is</sup> ~~isn't~~ not going to stop British Parliament from sending back the Bill and it certainly hasn't <sup>not</sup> ~~start~~ started Trudeau in a process of negotiations.

We investigated taking a case to the World Court, and we



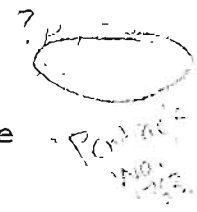
discovered that in order to get a case into the World Court, you needed a reference from a number of countries, through the United Nations, and the Indian Nations today do not have the political groundwork laid to be able to get a supporting reference from enough countries to get a case into the World Court. We investigated taking a case into the European Court of Human Rights, which is a Court set up to monitor Great Britain's activities, and we discovered that in order to succeed with the presentation of a case, you needed a sponsoring country from one of the European countries and we didn't<sup>not</sup>, at that time, have a sponsoring country in spite of efforts we took to get it. We then concentrated our efforts in taking a legal case to Britain. We hired lawyers, they worked with us in the development of the argument. We hired a man named Ian Brownlee, who is the head of the International Law Section at Oxford University, and is one of the legal thinkers in the British Empire. We also hired a man named John MacDonald, who has been fighting cases on behalf of indigenous people in Britain for many years, and is well aware of the tactics which the British Government uses in cases against the Crown. Although they<sup>have</sup> worked with us, and Ian Brownlee himself was prepared to put his name behind the Indian argument, as I<sup>have</sup> described it to you, in a Memorandum of Law which we<sup>have</sup> presented to the Attorney-General. We do not have money to take a case to the British Courts at the moment, and I<sup>am</sup> saying that really bluntly and with a lot of unhappiness because in the lobby in which we<sup>have</sup> done, and I<sup>have</sup> been to Britain four times since I<sup>have</sup> seen you last, I<sup>have</sup> talked to a lot of Lords, and I<sup>have</sup> talked to a lot of people within the Parliament of Britain. We<sup>have</sup> been advised that our strongest position in fighting this case is if we<sup>are</sup> able to assert the claim

legally. Those who have seen our legal argument have said that it is very strong, but we don't <sup>not</sup> have the money to initiate and take a case through the British Courts. I should say on that front that I am going to Alberta to see if some of the richer bands may be in a position to assist us on the money front. Bobby will explain that there have been negotiations going on with other Indian Nations for awhile to try and raise the money to take a case through the British Courts. What we <sup>have</sup> ~~we~~ done instead is pursued a route through the Privy Council. The Privy Council used to be the highest court in Britain which Canada used to resolve her disputes. Since 1931, Canada has not been able to use the Privy Council because it said that the Supreme Court of Canada is now the highest route. The Indian Nations of British Columbia have for many years attempted to use the route to the Privy Council to get a hearing on their issues. In 1906, three Chiefs from British Columbia went to the Crown, in that case it was Edward VII, to place their case before the Privy Council arguing that the Crown obligations to them were being violated by the Provincial Government, who was taking away their land without their consent. In 1909, the Cowichan people, attempted to place their case before the Privy Council, relying as they did on the Royal Proclamation of 1763. In 1913, the Nishgas went to petition the Queen, requesting that the question of their aboriginal rights be submitted to the Judicial Committee of the Privy Council. June 20, 1914, the Federal Government passed an Order-In-Council agreeing to submit the Indian peoples' claim to the Privy Council, provided that the Indians agree, in advance, that if the Privy Council said they had some rights, that the Indians would be prepared to extinguish them. And under those circumstances, the Nishgas were not in a position and did not consent to

the presentation of their case to the Privy Council. In 1919 and 1926, the Allied Tribes pressed once again to have their case heard before the Privy Council. You<sup>4</sup> will probably all be familiar with the history that what happened was the Government of Canada set up a Joint Committee of the Senate and the House of Commons to hear the petition of the Allied Tribes, to see whether or not a claim to the Privy Council should be sent, but they weren't<sup>not</sup> so straight forward as all that. They said that the Committee will hear whether or not the question of aboriginal rights exists. The Allied Tribes merely asked that the Canadian Government send the question of aboriginal rights to the Privy Council. The Committee also said that they were obeying the Order-In-Council of 1914, and should the Privy Council decide that aboriginal rights exists, then at that time, aboriginal rights would be extinguished and the Indian must consent to this. Under the circumstances the Indians did not consent and the Joint Committee ruled that there were no aboriginal rights in British Columbia, and the matter was closed, and no reference was sent to the Privy Council. The following year an amendment was passed to the Indian Act making it illegal for the Indians to press for their land claims.

My heart sickens when I read this history because when you look at the development of Canada into a state, and many of you might have heard the words of the Kershaw Report which said that in 1931 whatever responsibilities might have been with Britain for the Indians, it now rests with Canada. What they are referring to is the fact that in 1931, Canada, as a matter of international<sup>l</sup> law, gained recognition as a full state. Before 1931, there is absolutely no doubt in law that the Royal Proclamation of 1763 as a British enact-

ment, took precedence over any law in Canada, and the Colonial Laws Validity Act, which is a British statute, said that there shall be no law passed in Canada which conflicts with the British law. This was before Canada was a full state. There is absolutely no doubt in law that had the Allied Tribes succeeded in 1925 to get their case before the Privy Council, before Canada was a full state, there is no question that the Royal Proclamation of 1763, as a British enactment, would have prevailed over any Canadian law which conflicted with it. So in many ways where we stand now is at another junction. It seems to me, that as a matter of law, the Indian Nations were in a position to make a successful argument before 1763, and what ~~the British~~ <sup>Patriation Act</sup> did at that point, is he devastated eight out of the ten outposts of the British and they were <sup>not</sup> ~~not~~ prepared to go to war with the Indians, so the Royal Proclamation of 1763 was passed to affirm Indian rights. At that junction of 1763, the Indian Nations were in a position in law to tell the Government and the Crown that they were <sup>not</sup> ~~not~~ going to be dealing with them at all. The second legal junction where I think the Indian Nations had a very strong argument which would have succeeded if the Allied Tribes, in 1925, pressed as far as they could and were blocked by the Government of Canada from getting their case before the Privy Council. At that junction, the law was on the side of the Indian Nations, and once again in getting their rights affirmed.



<sup>are</sup>  
We ~~are~~ at another junction now because with the patriation of the Constitution, there is the legal case for the Indian Nations that it can <sup>not</sup> ~~not~~ be done without the consent of the Indians. The rights and obligations affecting the Indian Nations cannot be unilaterally changed by the Government of Canada, or the Government of Canada and the Provinces.

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I suppose the state of it all is going to be in the hands of the rest of us in the next while to make sure that we <sup>are</sup> ~~are~~ able to make this junction work for the Indian Nations and get the question of Land Claims settled once and for all according to the rules of law so the Crown obligations to the Indian Nations can be respected as a matter of the Constitution of Canada. Those obligations were intended to be respected.

I was talking about the Privy Council and I got side-tracked. We <sup>have</sup> ~~are~~ presented a petition to the Attorney-General, a Memorandum of Law. It has been signed by myself, Ian Brownlee, Leslie Pinder and Michael Jackson. We <sup>have</sup> ~~are~~ enclosed it in the material here, it is very short, about twenty-five pages, at Tab 5. You can read the legal case for the Indian Nations. It begins, "The Indian Nations and a request from the Canadian Federal Government based upon the proposed resolution for joint address to Her Majesty, the Queen."

We have also organized a legal lobby which will begin next week. All the key members of the House of Lords and the Government will be lobbied on Indian Government. The lobby is to get a reference to the Privy Council, it is achieved through a vote of the Government of the Queen, in Britain. We <sup>have</sup> ~~are~~ sent them a letter, with the Memorandum, talked to them in person, and we <sup>have</sup> ~~are~~ set up appointments. This route is not a sure route, only a lobby route. If we are successful, then we will be bringing home the legal case through the Privy Council. The only sure route would be a case through the British Court. Once you launch your documents, you are in court, and so unlike the Privy Council, we don't <sup>need</sup> ~~have~~ have to lobby for our forum. We <sup>have</sup> ~~are~~ contacted the Russell Tribunal and under our instructions, they would

be willing to reconvene the Tribunal to hear the questions of the Indian Nations and the Canadian Constitution. They suggested that we hold our Tribunal in Iceland, Scotland, and in Wales because they figure those countries would be more receptive. Their population would be more sympathetic than the British population. Through that kind of force, more pressure can be brought into Britain. We <sup>have</sup> ~~are~~ begun the organization, and there will be more talk about it later of having an Indian Court hear the matter. An Indian court has the legal authority just as the non-Indian courts have legal authority to make decisions and resolve these questions. The legal route is a very important route. It ~~is~~ <sup>has</sup> got an argument which can tip the balance of power in favour of the Indian Nations on the political front. I say that because the British will not only be forced to listen to the Indian argument, they will also be tied into their own legal thinking. They <sup>have</sup> ~~are~~ got to obey the rule of law. If the British feel that the Canadian Government is breaking Crown obligation, and is using the British Parliament to assist in that, we <sup>have</sup> ~~are~~ got some political leverage. The legal case can assist because if we are successful in bringing the case either to the Privy Council, or the British court, the mere fact of the case being launched could stop the proposal from being debated in the British House until the case has been heard. It could buy the time. I think the rest of this discussion will be devoted to the political machine and how it <sup>is</sup> ~~is~~ in motion and what its force is in order to co-ordinate the legal and the political activity to reach us to victory.

STEVEN POINT: } <sup>am</sup> Wow!!! I ~~am~~ certainly overwhelmed at the amount of information that can come out of such a small person. As you heard, the legal case is certainly not an easy one, and certainly filled with a lot of complexities

it would be certainly worth your while to go through the legal argument, and to gain a strict understanding of that argument. I want to thank Louise for coming up. If you see Louise throughout the day, stop and ask for further clarification. There will be time available for questioning Louise after you <sup>have</sup> had a chance to go over the legal documents. You can voice your questions at a discussion period.

Moving on to George's report, George has recommended that if there are any questions at this time, they can be directed to Louise. We <sup>will</sup> open the floor for discussion and a question period.

CHIEF DENNIS ALPHONSE: (Cowichan Band)

—— 10 spaces —— Louise mentioned that only the Federal Government has any powers to negotiate our aboriginal rights and land claims, I was wondering why is it we <sup>are</sup> stymied with the Provincial Government cause they do not want to recognize our aboriginal rights or land claims.

LOUISE MANDELL: ↘ It is a matter of policy, the Federal Government has said that they want to engage in tri-lateral negotiations because it <sup>is</sup> ultimately going to be provincial lands which they say is going to be the subject of the negotiations but as a matter of law, the provinces have nothing to do with it because their only relationship with the question is that they inherit the land unburdened. The Federal Government alone has the power to negotiate. What always makes me a bit uncomfortable is that when I hear the Federal Government say that the policy has to include the Provinces, I know that what has, in fact, happened is that the Provinces have illegally obtained authority to govern lands which have never been surrendered.

The Federal Government poses it then that now the Provinces are giving back something to the Indians. The reality of the original legal proposition is that the Provinces never had the authority over that land to start with. It is not a question of giving back to the Indians, it should have been a question where the Provinces are not brought in until the Federal Government and the Indians had concluded their treaties. And this, in fact, is the history of Canada. The Provinces were never involved in the negotiations in the early treaties, that is before 1932. It was only after this that the Provincial Government became strong and their illegality over Indian land could become more complete that the Federal Government began bringing in as a matter of politics because it was said by the Federal Government that the Provinces would be giving up land. All of that is an incorrect legal assertion, it <sup>has</sup> ~~is~~ only been the way politics and policy have roled over Indian peoples' claims over the years.

CHIEF DENNIS ALPHONSE: (Cowichan Band)

The other point I would like to bring out is that the Cowichan Band has never signed any treaties. To my way of thinking, we <sup>have</sup> ~~we~~ never given up any rights to the lands, the minerals, the resources and everything pertaining to the land where we live. My question is: 'What is the best way to go about establishing this, politically or legally?'

LOUISE MANDELL: } Legally, it seems to me that we have a chance right now in asserting the constitutional position of the Indian Nations. On that front the Indian peoples' rights is confirmed under the Royal Proclamation of 1763. Politically, you are going to have to discuss that with the politicians. But I want to point something out. When



the Cherokees took their case to court in 1830, and got the judgement which I read to you earlier which said that there is no dispute that the Cherokees are the occupiers of their soil until the land is voluntarily ceded. The only limitation is that when they sell, they have to sell to the Crown. When they got ruling, the President at the time, Andrew Jackson, said to Judge John Marshall, 'You made that decision, now you enforce it.' What happened, in fact, is the government troops moved in and the Cherokees were dispersed and very badly pushed by the government forces. The law, even though it was stated in favour of the Indian Nations, was not strong enough to keep the Cherokees in the position which they had won through the legal route. I tell you this story, not to depress you, but only to fully appreciate the fact that the full recognition of your aboriginal rights, even if we win in court, is still going to be a matter of politics. And politics, not only in the sense of the governments, has to be brought in tactically but the Indian Nations have to continue to assert their rights and actually practice it. That is the bottom line to making the claim viable today. Legal can assist but I know that even with the legal victory, the bottom line is still political.

CHIEF HOWARD WALE: (Gitanmaax Band)

I am not really prepared to question our legal advisor on the Constitution, but I have three that I would like to touch on for a better understanding on my behalf. The first one is under the <sup>HUMAN</sup>~~Newman~~ Rights Code as it is proposed in the new Canadian Constitution. Louise, am I right to think and believe that if this Human Rights Code was tested by any other Canadian within Canada, am I right to believe that the Indian people would lose whatever rights they still have?

LOUISE MANDELL: } I believe that the possibility exists within that code for the Indians to lose the right. That <sup>is</sup> legally and politically, whether that happens is another story. But when you say 'could they lose their rights?', I can see the route clear legally for that to happen.

CHIEF HOWARD WALE: (Gitanmaax Band)

The reason why I would like to have this clear in my own mind is that after listening to quite a few media releases by the Prime Minister, it seems to me that under this new Human Rights Code within the new Canadian Constitution, that if any Canadian, European or whatever, think that they, take hunting for instance, under this new code I believe that if a European, a Canadian living within Canada can take this Human Rights Code to court and have it tested. And if the court considers in its favour, then the Indian rights we do have left, will be gone. Am I right to believe that?

LOUISE MANDELL: } There are various sections of the Code, the Charter, which could be tested against Indian rights. For example, the section that says that people could live anywhere they want to in the provinces. If Indian reserves become part of provincial land, we <sup>not</sup> ~~don't~~ know whether or not a <sup>court</sup> ~~court~~ would say that maybe non-Indian people could say that they are being discriminated against by not being able to live on Indian reserve land. That may be an argument that the courts might buy. They say that the big one, the one I talked about earlier where aboriginal and treaty rights could be eliminated by the Federal and Provincial Governments without Indian consent. That I think is the big one, and that <sup>is</sup> ~~is~~ where eventually, legally, I could see the way clear under the Constitution of Canada to eliminate the rights for Indians.

CHIEF HOWARD WALE: (Gitanmaax Band)


My second question is the position of the Federal Government when they look at land claims. Am I right to believe that the Federal Governments' position that was based on the James Bay Agreement will enter only into a discussion with Indian people on land claims if it falls within that image of their agreement?

LOUISE MANDELL: In fact, there is material contained in Tab 5, which confirms what you have said, there is a recently deep government document which we have included in summary. It indicates that the government says they will not negotiate land claims with the Indian Nations unless the Indian people agree, in advance, that they are prepared to sell their land, their rights, their rights to hunt and fish, their rights to government for money. That <sup>is</sup> the basis upon which the Federal Government in 1981 are prepared to settle land claims. Now that <sup>is</sup> no different than the James Bay people. The only difference is that those guys had a hydro electric power project which was about to roll right over their land with the consent of the government, and the Crees were told that the project was inevitable, that they had no choice. Either they could treat with the project, or they could not treat, but the project was going ahead. Under these conditions, the Government ceded their land, where the Crees ceded their land. If you look at the government in 1980, what they say is we shall concentrate on the Indian Nations where development is more imminent in their territory, we <sup>will</sup> concentrate on those Indian Nations who are prepared to sell their right for cash because if we get settlements from those people, it will be easier to treat and deal with the other Indian Nations of British Columbia. And this is the same policy as 1977 and it's going to be without question

no matter what the government says is the policy to the Indians. Their documents reveal, and I believe them, because it is consistent throughout that, that is going to be their policy in dealing with the Indian Nations in British Columbia today.

CHIEF HOWARD WALE: (Gitanmaax Band)

The third question I have relates to land settlement. You <sup>have</sup> ~~must~~ mentioned about cash, we ~~are~~ <sup>are</sup> talking about money. Are we really thinking about selling our land when we say 'settlement', and we talk about money? Or are we thinking about the share of hidden taxes such as stumpage and royalties and the denial of compensation for the denial of use of land since the Europeans came to this country? Is this what we are talking about, or are we really talking about selling land when we think about the cash settlement? This bothers me. When I realized the position of the Nishga Tribal Council, when they talk about lands, what that particular Council is talking about is the control of that land. This land is, their declaration says, 'this land is not for sale'. What are we talking or thinking about when we talk about land settlement? Maybe we could elaborate on that at this convention. Are we talking about selling portions of our province, are we really talking about a large sum of money? I <sup>have</sup> ~~se~~ heard it mentioned in my district, and it bothered me. One meeting I went to, we confronted our students, high school students, there was a round sum of twenty billion dollars mentioned. It bothers me as an Indian individual. I am thinking about my grandchildren, children that are <sup>not</sup> ~~are~~ born yet. Are we going to sell them out? Maybe we can elaborate on what you think land settlement should be.

LOUISE MANDELL:  I can only tell you from the point of view of the government, land claims means selling your land. There

is no doubt that is what they mean when they say it. That<sup>is</sup> what the government means when they say land claims, they mean 'sell your land', unconditionally and totally sell your land and your right and your government, sell your power to the government and they<sup>will</sup> pay money for it. And they announce that there is over fifteen billion dollars which they<sup>have</sup> appropriated for the buying of Indian land and Indian rights in the Province of British Columbia. That<sup>is</sup> what the government means when they say 'land claims'.

CHIEF HOWARD WALE: (Gitanmaax Band)

I understand their position with the Inuits, and the north portion of this Province. The position of that Indian Nation is not to accept and sit across the table to get into a discussion of land claims if the image of James Bay is the position of the Federal Government. And I hope that as Indians, the Union of Chiefs, who I think is the only organization within the Province of British Columbia, the Federal Government recognizes it as a governing body of our people. I hope this<sup>is</sup> their position. If any discussion is ever entered into<sup>within</sup> this Province of British Columbia, I think the position of our people should be in line with what the Nishgas are thinking. I think we should demand that we should be paid, or have the share of stumpage and royalties which we have been denied for years. We also should be in a position to sit across the table with the government and decide on what position to take in the use of this province or country we call Canada or British Columbia. That<sup>is</sup> all I have, Mr. Chairman.

LOUISE MANDELL: <sup>2</sup>Howard, I wanted to mention just one more thing with you about the government policy on land claims. When you read the document you<sup>will</sup> see that they say very clearly they are not prepared to recognize provincial organi-

zations as the negotiators of the settlement of land claims. What they recommend is that the province be divided into tribal units, and that assistance be given to support the development of tribal units because according to them they believe that <sup>it is</sup> ~~its~~ possible to enter into and conclude land claim settlement with some tribal units where some others may oppose it. They feel that if they negotiate at a provincial level they <sup>will not</sup> ~~won't~~ break the Indian people, they <sup>will not</sup> ~~won't~~ get a settlement and so their strategy which is clearly spelled out in their document is to encourage the development of tribal units and specifically not deal with the provincial organization as the vehicle for the settlement of land claims.

CHIEF HOWARD WALE: (Gitanmaax Band)

Pardon me, Mr. Chairman. Louise, I may have been misunderstood the way I put my remarks. I believe as an individual and a representative of Indian people within my band, the Union of Chiefs, to me is the only organization within this province that the Federal Government recognizes. Although they now sit in the back room to divide us, we have an Aboriginal Council, we have the United Native Nations, but as far as this organization is concerned, we ARE the representatives of our Indian people because of the Indian Act. Until that is changed, I think that position remains, am I right to believe that?

STEVEN POINT: <sup>have</sup> Howard, point of clarification here. We ~~we~~ asked Louise to come up specifically for the legal aspect of the argument, and she <sup>is</sup> ~~is~~ been responding legally. You are probably looking for a political answer, and I think George and Bobby's, particularly in terms of the political aspect of the thrusts of the Constitution. We <sup>will</sup> ~~will~~ answer some of your questions, and perhaps when that discussion comes

forward, we can restate your question. Is that alright with you?

CHIEF HOWARD WALE: (Gitanmaax Band)

Thank you, Mr. Chairman. My last question is perhaps not relevant to what the floor was open for, but because of the misunderstanding that I made in my previous remarks, I thought I would clear that up. Thank you.

STEVEN POINT: Bill Roberts, do you have a question?

CHIEF WILLIAM ROBERTS: (Campbell River Band)

I am not going to ask the lawyer any questions at all. I think we require some actions. Your speech is very impressive, we seem to have the rights to carry this thing right through. I don't think they could beat us. We heard the Supreme Courts' decision on the Constitution, not a mention of Indians. The Premiers, with all their meetings, never said anything about Indians. And the Indians never say anything about the Indians either. Let us spell out our rights to the Press. Put it in the Press the way the others are doing. We are not going to talk about it after we are defeated, we want to say it now before we get into an argument with the white people. This is what I think the action should be. If the Premiers could spell out their rights and the Supreme Court has spelled out the rights of the white people, let us do the same.

STEVEN POINT: The question of the media was discussed this morning by the Chiefs Council, they would not restrict the media from coming to the Assembly. It was a mistake I made earlier, not to mention that. It certainly is the prerogative of the General Assembly to reverse that. However, with that announcement, be it known that the Press, as far

as the Chiefs Council is concerned, has the permission to come in.

CHIEF RAY HARRIS: (Chemainus Band)

Louise, you mentioned one of the problems is money, and I wanted to know how much is projected to cost to bring it to the English court?

LOUISE MANDELL: To take the first step and get an opinion done and all of the preliminary work necessary to take the action to court, would cost about \$20,000.00. To survive the next level, which will be the government challenging the Indian peoples' right to be in court, would take about \$150,000.00, of which \$100,000.00 of that is what they call security for cost, where the money isn't spent. It is deposited in the court. When the case is finished, it is used, to pay the other side their cost, if we lose, and the rest is returned. We have to put the money up front, and then the lawyers project that it would take about a month to two months in court. The overall assessment, including everything has been quoted to us to be about a quarter and a half a million dollars, but the first step, just starting the action, that we <sup>have</sup> at least put our foot in the door, so that we <sup>are</sup> stopping the Trudeau proposal right now, that step can be done for about \$20,000.00.

STEVEN POINT: Did anybody bring that much money with them today? It certainly is not going to be something that is going to be won without some expense, a great expense at that. Are there any other questions that can be directed at Louise at this time. I know it was extremely long and perhaps complicated presentation, dealing with the concept of



aboriginal rights, and the fact that the British Government, in fact, believed that consent was necessary before lands could be taken from the Indians. Basically the crux of the argument. I notice this afternoon there is a discussion period, and throughout the convention, there are specific times set out for questioning and answering. If there are any other questions, I know they can be brought up at that time. Seeing there are no other discussions or questions, I would like to thank Louise for coming up, and I am sure that I can speak for all of you that we appreciate the report.

CHIEF MIKE LEECH: (Lillooet Band)

I would just like to take this opportunity, on behalf of the Lillooet District Indian Council, we had a little discussion over there, and we are willing to donate \$5,000.00 towards the legal battles in the British Court.

STEVEN POINT: George says, 'that<sup>is</sup> action', and it certainly is. At least somebody brought some money with them. \$5,000.00 from the Lillooet District Indian Council, it certainly is a tremendous step forward. I don't know who is collecting the money. Do we have a drum on the floor or something?

I would like to call on the President of the Union of B. C. Indian Chiefs to give his Welcoming Address. George.

GEORGE MANUEL, PRESIDENT:

Thank you very much, Mr. Chairman. Steven Point, my friend for a long time, Elder Sylvester, and all the head table, legal counsel, band councils, our Chiefs, our Councillors, our Elders, our youth, and generally, our people. As President of the Union of B. C. Indian Chiefs, I

would like to welcome all of you to the 13th Annual General Assembly of the Union of B. C. Indian Chiefs. I have a prepared statement which I am going to read, then I will make some comments. And it <sup>is</sup> a general statement in relation to our activities since one year ago. Over the past four years, we have engaged in an era of intense political activity which I have found rewarding and a pleasure to be a part of through your support and direction, we are becoming a force to be reckoned with. As a leader, I know the importance of following the direction given by the people we serve and that no leader will achieve anything without the support of the people. I know that we have experienced many tiring and frustrating battles and that they are going to continue for a long time. But the more we continue to work together and stand united when we are fighting, the stronger we become as Indian Nations.

In this past year, we have taken great strides which can only be measured in human terms. As communities, we began to organize and discuss the <sup>is</sup> basis on which we are prepared to fight and win. As an organization, we developed a political sophistication to face our oppressors with courage and determination. Our political momentum gained ground which began in the communities and extended outward with each action we took. How can we measure the success of one individual who decides to take a stand for what he or she believes in. There were many instances of this over the past year and some we will never know about. For these brave acts, I salute you.

I salute each individual who acted on his or her own commitment and thereby contributed to the self-respect and dignity of our Indian Nations. I salute each community that organized

to support the stand of its Chief and Council who took risks as all leaders must and thereby held fast for the political integrity of our Indian Nations. Together we decided to act and thereby preserved and protected for our future generations, their right to self-determination without compromise. Now, I see our young generations unafraid of the future. This is no longer one man's battle, or that of a few. We are a movement of a thousand people and more, and it will continue to grow.

How did this come about so quickly? What sparked the flame which was dimming in our lives as Indian people? For most of us our future as Indian Nations was threatened in a very direct and devastating way. Prime Minister Trudeau had a plan to patriate the Canadian Constitution jeopardizing our future and was determined to proceed without our consent. The threat we faced was immediate and all encompassing. With our backs to the wall, we had no choice but to come out fighting and to call on every ounce of ingenuity we possessed to stop him. We did not take long in responding to his challenge. Within five weeks of the last General Assembly being concluded, 1,000 Indian people from British Columbia organized, fund/raised and took the Constitution Express to Ottawa. Four days in our history where we succeeded in focusing national attention on the constitutional issue which Trudeau had hoped to keep in relative obscurity so that he could quietly slip it through Parliament. We highlighted the concerns of the Indian people and succeeded in delaying his plans long enough for us to put our own strategies into play. The impact of this action was overwhelming in its simplicity. Our people exhibited the power, discipline, respect and co-operation so long practised by our forefathers and which is the foundation of our nationhood. We showed the Canadian people, and the world, the true spirit by which

we, as Indian people, survived for so long.

Many of us took our experience back to our communities and began to build. The "Constitution Song", written by the people on the Express became a War Cry of our nations. As the year passed, more and more of our songs were being heard again as people picked up their silent drums and began to beat. More and more gatherings, give-aways, and potlatches were being held around the Province. The young people began to get excited and began to understand the power of our nationhood through our ceremonies. We began to dance in growing numbers and the mood of the Province started to change.

No longer was Indian Affairs a major force in our lives. No longer was John Munro the final say in what we decided to do. People dug deep in their pockets to support their leaders. "We will pay our own way" became more and more the mood of the community people and can be heard from every part of this Province. "We must get off government money as soon as possible" came the advice from the Chiefs. "We must begin to raise our own money."

So are the achievements of our people. So we know the power we possess. Now we have decisions to make which affect the political integrity of our Indian Nations and these decisions can no longer be based on the ties to which the Federal Government has tried to bind us. Now our responsibilities are clear. Our people have been awakened by the spirit of our ancestors and we can continue the beat of our drums throughout our Indian Nations. The fighting spirit of our people has created a whole new outlook on life.

As leaders it is our job now to set an example of discipline

loyalty and dedication on which our Indian Governments will have a strong base. This is the kind of legacy we strive for in implementing Indian Government in our time.

I would just like to mention the donation of \$5,000.00. You know when we are talking, our backs are against the wall. I <sup>will</sup> tell you why. The \$5,000.00 that was contributed really gives me, and hopefully the delegates, our Chiefs and our Councillors, and our people the need of encouragement to cope, to continue to fight. Up to now, we <sup>have</sup> taken the battle to the government, all the way to England, and pretty soon, to Europe. We <sup>have</sup> taken the battle from British Columbia all the way, but we <sup>have</sup> needed a lot of support, as far as funding is concerned, and I <sup>will</sup> tell you why. The Alberta Indians at the present time, are carrying the legal battle for us because we have no more money to carry the battle. The four bands of Hobbema has agreed to proceed and take that legal case to the Chancery in England. We do not have the funds, we can only give them political support. And you know what that feels like when somebody else is paying for it, there is a resentment sometimes that develops. Louise is going to be almost begging, as far as I <sup>am</sup> concerned, when she meets with the legal lawyers and the Chiefs from Alberta tomorrow. You are going tomorrow? The money that has been contributed by the Lillooet people comes at the right time. It comes at the time when it looks like we are going to be riding piggyback on Alberta. I really don't <sup>not</sup> like it. Even though Alberta has been good to us, I still feel that we have to pay our way. I would like to mention what we have done, just to stimulate your thoughts, since October 24 last year, at the Annual Assembly. We <sup>have</sup> done a lot of work, and I am sure you are interested that <sup>is</sup> why you are attending this General Assembly, and I fully and hopefully appreciate the

support that you <sup>have</sup> ~~are~~ given the staff of the Union, and the Vice-Presidents of the Union of B. C. Indian Chiefs, and the Chiefs and the people of this Province. Right after the Annual Assembly of the Union of B. C. Indian Chiefs, the very day that the Assembly ended, we had a meeting with a number of bands who were interested. I ~~don't~~ <sup>do</sup> know how many of you came to the meeting, we ~~went~~ <sup>went</sup> into the night while the pow-wow was still going here in the building. We had a meeting at the Union of B. C. Indian Chiefs headquarters. We already started organizing for the Constitution Express, and we <sup>have</sup> ~~are~~ been organizing since that time. We never stopped, our people have never stopped. As a result of our quick action right after the Assembly, we organized the Constitution Express. One of the things that I am always proud of, and I <sup>will</sup> ~~shall~~ always remember about our people, is the fact that they really took the trip to Ottawa very seriously. They decided themselves, for instance, that there be no ties, and that came from the Elders from Gilford Island. That was the recommendation, and that means a lot as far as giving direction and leadership is concerned. Alcohol, there was no alcohol, our people had to live on the train with no sleepers. There were Elders, young people, that had to sleep for three days and three nights on the train, eating cold food which they gathered and took with them from British Columbia to Ottawa. I am very proud of that moment, even though I was sick at that time. I am very proud of the people who decided to take the fight serious for the Constitutional issue. On December 8, 1980, our delegation from British Columbia carried on the fight to New York to the United Nations. To those that remembered, I just wanted you to remember that was the fight of our people. A lot of these people were not Chiefs, they were people that were concerned, and dug very deeply. They used their funds, their family funds from their homes, to carry this fight and to travel all

the way from Ottawa, then to New York, and then back to Vancouver and to their reserves within British Columbia. And I must say also that I thank you all for this.

On February 20, Jean Chretien and John Munro spelled out how they would recognize aboriginal rights. And they said they will recognize aboriginal rights only on the basis of the legal decisions that have been carried out in the past. Am I correct? In April, I swiftly responded immediately on television, I was in Ottawa when that happened. I responded very quickly to Chretien and Munro, that same day, in the House of Commons. I was also in the Press Gallery of the House of Commons, denouncing John Munro's interpretation as far as aboriginal rights and treaty rights was concerned. And I still denounce it. Shortly after that, the very next day, there was a telex to all the Chiefs of British Columbia, telling the Chiefs what I did, that I did something bad. All I was doing <sup>was</sup> ~~is~~ defending our rights as Indian Nations, all I was doing was defending our integrity as people, as our band members in our reserves, as our Chiefs, as our Councillors, our Elders, / our young people. It is our survival that I am talking about. This is what I was defending, and I guess what really disappoints me, which makes me feel like crying quite often, is sometimes I feel I am alone, that I <sup>have</sup> ~~se~~ never got <sup>ten</sup> ~~A~~ the support, that I require.

On April 3, 1981, in Kamloops, the people decided to form another Constitution Express and to plan a trip to England. Shortly after that meeting, there were meetings in Lillooet, Williams Lake, Kitimat, Port Hardy, Bella Coola and Gilford Island. I mention that because it is very important to me because the Canadian Government has every intention to change our legal right, they wanted to move under their plan, they

want to move white people right into our Indian reservations. This is already happening in some places. They intend to impose taxes, to all our people because they believe we <sup>not</sup> ~~don't~~ hold our weight as far as taxation is concerned, and that we must pay our own way from here on in. This is what the struggle is all about. In May of this year, we had an organizer that went to Europe to start organizing for the Constitution Express. In October, sixteen of our Indian people, through their own money, through the reserves, not grants from Munro or from Walchli, went to Europe to campaign to many countries so as we can have a strong delegation that will go to Europe to tell the story of how the people of Canada have deprived our people of their land, of how their land has been stolen, how their livelihood have been stolen, how their hunting and fishing rights have been stolen, and how our people live in very poor housing conditions. A lot of families on the reserves, that are not here today, that <sup>not</sup> ~~can't~~ afford to be at the meeting, have to live in homes that have three families living in them. This is what our fight is about. This is what our struggle is all about. I <sup>am</sup> ~~am~~ very happy for the people who supported the ideas that I had and the people that took the battle, on our behalf, and I want to salute everybody. Also to acknowledge and thank everybody for the struggle that they <sup>have</sup> ~~we~~ done, and especially for the big sacrifices that they are going to be making to go to Europe. I think there are about three to four hundred Indian people that are leaving for Europe right after this conference, to lobby in Europe and then end up in Great Britain, within three weeks after our conference. That <sup>is</sup> ~~is~~ action. That <sup>is</sup> ~~is~~ what Lillooet recognizes, we have no real reason, that we should be talking any more. We <sup>have</sup> ~~we~~ got to be talking about action. I <sup>would</sup> ~~like~~ to thank Louise Mandel, Leslie Pinder, and all the legal staff for the sacrifices that they <sup>have</sup> ~~we~~ given to us for little or



no money. You know as a lawyer, this woman has to buy clothes from the rummage sale. I know Indians live that way but it takes a damn good lawyer to be able to do that, and I would like to give her a good hand. That<sup>is</sup> all we ever give her is a lot of work, and I think she deserves an ovation but it's <sup>up</sup> to you to do that.

LOUISE MANDELL: Thank you.

GEORGE MANUEL, PRESIDENT:

That's <sup>is</sup> in recognition of her work, and I know that she will continue to fight and fight with everything that she's <sup>has</sup> got in her mind, and in her little body, and her little rummage sale clothes that she packs on her back. And so I thank you very much, Mr. Chairman, for giving me this opportunity to talk for a little while to the people, to the Indian people of British Columbia.

CHIEF TOM SAMPSON: (Tsartlip Band)

We, in South Island, would like to donate \$5,000.00 to the cost that is going to be lodged in the battle in England. I <sup>would</sup> like to say to George, that we <sup>have</sup> sometimes / not / shown our support to you because of our battles at home, the battles at home have to be won before we can battle at other levels. Maybe sometimes it doesn't <sup>not</sup> look like it, that we <sup>have</sup> supported you, you can be sure of one thing that you have demonstrated to us, to many of us who are starting up in leadership that we hope some day to achieve half of the goals, half of the things that you <sup>have</sup> done, so don't <sup>not</sup> ever feel that you have ever been let down. I think that our leadership and demonstration through your ability has allowed us to demonstrate power and strength at home, so I <sup>would</sup> like to thank George for showing us many times that it takes one leader to show other leaders that it is

possible and I would like to thank George for that. We will be donating money too, but we ~~don't~~<sup>not</sup> know who to give it to, we ~~it~~<sup>will</sup> donate \$5,000.00 to the cause too.

STEVEN POINT: George was wondering if you had the cash, or is it cheque? For as long as I ~~do~~<sup>have</sup> known George Manuel, as long as I ~~ve~~<sup>have</sup> been involved politically, in this provincial organization, I can honestly say that there is one thing that I ~~ve~~<sup>have</sup> always tried to do, and that is to express the honesty, the integrity, the courage, the strength and the knowledge and the leadership that emanates from George Manuel. And too often in a leadership position, through the political struggle, through the political fights, through the definition of power, your leadership sometimes does get isolated, but I can honestly say that without that leadership, without that strength and courage, the stamina that is expressed in the kind of leadership that George has provided, we ~~ve~~<sup>have</sup> never been in a position today to even recognize the threat that exists to aboriginal rights. Before that, the very least we can do, is to express our thanks to George Manuel. Thank you George for your work.

I ~~don't~~<sup>not</sup> know if George has been shopping at the rummage sales or not, but I owe him a fish, and I am going to bring it to him as soon as I can. I understand that there is a desire to ask questions, or to make some comments to George's presentation, I just want to announce, however, that there is a lunch being prepared for the delegates, that is going to be ready at 1:00 p.m. The charge is \$2.00, and they are raising money for the trip. We would encourage all the delegates to please support, and I understand that the service will be provided everyday. Are there any questions, comments, with regard to the presentation by George, or the legal presentation by Louise?

CHIEF COUNCILLOR ED MOODY: (Bella Coola Band)

Good afternoon everybody. I am Chief Councillor Ed Moody from the Bella Coola Band. Our band would like to pledge \$5,000.00 to this cause.

GEORGE MANUEL, PRESIDENT:

I would just like to mention that I feel very good. We can look in the eyes of the Albertan Indians when we meet with them tomorrow. We can talk to them in the face and we <sup>will not</sup> ~~won't~~ feel ashamed when Louise is talking with them. Thank you very much for the support.

MARCELINE MANUEL: (Member, Kootenay Nation)

I come here to make a presentation of \$10.00. I am a Concerned Aboriginal Woman, and this presentation comes from myself, and I hope that my Kootenay land is not sold and it is retained. I heard that a declaration was made. I am quite concerned because my Kootenay land is not for sale. That is why I am making this contribution. Thank you.

STEVEN POINT: } I was just going to make that certainly no donation or contribution to this effort is too small or too large. The more that we can stand together, the more that we can contribute, the stronger the political and legal position will be. Thank you very much. I know for many years that the Union of B. C. Indian Chiefs was in meeting, I remember first getting involved, the cost of the conventions were tremendous. To increase the validity of the arguments it certainly is true that the Federal Government funding supporting our political arguments, detracts from those political arguments. The time has come, after twelve or thirteen years of organizational development, that the Indian communities again begin to pay for its own political

identity. Are there any other questions, comments or donations?

LARRY CLAXTON: ( Band)

We had a meeting and we would like to donate \$350.00 to the cause, from our Band.

CHIEF DENNIS ALPHONSE: (Cowichan Band)

I would just like to personally thank George for all his efforts in working with us as Chiefs of the Union of B. C. We have gone a long way in the past thirteen years since we formed the Union of Chiefs. We ~~we~~ have developed into a threat to the Federal Government and to anybody that likes to put down Indian people. I think that is why we ~~we~~ have been divided. I feel the same way as the other people here that we are still one of the main organizations here in B. C. We still are a threat, and I think we should continue, no matter how hard the struggle.

MOTION #3: (Chief Dennis Alphonse, Chief Tom Sampson)

I make a motion to accept George Manuel's report.

CARRIED.

*line to be added* → I would also make a personal donation to the cause of the Constitution.

\$20.00 from Abel Joe.

\$20.00 from Elder Wilfred Sylvester.

\$20.00 from Philip Paul.

SAM :

I never forgot one of the words that the President said one time. It was a speech that he made and it was written out in one of the books that the Union distri-

butes. He said we survived because we are Indian people, so we are survivors. I wish to thank George for all the hard work that he has put in these many years. When we heard that he was sick in the hospital, a lot of prayers were said for him that he would survive, and he is here with us today. I think we can see a lot of scars on this man, of all the battles that he <sup>has</sup> been through with government officials, Provincial and Federal. I would like to encourage everybody to follow what this man has done. We can only do that by those small donations that I can see in there now, so let's <sup>us</sup> all dig deep. My Council gave me some money to support me while I am here. I have already paid for my room so I am going to donate the rest of my money, and that is \$100.00.

STEVEN POINT: <sup>20</sup> Thank you Sam. As the donations are rolling in, I am accepting these as a motion of vote for yes in favour of George's report. So far we <sup>have</sup> had almost unanimous support in terms of the resolution. It's <sup>is</sup> the hardest vote I <sup>have</sup> had to take in, <sup>it's</sup> the easiest.


CHIEF WAYNE CHRISTIAN: (Spallumcheen Band)

What's <sup>is</sup> happening and taking place right now is really good. The struggle we <sup>are</sup> having with the Constitution was a struggle in every community, in terms of understanding it. I would like to say to everybody here that in our community we had a hard time understanding what the patriation of the Constitution meant. Quite recently at one of our meetings, the people got together and voted to pay my way out of band funds to go to Europe, which I thought was really good because before that I was going to make a loan. With interest rates the way they are, I would probably be paying it for a number of years. In recognition of that, the money they <sup>have</sup> allocated to myself on behalf of all my people, my Council, my Elders, and some of the people here, I am

going to donate \$200.00 to the cause for the legal case.

CHIEF WILSON BOB: (Lyackson Band)

First of all, I would like to start by also thanking George for his endeavours on behalf of the Union. But I want to impress upon all of you now that the money is rolling in, all of you know, and I am sure you do, this cause is common to all of us in the Province of British Columbia. By saying that I also state that now is the time for this Union to open its doors to the other organizations in this Province so that they will be fighting the battle with us and not against us, as sometimes it does appear through the comments made from different leaders of different areas. It is for us to remember that we are giving these dollars for the sake of our Indian people so we must open the door and ask for co-operation of all our people, not only in this Province, but in Canada as a whole. I am sure that we are probably the first to demonstrate this, and I ask the leaders of this organization also to demonstrate their co-operation and action in opening these doors to other organizations. I donate \$20.00..

STEVEN POINT:  We have another large donation from Gilford Island for \$2,000.00. Peter Smith brought in \$100.00. Joe Saunders just stepped up with another \$100.00. Chief Ron John, Hope Band, \$1,000.00.

Philip said he was going to take his \$20.00 back now that there is so much money. Throughout the convention we will be receiving pledges and donations. At this time, I would like to break for lunch. Immediately after lunch we will hear from Bobby Manuel on the political strategy in terms of the Constitution, so I would request we reconvene immediately after lunch at 2:00 p.m. Thank you.

STEVEN POINT: } Before we continue with the Constitution strategy, along with the Cariboo Tribal Council, we have an urgent message.

PHILIP PAUL: } Apparently there was a slide this morning and a real tragedy. There were four Indian people killed there. Ross George, Molly George, Carolyn George and Ross Harry. I guess they were members of one of our Council and relatives of Julie Newman, who is suppose to be here working at the convention, and couldn't<sup>not</sup> come because of this. It is quite a tragedy and very close to this area so I would ask at this time if we couldn't<sup>not</sup> just rise and have a minutes silence for these people. (SILENCE) Thank you very much.

CHIEF BOBBY MANUEL: (Neskainlith Band)

In our portion of our report, I have asked Chief Ray Hance to come up as well because / the Cariboo Tribal Council has really been involved in organizing and working at the community level, and the political level, in terms of doing a lot of organizing and doing a lot of work. We<sup>are</sup> responsible in sponsoring myself to go to England, a couple of months ago to do some preparatory work there, and to do some preliminary lobbying.

Basically, first I would like to give some background as to the political position and stance that we<sup>have</sup> taken. It evolves really from the Aboriginal Rights Position Paper that was adopted two assemblies ago. The Aboriginal Rights Position Paper specifically spells out that what we are after is the land, resources and Indian governing authority, and from that point on every kind of action that the Federal Government has taken or any other body has taken that it is going to eliminate our land base, our resource base, in the authority of our Indian Government, we<sup>have</sup> moved against. When I was asked to

make this report, I was thinking back about what has happened since last assembly and now. There certainly has been a hell of a lot. I know during the last assembly, we came in here with not too much knowledge of the effects of Trudeau's Constitution. At that point in time we had our efforts directed in other directions, but because of the Child Caravan, it became clear that even though the Spallumcheen Band movement was victorious, that in the final analysis it was going to be wiped out by what Trudeau was doing. Since then we <sup>have</sup> ~~we~~ been really concentrating on doing a lot of work trying to analyze and figure out what has been going on. However, at this Assembly, there were two motions made and that <sup>is</sup> ~~is~~ the mandate that we <sup>have</sup> ~~we~~ worked on, and motion #2 regarding the legal case in Canada, and motion #3 saying basically that we entrench our Aboriginal and Treaty Rights in the Canadian Constitution. But we assume that meant that Aboriginal and Treaty Rights must be entrenched in the Constitution in such a way that it would ensure and guarantee that our future would continue as Indian people. I think that we all realize that all during the Constitutional debates, the Federal Government is really not involving Indian people at all. All that was happening was that the Federal Government was inviting our national leaders to participate in the First Ministers Conferences as observers, and after the Parliamentary debate, they moved the Constitution into a Constitutional committee. And that <sup>is</sup> ~~is~~ where we started to move from. As our President indicated this morning, it was shortly after the last assembly that we started to move on the Constitution Express. On the national level, what we did was move to call a First Nations Assembly of all Chiefs across Canada. The First Nations Assembly, and I guess the Constitution Express were called out of desperation, once we



realized that we were going to be seriously affected. The effects of the Constitution Express and the First Nations Assembly was that it changed public opinion. Now when I speak to and talk to many groups, I always talk about it as being an expression of our Indian power because when we look in Canada, there are about twenty-five million non-Indian people, and about sixty percent of that, I <sup>would</sup> say about thirteen million non-Indian people were pretty much in favour of what Prime Minister Trudeau was doing. That was last fall, but after the Express, about thirteen million were not in favour of what he was doing, and I attribute that directly to the efforts of the Constitution Express.

The other thing that a lot of people are not aware of is the image of Prime Minister Trudeau was affected internationally. If you will recall around Christmas time last year, Prime Minister Trudeau was travelling throughout the world. I ~~can't~~ <sup>not</sup> remember all the countries that he went to but in most of those countries, he ~~wasn't~~ <sup>not</sup> taken very seriously. In one place he was snowed in, in another place he was heading for this other country, I think it was Nigeria, and the President informed him that whilst he was in the air, not to bother coming. Somewhere in South America, he went to visit another country and the President of that country was not even there to meet him. There was a lot of disrespect shown to the Prime Minister in his travels in the world. And from sources within the Prime Ministers office, it was revealed to us that his Advisors attributed that bad image of the Prime Minister directly to the Indian people in Canada and the Constitution Express. So we had international impact in that respect. The other effect was the politicization of our people, those ones that were on the train. As well, we had an effect on his committee, as you recall, he was the

committee, Constitutional Committee, Parliamentary Committee, was to quit hearings about mid-December, but because of the kind of efforts that we put into bringing up the public consciousness, the Committee was extended to February, and we attribute that directly to the Express. The result, Chretien included Aboriginal and Treaty Rights into the Constitution. He went before the Parliamentary Committee and did so. At that meeting of the Committee and his presentation, the National Indian Brotherhood, the Native Council of Canada, the Inuit Tapirisat, were in attendance. And without study, all of these bodies immediately threw their weight behind what Chretien was proposing as an Amendment. And in fact, the President of the Native Council of Canada, Harry Daniels, went on national news indicating that he was prepared to carry the Constitution from Great Britain back to Canada. As a result, it appeared that what Chretien had done, as far as I am concerned, is he pulled off a very masterful public relations job, and from the point on, it was always thought that Indian people were in support of patriation. It took a long time before we could break that thought process with government and with Canadian people. Our stance at that time was to secure a copy immediately of what was written into the Constitution, the Aboriginal and Treaty Rights sections, and our analysis was that our conclusion that even though Aboriginal and Treaty Rights were entrenched in the proposed Constitution, there was no protection provided. I would like to get into some specific sections, just to illustrate the kind of effect the Constitution is going to have on our Band Governments, and on our reserve lands. A lot of people refer to the Constitutional Act and they refer just to aboriginal sections, but there are other sections in the Constitution that are going to have a devastating effect upon us. Section 6 (2), and I will

quote and read as follows:

'Every citizen of Canada and every person who has a status of a permanent resident of Canada, has a right (a) to move to take up residency in any province to pursue the gaining of any livelihood of any province.'

Now one of the points that we have to realize about this section is that there is no seclusion of Indian reserve lands, and it <sup>is</sup> very conceivable that somebody in our reserve, one of our reserves, would want to sell a piece of land, or some non-Indian person would come along with <sup>\$150 -</sup> \$50 - \$60 hundred thousand dollars, to purchase a piece of land, and you know as well as I do that there are members in many of our communities that would agree to that. As a result of that, they would try to process the sale and under the Indian Act, we can see the non-Indian person going to Court and holding up the Canadian Constitution. And if we understand the Constitution, it is the highest law of any country, it is the highest written law there is. The Indian Act falls underneath the Constitution. Therefore in a judgement, it <sup>is</sup> conceivable that a Judge would look at the case and would say 'yes, according to the Charter of Rights, according to the Canadian Constitution, you have the right to live in any province, you have the right to purchase land, and in this case, the Indian Act discriminates and does not permit that, so therefore we will rule the last part of the Indian Act invalid.' So you could envision our reserves gradually, and very slowly breaking up into smaller pieces, dwindling down to nothing. The other section that is not referred to is Section 15, and that deals with rights. It reads as follows:

'Every individual is equal before and under the law and has the right to equal protection and equal

benefit of the law without discrimination, and in particular without discrimination based on race, national or ethnic origin, colour, religion, sex, age, or mental or physical disability.'

And that section would have a devastating effect on all our rights, and I would just give a sort of an analogy or scenario of what I could envision happening. Looking at maybe a non-Indian person riding down the Trans-Canada Highway, along the Fraser River, seeing one of our people fishing for salmon with a dip net, that non-Indian person if he is well-versed in the Constitution could say that 'I am suppose to be equal.' And I know that there would be people like that. 'I am suppose to be equal before the law and therefore I am going to go fishing,' and he gets a dip net and starts fishing. Then he gets picked up, thrown in, and gets charges against him. Again, that non-Indian person could take the Charter of Rights and the Constitution and hold it up and say 'I am being discriminated against. I am suppose to be equal before the law according to the Constitution, Section 15.' Therefore, the Judge would be put in a position of evaluating this section, and he has two basic alternatives. One is to extend the same right to all non-Indian people, or take the right away from us. I ~~don't~~<sup>not</sup> think it takes much thinking of what would happen. It would be taking away the right from us. But then you can go on and on about all the different kinds of rights: education, cultural centres, friendship centres, are special, are different, treating people differently, treating us differently. Band Governments, administration, all the different kinds of funds in the whole Department of Indian Affairs. All the different kinds of special funds, First Citizens' Fund, all those kinds of funds could be eliminated because of this Charter, because they treat us relatively different then other people as a result of that.

Entire  
Section 70  
be extended  
between  
Section 70  
page 34.

Section 15, one that is not referred to very often, has a very devastating effect upon our Indian Governments, our reserve lands, and the resources and control that we have at this point. So the foundation, looking at this, and looking at the Aboriginal Rights Position and the direction that we were directed to go in, started us in a movement opposing in the strongest way possible, Prime Minister Trudeau's efforts to patriate the Constitution. I can say, with pride, that the Union of B. C. Indian Chiefs on a national basis, right across Canada has been the strongest fighter of the patriation process and has provided leadership in that regard. The Federation of Saskatchewan Indians, at one point in time, supported the patriation process. The Northwest Territories, and the Yukon Territories, also supported the patriation process. The Native Council of Canada supported the patriation process, and as a result Harry Daniels, the President was asked to resign. Now they are again trying to negotiate with the Prime Minister. The Inuits have always supported patriation, and they continue to do so today, and are even distributing information in England. The reason the Inuit Tapirisat support this is because they believe that they are going to have a double run at this. One is through the Constitution, they say they <sup>have</sup> got enough in there already. They are still a territory in the north. They feel they are going to achieve provincial status at some point, and so they <sup>will</sup> have another way of coming and getting their rights. They <sup>have</sup> got a second chance, but all of us in the south don't <sup>have</sup> have that chance, it's <sup>is</sup> only one run we have. This constitutional fight has really caused a lot of hard feelings in the Indian movement. It has really been difficult and frustrating in the past year, the work that has had to be done. I <sup>have</sup> done a lot of lobbying in Ottawa, and the kind of things that people were trying to do to make deals behind closed doors.

The Federation of Saskatchewan Indians were lobbying to get the whole of Saskatchewan set up as an Indian Government Pilot Project which would include having the Chiefs receive \$25,000.00 per year in salaries, and \$15,000.00 for Councillors. They were in that process, and they were dealing in such a way that they were offering that if the Federal Government would do that, then the Federation of Saskatchewan Indians would deliver all the rest of the Provincial Territorial Organizations (PTOs) into provincial associations to support patriation. They really made a lot of moves in that regard in trying to get the Union of B. C. Indian Chiefs into supporting patriation. They sent different people out to try and lobby and negotiate with us to change our position. They offered to have me run as a Liberal in British Columbia, they offered all kinds of finances to my band, they offered me a job with the Department of Indian Affairs. There are all kinds of underhanded moves that have been going on because of the constitutional question. I don't<sup>not</sup> think Louise referred to the Canadian part of the legal, at the last Assembly it was directed that the Union support a legal case here in Canada. This only went so far, and then we decided that Britain was the place to go. We<sup>have</sup>~~we~~ been working with the Indian Association of Alberta, also the Four Nations Confederacy of Manitoba, and with some of the groups in Ontario in terms of strategizing and fighting the constitutional question. It has been agreed at the National Assembly, through a resolution, that nationally we were not to deal with the Federal Government or the Provincial Government. Our fight is finished in Canada, it is in England now. As I<sup>have</sup>~~we~~ explained this morning, Louise has transferred a legal position to the Privy Council. We<sup>have</sup>~~we~~ put a lot of thought into all the different things in terms of England. The country is in upheaval right now, and I

think everybody sees it in the news. It has serious economic problems, race problems, freedom fighter problems, whatever they want to call the IRA and other groups there, so there is a lot of battling going on. The last time we were in London, we met with them, with an intergovernmental committee. The argument that we basically presented to them was that we told the British Parliamentarians that there is a Crown - Indian relationship, and if you patriate Prime Minister Trudeau's Constitution as it is, what you are going to do is to knock the hell right out of your Crown. That really gets them upset, the thought of undermining or damaging in any way the image of the Crown. There are some things that need to be realized by anybody that is going over there in terms of the political lobby. The British are not too interested in housing problems or economic problems, they are not too interested in education problems, social problems, etc., because they see all of that is behind the Constitution. They see it within the Constitution, they are curious, they are interested to know about that, but in terms of their obligation, their duty, that<sup>is</sup> what they really want to know about. "What is our duty?" And what we have been basically telling them, is right now today, without Trudeau's Constitution, it is impossible for the Federal Government or the Provincial Governments, or the Federal Government and the Provincial Governments together, to change Section 91 (24). Before they can change that Section, and as you recall they attempted to do so in 1969, even if they all agreed, they have to get Crown consent before they can change any section of the Constitution. What we<sup>are</sup> looking for is to make sure the consent part is protected, because if the Constitution comes back as it is, the Federal Government, along with the Provincial Governments, will be able to take sections out of the Constitution on its own, it will have nowhere else to

go. It doesn't<sup>not</sup> want us involved in the amendment process, and it doesn't<sup>not</sup> have us involved, so therefore, they have nowhere to go, they can do it themselves. They can take sections out, and that doesn't<sup>not</sup> exist today. What we are telling the British Parliament is the way that you fulfill the Crown obligation is to transfer that authority of consent to us. Before the Federal Government can change any section in relation to aboriginal people, in relation to Indian people, they will have to receive our consent, and we basically tell them, don't<sup>not</sup> worry about how we get that consent, or how we give that consent. That<sup>is</sup> an internal matter, that<sup>is</sup> for us to discuss, that<sup>is</sup> for us to work out, how to weather it through a referendum, or through selecting somebody, or what system. That<sup>is</sup> the way in which we see in ensuring that our rights will be protected. Right now the way it is, if we leave it up to the Federal Government, and the Provincial Government, all those sections that they<sup>have</sup> put into the Constitution is going to come out, plus Section 91 (24) is going to come out, and Section 109, all the different sections relating to Indian people are going to come out. If they can't<sup>not</sup> get it out, then they<sup>will</sup> divert it to the court systems to decide on how to do that. That<sup>is</sup> basically what our lobby has been doing and that<sup>is</sup> what we will be conveying to the British Parliamentarians in London. Do not consent, do not patriate Prime Minister Trudeau's Constitution until Crown obligations have been fulfilled. The way in which you fulfill those Crown obligations is to transfer the Crown obligation of consent to the Indian Nation and then you can patriate the Constitution. All of this is done in an overall strategy.

We<sup>are</sup> leaving on November 1, with the Constitution Express. There will be about a dozen of us dropping off in London,



and we will be doing a blitz and a lobby with the British Parliamentarians. Meetings have been arranged in London with the Press, with Lords and Members of Parliament. Our legal team will be in London as well, lobbying with the academic community and the legal community in terms of the Memorandum that Louise was talking about this morning. Now with the \$21,000.00 we <sup>have</sup> ~~we~~ collected, the other case with the Chancery will start moving at the same time, so that it will be ready when the Constitution Express reaches England. We <sup>have</sup> ~~we~~ got a three-pronged attack going; a political lobby, a legal lobby, and the Constitution Express, all being co-ordinated so that it hits England at the same time. I must emphasize that in London, the chances for us in terms of receiving a victory is very real.

If you know the politics that <sup>are</sup> ~~is~~ going on in London, Margaret Thatcher is having a very difficult time at this point. She has got people who are pulling rank on her, they are pulling out or are ready to pull out. They <sup>have</sup> ~~we~~ got two basic parties, the Conservative Party and the Labour Party. Now there are big inroads being made through a new party that has just been created called a Social Democratic Party and it is starting to draw some labour people away, and some Conservative people are considering moving over to that Social Democratic Party. She <sup>has</sup> ~~is~~ got a lot of internal problems. I <sup>have</sup> ~~we~~ just had a report from the Four Nations Confederacy during lunch time, that they <sup>have</sup> ~~we~~ made some inroads, they <sup>have</sup> ~~we~~ come back from London, and they <sup>have</sup> ~~we~~ got a strategy worked out over there in terms of pressuring the British Parliamentarians in opposing patriation as well. Basically, that <sup>is</sup> ~~is~~ my report, I <sup>would</sup> ~~like~~ like to turn the mike over to Ray because he was in London. I <sup>can't</sup> ~~can't~~ remember all the things that happened, my mind was blown all the time I was over there with these pink-haired people and purple-

haired people, all these cars going down the wrong side of the road.

CHIEF RAY HANCE:

I don't<sup>not</sup> know what to say, I think Bob covered a lot of what we did over there. I<sup>would</sup> like to start by saying that I wish it wasn't<sup>not</sup> necessary to do this. I think everybody will agree that we have other problems besides this constitutional problem, and a lot of our work has been held up because of this constitutional issue. In our opinion in the Williams Lake District, this constitutional issue, basically put, says that if we don't<sup>not</sup> do this, if we don't<sup>not</sup> mount a good lobby, a good fight, that we stand to lose everything that we<sup>have</sup> got. Some of the things that Bob mentioned are things that we have grown to depend on, things like funding, but there are other rights too that are up in question right now, and those are aboriginal rights, and aboriginal rights are something that everybody here is aware of. I hope everybody will say that our aboriginal rights are not for sale. We knew that the Union of B. C. Indian Chiefs didn't<sup>not</sup> have any money to do any amount of lobbying in England. We<sup>have</sup> got a logging company in our area that can provide us with a few dollars, we decided that we would use those dollars to see what we could do in regards to the Constitution. A lot of our work has been because we feel a very real threat. The other thing that is threatening to us is the Indian Government Bill, and I think we<sup>are</sup> going to have some workshops or a report on it tomorrow. For those who are aware of the Local Indian Government Bill, I am sure that you will see the implications there because it is for implementation after the Constitution comes back to Canada. From experience I can tell you that the Indian Government Bill is an improvement in favour of the Federal Government over the White

Paper Policy in 1969. I think that is something that everybody should be aware of. I have a report here that my Band Manager put together on our last trip to England. Obviously I can't <sup>not</sup> go through the whole thing here so what I am going to do is give you an insight as to some of the things that we <sup>are</sup> going to be doing over there. We <sup>have</sup> been involved with Parliament, with the Press, with support groups, we <sup>have</sup> been to Embassies, and each Provincial House, we <sup>have</sup> been working with everybody and anybody who wanted to work with us. Every single person that we met in England voiced this same comment: 'My goodness, what are those guys doing to you over there. We didn't <sup>not</sup> know that Indian people even existed in Canada, and we didn't <sup>not</sup> know that Prime Minister Trudeau was going to do these kinds of things to you people.' I guess we have to remember that England is really a very small place with a very large population, and so the only thing that they knew about Indian people at all was what they saw in the movies. As you know, they don't <sup>not</sup> really tell the truth. The people that we met are in support of our contention that the British shouldn't <sup>not</sup> patriate the Constitution without some kind of input from the Indian people. I feel, from two trips, that we have a very good chance of being able to win our battle over there. I feel that once the English Lords, Members of Parliament and Parliament itself know what we are talking about, I think that they are going to support what we are trying to do. Everybody that we <sup>have</sup> talked to so far has already voiced their support. The area that I would like to see concentrated on in England is the House of Lords because they are independent from party line. They don't <sup>not</sup> have to follow any particular party line. There are over 1,200 Lords over there, versus 635 Members of Parliament. One thing that should happen is a lot of emphasis should be placed on meeting with the Lords, and although all 1,200 Lords are not

active in the House of Lords, there are a lot of them that are. We better do that because if we don't<sup>not</sup>, we<sup>will</sup> be losing a lot of our impact. We did a breakdown of the parliamentary system over there, and the party system. The Conservatives make up 44% of the House, the Labour candidate 37%, the Liberal candidate 14%, and we~~we~~ have got a couple of small parties that have 2 and 3% each. We<sup>have</sup> got a lot of work to do with those people over there, and with the Press. The Press situation hasn't<sup>2<sup>nd</sup></sup> been as good as I<sup>would</sup> like to see it. The Press are really interested in what is going on over here but unfortunately I don't<sup>not</sup> believe there has been enough emphasis on public addresses by our people. That's<sup>s</sup> another area that I think we should have a lot of input on from you people. I am suggesting that something happen with that area pretty soon. We made contact with the churches and the labour parties. I am going to drop this report because the rest is all specific things that we did over there.

I would like to tell you about the people in the Williams Lake District in regards to this Constitution. In the Williams Lake District there are fifteen bands with about 4,500 people. They didn't<sup>not</sup> know what implications this Constitution package had on them. But when they realized that their very existence was being questioned, the Williams Lake people organized without much help from me. To fight this constitutional issue, every reserve was gone through door to door by the administration of the Cariboo Tribal Council office. Every single household in the Williams Lake area was visited and the whole constitution question was spelled out for the people. I was really proud of the Chiefs up there. I want to say this because I haven't<sup>not</sup> talked to the Chiefs about this. Some of them are here and some aren't<sup>not</sup>. I felt that the Chiefs in the Williams Lake District


reacted in a way that really made the leadership of this organization, and the rest of the organizations in this country, feel a lot better about the kind of things that are going on in terms of fighting the Constitution. Some of the people who <sup>not</sup> can't understand English very well, really felt good because the Chiefs in the Williams Lake District spoke to their people in their own language regardless of whether there were white people or anybody else present. That really tells the strength of our people. I want to say 'thank you' to the Williams Lake Tribal Council, and the Union of B. C. Indian Chiefs for mounting such a good battle in regards to the /Constitution. Other than that I am just overwhelmed with emotion, and I want to tell you before I quit speaking that I believe this is the most critical part in Indian history that we <sup>have</sup> ~~we~~ ever faced. From what I <sup>have</sup> ~~we~~ seen here today and from what I <sup>have</sup> ~~we~~ experienced in the past couple of months, have not only been a learning experience for me but I <sup>am</sup> ~~am~~ more proud than I ever was to be an Indian. With that, thank you very much.

CHIEF BOB MANUEL: (Neskainlith Band)

Just two more things that I <sup>would</sup> ~~I~~ like to point out that I forgot to mention during our trip to England, and work that we <sup>have</sup> ~~we~~ done internationally. We <sup>have</sup> ~~we~~ discovered that the External Affairs Department puts out information on Indian people to all countries in the world, and that information is written up by the Department of Indian Affairs. It makes out that Canada is really treating us good, and that there are no problems in our communities, that we are great participants in Canadian society and we <sup>are</sup> ~~are~~ satisfied with everything that is happening. We are the most satisfied people around as Canadians. That <sup>is</sup> ~~is~~ going out and the Department of Indian Affairs writes it up for Mark McGuigan,

External Affairs, because he<sup>is</sup> the one that signs it. We see documents like that in Germany and France, not in English, but interpreted. When we were in London, we met with the British Columbia House and the Quebec House. Most of the Provinces of Canada have Houses .. which they really set up for economic purposes. Quebec House is one of the best organized in England. It<sup>is</sup> has got its machine in place for battling the constitutional question. British Columbia House is not as well organized but they are there. Quebec House has offered but they don't<sup>not</sup> want any kind of a formal agreement or arrangement worked out with us. It is not to our advantage either because if they lose, we go down with them. They are certainly prepared to share information with us and they have done so in terms of different people to lobby, the kind of successes that they<sup>have</sup> had and the advice that they can give us. The final thing I would like to say in terms of the Constitution fight, the front line of the battle, should the Prime Minister be successful, is going to be at the band level because it is going to be the land and the rights of our people in our communities that is going to be attacked. It<sup>is</sup> not going to be at the provincial level or the national level, but at the community level, even though time is moving on, and we are making this push, I think it is very important for as much of our people to know as possible what is coming down because I don't<sup>not</sup> think this will be the first run. The Prime Minister won't<sup>will not</sup> give up if he loses this one. The push is on and tomorrow through providing the documents, you will see that there are many fronts to this whole battle. It<sup>is</sup> going to cause a great deal of problems. They are really going to move hard on us, they have already started. Some bands couldn't<sup>not</sup> get timber

permits from the Department because they were raising money for the Constitution. Our band is going through financial difficulties because of our fight on the Constitution, and I know that other bands are. What is important is our rights and our future.

STEVEN POINT:  This is the other half of the total strategy in regards to the Constitution, the legal strategy was outlined this morning, and now the political one in regards to lobbying the Members of Parliament and the Lords in England, certainly mobilizing support for stopping the patriation of the Constitution before aboriginal rights is recognized. Are there any questions that can be directed to Bob and Ray at this time?

CHIEF RAY HARRIS: (Chemainus Band)

It is not really a question, it<sup>is</sup> just that our band made a motion to do a little different thing, rather than lobby in England, but to request some of the English Members of Parliament to come to Canada. Maybe some of the Union staff know a guy by the name of Bernard Brain. I don<sup>not</sup>t know how far he got, but an English Member of Parliament was coming to our band, our district. We were going to host him for at least part of the time that he was to be on Vancouver Island. One of the things we were going to tell him, that I would like to share with the people going to England is that we have a school on our reserve, and they could get a history lesson here. It<sup>is</sup> kind of the reason why we got the Constitution and the British North America Act is that the English Government, or the Crown, defeated the French. If it was the other way round, we would be going to France, but it was the English that won, and now a descendant of the people that the English Crown defeated is trying to change the Constitution. Trudeau is a descendant

of the people that we <sup>are</sup> ~~is~~ going to lobby right now, and it is kind of messy. I think we should be using that in England - the guys defeated are trying to change our country now. They are trying to make us Frenchmen. There is a big fight about it, there was a battle between two countries, and England won. That should be brought along as a message. I wanted to share that with you. Sometime in the next couple of days I also wanted to get some clarification on where the English Member of Parliament ended up. I think it is important that we follow up on it, as the Union, or as a district. We didn't <sup>not</sup> ~~not~~ abandon him, it wasn't <sup>not</sup> ~~not~~ our fault that he didn't <sup>not</sup> ~~not~~ make it. He came all the way to Canada and ended up going right back. Maybe we created an enemy if he thinks it is our fault, and I think we should be diplomatic about it anyway.

CHIEF BOB MANUEL: (Neskainlith Band)

I <sup>am</sup> ~~am~~ not sure what happened to him, there is some confusion in relation to the national office. But some did get here. One ended up in Manitoba and went to the reserves. When that Member of Parliament came to Canada, he was under the full impression that total obligations had been transferred to Canada and that Indian people were living in very ideal conditions, and why were they over there lobbying against the Prime Minister, trying to break up the country as the Canadian Government is saying we are trying to do. When he got here and he saw the reserves, and studied the legal memorandum, he realized there was a duty on the part of the British Parliamentarians to the Indian Nations in Canada. He said that the Prime Minister had always left the image that I explained earlier that Canada was treating the Indians really well. He didn't <sup>yet</sup> ~~yet~~ realize that things were much more serious than he had anticipated. So we changed that ones' mind. I <sup>am</sup> ~~am~~ not sure what happened <sup>to</sup> ~~to~~ Bernard Brain.



One more point, we sent a telex to the National Indian Brotherhood today because we discovered they are attempting to set up a meeting with Prime Minister Trudeau on the Constitution. At the last General Assembly of the National Indian Brotherhood, we directed our national office NOT to deal with the Prime Minister, NOT to deal with the Provincial Government, NOT to deal with the Federal Government, but they <sup>have</sup> gone ahead and we <sup>are</sup> moving now to try and block that meeting from occurring. I don't ~~not~~ know if we will be successful, but that <sup>is</sup> what we <sup>are</sup> doing now. One of the reasons they are doing that is because the National Indian Brotherhood, as I understand, is in a situation where it is going to close down. If they don't ~~not~~ receive any money soon, by next week, the offices will be shut down. It appears that what they are trying to do is negotiate with the Prime Minister for post patriation money to keep operating.

STEVEN POINT: } In terms of the financial situation, there is a request to have an announcement made in regard to the financial situation. Maybe I could get this young lady to read the announcement.

JENNY MANUEL: (Member, Neskainlith Band)

The people of Neskainlith are hold a raffle to raise money for the Constitution Express to help in our struggle for survival as Indian people. First prize is an Indian Government Quilt, and it is hanging in the back of the room, made by some of the Shuswap women in our area. Second prize is a hand drum, third prize is a birch bark basket. The draw will be made December 18, 1981. The tickets are \$1.00 each or 3/\$2.00.

STEVEN POINT: 20 Get your tickets early, this is going to be a long winter. It looks like a nice blanket. The collection this morning would cover some of the initial costs of the legal part of the strategy. However, Louise mentioned there is another need of \$250,000.00 to carry that legal strategy through its next phase, so keep those pledges rolling in.

CHIEF DENNIS ALPHONSE: (Cowichan Band)

I would just like to say, as Vice-Chairman of the National Council of Chiefs, that we would support the stand that you made in regards to lobbying the Federal Government. We made the same kind of position from the National Council of Chiefs. That's the right move that you made in regards to the telegram.

CHIEF BOB MANUEL: (Neskainlith Band)

Since there doesn't seem to be any more questions, I would just like to relay something. Louise isn't here, she is at a meeting, but I would like to say something about my travelling to England, something that I really learned about her. She is a great person. When I went to England, I have to give thanks to the Cariboo Tribal Council. they financed the trip. When I left Vancouver, I had \$20.00 in my pocket. I didn't know whether the Cariboo Tribal Council was going to finance me there, on that end. I just know I had a ticket at the airport, and I really went through deliberations whether to go or not. I talked with my wife, I was really feeling bad about going, rather scared, it was a long ways away. On top of that, the ticket was an excursion ticket where you can't come back for two weeks. So I phoned Louise, and presented my dilemma. She said, 'Oh Bobby, don't worry about it, I got no money neither. I was running through the

park this morning and there was this old guy feeding the birds bread, so I stopped and asked him if I could have a piece of his bread to feed the birds. He gave me a piece of the bread. I ran down the pathway and ate it, that's what I ate today.' So after she did that, I had the courage, I took my \$20.00 and jumped on the plane.

STEVEN POINT: } Talk about robbing the birds to feed the eagle. Are there any other questions before we let Bobby off the hook here, in terms of the political strategy? I would like to express our thanks on behalf of the Assembly for your fine effort in your report at the Convention, and continued support in what you are doing. Thank you very much. Moving along the Agenda, we have the Constitution Express. As I understand, several members of the Express are leaving after this Convention to England, or to Germany, or points east. Chief Wayne Christian is here to give us the report on that activity.

CHIEF WAYNE CHRISTIAN: (Spallumcheen Band)

Mr. Chairman. Good afternoon Elders, Chiefs, Councillors, and Indian people of British Columbia. I was asked to give a report in terms of the Constitution Express. I ~~won't~~<sup>will not</sup> deal much with the logistics in terms of accommodation, and the plans taking place in Europe and London, simply because tomorrow all the workers who have been working so hard in organizing will be able to give a detailed report. I haven't<sup>not</sup> been updated in everything completely. What I would like to talk about are the moves it has made in the past and what it is doing right now, after this Assembly. One thing that has been talked about and has been said again today, we are continuing a fight our ancestors have taken upon themselves to deal with in terms of aboriginal title and aboriginal rights.

We <sup>are</sup> ~~are~~ talking about claims to the land that belongs to us. I was just reviewing a document this morning that I received from somebody and it was a memorial to the Honourable Frank Oliver, Minister of the Interior, Ottawa, and this was presented in Spences Bridge in May, 1911. When you think about it, it was over seven decades ago. And also made reference to other documents that were presented to the government in 1908, 1909, 1910, and the people and the Chiefs at that time of the Shuswap, the Kootenai, or the Thompson, as they are called now, the Okanagan, the Lillooet, the Stalo, Chilcotin-Carrier and Tahltan Tribes got together and talked about the exact things that we are talking about now. I think in terms of the Constitution Express, it is becoming the expression of the Indian peoples' will to survive. Some of the things that happened here this morning is a clear indication of what we have to do. We have to start supporting ourselves as Indian people. One thing that everybody should have in their mind out of this Assembly, and out of the journey that we are taking overseas, that we are up against a man, Prime Minister Trudeau and his government, that is bent on terminating our right and our people, as we know it today. Ever since this man has been in power, in terms of the Prime Ministership or involved in politics, he <sup>has</sup> ~~is~~ attempted to assimilate us. He is like a child who has a square peg and is trying to put it in a round hole, that <sup>is</sup> ~~is~~ what he is trying to do to us. We ~~are~~ <sup>are</sup> dealing with a man whose political representation stops at the Ontario border. He <sup>is</sup> ~~is~~ the man who has the power in terms of politics, in terms of what he is trying to do to us. There is much talk about this Constitution, the patriation, and there are people who think that it ~~isn't~~ <sup>isn't</sup> going to affect us, our own people, and those of us who strongly believe this is going to be the final war we fight with the governments. I could read from this document that was presented back in 1911. I just

said exactly the same thing that Louise Mandel said this morning in terms of the legal rights of our people. One thing you should understand is that for over a hundred years, since the Confederation of Canada, we have been struggling with that battle. How many times have we gone to Ottawa? The latest trip was last year by train, and what it accomplished. We educated our own people, and we educated the general public, but where has that left us? One thing that I have always said, and will continue to say, is what happens if we win the patriation, and we stop it, what happens if we win that battle? What are we going to do next? What happens if we lose, and we can't stop patriation, what do we do? Do we go back to our communities and hide in our own sorrow? Whatever happens, and this is something that I have talked about before, like our ancestors and our forefathers before us, they confederated as tribes of people as nations, and they sent people to Ottawa, to New York. As I understand, there was a delegation that went to New York in the 1960s. They supported each other in that way. The Constitution Express has accomplished many things in a short time that it has been together. We've had many gatherings and give-aways throughout the province, it re-affirmed and strengthened our relationship with Mother Earth, and our own peoples. One thing that I am really concerned about is that we can't just let it die, and let this struggle die after we come back. We've got to organize, as a confederation of people, and develop our own leaders, and our own sources of funding so we can support each other. In my mind, the trip to London is to educate the people that are going so we can organize teams of people that can go out in the future. I'll give you an example of what the outside pressures can do. If you can remember quite clearly Section 12-1 (b) of the Indian Act, there has been a lady called Sandra Lovelace who has been fighting for a number of years now, and how many Indian

organizations and women's organizations have been fighting that in Canada, presenting paper after paper, petition after petition, to the government, and what have they done with that, they haven't<sup>not</sup> listened to it. What she did, she approached the United Nations Committee on Human Rights and Political Rights of People, and she presented the facts before them, and that brought pressure to the Canadian Government to do something about it. As I understand right now, they are preparing legislation to change that section of the Indian Act. It took some outside pressure to bring that about, and that's what we have to look to. We have to seriously think about going to other nations in the world. This whole thing with the Land Claims issue is what we are talking about. We are talking about /getting back what is rightfully ours, or sharing the resources that are rightfully ours. That is what we ~~we~~<sup>have</sup> been talking about for centuries now. That is the role the Constitution Express will have to play in the future, because one of the things that I am concerned about is that many of our people are lost, the young people. 70% of our people are twenty-five years and under, and how many of them know of the struggles that our forefathers have gone through, how many of these people know how to speak their language, sing their songs, know of their own religious ways, in terms of the sweathouse, and things like that. That is part of the message we have been carrying throughout the province, our people are getting stronger because of that. There are many things we can do without money. Many times I hear people talk about food gathering, and I feel quite strongly that things are backwards now because in the summer months when people go to pow-wows, take summer holidays and go everywhere, they should be gathering food for the winter. Those are the things we have to teach our young people, it is going to come down to that. What happens if you take all our rights from us, what are we going to do? What can we do? We have to be

able to survive, we have to teach our survival skills to our young people. There is an old lady who has never been involved in many things in Deadman's Creek, which is part of the Shuswap Nation, she holds a staff with a Crown, and a <sup>peace</sup> pipe was made, it looks like a tomahawk. It was given to those people from Queen Victoria, and she brought that out just recently at a gathering in Neskainlith to show that our relationship with the Crown is there. That<sup>is</sup> is what that means. When we go across the waters, we will be speaking the truth, we<sup>will</sup> be giving the world the facts as we know them. That<sup>is</sup> why I think it is important that when we come back, the work doesn't<sup>not</sup> stop. We should really consider developing a Confederation with our own Constitution. Of all the declarations that have been made in this province, they talk about the same thing that we are talking about now - the land. If more countries in the world knew that we are talking about our land, and the fact that it has been illegally taken from us and has never been settled, the Canadian Government would have to do something about it. Every country in the world needs land to survive, and we<sup>are</sup> are no different. There are many nations in Africa, the black people, that still work on a tribal basis in their government, where the Chiefs are very important in the whole system of government, where they are still fighting for them, that<sup>is</sup> why some of the wars continue in Africa now. Those are the things I believe quite strongly that has to take place. We have to establish contacts internationally, not just on a hit and miss basis, but develop something so we can bring pressure to resolve some of these issues within Canada. The Canadian Government has nothing, neither Federal or Provincial law, that can define aboriginal title or rights, or treaty rights for that matter. There is nothing in their laws that can define that for us. Whenever we present anything to the government, they misinterpret it. We talk about hunting and

fishing rights, what do they do? They implement their permit system. When they implement the permit system, they implement a quota on that system. I think this thing that is coming around in terms of Section 12-1 (b) in the Local Indian Government Bill, that while we are in Europe, the Canadian Government is going to attempt to push <sup>it</sup> through us to the House of Commons. I would hope that the people who are staying at home, can fight that. I saw a document as prepared for the Trudeau Cabinet, Section 12-1 (b), and what they are planning to do is to give rights to non-Indian spouses in terms of political rights and residency rights within that community, simply because the Canada Act states that everybody is equal, and Indian people are no different, and non-Indians can live in our communities. They have the legal right to do that, according to the proposal. Our backs are against the wall. We have to really become strong and develop our communities.

→ <sup>space</sup> The final thing that I would like to say is that this trip, the sixteen advance people that went over and are preparing the work over there right now, they are pretty committed. One of those people sold all their furniture so she could make that trip. She sacrificed those kind of things because she believes that the truth has to be exposed. That kind of commitment, whether patriation happens or not, if we continue the fight and organize internationally, we can gain the support that we need, and we can expose it to the world community, we <sup>will</sup> win. That is the commitment that is needed. In terms of the details of the Express, in terms of the logistics, the time-frame, where we are going, what we are doing, we are doing a workshop tomorrow that will explain all those things. We have to seriously consider a new way of getting together, a Confederation of Indigenous Governments, or Indian Governments, on our terms so we can work with each other.



other. We have to realize that irregardless of what happens, there are many problems we have to solve, and we can only look to ourselves for the solution. I don't believe there is any non-Indian government in the world that'll give us what is rightfully ours.

STEVEN POINT: Are there any questions on the report from Chief Wayne Christian? One of the most difficult things to do, one of the most courageous things to do is stand beside a conviction, in the face of adversity, even from your own people in the face of ridicule, with a problem of having no funds, and then having two victories as a result of the efforts. In terms of standing beside a conviction - it is a great inspiration to the young leaders of this country. I can honestly say that the concept of an Express is not always appealing to many people, the concept of that kind of action may not seem as appealing as others but it certainly proved itself as a benefit and an effective method of attaining certain goals. The leadership that Wayne has provided in the two previous efforts have been certainly phenomenal. This is a newsworthy man. The Press came to me this morning and asked when Wayne was coming on the Agenda. I am sure the motions and the activities of this gentleman, in the next few years, will be watched very closely. And I would only hope that a continually growing support is going to be the legacy of his career. With that, I'd like to thank you, Wayne, for your report and your efforts, and all strength to your further and continuing efforts. Thank you very much.

As it was made known this morning, Chiefs Council had indicated that nominations for the executive positions will take place this afternoon instead of tomorrow. I understand that

some of the regions have already slated times for their own meetings to take place in terms of the nominations for the District Vice-Presidents. However, the nominations for the Regional Vice-Presidents, I am not too clear as to whether the other regions have made arrangements. Also the nominations for the Presidency have to take place. I call upon the Chairman of the Elections Committee, Clo Astroff, and the other Elections Committee members; Rosalee Tizya, Victor Jim and Millie Poplar, please come forward and handle this portion of the meeting.

CLO ASTROFF: What needs to happen today is to have nominations for President of the Union of B. C. Indian Chiefs, for the next two years. Then each of the four regions will nominate, and then tomorrow elect the Vice-Presidents of the Union. With respect to nominations for President, the nominations can come from the floor, and can be made by any member, any delegate. The procedure for that will be nominations, and after nominations are closed, each nominee will be asked whether they accept the nomination, and those people who accept the nomination will run for election tomorrow. With respect to each region electing a Vice-President, there are two ways to do it. I am going to need your feedback on which way is preferable to you. The Regional Vice-President, as you know, is nominated from delegates from that region, only people in that region vote for that Regional Vice-President. One of the things we can do is have people from the regions, go region by region, make nominations for Vice-President, assuming that the person making the nomination is from that region. Or the regions can arrange to meet together individually as a region, and have the nominations then. I don't have any indication which way would work better for the people here, so I'm going to need your help.

CHIEF HOWARD WALE: (Gitanmaax Band)

The process of each district meeting to come up with a nominee to be considered by the Chair.

CLO ASTROFF: Okay, maybe that's what we could do. If we could just have a show of hands if people would prefer getting together in their districts and regions and doing it that way this afternoon. This is just for Vice-Presidents. All those who would like the nominations for Regional Vice-Presidents to come from the floor, could you raise your hands please. It looks like we'll be doing it by regions. We'll have nominations for President now, and then spend some time as a region in different parts of this room, and have nominations for Vice-President. I now open the floor to call for nominations for President of the Union of British Columbia Indian Chiefs.

CHIEF HOWARD WALE: (Gitanmaax Band)

I would like to nominate George Manuel to continue as President of the Union.

Chief Wesley Sam seconds the nomination.

CHIEF RAY HARRIS: (Chemainus Band)

I would like to nominate Chief Dennis Alphonse for President of the Union.

Chief Wilson Bob seconds the nomination.

CHIEF DAVE QUILT: (Stone Band)

I nominate Robert Manuel.

Clayton Charleyboy seconds the nomination.

CLO ASTROFF: Are there any other nominations for President? Could we please have a motion to close the nominations for President?

MOTION # : (Chief Tom Sampson, Councillor Mike Charlie)  
So moves that nominations for President be closed.  
CARRIED.

CLO ASTROFF: I am going to call on the nominees. Firstly, George Manuel, and ask whether he accepts the nomination to run for President.

George Manuel accepts the nomination.

I call on Chief Dennis Alphonse and ask if he'll accept the nomination to run for President.

Chief Dennis Alphonse accepts.

I call on Chief Robert Manuel and ask if he'll accept the nomination to run for President.

Chief Robert Manuel accepts.

The nominees for President of the Union are George Manuel, Chief Dennis Alphonse and Chief Robert Manuel. The election will be tomorrow by way of ballot.

If we could break into groups according to region and have the nominations for the Regional Vice-Presidents. Millie Poplar will be the Electoral Officer for the Southwest Region. I will be the Electoral Officer for the Central Interior Region. Victor Jim will be Electoral Officer for the Northern Region. Rosalee Tizya will be Electoral Officer for the Coastal Region.

(ELECTION RESULTS - REGIONS) as per attached.

STEVEN POINT: I am going to leave the floor open at this particular time for discussion or questions that may be directed in regard to the presentations made this morning. This afternoon is the discussion period that is slotted out in the Agenda for the reports that were given. Are there any questions and discussions that can be directed at those particular items on the Agenda relating to the legal and political strategy, along with the Constitution Express as reported by Chief Wayne Christian?

You are also reminded that you do have a Resolutions Committee, and speaking to the Chairman, Arnold Adolph, he has mentioned that he hasn't received very many resolutions. He is awaiting any resolutions that need to be put forward to the General Assembly. Since there are no questions or discussions, we've had a fairly large and busy day today, we've gone through a tremendous amount in terms of reporting, particularly in regard to the legal strategy, I again encourage you all to go through your packages this evening. We'll meet tomorrow at 9:00 a.m. I hope the Dodgers take it.

ARCHIE POOTLASS: Could I ask Bella Coola people to hold back, we'll have a real quick meeting up here.

D A Y 2:

(Missing on tape is The Opening Prayer by Abel Joe.)

Chairman: Steven Point  
Co-chairman: Elder Wilfred Sylvester  
Philip Paul

STEVEN POINT: Elder Wilfred Sylvester would like to convey his tremendous feeling and gratitude for all the support given yesterday. We will be given the total from yesterday's pledges as soon as possible. If there is any other way to help, the delegates from all different districts and regions would be glad to help in any way they can. The whole point is 'Indian people' and the Indian people paying their own way - no government funds.

The Chairman of the Elections Committee has an announcement to make.

~~CLO ASTROFF~~ <sup>Ostroff</sup> I have a letter addressed to:

THE CHIEFS AND DELEGATES OF THIS ASSEMBLY:  
I have decided to withdraw as candidate for the  
Presidency of the Union of B. C. Indian Chiefs,  
at this 13th Annual General Assembly:  
October 28 - 30, 1981.

Respectfully,  
George Manuel

STEVEN POINT: Before lunch we will call on the delegates for the Presidency. They will have no longer than ten

minutes each, give them a chance before the elections.

The First Nations Report from Chief Dennis Alphonse is in the process of being photocopied.

The next thing would be the introduction of Confidential Federal Documents - in the process of being picked up.

I would like to call on Chief Dennis Alphonse for his presentation for the Presidency.

CHIEF DENNIS ALPHONSE: (Cowichan Band)

Thank you Steven. You caught me by surprise. I was still making my speech when you called me. I'll be prepared to say something in regards to running as President of the Union of B. C. Indian Chiefs.

Fellow Chiefs, delegates, friends, I would first of all like to present my background, my experience to let you know what I have been involved with in the past few years. From there, I can talk a little bit on what I hope to do if you choose me as your President.

I am forty-eight years old, and a father of seven children. My oldest daughter has a degree in teaching, the second has a degree in anthropology, of which I am very proud. My oldest daughter is teaching right at home with an alternate class, with adults who want to upgrade their education. That's part of the things we are doing at home. We have an alternate class, kindergarten, and try to help out our young people who can't seem to fit into the present system.

I've been in Council since I was twenty-one

years old. Out of that, I've been Chief of the Cowichan Band for twelve years, and I would just like to say that I have seen a lot of changes. When I first became a Councillor, I was pretty green and didn't know what it was all about. At that time, the Indian Agent in our area, pretty well controlled the Council. We were pretty well rubber stamped, we did what the Indian Agent wanted at the meetings because he had all the information, we had to listen to him on what he discussed at the Council meetings. It went on for a few years, but we've developed. We've developed so much that we have something like fifty-nine people working for the Cowichan Band full time. We look after our problems; education, housing, social welfare, recreation. At the present time, we have taken over the management of our fisheries in the Cowichan Koksilah River. The Fisheries don't have anything to do. They don't come into our reserves anymore. We're looking after that and managing. These are some of the things we are doing at home. We're hoping to get into some kind of industrial plant that will create more jobs for the band membership. But I would just like to say as Chief of the Cowichan Band, that over the twenty-five years, at the present time, we don't have Indian Affairs interfering with our meetings anymore, unless we invite them. That's the kind of independence we have as Chief and Council. We don't bother with Indian Affairs, we don't really need them, unless we have to get some information. Other work I've done; I've also been Band Manager for the Cowichan Band for three years. After that I became Executive Director of the Friendship Centre in Victoria for four years, and developed programs for the people living off the reserve. Then I went home and started the Valley Native Friendship Centre. I was Executive Director for two years. In my time involved with Friendship Centres, I became President of PACIFIC, which is the Provincial organization of Friendship



Centres in British Columbia. Shortly after that I became President of the National Association of Friendship Centres. That was quite a job because one of the provinces that pulled out, Manitoba, and Ontario, which is one of the biggest provinces, was threatening to pull out when I became President. I worked with these people who had pulled out, to get everybody back together as one force. Another thing that I got involved in was when I became an Alderman of the City of Duncan. That was a good experience for me because I could see the difference of the two governments, and how they operate and work in the communities. At the present time, I am the alternate representative to the Union of B. C. Indian Chiefs for South Island. At the same time, I am Vice-Chairman for the National Council of Chiefs.

I believe that we should have a strong political organization at the national level. In order to support and help the bands, districts and provincial organizations, I really believe that we should pull together at the national level. If you should choose me as your President, I would work at building that national organization, but as well, to continue the fight of our ancestors in regards to aboriginal title and land claims, and all the things we've been working for as the Union of Chiefs since 1969. I was the founder of the Union of Chiefs at that time. I sent out letters to all the Chiefs to try and have on provincial organization, but I needed all the help of organizations in order to pull this through. I had the help of the Federation, the Homemakers, and the North American Brotherhood. That was in Kamloops in 1969. I would hope to continue the objectives that we started out with at that particular time and what has been happening recently in regards to the Constitution. At the same time I feel we should really help and build the bands, the individual bands, districts at the district level, and

strengthen the Union of Chiefs in that way. I think we have a lot to do right now because of the pressures and the government trying to divide us, and almost trying to squash the Union of Chiefs. I think it is because we are a threat to them. That's why it is happening, but I believe because of this suppression, we become stronger as people. We have a struggle to do, and if I should be your President, I would continue that struggle. But in strengthening the Union of Chiefs, I believe that we should have some kind of working relationship with other organizations. I think we should have working relationships when it comes to issues that affect us as Indian people, in general. And I think aboriginal title, land claims, the Constitution, all these affect us, right at the band level. I would just like to say that when the Union was started in 1969, I believe there was something like six different organizations, they couldn't work together. I think that is why the Union was formed. But now we seem to be getting divided again, and I know that the government, and society in general, uses that division to defeat any of our purpose. No matter how good a leadership you have, how noble objectives are, we are going to be defeated, as long as we're divided. That's the reason why I believe we should have some kind of working relationships with other organizations. But I would like, if you choose me, to work with the Council, the staff, on a teamwork basis.

I think we all have to work together and pitch in because of the pressures of the lack of funding and everything. I think that is the only way we can go to pull the Union of Chiefs together, and keep it going. It is going to be a struggle, but I believe that we can make it, with your support. I thank you very much.

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STEVEN POINT: We'll call upon the second candidate, Bob Manuel, please. Archie Pootlass just came up and mentioned that some of the Chiefs, for one reason or another, haven't come through the left entrance where the registration desk is. If you haven't done that, please go and register. Once you register, you just have to check in every day.

CHIEF BOB MANUEL: (Neskainlith Band)

Fellow Chiefs, executive members, Elders, and guests. First of all I would just like to thank the nominators and the seconders for providing me with this opportunity to run for the office of the President of the Union of B. C. Indian Chiefs.

I would like to give a little background as to the kinds of things that I've been involved in and the kind of things that I firmly believe. Five years ago I decided to run for Chief in my band, and have held that position since. The work that I have done there has been based upon the concept that we work towards our aboriginal rights and our Indian Government. And in answering Howard's question yesterday, there is no way that I believe that any of our land is for sale, or that any of our rights are for sale. That's why we are engaged in such a strong constitutional fight today. We are at a very critical time, there is no doubt about it, we really put a lot of pressure on the Federal Government and upon the Prime Minister of Canada. We've taken leadership over the last couple of years in terms of putting pressure on with respect to the Constitution. At the same time, however, it is quite clear that the Federal Government has started to move on many different fronts. They started to move on land claims, strategies, how to divide and split us up, ways and means to break us so they can imple-

ment their policies. We see in the membership section that I have referred to that they have started to move in and try to break up our political rights. In other ways they are moving into our communities to try and split us apart. It is a very tough time that we have before us. I think the key thing is that we are at a threshold of making changes. The Federal Government has a policy, and it has always had that policy of assimilation. It has always had that policy to do away with our Indian Governments, our reserve lands. Their efforts are clear in the Constitution documents that they have put forward. And now we have to block that move.

I would like to talk a little bit about the organization of the Union of B. C. Indian Chiefs. It is becoming more and more clear to me that as our headquarters, our office, our President, our Vice-Presidents, have to push forward and create that defensive front, the offensive front, to push back the Federal Government and their efforts. There is a lot of work at the band level that needs to be done. I think we've got to generate and turn a little bit and put a little bit of effort into the home front. I think we've got to build the institution, and the people movement that we've built over the last two years. We've got a lot of support, a lot of our people are more politicized and part of the movement. Now we have to concentrate in providing that leadership to our people so we can win our victory. We have a long ways to go. I would like to serve as your President. I had a discussion with my father last night, and I am rather glad that he is going to take the time off, he needs it. The difficulty from his operation is very serious. I have worked closely with him over the last couple of years, and I've learned a lot working

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under his direction. I'd like to continue that struggle, to continue the ideals that he pushes for, so that some day we'll have a society, a government, a world that belongs to ourselves, that we build and develop from. We make our own laws, about fishing, hunting, we may have the resources, the timber, fisheries, minerals, that we can build our own institutions, our own kind of education and economic institutions. I've done a lot of work in those areas during the last couple of years as Chief. And I've been quite successful. We have a very low social problem in our community. Wherever there are gatherings, our people are always there. So as your candidate, I want to say finally, I respect Chief Dennis Alphonse very much. I have seen his work, he's done a lot of hard work. I respect him, regardless of what happens. I was told once 'Young man, you are a leader, and regardless of whether you are elected, there is a job that needs to be done, a big job.' I really feel good now, because there is a lot of leaders around. I extend respect to Dennis, and wish him luck in his campaign, and his candidacy for the Presidency. Thank you.

STEVEN POINT: You have heard the candidates. Certainly one thing that hasn't changed over the entire existence of the Union is political rhetoric. I don't imagine it will ever change, certainly a good stimulating part of the organization. I would impress upon all the delegates to consider each candidate seriously and the gravity of the nature of elections of this kind is certainly very hard. I certainly wish both candidates all the luck.

I am wondering if we are prepared, in terms of xeroxing and copying and whatnot, to continue with the Assembly. They are on their way.

One other thing that we have to clear up before the elections this afternoon, and I am not exactly sure on how we should proceed on this particular issue, is the question of the elections of the Regional Vice-Presidents. That was the question as to who is eligible to vote at the convention. According to the Constitution, and it has been clearly identified in the Constitution, it gives two distinctions in terms of members who are eligible to vote:

- (1) a full member - who is a representative of the band, either a Chief or an elected representative chosen for this particular convention. In other words, if a Chief can't come, the band can send a representative in his place to this convention.
- (2) active members - according to the Constitution are Councillors and Chief Councillors, in other words District Representatives.

Under the Constitution it says clearly, in terms of voting procedure for the convention, that all full members and active members can vote. In other words, Chiefs and their Councillors plus the Chiefs Council members are eligible to vote, plus one representative from the B. C. Native Women's Society, and the B. C. Indian Homemaker's Association. This has clearly been identified in the Constitution of our organization, and this is the basis that we shall proceed with the election process. Unless we stand corrected, of course, in terms of motions or resolutions. This is a clarification that was asked for earlier, there was some confusion in regard to this position yesterday. We are clarifying that position. Are there any questions or

comments in regards to that position?

On your Credentials Forms there is a place for full members, in terms of your Chief, or elected representatives, and a place for your alternates and your Councillors, the names of your Councillors. They should be registered, otherwise there is no way of verifying whether or not you are a band representative. Your Credentials Form has to be signed by your Chief Councillors, in the event that the Chief has come without a Credentials Form signed, his District Representative can authorize that he is the Band Councillor and representative. This is the procedure that we followed in the past, that your District Representative can verify your eligibility to vote.

Is there a hearing problem in the back there? Is it me, or is it the acoustics, can everybody hear back there? You should move up to the front, it's pretty warm up here. Any other questions in regard to the membership and qualifications for voting procedure?

ARCHIE POOTLASS: Regarding the active members, does that include all Councillors? Do they have to be registered as the official delegates, or those Councillors who are here, can they vote?

STEVEN POINT: According to the Constitution, active members are allowed to vote, and their names should appear on a Credentials Form, generally in terms of a signature or at least in terms of an alternate. However, the Constitution does not stipulate how many are eligible to vote. It just stipulates that Councillors and Chiefs are allowed to vote. It does not stipulate whether or not they necessarily have to be registered. It only stipulates that they be Councillors,

however in terms of procedure, your names necessarily should appear on your Credentials Form in order for us to be able to validate your ballot. If your name hasn't appeared on the Credentials Form, it should as a Councillor, either in terms of a signature, or in terms of your name being listed there. That's for bureaucratic, technical convenience, otherwise there is no way in terms of dispute for us to be able to tally up the correct number of ballots that we should be having, there is no way we can control the voting procedure.

CHIEF BOB MANUEL: (Neskainlith Band)

Steve, are you saying that Chief and Band Council can vote?

STEVEN POINT: That's what it says in the Constitution. Active and full members are given a vote at the convention.

CHIEF BOB MANUEL: (Neskainlith Band)

According to convention, it always has been one vote per band.

STEVEN POINT: I realize that, however we were faced with this dilemma yesterday, that's why the clarification has come forward. I realize that traditionally, in the conventions I've chaired, that we've always only recognized one vote per band.

CHIEF BOB MANUEL: (Neskainlith Band)

You are pulling some unilateral action there, am I to understand that?

STEVEN POINT: There's been a question about the technicality here, now it can be cleared up by resolution, and this



is why it needs to be cleared up because a lot of people are under the impression that rightly so in the past we have only allowed one member per band to vote. When we checked with the Constitution, apparently it indicates that active and full members are allowed to vote at the convention. Now, unless we stand corrected, and this is why it states here earlier that this is the only procedure that we've got to follow.

CHIEF TOM SAMPSON: (Tsartlip Band)

I would like a ruling on that because it leaves it too wide open. Either we have one vote per band allowing the members of Chiefs Council to vote too, that seems to be clear to me but if it is going to be wide open, all of our Councillors are here, they will have to go and register. I would like a decision on that, a clear cut decision.

STEVEN POINT: One of the reasons that this problem came up was that some Chief Councillors are also sitting on Chiefs Council. The question came up whether or not they were allowed to vote, did they have two votes or did their bands vote whether their bands vote negated, were they in fact allowed to vote? That itself is the problem, so the interpretation necessarily has to come out of the convention before the election procedure takes place. Do we follow the Constitution in regards to allowing Councillors the voting procedure which cannot be changed without extraordinary resolution, or do we follow convention and have only one member per band vote. If we do that, what do we do with the Chief Councillors who happen to be Chief, or vice versa? I don't know if I'm complicating these any more than need be, but this is the issue that was raised yesterday in regards to the Regional

Vice-Presidents. If you would like, I would make a ruling in terms of convention, of our past as far as I know because I happen to be involved with the chairing of the conventions for the last three, or four, or five years. I could make a ruling on exactly who is eligible to vote simply because I am familiar with the procedure that we've had in the past, if that is agreeable with the convention.

CHIEF TOM SAMPSON: (Tsartlip Band)

Yes, Mr. Chairman, I would like to see us follow what we did last year, or the year before, with one vote per band; the District Representatives have one vote, and that we have an alternate to our band, as District Representatives, so that all we have is one extra vote per District. I think it should remain that way until such time as the Constitution clears that up, so I am saying, one vote per band with a District Representative voting also.

STEVEN POINT: The other problem of course is the Regional Vice-Presidents who are still active. In this regard, traditionally as well, since they've been instituted, they've been allowed to carry one vote.

CARL: ( Sam(?) )

I just want to verify this unfairness with all the nominess, that would be fair to all the bands of British Columbia that one representative from each band would be eligible to vote in this election, be more fair to more people. I could have my whole tribe here, and you'd never know who voted. You should be registered in the Assembly and one delegate.

STEVEN POINT: What I require then for this particular election process is the consensus in how we can follow that and so far, we've had two representatives come forward and say this is the way they would like to have it done. I think what I am going to call upon then is a show of hands. Shall we follow tradition in regards to one band, one vote? If you are in favour of one band - one vote, and with the concept of the alternate for the bands or for a member of Chiefs Council, then you can have an alternate for your band sitting in and voting for you.

BASIL ~~EVERS~~:

*Ambers*

I really don't think you could resolve it that way either. If you come from a large band, and you come in here with a whole bunch of Councillors, then you are going to have a whole bunch of hands go up, saying that this is the way you want it to be. I can't really quite agree with what you are trying to do. Originally, as I understand the Constitution, you are allowed one vote, and it was fair to everybody, fair to the small bands, but this way if you are going to allow the big bands to have more than one vote, then you will end up being unfair to the little bands.

STEVEN POINT: We realize that Basil, the only thing that we're stuck with is the Constitution.

BASIL ~~EVERS~~:

*Ambers*

You are still stuck with that, you are not going to resolve it by asking for a show of hands, because it is obvious that there are some bands here that have quite a few of their representatives.

STEVEN POINT: The other misconception that I should clear up is the count of the Councillor as an elected Councillor, not just specifically a band member who may be here at a

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meeting. If he is an elected Councillor duly representing the band as a Band Councillor, then according to the Constitution he is eligible to vote. No band can arbitrarily bring in ten or twelve representatives and say they are all Councillors. This again is falling back on some very fine definitions.

CHIEF RAY HARRIS: (Chemainus Band)

I just wanted it cleared up, I hope they help clear it up. My band met before we came over and the reason for the meeting was the Credentials Form. The Credentials Form is pretty straight forward as far as we're concerned. My Council has authorized me to vote on any issue that's raised at this Assembly, and if I can't vote then an alternate is written into the Credentials Form so that it speaks for itself, one vote per band.

STEVEN POINT: The way we are going to proceed then is that one vote per band according to the Credentials Form will be issued in terms of the ballots. One ballot will be given to Chiefs Council members. Certainly some kind of mandate should be given in regard to altering the Constitution so that it will in fact be congruent with tradition in terms of our own Assembly so that this kind of misunderstanding would not occur. We're going to move up to the next item on the Agenda. I am going to call on Chief Dennis Alphonse to come and deliver his report on the First Nations Assembly.

CHIEF DENNIS ALPHONSE: (Cowichan Band)

I would like to make a report on what has been happening at the national level. Charles Wood of Alberta is our Chairman on the National Council of Chiefs. We have had two national conferences with the Interim Council of Chiefs, carrying the responsibility of planning the annual national

conferences, of development and structure for the National Council of Chiefs. A structure which will incorporate the National Indian Brotherhood as the Secretariat, the basic concept is one representative for every 10,000 in population. It is proposed that British Columbia would have six representatives to the National Council of Chiefs. This proposal should be discussed here at this Assembly. Are we happy with six representatives? If not, what other concept can we propose as Chiefs of British Columbia. The next annual Assembly of the First Nations will be next April in Penticton. As Chiefs, under the Union of B. C. Indian Chiefs, we should have our proposal ready before this date, if we are not happy with the present proposal. The past First National Conference in Quebec City was a very disappointing meeting because of the lack of representation from bands from across country, especially from the west. This is the reason for having the next conference here in British Columbia. I would just like to add that I believe having it in Quebec City was too expensive for a lot of our bands, and as you are well aware most of the concentration of bands is here in British Columbia. That's the reason we are moving it out west and hopefully we'll get good representation next April. Joint meetings and workshops of the Interim Council of Chiefs and the PTOs of the National Indian Brotherhood, and representatives of Elders, these joint meetings have dealt with the proposed national structure, and the patriation of the Canadian Constitution as it pertains to us as Indians. The Canadian Constitution has been the main topic in recent meetings. Because of the stands by many political organizations across the country, it was necessary to try and co-ordinate all these efforts at the national level. There will be a minimum of confusion, or eliminate any duplication of efforts by these groups. Joe Dion has been contracted to be the overall co-ordinator in our efforts in regards to the Canadian Consti-

tution. We have three working under Joe Dion: one for the national effort, one for the international level, and a third for the London lobby. One of the developments by the efforts of Joe Dion and the sub-committee on the Constitution is the proposal of statehood. This has been a really controversial item ~~item~~ to some of our leaders. And I think that statehood means it's an alternate position to sovereignty or complete independence. That's something that should be discussed whether that's a good position or not, and I know it's been discussed at NIB meetings in Saskatchewan. I think a lot of the leaders went against that idea of statehood. I would like, at this time, to thank the Union of B. C. Indian Chiefs, especially Louise Mandel, and the legal staff for their efforts on the legal position on the Canadian Constitution as it pertains to Indian people. The Union was contracted to do this legal position for the National Council of Chiefs and NIB. There has been a lot of work and effort, a lot of detail and research done in this particular effort, that's why I would like to commend Louise Mandel and the legal staff of the Union of Chiefs. As Indian people, we must unite because our aboriginal rights and land claims efforts and our fight with regards to the Constitution. We must do this at the next national conference in Penticton. That's the end of my report, and I would be glad to answer any questions. Thank you.

STEVEN POINT: One of the main points in his report was regards to six representatives for the B. C. contingency, that is one for every 10,000. I think he wants some direction in that regard. Are there any comments or questions?

CHIEF WILSON BOB: (Nanoose Band)

Chief Dennis Alphonse, I was just wondering if, in your discussions in regard to the six representatives for B. C., was there any consideration or discussion given to

other organizations in the Province, and whether they would be eligible for representation? I think this is very important.

CHIEF DENNIS ALPHONSE: (Chemainus Band)

Yes, there have been discussions in regards to having so many political organizations in British Columbia, and I think that is something that we have to work out with these organizations to have a good representation right across the Province. That's the reason why I feel we should discuss it as the Union of B. C. Indian Chiefs, if we are after this proposal, of if there is some other concepts that we can come up with, we should talk it over with the other bands. We should look at it as bands across the Province, try to get equal representation from the north, south, east and west. Besides the six representatives in B. C., I think Ontario is the only one with a higher representation. I think they have seven. The rest of the Provinces have three and four. I believe we have to work this out amongst ourselves in B. C., the equal representation.

CHIEF WILSON BOB: (Nanoose Band)

The only reason why I say it is important is because we can't really pretend to represent all of the people in the Province, therefore even though you do attempt to work it out on the band level, you are still faced with the problem of the other Indian organizations who wish to be represented. Sincere consideration has to be given to them as our representative in this Union, and I hope there is effort to make sure that you have consultation with the organizations. If there is none, then there will be continuing conflict.

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CHIEF ANDY THOMAS: (

I think the numbers were played around with on this proposal but when we go to the Assembly of the First Nations that will be held in Penticton, we're going as individual bands, and I don't think we're going there representing the Union of B. C. Indian Chiefs, but representing our own Indian Governments. It is going to be up to each band in British Columbia to make sure that they get there, and when we get there, we pick the six representatives, or twelve, or thirty-two, or whatever we decide on. We pick them right out of the crowd instead of breaking up into small caucuses and deciding who is going to be representing who. I don't think we should be sucked into anything like dividing up when we get to the meeting because we are all fighting the same battle. It will be up to each band to send their representatives to make sure that they are there to pick out the representatives.

~~\*~~ ~~\*~~ ~~\*~~ CHIEF DENNIS ALPHONSE: (Cowichan Band)

Andy has a point because at the national conferences other bands that don't belong to the Union of B. C. Indian Chiefs are present at those particular meetings. It's not that they are excluded from the national level, but they are there as bands.

Thank you, Mr. Chairman. Just a follow-up on what I'd said and in respect to what Andy has said. At the present time we are all aware that there are loyalties to organizations, and certain Chiefs will hold their loyalty to those organizations. Therefore you still remain to be split and that is a serious concern of mine.



CHIEF BILL ROBERTS: (Campbell River Band)

We have twenty-four (24) points on our demand to be enshrined in the Constitution. I wonder if all people are aware of the twenty-four points. In Article 11, our coastal Indians are relying on commercial fishing, that Article hasn't been properly defined, for the rights of the commercial fishermen. We want to give a proper definition on it because our people have a lot of investment in the fishing fleet. It should be properly done to be enshrined in the Constitution.

CHIEF BOB MANUEL: (Neskainlith Band)

One of the items on the National Council of Chiefs is that there are only two areas that are represented, is that correct? South Island and the Tahltan Nation.

CHIEF DENNIS ALPHONSE: (Cowichan Band)

With the present Interim Council of Chiefs? No, there are some other districts that are represented. How it happened to us at a conference in Ottawa, we broke off into a caucus, the B. C. delegates. Some of us picked people who will sit on the Interim Council of Chiefs, and other districts didn't. That's how it started. We could have been better organized in regards to representation. There are some districts that aren't represented, it just developed that way.

CHIEF BOB MANUEL: (Neskainlith Band)

I would just like to make a comment. It is really important for the Districts or Tribal Councils to consider putting representatives in place because one of the things that is going to happen in terms of the legal case, is that if we are successful in the legal case, nationally, we have to have a system of giving consent or not giving consent. Right now we don't have a system. We've got to create that insti-

tution so that consent can take place. The only body that I can see is the Assembly of the First Nations as a whole collective of all Chiefs from all bands, but throughout the two years that this whole process has been going along, each Tribal Council has not put their representative forward so they don't know what is happening, and it make it difficult to work on the Constitution. The Council of Chiefs is working hard now at trying to get the Constitution together. As the Union of Chiefs, I've been functioning as the national executive to the National Indian Brotherhood. Now that's completely a different body, a body that is suppose to disappear, and the Chiefs Assembly is suppose to take over. We've stayed right out of the whole thing and I've not gotten into any position of saying who is represented and who is not represented. I think that onus for selecting representatives and making sure that you are part of this National Chiefs Assembly rests with the bands and the Tribal Council, or the District Council. It doesn't rest with the Union of B. C. Indian Chiefs because of the problem that we talked about. Some areas are not represented in there. That's the work that you need to do and it fits right into the constitutional work that we're doing. We have to have a body of some kind, a governing system that can make sure that our consent is achieved before any kind of changes are made in the Constitution. That's very important, and the other part of it is too. At some point of time we are going to have to develop a national governing body that functions as a protectorate of all our rights, and so on both sides for domestic affairs and for international affairs. It's really required that we set up the national body that regulates and represents properly. There has been a lot of complaints about the National Indian Brotherhood. I've been party to those complaints, the only way we're going to solve that problem is for us to make

sure that we have our representatives and we take an interest in it so that the body gets set up the way we want it set up.

CHIEF DENNIS ALPHONSE: (Cowichan Band

We've been just adding to what Bob is saying. One of the things I forgot to mention was that the National Indian Brotherhood seems to be running into financial difficulties right now because they are deficit financing and there was a letter sent out to the Interim Council of Chiefs that there is no more funding for any joint meetings. It is up to the individuals or the bands to fund the Interim Council of Chiefs to any meetings. At the last couple of meetings, this is what they stated. I know a lot of bands or districts don't have that kind of finances to keep sending people back east so it is really shaky right now that there is no financial backing for the Interim Council of Chiefs. I really feel that we have to get this structure set at the next Conference. We can't carry on as an Interim Council of Chiefs for another term.

CHIEF TOM SAMPSON: (Tsartlip Band)

The reason we took the position that we had to be represented at the national level in South Island was that because we are always involved in something at home, whether it is at the district or the provincial level. It is important that the districts in British Columbia appoint, or elect people to those positions. I can't see South Island giving up its position, or its seats, to six representatives in British Columbia. I would almost have to go against that concept because that means that the people that we have representing us now would have to be taken off. I would urge the delegates, the districts here, to elect or appoint someone to those seats at the national level. We worked hard at

it in South Island. It cost us money to send people, and I can't see us giving it up now. I hope the other delegates from other districts in British Columbia do the same. Once you get involved at the national level, and people become conversant at that level, it makes our work more easier. It makes being a Chief or a District Representative a lot easier when you have other people working in your district to cover up places you can't be at. We can't be everywhere all the time, we have to start delegating people to represent us. I really urge the other districts to do the same thing because if you don't do that, you're not going to know what is going on. That's why we did that, so we could have proper representation and fully understand the agendas as they come out at the national level. There are a lot of problems at this level, and unless we have people representing us, it becomes difficult to take part in meetings, and I sure can't see going on with the idea that there will be only six people representing British Columbia. I think we have to retain, and find a way of maintaining the people that we put into position whether they are elected or appointed, but I really can't agree with six people representing us in British Columbia.

CHIEF DENNIS ALPHONSE: (Cowichan Band)

What you are saying, Tom, is that each district should have a representative at the national level?

CHIEF TOM SAMPSON: (Tsartlip Band)

Yes.

STEVEN POINT: What we have to go through at this convention, Tom, is some kind of mandate for the representation, be it one representative from each district, or six. There needs

to be some kind of resolution or something put forward, either to the Resolutions Committee so that it can be clarified. It's certainly going to be contentious this year if you go to the convention without that clarified, it's going to be just ambiguous at that time, as it is now. In other words what I am saying is that it might be recommended that it be put into a resolution form so that it could be brought forward for policy.

GEORGE MANUEL: (President)

You are talking about an issue that should have been discussed two or three years ago. You are at the eleventh hour to be discussing, organizationally, what needs to be done. I just want to mention my own experience in relation to what's happening in other parts of the world. For instance, on March 21, 1980, the Prime Minister of Canada, the Forestry representatives of British Columbia, all big companies of British Columbia, had made representation to the Chilean Government in relation to what it needed in terms of forestry. A lot of the lands in Chile belonged to Indian people, and as a result of that action, the Chilean Government proclaimed a bill in which it terminated the Mapuchi Indians and the Canadian Government is aware of what's happening in Chile. It's aware of what's happening in other countries, and that's what you are really faced with. So the termination that we're being threatened with at this Conference, and to all the Indians of British Columbia and across Canada, has already taken place in 1980 as far as the Mapuchi Indians of Chile. Their reserves were dissolved, their rights were dissolved through the Parliament of Chile. That is the pattern that is taking place in other parts of the world, but specifically it's related to Chile and Canada. As far as the Indian people of British Columbia are concerned, you are still dis-

cussing the issue of organizational representation right at the eleventh hour. Yesterday, we got \$12,000.00 collection from this Conference, and before yesterday we didn't have any money to represent British Columbia legally. You have to remember that we have two processes in the Canadian system as well but the Indians are not involved in this process at all. We're excluded totally from this whole process. We're not even represented in anything, and that is the principle reason why we're trying to get a legal action going in the Chancery in Great Britain. The second thing that we have to remember is another legal mechanism that we can use in England and that is the Privy Council. For the first time we have some bucks to begin proceeding because the real problem that we're faced with right now is not the organizational problem that you are trying to identify, that's an old story. The real issue is right now, today. Tomorrow our lawyer is having a meeting with the Alberta lawyers to try and resolve the problem that is happening in Alberta among the Indian people. The Alberta people have their share of the money already in England, but their big problem is the internal problem of how they will spend that money in England. We don't want to get caught in that situation because we have to proceed with that legal action. And so in discussing with the lawyers, Rodick and Mandel, how to resolve this problem by this afternoon, I've instructed Louise Mandel to proceed with the case. The Union has the mandate to proceed with it and we can't alter the General Assembly mandate which was given to this organization last October 1980. Louise will be going to Alberta, and hopefully they will have resolved their political problems, and will be with us. In any case, if they can't resolve their problems, we've got to proceed with the legal case in Great Britain by next week. This is what I think needs to be discussed. We have done a lot of organizing as some of the delegates discussed yesterday. We

have to organize ourselves within the framework of the legal action that we're pursuing both in the Chancery, and the Privy Council. We've approached the Russell Tribunal, and the Scottish people of Great Britain are prepared to co-operate with us to develop courts to help the Indian people in Scotland, because the Scottish people have been discriminated against by the English in the very way that the Indians are discriminated against here in British Columbia. That's what we should be talking about, the political process is another issue. We're talking about Chancery, Privy Council, Russell Tribunal, Scotland is prepared to set up a court in Scotland, and there's the British MPs, the Lords, the Irish MPs, the Republic of Ireland. That's what we've already got organized, so you are way behind, when you are talking about development, developing a legal process or a political process because nobody cared about it up to now. Trudeau is going to patriate the Constitution while you are still talking about it here at this Conference. Now as far as the politics is concerned, we have already selected the person who is going to handle the legal side with the lawyers, and we've selected the person who will handle the political side of it. The lobbying throughout Europe, the mechanism and the operation has already been put in place. I mentioned to you yesterday that we have sent our organizer last spring, who has been working all summer. Just one month ago, we sent a bunch of our own women who have been lobbying in every country in Europe. It's a strong lobby. Sixteen people are already working. There has been much success already in Europe. We are going to get a lot of co-operation. Wayne Christian should have talked about this. We have people from France that are prepared to co-operate with us, there's people from Austria, Holland, Germany, Denmark, Switzerland, Italy, Sweden, all these other countries.

are prepared to support us. These are the things we should be talking about at this Conference, to move ahead. As a matter of fact, all we need is action and the action is already here. On November 1, our people are travelling to all these countries I just described. We're going to proceed with the legal action in Great Britain. We haven't decided exactly what our timing is going to be because timing in politics is important. It's important that the court proceed two or three days after the Constitution Express arrives in England. The Constitution Express will have travelled all the countries which I described, and the momentum of publicity should be overwhelming because we're going to get a lot of immediate support from all these countries. I think we're going to have our people, three to five hundred, travelling with us. This is all arranged and organized. What we really need at this time is to proceed. Now I'm describing the strategy, I shouldn't be but this is the plan. There is a hell of a lot of work that has been done throughout British Columbia, on the many reserves, who are concerned about the Constitution.

CHIEF MIKE LEECH: (Lillooet Band)

I could very well understand what George has been saying. I wasn't here yesterday, but before I get into discussing the national organization, at this time I would like to commend the Chiefs of the Lillooet area for contributing \$5,000.00. That was good news to me when I heard it in Lillooet. Even though it says in the paper that the Lillooet Indian Band contributed \$5,000.00, it is actually the Lillooet District Indian Council. This District Council is made up of seven bands. It's good to get the news that it was the band. Just to clarify that, I would like at this time to make a contribution from the Lillooet Indian Band,

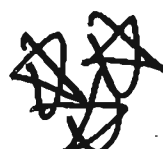


from our own dollars, not government dollars, our hard earned dollars, \$2,000.00 from the Lillooet Indian Band, towards the Constitution Express. At this time, I would like to back up what George is talking about, as far as the national conferences are concerned. There isn't that much participation really from people. I think we are talking about six or ten representatives. In time it will grow. Right now I think we should just leave it in the hands of the people, and see what happens down the road, and discuss this further at another time. When we do go to these national conferences I represent the Lillooet Band, and the rest of the Chiefs represent their bands. In time I think there will be a system but the immediate concern is the Constitution Express. I would just like to make it clear that we did pass a motion and that it was myself that moved it: 'whereas the Constitution Express clearly indicated that the membership wants the leadership to oppose the patriation of the Constitution, whereas the Constitution Express Potlatch held in Kamloops, B. C., March 27 - 29, 1981, also clearly re-instated that position, therefore be it resolved that the Union of B. C. Indian Chiefs continue to pursue the objectives outlined in the resolutions unanimously passed at the General Assembly of 1980', stating the Union of B. C. Indian Chiefs use whatever political and legal means necessary to stop the patriation of the Constitution as proposed by the Federal Government. I think that's what we are here for and I think we should carry on with it. Thank you.

GEORGE HARRIS: (Chemainus Band)

I just wanted to respond a little bit to what our President George Manuel has said. I don't know how anybody else felt but I felt I was getting a lecture. I was hearing a report that I think as a supporting member of the

Union of Chiefs, I should have gotten before today. I really respect George, I voted for him in the last election, the last time I voted for a President. The issue of money that was raised yesterday, to me was a new issue. That was the first time I heard it. I don't know, I am not a lazy Chief, I know what's going on politically. I attend all the meetings in South Island, but that, I depend on our leaders to do the job for us. That's the way most Indian people are, we're pretty content people, but there's an issue now, the Constitution woke up a whole bunch of people, and those people that woke up earlier, got a head start. And I think it's up to those guys to bring the rest along. I think that the issue was being discussed about representation in B. C. and it is going to be an issue, as far as I'm concerned anyway. It is going to be a job for the new Executive that we're going to choose today to try and work with the other organizations to ensure that B. C. is well represented in this national organization. I agree with George that the work is already started, representation is just a matter of homework, nothing is going to stop, the Constitution Express is going, the court battles are going. They are not going to stop because we don't have proper representation nationally, and that's just a matter of homework, I think we should get on to the rest of the business.



CHIEF WAYNE CHRISTIAN: (Spallumcheen Band)

Mr. Chairman, I've had a hard time with this Assembly, with the discussions that have been taking place, I think I've sat back too long. One of the reasons that my mind is not here is that we just had a death quite recently in our community of a young man. He was only fourteen years old, and they buried him today at 10:00 a.m.

Usually I'm at the graveside to speak on behalf of the family and that young man, whoever goes into the Spirit world, but I wasn't, I am here. I guess my mind's been with the family in my community, but now I think I woke up after listening to George. I don't view him as lecturing us, I view it as advice, he's an Elder.

I have a hard time with the National Council of Chiefs, with the National Indian Brotherhood, even with this organization. A few years ago, the governments were too quick to fund it, to feed money into it, to make it grow and develop into what they wanted to see. They took away from us that ability to contribute to the work that had to be done. There are old people here who remember when they used to gather monies at different meetings to send delegates to Ottawa, even into London, back in the 1800's and the 1920's. We did that on our own, and we're doing that once more with the Constitution Express. I really believe that no matter what happens, things have to change. We're talking about changing an attitude of a people that have been oppressed, and put down for so long. They like to ride along with the Government and say that's fine, we'll go along with the Government. We present paper after paper to the Government saying this is what we want, this is what we need to survive. And what happens in our communities? I believe right now the indicator is a high number of suicides taking place among our young men and young women. That's how bad things are in our communities. And we sit here and talk about organizations. Sure they are good, you talk about the bureaucratic things we have to take care of, and the administration of programs. What are those programs doing for our people? Everything we ever presented to the Government, they hand us dollars to develop programs, to hire people to do things.

We should be doing without money. The Constitution Express, the Indian Child Caravan was an expression of the people's will to survive. We did it on our own. There was a lot of hard work. People came out of the woodwork, they were never involved before in terms of the politics, in terms of their own lives of becoming involved. When we were at Bella Coola for the Potlatch, the first one they held in that community for sixty-five years, I admired the courage of the Hereditary Chief, and what he did when he pulled that survey pin, he's exercising his sovereign right to his land that we always talk about. That is the kind of things we have to tell in Europe, what we're talking about is the title of our land. We shouldn't be talking about programs, about organizations, we should carry forward the work of our forefathers and our ancestors in the declarations they made for the number of years behind us. That's what we have to take internationally, and I tell you those governments in Europe are serious about meeting with us. I just received word this morning that Willie Brant of Germany is prepared to meet with us and discuss these issues. That's a pretty high profile person. So what good is this National Council of Chiefs, the Union of B. C. Indian Chiefs, the National Indian Brotherhood, going to do for us, if they implement legislation, they'll take away our reserves, like they did in Chile, as I understand that the Prime Minister was involved in that process. What are we going to do, what are these organizations going to do for us? Develop a program to recover our land? So I tell you, it is a real hard struggle. Of all the good works and all the words that have been spoken over the last thirteen years since this organization was developed or implemented, the problems wouldn't exist in the communities that exist now. We had the ability to act, and not talk, our people would be strong, our young wouldn't have to feel so neglected because we don't look after them, we make

them feel neglected because we don't listen to them. If all those words were put into action, there wouldn't be no need to talk about organizations to get together to fight for rights because our people would be emphasizing those rights in the communities, they would know why they are exercising them. So I believe that it's important that those types of things start happening in the communities because I know the Government is going to come down hard on us. They have already. Just an instance that I'll give you. I went to a Potlatch in Gilford Island, and the RCMP were harrassing those boats that were taking people over there. They fined a couple of the men on those skippers, something like \$2,000.00 for having no lifejackets. If you remember back when they outlawed the Potlatch, they did the same type of activities, they are beginning again. We have to think about those kind of things because I know what's going to happen. They talk of equality in the Constitution. They're going to make us Canadian, they are going to make us conform to their system, they're going to say we don't need any lands, you buy it like everybody else does. Those are the kinds of things we should be discussing and talking about. Like I said yesterday, whether we can stop the patriation or not, we've got to think seriously about developing a real movement of the people, not just isolate the leadership and say 'that's the man that's responsible.' The people have to become involved because that is our strength. I've seen those young people at the Potlatches and gatherings we held throughout the Province become excited about being Indian, being able to sing a song, the Constitution song. Maybe they don't have that in their communities but at least they can understand that they are going to contribute. That's important to them. So we have to seriously think about that. Like our trip across the waters is going to be difficult. It's going to be tiring, but our work is really going to begin

when we come back here and the Government starts becoming heavy-handed with us. There's no organization in the world that can stop that, it's going to have to happen in the communities and you're going to have to develop your people to be strong people in the communities. The Union of B. C. Indian Chiefs, the National Council of Chiefs, are not going to help you people, you're going to have to help your own people as Chiefs, and as people of your community. That's what's important. All the organizations in the world, with their programs, the Government with their programs, are not going to stop the high alcoholism rate, they are not going to stop the high suicide rate in our communities. It's when you start giving those people some self-respect and self-confidence, and feeling that being Indian is someone to be proud, and that they have rights that should be protected and fought for, that's when you are going to stop those problems in your community. Thank you.

GEORGE MANUEL: (President)

Just for information, in 1980, I ~~was~~ commissioned to go to Chile, that's how I know. I was commissioned by the Inter-Church of Canada and the United States to combat racism. On that basis, I was invited as one of the international commissioners that went to Chile. I had the opportunity as a commissioner to meet with the Indians, the Mapuche Indians of Chile. The poverty there is unbelievable. There are a lot of people that are still poor in British Columbia and Canada, but in Chile it is worse. In spite of that, the message that I was getting was their reserves had been taken away. Chile also has reserve systems. They lost their reserves. There is no such thing as Indians, all the Indians are Chileans. All the reserves have been eliminated as reserves, they have to pay taxes on them. That's what we're faced with. I did two reports in Chile as a Commissioner from the United States and Canada. One report was

done by the Inter-Church organizations. So the report was done by all of us. It is in the form of a book, and it's distributed throughout Canada. I don't know if any of you have seen it. I also wrote a report about the Mapuche situation and how the Indians in Chile are facing the same kind of genocide as the Indians of Canada. And I was telling the Indians of Chile that we're faced with the same kind of assimilation problems in Canada.

CHIEF WILSON BOB: (Nanoose Band)

First of all, again I would like to thank George Manuel for the work he's done for us in the past and the work I'm sure he'll continue to do for us in the future. I would also like to give my respects to Wayne for his efforts, and what I do now have to say is that in spite of all their efforts, we still have to settle our issues in the Province of British Columbia in regard to our Indian people and our organization. We still have to work with these people. They are people who have mandates within their own organizations. We sit here as the Union of B. C. Indian Chiefs supporting our mandate, and presently our mandate is to send a group to England in regards to the Constitution. I wholeheartedly support it, otherwise I may not have given my \$20.00 contribution towards this effort. But the whole thing still remains, we are faced with other people in this Province who have mandates. And it means that our future leader, our President and Executive, and the Union of Chiefs, have to be prepared to work and open the doors to the other organizations. Regardless of how you put it, that problem is there. It's like building a nice home, for all of us to be enthusiastic, to go out there and build that home on sand, but when you are going to live in it, the rain will wash it up, you will have no foundation. That's what the example can be if you don't

pull together in the Province of British Columbia. All of this can collapse under you, so we have to open our doors and work with all of the people to really secure our efforts here. With that I would just like to say I stand by what I say and really support our efforts in regards to the Constitution Express, but it still remains that we have a problem here at home.

CHIEF TOM SAMPSON: (Tsartlip Band)

I guess George put us on track again. Our concern, as put by our lawyers yesterday, that we have to raise more money, to ensure that the other battle that we launch after the first one is ensured by the people of British Columbia. I can't see us going part ways in this matter, we have to go all the way now. That's why we, in South Island, have been sending representatives to the various meetings, to make sure that other people don't interfere with what's going on in British Columbia. We want to make sure that people don't interfere on the position we took at the First National Chiefs Conference in Ottawa. And that position that we took was that we would not allow the Government of Canada to patriate the Constitution with things that we did not agree with. That was the position we took two years ago, and that's still the position we're taking today, it hasn't changed. The only problem we have is that other people, like Wilson pointed out, have other mandates. There are people in this Province of British Columbia that prepared documents signed, have talked to the Prime Minister's office, and they agree with the Indian Government Bill that is going to be implemented on us pretty soon. In our area we send other people to represent us so that we don't get left behind in our work, and that we see what is happening. I have a motion here, Mr. Chairman, if I am permitted.



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MOTION # : (Chief Tom Sampson, Wesley Sam)

I move that the Union of B. C. Indian Chiefs, the new Executive, as of this afternoon, after the elections, be immediately mandated to set up a trust fund that will cover the costs of the court in Britain.

CARRIED.

STEVEN POINT: It was duly moved and seconded that the new Executive be mandated to set up a trust fund specifically to raise the \$250,000.00 to cover the court costs, the second phase in terms of the Constitution.

CHIEF TOM SAMPSON: (Tsartlip Band)

If I may elaborate on that now for a minute. The reason for this, my fellow Chiefs and Delegates, it is not very much money that we're asking for, I think it comes to maybe about \$4.00, \$5.00, or \$10.00 at the most for each person that belongs to this organization, or anybody else who wishes to join us. It won't cost more than \$10.00 each, it's not very much money in terms of what we are fighting, so if the people of British Columbia and the new Executive immediately set up this trust fund and get the information to the villages so that we can start putting our money where our mouth is. I think that it is important that we do that.

CHIEF DENNIS ALPHONSE: (Cowichan Band)

I would just like to respond to the previous statements made by George and Wayne, and the others. I respect their views but I was asked by this Assembly to make a report and that's the reason why we're talking about the national structure, and I would like to say that it's fine to say that we can go on as individual bands but, if it wasn't for the Union

of B. C. Indian Chiefs, you wouldn't have this forum to unite for any one cause. Individual bands are just like threats, if you put those threats together, it becomes a rope and gets strength and I think that's what we have to do with our particular cause. If we don't have that strength and unity, we're going to be knocked off one by one and we won't have any more reserves. That's why I feel we should have a national structure. It's been frustrating for me to be on the Interim Council of Chiefs for two conventions. I've got a full-time job as Chief at the band level, and I've sacrificed that to devote my time to try and unite us on a national level. That is the reason I am working on this and I hope that it will become a reality as of next April. That's my response to the criticism about the National Council of Chiefs.

GEORGE MANUEL: (President)

It's not a criticism, it's just that we want to move with the action that has to be done. The suggestion that Tom Sampson has is very encouraging. There is work to be done, and from the names yesterday, there were some pretty good heavy donators which we acknowledged. We also acknowledge everybody that donated to this conference. People who feel that they still have other donations they want to make, we are having a Telethon starting noon on Saturday until 7:00 p.m., appealing to the public to donate funds for this purpose. Rosalee, I would like you to get some of the people organized and take the names, addresses and telephone numbers of everybody in this conference who are prepared to make donations. They may not have money at this conference, but they can send this donation, maybe pledges as a result of this resolution that Tom Sampson introduced. I would like that more clear so we can proceed with that resolution. That is a very important one. Thank you.

STEVEN POINT: Just a point of information, the Telethon is going to be broadcast over CFRO - FM, dial 102.7.

CHIEF BILL ROBERTS: (Campbell River) .

When I came to this conference, I wasn't aware of the money that was going to be discussed. Let's do it in a proper manner. Let's make it in budget form so we know where the money is going, how much we require to put in. No doubt the people in B. C. will all want to do the same thing. Perhaps we could make an assessment for the people. That is the proper way to do it. There are over 50,000 Indians in B. C. We have been talking about Alberta and all the money that they have, over five million dollars in trust funds. With the 19% interest they get on this money, they are not giving very much to us. It's all interest money they are giving us. If we go short maybe we could borrow money from them, to make that money available right away. I realize what George has said is not news to me, I know what has been going on. How many of us in this room know what has been going on? I don't think there is very much understanding on the trip to England. The other bands that have been approached, as the recent speaker has emphasized, we have to involve the other people. The other people are well-conducted, they listen to reason. I am glad we have brought this money matter up. This is the only way we could fight now, the words of our lawyers is all that is going to help us. Let's make a budget, see what we're going to spend, so we are able to put our hands in our pocket and do our share. I am willing to do my share, and so are my people. This is the fairest way to do it.

Now I'll come to the Constitution Express. The Minister of Indian Affairs went to Kamloops recently, invited by the Kamloops Regional District Council. In Munro's

Press Statement, he said that our people are only wasting their time going to Europe, that we didn't have to go. They said that our rights are already covered in the Constitution on the Bill of Rights. After the Press Statement, I didn't see no feedback from us, criticizing Munro for what he said. It is time we do that. It is important for us to go to England to fight with the commitment that has been made. I am very happy with what has been done. Perhaps later on we make a vote of confidence from the people that have been working hard, to show that we agree on what has been done. I would like to make a motion this afternoon in that regard, a vote of confidence for George and company, who have been doing very well to defend our rights.

STEVEN POINT: Are you make a motion Bill, for a vote of confidence this afternoon?

MOTION # : (Chief Tom Sampson, Andy Thomas)

I move to accept Chief Dennis Alphonses' report on the terms of the national committee.

CARRIED.

STEVEN POINT: I am going to call lunch break, it is 12:30 p.m. I would like to reconvene at 1:30 p.m., rather than 1:00 p.m. because of the fact that we have not heard either report this morning, and that is the introduction of Bob Manuel's report on Confidential Federal Documents.

There is going to be a special table set up for all the Elders. Could all the Chiefs of Fraser East District please meet for a few minutes during lunch hour, with Bill Williams. The North East Region would like to have a meeting as well, on the elections.

ELDER WILFRED SYLVESTER: Afternoon Prayer.

CHIEF TOM SAMPSON: (Tsartlip Band)

My dear friends, my relatives, our grandfather is talking to us today. He is talking because of the way we spoke this morning. He is asking us to be of one mind, to have a strong mind. He is asking us not to use hard and sharp words with each other because he says we will have to leave this building sometime, and when we leave we must leave here at peace with one another. He's cautioning us that we must be of one mind, and we must be united in this struggle, in this fight for the betterment of our children, and those children to come. He is asking us to join hands in this struggle, to stand together united and hold each other up, not pushing. He's asking us to be very careful with each other because it is important that we support and look after each other. He became concerned about this because of the way we started our deliberations just before we broke for lunch. He felt it was necessary to once again talk to us. Our grandfather who speaks at our Tribal Council meetings, always sits with us to give us guidance when we 'young people' as he calls us, because we have the tendency sometimes to walk too fast and we forget the people who are behind us. He has asked us many times to slow down, to make sure that what we are going to do in the future is right for our children. Our grandfather has asked us today to do this so that when we leave this meeting, and when we are finished talking our deliberations with one another, because he says this is a very big and important meeting for us. And he wants the people, all of us who are representing our villages, to be of one mind, to be strong, and to make sure that we hold hands and support each other as we walk this journey and struggle for our rights. This is the message our grandfather left us.

STEVEN POINT: I have one pleasant duty to perform before I turn the Chair over this afternoon to Philip Paul. I have been asked to request Mr. Robert Andy to come forward please.

MR. ROBERT ANDY: Thank you Steven. I want to thank Elder Wilfred for those words that he has laid down for us. I am a Councillor in my reserve. I've been sitting back there listening for the past day and a half. I am impressed by some of the things that have been said, but some of the things that I hear also makes me sad. I think our Elder said it really well. I think our teachings tell us, and our teachers are our Elders. I heard that mentioned by a young man here, Chief Wayne Christian. We have to respect the word of the Elder because he has lived through this whole crisis. He has lived many years fighting for those same things we are talking about today. I can remember my grandfather talking about the same things, and he was 105 years old when he died. It really makes me sad that we are still talking about it today. The most impressive thing that I've seen today was the willingness to contribute to a cause that we all share. Our Elder said that we must work in harmony, the very thing that the Creator put us on earth for. He always told us to work in harmony with everything that has been laid down here for us. He also said be careful in your deliberations, I'll use that word, when you make that step be sure it is the right one. Be careful when you make that step because if you are going to fall, maybe we wouldn't get up anymore. What I see today is one of the very critical steps that we have to take. Let us take that step together like our Elder says. Wherever I've gone, we've held hands to make that unity, in a circle, to make us strong as Indian people. I have heard many times that we are strong because we are Indian people. There are a lot of faces here that I do not know, but they are my brothers and sisters.

We must act as brothers and sisters, and my word to you today is 'let's walk together as Indian people. Let us win this victory as Indian people, and win it together'. Thank you.

STEVEN POINT: I want to thank Sam, Tom and Wilfred for the words of wisdom that have come forward. It certainly is their job, their prerogative, their right, to make sure that things are carried on in a respectful manner, in a way congruent to our cultural past. Another aspect of any Indian gathering is the food that was put out everyday, the meal that you have been eating every day is contributed by the Bella Coola people. Their Elder is 76 years old. Last week was his birthday, and he's been conducting the efforts in the kitchen. I have a list here of almost thirty people who have been contributing their time and their food to the Assembly in order to send some of the people they have to England. They brought the food, prepared it, they are volunteering their time as their part in terms of the Constitution fight. I want you to recognize the efforts of these people, show them your gratitude.

Robert Andy, Sr., Rose Ann Andy, Billy Andy, Val Mack, Vicky Siwallas, Peter Siwallas, Keith Pootlass, Genny Andy, Alias Andy, Noel Pootlass, Celina Mack, Beatrice Schooner, Ray Edgar, Jemima Schooner, Alice Webber, Mary Snow, Warren Snow.

There are so many names. Anyone that has worked in the kitchen, could we show them our appreciation please.

Just two announcements, a band has come forward with a pledge of \$1,000.00. I was just informed that the Hope Band has brought in their cheque for \$1,000.00 that they pledged yesterday. I am not going to be here with you

this afternoon. I hope that I can be here with you tomorrow morning. I have to turn the Chair over to Philip Paul.

PHILIP PAUL: (South Island)

Elder Wilfred wants Steve to stay, if we get a round of applause for Steve, he'll stay.

CHIEF VICTOR ADOLPH: (Fountain Band)

First, I wish you all to admire the fact that we are still all together. I only come by when it is necessary, I stay at home mostly. I am a fighter, not a quitter. I know that George is a long time fighter for the cause. We should respect what he has done, and what he will do. It is a hard line fight with the bureaucracy. Once in a while you have to sit back and look at the whole situation, I think our Elder here will tell you. He sits back and sees where our youth are going. We must carry on, and where is the courage going to come from, but from our youth. In the Assembly today, you see much youth. We will carry on.

PHILIP PAUL: (Chairman)

Thank you, Chief Victor Adolph. Before we get underway, I would just like to take the opportunity to thank our big Chief here on my left for finally joining us. We've been sending him signals for the last day and a half. Chief Richard Malloway is no stranger to our Indian efforts. I was just telling Elder Wilfred he was an old man already when I first got involved, and he's still hanging in there and looking very well. I would just like to introduce to you one of our Chiefs and Elder, Chief Richard Malloway.


What I would like to do is get on with the Agenda as it is laid out, unless I am instructed otherwise. The next last item on the Agenda before the elections is the



introduction of Confidential Federal Documents by the Cariboo Tribal Council. Chief Bob Manuel. And immediately following that, we will get into the elections, and then into the Workshops. I know that everyone is waiting to get to this point. I don't think we should set it off any longer.

CHIEF BOB MANUEL: (Neskainlith Band)

What's being distributed now are a number of different documents that have been secured by different means. The object of having these documents circulated is to reveal in a total sense how the Federal Government is making moves on attempting to extinguish our lands and our rights as Indian people. One of the documents relates to briefing material on the Constitution and that's a Cabinet document that was prepared by bureaucrats expressing their concern about the Indian movement, having an effect on the international arena. In reading that document, you will note that the Federal Government is primarily concerned about its image, world image, as opposed to the kind of things that the issues bring forward. They are concerned about our people in the international arena bringing up the economic situation, education, bringing up such matters as unemployment, and the number of our people that are in penal institutions. It is obvious that they have a concern from that, the Constitutional fight that we are engaged in. They are trying to abate, in any way possible, and they are analyzing what our moves might be and how to counter those moves. In that document they are talking about and giving advice to the Prime Minister on the kind of actions that they'd take to neutralize our international work.



Another document is 'Natives and the Constitution', which is an analysis of all the different positions. Somebody in the Federal Government has analyzed all

the different constitutional positions, aboriginal rights positions, and claims positions of every organization across Canada. Sometimes we think that the Federal Government does not have a clear idea of what it is we're asking for, but in that document, when I reviewed it, it seems like they have a better understanding of what we're after than a lot of us. I know I've been doing a lot of writing and trying to put into perspective what I see for the future. A lot of leaders have been doing that. But that documents spells it out more clearly than any that I have been able to do. So there's no excuse on the Federal Government's side in understanding what we are saying in terms of our rights. They spell it out clearly. They understand that we want land and resources, they know we want resources based on the amount of taxation and royalties and things like that. They know that we want our Indian Governments enhanced. It is very clear, they understand that. The other part of it is for your eyes only. It is a Cabinet Document that one analyzes how the Federal Government is looking at the Provincial Government and their arguments and how they are going to counter the Provincial Governments. It's all a strategy, they are analyzing what moves the Provincial Government is going to make, and how they are going to counter those moves. If they do this, or do that, how are we going to neutralize that movement, how are we going to outmanoeuvre them. When I first started saying these things, I was really amazed, and started to realize all the backroom work that is done by bureaucrats to try and outmanoeuvre other bodies.

Then there is another document related to fisheries. They are analyzing the bylaws, and the power of the bylaws that are made by bands. And interestingly enough when you look at the one on the bylaws, it is very clear that

they have concluded that band bylaws superceded Provincial law and even Federal law. What they are trying to do is discuss an effort to try and make encompassing legislation to neutralize the fishing bylaws that are in existence and any other future one that may come into being.

Another one is a secret document on Membership, amendments to the Indian Act in relation to Membership. There's a large area in that document that could be discussed and debated. But there are two basic ones which are of particular concern, one more so than the other one. One is in relation to residency rights. In the document, the status and non-status question has been a very emotional kind of discussion that has gone on over the years, and a lot of pressures that have been applied. Finally the pressures got applied right to the Human Rights Commission of the United Nations and their ruling was that the Act is discriminatory. It is a very emotional issue but it seems that the Department of Indian Affairs is using it to promote their own political interests and their own goals invisioned for Indian people. In the residency section there needs to be analyzing done to determine whether what they are talking about in that document, first of all, is re-instating all those women that have lost their status as a result of marriage. That's what they are talking about, and proposing legislation that would make it so that no Indian person would ever lose their status in the future, and also that non-Indians would never gain status as a result of marriage. However, the non-Indian spouse would gain both residency rights and political rights. Now the framework of what those residency rights means is something that has to be analyzed and determined. But in terms of political rights, that's a particular area of concern because in politics, I had always assumed that status encomapassed within political rights. Now we're finding that the Federal Govern-

ment is removing the political rights part out of it, and separating it from status and membership. Basically, what that would mean is that the non-Indian spouses would have the right to participate in management of the reserves in terms of decisions, voting, and also running for office as Chief and Councillors. That's the part I think we have to really address and concern ourselves with. It's conceivable in that kind of situation that some of our bands could end up with totally non-Indian Chiefs and Councillors. It provides an opportunity for the Department of Indian Affairs to do some manipulating within the reserves. There are all kinds of serious implications to it. We have to address that very carefully.

The other document is the 'Indian Government Bill' that is being proposed by the Minister. Basically, as I understand that Bill, they are talking about municipalizing our bands. As well, they are also talking about political rights for non-Indian people but they are attacking it from a different vein. In this one they are considering extending political rights to non-Indian people who live within reserves such as people who lease land, or operate businesses within the reserve, meaning that those people would be involved in the decision-making of the community, as well as being able to run for office. The other matter that's being discussed in the Indian Government Bill is the matter of taxation within reserves. There have been meetings going on whereby the Provincial Government has been involved, and what the Provincial Government's position has been is that if there is going to be taxation in the bands, they don't want to see the bands receive power over taxation of non-Indian businesses that are located within reserves. They say they will only allow that to happen if bands will function as agents of the Province to collect the Provincial taxes. All people in the community have to be

treated equal, that means that taxation would be extended to our people as well as the non-Indian business operations and non-Indian leaseholders in the community. That's another way they are moving to break down our reserves internally.

The other document will be a comprehensive claims policy, and in that comprehensive claims policy, the strategy is outlined on how to deal with Indian people. Louise addressed that briefly yesterday and the only mandate that the Minister has to deal with claims is on the basis of extinguishment. That's the only mandate from Cabinet that he has. He has to extinguish rights, and they've got a whole strategy formulated on how to not deal with provincial associations, or tribal groups. They've got a whole strategy outlined and only to deal with those so-called responsible bands who are ready to deal with extinguishment. It is spelled out very clearly in those documents. I don't know what the Assembly will want to do with these. I do know that in terms of our Constitutional struggle, there is a system in place, it's moving and it's taking on that fight, and it is broadening. I don't think it's ever been intense on the part of the Federal Government, as it is right now. They are coming from all different kinds of fronts, they've got all kinds of fires and irons in the fire to try and eat away and extinguish our rights. We've all got to be aware of it. The basic reason for distributing this information is so that as many of our people as possible are aware of the kind of moves that are being made because there is a need for leadership on all fronts and in all quarters. These kind of things, we've just got to act on and we've got to start on a number of fronts. Right now, we have the Union of B. C. Indian Chiefs as a front, the Constitution Express is another front, the Concerned Aboriginal Women seems to have stayed together as some kind of a unit, and they are also another front. We'll need many more fronts

if we're going to be able to counter the moves of the Federal Government. We've got to act quickly, and we've got to exercise. The question that we really need to address is how are we going to support, build up and exercise our leadership as Chiefs, as a Chiefs movement to battle the Federal Government on the Constitution and on all these different issues. That's the real question that I think we've got to get a handle on and get ahead of. I know a lot of things have happened since the last Chiefs Assembly. There's been a lot of action. We've gotten a little behind, and some of our people have gotten a little bit ahead of us. I don't think there's any need for shame in that respect, we're leaders and I think it is important for us to find the means and ways of getting out there so that we're really out in front in all these struggles. If we can address these questions before the end of the Assembly, we'll really have accomplished something. That's all I have in terms of introduction. I wasn't going to go into any detail. We wanted to give an introduction. It will probably take quite a bit of time to analyze and review, but I think all of us have staff in our District Councils, our Tribal Councils, but it will give an overall picture of a lot of the different fronts that the Department and the Federal Government has against us. Not all of them, they are still printing, but all the ones I refer to will be issued to you before the end of the day.

PHILIP PAUL: Are there any questions from the Convention floor to Bob on any of these matters, or any statements? If there are none, I would like to thank Bob for his presentation. I would like to call upon the Elections Committee to come forward please.

CLO ASTROFF: The procedure for elections that we are going to follow this year is as follows, as was ruled this

morning. We will be following the convention of this Assembly in having each band representative, the Chief or an alternate, entitled to one vote, and each District Representative would be entitled to one vote. Rosalee Tizya will have the ballots available for the Northern and Central Interior Regions; Millie Poplar will have the ballots for the Coastal and the Southwest Regions. Each person eligible from the Coastal Region will receive one ballot to vote for President and one ballot for Regional Vice-President; each representative from the Southwest Region will only get one ballot for President as their Regional Vice-President was declared by acclamation yesterday. On the ballots you mark an 'X' in the box beside the name of the candidate you wish to vote for, and the boxes will be situated on this table. After it is marked you place the ballot into the appropriate box. The rules state that each candidate who is nominated, and whose name appears on a ballot, may have one person present when the counting of the ballots takes place. If the candidates wish to appoint a representative, they could introduce themselves to me before the election is over and the ballot boxes are taken away. That is the procedure we're going to follow, unless I've missed something. If there aren't any questions, maybe we could have a couple of minutes to get organized.

(ELECTIONS TAKING PLACE AT THIS TIME.)

PHILIP PAUL: I haven't heard anything from the Elections Committee yet, so while we are waiting for them we're going to call on Marie Marule. She's asked for a bit of time to speak to you, or address you on the World Council of Indigenous People. She is the Chief Administrator of the World Council of Indigenous People.

MARIE MARULE: (Chief Administrator, W. C. I. P.)

Ladies and gentlemen, I ask indulgence for just a few minutes.

I want to mention the World Council of Indigenous Peoples which has been operating for the last six years which was founded at a conference in Port Alberni, British Columbia, in 1975. We struggled for the last few years to become established, and I think this last year we've established ourselves more firmly than in the past.

We recently completed our Third General Assembly in Canberra, Australia, in April this year. It was a very successful gathering. It reaffirmed all the principles that your people are fighting for, and more like ourselves all over the world are fighting for. It clearly established the commonality of our situations, be it Canada, Chile, Colombia, Australis, Brazail, New Zealand, or Scandinavia, our people are faced with the same situation and that is people want our lands and our resources, and they don't care what happens to us. We developed common objectives, we reaffirmed a solidarity as people, we reaffirmed our wish and desire to maintain our people as people, to protect our future, to have the right to decide our future. We worked as closely as we could with the Indians, organizations, Chiefs in Canada who are fighting the patriation of the Canadian Constitution. We've played our role in trying to establish contact with various governments, and opening doors at the United Nations. One of the significant things is in the United Nations, the economic and social council is primarily divided into two sections. The Human Rights Section and the section that deals with political affairs, decolonization and trusteeships. We have been pushed towards dealing with individual Human Rights and dealing with our rights as Indian people. As minority rights, and not as rights



of sovereign people which the other section of the economic and social consul deals with, and that is the right of people to decolonization. The right of people to a special status protected internationally, giving them the right to develop their own governments and to decide themselves whether they wish to be absorbed by another nation, or whether they want total independence. This is the area in international politics we have not been given access to previously. Now the doors are being opened, and these doors are being opened by certain nation-states existing today saying 'yes, indigenous people of the world have the right to self-determination'. And as distinct people, have the right to the protection of their political status, and the status of their lands and resources until they decide what they want to do. This is where the relationship between the Indian people and the Crown of Britain or the government of the United Kingdom is a trust relationship that is based upon international law and that should be maintained protecting our peoples' right to make their decisions when they are able to, as to what their future political status will be. Be it absorption, free association, or independence. Now some nation-states are furthering our cause in the international community but they require demonstrations by Indian people that that is in fact what they want, and what the Canadian government is telling them is 'no, Indian people are Canadians and they are happy to be Canadians'. They are merely minorities within Canada and we are doing what we can. The Canadian government is pushing legislation, interfering with our collective right to determine membership contrary to the Human Rights Commissions' decision, the basis of that decision, and telling us that the reason they are doing that is because they want to fulfill the requirements within the UN on protection of individual Human Rights while violating our collective Human

Rights. This is the situation that is facing all indigenous people in the world. We are not alone on this. It is not incidental that the campaigns in Australis, Columbia, Chile, in other parts of the world are the same against the indigenous people as those that are being waged against us today. It is not incidental, it is deliberate because the people who want our resources have the means to control and influence governments, and they in turn try and manipulate our internal political situations. The whole push of the government, the Indian Government Bill, is to manipulate our internal political affairs, and not give us the opportunity to make those decisions ourselves when our people are ready to do so.

The reason I mention that is one of the people that has really wanted to give our people great support was the former High Commissioner from Tanzania to Ottawa. His name was Lucumbuzia, Winamila Lucumbuzia. He was a traditional chief of his community in Africa, which happened to be a part of Tanzania after the colonial imperialism in that area. And upon independence, he was recruited by the Government of Nuyere, by the Government of Tanzania, to be one of their first diplomats. He was sent to the United Nations in 1961 to train to be a diplomat for the Tanzanian Government. From there, he was posted in Sweden. Though it is not stated, I believe he played an influential role in getting the Scandinavian governments to support African Liberation Movements which led to open and considerable support by the Norwegian government for the MPLA, the Liberation Movement of Angola, and the Liberation Movement of Mozambique, Frelimo, which resulted in their independence today. He was an incredible statesman who believed in indigenous peoples culture, and indigenous peoples rights to self-determination, and who supported his country and his leader, and his people, to try and attain those rights. Upon his appointment to Canada, he made it his business to find

out what our situation was, and as a result of that, his government was prepared to learn as much as they could about our situation and give us international support on the principal of our right of self-determination but his question was 'do you want self-determination, or are you satisfied with your present status within Canada?' And he said that is the main thing that you have to demonstrate to the international communities is where you stand, because governments are there and ready to support your right to self-determination if that is the position you will take to the world. The sad thing is that this remarkable person died at the end of August in Ottawa and I would like to ask the Assembly here to pay tribute to his interest and his concern for our people and our future as people, distinct and separate from the colonial nations that now dominate us, by giving a moment of silence for him.

In closing, I just simply wish to add that our struggle is not just here in your communities in British Columbia, it is right across Canada, and all over the world. And it is not just with indigenous people, all people have to realize that if they want a say in their future, they have to stop putting the responsibility on other people and accept the responsibility for themselves. Thank you.

PHILIP PAUL: Thank you very much, Marie Marule. I would like to now call on the Chairperson of the Elections Committee and give us the much-awaited results.

CLO ASTROFF: The new Executive for the Union of B. C. Indian Chiefs is as follows:

Vice-President, Southwestern Region, by acclamation  
Clarence Pennier.

Vice-President, Central Interior, Saul Terry.

Vice-President, Coastal Region, Archie Pootlass.

Vice-President, Northern Region, Stanley Stump.

President, Robert Manuel.

I need a motion from the floor before the ballots can be destroyed.

PHILIP PAUL: Sorry for the interruption, there is an emergency, there is a child crying on a car, licence is EKB 235.

The Chair would entertain a motion to have the ballots destroyed. She hasn't got the numbers of the votes here. On the elections, I think it is appropos to give the candidates a chance at the mike, we'll give them half a minute.

CHIEF DENNIS ALPHONSE: (Cowichan Band)

Thank you, Mr. Chairman. I would like to, at this time, thank those that supported me, and I would like to give unanimous support to Robert Manuel, that they will all support him in his efforts. I would like to make that as a declaration that we should all support him 100%.

CHIEF ROBERT MANUEL: (Newly Elected President)

I, first of all, would like to say to Chief Dennis Alphonse, that I know that you have a lot of support, I'll be calling on you to work with us in the new executive to try and bring our movement closer together. There are many things that we have to do, there is a lot of work for all of us. I'll be calling an Executive Council Meeting soon to start defining more clearly the headquarters role, and I know we have to play a lesser role because of the funding situation. In many ways the funding situation has really proven to help

develop the Union of B. C. Indian Chiefs. The Federal Government has lost the effort of trying to take us apart and pull us down because what is happening is that we've seen a new leadership emerge throughout this Province. All of us are leaders in our own way. I recognize every signal person that was on the Constitution Express as a leader. I recognize all the people in our communities who are having a hard time, and reminding us of our Indian culture and our Indian Nationhood, our Indian spirit. They are survivors, they are leading us and showing us that we have a big struggle ahead of us. I'll be calling on all the Chiefs to exercise leadership in terms of taking on the fight we have before us. Success is near at hand, I can see it, I can feel it, and I can smell it. Success belongs to us. We shall be victors, my God, we shall be victors. I'll be calling on all the people who have come and who have been on the Constitution Express, who have been in the Concerned Aboriginal Women's movement to keep on that struggle, build new struggles. Let's get rid of the suicides, let's get rid of the problems throughout our country. Let's build the kind of institutions that are necessary to show this government that we mean business. Thank you very much.

PHILIP PAUL:               The head of the Committee ready with the numbers?

CHIEF SAUL TERRY:   (Bridge River Band)

Mr. Chairman, may I have the floor? I would just like to state that I appreciate this kind of confidence. But I don't think this should be interpreted that my honourable opponent is any less valuable in this movement that we have. And as stated by so many other individuals, each of us has a role to play. And I say to everyone here that I believe the role that Chief Wayne Christian is carrying on

right now is a very important one. It is appropriate that he is not encumbered by some of the responsibilities that perhaps the Vice-President has to carry out. And if indeed we are close to making inroads in this fight for our rights and title to the lands and resources, then we need a wide front. I know Wayne can fulfill the role outside of this organization, and indeed we form something other than this association, or organization of Chiefs, than I think he has a destiny, a role to play in this destiny. So therefore, I don't think that this can be observed as some kind of a splitting role, but one that is complimentary. When the Minister of Indian Affairs starts to state that the Indians are wasting their time dealing with this issue, than he must be worried. That is exactly what the Prime Minister of this country was saying when we started across from British Columbia to Ottawa last year. He said there is no way that he was going to change his mind with regards to the Indian people having a hearing. I think that man had a few things to learn, and I dare say that the Government of Canada has still a few more things to learn. We must bring this message over to Great Britain that if they participate, then they too are accomplices in the charade that they are attempting to pull off in the eyes of the world. Thank you, Mr. Chairman.

CHIEF WAYNE CHRISTIAN: (Spallumcheen Band)

Mr. Chairman, fellow Chiefs, I would just like to say a few words. I am glad that Saul got back in because I know there is a lot of work involved in that position, and I think what Saul stated is very true. Irregardless of what role we can play, where we are, I believe I am still going to contribute in the ways that I have done in the past. What Saul has said, we should consider, each and every one of us that is in here, the role we contribute to the movement that is being developed. It is the second time that I ran against

Saul, and it is the second time that I lost. I don't feel bad about it at all, I feel good, simply because my wife was worried that I might win, and be taken away from home. Saul knows all about that type of thing. Quite recently in our band meetings we've been having a lot of hard times, politically, in terms of the struggle we're going through, in terms of the kind of representation, I guess the image that I have in the public eye of being a militant, a radical. Actually it's come together in our community because they are beginning to see the role that is being played, in terms of our young people and the image that is being developed in terms of being strong. I would like to say to Saul and his people, that I will stand behind him 100% in anything that he does. I stated that before and I will do it again because it is important. As our Elder said this morning, we should be together as one, because by being one, we are of one mind, one spirit, one body, and one heart, can we be strong. Like our ancestors, they made many declarations to work together in the past and I think we've got to work towards the same kind of feeling that they developed and left us. I would like to say to Saul, thank you for your words, I appreciate them.

ARCHIE POOTLASS: (Bella Coola Band)

I would like to take my hat off to Chief Howard Wale, Gitksan-Carrier, for giving me a big run for the job as Vice-President. Chief Wale, I look forward to working with you in this organization, with your resolution, for the organization to oppose the Constitution. It is a clear indication of the strength that we have in you as a leader. I would like to thank the North Coast Region, Chief Bill Roberts, and all of you, for the support that you have given me in this election. The work that we have in front of us will continue to be very strenuous. As it looks right now, our future is very bleak, with the efforts of the

Liberal Government to patriate the Constitution. It is really clear to the leadership throughout the country of the work that is needed to protect our future, the struggle for our survival is very strenuous. I am prepared to sit down with the new Executive, Chiefs Council, and all of you to continue the battle for our total survival as Aboriginal People and First Nations of this country. Thank you.

STANLEY STUMP:

I am not a tall Chief, just a short Chief. I don't know what else I can say that nobody else has said. I would like to take my hat off to my honourable opponent, and also I would like to thank the North East Region for having the confidence in me to be their Vice-President. I am also a believer of the power of Indian Nations, and I do believe that our lands are not for sale, my rights are not for sale, and I am not for sale. Thank you.

CLARENCE PENNIER: (Scowlitz Band)

I would like to thank my fellow delegates from the South Island, Fraser East and West, and the other ones from our group. I really came down here with no political aspirations at all, but I got sort of railroaded into being a Vice-President for the Southwest Region. It's going to be a lot of work, and I hope that I can live up to the peoples' confidence that they put in me, and to work towards the betterment of Indian people, and I really hope we will all work together. The decisions that are handed down from the Federal Government are going to affect all Indian people in British Columbia, so I hope that we are able to work together with the other Indian organizations in this Province because it is going to affect them as well as it is going to affect us, good or bad. I'll do my best, within the organization, and I hope we grow. Thank you.



PHILIP PAUL: If there is nobody else, I would like to ask the Chairperson of the Elections Committee to respond to the request for the numbers in the voting.

CLO ASTROFF: For the Central Interior Region:

Wayne Christian - 6

Saul Terry - 20

Coastal Region:

Howard Wale - 7

Archie Pootlass - 9

Northern Region:

Roger Jimmy - 6

Stanley Stump - 16

President:

Dennis Alphonse - 48

Robert Manuel - 54

PHILIP PAUL: Could we now have a motion to destroy the ballots?

MOTION # : (Chief Raymond Harris, George Harris)

I so move to have the ballots destroyed.

CARRIED.

PHILIP PAUL: This concludes our agenda for the day. I would like to remind you that we have a lot of housecleaning items tomorrow. I hope that you would be here at 8:30 sharp. I have just been reminded that if you haven't received all the documents, they are going to circulate the last of them now. I would like to call on Abel Joe to say a Closing Prayer.

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Don't forget the Talent Show this evening at 7:00 p.m. in this building.

ABEL JOE: (Cowichan)

Says Closing Prayer in Cowichan.

PHILIP PAUL: Thank you, Abel.

D A Y 3:

30 October 1981.

SIMON SCHOONER: (Bella Coola -Nux-alk Nation)

Says Opening Prayer in Bella Coola.

STEVEN POINT: What I would like to do this morning is to bring everybody up to date in what has been happening, what has been going on. The most significant thing that happened the first day of the convention was the fact that the Union of B. C. Indian Chiefs made news. The newsworthy thing that took place at that time was certainly a historical event for the Union of B. C. Indian Chiefs. The people of this convention showed solidarity and support for the Constitution Express. For the struggle that they are having in England, legally and politically, they came forward with almost \$30,000.00. It is a tremendous tribute to the amount of work that has been going on in the Union, a tremendous tribute to the delegates of this convention. And certainly a newsworthy event. The key thing that happened during the second day of the convention was the election of officers, the new Executive that all of us have to recognize and support, give direction to during this convention. The election process is a necessary process, it provides continuity and solidarity for the organization. You need an election, it's an important component of any movement, it demonstrates the

support and the political activity that any organization has to go through. I would hope that the involvement of the candidates in the election process, the activity that surrounds the political election process, is only going to be a positive effect on the movement. It has been brought out time and time again that the Union of B. C. Indian Chiefs has certainly come through thirteen years of growth, of experience, of learning. Sometimes, someplace, our priorities have to be established in regards to solidarity and unity in this Province. Our priorities have to be established in regard to aboriginal rights and claims. Last night it really demonstrated to me, watching the enthusiasm of the audience, participation in the Talent Show, some of the people that came forward. This convention certainly has been an exciting one and very productive. I want to repeat the announcement that we made yesterday that certainly the financial burden that we all must bear in terms of the legal strategy does not end with the contributions that have come in yesterday and the day before. Somehow the other \$250,000.00 must be raised, and through the resolution that was passed yesterday, I would hope that some kind of strategy will come out of that resolution, not only from the Executive members, but from the Regional Vice-Presidents, the District Representatives, and each and every one of the bands going home, will come up with some way of contributing to the long-term struggle of raising the funds. I think it's a beginning, we're beginning to realize the objectives that we have, we're beginning to realize it is our struggle, we have to pay for it. That was a fantastic and historical event that has taken place at this convention. Moving on to the convention today, in terms of the cleaning up events that need to take place, the Financial Statement is coming on the Agenda this morning, along with the adoption of the Minutes of the previous convention. I understand Bob Burroughs from the Secretary of

State is coming after lunch to answer any questions, or to give a presentation in terms of the Secretary of State. At 3:00 p.m., the floor will be open for delegates to share and exchange with people going on the Constitution Express to Europe, sharing information, asking questions. The Constitution Express Feast is slated here this evening at 5:00 p.m. You are all reminded tomorrow, beginning at 12:00 noon till 7:00 p.m., about the Radio Telethon on CFRO-fm, dial 102.7. They are raising funds for the Constitution Express. All those participating in the Radio Telethon, please be at the U.B.C.I.C. office at 11:00 a.m. Those people that were in the Talent Show, please see Rosalee, a tape of the songs and presentations that were done at the Talent Show will be used during the Radio Telethon. Anyone who participated, please see Rosalee. There are going to be other activities leading up to the final departure of the group on Sunday. Everyone is invited to be at the Airport to see the Mount Currie people off to Germany, they are leaving at 2:30 p.m. on Sunday. The rest of the Constitution Express will be leaving at 5:00 p.m. on Sunday.

*Chair started  
on tape  
0201*

*here*  
~~We're~~ we're going to move on to the next item on the Agenda, the adoption of the Minutes of the 12th General Assembly, and the 6th Special General Assembly. They are in your packages under Section 4. The Chair is going to assume that everyone has had a chance to go through the Minutes. Are there any questions, changes, deletions, omissions in regards to the Minutes of the two Assemblies previously mentioned? Everyone happy with the Minutes? Probably the most cumbersome thing to do, is to read through the Minutes to see if you said anything at the last Conference. I remember reading through

Minutes of previous conventions and surprised at some of the dumb things that I said. The Chair would entertain a motion to accept the Minutes as read and presented.

MOTION # : (Chief Nathan Spinks, Chief John George)

So moves to accept the Minutes of the 12th General Assembly, and the 6th Special General Assembly, as read and presented.

CARRIED.

STEVEN POINT: An announcement here, there will be a Food Auction this evening, sponsored by the Bella Coola Band.

We'll move on to the Financial Report. Rosalee Tizya, Administration of the Union of B. C. Indian Chiefs, is here to present the Financial Report to you.

ROSALEE TIZYA: I won't read the whole report, but I'll go through and briefly summarize some of it. As you are probably all aware from last Assembly, the major concentration of the whole of the Administration has been on the Constitution. That's where the bulk of the dollars of the Union went over the past year. Back in October, we received a lot of resolutions, along with the resolutions to do with the Constitution, but immediately after the Assembly, when the Express was being planned, we assigned all the staff of the Union to that effort. They were assigned to research with the legal staff, travel to the communities to inform them of the Express, have workshops

on the Constitution, the logistics, the position of the Union of Chiefs. The Union had to absorb the bulk of that effort. The kind of results that came out of it could never be bought if we had a few million dollars. In measuring the success of the Constitution Express, the Russell Tribunal, and some of the other efforts, one of the thermometers that we can usually rely on to judge our impact by is the reaction of the Federal Government to the political moves that we make. Being true to form and complete character with a profile, we have created in the last two hundred years, funding to the Union of B. C. Indian Chiefs was cut back. This began with the Regional Forum in January, where a resolution was passed for the decentralization of funding. In addition to that, the Regional Office of the Secretary of State underwent the same process in February. They held a meeting and a decision was made to have the Core Funds of the Union decentralized to the bands. As a result of that, our funds for this year was \$700,000.00 short. It didn't stop us from proceeding, it didn't stop us in any way. We closed our doors for awhile in April so that we weren't spending money that we didn't have. We put that time to lobbying and negotiating in Ottawa. At the same time our auditors were doing an audit, and our deficit for the year was in the area of \$400,000.00. We didn't get any agreements signed, or funding commitments until August, and you might wonder how we survived without any funding for the first quarter. How we did that, and it's good to know, was through the Bank of Nova Scotia. Enter the Bank of Nova Scotia like the Lone Ranger to the rescue.

It is important to inform you of the crucial role the Bank of Nova Scotia played in assisting us through this financial crisis. In April, when we had a huge deficit and no definite commitment of funding from any source, we talked to the people at the Bank of Nova Scotia about a loan to the U.B.C.I.C. until we could get our agreements signed. Without any collateral or real assurance other than our integrity and honesty, the Bank of Nova Scotia agreed to extend us the loan which gave us the leverage we needed to launch our lobby and open negotiations for funding. This allowed our operations and staff to continue and increase our bargaining power against the Secretary of State and Indian Affairs without compromising our position or incurring any political favours from anyone. As a result of their assistance we were able to get our cash flowing again. We now have this loan down to \$200,000.00 which should be substantially reduced by the third quarter of our operations. I would like to recommend to this Assembly that a letter of thanks supported by a General Assembly Resolution go to the management of the Bank of Nova Scotia for their assistance. This assistance was most crucial in terms of our fight against the Constitution and without the help of an independent source such as the Bank of Nova Scotia we would not have been able to carry on our opposition to the Constitution without compromising or losing ground completely. This would have been the effect the Federal Government intended. As it is, we have kept our integrity intact as well as insuring our ability to maintain our political direction as put forward by the General Assembly.

As a direct result of the financial

cutbacks to the Union of B. C. Indian Chiefs, we had to lay off a number of staff and many resigned in order to lessen the financial burden on the U.B.C.I.C. We presently have a total staff of twenty-five and we hope to maintain that number until the end of the fiscal year. If there are further resignations, we will not fill the positions unless absolutely necessary. Part of the ensuing consequences of these layoffs has been a reduction of requests by the bands for assistance from the U.B.C.I.C. in the program areas. More and more of the bands are taking on the responsibilities we are no longer able to meet. In addition, both the bands and Tribal and District Councils have absorbed some of the costs of our work. For example, the Caribou Tribal Council took on the full financial responsibility of our London lobby. The South Island District Council agreed to fundraise for 3 - 5 English MP's to come to B. C., and see firsthand the situation of the Indian people; the Chilliwack Area Council and East Fraser District offered to host the General Assembly which we accepted but unfortunately we could not find adequate meeting facilities in that area; the Central Interior Tribal Council has been paying the salary of one U.B.C.I.C. lawyer plus his office space and the Indian Consulting Group is renting our unused furniture to help in the costs to the U.B.C.I.C. In addition to this, there are individual bands who have absorbed our travel costs when they've requested us to come to their bands. This has been a genuine help since most of our efforts are still in stopping the patriation of the Constitution and we are putting out in energy, time and finances to keep our momentum going. The staff of the U.B.C.I.C. have been outstanding in the face of all of this and



have continuously put out without question or concern for their own circumstances.

All in all, this financial crisis we have experienced has served to strengthen us and make even more clear in our minds the lengths to which the Federal Government is prepared to go in order to silence any opposition to their plans for the Indian people. I can't be sorry for what has occurred these past twelve months because I know we are doing everything in our power to fulfill the mandate given to us, to maintain our integrity and that of our people and I know we will find ways of surviving when the chips are down. I don't know what will happen in the next year in terms of our funding but from November through to March, I hope to be working on a financial strategy and preparation of our budgets for the new fiscal year. In spite of these difficulties, we've managed to fulfill the General Assembly resolutions of last October except for two. In addition, our case to the British Courts, our lobby and the Express to Europe is proceeding as planned.

Following are the audited statements of the Union of B. C. Indian Chiefs for the fiscal year 1980-81, the resolution of the Chiefs Council accepting the audit and a financial statement from April to September 1981. Our total budget, case requirements and loan repayment is also included.

The notice for membership dues did not get out to the Band Councils this year due to a mix-up, however those can be sent out after this General Assembly.

Executive Council Meeting: August 12, 1981

RESOLUTION:

THAT we adopt the audit statements for the Union of B. C.  
Indian Chiefs done by Peat, Marwick and Associates.

Moved by: Philip Paul

Seconded: Saul Terry

CARRIED.

Chiefs Council Meeting: June 23, 1981

RESOLUTION:

THAT the Chiefs Council accept the draft audit in principle,  
and;

THAT the four Vice-Presidents finalize it with the auditing  
firm, namely: Peat, Marwick, Mitch, Ltd.

CARRIED.

It's been a fun year for me. You learn to  
wangle and juggle. Tsawout Band Council has just donated  
\$350.00 to the Constitution Express. I should mention  
that the total raised the past two days was \$35,000.00.

If there are no questions, that completes  
my report. There is probably a resolution required to  
retain the auditing firm.

Questions and Answers between Chief Howard  
Wale and Rosalee Tizya:

Q. The first one, the total received from the Department  
of Indian Affairs after decentralization was \$192,000.00.  
What was it before decentralization?

A. \$752,000.00

Q. I think you also mentioned in your report the reduction  
of staff to about twenty-five. Is that about 1/3 of

what it was before?

A. Yes.

Q. Another thing that comes to mind is, when you had such a large staff before reduction, I'm just wondering if it was the result of carrying programs? Now I hear there isn't a Health Portfolio.

A. We have a Health Portfolio but when the Constitution became the priority, we had to use the staff in the programs to assist with the legal and the political.

Q. Another question that comes to mind, when we talk about decentralization of consultation moneys, how much did your department realize from the Secretary of State, was it the same as it was a year ago?

A. No, there was a reduction there as well of about \$487,000.00 the year before, and \$360,000.00 this year.

Thank you.

ROSALEE TIZYA: You are welcome. You know I am not sorry for any of this because we're putting up a damn good fight, and I think we're going to win. I really don't care what the government does. We found ways of surviving and we'll keep on, I am not sorry at all.

MOTION # : (Chief Tom Sampson, Chief Howard Wale)

So moves that the Financial Report be accepted as presented.

CARRIED.

MOTION # : (Chief Wilson Bob, Amy Gauthier)

I move to accept this years' financial audit by Peat, Marwick, Mitchell & Co., and to do next years' audit for the Union of B. C. Indian Chiefs.

MOTION # : (Chief George Harris, Chief George Saddleman)

I move that the Administrator be directed to send a letter from this Assembly to the Band of Nova Scotia expressing our appreciation for their assistance.

CARRIED.

STEVEN POINT: I just want to thank Rosalee and the staff for the tremendous dedication that was demonstrated in the last year. Many of the staff came to work without pay, many of the staff who were previously receiving a set income, have taken a reduction, as much as 50%, many of them donated their salaries to their cost to go to England. I know many of the staff sold their personal articles including horses, furniture, and what not to get to England. The personal commitment is tremendous. The staff has carried on through tremendous adversity, not only financial constraints but the tremendous workload that has been placed on them. I would certainly like the delegation to stand, to show the Administrator our appreciation for the tremendous job she has done, she's carried the burden tremendously, along with her staff.

ROSALEE TIZYA: It's not me, it's the staff.

STEVEN POINT: I have an announcement to make. Apparently we've got somebody that's collecting artifacts, beginning their own drum museum. I would like everyone, at lunch time, to go to their cars and examine their drums. There are two members of our delegation who have missed drums from last nights' gathering. One is from the Neskainlith are, with white drum sticks; the other one belongs to the eminent Abel Joe. If anyone sees these, bring them back to us, and we shall return them to their rightful owners.

The next thing on the Agenda is the President's Report. I believe George Manuel is going to make the President's Report. Chief Tom Sampson is bringing the \$5,000.00 pledge that they made yesterday, in the form of a cheque, for the Union of B. C. Indian Chiefs. Thank you Tom.

CHIEF TOM SAMPSON: (Tsartlip Band)

I am not going to be here this afternoon, and I have a concern before I leave. I would like to express it, this is in regard to Central Interior Tribal Council. They were commissioned to do a study on funding for the bands in British Columbia. We're not exactly fond of that particular report, and I would like to get a response from the Central Interior Tribal Council as to what they are going to do with that report. I think most of the bands in British Columbia have got it, and we're surely not in favour of it. It supports the Department of Indian Affairs' position on the Indian Government Bill. I would like to see that dealt with one way or another. We're surely not in favour because of its implications of supporting the governments. I would like someone from the Central Interior Tribal Council to clarify that position.

CHIEF SAUL TERRY: (Bridge River Band)

We dealt with a couple of reports, and we don't know whether it's the one marked as the B. C. Task Force Report. I don't know if you can attribute that to the Central Interior Tribal Council but we certainly had a part to play in that. The history of that particular document is in February, there was a meeting that took place in Vancouver at the Sheraton 500. At that particular meeting there were motions passed which would indicate the decentralization of dollars to tribal councils, and

there was some concern with regards to that by ourselves. I would like to make it quite clear that the Central Interior Tribal Council, at that meeting, voted against the actions that were taken. We were narrowly defeated, it was by about two votes at that time. We had to get some kind of control into that mechanism, and therefore Don Moses, at the time, agreed to take part in it. Otherwise we would never have had any kind of control. It was outside of the Central Interior Tribal Council, except for the fact that we wanted to have some kind of control so we went to some extent to try and get a bit of a handle on it. I would like to also say if there are concerns, by all means voice them, otherwise things like these can go forward without any kind of input from bands. It is a very critical point to have bands bring their particular points of concern up. That's the reason why this particular document was sent out, and we too were concerned about it. We attempted to get some measure of control, and that's why we became partly involved in it.

CHIEF TOM SAMPSON: (Tsartlip Band)

The reason I raised this matter, was not to put blame on anybody, but it is to make us aware and conscious to the fact that it has to be dealt with. In the context of this paper, it is almost post-patriation. The Indian Government Bill that is being proposed by the Government of Canada states pretty clearly the direction by are going in. This particular formula enhances the Indian Government Bill, and surely we're not in favour, if anyone has read it, it's something that we have never said. This particular paper is going in that direction. I am not putting blame on anybody, I just wanted to see where it stands. We have to take a position on it, I don't think we can allow ourselves to be dictated to by the Government

and to be assisted by Indian people, in making that happen. And I am concerned that if we don't deal with it before the day is over, one way or another, that the Government will use this particular funding formula to become effective April 1, unless we take a position on it. I think we're going to be in trouble again.

STEVEN POINT: Just for information, I wonder if you could expound on the terms that certainly are unappealing to given everybody an idea of the intentions of the Task Force Report. It certainly has some negative connotations.

CHIEF TOM SAMPSON: (Tsartlip Band)

This particular paper indicates a message which bands would get involved in, raising funds, taxation, taxes on business, etc. One of the things that really bothers me is on the second page of this report. It says, in the second paragraph:

'We believe our recommendations are consistent with the attitudes and approach outlined in a recent paper prepared by the Department of Indian Affairs, "Principles for a System of Indian Governments". Our report will attempt to show that the Federal Government, how our governments can be funded to better meet the needs of our reserve communities, and to provide Parliament with the control and justification expected by the people of Canada.'

And I don't recall any of us ever saying that we had to go along these lines. In face, we've been fighting pretty fiercely since 1969, trying to stay away from this very implication that is being suggested. There are several parts to this, the Revenue Sharing Act, which

is a pretty heavy one. A lot of people have not had a chance to take a look at it. I've read it a couple of times, trying to get some depth into it. We have to go one way or another, I don't think we can say that we looked at it, and it might not be a bad idea. Maybe some bands can do it, maybe some can't. This whole thing eventually eliminates band councils and deals just strictly with tribal councils, which could be the Chairman representing X number of bands, and therefore eliminating input right from the reserve level. This kind of thing again is something that we've never agreed to. It says on page 7, just to give you an idea of what the Provincial Governments' involvement would be:

'The Government of British Columbia has this kind of system in place to finance Municipal Governments through the Revenue Sharing Act.'

That is Appendix II in this very book, that is being proposed. I'm just trying to get the people to understand that we have to deal with this. I don't know if every band in British Columbia has got a copy of this book. I talked to the Consulting Group, John Warren, asking him to make copies available to the bands in my district, and it should have been to all the bands in British Columbia. He said we have no jurisdiction over mailing, it's up to the Department of Indian Affairs to send out this information. Eventually our district got copies of it, members of our council. I don't know if everybody else has been involved in this. I would like to see it deal with one way or another.

STEVEN POINT: This sounds very much like the White Paper Policy, that's what you are saying, which was opposed



nationally. Are there any questions, or comments, on the issue that Tom is bringing up in regard to the Task Force and band funding? I have to point out as Chairman of this convention, in order for an issue like this to really become discussable, it is generally customary for a resolution to be introduced and that way specific policy can be established. In other words, consensus is taken in terms of where the delegates stand. In order for consensus to be really established, it would be worthwhile for a resolution to come forward, one way or another, so discussion can take place on the resolution. If that is your desire, that is a very good route to take. Are there any questions, or comments in regards to this issue? The question raised by Tom is: Are we supporting this report, or what is the position that the Union is taking in regard to this report?

CHIEF WILSON BOB: (Nanoose Band)

We did meet over this issue in the South Island District, so Tom is not acting along on this matter. I feel, as the Union, we have a mandate to work with, and this Task Force Report is done by an independent group, supposedly done on behalf of the Indian people, but through our consultation in our district, it has proven itself detrimental to our cause. I would be prepared to make a motion that this Task Force be disregarded, but I would like to see some more discussion on it before the motion comes to the floor.

STEVEN POINT: You are implying, Wilson, that the Task Force itself is disregarded, than the report itself would not be acceptable either. For clarification, it is necessary to know the history of how the Task Force actually

developed. I wonder if a history could be given as to how the Task Force actually came into being. I am not sure if a lot of the members are aware of the members are aware of how the Task Force Report actually came about, and how it culminated into this final stage.

CHIEF TOM SAMPSON: (Tsartlip Band)

I can give what actually happened to me, how I got involved, over the last couple of years. We had a meeting in South Island in relation to the Regional Forum, because that's where it started from. We have never been in favour of that particular organization because it's funded and supported by the Department of Indian Affairs, in fact they are the founders of it. Our Council, and our Elder, who sits there beside me, was one of the first ones to lead us in rejecting the idea that the government should not have its own organization because it was funding itself, and it was doing what it wanted to do. We couldn't agree with it. We never did attend a meeting. Finally last year, I got an invitation to go, and it was in relation to the funding of the organization, the Union of B. C. Indian Chiefs, that I finally gave in and went to the meeting. I got really pasted there. Following that meeting in February, there was another meeting that I was asked to go, to make decisions on funding of the organizations again. Because of my concern for the Union and its funding, I attended the meeting, and that's when this Committee was formed, made up of Don Moses, George Watts, and Ray Jones. I don't know how they got to coming up with this paper because they were suppose to assist the bands in finding a better way of getting funds to the bands, or to the organizations. Instead, we come up with a policy paper that was right dead in line with the Liberal Government. That's how this

committee and this Task Force was put together. There was no way of knowing who was voting and how you could vote at those meetings. Anybody that walked in the door was allowed to vote. We had no control over what was happening, I don't know if that particular policy has changed. I'm not here to talk against the Regional Forum, that's none of my business. I've stayed away from those meetings. That's how it happened, and that's how this Task Force came to be. I don't want to influence people, to take them in the direction that maybe they don't want to go. I don't know if every band in B. C. has this book. Maybe that should be the question.

STEVEN POINT: I wonder how many bands are informed or knowledgeable in terms of this report? Howard, have you got any information from the northern part of the contingency?

CHIEF HOWARD WALE: (Gitanmaax Band)

I'm totally surprised to hear Ray Jones my President, mentioned here. It sounds like this report has existed for awhile and I've never heard anything about it. It seems to fall in line with the '69 White Paper Policy, which was why this organization was formed in Kamloops. I have the same concern that Mr. Sampson has, this convention should take a positive action on it. It should be discussed and dealt with.

STEVEN POINT: You've heard the history of the Task Force, certainly the intention of the report was to come up with a new funding formula to streamline band funding. In fact, the report has come down in line with some of the Federal Government policy with their objective of decentralizing federal authority to the Provincial Government which is exactly what they wanted to do in 1969,

White Paper Policy. The bands have got to be aware of these kind of things. Tom brought this particular issue up at a Chiefs Council meeting that I happened to attend, and certainly it is an important issue in regard to the bands that are receiving funding from the DIA. If for one reason or another, a new funding formula comes down in March, it's going to be very late as to why and how that policy came about. We may be able to do something about it at this point. Are there any other questions or discussions on this?

SAUL TERRY: (Bridge River Band)

As you know, we are quite preoccupied with an issue that is critical in our eyes, the Constitution and a lot of these things that are being carried on. There are several other committees in the province, some of which concern me personally, as a Chief from Bridge River. It's very time-consuming as I indicated earlier, The C.I.T.C. had been opposed to this. On a couple of occasions we attempted to influence it by voting against it, but we just didn't have the abstentions in that voting procedure, there was a very mixed up process of voting. In any case, because of the fact that we are involved with the Constitution right now, it is top priority, I have no arguments with that. There is also the matter of the day to day affairs that must be carried on. We must be ever vigilant on that, otherwise we may get into trouble, and if this is any indication the Task Force Committee Report is a report which should be looked at. Bands must take a look at reports that come across the desk, as this particular one was delayed, Bridge River received it late in September. When particular groups

start indicating what their needs are, I think we need a real good broad look at what the needs are in our communities. I am not going to go into the details and discussions that were had with regard to some of this. One of the particular concern is when tribal council outlined their needs, when you put all these bands needs together, it's such a vast area that it overshadows some of these other concerns with regard to tribal councils. Therefore in the interests of gaining a wide spectre of getting a broader picture of our funding needs, I have proposed a resolution here;

WHEREAS the Department of Indian Affairs definitely does not represent the real needs of our Indian Governments at the annual federal budget estimates before the Parliament,

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about  
94% of  
therefore BE IT HEREBY RESOLVED THAT

the Union of B. C. Indian Chiefs organize and co-ordinate ways for Indian Governments to represent themselves before the Standing Committee on Indian Affairs and Northern Development in order to make representation outlining their fiscal year budget needs.

MR. CHAIRMAN: I'll move that.

SAUL TERRY: (Bridge River Band)

What I would like to see from my way of thinking is that, directly incorporated, the Task Force could be one of those things that could be reviewed or questioned, whatever, and we have to base or determine our needs on, from our point of view, and if those don't

reflect the needs of the bands, then those must be brought to the attention of the government.

MIKE LEECH: (Lillooet Band)

Is this a separate motion, or is this an amendment to Tom's? I think Tom put a motion on the floor.

STEVEN POINT: Tom said he was going to bring forward a motion, he hasn't had it prepared yet. He wanted to have more discussion on it first.

WILSON BOB: (Lyackson Band)

Since there was no further discussion the the Task Force issue, I would like to present a motion.

MOTION: (Wilson Bob, Chief Howard Wale)

THAT the Union of B.C. Indian Chiefs reject the Task report on funding,

FURTHER THAT THE Department of Indian Affairs be notified of the Union's decision.

HOWARD WALE: (Gitanmaax Band)

It should be 'reject and condemn', could I get him to agree to the wording?

STEVEN POINT: Is that agreeable, he agrees with the addition? Has the Recording Secretary got that? You've heard the motion, it's been duly moved and seconded. Any discussion, question has been called.

MOTION REWORDED AND CARRIED

MIKE LEECH: (Lillooet Band)

Just a clarification, even though the motion has gone through. My understanding then is that the Union, along with the bands, are going to set up a mechanism to deal with government funding. Does that mean that the mechanism which had been developed there, the Regional Forum, is no longer, as far as we're concerned, we will not be participating in process that some of us were, or were not. Is this a whole new ballgame? That's why I thought the Regional Forum was set up as a vehicle for getting funding to the bands. Mind you, they've gotten into other areas that I hardly agree with, I was wondering if someone here could clarify that.

STEVEN POINT: The first motion was made by Saul which indicated a mechanism of Indian Affairs dealing specifically with funding, and it did not indicate a non-involvement of the Forum, but it certainly was the implication. I am wondering if Saul could give a clarification to the bands and to the delegates.

SAUL TERRY: (Bridge River Band)

The Chair is right, it doesn't indicate there. but it is certainly not saying what people should read into between the lines. They have to do that themselves.

STEVEN POINT: I don't know if that's clarification enough for you, Mike, in terms of what's between the lines. I feel a lot of vacant space between some of the lines. The implication is given the two resolutions together, that if we're condemning the recommendations from the Task Force, and we're talking about setting up a mechanism to deal with that issue ourselves, it would imply non-involvement, however that isn't

specifically spelled out. Of course, we can't impose that kind of thing on any band anyway. It's nothing that the Union has to do, it's against the Constitution.

SAUL TERRY: (Bridge River Band)

In terms of the resolution itself, it should be clearly understood though that from the resolution it shows that we are trying to say is by the time the budget projections are received by Ottawa, they are so much disfigured from the original submission by bands, that it doesn't really portray the actual needs of bands. If we are going to take particular action on this particular item, then the bands must put these things together and be able to submit them to the Indian Affairs Standing Committee or to the Cabinet itself, to really convey to them the actual needs of bands, that's why so many people have voiced their opinion with regards to dissatisfaction with some of the items there. It's an important item in terms of making sure things are kept going at home in our communities, while we are politically active, legally and politically, in the area of the Constitution. This particular resolution is now going to be implemented, I presume, a small group will have to get together to gather all this information. I can tell you from experience that it's difficult for bands to be able to give a lot of this information that's related to their particular band, and sometimes it is difficult to let that go into an overall book sort of thing. Those are the kinds of things that bands have to consider, whether they are prepared to really come forward with all those needs and detailed budgets and things like that, have that homework done so they could really do a bang-up job, and really put forward something that's really meaningful in terms of our bands' needs.



TOM SAMPSON: ( T... )

Mr. Chairman, the idea of what we are doing here is we've been told that every area has to get its people working. We've been trying to do that, we've been working in our district. There are many districts , or people across this Province of ours, that have already made decisions on where they are going. We are not interfering with that. It's just that we don't want to be dragged along. That's why we're saying, 'look, if you agree with the Provincial Government, with the Municipal Government, that's fine, nobody is going to argue with that. But don't drag the rest of us along, we may not want to go along.' That's what we are doing, we're resisting, we're saying 'no, we want to remain this way'. There are many agreements across this Province, tri-lateral agreements, the School Boards, the Provincial Governments, with the Federal Government. Those agreements already exist, we are not against it. They are doing it for the best interests of their people, there's no problem there, but as long as they don't try and drag us along with them, because we're trying to stay back. We don't want to go that way. And that is what our district is doing. We're saying 'fine, if you have these agreements, go ahead, but don't let it become a format that the rest of us have to follow'. This is what we're trying to say. It is entirely up to them, but that's the politics of their area, that's no problem. We're saying we don't want to go along as far as this particular paper goes. There's bands and districts in B. C. that are already there, there are Provinces across this country that are already there. They are totally involved in the whole system. We don't want to go along, and that should be respected. This particular formula that was being suggested went far beyond money, it went into politics. I suppose money is politics but I don't think we wanted to go in that particular direction, not in the way that it was being presented. I know that we don't

particular support certain things. That's our prerogative to do that, we don't condemn anybody that supports anything else or belongs to other organizations. All we are trying to do in this particular case is look at that paper, and we looked at Trudeau's Constitutional proposal and those two are right dead in line with each other. And were saying 'no' we've been rejecting this since 1969, it's just in a different form, but it says the same thing. The idea is to get bands to incorporate so that you don't have to worry about Chiefs, you just worry about directors, you don't have to worry about Councillors. That's right directly in line with what the Prime Minister of this Government is doing. It's a post-patriation paper, that's how we look at it. We have to say 'no'.

STEVEN POINT: Is that clarification for you Mike?  
Moving back to the President Report, Rosalee are you prepared to deliver that?

ROSALEE TIZYA: (Administrator of UBCIC)

Call me Madam President, I'll give a brief overview. The President's Report is a bit mixed up in terms of the book and all the activities. I'll take you through it as presented here.

This year the majority part of our effort has been on the Constitution so you'll find very little in terms of the program areas. Our experience this past year has been that most of the effort in that area has been taken up by the tribal councils and by the bands themselves. We got very little demand for program work, most of our efforts have been on the Constitution. On the legal front, Specific Claims and Legal Services, the work on the Constitution has mostly

been reported by Louise. Louise and Leslie, the lawyers at the Union office, totalled about nine months working almost every day to prepare the Memorandum of Law for Britain. We have a law student who worked on the Specific Claims area. During that time, the lawyers prepared the case for the Russel Tribunal, several Petitions to the Queen, the Governor General, the United Nations. They researched back four centuries. They launched a federal case in the courts, they worked as advisors to many of the Provincial Organizations in terms of their legal position on the Constitution, treaty areas as well as the aboriginal, they lobbied in London with the Privy Council. We received a document on Comprehensive Claims, that's one of the confidential documents. It hasn't been distributed yet, we have it back here, and we'll make sure you get that before you go. Basically the outline is that the government will reject the conservation of Indian titles. It's moving towards municipal type governments, they are pushing tri-partite , for provincial and territorial governments to be involved in the negotiations. The government will negotiate with those Indian groups who are prepared to trade off title, political aspirations, and identity for cash. Existing national and provincial political organizations will be avoided in negotiating settlements, time limits will be set to complete negotiations, a public relations campaign will be developed by the Federal Government to sell their positions, the areas they will be concentrating on for these settlements is where there is major resource development. The Trust Fund Research Project, Tyler and Wright, were engaged to research the whereabouts of various trust funds with respect to the Walpole Island Band in Ontario. Results of the research show that there are great difficulties

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achieving a method to analyze band accounts. There are regional differences as to how the funds are handled with poor and complicated accounting principles being used. The NIB did pass the resolution criticizing Tellier's handling of the Trust Account issue, and there's still further follow-up work to be done in that area. Summary of the taxation issue, our work in the past, has been hampered because we have not the funds to do litigation for the bands, the fiscal year 81-82, we received a grant from the Law Foundation of \$130,000 to cover lawyers salaries. Special appreciation goes to the Board of Directors of the Law Foundation for this grant. This is independent of government funding. The Specific Claims and Legal Research, the report by individual bands has been done so you can review. The next section has the Memorandum of Law, and the notice that went to all the bands on Federal taxation.

In terms of fishing, the Pearce Commission held community hearings in Lillooet and around the province the Union had participated under the direction of Saul Terry, who was head of the Fishing Portfolio. In most areas, the bands have exhausted a lot of approaches to having their concerns discussed. And the major decision by most bands is just to go fishing.

In the Health and Social Development Portfolio, we've been working on documenting the traditional force of Indian Medicine. We took the Greater Vancouver Regional District to court for polluting in terms of the Iona Treatment Sewage Plant. We won this court case, and received a settlement and damages of \$5,000.

The Education Portfolio has concentrated the major portion of their efforts this year on Language. There was a Language Conference held in Williams Lake and various workshops and conferences held around the Province.

Communications has been training people in radio, and we've continuously trained people from the band level and newspaper layout, dark room, and reporting skills. An Indian Writers Workshop was held in Neskainlith and Maria Campbell, the author of Halfbreed was there. She's assisted us quite a lot in various workshops for writers on the community level.

Energy and Resources: The total effort has been in the Northeast due to the Pipeline, the North-east Coal issue collaborated with the Northeast. Hugh Brodie, who wrote a book called 'Maps and Dreams' which is going to be coming out soon. Excerpts of that have been in the newspaper recently.

In terms of the General Assembly Resolutions of last year, we were successful in achieving all of them except for two. One was the Health Resolution on the sterilization of women which is going to take a major effort. We didn't have the time and the people to be able to achieve that resolution to bring it to its conclusion. The second resolution which the firing of Fred Walchli. I will say even though he may still be in as Regional Director, we did our very best. In terms of the Constitution, which has been a major effort this year, involved a political lobby in England, and in Ottawa. Co-ordinating an overall national strategy with the other provincial territorial organizations, preparing all the materials needed for the political lobby in England, organizing the press and the media, educating them to the concerns of Indian people, in Europe and in England and in

B. C., continue informing the bands of what is involved in the whole Constitutional fight. There's been a real awakening on the community level this year. In July, there was the occupation of the Regional Office of Indian Affairs by the Concerned Aboriginal Women, and it had the full support of the Union of B.C. Indian Chiefs, the Vice-President directly involved, and at our offices, we kept the communication lines opened to try and keep negotiations going with the Ministers' office. Since that time, we've continued to support the Concerned Aboriginal Women, helping them organize, providing the moral support they've been looking for, providing them with office space, the printing they need done, just being generally a communication point for them. Yesterday you got most of the report on the Constitution, so I won't go into it in too much detail. Are there any questions from the floor?

STEVEN POINT: In order for a report to be put into the records of the Union, we generally require a resolution adopting the Report from the President. The Chair at this time would entertain a resolution to do so. Are there any comments or questions that can be directed to Rosalee in terms of the report itself? It is quite a lengthy report, and it is in your binders. We assume that you have all had a chance to browse through the report, certainly the Constitution report was the major part of it and this was delivered yesterday.

MOTION: (Gus Underwood, George Saddleman)

To adopt the President's Report

CARRIED

ROSALEE TIZYA: (Administrator of UBCIC)

I wonder if I could take just a minute or two just to make a pitch in terms of the Radio Telethon.

It's a seven-hour telethon tomorrow from 12:00 - 7:00P.M., and we're hoping that we can get co-operation from various leaders, Elders, community people. It's a fund raising effort for the Constitution Express, and we will have seven one-hour segments. One hour will be set aside for leaders who will discuss the Constitution, one hour for traditional Indian music, contemporary music, Elders to speak, and any interested person. We need as much assistance as we can get. I think it's a good opportunity for the public to hear how we feel about the Constitution issue. It's seven hours of total Indian time to express ourselves. And if there's anyone that is interested in helping, we're going to be meeting at the office (UBCIC), at 11:00 A.M. We'll also need assistance in answering the telephones and receive pledges. On Sunday there will be a send-off rally from the airport, and we're hoping that a lot of the Chiefs and leaders can be there to see their people off, that we can outline later. Thank you.

ABEL JOE:

I have a problem that I would like to present to the Assembly before lunch. It's in regards to the Jay Treaty. Some of our people on the Island have been stopped at the border, and we're charged for the goods we were taking from the United States to Canada. The United States recognizes the Jay Treaty, and I don't remember what year that was, but Canada did not recognize the treaty. Therefore it is up to our people here at the Assembly to fight that and make the Canadian Government recognize that Treaty because the Indians of North America have no boundaries. The Creator put us here in North America, and we're still fighting the government. How and where we walk on this earth concerns everyone of us. Years back I can remember,

when we went to the United States and we could come back with goods without any interference with the Canadian Government. Now that I found out why that has been enforced just this year, the Canadian Government did not recognize that Jay Treaty. Maybe some of you that understand the Jay Treaty can come up and clarify the question before we have something to eat.

STEVEN POINT: Perhaps we can dig up some of the information for you this afternoon. Is that agreeable with you Abel? And we can have somebody answer your question this afternoon. We'll have one of the lawyers do that. There's been a concern in regard to the family that suffered a great loss here, one of the Councillors of the Indian Bands in our community, and a member of our staff at the Union was affected. The family and relatives couldn't be here with us yesterday, some of the staff members the first day because of the tragedy they suffered at that time. It was recommended by our Elder that we should follow our tradition and make a collection contributing to help the family, the way we generally do as an Indian community. We put out a container and we ask that a small collection be put forward so that it can be given to the family in their time of need. While this collection is being taken, I want to make an announcement that there is a raffle in the back. I understand lunch is ready in a few minutes. There is one other item, and I would like to call on the gentlemen who is presenting the resolution, Chief Ed Moody, would you come forward now with the resolution. Just a reminder that the drums are still missing if you happen to see them around, a reminder to George Harris, have you donated you \$20 to the legal cost yet? Signed, your chief. A reminder from you Chief, if you haven't made your contribution. We had a vote yesterday, many of the delegated voted with a \$20 bill, the cost to vote in that resolution.



GEORGE HARRIS:

Everybody is talking big figures, so that's 2,000 pennies I donated there.

STEVEN POINT: I don't know how much money is here, and we're asked if you could count it. On behalf of all of us here, I want to thank everyone who has contributed, the person who is standing with me here is a staff member, Penny. She began with the staff many years ago, with the rejection of funding. I remember when she began working, she's worked through thick and thin, sometimes without pay, long hours, and it was a hard thing what happened in her family. She was very sad not to be here the first day of the convention, and your contribution now is going to Julie and Penny to go to the family. These are two staff members at the Union office. These are the two people that will be taking this to the funeral, and will be presenting it on your behalf. Thank you very, very much.

PENNY BILLY: I've kept in contact with the family that lost members of their family. I spoke to the second oldest brother last night, and I mentioned to him what was done here on the first day. He asked me if I would personally thank the people for the consideration. He asked if you could continue to pray for them because the family is divided right now. There is no way of getting the children down to their grandparents. And it's been very difficult for them. What he said was that they could handle losing one member, but to have four of them taken away, it is really, really difficult. There are four girls left in the family, and they are all between the ages of seventeen and twenty-four. I want to thank you on behalf of the Jacobs family, they appreciate it very, very much.

CHIEF ED MOODY: (Bella Coola Band)

Ladies and Gentlemen, Chiefs, this resolution I would like to present to the Assembly is brought forward by an Elder. In talking with some of my Elders, and what we felt yesterday about our President, George Manuel, We thank him for all the effort and things that he has done for our people. He has visited our band, and he has lived with us for a short time in his visits, so I would like to put the resolution to the floor.

WHEREAS The Union of B. C. Indian Chiefs wishes to recognize the efforts and contributions that George Manuel has made on behalf of the Indian people,  
BE IT RESOLVED THAT the Union of B. C. Indian Chiefs appoint George Manuel Grand Chief, and  
BE IT THEREFORE RESOLVED THAT George Manuel be mandated to establish a Senate of Elders.

STEVEN POINT: Is there a seconder for the resolution? You heard the resolution. The resolution as I understand it is in recognition of the efforts of George Manuel, making him a Grand Chief, and giving him a mandate of establishing a Senate of Elders, for the Union. Do you have a speaker on the resolution?

SECONDED BY ANDY THOMAS

CHIEF ED MOODY: Yes, I do. Lawrence.

LAWRENCE POOTLASS: (Hereditary Chief, Bella Coola Band)

Mr. Chairman, Brothers and Sisters, I think it's a great privilege to stand before you people today to talk about our former President George Manuel. I believe

he has done a lot of sacrifice for our people in B. C., our children, our grandchildren, and for the future of our generation. I think he was involved with the NIB, and involved with the World Council of People. I'm not really familiar with these areas. I believe he has put a lot of effort, his whole being, his whole self into these jobs. I believe it has affected his health, his family, for the cause of our people. I am really proud to make him our Honourary Chief in B. C. I don't feel worthy to stand here on behalf of you people, but I am honoured to speak from our Nux'halk Nation. He has encouraged our people. I feel in the last six months that my eyes have been opened, become more aware of our problems, what we're fighting against here today, what our people are putting together. I believe this is our last battle, and I hope and pray for everyone of you leaders to stand behind our new President, our Vice-Presidents, and to continue to encourage them. A lot of us make mistakes, and we have to look at our mistakes in order that we may go ahead. I believe that it is everyone that will make things go, it's not only the leaders.

I would like to thank all those that came to my potlatch in Bella Coola. We did a lot of ceremonial dances, name giving. My real name is and , and I am proud to say that I have a name now, and I also have a song, a Chiefs song. We had a marriage ceremonial potlatch, also staking a claim with our rock carving because the government always says that those rock carvings came from another land, from another nation. But I believe our people used to use these grounds for ceremonial fasting, and it's an our history, our culture, in our story. Another thing that I got support in was the pulling out of one of our posts. We didn't recognize that

post because DIA always makes our reserves smaller. We're quite concerned about the future of our younger generation, where to build, and we pulled that post out, and I am very happy to say my brothers and sisters that were in that potlatch, encouraged me. They uplifted my spirit, and this is one of the things that our leader, George Manuel, encourages our people to do, is to go back to our way of living, to find ourselves as native Indians, First People. I would like to say that George is welcome to come to our village, or Nux'halk Nation. He is our Honourary Chief, and I believe that every band here in B. C. has the same feeling and proud to be able to say this, it may not mean much but it means a lot to my people. I was hoping that I would have something to give to him today but we weren't quite prepared for this. I believe our people should give him a headdress to show our appreciation, so I would like to commit from our Nux'halk Nation, that we will give him this in the future when he comes to visit at our village.

With regards to the \$20,000, I think that was action, and with this other \$250,000 that we need to raise. I have been talking to the Band Council here, with our Elders, I feel that we have to contribute at least \$70. I don't know how we are going to do it, but I feel it should be that much from our band. I hope we can raise that much. I hope you really stand behind your new President, you Vice Presidents, you Executive, and whoever is in charge of the Union of B. C. Indian Chiefs. I feel that some of the other organizations have not come out strong enough against what we are doing here. I am not to judge, but I feel it kind of heavy within my spirit that there isn't enough news about what our people are trying to do to fight for our race for the future of our generation. I thing I will leave it at that.

STEVEN POINT: You heard the resolution. I don't think we've ever had a resolution of this nature before. Is there any discussion?

ABEL JOE:

The resolution that was presented to the Assembly, is the greatest honour we could bestow on our past president. The things he did for us, how he guided everyone of us, many of the organizations across Canada did not agree with things that he did for us but it's gone right through the whole world. He did not do just for British Columbia but across Canada, the world and into the United Nations. Most of the time I know he did not go through the expenses of the Union of Chiefs. I think it's the greatest honour we could bestow on our past President. The way the resolution read, the way I understood it, in our Indian word, if I could be corrected by Elder Wilfred Sylvester, is that he will be our 'lamahahhni', in other words in English, he'll be the 'greatest advisor' among our people here in British Columbia. I know he will not have very much to do with now, but maybe the way he's going to conduct his life-style behind Union of Chiefs. A man of his calibre is one of the greatest things that he has done for the whole of Canada. If I could remember, he was the man who brought the NIB back to life, he was the man that went across Canada to wake up Indian people of what we're faced with, and I am sure that everyone of us feel that we should contribute something to this man, of his calibre, and of his age and health.

There is another thing that has been mentioned already among our people that when we go home, and go to each member of the bands, and ask them for donations to keep our fight going. When we came here yesterday, we were caught with nothing in our pocket, and still there was

a lot of people who donated and the last man that presented 2,000 pennies, that was really something because even a penny counts in our struggle today. Some of us might think 'let them do it'. We're always talking about 'they', who are 'they'? We are 'they'! It's everyone of us that has to dig for our last penny, let us do it. We don't want to depend too much on other funding to carry through our struggle. It's not only that struggle with the Constitution, but it is many, many other things that we have to deal with. Everything that is mentioned, or any resolution that is brought into the Assembly, is going to cost. And the money that the Union of B. C. Indian Chiefs has got, is not enough. When the Secretary of State comes in this afternoon, I think we should prepare many questions for him. As a Cultural Researcher in Cowichan, I dug into many of the treaties and all the recommendations and everything that the former governments presented to the Indian people. There is one that I found, I don't know what year it was, when the first DPs, they call them, "Delayed Pioneers", bought the land for maybe \$1 for every ten acres or so, and half of that money is suppose to go to the Secretary of State. Where does the Secretary of State get their money from? That's the question that I would like to present to that man. The face of their dollar bill is worth nothing without our natural resources. ~~///~~And listening to everthing that went on yesterday, how each government that we elect to govern us, is putting us down to the ground, all the money they have, the government is even afraid of the big companies because they would get no money from them. The dollar rules the day, and that's our dollar. There is no way they could get to print that dollar bill without our natural resources.

I think that's the biggest tribute to our past president. The way the resolution sounds to me, there will be little things involved, their travelling expenses, if the

Council of Elders is going to be formed. When we think of the Elders, the knowledge and wisdom they have, it's the greatest thing for all the young people here that are listening. Every one of us has to dig in and help that resolution out so it will be something. It's not just to pass here, and forget about. When it goes into the book, we lose it. It is the greatest thing amongst the Indian people when a man receives an Indian name. I could see the Indian coming back into life, and going back and live on the earth, and understand the earth with one mind. Even the spiritual dancing in our area is coming up. It died when the Indian Department prohibited the Indians from having potlatches, confiscated everything that we had because all those things that the Indian believed before the white man came, their form of prayer, to a tree, to anything they have, they gave thanks. Even before they touch it, the Indian people respected the tree, especially the cedar, the king of the forests, where we got our clothing, our canoes, our shelter and everything. That's the thing we are forgetting, and let's get the young people to do a lot of research of the ways and means the Indian people did long before the white man came. If we don't, we're going to lose everything.

We're fortunate enough that we have many of our Elders in Cowichan that remember many things, and we're putting it in book form. I've written the Cowichan Indian Language and all of these things that I learned from our Elders is going to go into the schools, all except the spiritual things that we do in the longhouse where if an Indian boy wants to learn, or anybody has to go to our library and read it, it can't go out of our own library. It's not going to be put public, many things that we got from our Elders, it's not going to be put public so that's one thing that I really go behind that resolution, for our past president. I give him honour for that. Thank you.

CHIEF BILL ROBERTS: (Kwawkewlth Band)

I think it is very good to recognize one of our leaders. Why recognize only one? In our own territories we have leaders too. One of the men that really started the organization of Canada is Andrew Paul from the Squamish Band. We forgot all about the gentleman. He worked without pay. At a meeting, he made it possible for our people to unite Canada. And we have the Northern Territories, Peter Kelly and the Nishgas. We should put them all together as leaders, not only recognize one. We haven't accomplished very much yet, we are still a square marble, we have to start over again. Our rights have been based on the land question. We've been trying for many years in our territory, we subscribe to the Allied Tribes for many years, all through my life. I subscribed for funding from different organizations for our rights. We have to recognize the other people too, not only one. We recognize the people who's going to win our rights in Canada, we're nothing here, our people have qualities, dedicated people, without pay. This is what I want to say, to recognize all of our leaders that has gone.

CHIEF RON JOHN: (Hope Band)

I support the resolution 100%, but I do also agree with the old gentleman who spoke before me. It's not too late to start recognizing and appreciating the great leaders of today while they are here, to show appreciation for the ones that passed and have gone to the other world. I have great respect for many of the leaders that went before us. I can still hear their words and their battles. We have a lot to learn, this is a very young country when you're speaking in foreign peoples' language but it's an old country the way we see it. I'd like to see a Grand Council of Honourary Chiefs in B. C., where they have a vast knowledge of the fight that went on before us. We can learn from that, we can learn



how not to get buried, with the advice of these great men. We have a few of them sitting here today. I'm sure when the Council of Grand Chiefs is organized, and they meet regularly to advise our young Chiefs, that our front is going to be stronger, and our battle, looking through that tunnel, is going to get brighter. I have a lot to learn as a leader, but I appreciate everybody's opinion as well, I hope they appreciate mine. While I am up here, I would like to say congratulations to our new Executive of the Union of B. C. Indian Chiefs. I have a little advice, my own opinion, and I've heard it here a few times over the last couple of days, and that to open our doors, our minds, and our hearts. And with this new leadership, I see a new momentum forming because the new faces on the board are young and energetic, and I know they have a strong tough job against them fighting for us, because the financing is going to have to come from the people. I would say we open our doors and be more open, so that this Union can grow as the Union of Chiefs for the people, and that we listen to everybody's problems as we will have them listen to ours. Thank you.

CHIEF TOM SAMPSON: (Tsartlip Band)

I just wish to thank the Chief from Bella Coola for bringing this to our attention and recognizing our leaders while they are still alive. I feel the same way as Bill Roberts that sometimes we should give acknowledgement to the leaders that have passed on. I thank Ed Moody for presenting this resolution. The band sheets that I have in front of me from Esquimalt, Lyackson, Songhees, Chemainus, and myself, we would not be collecting our honorarium for the expenses that we incurred here. We want that transferred back to the Constitution Express or to the second phase of our battle. So these bands will not be collecting their pay, we are here at our own expense.

STEVEN POINT: In terms of the resolution itself, just to answer some of the concerns that have been brought up, in addition or the addendum to the resolution clearly identified the process of establishing a Senate, and I would hope that incorporates, not only the leaders of today but the leaders of yesterday. I certainly think that it could be incorporated into the meaning of the resolution. I am going to stop discussion on the resolution, and exercise the authority of the Chair, I'm going to call question on that motion to make George Manuel, through election of the Chiefs representing the Union, a Grand Chief with the responsibility of establishing an Elder's Senate, a Council of Grand Chiefs In B. C. I call question on that motion, and I would ask all the delegates here who are in favour of that motion to indicate in the usual manner. Are there any opposed? I don't know how many Grand Chiefs we have in B. C., I don't even know if we've ever done this before, but for me at least, this is probably the first time that I'll ever meet a Grand Chief. I'm sure for the most of us it will be the first as well. On that basis, I would like to ask George Manuel to come up and accept this honour given to him from the representatives, the Chiefs of this Province. Ladies and Gentlemen, I give you our first Grand Chief of B.C., George Manuel.

GEORGE MANUEL: Thank you very much, Mr. Chairman, both Chairman, the Chiefs and the delegates of this Conference. I think it was pointed out that there's some great leaders who have not been given the required recognition that they should have had when they were alive. There is a great deal of truth to that, from all the people that have been involved. We often talk about great leaders, our own Indian leaders, but we always talk about them after they die, and I guess for this reason, I really deeply appreciate this honour that

has been given to me at this conference. I can go into a lot about the great leaders that have gone by. Andrew Paul to me, was one of the Champions that I worked under when I was just a young boy up in my reserve in Chase. In 1952, I wrote him a letter telling him about the problems that the Indians were having in the Interior of B. C. At that time they were denying Indian people health services, medicine, hospitalization and so forth. I can remember that. At that time I didn't know the man at all, but I wrote him a letter from Chase. I wrote to North Vancouver because I didn't know what his address was, I just put North Vancouver, and he answered to me immediately. He told me that I should not pay my doctor bill, or any bill, that the Health Services were trying to make me pay. The reason he said was that the land that the white people occupy belonged to the Indian people, and the land was stolen from the Indian people. This was the letter that he wrote to me, the Indians anywhere shouldn't have to or will not as far as I am concerned, pay their doctor or for health services. That's the experience I had with Andrew Paul, since then we worked together until he died. I learned a lot from him before he died in that period of time. But there are also a lot of other people, you can go on and on, who have sacrificed, as Bill Roberts pointed out. There were many sacrifices that were made by individual Indian people right across the Province, right across Canada. I can remember when Indian people all over the coast and the interior didn't want any money from the government at all. They were afraid if they accepted money from the government, they were surrendering their aboriginal rights to the government, and so that is what we are talking about at this conference. That is the very key that happened about our life, now it is our face today. I guess the government has accepted the fact that we have surrendered. That's the reason why our people are very shocked about the actions

that the Canadian Government is pursuing to patriate the Constitution. You've been told yesterday in the past two days what the patriation means. It means Canada wants to bring the Constitution back to Canada and divorce its political relations with Great Britain and they will now govern totally under their terms and their conditions how Indians should live under assimilated situation. We've been forewarned by many of our Elders this was going to take place, but we never listened. A lot of our people never listened to our Elders who have died, and a lot of our Elders that are still alive, that this was going to happen. Now all of a sudden, we realize that our backs are against the wall. I can sense a concern at this conference, a real urgency. There are two Provinces that are doing something about it. I was informed by the Alberta Indians that they are going to be putting in \$80,000 towards this fight. They've already spent \$20,000, but they are going to go in with us and work together to fight this battle. That's hard cash money, they've got it right on the table already. So I gave this message this morning to them from the delegates of the UBCIC that we've gathered about \$30,000 up to this morning. That's \$115,000, we've gathered already up to now. We need far more as far as this fight is concerned. It is very encouraging because for the first time in my experience as a leader, it looks like we are listening to the Elders. We are listening to our constituents, to people who elect us as Chiefs, we're listening to the people who are concerned that our land is going to be stolen, our fishing is going to be stolen, and our identity has been stolen. Mr. Chairman, for this reason, I accept this honorary position to be a Grand Chief. I thought I was going to be retiring, but it's not really retirement that you are talking about when you delegate this responsibility. It requires a lot of work to put together a Senate of Elders, a board of Elders. I would like to get

some of these Elders like Sylvester, and other people, to help because it's going to require a lot of peoples' mind to be able to put this together, and to continue the fight that we have. To conclude, I thank you very much for recognizing me for the work that I have done in the period that I have been with you people, and I am glad you did it while I am still alive. Thank you very much.

STEVEN POINT: The cooks are really getting angry with me because I've been keeping the conference over, however, I've been waiting for this moment for quite a few minutes in terms of the presentation to George. We do have one problem and that is in relation to the time constraint that I am going to beg the discretion of the assembly. We have two choices at this time, perhaps after lunch we won't see as many delegates as we should, the fact is we have the gentleman from Secretary of State with us at this time. We originally indicated at the Chiefs Council that we would allow him fifteen minutes to make a presentation. The question that I have for the delegation is would you like to hear his presentation, or would you like to eat first. You want to hear him now? Mr. Burroughs, are you here with us, from the Secretary of State? I would ask no booing or hissing.

MR. BURROUGHS: Mr. Chairman, Chiefs, and guests at the UBCIC Assembly, I must say it is a dangerous thing to ask a person of my background to speak for only a few minutes, Basil Ambers, you may know what that means, and some other people, but I am pleased to have the opportunity, but not to defend the Secretary of State for the last 114 years, but to say something about the role of the Secretary of State Department currently plays in the funding programs for representative Indian organizations across Canada for the last ten,

almost eleven years, the basic funding programs for the provincial Indian Status and non-Status organizations has come from the Navive Core Funding Program. For most of that time, in most of the Provinces, it is meant that there has has been funding for one provincial Status Indian organization and one provincial and regional non-Status Indian organization. There has been some additions to this in Ontario and Quebec, and this past year, or the current fiscal year in British Columbia, this has been altered to allow tribal councils or district councils, if they had the strong support of the bands within their areas to receive funding from the Core

Funding Program. There has been a lot of concern about this by the UBCIC and that's not surprising. Because the funds for the program were not increased and it meant that if Tribal Council did not put their BCRs to support the UBCIC, IF THEY Put thier allocation to the Tribal Council, it meant a reduction in ~~the~~ funds for the UBCIC in this case. The program that has been operating since 1971 is expiring at the end of Mar. and the Sec. of State has said that before the <sup>new</sup> program ~~(new)~~ is put in place for next Apr., ~~that~~ Consultation must take place with the prov. Organization that had been using the Core Funding Program across Canada and in the case of B.C., the organized tribal or dist. council that have qualified for the funds this year or might in the near future. As a result, we are trying in the next few weeks to complete consultations with all the dist or Tribal councils so that we can find out one council at a time rather than having them all together as happened ~~this~~ <sup>w</sup> winter. What the views of the tribal or dist council are in this matter. And if it is the strong wish of some tribal council to be independent and not participate in a provincial association and their band council continue to support ~~XXXXX~~ that position, then the way the program is at the moment, they would be able to allocate their per capita share to their own tribal council. It may be that ~~the~~ new program which hasn't been written yet and will not be written until the reports are completed on our visits to various dist. and tribal groups and prov. associations. It may be an entirely ~~a~~ different kind of program and we have to find out what ~~the~~ tribal or district council that want that program to be and what the prov. associations want that program to be. During the next two weeks we hope to be meeting with many of the people who are in this room as they participate in their particular tribal or dist ~~XXXXXXXXXXXX~~ council and we are attempting to establish the date and time for a meeting with the executive or officers of the UBCIC as well or those who are going to be available to meet with us a couple of weeks from now. It has been a very confusing year for this particular program of the Sec of State because at the same time that there were BCRs being requested by our dept., the DIA was doing the same thing and they ended up having different dates and there was a lot of confusion which seemed inevitable. We hope that we get a clear message from the tribal or dist council throughout the prov. and that your own organization, your own new executive, I guess it is now will be able to put before us the kind of program that they believe the Sec of State ought to have. I'm sure they're tired of telling the Sec. of State what the program should be but we're being asked once again, now by <sup>the</sup> a new minister, Gerald Reagan to insure that we get views of the <sup>N</sup>ative people and that we try to develop with them a program that is going to provide the core administrative funding to allow them to do their work and to carry out all their other responsibilities of aboriginal rights and land claims and social and economic development activities which are so important for you. Thank you.

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STEVEN POINT: Okay, you've heard the report. Basically, he is telling you that he will be coming around to the districts, the tribal coun. wanting some information whether or not you want your \$ allocated to the dist. or the tribal council or do you want it going to a central organization? Essentially the same kind of thing that has happened previously with the department and again a question of \$. So if there are any questions or comments that we can direct to our representative of the Sec of State here.

BASIL AMBERS: I'd like to ask Bob, how did it come about that we're now being forced to make a choice? One of the things that every man faces and all district council faces is the lack of \$. Now you're coming up to us and saying ~~that~~ 'Where do you want your \$ to go?' The thing to me is a divisive factor. Is this designed?

BOB BURROUGHS: I'm sure that its not designed but there are many people who suggest that it is ~~designed~~. The Sec of State dept. received proposals, requests, demands from some provincial organizations and other provincial organizations and tribal councils who were not participating in the provincial group that's not represented here. This happened in 1978 and again in 1979 and 1980. Each time the Sec. of state dept. ~~was~~ in 78 and 79 ~~they~~ said 'no its only going to one provincial organization. That's a national program and that's the way it is.' But in 1980 when this happened again, the decision was made by the Native Citizens' Directorate of the dept in Ottawa to have a consultation to write to the dist councils to bring the various tribal or dist councils together for a meeting and have that as a principal agenda item for one day of that meeting. At that meeting the vote was approximately 2-1. It was 11 to 5 in favor of decentralizing the program or at least allowing tribal groups to be funded by it if they had BCR support from their band. That's what happened as I pointed out earlier ~~the pot of money~~ the funds available did not increase, therefore, any support the tribal councils <sup>received</sup> meant less \$ for the ~~provincial~~ provincial organizations and I agree with you, it puts bands and it puts dist. councils and tribal council <sup>in a</sup> position where they're caught in the squeeze unless there is additional money provided and quite frankly if people ask advice or suggestions which they may not do but some of them already have and I said 'I think that you <sup>have to</sup> ~~got to~~ pressure for an increase <sup>in</sup> pot of moneys so that tribal council and dist council can be funded without necessarily taking money from the support of the provincial organization.

STEVEN POINT: Thank you. I would like to point out that you mentioned earlier that there was a lot of confusion when this ~~whole~~ formula came about and I know from my district council, it took me a long time to ~~exactly~~ realize what that whole thing was about. When I did sit back and look at it, ~~to me~~ it looked like a government concocted plan whether to divide Indian bands in B.C. If Sec. Of State sat back and analyzed ~~and just look at~~ <sup>it</sup> the thing objectively, they would ~~have~~ realized that this is what the whole thing was going to do. You're asking us now to lobby after the fact. This isn't even the eleventh



the

hour we're talking about ~~now~~, this has gone past 12 o'clock mark and I think you're asking us now to do your job for you to go and lobby for \$ for your dept. Thank you.

Ray Hance: Looks like he's been scalped already. But anyway, Bob, I just wanted to clarify a point here. You mentioned BCRs a couple of times and the band that didn't send any BCRs this year, the funding ~~XXXXXX~~ what happens to that?

BOB BURROUGHS: If the majority of the bands in a district council or tribal council area allocated their per capita share to the tribal council in case of the alliance, the alliance was considered as a ~~tribal council area~~ tribal group. If the majority of the bands representing the majority of the band membership in those areas allocated them to that group, then that's where that money went. In the case of a trib. council area where there were 8 bands and 5 small bands allocated their money to the tribal council, the other 3 bands that represented the majority of the population allocated theirs, didn't send BCRs, so all the money for that area went to the UBCIC. And if you're speaking about Chemanius, ~~The Chemainus~~ at the time that the letter went out and at the time ~~of~~ the deadline was reached, was a member as I understand of the alliance. They were certainly listed on the Alliance in the communication I had with the band office, that was the case. I think there was a change in council just about that same time and the BCR did not come to our department. All the other bands in the Alliance supported their allocation going to the Alliance and so their share for all the bands in that area go to the Alliance. DIA had a different system. Wherever a band asked their money to go, if it was the B.C. Homemakers or whatever, if one band asked their 400.\$ to go to one place that's where it went, but the Sec of State Program said unless it is the vast majority of a dist. or tri council area putting their funds in one area that it would not qualify into ~~that~~ program.

RAY HANCE: Well, what you told me over the phone Bob was that if a BCR didn't come in from my band, then it automatically went into the UNION., so we didn't pursue it any further.

BOB BURROUGHS: AT The time, this was about April the 15, or just after the deadline, when you were talking about this, I was told by your office that the BCR was in the mail. At one point when it didn't arrive, ~~then~~ I phoned back, it still hadn't arrived and the deadline was there. At that time, it was my understanding that that's how it was going to work, that if you didn't get the BCR in, then it was going on automatically to the Union. In Ottawa, at the Native Citizen's Directorate, they had interpreted it differently that if the majority of bands were in favor of a tribal council then all the allocation ~~of~~ that area would go to the tribal councils. If the majority of bands were in favor of ~~the~~ the Union, then all the money would go to the Union. I thought, up until about the middle of May that the director of the Native Citizens Directorate and the people handling the program ~~XXXXX~~ had given the

bias in favor of the UBCIC. But when they came out with the final decision that went to the minister, I guess your band is really the main one that, I can't think of any other~~s~~ where that happened. In fact, most of the tribal areas were unanimous or almost unanimous.

STEVEN POINT: Thanks Bob, I guess Nov. 8, we'll be meeting with you and hopefully we'll clear it up from our district but I do think that it should be known to ~~the~~<sup>an</sup> assembly that we did not pursue it any further on the strength of the conversation that you and I ~~had~~<sup>had to</sup> ~~that~~<sup>that</sup> if the BCR didn't come ~~in~~<sup>ing</sup> to the Sec. of State, the funding ~~would~~<sup>would</sup> automatically went to the Union and the BCR did not come in from the band.

BOB BURROUGHS: I acknowlege that, but if your BCR had come in, in favor of the Union, the money would still have gone into the Alliance That's the point I'm making that the majority went the other way, but you're quite right.

SPEAKER UNIDENTIFIED: When we met with Fred Walchli, ~~xxxxxx~~ about the Local Service Agreement, he said it came ~~from~~<sup>ro</sup> treasury board for the DIA WHO PUTS the local service agreement to be signed before we get our capital. Why was that? Because I feel that the money should be spent ~~them~~<sup>the</sup> way ~~the council~~<sup>that</sup> the people see fit and because following their regulations, its not doing the bands ~~any~~<sup>any</sup> good. There's a lot of band that didn't sign it and they didn't get any \$. There's one big band in our dist. that's one of the biggest bands in the Cariboo Caribou Tribal council ~~that~~<sup>who</sup> ~~it~~<sup>it</sup> suffered. It closed down their band office. I just want to know why we have to send that Local Service Agreement in order to get \$

STEVEN POINT:

Just a point of clarification, sir. The gentleman we have with us right now is from the Sec of State and not from DIA. However, ~~they~~<sup>they're</sup> ~~may~~<sup>may</sup> be somebody after lunch who could answer that question. Certainly, if that's a contentiuos issue in terms of Service of Agreement ~~inxxxxxx~~ I know that theres been a comment that I ~~have~~<sup>have</sup> heard before. Are there any questions that can be directed to Bob Burroughs from the Sec of State or is everyone starting to growl at the smell of the lunch. 15 min is up, the chairman says, so I guess that cuts us off. I want to thank ~~Bob~~<sup>Bob</sup> for coming down from the Sec of State <sup>to</sup> ~~answering~~<sup>answering</sup> the questions. I'm sure you will all be able to get intouch with him throughout the convention or the rest of the day if he's going to be around. Thank you for coming down and making a presentation. One final thing before lunch is served, there's a raffle that has got to be drawn and I'm going to ask Wilfred Sylvester to do the draw for us. It's for the totem pole that you see standing in front of us here, its worth \$500. Its carved by Roy Spect<sup>K</sup> and the tickets were for \$1 each and the proceeds are going to the constitution Express. We'll get Wilfred to draw the winning ticket and whoever wins can take their prize with them then we can break for lunch. Are there anymore tickets" Apparently the ruling here is that you must ~~be~~<sup>be</sup> here to win the prize so if you're not present, then you cannot win.

You want to sell some more tickets before we have the draw. Okay we will wait till after lunch before draw. Anybody else who hasn't bought any tickets please do so. We will reconvene at 10 to 3. Thank you.

Steven Point: I'm going to call the convention to order now. The first item on the agenda that we must deal with at this time is the resolutions. As I understand ~~that there was only 2~~ there are 3?

Andy : I'd like to put something on the floor before the resolutions. Its in regard to the paper that was handed out earlier. ~~in regards to~~ <sup>on</sup> the Indain Act. Sec. 12~~ab~~ B. I think we're going to have to take a look at this. Besides Sec 12-~~on~~ B, there's going to be removing Sec. 10, 11, 12, 14, 16-3, 48, 109 and any other sections containing discriminatory aspects based on sex. I think we have to have a talk as to whether we're going to allow legislations to be passed telling us who should live on reserve because under these changes, the white person or non-Indian can come onto the reserve and have boarding rights and if the white-guys <sup>can</sup> then they still retain the rights they ~~had~~ before, but I'd like to get some discussions on this whether we're going to be supporting this, rejecting it or whatever.

STEVEN POINT: Certainly a valid point in terms of the control of Indian reservations and Indian control. Is there any question or comment in regard to the issue that Andy has brought up here.

CHIEF DENNIS ALPHONSE: Just looking around the room, <sup>it</sup> ~~there~~ doesn't look like we have very many bands left here and I think it would be kind of fruitless exercise if we got a minority group deciding for the majority. But I think what Andy has brought up, I think maybe <sup>NO</sup> ~~we can~~ <sup>THAT</sup> instruct the Union to get a letter out to Indian Affairs and to the bands to give us time as individual bands to respond to these proposed changes at the band level. or district level. I can make it as a motion just to deal with it ~~just to~~ <sup>so we can carry on from here.</sup>

SECONDED BY ANDY

STEVEN POINT: ~~Do you want to second it Andy? He agrees with the motion. Its been duly moved and seconded.~~ In regards to this legislation dealing with reservations ~~and~~ control of reservations, a letter to Indian Adfairs be sent out requesting the bands be given time to respond to these changes in legislation, that the UBCIC be so instructed to send a letter of this nature.

Andy : I think that this has to be acted upon real quick because in this package it s got the whole strategy lined up as to how fast they are going to be moving on this and who's gonna be involved when they pass this. I think it has to be acted on right away.

STEVEN POINT: IS Bob Manuel in?

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~~Chief Oshkosh 188~~

~~Chief Oshkosh~~ Thank you Steve. You guys threw the wrong hairs out of that box. I just wanted to agree with Andy that I think that there should be quicker action. I was just discussing with Andy just a few minutes ago, ~~that~~ <sup>the</sup> document he has ~~has~~ <sup>is</sup> projected a 40 year budget. We're too slow acting on it. I think we might as well shut up for the next 40 years according to that budget so its a very important issue that should be brought forward and acted upon right away. I ~~like~~ ~~to~~ admit that I haven't read the document thoroughly myself, but just the points that Andy and myself discussed. It's very disturbing.

ROBERT MANUEL: In respect, I've reviewed that document and that was the section I zeroed in on and I started to apply pressure but a resolution would really help in terms of giving specifics to ~~xxx~~ the minister as to our opposition in that respect and in the other sections, I think that the whole thing needs to be reviewed very carefully and the idea of having *a resolution* would be really helpful too in terms of what we're going to do with the whole position.

STEVEN POINT: So you've heard the motion. Is there any question or discussion on the motion

*Quakisala*  
Mr. ~~Quakisala~~ (Campbell River)

This is the reason why I travelled 250 miles to come to this convention to see if this was brought up. I'd like to ask ~~maybe~~ if there are any vice-presidents here 'what precautions did the people ~~did the~~ <sup>use</sup> ~~people do~~ when they were in Ottawa with respect to the NIB and to the Native Council of Canada? Is this the same activity that was rendered when this discussion was brought up to them by the ministerial portfolio with respect to article 12 in the Indian Act?

*who was in Ottawa*  
STEVEN POINT: Is there any of the vice-presidents ~~who~~ can shed some light on this particular question?

*Quakisala*  
Mr. ~~Quakisala~~: I have a suggestion for the delegates when they go home because this is already an act like that paper you people have seen, I seen long ago. ~~As~~ all this problem with the non-status issue with respect to the marriage sections in the Indian Act, why not just put an addition in the Indian Act for the men who marry white people to have the same thing that happen to them that happen to the women because that was the traditional factor. Otherwise there's going to be no natives in existence one day. Thank you.

STEVEN POINT: Your original question ~~xxxxxxx~~ as I understood was ~~in~~ ~~regard to one of the or~~ directed at least to one of the vice-presidents and there are responses ~~coming forward~~ <sup>that</sup> to the legislation, is that correct. And then you suggested to rectify the ~~xxxxxxx~~ situation that ~~a~~ legislation could be added.

Mr. QUAKISALA: Well the way I answered you Mr. Speaker, is that, we're not entertaining the subject today that is going to be brought to the district level, to the band level, which isn't efficient at this time with respect to what the parliament is doing in Ottawa. To end the solution of that big budget that everybody complained about, the non-status women <sup>who</sup> ~~that~~ married to white people well, just add an addition to the act, instead of deleting certain portions to the act, add to it and include the native man who marries to the woman that isn't of status origin. The other question ~~that always seemed to be~~, didn't come with respect to the NIB was it was the same as this quorum today, it wasn't passed around to the delegation till the assembly was just about over and like the other speakers said it is a very serious issue with respect to the future prospects of our bands on the community level. It is going to cause more disruption than we've ever had before. I'm surprised that it wasn't one of the major topics here. I'm not suggesting that the constitution isn't important either, but with respect to the legislative ~~powers~~ powers that have been dominating us.

Wayne Christian: This whole thing on Sec 12B on the Indian Act has been talked about for a number of years now ever since it was introduced in the 1950s. I think it was the 1950s in the amendment to the Indian Act. I think its a serious issue that should be dealt with in one way or another and I think a letter directed to the minister has to be really strong in terms of the position ~~that~~ that has been taken in the past by this organization and the bands. Why is the government introducing legislation where they're trying to control citizenship of a community at the level of the house of commons. There has to be something that could be done so that specific regulations concerning citizenship and rights of the individual in the communities. It has to be controlled within the communities. I think those type of things have to go out and thats the position that has been taken in the past. I think it should be consistent with that. ~~And I also think~~ It also gives the bands the opportunity to discuss more fully what has to be talked about. I understand that they're trying to introduce in Nov. sitting in the house which is not too long away. The other thing I would like to add, like I got a hold of this document of the Shuswap Tribal council meeting in Neskainlith(I think) I took it to my council and I took it to my people and the immediate reaction was why are we giving rights to non-Indian people that nobody should get rights. How can you get rights when you're not even an Indian person? Those kind of things were talked about in the community in the ways we can deal with that. I think there have been many women that have been hurt by this section of the Indian Act. Many children have been hurt in terms of the way the communitys themselves have dealt with it. They've ostracized those people from the community and I don't think thats right. because they are of our blood, they are of our people. I think quite clearly in my mind that, ~~is~~ <sup>only</sup> this whole thing with Section 12 1-B the way the Canadian Government even acted on this issue was when it was brought to UN committee on civil and political

rights, again shows to me that outside pressure in terms of international politics that are being played are important. One of the things that the government is attempting to do when it comes to the whole document that is put before us is to throw a scare tactic into the non-Indian people in terms of money, to talk about a 40 billion dollar budget over the next 40 years or something like that. I think its one of the things we've got to have careful consideration of in terms of when we do table a position with the minister. Like I've said I think we should reaffirm the position we have taken in the past and I think 2 assemblies ago in terms of membership. I think it should be pursued more fully. Thank you.

Mr. Chairman, the point that I wanted to make is easy to understand. We had a traditional pattern before the Europeans come and I was wondering why all the chiefs and delegation that are approached on this issue have never recommended that we follow our traditional laws with respect to keep our identity, with respect to this assembly and all the other assemblies that have been held over this issue and this wasn't presented properly before by the NIB or any other organization in the country so that it would have prevented this case from going to the UN and establish that we do have our own laws and fundamentals that we function by.

*Bob O'Brien*  
~~BOB O'BRIEN~~

*matter of citizenship*  
 STEVEN POINT: I've been a national representative for the Union for the last year at least and I will say that without a doubt that we have presented the position <sup>we have</sup> ~~we have~~ been standing behind it. The position that we have is that the control over citizenship belong to the Indian governments of the band level. That includes the chief council and people there because its our position that only the people of the community know who members of their family are. The work that needs to be done by the bands is to put together the kind of legislation or to put together the kind of law there and enforce it in the way that you want to control the citizenship. That's been our position and we've stuck with that position. With reference with this piece of legislation that's coming, I see it as a response to that because we've told the government ~~that~~ regardless of what you say the responsibility for citizenship belongs to the Indian Govt. on the band level. I think what they're doing in this bill is trying to get a handle on it, because I think there are many bands that are exercising that right already and beginning to pursue it more. So to try to get a handle on us and get us under control, they've introduced this legislation. I think what we have to do ~~we have~~ <sup>we have</sup> to pursue it even harder. We have to develop our own laws in our communities about citizenship and that extends right into constitutions. That the same thing, the reason that the Indian govt. bill is coming in is because they're afraid that we're going to develop our own constitution and if we did develop our own constitution we would be exercising our own sovereignty and our ~~aboriginal~~ <sup>aboriginal</sup> rights and they're afraid that that will happen so they're trying to get a handle on it by putting something in. We have pursued it. There's no question in my mind that we have pursued it.

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I think, Bob, that I was trying to understand the information that I see in the newspaper and all the people who have attended back east is why do the big organizations still follow native improvement act of 1926 when that impeaches our strength with respect to going through them with different articles and resolutions and different briefs that are submitted to the minister. Like, were the people in the United Nations contacted by the traditional chiefs, the chiefs that hold council in Canada and presented their side of the grievance instead of the one-sided brief going into the UN. That's what I'm asking. Like you have the party ~~hey~~ that submitted their case, was there a brief submitted at the same time by the chiefs of Canada on the Lovelace case? Because it's a precedent setting thing of the legislation of Canada now has an instrument to use against us. That's going to throw us at least 30 years back. I just wanted to voice my opinion on that because it's going to concern us when we get home *and every body for*

BOB MANUEL: I'm not familiar with, I don't know what the NIB done or the National Council of Chiefs in this respect. The Council of Chiefs just new in forming. I never heard of anything the NIB did. *W.A.*

STEVEN POINT: Again I have to point out, whenever direction is recommended by any delegate that the way we like to take consensus in terms of direction is either through consent or through some kind of indication through the form of resolution. So if you'd like to give the executive direction, I would suggest please do so in form of a motion so that some kind of consensus can be taken. We're going to move on to the resolutions. Question has been called, Are there any resolutions. Chair stands corrected. Dennis Alphonse's recommendation to go forward from the UBCIC DIRECTLY to the DIA to give considerations in terms of the legislation changes. Question has been called on the motion. There's quite likely discussion on the motion. I'll ask all those in favor of the motion please signify in the usual manner. All those opposed? MOTION CARRIED.

I'm going to turn the chair over to the resolutions committee, Arnold Adolph.

Arnold Adolph: Okay, I have 3 resolutions, 2 will be handled by myself 1 by Chief Wayne Christian.

*Resolutions 1 & 2 by A Adolph & 3 by W Christian on sep paper*

CHIEF WAYNE CHRISTIAN (following Res. #3) I'd just like to say, I've been sitting here for the last 3 days, I haven't been saying very much. But sitting right next to the Right Hon John L. George, we were discussing this resolution earlier and we talked about the things that were being discussed earlier this morning in terms of the programs and the type of fragmented approach that has developed in this province in terms of our rights. One of the things that we've got to understand is that when approach and develop organizations we seem to be dealing only with programs. The only time we've sat forward are things like



and the things like the B. C. budget Task Force and things dealing with programs. We're just dealing in the administrative level. Many of our tribal councils and our dist council and many of our band councils ~~XXXXXXXXXX~~ are really involved in the administration of programs. I said this yesterday, if all those programs were effective and would work then many of the problems in our communities would be solved, but I think we've neglected one thing. That's the declaration of our ancestors. Through the development of the constitution that can confederate our people together on the basis of aboriginal title and aboriginal rights. We can further our cause not only here within our own country but also in other nations in the world. I believe this can be difficult if we go to one of the governments in the world and say that we're an organization and say that we're getting monies from the government and we're fighting that government with that money. Its going to be pretty hard for them to believe us. I believe quite strongly that we have to start developing something with the people and where our declarations have some meat to it. We can move in this direction that the things we're talking about in terms of the lost word, in terms of our ancestors can be put to work. I believe that we're in the stage of our development where people are beginning to see that all the times we've gone to the federal government over our concerns they've always handed us money to solve the problem, but the money has not done much good because native people depended on the state, depended on that government. We've got to break that attitude, I hear people say, 'well, that guy owns an Indian car, oh yeah, I know that's an Indian house.' You know in your mind what he's talking about that's a run down car, that house has got broken windows, broken doors. That's the image we're projecting to our people, to our young people and thats wrong. That's not right at all. We've got to be able to project to the young people, that as Indian People, we've got the right to have good homes that we can build ourselves. We've got the right to own vehicles that we buy ourselves. And that being Indian is not to have those negative connotations to it that we live in run down houses, we own run down cars, we live in a reserve that has a high unemployment rate. That's the kind of image that I always hear and it disturbs me. I think if this resolution does pass or it doesn't pass, I think that work going to continue anyway, because I believe quite strongly, that theres got to be another system, our own system of government has got to be developed and its got to be developed strongly. If you look all around you we keep saying that this is our land, these are our fish, these are our animals, that they were given to us by <sup>the</sup> creator of all good things to look after and protect for future generations, ~~and those yet unborn~~. All the programs in the world's not going to stop that one. The assimilation is taking place because as soon as we hook ourselves up to that programs we're assimilating ourselves into their system and we've got to stop that, so I beleive that if we can establish a constitution or confederation of all the Indian govt. in G.B.C., THAT IS SELF\_sufficient in its own right, where it can involve the people, the young people, the old people, our elected chief and councils and even those people <sup>who</sup> ~~that~~ live in the cities who are forced to

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to move there because their way of life at home is destroyed by the resource development. We've got to move to develop that because its important. When we return from Europe, from London that work is going to have to take place because the battle ground is going to be in our communities. I see many of the people are not involved, and we stand up here and talk about the people and that's not right, we've got to start involving them. The Indian Child Caravan was an example of how we involved the people that were affected by something that destroyed families, took peoples lives and destroyed our communities. It saddens my heart to hear that many of the bands have taken that issue up and done something with it.. Because that is the future of our children. There is no other resource in our community that we can rely on because we don't project a positive image of being a strong Indian person to those young people they'll grow up thinking that to be Indian is to be in the negative things we always hear and thats wrong. There are many things that happened in our communities since that ICC, which are good because our people were involved in that and the children were involved in that, our elders were involved in that our whole council and myself were involved in that process. I know that there's still to this day a lot of our children are being taken from their homes and placed in non-Indian families throughout this province. Still, I guess only hope, that when we return from our trip overseas that we can pick up that battlecry again for our children and do something about it. Sometime in early spring in Tsequate, Chief Paddy Walkus' community, his village. His community and my community can get together and hold a follow-up gathering for that ICC . Once again we can pick up where we left off and hopefully we can protect more children and get more people involved. This idea of a provisional govt. is nothing new in my mind cause we've done it in the past to the number of declarations of our chiefs before us put forward to the govt. Gradually we've got to organize it well enough, and strong enough so that all people are involved.. I think its crucial that we do thsi. One of the things thathave been concerning me is the way that we run our own issues all the time, we go in circles and a lot of times I feel that the words that we talk before these mikes and before the people aren't really coming form the heart, they're just coming form the mouth and the mind and thats not good. I think it's important that we really seriously consider looking ath this proposal that's laid before you, cause as I said its important for our people to get together, not just as elected officials representatives of our communities, but all people I said before that when people speak govts listen: 2 examples are the ICC and ICE to Ottawa and now to Londin. Consider that.. The resolution is there, I hope it generates some discussion and I hope you really seriously thing about it. Thank yqu

The resolution that was read, really sounds great. The only thing that we don't want to go into the whitemans' laws The constitution that we're going to write for ourselves that something that is going to do something good for own people. ~~and we want~~ O've heard many of our people say that we don't want to register under the

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SOCIETYS ACT, that's the only thing that we don't want to do. As long as we do it for ourselves, we'll do it without govt or anybody else telling us. And that's what we done in spite of ~~all the~~ court with the fisheris, we had an Indian court right in the long house and we beat them on their own laws and our own laws was better than theirs. I think it's the way we should do with the, if it ever goes their that we have our own constitution and we do not register under the societies Act.

STEVEN POINT: Thank you Arnold. Certainly not an easy task to go through some resolutions. Although we've had a fairly busy day today there is one other item on the agenda that I have to check with the organizer of the convention to see if we've dealt with the item or not and that is the one registered: Floor is opened for delegates to share and exchange with people going to the Constitution Express to Europe. Apparently that is scheduled for 3:00 on the agenda and on inquiring about this particular item they indicated to me that this was in fact taken care of yesterday in regards to the question that was actually. I wonder if there are any other items that need to be added to the agenda. I know there were some questions this morning in regard to a few items. There was a question as to whether the Union had taken a position on the Jay Treaty and I for one do not know whether the Union had taken a position on that or whether they were going to or what the position was on the Jay Treaty.

CHIEF DENNIS ALPHONSE: The question of what was going to be on the agenda for this conference was discussed at South Island and there <sup>is</sup> a couple of things that we wanted to air out here, <sup>it's</sup> not on the agenda I don't know if it was considered at all but for one Master Tuition Agreement and it was brought up at Penticton and Fred Walchli was confronted with it but we wanted to know if there's any new development on it and the other was in regards to the rebate on B.C. Hydro taxation. We made our position clear in Cowichan as to how we want to spend it and we don't know where it's at but I understand the other bands are in all B.C. is supposed to get together on it and I know for ones in the Forum was trying to have that money directed to them so that they can spend it the way they want it. I don't think that's the way it should be as far as I'm concerned.

STEVEN POINT: I wonder if we could have someone from the staff of the organization, Bob. there's a question that has come up with regard to the Master Tuition Agreement and the rebate for B.C. Hydro taxation, is there someone here who can answer these questions? ROBERT

ROBERT MANUEL: Well, I can only share what I know. I've been assigned specifically on the constitution and being a national representative for the Union during the past year so I haven't got the specific answers to these questions. One thing I can answer is in relation to the taxation money, I understand that the Regional forum has set up some kind of a corporate body and its intention to encompass the

taxation money from the Lillian Brown case in to that corporation along with the First Citizens Fund and band revenue funds and band capital funds, I can't remeber the other sources but just about all the souces of funds, there's about 20 of them supposed to be lumped under that body of taxation money was one of those and I know that in the Central Interior we had pulled out of that body, I guess we were sort of part of it and we pulled out of that body and I don't know what will happen with the corporation now. I think somebody who was serving during the last term could answer these questions better than I could.

Arnold Adolf: I think I have one legal question to ask on the issue on the floor. I'm wondering what Bobby has just mentioned infringes on the rights of an individual? Can we have some legal definition on it. The reason why I ask, Mr. Chairman, is that I understand that there's a lot of bucks involed to an indivifual and I'm just wondering if its legal for these people. Like I say, I think it infringes on the an individuals rights. Its a legal question that has to be answered.

Steven Point. Are you saying that the tax dollars are in effect belonging to the individual person being assigned to a larger body is an infringements on the individuals rights to that money?

That is precisely what I mean.

STEVEN POINT: Certainly that's a question that I've never heard anybody expound on, I think the case was won, it was an issue htat the \$s in fact had to go back to the people, but then the question arose in what form? How is it going to go back and who is it going back to?

Dennis had mentioned earlier the Master Tuition Agreement. I don't know if there is anybody here that is involved in that issue. Is there anyone here who's been involved that can shed some light on that particular issue? From the staff or from any of the other tribal goruls? I know that one of the things that happened in the Union of Chiefs staff that since the funding have been cut back they had to centralize a lot of their staff and pull them from other program areas and put them on the constitutional dilemma and since their priority had become the constituion some of the areas in the other the work in other ares had not been carried on with simply because of the urgency of the constitution so I don't know if there's actually been any progress in terms of the Master Tuition Agreements

:In terms of the question on the Master Tuition Agreement, the point to which it's gotten and has been stalled is that we've had our position together on that for about a year based on all the meetings and the workshops and negotiations were begun with the Regional office ~~xxxxxxx~~ of Indian Affairs in getting the province to sit down sometime last fall Mr. Walchli said that the regional Forum and other groups have yet to get their position further. So it hasn't moved forward to any kind of negotiation until I guess the other groups have sat down and developed their own position as to what they are going to negotiate with the province and the dept. As far as the Union's side is concerned, it hasn't moved beyond that point.

CHIEF DENNIS ALPHONSE: I think to clear up that B.C. Hydro taxation I would prepare to make a motion, so that the new executive and the Union can act on it on behalf of the member bands.

MOTION <sup>to</sup> THAT the new executive and legal staff would look into the B.C. Hydro taxation rebate to write a letter to B.C. Hydro to find how much money is involved and to how those bands can have that money released to individual bands.

I think it's up to the bands and the membership to determine how they're going to spend it. I know as far as individuals are concerned, they say that you have to have receipt as far back as they've been taxed, but no one is going to be able to do that. I think it's going to have to be done collectively so I think it will be up to the ~~mutual~~ <sup>individual</sup> bands as to how they want to spend that money or how they are going to use it.

Motion Seconded by Howard Wale

CARRIED

DAVID PAUL: TSARTLIP BAND) I wanted to inquire if the people here who have been involved with Can. Manpower Training Programs that they are now coming into a process with Fed and Prov agreements on training programs and I would like to see that a motion be passed here that we return Canada Manpower Training Programs back to the DIA where it belongs. I don't know if anyone is aware like under the Summer Student Program is involved in the same thing and are no longer requiring those fundings. I would like to pass a motion that Can Manpower Be returned back to DIA.

CARRIED (SECONDED BY: )

STEVEN POINT: I understand from talking to Bernard Charles who works for the Immigration and Manpower Dept., they are just recently this week are having a meeting about those training \$s and decisions are being made as a matter of fact. Is there any other ~~business~~ under the other Business that needs to be brought up or needs attention of the assembly?

HOWARD WALE : While we are still on the question of motions I would like to have a question related to a motion passed on the 12th General Assembly. It involves the Health Portfolio. The motion reads WHEREAS the Indian way of life demands that the future generation will continue to exist through the protection of the Indian Nations and WHEREAS there has been reports of Indian women having been sterilized by the medical profession without their consent and their knowledge, THEREFORE BE IT RESOLVED that the Health and Social development Portfolio of the UBCIC fully investigate these allegations and report their findings to the Chiefs council within the next year. This was duly moved by yours truly and seconded by Wayne Christian. I'm just wondering if the Health Portfolio has an answer to this motion.

ROSALEE That was one of the resolutions (2) that we could not work on this year because when <sup>we</sup> ~~you~~ look into the question we know that it was going to take a lot of resources and a lot of people. Its bigger than we thought it was, we've discovered that there's a lot of sterilization going on around and its going to take a big effort to launch the investigation and we'll have to work on that htis year I think to put some proper plans into place.

STEVEN POINT: Again , a question of manpower and time that was the problem last year in regards to the funding situation has certainly taken its toll. It does not mean these questions will not be dealt with, its just a matter of time. Are there any other questions or issues that need to be dealt with? I'm going to call upon our elder then to make a closing remark to the convention.

Before we close this assembly, I want to thank the wonderful chiefs who travelled over here to iron out all the problems we have and I also want to thank the public that just came here, not being a representative but to share in the problems, that's the way I want to see it. As I've said before we want to hold hands together all Indians and hand in hand to iron out our problems, therefore, I want to thank everybody that's in here, I know some of them have left and I still want to thak them and I want to say a few words to the new president I want him to have courage and have faith in his leaders to have a strong mind in keeping up this Union of Chiefs fighting for the things we want to accomplish. This much I have to say at this time. Thank you.

STEVEN POINT: I will call on Abel Joe to make the closing prayer for the assembly. Before I do so I want to thank who remained this afternoon, no doubt its a time consuming thing, taking time away from your family, from your bands from your day to day responsibility, to be here to listen to the resolution to take part in the discussion, I want to thank you folks the ones that have come to participate and share in the information. I wish you all a safe jouney home. I just want to thank you for coming and attending the 13th General Assembly