



**Shuswap Nation Tribal Council and Skwelkwet'welt Protection Center
Joint Press Release**

(Skwelkwet'welt Protection Center – Sun Peaks Resort, September 20, 2004) On September 16, 2004 representatives of the Shuswap Nation Tribal Council (SNTC) met with members of the Skwelkwet'welt Protection Center which is an initiative of the Secwepemculecw Traditional Peoples Government to overcome differences and divisions regarding the on-going development at Skwelkwet'welt.

Chief Nathan Matthew said that “the SNTC supports the right of Secwepemc people to occupy, use and enjoy the land and natural resources within Secwepemc traditional territory.” He predicted that “there will be \conflict between the Secwepemc and the federal and provincial governments as well as developers until the federal and provincial governments live up to their legal obligations to implement the Delgamuukw and Haida Supreme Court decisions through good faith negotiations rather than through narrow, sharp dealing decisions that result in direct action by and criminalization of Secwepemc people.” Chief Matthew also expressed his concern about the use of the August 27 SNTC media release by Sun Peaks and the province of BC at the BC Supreme Court injunction hearing. He stated that “the SNTC media release was never intended to be used against Secwepemc people in court.” Chief Matthew reaffirmed his “desire to have a peaceful resolution of the Skwelkwet'welt situation”.

Arthur Manuel said “the Skwelkwet'welt Protection Center appreciated the SNTC making it publicly clear that their August 27, 2004 Media Release was not an intentional effort to infringe on our Aboriginal title at Sun Peaks, because that was a very serious legal problem we were looking at correcting in our effort to quash the injunction”. He further said that “the BC Supreme Court was wrong in putting so much weight behind the SNTC media release and that will have to be dealt with in terms of our appeal to quash the injunction order”.

All parties rejected Sun Peaks and the province undermining Secwepemc unity, by misinterpreting the SNTC Media Release and Indian band investment at Sun Peaks as a divide and rule tactic. Mr. Manuel said “obviously any investment made at Sun Peaks by an Indian band under federal and provincial jurisdiction, and not based upon Aboriginal Rights, does not justify infringement of Aboriginal title. It is just an investment like any other investment.”

The Skwelkwet'welt Protection Center is going to seek to have the injunction quashed because it violates both collective Aboriginal Rights and the Charter of Rights and Freedoms, both part of the Canadian Constitution. The current order is unconstitutionally broad – as it orders the removal of all people staying in the base area of Sun Peaks and purports to give the police unlimited discretion in its execution. It is undisputed that if they were to arrest only Secwepemc people based on this order the police would engage in arbitrary and discriminatory enforcement against the traditional owners of the land.

The Skwelkwet'welt Protection Center is confident that the SNTC will support them in the three step legal process: firstly, to quash the injunction; secondly to seek a judicial review of the provincial

government decision to approve Phase 2 of the Sun Peaks Master Plan, especially if the government and Sun Peaks complied with their legal duty to consult and accommodate Aboriginal title; and finally to bring an Aboriginal Title case to force the federal and provincial governments to live up to their fiduciary duty and recognize Aboriginal Title at Sun Peaks Resort.

The meeting held on September 16, 2004 was the first step towards developing a workable relationship between the SNTC and the Skwelkwew'welt Protection Center to protect and exercise Secwepemc Aboriginal Title and Rights in the Skwelkwew'welt area, which encompasses Sun Peaks Resort. After lengthy discussion at the Skwelkwew'welt Protection Center both groups agreed that they had sufficient common interests to continue developing complementary strategies dealing with the commercial development by Sun Peaks Resort.

SNTC and the SPC will continue to meet next week to follow up on relationship building.

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