

Statement of the Wet'suwet'en Hereditary Chiefs
on
The Delgamuukw Decision and Treaty Negotiations
December 17, 1998

December 11, 1998, was the first anniversary of the Delgamuukw -Gisdaywa judgement

This historic decision by the Supreme Court of Canada confirmed that Aboriginal title is constitutionally protected and that it is a strong right within law. Aboriginal title has significant cultural, economic, spiritual, political and legal dimensions in this land. It is a right that reflects the prior occupation and possession of Aboriginal peoples in this land we now call Canada. It is a right that the Crown has a responsibility to recognize and affirm.

The *Delgamuukw -Gisdaywa* decision was a tremendous victory for the Wet'suwet'en and the Gitksan. It represented many years of hard work and sacrifice. Many Elders passed away during the period that the *Delgamuukw-Gisdaywa* case made its way through the courts. Many literally gave their lives to assure that justice was done for their people and for First Nations in Canada. We honour those who have passed and we honour our youth who are to come.

In the year since the judgement, the governments of Canada and British Columbia have been slow to respond. They have not heeded the law of Canada as articulated by the Supreme Court and as represented by the *Constitution*. Our title and our rights are still without recognition and respect. The Supreme Court of Canada provided us with a judgement which could contribute to justice for our people at long last. Unfortunately, justice continues to be unrealized.

The Wet'suwet'en remain committed to the continued assertion and protection of our ownership and authority in our territory. We remain committed to the assertion of our Aboriginal title on the land, at the negotiating table, and if necessary, in the courts.

Our first priority, as always, is to negotiate with the Crown so that we may be party to a just, meaningful and lasting treaty. Such a treaty, we recognize, must be based upon mutual accommodation and respect. Today, we reaffirm our commitment to treaty-making, to the negotiation of a new relationship with the Crown and with the people of British Columbia and Canada.

We are committed to the treaty process, but if this process is not productive and fair, we

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will have no alternative but to return to the courts. This is not our preference and we know it is not the preference of British Columbians and Canadians. We are confident that treaty negotiations can result in meaningful, constitutionally-protected arrangements between our people and the Crown.

Over the next several months, we will be experiencing a crucial time at the treaty table with Canada and British Columbia. We hope that the core issues of treaty-making will be negotiated by the Crown in a meaningful way for the first time. These issues revolve around the future of our land and resources, governance, finance and the general nature of the treaty. As these matters are negotiated, we will obtain a better idea of the intent of the Crown and its commitment to achieving a meaningful treaty. We hope that this process of negotiation will be successful. We will remain patient throughout it.

We support the efforts of our neighbours, the Gitksan, and other First Nations to obtain a just and lasting recognition of their rights and title. Today, we re-affirm our commitment to our responsibilities in our territory.

We believe that we can join with Canada and British Columbia to build a better future for ourselves and for all Canadians. *Delgamuukw-Gisdaywa* presents us with an historic opportunity. It presents all Canadians with an historic opportunity. The time has come to realize this opportunity.

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