

Constitution of Skwxwú7mesh Úxwumixw
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Preamble – Our Story

We are the Skwxwú7mesh Úxwumixw.

We are the descendants of the original people of these lands. We are the people of the wind, the rivers, the mountains, the forests and the ocean. Our ancestors lived with and walked on the lands with wisdom and strength, as we do today. The connection between our Stélmexw (people) and our ǂay Temíxw (sacred lands) is woven through our creation stories, our language, and our ancestral names and place names. Our snewíyelh (teachings) come from the longhouse, the land, and the wisdom of our Elders passed on through our history, ceremonies and culture. They are the foundation of our laws and way of life.

We have endured many chapters of change. Yet, we remain. We are resilient. We are proud. We are thriving. We honour our responsibility to the land and our sacred relationship with all living beings in order to protect our Siyámin (Territory) for the generations yet to come.

We hold up our siyáms (respected ones), our elders, our children, and our ancestors. We celebrate the strength of our families, the unity of our communities, and the sacredness of our relationships. We stand together as a Nation, with one heart and one mind.

This Constitution is our collective voice, prayer and our promise to protect future generations. It is a living document – rooted in our traditions, building on the 1923 Prayer of Amalgamation that brought us together, and shaped by our vision of the future. It is a bridge between our past and our future – as a Nation that is sovereign, self-sustaining, culturally vibrant, and united.

We will continue to walk in two worlds, guided by our snewíyelh (teachings) and empowered by our knowledge. We will use the tools of today to preserve the collective wisdom of yesterday for the generations of tomorrow.

We are Skwxwú7mesh. We have always been here, we are here, and we will always be here.

[The PREAMBLE will be translated into Skwxwú7mesh Sníchim in the next version.]

Part 1 – Interpretation (Including Values and Principles)

[INTRO SECTION to be written in Skwxwú7mesh sníchim and then translated into English with a focus on the Skwxwú7mesh worldview. This will be included in the next version.]

General

- 1.1 This Constitution is a sacred commitment to our people, our ancestors, and our descendants. It is a promise to protect what is ours, to govern with integrity, and to walk forward together in strength and dignity.
- 1.2 The purpose of this Constitution is to define the relationship between Skwxwú7mesh Stélmexw (Members), our Siyámin (Territory) and Skwxwú7mesh Úxwumixw Government.
- 1.3 This Constitution builds on the 1923 Prayer of Amalgamation and is intended to further the objective, set out in that Prayer, of advancing:

“the good government of the tribe, which would have as an ultimate result the abolishment of ill feeling that has arisen in past transactions, and which we know will henceforth bring about a brotherly feeling among each and every member of the Squamish people.”
- 1.4 This Constitution is the highest written law of Skwxwú7mesh Úxwumixw.
- 1.5 Skwxwú7mesh laws must be consistent with this Constitution. Any Skwxwú7mesh law that is inconsistent with this Constitution is, to the extent of the inconsistency, of no force or effect.

Values

- 1.6 The following deeply interconnected values will be considered in interpreting this Constitution and in carrying out duties and responsibilities in accordance with this Constitution:
 - (a) **Úxwumixw** refers to a group of people or a village of people and the people of the village must always come first. It is now used to describe our Nation.
 - (b) **Snewíyelh** refers to giving and receiving teachings and advice and encompasses the wisdom of the Ancestors and should be manifested in all we do.

- (c) **Siyámin** means the territory held by a Siyámin. It is now used to refer to Sk̓wx̓wú7mesh Úxwumixw's territory and encompasses our collective responsibility to care for and protect these lands for future generations.
- (d) **Nexwníw** refers to our upbringing and obligation to bring snewíyelh into the work we do by following our family and ancestral teachings.
- (e) **Wanáxws** refers to respect for all of creation, including the people, the animals, the plants, the land, the water, and our snewíyelh (teachings). This respect is what binds Sk̓wx̓wú7mesh Stélmexw together.
- (f) **Stélmexw** refers to living beings and is now used to refer to people. It encompasses the responsibility to know who you are and where you come from and our interconnectedness with the land and all living things.

Guiding Principles

- 1.7 The following must be applied as guiding principles in the interpretation of this Constitution and in carrying out duties and responsibilities in accordance with this Constitution:
- (a) respecting all Sk̓wx̓wú7mesh Stélmexw equally;
 - (b) providing opportunities for meaningful participation of all Sk̓wx̓wú7mesh Stélmexw in significant decisions;
 - (c) upholding our sovereignty, cultural identity, values, laws, and the collective rights of Sk̓wx̓wú7mesh Úxwumixw;
 - (d) improving the quality of life and supporting the wellness and empowerment of Sk̓wx̓wú7mesh Stélmexw, acknowledging the impacts of colonization and committing to intergenerational healing;
 - (e) revitalizing our language and strengthening our culture; and
 - (f) recognizing our sacred responsibility to care for and protect the lands, waters, and air of our Siyámin (Territory).

Part 2 – Our People

[INTRO SECTION to be written in Skwxwú7mesh sníchim and then translated into English with a focus on the Skwxwú7mesh worldview. This will be included in the next version.]

Recognition of membership

- 2.1 Membership in Skwxwú7mesh Úxwumixw shall be guided by principles of ancestry, belonging, and community acceptance.
- 2.2 Skwxwú7mesh Úxwumixw has the exclusive right to define our own membership, including the recognition of descendants, adopted members, and those who live and uphold our ways.
- 2.3 Skwxwú7mesh Úxwumixw Government will enact a law or code implementing the Nation's right referred to in section 2.2 that:
 - (a) recognizes who is a Skwxwú7mesh Stélmexw;
 - (b) establishes the process for becoming a Skwxwú7mesh Stélmexw; and
 - (c) reflects our values of inclusion, family unity, and cultural continuity.

Part 3 – Rights and Responsibilities of Skwxwú7mesh Stélmexw

[INTRO SECTION to be written in Skwxwú7mesh sníchim and then translated into English with a focus on the Skwxwú7mesh worldview. This will be included in the next version.]

Collective Rights

- 3.1 Skwxwú7mesh Úxwumixw holds hereditary authority and title and rights, including cultural and intellectual property rights, on a collective basis and will protect the integrity of this authority, this title and these rights.

Individual Rights

- 3.2 Subject to reasonable limits prescribed by Skwxwú7mesh law or policy and the obligation of Skwxwú7mesh Úxwumixw Government to adhere to the values and guiding principles set out in Part 1 (Interpretation), Skwxwú7mesh Stélmexw have the right to:
 - (a) practice and pass on cultural traditions, ceremonies, and our snewíyelh (teachings);

- (b) raise children in safety and with cultural support;
- (c) enter, remain in and leave Sk̄wx̄wú7mesh Siyámin (Territory);
- (d) fish, hunt, trap and harvest plants and other resources sustainably across Sk̄wx̄wú7mesh Siyámin;
- (e) clean water, air, and a healthy environment within Sk̄wx̄wú7mesh Siyámin;
- (f) vote in elections and referenda, run for office, and have a voice in decisions that have a significant impact on Sk̄wx̄wú7mesh Úxwumixw;
- (g) equal protection and benefit of Sk̄wx̄wú7mesh law, including equitable access to community services and to employment opportunities provided by the Sk̄wx̄wú7mesh Úxwumixw Government without discrimination and, in particular, without discrimination based on race or ethnicity, colour, religion, residence, place of origin, age, sex, sexual orientation, gender, marital status, family status, political orientation, or mental or physical ability; and
- (h) be informed and engaged, publicly express views and opinions and access public information, including Sk̄wx̄wú7mesh laws, in relation to Sk̄wx̄wú7mesh Úxwumixw Government affairs.

Responsibilities of Sk̄wx̄wú7mesh Stélmexw

3.3 Every Sk̄wx̄wú7mesh Stélmexw has the responsibility to:

- (a) know who you are and where you come from;
- (b) honour and uphold the snewíyelh (teachings) of our ancestors;
- (c) use and care for our lands, waters, and air, recognizing the importance of protecting these for future generations;
- (d) care for and support one another to ensure no one is left behind; and
- (e) use the gifts you were born with to give back to and strengthen Sk̄wx̄wú7mesh Úxwumixw by participating, where possible, in community life, ceremonies, and governance; and

(f) uphold this Constitution and all Skwxwú7mesh laws.

Part 4 – Our Languages

[INTRO SECTION to be written in Skwxwú7mesh sníchim and then translated into English with a focus on the Skwxwú7mesh worldview. This will be included in the next version.]

Official languages

4.1 The official languages of Skwxwú7mesh Úxwumixw are Skwxwú7mesh sníchim and English.

Protection and promotion of Skwxwú7mesh sníchim

4.2 Skwxwú7mesh Úxwumixw and our Government have an obligation to protect, promote and revitalize Skwxwú7mesh sníchim and integrate our language into all aspects of our lives.

Rights

4.3 Every Skwxwú7mesh Stélmexw has the right to:

(a) speak, use, learn and pass on Skwxwú7mesh sníchim; and

(b) access to Skwxwú7mesh sníchim and cultural programs regardless of age, ability, or residency.

Vision

4.4 Skwxwú7mesh Úxwumixw Government will take steps to implement the vision of Skwxwú7mesh sníchim once again becoming the language in which our Government functions.

Use of Skwxwú7mesh sníchim

4.5 Skwxwú7mesh Úxwumixw Government will actively encourage the use of Skwxwú7mesh sníchim for place names, public signage and official communications.

Part 5 – Our Siyámin (Territory)

[INTRO SECTION to be written in Skwxwú7mesh sníchim and then translated into English with a focus on the Skwxwú7mesh worldview. This will be included in the next version.]

- 5.1 We are rooted and come from the lands, waters and mountains of the Salish Sea region in present day British Columbia. Our territory and homelands stretch from the south arm of the Fraser River, including Richmond, to Stlka'ya (Roberts Creek) in the west; then north along the height of land to the Elaho River headwaters, covering all of the waters and islands in Átl'ka7tsem, Nexwnéwu7ts, or Txwnéwu7ts (Howe Sound), the entire Squamish Valley and Howe Sound drainages; then southeast to the confluence of the Soo and Green Rivers north from skwikw (Whistler); then south along the height of land to T'item'tsn (Port Moody) area, including the entire Mamquam River and Indian Arm drainages.
- 5.2 Skwxwú7mesh Úxwumixw has inherent responsibility for all lands, waters, air and all living things within Skwxwú7mesh Siyámin (Territory). Skwxwú7mesh Úxwumixw's rights to and authority over our Siyámin flow from this responsibility.
- 5.3 Skwxwú7mesh Úxwumixw shall protect and use Skwxwú7mesh Siyámin (Territory), including the lands, waters, air, and all living things, for the benefit of present and future generations of all Skwxwú7mesh Stélmexw.
- 5.4 Skwxwú7mesh Úxwumixw Government will enact laws, and develop policies, land use plans (including the Xay Temíxw), and protocols to uphold the Skwxwú7mesh Úxwumixw's responsibility and authority under sections 5.2 and 5.3 and ensure responsible stewardship of Skwxwú7mesh Siyámin (Territory).
- 5.5 In protecting and using our Siyámin (Territory), Skwxwú7mesh Úxwumixw will act as stewards of the territory and focus on:
 - (a) restoring, and reclaiming ecosystems;
 - (b) preserving traditional practices such as fishing, hunting, gathering, and medicine harvesting;
 - (c) supporting development that is sustainable;

(d) ensuring that development and resource use align with the cultural values and needs of Sk̓wx̓wú7mesh Úxwumixw;

(e) responding to climate change; and

(f) regulating activities that may harm the environment.

5.6 Sk̓wx̓wú7mesh Úxwumixw will build and maintain partnerships and protocols to advance sustainability and stewardship of our Siyámin (Territory) with neighbouring Nations and other governments based on mutual respect.

Part 6 – Working Together (including Government and Administration)

[INTRO SECTION to be written in Sk̓wx̓wú7mesh sníchim and then translated into English with a focus on the Sk̓wx̓wú7mesh worldview. This will be included in the next version.]

Foundations of Working Together

6.1 Sk̓wx̓wú7mesh Úxwumixw recognizes that cooperation, give and take, and collective responsibility formed, and will continue to form, the foundation of community life and leadership within the Nation.

6.2 Sk̓wx̓wú7mesh Úxwumixw Government has the authority to:

(a) act on behalf of Sk̓wx̓wú7mesh Úxwumixw as set out in this Constitution and Sk̓wx̓wú7mesh laws; and

(b) carry out responsibilities assigned to Sk̓wx̓wú7mesh Úxwumixw or our Government under other governments' legislation.

6.3 Sk̓wx̓wú7mesh Úxwumixw Government will enact a law that sets out:

(a) the structure and responsibilities of the bodies that collectively comprise Sk̓wx̓wú7mesh Úxwumixw Government; and

(b) the process for selecting members of Council.

- 6.4 The law referred to in section 6.3 will integrate cultural protocols and consensus-building practices into Skwxwú7mesh Úxwumixw Government's decision-making processes. This law may also provide for the establishment of bodies to advise Skwxwú7mesh Úxwumixw Government.

Leadership and Community Relationships

- 6.5 Members of Council must embody the values of humility, service, inclusivity, and accessibility, consistent with our sne'wíyelh (teachings).
- 6.6 Members of Council will be available to Skwxwú7mesh Stélmexw through regular community visits and open forums, and communicate transparently.

Administration and Financial Management

- 6.7 Administrative operations will be guided by principles of transparency, accountability, equity, fairness, and the values and guiding principles set out in Part 1 (Interpretation).
- 6.8 Skwxwú7mesh Úxwumixw Government will enact a law that sets out the general structure of Skwxwú7mesh Úxwumixw Government's administration and financial management processes. This law will incorporate commitments to:
- (a) establishing and maintaining sound financial management practices;
 - (b) establishing bodies or committees and processes that provide for independent oversight of Skwxwú7mesh Úxwumixw Government's financial administration;
 - (c) protecting Skwxwú7mesh Úxwumixw's assets and finances;
 - (d) reflecting the needs of all Skwxwú7mesh Stélmexw, including those residing off-reserve, in programs and services, to the extent it is practical;
 - (e) clearly communicating financial decisions to Skwxwú7mesh Stélmexw; and
 - (f) reporting in a transparent and effective manner, including making budgets, audits, and expenditures publicly accessible to Skwxwú7mesh Stélmexw.

Part 7 – Dispute Resolution

[INTRO SECTION to be written in Skwxwú7mesh sníchim and then translated into English with a focus on the Skwxwú7mesh worldview. This will be included in the next version.]

Purpose and Principles

- 7.1 Skwxwú7mesh Úxwumixw affirms that dispute resolution shall be rooted in our snewíyelh (teachings), cultural practices, and community values.
- 7.2 The purpose of dispute resolution is to restore harmony, strengthen relationships, and uphold accountability within Skwxwú7mesh Úxwumixw.
- 7.3 All dispute resolution processes shall be guided by the principles of respect, kinship, healing, compassion and transparency.

Responsibility for Dispute Resolution

- 7.4 Skwxwú7mesh Úxwumixw Government will enact a law that establishes the Skwxwú7mesh judicial council that will have authority to hear challenges to the validity of Skwxwú7mesh laws.
- 7.5 The Skwxwú7mesh judicial council will:
 - (a) be independent;
 - (b) have the authority to conduct hearings, make recommendations and render binding decisions;
 - (c) be guided by the values and guiding principles set out in Part 1 (Interpretation); and
 - (d) carry out any additional responsibilities assigned to it by Skwxwú7mesh Úxwumixw Government.
- 7.6 The law enacted under section 7.4 may also:
 - (a) recognize that Skwxwú7mesh Úxwumixw Government has established bodies and committees, and appointed individuals, that have dispute resolution responsibilities;

- (b) establish other bodies or committees, or appoint individuals, to carry out dispute resolution responsibilities;
- (c) acknowledge and support restorative justice and community and family circle initiatives; and
- (d) instruct the Skwxwú7mesh judicial council, other dispute resolution bodies, committees or individuals to carry out specific functions.

Part 8 – Law-Making

[INTRO SECTION to be written in Skwxwú7mesh sníchim and then translated into English with a focus on the Skwxwú7mesh worldview. This will be included in the next version.]

Authority to make laws

- 8.1 Skwxwú7mesh Úxwumixw Government has the jurisdiction and authority to exercise Skwxwú7mesh Úxwumixw's inherent right to self-determination and to govern its own affairs.
- 8.2 Skwxwú7mesh Úxwumixw Government will enact a law setting out which bodies or processes have law-making authority in respect of specific matters.

Law-making processes

- 8.3 Skwxwú7mesh Úxwumixw Government will enact a law that establish processes to:
 - (a) engage with Skwxwú7mesh Stélmexw in respect of proposed laws;
 - (b) develop, enact and amend Skwxwú7mesh laws;
 - (c) bring Skwxwú7mesh laws into force; and
 - (d) publish Skwxwú7mesh laws.

Additional law-making authority

8.4 In addition to the law-making authority set out in sections 2.3, 5.4, 6.3 6.8, 7.4, 8.2, 8.3 and 9.4 of the Constitution, Skwxwú7mesh Úxwumixw Government has the authority to make laws respecting:

(a) the health, education and wellbeing of Skwxwú7mesh Stélmexw, including laws related to children and families; and

(b) programs and services provided by Skwxwú7mesh Úxwumixw Government that support health, education and wellbeing, including those related to children and families.

Registry of laws

8.5 Skwxwú7mesh Úxwumixw Government will establish and maintain a public registry of Skwxwú7mesh laws that is accessible to Skwxwú7mesh Stélmexw.

Harmonization of laws

8.6 Council may enter into agreements with other governments or entities to harmonize laws while maintaining sovereignty.

Part 9 – Agreements

[INTRO SECTION to be written in Skwxwú7mesh sníchim and then translated into English with a focus on the Skwxwú7mesh worldview. This will be included in the next version.]

Foundations of Agreement-Making

9.1 Agreements entered into by Skwxwú7mesh Úxwumixw Government must:

(a) be guided by and reflect:

(i) Skwxwú7mesh laws, authorities, principles, and values of respect and reciprocity; and

(ii) international law, including the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and other relevant covenants; and

(b) advance collective benefits and the long-term well-being of Skwxwú7mesh Úxwumixw.

- 9.2 Subject to section 9.3, Council has the authority to negotiate and approve agreements with other governments, corporations and other organizations through a process that:
- (a) is accountable;
 - (b) is as transparent as possible; and
 - (c) involves community engagement in accordance with Skwxwú7mesh laws, values, principles and practices.
- 9.3 An agreement that may have a significant impact on Skwxwú7mesh Siyámin (Territory) or Skwxwú7mesh Úxwumixw's financial position or sustainable future must be approved by Skwxwú7mesh Stélmexw through a referendum before the Council can provide final approval.
- 9.4 Skwxwú7mesh Úxwumixw Government will enact a law to establish:
- (a) what constitutes a significant impact; and
 - (b) when community engagement may not be required.

Part 10 – Amendments to and Oversight of the Constitution

[INTRO SECTION to be written in Skwxwú7mesh sníchim and then translated into English with a focus on the Skwxwú7mesh worldview. This will be included in the next version.]

Purpose and Principles

- 10.1 This Constitution is a living document, created by and for Skwxwú7mesÚxwumixw, and shall be amended only in accordance with the principles of transparency, inclusivity, cultural integrity, and member participation.

Authority to Initiate an Amendment

10.2 An amendment to this Constitution may be initiated by:

- (a) Skwxwú7mesh Stélmexw, through a petition signed by no less than 25% of eligible voters;
- (b) the People's Assembly, by resolution;
- (c) the Council, by resolution;
- (d) a scheduled review within 5 years of this Constitution coming into effect; or
- (e) a scheduled constitutional review occurring no less than once every 15 years after the first scheduled review.

Amendment Proposal Process

10.3 Upon initiation of an amendment, the proposed amendment shall be subject to a community engagement process, which shall include:

- (a) notification to all Skwxwú7mesh Stélmexw, including those residing off-reserve, with a minimum of 60 days' notice prior to any vote;
- (b) distribution of background information and rationale for the proposed amendment; and
- (c) direct outreach to Skwxwú7mesh Stélmexw through various mechanisms that are both in-person and virtual and enable the inclusion of diverse representation.

Approval

10.4 A proposed amendment shall be approved through a referendum in which:

- (a) a majority of eligible voters cast a vote in the referendum and a majority of the votes that are cast support the proposed amendments;
- (b) voting procedures are conducted in a fair, secure, and accessible manner; and

(c) the results are recorded and reported on in a transparent manner.

Ongoing Oversight

10.5 A constitutional oversight committee shall be established to:

- (a) monitor the implementation, effectiveness and relevance of the Constitution;
- (b) identify and report on implementation challenges and community concerns regarding the Constitution; and
- (c) recommend constitutional reviews or amendments as necessary.

Part 11– Definitions

“Council” means the Council of Sk̓wx̓wú7mesh Úxwumixw;

“Lands, waters and air and all living things within our Siyámin (Territory)” includes natural resources, the ocean floor, submerged lands, and sub-surface;

“Law” includes a code, bylaw or law-making protocol;

“Majority” means at least fifty percent [50%] plus one;

“Sk̓wx̓wú7mesh Siyámin” refers to our territory and homelands, including the lands, waters, and air, for which we have a responsibility that stretch from the south arm of the Fraser River, including Richmond, to Stlka’ya (Roberts Creek) in the west; then north along the height of land to the Elaho River headwaters, covering all of the waters and islands in Átl’ka7tsem, Nexwnéwu7ts, or Txwnéwu7ts (Howe Sound), the entire Squamish Valley and Howe Sound drainages; then southeast to the confluence of the Soo and Green Rivers north from skwikw (Whistler); then south along the height of land to T’item’tsn (Port Moody) area, including the entire Mamquam River and Indian Arm drainages; and

“Sk̓wx̓wú7mesh Úxwumixw Government” is comprised of the People’s Assembly and Council, subject to any changes to the structure of the government set out in a Sk̓wx̓wú7mesh law made under section 6.3.