



**UPPER NICOLA BAND “GOVERNANCE DECISION MAKING POLICY”:  
(GDMP)**

**THE GUIDELINES:**

**NYSILXCEN DEFINITIONS:**

Captikw’l : Syilx peoples oral stories

Acmiscut Chiefs: knowledge keepers

Nsyilxcen: Syilx people traditional language

Tmxw’ulaxw: Syilx interpretive for environment or land(life-force-place)

Tmixw: Syilx interpretive for living species (life-force)

Enowkinwixw: the right to reason process

**PREAMBLE:**

CAPTIKW’L , Syilx interpretation of our oral stories, is our instructions and directives that are mandated through our “Acmiscut Chiefs”, also known as the Knowledge Keepers” within the Syilx communities, to ensure that the right actions are required as our responsibility to our worldviews of the “Inherent Rights of our Mother Earth” and the “Inherent rights” of our Syilx Peoples within our communities and territories of interest.

These ethos (standards or conduct) are shown in our Syilx ceremonies, in public rituals, in the Nsyilxcen (our traditional language) interpretive processes and in the direct exercises of practices and interests (known as occupation and use) that connects us to the whole of Tmxw and Tmxw’ulaxw (interpretation as environment or land).

The captikw’l ethos are the cornerstone to achieve equity maxims (a phrase used to represent the law of equity) on government -to- government relationships.

**The ARTICLES:**

1. Adopting and strengthening appropriate policies and/or legal instruments that will protect the rights of Tmxw’ulaxw, as per Captikw’l instructions and directives and, also, known as “Earth Jurisprudence” adopted by the United Nations General Assembly of 1992.
2. Endorse and support the Captikw’l and Enowkinwixw principles (the law of reason) and implement initiatives and recommendations set out by our rule of law to achieve Equity Maxims for our rightful place on jurisdiction and authority which through our Inherent Rights (Title and Rights).



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3. Assert that Federal and Provincial governments include Upper Nicola Bands' customary laws that assert "In-Situ" (in its original form) conservation of the rights of our tmxw'ulaxw that ensures maintenance and recovery of the viable populations of the fauna and the flora species.

## **THE PROCESS:**

### **THE PRINCIPLES OF ENOWKINWIXW: THE LAW OF REASON**

#### **INTRODUCTION:**

The Syilx Peoples make decisions on principles that guide the process. These principles reflect our responsibilities as an Upper Band community to honor all past, present, and future generations and to ensure that the decisions being made are in the best interest of our tmxw'ulaxw and our people who have the inherent right of occupation and use on the tmxw'ulaxw. These principles also reflect, not only our laws, they, also reflect the overarching principles of Earth Jurisprudence adopted by the United Nations General Assembly and as the common law of Captikw'l instructions.

The construct identifies required procedures which must be applied in order to actualize its inherent principles. In Summary:

- A. The first requirement or principle of the dialogue is the forming of a circle to resolve and include, with equal value to all "relations who will be effected and to be done to the best ability of those present.
- B. The second requirement or principle is just as the "Four Chiefs" representation, which is, a formal dialogue of representatives of opposing dynamics. The four different but equally important participates represent different human dynamics represented in any community.
- C. The third requirement or principle is to collectively project and envision what would be there without the problem and construct strategies toward that vision rather than engage in a debate.
- D. The fourth requirement or principle is to achieve the final goal of full social responsibility as an "awaking" through the power of "every voice".



## **ROLES AND RESPONSIBILITIES:**

There is range of mechanisms through which the Upper Nicola Band are engaged for their guidance to decision making. Depending on the type of decision at issue, one or many of approaches may be used:

- Updates provided in written reports,
- Community meetings and consultations,
- Open house meetings,
- Establishment of community committees for specific decision or advisements,
- A formal referendum or vote, consistent with UNB processes.

## **STEP 1: CONTACT**

A. ALL proposed referral initiatives shall be a meeting with Chief and Council with written summary details of the proposed project. If both parties agree to potential interests WILL BE MET, move to step 2.

## **Step 2: ACCOMMODATION PROCESS**

B. Provide detailed project plan.

C. Chief and Council will review the proposed written application for the purpose of: (10% per item grade)

- i) Influences on inherent rights of tmx'ulaxw,
- ii) Influences on inherent rights of occupation and use of UNB,
- iii) Influences of cumulative practices of the area in question,
- iv) Influences of reconciliation of G2G relationships,
- v) Influences of restorative environment regeneration,
- vi) Influences of man-made values,
- vii) Influences of habitat or species with the area being proposed,
- viii) Influences of cross government agencies decision in put,
- ix) Influences of infringement intent and
- x) Willingness to make adjustments on the project intent.

D. Letter of Refusal: if all of section B is 80% not accommodated, the project is a no go, THEREFORE, there will not be any consent.

E. Letter of Subject to: if 70% part of section B is agreed upon.

F. Letter of Pre-Approval: if section D is 90% met and it will be deferred to a working committee.



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- G. Meeting will convene on a G2G process after working group has completed the ground- work as directed by Chief and Council.
- H. Letter of Approval by Community vote.

## **GUIDELINES TO ALTERNATIVE TMXW'ULAXW VALUE OF PLACE:**

As a tmixw VALUE of place model, the concept translates to mean that virtually every person who has benefited from human economy within the ecosystem must be actively responsible to give-back tangible “revival” power to the tmixw’ulaxw. Once the process of balancing opposing forces providing resolve has been agreed to and acted upon, all persons must be compelled to act to achieve the resolve. The enowkinwixw model the human economy is seen as being inextricably nested in the larger ecological economy and as a result there is no escape from consequences to human economic activity. The figure below illustrates Natures value as a unit.

**Tmxw’ulaxw Value of Place**  
**Territorial Range Groups**  
**Niche Groups**  
**Individual Groups**  
**Life Form Groups**  
**Neighboring Habitation Group**  
**Regional Zone Group**