

Treaty News

Federal Treaty Negotiation Office



December 1996

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Committee Consults Public on the Treaty Process



Members of the Select Standing Committee on Aboriginal Affairs stand with Nisga'a elder Frank Calder in New Aiyansh

Since late September, the BC Select Standing Committee on Aboriginal Affairs has travelled throughout British Columbia to examine, inquire into, and make recommendations on how to achieve treaty settlements that will benefit all British Columbians.

The committee's aim is to gather input from the public, industry, labour and non-governmental organizations on the BC treaty process and subjects arising from the Nisga'a agreement-in-principle (AIP). Topics under discussion at the committee's hearings to date include certainty, settlement lands, fisheries and wildlife resources, taxation, self-government, and the financial and business implications of treaty-making.

Already, the committee has heard presentations from a variety of interest groups. Most presenters, both Aboriginal and non-Aboriginal, have stressed the validity and significance of BC treaty-making over concerns with specific elements in the Nisga'a AIP.

The committee has also heard expert testimony on the history and contemporary status of treaty-making. Paul Tennant, professor of Political Science at the University of British Columbia, noted that the negotiation process, "is not a real estate transaction. ... It's a matter of reconciliation, a matter of new

relationships."

The committee will continue hearings into the new year. It is expected to deliver its findings in a report to the provincial legislature in the spring of 1997.

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Citizens Speak Out on Treaty Issues



When the Select Standing Committee on Aboriginal Affairs began its public hearings in September, it went first to communities in the area that will be most directly affected by a treaty with the Nisga'a Tribal Council.

Here is some of what the presenters in New Aiyansh, Terrace, and Prince Rupert had to say about the Nisga'a agreement-in-principle and the BC treaty process.

"I get really upset when I watch the news, and they talk about Nisga'as, saying that we're taking this and we're getting lots of money. But when you see the village here, you don't see any mansions. ... I would like to ask the Select Committee to try and convey to the public that we are not greedy."

-- M. Smith, Nisga'a First Nation

"We have had a presence on the Third Party Advisory Committee and find no major flaws in the agreement. We therefore urge the Canadian government, the provincial government and our brothers and sisters in the [Nass] Valley to get on with it."

-- J. Jensen, Kitimat-Terrace and District Labour Council

"Everyone here, especially those who are contemplating doing business in our community or in the region, want to know whether they can rely on certainty for the next 10, 20 or 50 years, or whether the playing field is going to change from time to time. ... I didn't see [certainty] in the Nisga'a AIP as I read through it... But I'm assuming, or I'm hopeful, that that's continuing to be negotiated as they get into the nitty-gritty of the actual treaty."

-- J. Talstra, Mayor of Terrace

"Investment dollars usually don't like uncertainty. To the extent that the land claims questions -- which are significantly important in terms of northern communities -- are resolved, we believe the sooner we will be able to see investors invest in this area with some assurance that their investments are secure and safe."

-- M. Tarr, Chief Executive Officer, Northern Savings Credit Union

"I would hope that one day, all Canadians in British Columbia could live together in harmony, with respect for each other, and appreciation for our cultural differences, and that we could all contribute equally and receive the same benefits of this great land. But I have a strong fear that this agreement is destroying any hope of that."

-- J. Fraser, community member, Prince Rupert

"This settlement gives us the chance to do what our forefathers failed to do: create a basis in law for altering the status quo in ways that can accommodate the legitimate aspirations of two self-reliant neighbouring communities. .. We deserve something better."

-- J. How, community member, Terrace

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Nanaimo First Nation Signs Framework Agreement

The Nanaimo First Nation signed a framework agreement with Canada and BC at a special ceremony in the Nanaimo longhouse on Sept. 27. The Hon. Ronald Irwin, Minister of Indian Affairs and Northern Development, and the Hon. John Cashore, BC Minister of Aboriginal Affairs were both in attendance at the ceremony.

The Hon. Ronald Irwin, Minister of Indian Affairs and Northern Development, Chief Jerry Brown, Nanaimo First Nation, and the Hon. John Cashore, Minister of Aboriginal Affairs sign the Nanaimo framework agreement.



"The completion of the Nanaimo framework agreement demonstrates yet again that what we set out to do in 1993 when we entered the BC treaty process is feasible," said Irwin.

For his part, Cashore called the signing an historic occasion for Nanaimo residents and for all British Columbians.

"The Snuneymuxw [Nanaimo] people are looking forward to a treaty that recognizes their clear rights to ownership and jurisdiction of their lands and resources," said Chief Jerry Brown of the Nanaimo First Nation.

Negotiations toward the Nanaimo framework agreement began last February and were completed in July. The agreement is the fifth framework document to be signed with a Vancouver Island First Nation. Earlier this year, Canada and BC signed framework agreements with the Nuu-chah-nulth Tribal Council, the Ditidaht, Sliammon and Homalco First Nations.

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Framework Agreements Update

Since the last edition of *Treaty News*, six First Nations have progressed from stage 3 to stage 4 of the BC treaty process. In-SHUCK-ch/N'Quatqua, Lheit-Lit'en Nation, Nanaimo First Nation, Taku River Tlingit First Nation, Ts'kw'aylaxw First Nation (Pavilion) and Yekooche First Nation have all signed framework agreements with Canada and BC.

Framework agreements outline the process, timing, and main topics for discussion in substantive negotiations at stage 4.

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Progress In Negotiations

The following provides an update on the status of B.C. treaty negotiations as of November 1996.

6 Stage Treaty Negotiation Process:

- Stage 1 - Statement of Intent
- Stage 2 - Preparation for Negotiations
- Stage 3 - Negotiation of a Framework Agreement
- Stage 4 - Negotiation of an Agreement-in-Principle
- Stage 5 - Negotiation to Finalize a Treaty
- Stage 6 - Treaty Implementation

Team North-East

Chief Federal Negotiator:

Eric Denhoff

Senior Negotiator:

Bill Zaharoff

**Public Information and
Consultation Advisor:**

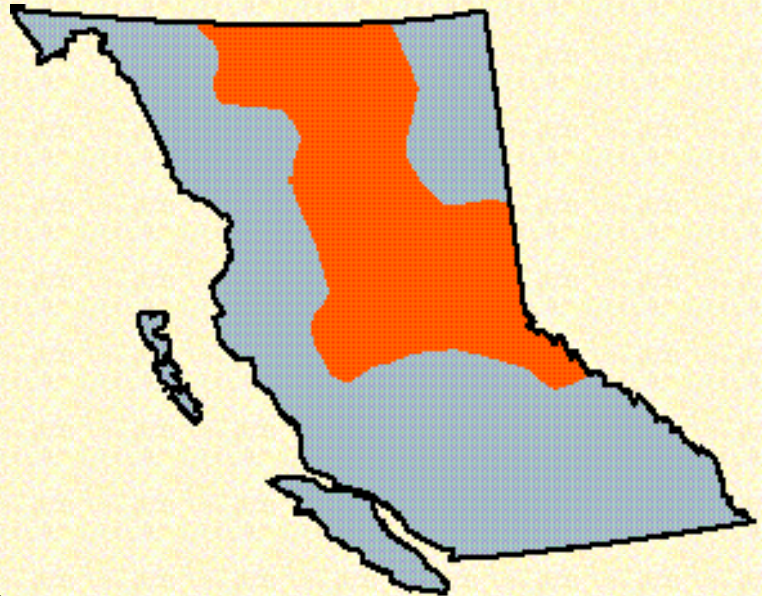
Mark Podlasly

Status report:

Stage 2: Cheslatta Carrier Nation

Stage 3: Carrier Sekani Tribal Council
Tsay Keh Dene Band

Stage 4: Lheit-Lit'en Nation
Yekooche First Nation



Team North-Coast

Chief Federal Negotiators:

Tim Koepke
Pauline LaMothe
Robin Dodson

Senior Negotiator:

Bill Megill

Public Information and Consultation Advisor:

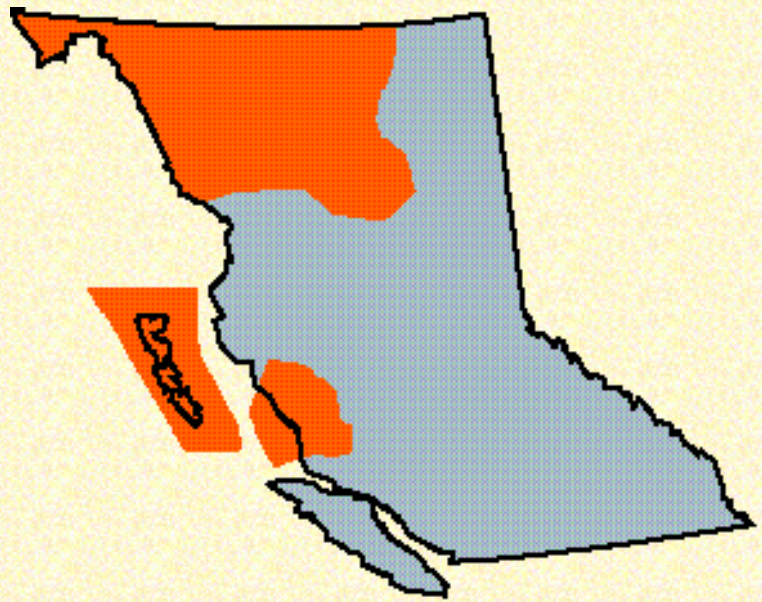
Mark Podlasly

Status report:

Stage 2: Haida Nation

Stage 3: Oweekeno Nation
Heiltsuk Nation

Stage 4: Champagne and Aishihik First Nations
Kaska Dena Council
Taku River Tlingit First Nation
Teslin Tlingit Council



Team North-Central

Chief Federal Negotiators:

Eric Denhoff
Wendy Porteous
Pauline LaMothe
Tom Molloy

Senior Negotiator:

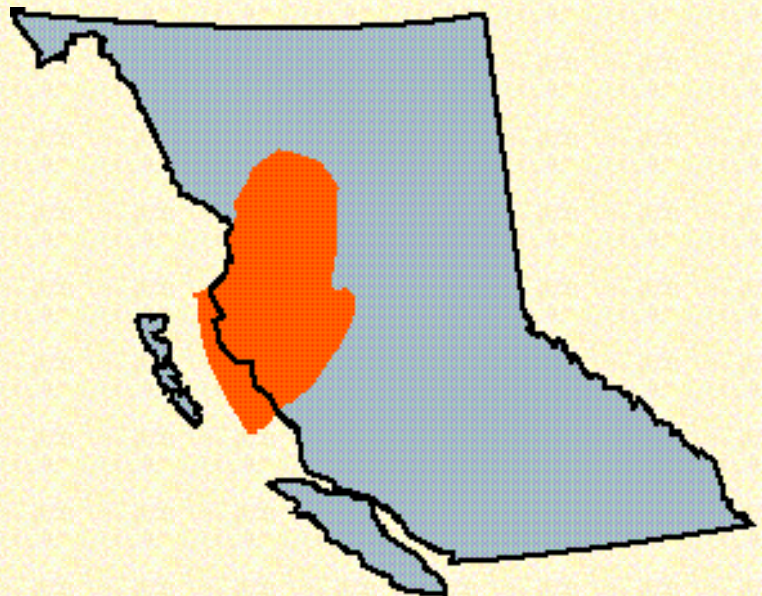
Bill Zaharoff

Public Information and Consultation Advisor:

Nola Landucci

Status report:

Stage 3: Lake Babine Nation
Haisla (Kitamaat) First Nation



Tsimshian Nation

Stage 4: Gitanyow Hereditary Chiefs
Gitxsan First Nation
Wet'suwet'en First Nation

Team South #1

Chief Federal Negotiators:

Eric Denhoff
Robin Dodson

Senior Negotiator:

Mike Sakamoto

Public Information and Consultation Advisor:

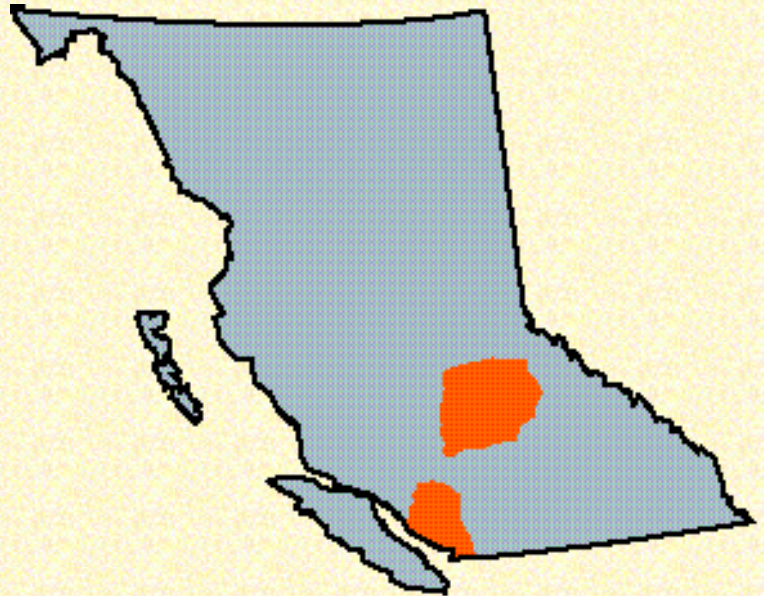
Jonathan Rayner

Status report:

Stage 2: Katzie First Nation

Stage 3: Esketemc (Alkali Lake) Nation
Nazko First Nation
Cariboo Tribal Council
Tsleil Waututh (Burrard) First Nation
Squamish Nation

Stage 4: Sechelt Indian Band



Team South #2

Chief Federal Negotiators:

Robin Dodson
Wendy Porteous

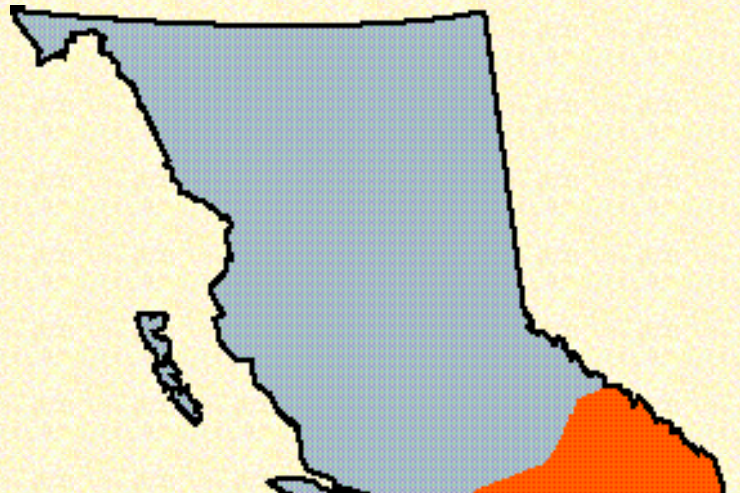
Senior Negotiator:

Mike Sakamoto

Public Information and Consultation Advisor:

Chris Corrigan

Status report:





Stage 2: Sto:Lo First Nation

Stage 3: Ktunaxa-Kinbasket First Nation
Yale First Nation
Westbank First Nation
Musqueam First Nation
Xaxli'p First Nation (Fountain Band)
Tsawwassen First Nation

Stage 4: In-SHUCK-Ch/N'Quatqua
Ts'kw'aylaxw (Pavilion) First Nation

Team Vancouver Island

Chief Federal Negotiators:

John Langford
Wendy Porteous
Ted Hughes

Senior Negotiators:

Lynne Gregor
Ross McKinnon

Public Information and Consultation Advisors:

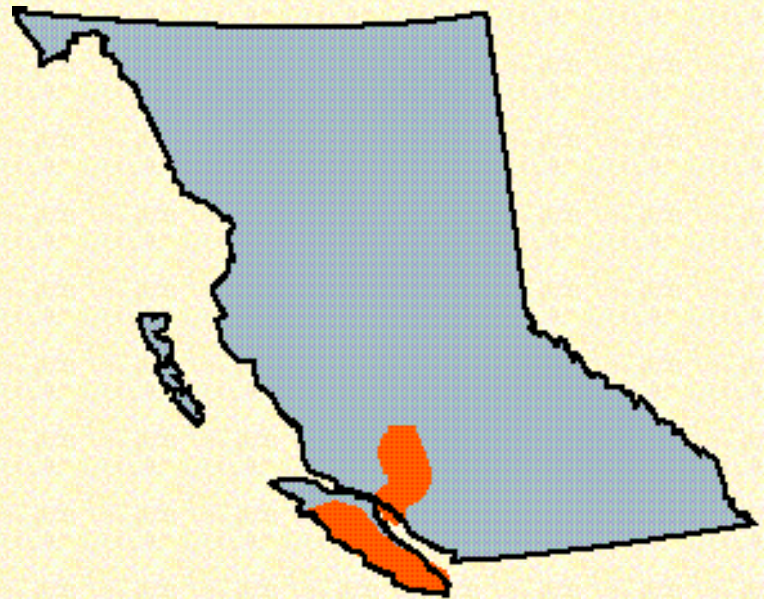
Jonathan Rayner
Ileana Lang

Status report:

Stage 2: Comox First Nation
Kwakiutl Laich-Tach Nations Treaty Society
Pacheenaht Band
Quatsino First Nation

Stage 3: Hul'qumi'num Treaty Group
Klahoose First Nation

Stage 4: Nanaimo First Nation
Te'mexw Treaty Association
Ditidaht First Nation
Homalco First Nation
Nuu-chah-nulth Tribal Council



Team Nisga'a

Chief Federal Negotiators:

Tom Molloy

Florence Roberge

Acting Senior Negotiator:

Jim Barkwell

Public Information and Consultation Advisor:

Joesph Whiteside

Status Report:

Agreement-in-principle concluded March 1996. Negotiations toward a final agreement now underway.

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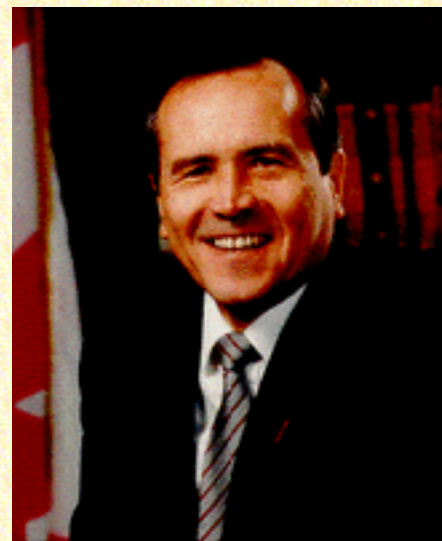


Senator Len Marchand Retires

The Hon. Len Marchand PC, the first Indian person to be appointed to a federal cabinet, and the first Aboriginal Senator, has announced that he will retire from public life in February 1997, following almost 20 years in public service.

Although Sen. Marchand is known for championing many issues, he considers his greatest accomplishment to be the day in 1973 when he and the Rt. Hon. Jean Chretien, then Minister of Indian Affairs, convinced the Prime Minister to commence First Nations land claim negotiations.

As for his present decision to retire from public life, Sen. Marchand says, "Retirement is a personal choice. I have no regrets."



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**Royal Commission
on
Aboriginal
Peoples**

Royal Commission Set to Release Report

As this issue of Treaty News goes to press, we await the release of the report of the Royal Commission on Aboriginal Peoples.

In 1991, the Royal Commission began investigations into a variety of issues affecting the lives of Aboriginal peoples across Canada, in the hope of "stimulating a fresh and enlightened dialogue between Aboriginal and

non-Aboriginal people, a dialogue that will lead to practical recommendations that are broadly acceptable to all Canadians." Now, the Commission is set to release its findings to the public.

The Royal Commission's report takes into account five years of consultations with both Aboriginal and non-Aboriginal people across the country. It is expected to contain important and wide-ranging recommendations.

The 3,500 page report will be available in five volumes and on CD ROM. A brief summary of the Royal Commission's key findings will also be available.

For further information on how to obtain the report, contact the Canada Communications Group.

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Governments Present Land/Cash Scenarios to Sechelt

Negotiations with the Sechelt Indian Band have reached another important milestone. At the November 14 main table, the government of British Columbia announced that it has received a mandate from Cabinet to negotiate a settlement. Canada received its mandate in June 1996.

The two governments wasted no time in getting down to business. In a joint presentation, they outlined two land and cash scenarios to the Sechelt Indian Band, a preliminary step toward developing a formal land and cash offer.

The land and cash scenarios are two illustrations of a range of options with differing elements. At one end of the spectrum is a cash settlement package. This option would not include any land over and above the land currently owned by the First Nation. The value would be \$45 million.

At the other end of the spectrum is a settlement package consisting of some land (a combination of rural and urban land) and cash. The cash component of this settlement would be lower than in a cash proposal.

These options are exclusive of other elements listed in the Framework Agreement and which, when negotiated, could form part of the treaty.

The presentation directly addressed the comprehensive treaty proposal tabled by the Sechelt Indian Band in February 1995. The intent is to ensure a common understanding exists between the parties about the outstanding matters that must be discussed before Canada and B.C. can present a formal offer.

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Chief Federal Negotiator Thomas Molloy Receives the Order of Canada



Thomas Molloy, QC, Chief Federal Negotiator for talks with the Nisga'a Tribal Council, was recently appointed as an Officer to the Order of Canada. The award recognizes the outstanding role Molloy played in concluding an agreement on the largest land claim ever established in Canada, the Tungavik Federation of Nunavut. The award also recognizes Molloy's extensive charitable work.

Governor-General Romeo LeBlanc presented the award at a Nov. 13 ceremony in Ottawa.

Molloy says of his induction into the Order of Canada, "I consider this award a tribute not only to myself but also to the many people who worked on the Tungavik

Federation of Nunavut claim, and the other activities which this award recognizes."

Molloy's current work on negotiations with the Nisga'a Tribal Council builds on his experience in negotiations with other British Columbia First Nations and the Inuit of the Northwest Territories and northern Quebec.

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Dialogue Canada Citation Awarded for Nisga'a Agreement-in-Principle

On September 27, the signatories to the Nisga'a agreement-in-principle proudly accepted the Dialogue Citation for meritorious service to Canada.

Ronald A. Irwin, Minister of Indian Affairs and Northern Development, John Cashore, BC Minister of Aboriginal Affairs, and Chief Joe Gosnell Sr., President of the Nisga'a Tribal Council, accepted the Dialogue Citation in recognition of the role they played in achieving the Nisga'a agreement-in-principle.



Chief Joe Gosnell, Hon. Ronald Irwin, Minister of Indian Affairs and Northern Development, Hon. John Cashore, Minister of Aboriginal Affairs, receive the Dialogue Citation.

The Citation was presented by Dialogue Canada, a national association of citizens that aims to foster communication among Canadians and promote values of respect and mutual appreciation in public dialogue.

Upon receiving the award, Irwin stated that, "I am gratified to be a recipient of this Citation. It honours the hard work, partnership and mutual respect on which Canada, BC and the Nisga'a people are forging a new relationship."

"I am truly honoured to be one of the first recipients of this award, which recognizes the importance of

resolving issues through a process of peaceful negotiations that fosters understanding and builds bridges between neighbours, " said John Cashore.

"I accept the award on behalf of the Nisga'a Nation and for the people who assisted throughout the entire process," said Joe Gosnell Sr.

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Credits

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