

Treaty News

Federal Treaty Negotiation Office



*Providing general news and
Canada's views on BC treaty negotiations.*

March 1998

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Expanding discussion on the B.C. treaty process

Debate, discussion and the exchange of ideas are aspects of the B.C. treaty process that carry far beyond the negotiating tables where representatives of First Nations, Canada and B.C. grapple with each other's hopes and interests. Time and again readers of *Treaty News* and people in communities all over B.C. say that they also need to talk about the treaty process and to understand the impact of treaty negotiations on their lives. It is clear that British Columbians from all backgrounds want the facts on these negotiations, so that they can make up their own minds about the treaty process.

This spring, a new book entitled *Prospering Together: The Economic Impact of Aboriginal Title Settlements in B.C.* gives readers more to think about. Eleven authors contribute their professional expertise and personal opinions in nine essays. As former B.C. Supreme Court Justice and respected lawyer Thomas Berger says in his Forward to *Prospering Together*, they deal with "... tough questions such as: What should settlements cost? How could they be paid for? and How will First Nations self-government work and will it fit into Canada's existing legal framework?"



Specific topics covered in the book include the relationship between B.C. First Nations and Europeans at the time of their contact, and why negotiation is preferable to litigation as a way to settle treaties. One chapter compares First Nations' concepts of land and resource tenure, while another looks at how treaty settlements may affect who will have access to land and resources, who will profit from them, and who will manage them for the common good. The impact of treaties on investment and business development in B.C. is also considered in depth. Towards the end of the book, chapters focus on shaping education for future employability and income earning power in First Nations communities; Aboriginal health care post-treaty; self-government in theory and practice; and how the costs of settling treaties might be borne.

Each topic in the book is explored in depth and from an independent point of view. Technical subjects are covered in detail, but in plain language so that information will be understandable to a variety of readers. As a result, the total effect is thoughtful and readable.

The motivating force behind the book is the Laurier Institution, a non-partisan, non-profit organization founded in 1989 by business and cultural leaders in Vancouver to explore the importance of cultural diversity in building a stronger, united Canada. Its Executive Director, Roslyn Kunin explains why the Laurier Institution became involved in producing a book on the B.C. treaty process: "About 3% of the people in British Columbia belong to a First Nation. But almost 100% are influenced in one way or another by what is and is not happening to First Nations people," she writes in her Introduction to

Prospering Together.

At a time when the B.C. treaty process is in a period of growth and evolution, *Prospering Together* reaffirms the value of seeking negotiated solutions to Aboriginal claims, even if they demand time, hard work and compromise. This book is a welcome addition to British Columbians' continuing discussion of what is involved in making treaties happen.

For information on how to obtain a copy of *Prospering Together: The Economic Impact of Aboriginal Title Settlements in B.C.*, please contact the **Laurier Institution** by telephone at **(604) 669-3638**, or by fax at **(604) 669-3626**.

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In brief

- **Framework agreements signed**

Since the last issue of *Treaty News*, framework agreements have been concluded with the Hul'qumi'num Treaty Group on Vancouver Island, the Stó:lō Nation, located in the Fraser Valley, and the Oweekeno Nation, located on the central coast. The framework agreements conclude stage 3 negotiations, and lay out the topics, procedures and substantive issues for agreement-in-principle negotiations in stage 4.



- **Tsleil-Waututh participates in park management**

Tsleil-Waututh First Nation and B.C. agreed in January to co-manage Indian Arm provincial park, which was created in 1995. The First Nation and the government will each appoint two representatives to a management board to guide the park's development. Plans for the park include educational facilities and an ecotourism program.

- **Memorandum on Crown lands underway**

Canada, the Canada Lands Corporation, Inc. and the Nanaimo First Nation are developing a Memorandum of Understanding to govern the disposal of Department of National Defense Lands in Nanaimo. The parties will work together to consider how the development of the lands can take place in a manner consistent with ongoing treaty negotiations.

- **Tourism accord to curb protests**

The Council of Tourism Associations of B.C. and the First Nations Summit have concluded an Accord committing the two groups to negotiations to resolve any differences they may have during the 1998 tourist season. The accord will limit the use of roadblocks and protests by First Nations Summit members, who represent 70 per cent of all B.C. First Nations.

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Delgamuukw: The Supreme Court of Canada decision

On December 11, 1997, the Supreme Court of Canada handed down its decision in *Delgamuukw*. The release of this important judgement provides the opportunity for dialogue and debate on the B.C. treaty process; it allows governments, First Nations, third parties and the many others with a stake in treaty negotiations to consider the implications of *Delgamuukw* in partnership. It offers us the opportunity to work together to reach innovative solutions for the future management of lands and resources in B.C.

With this issue of *Treaty News*, the Federal Treaty Negotiation Office begins to examine, with readers, key points in the Supreme Court's decision in *Delgamuukw* and some of the matters they raise.

Thirteen years of *Delgamuukw*:

Litigation on *Delgamuukw* began in 1984 when 51 Wet'suwet'en and Gitksan Hereditary Chiefs launched a court action against Canada and British Columbia to secure ownership and jurisdiction over 133 distinct territories, which together comprise 58,000 km sq. of land in northwestern B.C.



Traditional territories claimed by Gitksan and Wet'suwet'en Hereditary Chiefs in the B.C. treaty process.

Legend:

1. Gitksan Hereditary Chiefs
2. Wet'suwet'en Hereditary Chiefs

At trial, the judge found that the Wet'suwet'en and Gitksan had established some sustenance Aboriginal rights in large parts of the territory, but no ownership and jurisdiction over it. Further, the judge found that legislation in pre-colonial B.C. had extinguished the sustenance rights. Nonetheless, the judge determined that the Crown had a fiduciary duty to permit the Wet'suwet'en and Gitksan to exercise any Aboriginal rights they may have on vacant Crown lands.

The Hereditary Chiefs appealed the decision. A majority on the B.C. Court of Appeal dismissed the

appeal, but ruled that the Province actually had had no jurisdiction to extinguish Aboriginal rights. As such, the Court acknowledged the existence of Aboriginal rights and urged that treaty negotiations be undertaken to define them.

The Hereditary Chiefs appealed to the Supreme Court of Canada, but the Court granted an adjournment on *Delgamuukw* to allow for the treaty negotiations. These went on for 18 months before the appeal was resumed.

The Supreme Court of Canada decision:

The Wet'suwet'en's and Gitksan's appeal was allowed in part. B.C.'s cross-appeal on the issue of jurisdiction to extinguish Aboriginal rights was dismissed. Nonetheless, the Court did not determine whether the Wet'suwet'en and Gitksan actually established title in any of the territory they claimed. The Court sent this issue back to trial. (At this time, it is unknown whether the Wet'suwet'en and Gitksan will actually take the issue back to the courts.)

Why did the Supreme Court order a retrial? There were two significant factors. First, the Court held that a conversion of the 51 individual claims advanced at trial to two communal claims at the Court of Appeal level was a barrier to the court determining the merits of the appeal. Second, the Supreme Court of Canada ruled that the trial judge at the B.C. Supreme Court erred in his treatment of various kinds of oral history evidence brought forth by the Wet'suwet'en and Gitksan to prove their claim. As a result, the Court said that the trial judge's factual findings could not stand.

In the reasoning associated with the decision, the Supreme Court of Canada provided its first comprehensive statements on Aboriginal title. These are outlined in the box to the right.

The Court also described a test to prove Aboriginal title. It requires that a group establish exclusive occupation prior to the time of sovereignty. In B.C., the time of sovereignty was 1846, when the Oregon Boundary was resolved.

Exclusive occupation may be shown in a variety of ways, ranging from dwelling construction, field enclosure, regular use of land for hunting or fishing, and the group's ability to exclude others from the land. The Court also allows for joint title by separate Aboriginal groups, if they occupy the land in common and recognize each other's entitlement to the exclusion of others.

Finally, the Court stipulated that the Crown may infringe upon Aboriginal title for valid legislative objectives, including, but not limited to, settling foreign populations and instituting economic development projects. The Court specified that groups with Aboriginal title need to be involved in the decision-making process around a proposed infringement. Depending on the nature of the infringement, First Nations' consent may be required and compensation due.

Next steps:

The Court's pronouncements raise many questions about how *Delgamuukw* might affect the B.C. treaty process. For example, who holds Aboriginal title: Indian Bands, Tribal Councils, or self-organized First Nations? How much land is subject to Aboriginal title? How difficult will it be to prove Aboriginal title? How might the possibility of joint title affect treaty negotiations where there are overlapping claims? Where do we go from here?

The last question, in one way at least, is perhaps the easiest to answer. The Court sent a strong message

in *Delgamuukw*: choose negotiation over litigation to resolve differences over the ownership and management of lands and resources. In other words, keep talking.

Canada heeds the Supreme Court's message and is firmly committed to the B.C. treaty process. Canada is also committed to working closely with First Nations, the Province, third parties and the B.C. Treaty Commission to evaluate the implications of *Delgamuukw* for the treaty process. Naturally, proper evaluation will take some time. While it is in process, Canada's negotiators will continue to seek agreements in negotiations wherever possible.

Some key facts about Aboriginal title:



Basic definition:

The right to exclusive use and occupation of land. Aboriginal title gives those who possess it the right to use the land for various activities, including activities that are not Aboriginal rights.

Limits:

A group may not use Aboriginal title lands for purposes that are irreconcilable with the nature of the group's attachment to the land. For example, if a First Nation has traditionally used a piece of land for hunting, the group may not strip mine it, thus destroying its value for hunting.

Sui generis:

Aboriginal title is *sui generis*, meaning that it is unique or of its own kind or class. Aboriginal title does not exist because of anything done by the Crown.

Inalienable:

Land subject to Aboriginal title can only be transferred, sold or surrendered to the federal Crown.

Held in common:

Aboriginal title is held by an Aboriginal group as a whole.

Recognized by the Constitution:

Aboriginal title is a sub-category of Aboriginal rights recognized and protected by s.35 of the Constitution Act, 1982.

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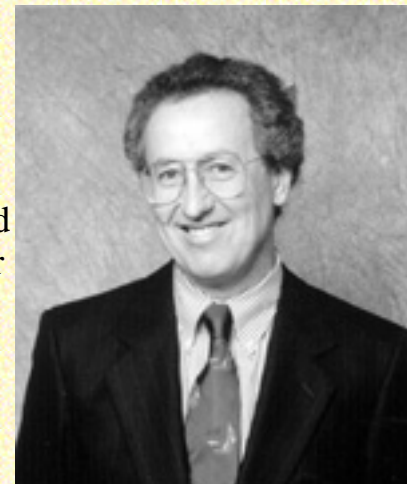
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Negotiator's news: John Langford

Progress towards better relationships with First Nations often comes in small steps.

For example, several months ago the Government of Canada decided to dispose of some military camp lands on the edge of the City of Nanaimo. The Nanaimo First Nation expressed concern at the treaty table that the land would be sold before decisions could be made about what land would be part of their treaty settlements. They argued that there was not very much Crown land available in the Nanaimo area that was suitable for treaty settlement. Federal officials, on the other hand, wanted to develop and sell the land to help meet the Government's deficit reduction goals.



Instead of allowing this situation to produce a stalemate at the treaty table, we are presently working out a Memorandum of Understanding (MOU) to meet the needs of all parties. Leading up to a formal agreement on the matter, Canada has indicated that it will not rezone or sell the land for a period of time while the Nanaimo First Nation, B.C. and Canada negotiate a land settlement at the treaty table.

If the land is not required for treaty settlement, then it will be made available for development. But if all or some of the land does become part of the treaty settlement, then the MOU being worked out now will ensure that all those involved have plans in place to make the new status of the lands work well.

It is partnerships like this one now being proposed that will be the key to the establishment of new relationships between Aboriginal people and their neighbours in surrounding communities.

John Langford is currently involved in negotiations with the Nanaimo First Nation, Te'mexw Treaty Association and Hul'qumi'num Treaty Group on Vancouver Island.

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Policy: negotiation and litigation

The Government of Canada is committed to renewing partnerships between Aboriginal and non-Aboriginal Canadians. This involves resolving outstanding claims to lands and resources, and achieving governance arrangements that support strong, healthy communities.

Negotiation, rather than litigation, is Canada's preferred way to resolve unsettled issues. For this reason, the federal government firmly supports the B.C. treaty process.

At the same time, Canada recognizes that some First Nations in the treaty process may also choose to pursue their claims through the courts. In cases where a First Nation undertakes legal action to resolve issues related to Aboriginal rights, the federal government must consider the implications of the litigation for its programs, policies and activities. In some instances, it may not be appropriate to conduct treaty negotiations while litigation is underway and Canada may therefore seek to limit or suspend negotiations. Decisions of this nature are made on a case-by-case basis.

Careful analysis of the particular circumstances of both the litigation and the treaty negotiation in question precedes any decision on whether to limit or suspend a set of treaty talks. In making its decision, Canada considers a range of factors, including legal implications, prospects for progress at the treaty table, and costs to, or duplication of, human and financial resources. Where appropriate, Canada also provides the other parties concerned with the opportunity to bring forward their views before a decision is made.

Altering the course of a negotiation involves many considerations and affects all parties to the discussions. Consequently, Canada believes that facilitation by the B.C. Treaty Commission may be helpful in dealing with litigate-negotiate issues, where all parties agree to the Commission's participation.

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Progress in Negotiations

The following provides an update on the status of BC treaty negotiations as of March 1998.

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

North Region

Eastern area

Chief Federal Negotiator:

Eric Denhoff

Senior Negotiator:

Bill Megill

Public Information and Consultation Advisors:

Marc Sanderson

Berne Boulton

Status report:

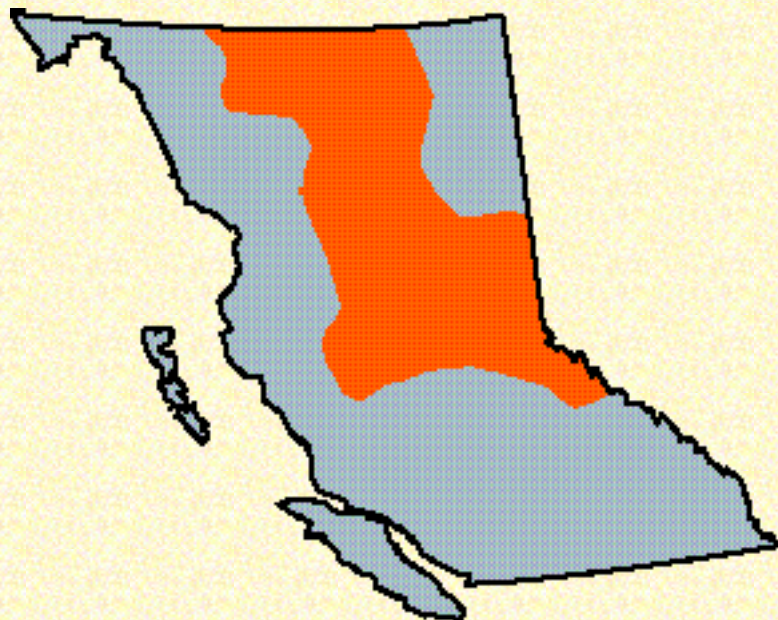
Stage 3: Cheslatta Carrier Nation

Stage 4: Carrier Sekani Tribal Council

Lheidli T'enneh Nation

Tsay Keh Dene Band

Yekootche First Nation



North Region

Coastal area



Chief Federal Negotiators:

Tim Koepke
Pauline LaMothe
Wendy Porteous
Vince Collins

Senior Negotiator:

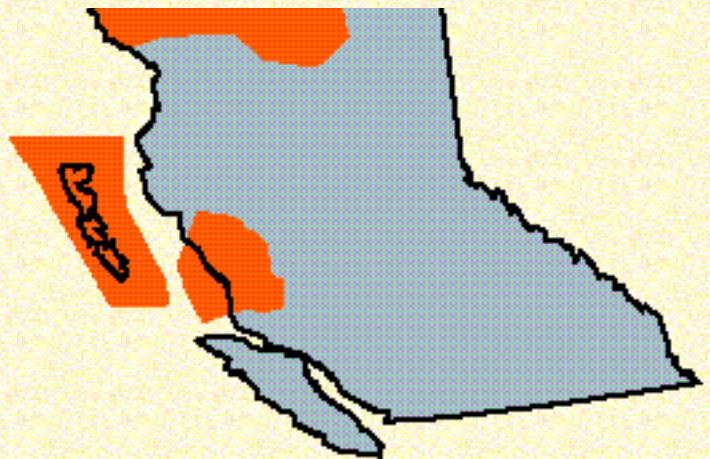
Bill Megill

Public Information and Consultation Advisor:

Marc Sanderson

Status report:

Stage 2: Haida Nation
Stage 3: Carcross/Tagish First Nations
Stage 4: Champagne and Aishihik First Nations
Heiltsuk Nation
Kaska Dena Council
Oweekeno Nation
Taku River Tlingit First Nation
Teslin Tlingit Council



North Region

Central area

Chief Federal Negotiators:

Eric Denhoff
Wendy Porteous
Pauline LaMothe

Senior Negotiator:

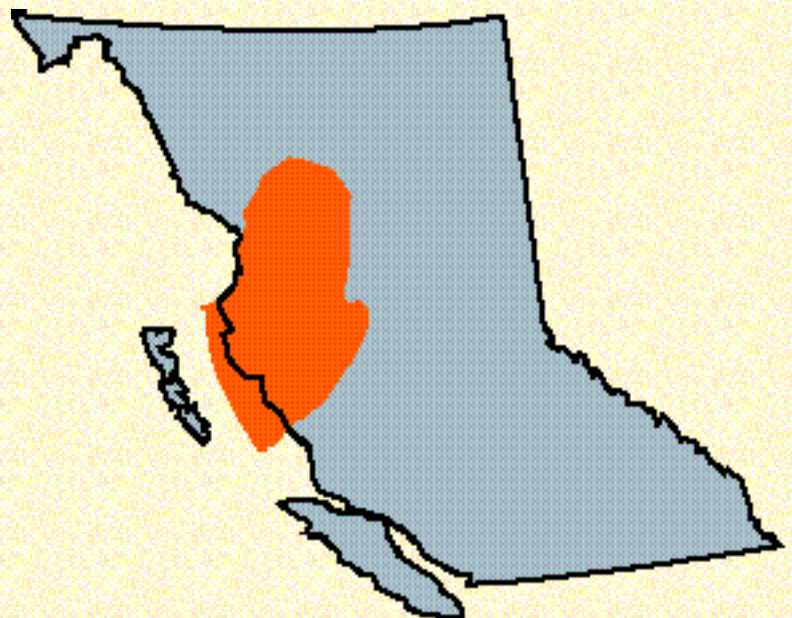
Bill Megill

Public Information and Consultation Advisors:

Chris Corrigan
Bernee Boulton

Status report:

Stage 3: Lake Babine Nation
Stage 4: Gitanyow Hereditary Chiefs
Gitxsan First Nation (suspended)
Haisla (Kitamaat) First Nation
Tsimshian First Nation
Wet'suwet'en First Nation



South Region

Area 1

Chief Federal Negotiators:

Eric Denhoff
Robin Dodson
Vince Collins

Senior Negotiator:

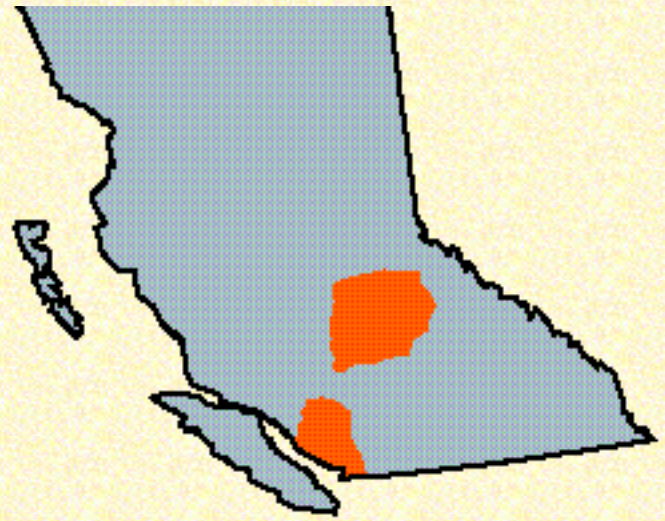
Mike Sakamoto

Public Information and Consultation Advisors:

Diane Gielis
Chris Corrigan

Status report:

Stage 2: Katzie First Nation
Stage 3: Nazko First Nation
Squamish First Nation
Stage 4: Cariboo Tribal Council
Esketemc (Alkali Lake) Nation
Sechelt Indian Band
Tsleil-Waututh (Burrard) First Nation



South Region:

Area 2

Chief Federal Negotiators:

Robin Dodson
Wendy Porteous
Vince Collins

Senior Negotiator:

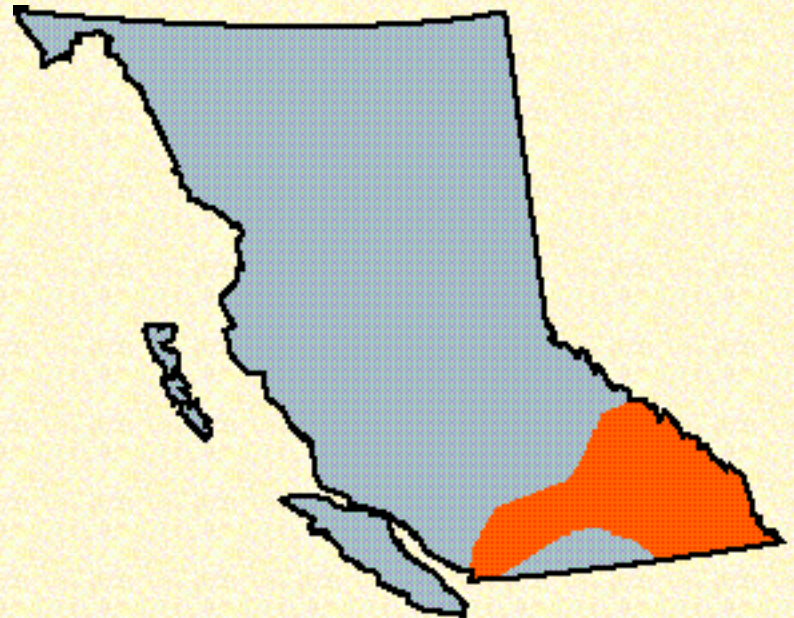
Mike Sakamoto

Public Information and Consultation Advisors:

Chris Corrigan
Diane Gielis

Status report:

Stage 3: Ktunaxa-Kinbasket Tribal Council
Musqueam First Nation
Stage 4: In-SHUCK-Ch N'Quat'qua
Stó:lō First Nation
Tsawwassen First Nation
Ts'kw'aylaxw First Nation



Westbank First Nation
Xaxli'p First Nation (Fountain Band)
Yale First Nation

Vancouver Island

Chief Federal Negotiators:

Ted Hughes
John Langford
Eric Denhoff

Senior Negotiators:

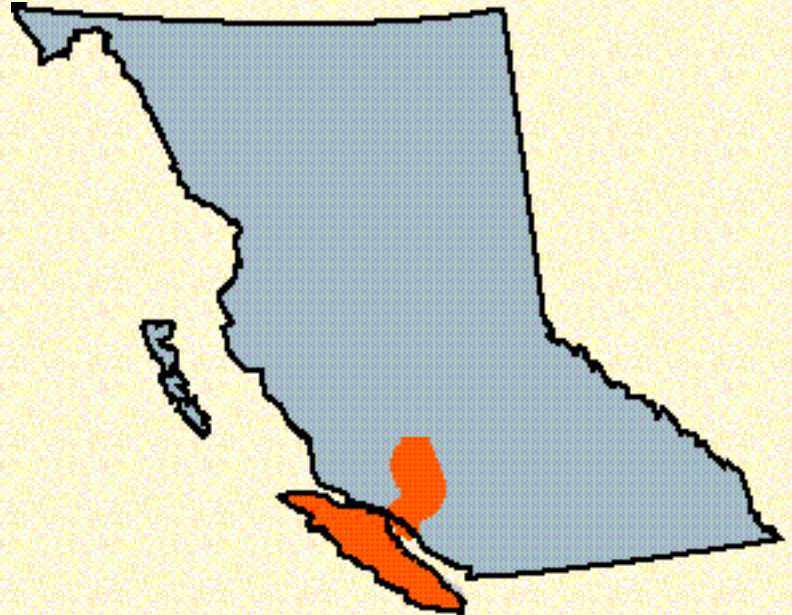
Ross McKinnon
Chris Lok

Public Information and Consultation Advisor:

Jonathan Rayner

Status report:

Stage 2: Winalagalis Treaty Group
Stage 3: Kwakiutl Laich-Kwil Tach Council of Chiefs
Stage 4: Ditidaht and Pacheedaht First Nations
Homalco First Nation
Hul-qumi'num Treaty Group
Klahoose First Nation
Nanaimo First Nation
Nuu-chah-nulth Tribal Council
Sliammon First Nation
Te'mexw Treaty Association



Nisga'a

Chief Federal Negotiator:

Tom Molloy

Acting Senior Negotiator:

Jim Barkwell

Public Information and Consultation Advisor:

Joseph Whiteside

Status report:

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

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Consultation and new partnerships in the Fraser Valley

Aboriginal and non-Aboriginal communities in the Fraser Valley are building roads to a new partnership. In January, members of the Stó:lō Nation invited the Fraser Valley Regional Advisory Committee (RAC) to participate in a traditional meal and presentation at the new Stó:lō community centre, the Tzeachten Hall, in Chilliwack. The RAC represents non-Aboriginal interests from throughout the Fraser Valley and provides the governments of Canada and B.C. with advice in treaty negotiations.

Twelve members of the Advisory Committee enjoyed a meal of barbequed salmon, bannock and other dishes, and heard about the many projects that the Stó:lō Nation is pursuing. The week following the RAC meeting, the Stó:lō, Canada and B.C. signed a framework agreement, with members of the Fraser Valley RAC in attendance.

Members of the Stó:lō Nation, Fraser Valley community members, Minister Jane Stewart, and former Minister of Aboriginal Affairs John Cahore continue the partnership at the Stó:lō framework agreement signing



At Tzeachten Hall, Grand Chief Clarence Pennier made a presentation about the Stó:lō Nation's role in the treaty process. Ernie Crey, Executive Director of Fisheries, spoke to the Stó:lō interest in the Fraser River fishery. Executive Director of Community Development, Joe Hall, discussed various economic and community development projects now underway. Willy Hall, Executive Director of Finance and Administration, talked of Xolmí:th, the Stó:lō child and family services program, while Margaret Hamilton discussed health issues. Ben Pierre, Acting Supervisor for Counseling and Social Development, covered issues in his field, and Sunny McHalsie, Cultural Advisor, gave a presentation on Stó:lō cultural history.

The evening at Tzeachten Hall was packed with information and dialogue. From the point of view of the Fraser Valley RAC members who attended, it was also a worthwhile event.

Dennis Gelean, a RAC member from the real estate sector, said that the evening was a great experience. "I found the presentation to be very informative," he says. "The speakers were both open to answering questions and listening to RAC members' ideas."

For Karen Evans, president of the Chilliwack Chamber of Commerce and a representative from the

University College of the Fraser Valley, the meeting was her first with the Advisory Committee. "I thought the presentation was very well done," Ms. Evans states, "and it allowed us to speak one-on-one with the First Nation representatives. Meetings like this one put you face-to-face with those who will, ultimately, be affected by the process."

Birch Van Horne represents the Chilliwack Field Naturalists Society and the environmental sector on the RAC. He says that although he is familiar with many of the Stó:lō Nation's activities, he came away from the meeting with a clearer understanding of what the First Nation is planning in the way of community and economic development projects.

Mr. Van Horne continues that RAC members sometimes feel that they are kept at "arms length" from the negotiation table. However, "meetings like this one break down barriers by fostering the opportunity to discuss issues and give the RAC direct insight into the First Nation's viewpoint. This can only help RAC members to understand the complexity of discussions at the negotiation tables and to provide informed advice to negotiators," he concludes.

Other Regional Advisory Committees are planning information workshops for this spring: the Cariboo-Chilcotin Regional Treaty Negotiations Committee is participating in a series of workshops with the Esketemc First Nation and the Cariboo Tribal Council, and the Kootenay RAC is participating in workshops with the Ktunaxa-Kinbasket Tribal Council.

If you'd like to know more about these upcoming sessions or the Regional Advisory Committee in your area, please telephone the Federal Treaty Negotiation Office at 1-800-665-9320. In the Lower Mainland, please phone 775-7114.

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You Say...Senator Jack Austin

Senator Jack Austin



I have been asked by Minister Stewart to represent her at Treaty Negotiation Advisory Committee meetings when she is unable to attend. In this capacity, I listen to the concerns and points of view of business, labour, industry, recreational and environmental groups and convey these to the Minister.

Essentially, I'm an advisor to Minister Stewart. Now, if I agree with something personally, it doesn't mean that Minister Stewart will necessarily agree. I take my point of view into discussions with the Minister for her to consider. Part of the reason why I'm here is to bring a particular British Columbia outlook to her understanding of the treaty process.

I believe that when a court decision is delivered like the one made by the Supreme Court of Canada in *Delgamuukw*, a huge uncertainty is created. Time is needed by all sides to develop a considered response to such an important decision, and we need to undertake a careful process of evaluation and consultation to do that.

There is still some confusion about where the land claims system sits. I believe government must make a much more aggressive effort at public dialogue. Some people will be alarmed by some of the comments offered around the *Delgamuukw* decision. It is true that at present, we don't know what precisely to conclude about *Delgamuukw*. However, we have a stable negotiation process to fall back on. The stability of the B.C. treaty process should be a calming influence.

The Supreme Court has decided to shake up the process. I think we should see this decision as an opportunity to find good resolutions to land claims.

Senator Jack Austin is a British Columbian with extensive political and business experience. He was appointed to the Senate in 1975 and has served on numerous Senate Committees including Aboriginal Affairs; Banking, Trade and Commerce; Energy, the Environment and Natural Resources; and Social Affairs, Science and Technology.

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Building a better relationship by *Gathering Strength*

Minister of Indian Affairs and Northern Development Jane Stewart not only began a new year of service in her portfolio when she announced *Gathering Strength – Canada's Aboriginal Action Plan* in early January, she initiated a new era in the relationship between Aboriginal and non-Aboriginal Canadians.

The Minister announced the Government of Canada's Action Plan on January 7, both in response to the work of the *Royal Commission on Aboriginal Peoples*, and as a result of the government's belief that *now* is the time to make a change for the better.

Gathering Strength elaborates a framework for Aboriginal and non-Aboriginal people to move towards a shared future by recognizing past mistakes and injustices; commencing reconciliation, healing and renewal; and building on our successes to date.



Canada's Aboriginal action plan in the B.C. context

The Action Plan is based on recognizing that the disparities between Aboriginal and non-Aboriginal communities harm the relationships between their members. It encompasses a commitment to develop the institutions, resources and expertise needed for Aboriginal people to effectively deal with the serious problems that too many of their communities face. These are problems like infant mortality rates that are nearly double the national average, youth suicide rates seven times the national average, on-reserve unemployment rates of three times the average in Canada, and literacy rates of half the Canadian average.

No doubt, *Gathering Strength's* ultimate goals are long-term objectives. However, the Action Plan also focuses on short-term results that will bring real and meaningful change to people's everyday lives. In B.C., we are already on track to achieving these goals – both long term and short – through the B.C. treaty process.

Treaty negotiations are a means for Aboriginal and non-Aboriginal people to come to a shared understanding of how we are going to live together. Treaties are key vehicles for establishing a forward-looking relationship. In the final analysis, this better relationship is what *Gathering Strength* is all about.

Reconciliation

As the parties to treaty negotiations know well, building a forward-looking relationship also means finding ways to deal with difficult parts of our history together. For this reason, in announcing *Gathering*

Strength, the Government of Canada offered a Statement of Reconciliation to Aboriginal people to express regret for historic injustices.

In part, this Statement of Reconciliation says:

As Aboriginal and non-Aboriginal Canadians seek to move forward together in a process of renewal, it is essential that we deal with the legacies of the past affecting the Aboriginal peoples of Canada ... Our purpose is not to rewrite history, but, rather to learn from our past and to find ways to deal with the negative impacts that certain historical decisions continue to have in our society today. ...

The assistance and spiritual values of the Aboriginal people who welcomed the newcomers to this continent too often have been forgotten. The contributions made by all Aboriginal peoples to Canada's development, and the contributions that they continue to make to our society today, have not been properly acknowledged. The Government of Canada today, on behalf of all Canadians, acknowledges those contributions.

Sadly, our history with respect to the treatment of Aboriginal people is not something in which we can take pride. ... As a country, we are burdened by past actions that resulted in weakening the identity of Aboriginal people, suppressing their languages and cultures, and outlawing spiritual practices. ...

... The Government of Canada today formally expresses to all Aboriginal people in Canada our profound regret for past actions of the federal government which have contributed to these difficult pages in the history of our relationship together.

Moving forward in partnership

To be successful, *Gathering Strength*, like treaty negotiations themselves, depends on the power of partnership: Aboriginals and non-Aboriginals, governments, and the private and voluntary sectors working together to build new, healthier ways of relating to each other. For its part, the federal government has committed itself to the following principles of partnership.

First, to work out solutions to problems together before they burgeon, instead of picking up the pieces after the fact.

Second, to negotiate mutually acceptable solutions wherever possible, rather than engaging in divisive litigation.

Third, to communicate openly and honestly, and consult meaningfully.

Based on these simple principles of partnership, *Gathering Strength* will seek to meet four objectives.

- ***Renewing the Partnerships***: The Royal Commission on Aboriginal Peoples called for renewed partnerships between Aboriginal and non-Aboriginal Canadians. The federal government is committed to doing its part to meet this goal, and believes that treaty negotiations offer one of the best ways to build partnerships in B.C.
- ***Strengthening Aboriginal Governance***: The government is committed to working with Aboriginal people to develop practical, sustainable governance arrangements that are legitimate, authoritative and accountable. The governance negotiations that occur as part of the B.C. treaty process are a good step towards accomplishing this goal.

- ***Developing a New Fiscal Relationship***: Fiscal autonomy and financial capacity are essential components of good government. Governance negotiations in the B.C. treaty process will include discussion of how to ensure regular, accountable funding for First Nations governments.
- ***Supporting Strong Communities, People and Economies***: Every Canadian wants to participate in a vibrant and healthy society. Therefore, the federal government is committed to working with other governments and third parties to end cycles of despair and economic underdevelopment in Aboriginal communities because these problems are not only harmful in and of themselves, but also threaten to stunt the growth of a better relationship between Aboriginal and non-Aboriginal Canadians.

If you would like more information on how you can contribute to the initiatives outlined in *Gathering Strength*, or if you would like further information about the details of Canada's Aboriginal Action Plan, please contact the Federal Treaty Negotiation Office at 1-800-665-9320 or fax us at (604) 775-7149.

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Website Box

You can use the Internet to access *Gathering Strength*, the federal government's response to the *Royal Commission on Aboriginal Peoples* (RCAP). Use the following steps to find more information:

- Go to web address: <http://www.inac.gc.ca>
- Make your choice of official language.
- Choose the *Gathering Strength* icon.

From here you have access to

- Minister Stewart's Speech
- The Statement of Reconciliation
- Canada's Aboriginal Action Plan
- Fact Sheets
 - And much more!

Want to read the Supreme Court of Canada's decision in *Delgamuukw*? You'll find it on the web at: <http://www.droit.umontreal.ca/doc/csc-scc/en/rec/html/delgamuu.en.html>.

See what's new with treaty-making on the web: look for this box in future issues of *Treaty News*!

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Q&A: What do you think of *Treaty News*?

We want your comments on *Treaty News*

Please complete this questionnaire and return to our office. Fax it to (604) 775-7149 or mail it to the address at the bottom of the page.

The part of *Treaty News* that I like best is (check one):

- In Brief
- Economic Development stories
- Negotiator's News
- Policy Box
- Progress in negotiations
- Articles on consultation
- You say...
- Web site box

The parts of *Treaty News* that help me understand the B.C. treaty process are (rank most important 1 to 5):

- Front page
- In Brief
- Feature articles on pp. 3-4
- Negotiator's News
- Policy Box
- Progress in negotiations

Articles on consultation

You say...

Web site box

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All

Most

A little

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Twice

Three times or more

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Agree

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Strongly Disagree

Informative

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