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Nisga'a initial Agreement-in-principle

The Nisga'a agreement - in - principle, B.C.'s first modern - day treaty, is good for all Canadians, says Chief Joseph Gosnell.

Negotiators for the Nisga'a Tribal Council, Canada, and British Columbia signed

the agreement - in - principle (AIP) on February 15, 1996, in Vancouver. Once the AIP is ratified it will form the basis for negotiations of a final agreement and implementation of the treaty.

The AIP contains provisions on fisheries, lands and resources, access to lands, environmental assessment and protection, Nisga'a government, taxation, financial transfers and cultural artifacts.

Reaching the Nisga'a AIP wasn't an easy or quick task.

Gosnell, the president of the Nisga'a Tribal Council, outlined a history that spanned more than 100 years of unsuccessful talks with the provincial and federal governments. "Our chiefs went to Victoria to speak to the white man and to make a treaty with them. We were prepared to share our land and our resources with them. The Nisga'a chiefs were refused entry to the Parliament Buildings."

Gosnell said the AIP "represents a hard-fought compromise that has seen a generation of Nisga'a growing old at the negotiating table, but we are making that compromise in order to become full and active participants in the social, political and economic life of this country."



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The AIP will form the basis for a just and honorable settlement, he said. "The honor of the Crown will be upheld."

The AIP calls for a cash payment to the Nisga'a of \$190 million and the establishment of a Nisga'a Central Government with ownership of and self-government over 1,900 square kilometres of land in the Nass River Valley. It also outlines the Nisga'a ownership of surface and subsurface resources on Nisga'a lands and spells out entitlements to Nass River salmon stocks and wildlife harvests.

But the Nisga'a will not be contemplating any fundamental changes to the AIP. "The Nisga'a have fought long and hard to reach the AIP. We have made too many concessions to turn the clock back now. The Nisga'a will not water down the AIP. It's already been watered down too much. It will form the basis for reaching the final agreement."

Gosnell urged British Columbians to study the 150-page document. "It will bring economic certainty to the province and to the country."

The Nisga'a's negotiators returned to the Nass Valley for a special assembly where they explained the deal to their constituents, who voted overwhelmingly to accept the deal on February 25.

The AIP is a blueprint for the Nisga'a Tribal Council, Gosnell said. "We have clearly indicated to government and to other First Nations that we negotiated only for the Nisga'a - we did not negotiate for any other First Nation in the province. We recognize the needs of the Nisga'a are different from those in the interior and the coast."

Only when the final agreement is signed will the land question finally be laid to rest, he said.

Federal Indian Affairs Minister Ron Irwin said the AIP is the first agreement of its kind under the new inherent right policy which fulfils the Liberal government's commitment to recognize and implement the inherent right of Aboriginal self-government. "It also clearly demonstrates negotiation is the proven approach to settling claims."

Irwin recognized the hard work of the Nisga'a in pursuing recognition by governments of Aboriginal rights. "The journey to today has been long and at times exhausting."

Negotiations between the Nisga'a and the federal government began in 1976. In 1990 the province formally entered the negotiations. By March 1991, a Framework Agreement was signed by all three parties.

The AIP "is an historic achievement many thought would forever elude us, but its realization is a testament to the conviction, the courage and the determination of the Nisga'a people," Irwin said.

Irwin said the conduct of the Nisga'a is an example to all of us. "Through all those years of labour, the Nisga'a chose persistence over anger, patience over violence and perseverance over submission."

The AIP paves the way for negotiations towards a final agreement, he said. "Nisga'a rights, too long denied, will then finally be recognized in a treaty which provides a means to preserve and enhance Nisga'a culture for all time."

The AIP is the product of bargaining which was hard but never mean spirited, tough but never threatening, rigorous but never intimidating, Irwin said. "And it involved extensive consultation. Over the past three or four years, federal negotiators have devoted significant time and resources to consultation and public information activities, particularly on the North Coast."



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by *Ronald A. Irwin*
Minister of Indian and Northern Affairs, Canada

The Nisga'a agreement is of extreme historic significance. It does more than provide the Nisga'a with \$190 million, 1,900 square kilometres of land and certainty of interests in land in the Nass River Valley. It forms the fundamental basis on which the governments of Canada and B.C. and the Nisga'a people will forge new partnerships based on mutual respect.

Contrary to the claims of some opponents of this agreement, it does pave the way for certainty for the non-Aboriginal land and resources industries which have been demanding the resolution of these long-standing issues. It has become a well-accepted fact that the economy of B.C. has suffered from this lack of certainty. In 1990, Price Waterhouse published its study indicating lost investments in the forestry and mining industries amounting to \$1 billion. It showed 300 jobs not created and 1,500 jobs adversely affected.

Resolution of the Nisga'a claim and others in the province will dramatically reverse this. It will result in an expanded tax base, as the infusion of settlement funds stimulates the economy, thereby lessening the load we bear for dealing with the social costs associated with poverty and unemployment in Aboriginal communities. A recently released study on the social-economic impacts of Aboriginal land claims reported that these settlements do indeed act as the impetus for economic opportunity, community development and improved relationships between Aboriginal and non-Aboriginal people.

With regards to the sharing of resources contained in the agreement, it is important to understand the fundamental principle of conservation and desire



Minister Ron Irwin

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to ensure the longevity of those resources is paramount for all parties. This agreement means that the Nisga'a will exchange their undefined Aboriginal rights to harvest fish for specific, clearly defined allocations designed to ensure that the recreational and commercial fishery will remain for all. To those opponents who suggest this agreement is the end of the commercial fishery, let me remind you that under this agreement the total allocation for Nisga'a commercial fishery is less than one per cent of the total commercial catch of the B.C. coast. The reality of this deal is that it finally provides for equal access to the marketplace.

Chief Joe Gosnell stated earlier this week how all the Nisga'a are aiming for is to be proud and full partners in our Canadian society. The process brought about as a result of the agreement is designed to achieve exactly that. The claim negotiated by the Nisga'a is unique to them: to their circumstances; to their geographical area; to their specific way of life and governance.

The fundamental goal of the Nisga'a agreement is a clear demonstration that land settlements provide the resources necessary to First Nations to enable them to have control over their living conditions and their lives. All the Aboriginal people are asking for is the tools to enable them to enrich their learning opportunities, create jobs, provide business and economic expansion and make sure there is a healthy future for their children.

There is still a long way for us to travel together before we reach a final treaty settlement. The objective is clear: fairness and equality of opportunity for all.



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Focus on flexibility and accountability

Dreamspeaker recently spoke to John Ellis, B.C. Region's Director, Funding Services, about the new financial Transfer Agreement (FTA)

DS: John, what is the Financial Transfer Agreement?

Ellis: The Financial Transfer Agreement is a new Canada-First Nation arrangement that is being introduced all across the country. The FTA moves away from program-based funding into block funding that is seen as more consistent with government-to-government-type fiscal transfers.

It's more compatible with the new policy on inherent right to self-government and, certainly within British Columbia, it will be a big administrative step on the road to the governance that will be negotiated under treaties.

DS: What do you see as the major difference between the FTA and our current funding arrangements, the Comprehensive Funding Agreement (CFA) and the Alternative Funding Arrangement (AFA)?

Ellis: The FTA is based on the principle of increased flexibility to First Nations in the management of collective resources. We're asking them to deal with the education, social wellbeing and health and safety of their members as first priorities from the block of funds, in return for accountability at the community level; that is, to First Nations members, and, through the Minister of Indian Affairs, to Parliament for the results from use of these funds.

DS: Can you tell our readers what "block funding" means?

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Ellis: The basic premise is that we are distributing the regional budget in a block. In other words, we won't be funding programs any more, we are funding community governments. The starting budget will be based on what is currently being allocated to First Nations in each of the program areas. We'll add those up, and, for the first time, provide a guaranteed allocation for capital. The total of those will be the block.

DS: Will First Nations end up getting more or less than they do now?

Ellis: Initially, there will be no changes in communities' budgets. Later, adjustments in the regional budget will deal with any inequities. If the region gets a budget increase, 25% of that increase will be shared by all First Nations, and 75% will be directed only to those First Nations that need to move up to an equitable level. Budget reductions will work in the same way, only in reverse. All B.C. First Nations will share in growth, and all will share in any reductions.

DS: How long will it take for FTAs to be introduced throughout B.C.?

Ellis: We anticipate all First Nations will be under multi-year arrangements by April 1, 1998, so we're looking at implementation over three fiscal years. Between six and ten First Nations will likely be in the process on April 1, 1996.

DS: What is the process for a First Nation to enter into an FTA?

Ellis: When a First Nation wants to enter into an FTA, we ask them to identify staff who, with our staff, will do a joint assessment of their management, financial and organizational structures and technical project management capability. We then negotiate a timeframe by which these deficiencies will be addressed. While this assessment is going on, the First Nation develops an operations plan, a five-year rolling vision of what the community wants to achieve. Expenditures under the five-year FTA will be based on this plan.

DS: What kind of reporting will be required of First Nations under the FTA?

Ellis: We will be moving to a single annual submission,

much like the report to shareholders that a corporation would make. Council will look back on community achievements against planned activities, and perhaps adjust the plans for the next five-year period, so the vision is always of a rolling five-year period.

The department will not be monitoring the daily, or even monthly, activities of First Nations. In the more government-to-government relationship that we want to build, we are talking about fiscal transfers between governments and an absolute minimum amount of reporting to satisfy the Minister's accountability to Parliament, and a First Nation council's accountability to its members.

DS: How does the annual financial audit that all First Nations have to provide to DIAND fit in with this annual report?

Ellis: The annual report will probably contain one section looking back on achievements and results, a separate statistical section which will report on activities in a little more detail to community members, and a narrative outlining the community's goals for the coming fiscal year. The report will provide excerpts from the audit, like a balance sheet, to give members a sense of where the community stands in terms of its resources -- a snapshot of the First Nation's financial health.

The audit itself will continue to be a separate document that will contain information on expenditures, as well as details on the cost of governance programming, and the types of expenditures that occur within governments, such as salary ranges of all paid officials, travel, honoraria and accommodation costs.

DS: Let's talk about accountability. **Ellis:**

Accountability is one of the cornerstones of the Financial Transfer Agreement. There are three elements of the accountability framework built into the FTA: transparency, which means openness of government; disclosure, which is the availability of processes and procedures within government; and redress, which allows for citizens, either individually or collectively, to ask for a review of a decision which affects them. An example of that might be someone who applies for social assistance and is turned down. That person would have the right to know the

reasons why and to have the decision reviewed independently.

DS: How will accountability work at the community level?

Ellis: Part of the accountability process for the chief and council is an annual meeting with their community about 90 days or so after the end of the fiscal year to update the operations plan, and to report on the past year's activities. That type of meeting would be part of an ongoing information process, as First Nations councils meet regularly, and it's expected that there would be regular internal reporting, through council meeting minutes, a newsletter, or however else a council chooses to communicate with its members.

DS: What say does the community have in the development and implementation of a Financial Transfer Agreement?

Ellis: We're looking for community consent to start the FTA process and community involvement in the maintenance of the process. It's important that members share a vision of where the community should be going -- the kinds of things that it should be putting its resources towards, what its real priorities are and how these priorities contribute to the education, social wellbeing and health and safety of members.

DS: What recourse do members of the First Nation's community have if they don't like the direction the community is going in, or the decisions the chief and council are making?

Ellis: The same principles of governance apply in First Nation communities as anywhere else. First Nations hold elections on a regular basis and members can use their votes to make their views known. They also have the right to explanations of decisions.

DS: What do you see as the advantages of the FTA over the current funding arrangements we have with First Nations?

Ellis: This is a much more flexible financial instrument. First Nations will be able to fund their priorities in a way that our program funding allocations may not have allowed them to do. They'll be able to do much more in terms of combining, for example, social support with educational

and work opportunities for their members. For the first time there will be a guaranteed base on which to plan capital expenditures. They'll have an agreement on resources to plan over a five-year period, instead of the current system of annual funding.

The FTA also allows for the full retention and use of surpluses. When communities reduce costs through efficiencies and resource savings, they'll be able to put monies aside in a fund from which they can selectively invest in future activities. That would certainly allow for more focus on things like economic development, job training and other community betterment activities.

Also, as part of the pilot process, each of the participating First Nations is being asked to undertake a unique project, such as the development of a business plan, financial bylaw, band management system, a reporting framework or a capital plan. We'll take the generic copy of that project and make it available to other First Nations to either adopt or adapt to meet their circumstances.

DS: Do you see any disadvantages of the FTA?

Ellis: The disadvantages, I think, are in adjusting to a new way of doing business. As we are not funding by program anymore, the reporting of results under activities is not from the planning or intent perspective but from the accomplishment perspective. Results are what count now.

That's why the accountability issue is so important. There has to be a visible, accountable community government that provides information to its members in a timely and accurate manner.

DS: How does the FTA fit in with DIAND's plans to devolve all its programs and services to First Nations and put itself out of business?

Ellis: The whole idea of a government-to-government fiscal transfer is that, while there is a long-term relationship, these arrangements become more Canada-to-First Nation than DIAND-to-First Nation. DIAND may continue to do it on behalf of Canada, or the Department of Finance could manage the transfer. I could see at the end of the day having a process where funding is by formula, and that can be managed anywhere. The relationship between Canada and First Nations is changing

-- the status quo doesn't exist here any more. The future of our interaction lies in these types of relationships, and I'm looking forward to being a part of the change towards them.



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The Financial Transfer Agreement Process

- First Nation indicates interest
- DIAND presents FTA information
- First Nation BCR confirms interest
- Joint First Nation / DIAND management assessment and program review
- First Nation starts 5-year goal setting and development of operations plan
- First Nation / DIAND finalize FTA budget and agreement
- First Nation / DIAND implement 5-year plan
- First Nation annually updates operations plan and provides annual report and detailed audit
- First Nation / DIAND periodically review FTA process / progress and make adjustments for next 5-year agreement



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Someone once said, our greatest human limitation is imagination. No one told that to Carrie Paquette and Scott Simms, two terrific teens who were the proud recipients of the Kinsman Know No Limits Youth Award for outstanding service to their communities. Carrie and Scott were each presented with a bronze medal and a cheque for \$2,000 at the award ceremonies in Vancouver in January.



Award winners Scott Simms and Carrie Paquette in Vancouver

Scott won the sportsmanship award and Carrie won in the environment category.

Carrie is an intelligent, sincere young woman who is a member of the Saulteau First Nation and who grew up on the East Moberly Lake reserve near Chetwynd, B.C. She has plans to join the international youth exchange program with Canada World Youth. Her long-term goal is to take bioscience or environmental courses at the University of Calgary.

Aged seventeen, Carrie is the youngest of seven children with two brothers and four sisters. She has been a student class president and a youth representative for the Canada/Asia Partnership where she took courses on community development, sustainability and land use. Last year, Carrie became involved with forestry issues and presented articles to several local logging companies on the effects of logging - successfully altering the way these companies do business today.

It hasn't always been easy for Carrie, though. She has faced more obstacles and challenges than most young people. Carrie just celebrated one year of sobriety on November 3, 1995.

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"I abused drugs and alcohol," she explains in a soft voice, "I dropped out of school for two years when I was in grade eight. I had been put into an alternative program that made me feel lower than everyone else. I tried to go back once but it didn't work out and I quit again."

"I was lucky," says Carrie. "I felt alone and knew I had to go out and seek help, seek my own spirituality. I heard that they were offering a youth program on my reserve and they let me join. They helped me set goals - to graduate, to become successful at whatever I try, to quit drinking and doing drugs."

Carrie didn't have the support of her old friends, however. "I actually found it easy to say 'no' to drinking and drugs, but my friends didn't like it. I had to find new friends and they did give me a lot of support."

Carrie also sought out the guidance of one of the community elders. "One of the elders asked me to go to a traditional sweat. That's where it all started. Since then, I've been involved with my own spirituality, community and youth."

Carrie's school attendance record is now 100% and she enjoys an A average.

When asked if she had one thing to say about her journey, Carrie smiles and says, "If I can do it, anyone can do it."

Anyone who's got courage and perseverance that is. Anyone like Scott Simms. Like Carrie, Scott is seventeen years old. Yet it wouldn't surprise his family, friends and co-workers if they saw him playing for the Vancouver Canucks a few years from now, or maybe coaching them.

Scott is of First Nations heritage and lives in New Hazelton B.C., with his mom and dad and younger sister. He attends Hazelton Secondary where he is an honor roll student. Scott is extremely active in the community and tutors an elementary student in math. He also coaches youth sports divisions when coaches need help and gets involved in many school and youth projects.

Scott plays in the local Midget division, running from one hockey tournament to the next and keeping up a hectic practice schedule.

Scott's philosophy is a simple one. He says, "If you do your best, you can't be anything less than satisfied. No one can ask anything more of you."

What does the future hold for Scott? Computer programing and graphic animation!

The Kinsman Rehabilitation Foundation was looking for youth who are positive role models for their peers - youth who have made significant contributions to their communities, have overcome obstacles to achieve excellence, and have demonstrated qualities such as courage, commitment, perseverance, creativity and cooperation. In Scott Simms and Carrie

Paquette, the Kinsmen found such youth.



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Chronology of Events leading to Nisga'a AIP

1887 - Nisga'a chiefs travel to Victoria to demand recognition of title, negotiation of treaties and provision for self-government.

1890 - Nisga'a establish their first Land Committee.

1927 - Parliament holds hearings on Aboriginal title and passes legislation to prohibit First Nations organizations from discussing or spending money on land claims.

1951 - Parliament repeals legislation prohibiting potlatches and organizing to pursue land claims.

1968 - The Nisga'a Tribal Council (NTC) initiates litigation in the B.C. Supreme Court on the land question which later becomes known as the *Calder* case.

1973 - In the *Calder* case, the Supreme Court of Canada unanimously recognizes the possible existence of Aboriginal rights to land and resources but splits on whether or not this title had been extinguished.

1976 - Canada begins negotiating with the NTC.

1989 - Canada and the Nisga'a Tribal Council sign a bilateral framework agreement which sets out the scope, process and topics for bilateral negotiation.

1990 - The B.C. government formally joins Canada and the NTC at the negotiating table.

1991 - 1995 - Federal and provincial negotiators hold close to 200 consultation and public information meetings in northwestern B.C.

1996 - Canada, British Columbia and the Nisga'a Tribal Council initial an agreement-in-principle which will form the basis for the first modern-day



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- The Nisga'a will continue to be an Aboriginal people under the Constitution Act, 1982.
- Lands owned by the Nisga'a will no longer be reserve lands under the *Indian Act*.
- The Charter of Rights and Freedoms will apply to Nisga'a government and its institutions.
- Nisga'a jurisdiction over Nisga'a citizens on Nisga'a land will be phased in over time.
- Eventually, the *Indian Act* will no longer apply to the Nisga'a.
- All parties agree that the final agreement will provide certainty with respect to Nisga'a rights, title and obligations.
- The Criminal Code of Canada and other laws of general application will continue to apply.
- Nisga'a will continue to be entitled to the rights and benefits of other Canadian citizens.

Land and Resources

- The Nisga'a will own two types of lands -- Nisga'a lands and fee simple lands.

Nisga'a Lands

- There will be about 1,930 square kilometres of Nisga'a lands in the Lower Nass River area. Nisga'a lands will be communally owned. These lands will include the four Nisga'a villages, New Aiyansh (Gitlakdamiks), Canyon City (Gitwinksihlkw), Greenville (Lakalzap) and Kincolith (Gingolx).
- The Nisga'a will own both surface resources (including forests) and

subsurface resources on Nisga'a lands.

Access

- There will be public access to Nisga'a lands for hunting, fishing and recreation.
- Non-Nisga'a residents will have unimpeded access to their lands.

Fisheries

- Conservation of fish stocks is the primary consideration.
- The Nisga'a will receive an annual treaty-entitlement of salmon, which will, on average, comprise approximately 18 per cent of the Canadian Nass River total allowable catch. In addition, the Nisga'a will receive an allocation of sockeye and pink salmon for commercial purposes under a harvesting agreement outside the treaty.
- A fisheries trust will affirm a Nisga'a stewardship role for Nass River fisheries. The Nisga'a will receive an annual entitlement for non-salmon species, such as halibut, oolichan and shellfish. The entitlement will be for domestic purposes and may not be sold.
- The Nisga'a will receive \$11.5 million towards participation in the coast commercial fishing industry. This will provide for the purchase of vessels and licences.

Nisga'a Government

Government Structure and Jurisdiction

- The Nisga'a will have a Nisga'a government and four village governments, similar to local government structures.
- The Nisga'a will adopt a constitution that spells out the structure, duties and membership of their government and ensures it is open and democratic.
- People living on Nisga'a lands who are not Nisga'a citizens: will be consulted about and may seek a review of decisions which directly affect them; and will be able to participate in elected bodies which directly affect them.



Administration of Justice

- With the approval of the province, the Nisga'a government will be able to

provide full policing services on their lands as do municipalities. The police must meet provincial standards for training, qualifications and professional standards.



Fiscal financing agreements

- Nisga'a government will receive fiscal transfers to enable them to provide government services at levels generally comparable to those available in the northwest region of B.C.



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Reaction to Nisga'a AIP

Chief Joe Becker - Musqueam

"I have some concerns about the taxation and fisheries components of the AIP. The Nisga'a taxation component would prevent us from doing business the way we'd like to. I'd like to take a closer look at the fisheries component but I believe many First Nations would liked to have seen it receive Constitutional protection."

Professor Paul Tennant - University of British Columbia - Political Science Department

"I think the AIP is a very reasonable, balanced and well-thought out document. The AIP also brings an important reality check to public debate on treaties. Now debate on treaty issues can be measured against what's in the AIP."

Greg Gabriel - Pentiction Band - Band Manager

"We feel that it is still too early to comment on the substance or possible ramifications of the agreement; however, we are concerned about the taxation and extinguishment clauses. All bands should be concerned about those issues."

Candis Callison - Tahltan Filmmaker

"For the Nisga'a, their time has come to realize their dreams, to return to their concept of land ownership, to exercise control over their lands and resources. For the rest of us, inside and outside the treaty process, we are beholden to this precedent despite our cultural, land base and political differences."

Alvin Dixon - Executive Director - Native Brotherhood of B.C.

"It is a precedent in the sense that a treaty is do-able. It is not a precedent in the sense that it offers a formula for other treaties - it reflects a position that is considerably different than a sea based economy such as the Heiltsuk or Ahousaht."



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Law clinic offers help to First Nation community

by Bessie Brown

Aboriginal people are discriminated against by the justice system at every turn, says Renee Taylor.

"They suffer because of racism, low educational levels and high unemployment. Indian people are the poorest of the poor -- statistics consistently show the justice system hasn't worked for our people," said the director of the Vancouver Aboriginal Justice Centre Society clinical program.

"It shouldn't surprise anyone that First Nations people believe the justice system is stacked against them," Taylor said.

Statistics show that Aboriginal people are disproportionately represented in jail. A 1994 Review of Legal Services to Aboriginal People in British Columbia estimates that 17 per cent of the prisoners in provincial jails are Aboriginal.

Taylor hopes a free-standing legal clinic for Aboriginal people in the Greater Vancouver region will change those dismal statistics.

The Justice Centre, located at 191 Alexander Street in Vancouver, offers the services of six practicing clinicians, second and third-year law students from the University of B.C.'s Faculty of Law, to represent Aboriginal clients. "The clinic provides legal services to those people who cannot afford a lawyer and who do not qualify for legal aid. For many it's the first time they have had legal representation."

Some of cases the Justice Centre will consider include: UIC appeals, welfare appeals, criminal injuries compensation, and summary conviction offences.



Renee Taylor, director of Aboriginal Justice Centre clinical law program

Credits

The idea for the Aboriginal Justice Centre came about because of concerns that Aboriginal people, particularly in the inner-city, were appearing before the courts and administrative tribunals in such large numbers, Taylor said. "Many Aboriginal people were appearing before the courts and authorities without representation. "

One area that wasn't being covered by legal aid is Aboriginal rights issues, Taylor said. "For example, the clinic could represent a client whose band isn't providing her with housing because she's a Bill C-31 member. This is an important legal matter but there's nowhere to resolve the issue."

Bill C-31 changed the registration system so that entitlement was no longer based on sexually discriminatory rules. Those who had lost their membership in a band through sexual discrimination in the past were allowed to regain membership.

Cases involving Aboriginal rights are extremely complex and require more consistent attention than that given in any other program, she said. "The Justice Centre can provide legal help to Aboriginal people in these areas."

There's nothing that makes Taylor and the clinicians happier than a victory in the court room. One case she is particularly proud of involves criminal injury compensation. "A First Nations child was apprehended and placed in foster care. While in foster care she was physically and sexually abused. She sued for compensation. She was offered \$5,500 as compensation. We thought that was an insulting offer. They added an additional \$10,000. That money will go into a trust fund for her."

The case will now be brokered out to a private lawyer for further legal action.

While the clinic's future is uncertain (it's funded until 1997), what is certain is the need for this type of program will continue to exist for Aboriginal people, Taylor said. "The clinic provides a more level playing field for Indian people."

It also provides a place where Indian law students can work with their own people, she said. "Working in the inner-city area, where the majority of the clients reside, has been an illuminating experience for both Native and non-Native students. To observe first-hand the degradation of poverty, racism and substance abuse which affect many of the centre's clients is an education in itself," she said.

For Taylor an important part of her job is to act as a mentor to the law students. "I enjoy working with them and really try to encourage them to work with their strengths."

Taylor said despite the fact that UBC has graduated 111 Native lawyers, only 50 are practicing lawyers, while 13 are currently articling. "These figures

become even more appalling when one considers that many of the practicing lawyers don't do trial work."

So, while there are a number of First Nation lawyers in B.C., so far they haven't made much of a difference to Indian people, she said. "We're hoping that the students' work experience at the clinic will result in more litigators. That would be an incredible boon to the Native community."



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by Lyse C. Cantin

Sometimes, you have to watch an eagle dance to hear it speak. Ask anyone who knows. Or ask Evelyn Locker. She knows.

Evelyn is an Estates Officer with Indian Affairs. She says she loves her work because it makes her feel good to help others out. But her work is only one part of what Evelyn is all about. Beneath the quiet exterior runs the passion and free spirit of an artist.

Born Evelyn Eagle Speaker, Evelyn was born on the Blood reserve near Cardston in Southern Alberta. A member of the Blackfoot Nation, she grew up on the home farm in the company of her many brothers and sisters.

Little did she know that more than four decades later she would receive the Governor General's Medal for the 125th anniversary of the confederation of Canada, in recognition of her significant contributions to compatriots, community and Canada.

From a young age, Evelyn remembers wanting to go to school. She credits her father and mother for encouraging her to complete her education.

"I'm a product of residential schools," Evelyn says, "but in a positive way. Residential school was a great learning experience for me."

Evelyn credits her positive experiences to the fact that the Anglican residential school she attended was located on her own reserve. "I went to boarding school but stayed close to my family and community."

As a matter of fact, explains Evelyn, the principal spoke fluent Blackfoot.



Evelyn Locker : drummer, dancer and role model.

Credits

"We spoke our Blackfoot language all the time except in the classroom. The only time we got in trouble was when we used our language to 'get one over' on the teacher."

"I enjoyed school, so I never dropped out. I spent a total of 12 years at St. Paul's Residential School. I went to school there until grade nine and then the boarding school staff used to drive me to the high school in Cardston until I graduated from grade 12."

Evelyn was the first person from her reserve to graduate from the Cardston High School.

After high school, Evelyn moved to Calgary to attend a business college.

"My father was the most influential person in my life. In his eyes, I could do no wrong. He always explained the reason behind any of his comments and left the decision to me. He always said that children are not owned - they are just given to you to raise."

It was in 1954, while attending college in Calgary, that Evelyn Eagle Speaker was asked to run against 13 other girls for the coveted title of Calgary Stampede Queen. It was the first time in the history of the Calgary Stampede that a First Nations person competed for the position. She won by a landslide.

"The first dress that I ever wore in a dance competition my mother actually made years earlier for the Stampede parade. My mother and father tanned the hides and she sewed the dress. I wore it with great pride." That was when the Siksika, Stoney, Tsuu T'ina, Blood and Peigan First Nations each presented Evelyn with an eagle feather - one to represent each Treaty 7 tribe. Time Magazine ran a photo of the young queen, bedecked in traditional garb fashioned by her mother and sporting the 5 feathers of her heritage.

Shortly following the Calgary Stampede, Evelyn met and fell in love with her husband, Robert Locker.

Some years later, in Regina, Evelyn dusted off her Calgary Stampede Native regalia and tripped the light fantastic to the enjoyment of the crowds gathered at local powwow. Since then, Evelyn has been dancing in competitions throughout western Canada.

In 1985, somewhere between



dance competitions, Evelyn found time to become the first First

Nations woman in Alberta to reobtain her status under Bill C-31.

"Although I had lost my status when I married Bob," explains Evelyn, "I knew that all I was losing was a number. I never lost my Indian identity."

"One reason I have survived quite well outside the reserve is the strong spirituality I learned as a child," she says. "My spirituality centres me. My parents taught me that if you know who you are, have a sense of identity, you can get along with anybody anywhere in the world. I am very proud of my heritage."

**A young Evelyn Eagle Speaker
ponders her future.**



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All Native Basketball Tournament a winner

The All Native Basketball Tournament (ANT) has become an institution in Prince Rupert, says tournament committee member Russell Gamble.

"And a very profitable one at that," Gamble said. "The tournament is a boon to the Prince Rupert economy."

Gamble said this year the tournament participants and fans spent about \$2 million during the week-long event. "For many businesses, particularly those in the service industry, the tournament is like having a second Christmas."

Every hotel room in Prince Rupert is booked months in advance, he said. "Normally people reserve the room for next year before they leave Prince Rupert."

In mid-February the 37th annual All Native Basketball Tournament, featuring 52 teams from B.C. and Alaska, was held in Prince Rupert.

To say the tournament has grown is an understatement, Gamble said. "We started out with seven or eight teams when the tournament was established in the 1940s."

The idea for the tournament came from local business people in Prince Rupert.

For many years the tournament featured only intermediate and senior men's teams. "Recently we've added a master's division and a women's division. It renews old rivalries and brings continuity to the tournament."

What's really gratifying is that the tournament is run by volunteers, he said.

Gamble has been involved with organizing the ANT since 1959.

In 1989 Basketball B.C.'s Awards and Recognition Committee presented



Russel Gamble

[Credits](#)

him with the prestigious Wink Willox Award for his outstanding and ongoing volunteer efforts on behalf of B.C. basketball.

What brings Gamble back to the ANT every year is his love for the game.

The game has undergone tremendous changes over the last 37 years, he said. "Many of the players go to schools in the cities now - they get better coaching and better training regimens."

Rivalries between villages have developed throughout the years, he said. "It's makes for some very enthusiastic fans and noisy games. But it's all in good fun."

The ANT is much more than just a basketball tournament, he said. "In some ways it's like a big reunion for many of the fans and players. Many of them went to residential school together or are in the fishing industry and see one another when they out fishing."

Making money is not the goal of the ANT.

Gamble is extremely proud that the ANT sends about six players to various basketball camps each year. "Some of the players couldn't normally afford to attend camps because they can be quite expensive."



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Metlakatla teams take two of four division championships

Tina Turner's song "Simply the Best" blasted through the Jim Ciccone Civic Centre as the Metlakatla Merchants and the Heiltsuk Nation took their warmups prior to their championship game.

Both the Metlakatla and Heiltsuk fans were hoping their team would be the best. It was the Merchants who were clearly the superior team on that night.

More than 1,600 ardent basketball fans watched as the Merchants defeated the Heiltsuk Nation 94 - 82 to win senior men's division championship.

The Heiltsuk Nation couldn't match the outside shooting and speed of the Merchants. Metlakatla led by three points, 48 - 45, after the first half.

In the women's divisions Prince Rupert's Eagle Wind team are the champions. They defeated the Heiltsuk Nation 56 - 36.

The bigger and more aggressive Eagle Wind team dominated the Heiltsuk team. Eagle Wind's Gayle Bedard set the tone of the game when she hit four three-pointers early in the game. The Heiltsuk team never recovered from the early run.

Metlakatla also won the men's intermediate division of the ANT. They defeated the Maaqtusiis Suns (Ahousaht) 120 - 118 in what was the most exciting game of the tournament.

Metlakatla was ahead of the Suns by as many as 20 points during both the first and second half. But they couldn't keep the lead against the younger



Action from women's division championship game.

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Suns team.

It was the Suns first appearance at the ANT.



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Seabird Island First Nation sheep farm the largest in Canada

by *Bessie Brown*

Some believed it was going to be a bad investment.

But the Seabird Island First Nation sheep farm has been anything but a bad investment.

Not only did the farm turn a profit last year, but there is potential to expand it, says manager Bill Wilson. The 430-acre sheep farm is already the largest in Canada.

Wilson, an "import" from New Zealand, grew up on a sheep farm. "I worked the farm with my mom and dad. I then studied farm management at an agricultural university and managed a sheep farm for about six years. When this opportunity came up I was very interested in and excited about coming to Canada."

The sheep farm was a new concept for the Seabird Island First Nation, he said. "They were looking at ways to use their land efficiently. The land was used to grow vegetables before the sheep farm. That not only depleted the soil but the yield wasn't great. Sheep farming was a good alternative because it rejuvenates the land."

Seabird Island band manager Daryl McNeil said initially the person who came up with the idea for the sheep farm just wanted to rent the land from the First Nation. "There wasn't any discussion about a joint venture. He found he couldn't go it alone so he asked us to consider a joint venture."

The First Nation was interested in the venture but it was difficult to get a loan, McNeil said. "It wasn't easy to convince any bank that the sheep farm was a sound investment."



Seabird Island sheep

Credits

McNeil said one of the reasons why several banks believed the sheep farm would be a bad investment was because they thought it would require too much person power to operate the farm. "The major problem with the banks was that they didn't know how a sheep farm operates. They assumed it would take 15-20 people to run the farm. They couldn't believe that two people could operate this farm."

The Seabird Island farm employs three or four individuals, he said.

But those people are kept extremely busy. "Our number one job on the farm is managing the sheep. Other responsibilities include general farmwork like making hay and fencing."

Wilson said about 10 per cent of his time is dedicated to sales, marketing and public relations. "So I do a little of everything at the farm."

The job is generally a seven-day-a-week job for nine months of the year, he said. "The hours can be very long - you can't work office hours on a sheep farm."

As well as managing the sheep farm Wilson is training a Seabird Island First Nation member to run the farm. "Our goal is to ensure that he has the skills and knowledge to manage the farm in another five years."

Good farming is really about good timing, Wilson said. "You have to get the job done on time. So we have to manage our time very effectively. That means we do a lot of planning and strategizing."

The farm has about 1,500 breeding sheep and 400 yearlings, he said. " We also have about 1,500 lambs on the farm. So we have close to 3,500 animals on the farm. We'd like to have about 4,000 sheep on the farm."

At this point the sheep are sold when they are seven to eight months old to an Alberta-based company, Wilson said.

There is a good demand for lambs, he said. "One lamb costs about \$80, last year lambs cost \$74. If we can keep the lamb a little longer we may be able to get about \$90."

Wilson said they are constantly looking at new ways to increase the farm's productivity and profits. "Last year we grew kale to feed the sheep during the winter. That did two things - one, we were able to keep the lambs a bit longer and two, kale is cheaper than hay."

The sheep are sheared once a year in June, he said. "It would be great if the band could create a salable product from the wool. We're having discussions with a Seabird member about using the wool to make Sto:lo blankets."



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