

BRIEFING NOTE FOR INFORMATION

DATE: August 21, 2015

PREPARED FOR: Honourable John Rustad, Minister of Aboriginal Relations and Reconciliation

MEETING: With Treaty First Nations (Maa-nulth First Nations, Tla'amin Nation & Tsawwassen First Nation)

ISSUE: Treaty First Nations want to share their perspectives on BC treaty process

SUMMARY:

- The five Maa-nulth First Nations, Tsawwassen First Nation and Tla'amin Nation that signed an April 16, 2015 letter to the Minister (Treaty First Nations) have expressed concern over BC's future participation in the treaty process.
- The Treaty First Nations will be looking for confirmation of BC's commitment to the treaty process and an opportunity to share their perspectives and experiences to support improvement of the process.

BACKGROUND:

Since 1993 BC Treaty Commission (BCTC) has allocated about \$627 million in negotiation support funding to First Nations. BC has contributed about \$53.6 million in non-repayable grants. BC also contributes approximately \$1 million per year to BCTC operating costs. In March 2015, Premier Clark announced that the Province would not support the appointment of a new chief commissioner to the BCTC. This announcement raised concerns among the BCTC, first nations and others about the future of the treaty process in BC. During subsequent debate in the legislature, the Minister clarified that after 22 years it was time for the Province to examine, with the Principals, how to improve the treaty process.

On March 30, 2015, Minister Rustad sent a letter (attached) to the treaty First Nations advising of the Province's decision not to support the chief commissioner's appointment, recognizing the benefits of the treaties and reaffirming its commitment to a government-to-government relationship. The Minister also stated the Province's intention to update the First Nations on any work the Province does with the Principals to improve the treaty process. The treaty First Nations, represented by the Maa-nulth and Tsawwassen First Nations and Tla'amin Nation (the Treaty First Nations) responded with a letter to Minister Rustad and Premier Clark, dated April 16, 2015. The Treaty First Nations requested a meeting to share their perspectives on the treaty process and to hear the Province's views.

DISCUSSION:

On August 19, 2015 MARR staff confirmed with the Treaty First Nations via conference call that the purpose and scope of the meeting should be limited to the requests in the April 16 letter. A proposed agenda (attached) has subsequently been shared with the Treaty First Nations for comment. Based on that conversation, the Treaty First Nations will likely expect the following key matters be addressed at the meeting:

1. Assurance that BC remains committed to the treaty process

They have expressed concern that the Province's decision not to support the appointment of a new chief commissioner may signify the Province's desire to abandon the treaty process and consequently reduce the focus on and resources allocated to supporting the long term sustainability of existing Treaties. Recent A-I-P announcements with Kitsumkalum and Kitselas First Nations and Wuikinuxv



Nation demonstrate that the negotiation and successful conclusion of treaty agreements continues to be a priority for the Province. The Minister should also be prepared to reiterate the Province's ongoing recognition of the value and importance of treaties for First Nations and all British Columbians.

The Treaty First Nations will also expect an update on the Province's commitment to improving the existing process. The Province is actively working with the First Nations' Summit and the federal government on ways to improve expedite and reduce the costs of the treaty process. The Province also remains committed to working with the Common Table on refining treaty mandates, and improving final agreements.

2. An opportunity to share their perspective and experiences to improve the treaty process

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The Treaty First Nations may ask for a commitment to continue a collaborative dialogue on improving the treaty making process. Such a commitment will demonstrate BC's commitment to the Treaty First Nations and lend credibility to the treaty revitalization process.

Attachments: (1) Draft Agenda, (2) April 16 TFNs to MJR, (3) March 30 MJR to Chief Williams - Tla'amin

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GP

NM

File Path: \\herder\is92007\atn_cs_policy\new implementation drive\01-admi\11-briefings\1-info-decision notes\10 - briefing notes 15-16\1 - in progress\37469 info note - mjr meeting with treaty first nations final.docx

Treaty First Nations' Meeting with Minister Rustad on the BC Treaty Process

September 8, 2015

The BC Treaty Process

Seymour Room, Ministry of International Trade Offices

Suite 730 - 999 Canada Place Vancouver, BC

10:00am – 12:00pm

Treaty First Nations' Representatives:

- **Tla'amin First Nation** – Chief Clint Williams; Councillor Dillon Johnson
- **Tsawwassen First Nation** – Chief Bryce Williams; Colin Ward, Director of Government Services
- **Huu-ay-aht First Nations** – Chief Councillor Robert Dennis; Karen Haugen, Administrator
- **Uchucklesaht Tribe** – Chief Councillor Charlie Cootes; Scott Coulson, Administrator
- **Yuułu?if?ath Government** – President Les Doriron; Iris Frank, Director of Operations
- **Ka:'yu:'k't'h'/Che:k'tles7et'h' First Nations** – Elected Chief Peter Hanson; Ron Frank
- **Toquaht Nation**– Tyee ha'wilt' Anne Mack; Sarah Robinson, Director of Operations

Suggested Agenda

1. Opening comments
2. Minister's update on BC Treaty Process
3. Treaty First Nations' feedback on lessons learned (challenges and successes) throughout the BC Treaty process (including implementation), and recommendations for improvements in the BC Treaty process
4. Discussion on continued collaboration to improve treaty process
5. Closing comments



Tla'amin First Nation
SUAMMON FIRST NATION



huu-ah-t
ANCIENT SPIRIT, MODERN MIND



April 16th, 2015

The Hon. Christy Clark, Premier of British Columbia
Box 9041
Station PROV GOVT
Victoria, BC V8W 9E1

The Hon. John Rustad, Minister of Aboriginal Relations
Province of British Columbia
PO Box 421
183 First Street
Vanderhoof, BC V0J 3A0

Dear Premier Clark & Minister Rustad -

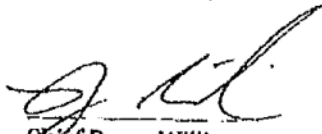
We are writing to follow up the statement and comments issued by your government related to the future of the BC Treaty Process.

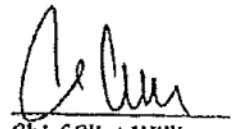
We agree that finding lasting reconciliation and resolving land-claim and self-government issues are of critical importance for British Columbia. We also agree that there are challenges with the current Treaty Process in British Columbia. As Nations with modern Treaties that have been implemented, or will shortly be implemented, we have experienced these challenges first-hand.

We would welcome the opportunity, as Treaty or soon-to-be Treaty Nations, to have a joint, collaborative meeting to share our perspectives with you, and to hear the views of your government on these important issues. We would welcome the opportunity to provide our input and feedback on some of the issues you have described.

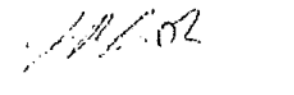
We appreciate your continued attention to these issues, and look forward to working with you to develop solutions that will work for all First Nations, and all British Columbians.

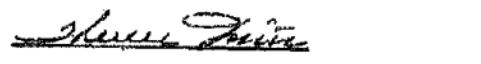
All our relations,

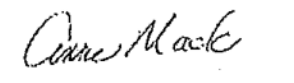

Chief Bryce Williams
Tsawwassen First Nation

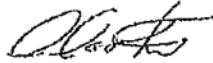

Chief Clint Williams
Tla'amin First Nation

Signed on behalf of the Maa-nulth First Nation by


Chief Councillor Jeff Cook
Huu-ay-aht First Nations


Legislative Chief Therese Smith
Ka:yu:k't'h'/Che:k'tles7et'h' First Nations


Tyee Ha'wilth Anne Mack
Toquaht Nation



Chief Councilor Charlie Cootes
Uchucklesaht Tribe



Charles McCarthy, President
Yuulu7H7ath (Uchuelet) Government



Ref. 36545

MAR 30 2015

Chief Clint Williams
Tla'amin First Nation
6686 Sliammon Road
Powell River BC V8A 0B8

Dear Chief Clint Williams:

As you are aware, Sophie Pierre is finishing her term as the Chief Commissioner of the BC Treaty Commission (BCTC). I would like to acknowledge Ms. Pierre's work and six years of service to the BCTC.

The Province has decided that it is an appropriate time to reflect with the Principals on what lies ahead so that Aboriginal and non-Aboriginal communities alike can prosper.

Your treaty, reached under the BC Treaty Commission process, is a testament to the significant benefits and independence that can be achieved through self-governance, the highest form of reconciliation.

The Province wishes to recognize the leadership of your nation and to reaffirm our commitment to continuing our work to reach effective date and further build our government-to-government relationship.

We will keep you updated on the Province's work with the Principals on finding ways to improve the treaty process.

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Ministry of
Aboriginal Relations
and Reconciliation

Office of the
Minister

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If you have any questions, please phone Lloyd Roberts, Executive Director, Ministry of Aboriginal Relations and Reconciliation, at 250-356-2595.

Sincerely,

A handwritten signature in black ink, appearing to read "John Rustad". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

John Rustad
Minister

pc: Lloyd Roberts
Executive Director
Ministry of Aboriginal Relations and Reconciliation