



Ditidaht
FIRST NATION



Treaty Newsletter

December 15, 2016

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Issue 5

What will happen to our lands after Treaty?

Our goal is to have as much of our homeland as possible returned to us. Currently the Canadian government owns the legal title to our reserve lands. If we sign a final agreement with Canada and BC, our existing reserve lands will become Treaty Settlement Lands (TSL) and we will fully own and control those lands.

We are also negotiating an overall land settlement package. The land options currently under discussion are lands our membership and Elders indicated are high priority.



Traditionally smoking dog salmon, Robert Joseph's smokehouse, 2014

What happens to my Indian Status after treaty?

Ditidaht members will not lose their status under the Indian Act. Ditidaht members who have status will still be eligible for all programs and services available to all other status Indians. We are negotiating an agreement that builds on funding that currently goes through Indigenous Affairs and Northern Development Canada (IANDC) and will give us control over that funding.

Question: Under the treaty, will I lose my healthcare? Dental care? Childcare? What about social assistance? Status Card?

Answer: No. All current medical, dental and social assistance services and programs will continue. You will keep your IANDC Status Card, as well as receive a Ditidaht Citizenship Card.

Why are we negotiating?

Treaty is an opportunity to forever change our relationship with BC and Canada and to ensure that Ditidaht has a say in what our future looks like. After treaty, we will no longer be part of the existing Indian Act system and will instead be self-governing with the ability to control our lives.

Even if the community ultimately does not approve the Final Agreement, Ditidaht has benefitted from participating in the process in real, practical ways:

- The Incremental Treaty Agreement (ITA) lands at Doobah and Malachan

- Just under 350 ha. have already been returned to us at Doobah - another 70 ha will be returned when we reach later stages in the treaty process – these lands will be ours, whether or not we sign a treaty
- Treaty Related Measures, which is funding for practical projects to help us get ready for post-treaty, like:
 - Traditional Land Use and Occupancy database and report
 - Territorial Strategic Land Use Plan
 - The Comprehensive Community Plan
 - The Narrows-Doobah Land Use Study and Economic Development Plan
- Ongoing opportunities to engage with both governments on issues that are important to Ditidaht that are not available to First Nations not actively engaged in the Treaty process.

We have received more than \$1 Million in Treaty Related Measures funding.

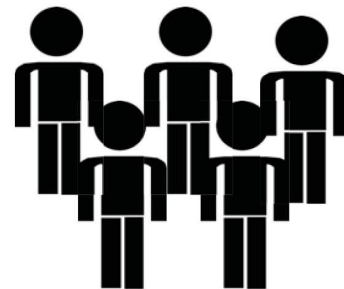
How does the *Indian Act* affect us today?

The *Indian Act* is the main set of laws through which the federal government oversees Indian status, First Nations governments and the management of reserve land and communal funds.

The *Indian Act* imposes political and societal power under *Indigenous and Northern Affairs Canada* (INAC) – this strictly limits the power of our nation’s government to act in ways that we want. INAC says how we use our lands, how we govern our nation, and what we do with our finances and resources.

We still have the “reserve” system which are held by the federal government “for the use and benefit of the Indians” – we do not hold title to our lands! The *Indian Act* means we need permission from Ottawa for any economic development opportunities on reserve.

Unless we have a treaty, we are essentially “under the crown” as shown:



All decisions made by Chief and Council, as well as Administration, are governed and controlled “Under the Crown”. The Crown controls us and how we use our lands and resources. The Indian Act controls us, from the cradle to the grave.



North end of Nitinaht Lake, 2015

What about the lands in the rest of our traditional territory?

We will only own our Treaty Settlement Lands after treaty. But Ditidaht members will still have treaty rights to hunt, trap, fish and gather as well as participate in cultural and traditional activities on lands within the rest of our traditional territory. We call those lands “off Treaty Settlement Lands” or “off TSL”.

Ditidaht members will still be able to hunt, fish, trap, gather and engage in cultural practices off TSL. We are working to ensure that we have a strong role in decision making off TSL as discussed in the next article. We are the first, and as we understand it, the only treaty table who is negotiating this kind of Agreement to ensure we have strong decision making off Treaty Settlement Lands.

Will the governments still have to consult Ditidaht after Treaty?

Yes. Ditidaht is currently negotiating a specific agreement about consultation that will be attached to the treaty

We are negotiating a specific plan for how the provincial government will consult with Ditidaht before it makes decisions about projects that might impact our treaty rights.

This maximizes our authority in our traditional territory beyond our treaty settlement lands and has the potential to change our relationship with British Columbia for the better.

How much cash is on the table as part of the negotiations?

We are negotiating for financial resources so we have funds to create a stable government and economy. The November newsletter outlines the current Land and Cash offer that will be part of the final Treaty agreement that we will vote on. This cash will be used however we choose.”

As shown in the graphic on the right, other financial benefits will be part of the treaty for specific purposes such as:

- capital transfers,
- resource revenue sharing,
- funding to continue programs and services,
- economic development funds, and
- implementation funding.

We will not settle for funding resources less than what has been agreed to in other existing modern day treaties.

Treaty Information Meetings

**We will be having further information meetings
January 10 to 12.**

Please joins us for these most important Treaty meetings.



Lands and Cash are part of the Agreement in Principle and Final Treaty

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Treaty Word List

Agreement in Principal – (AIP) the 4th Stage of treaty negotiations. We are nearly completing the AIP. The last two stages are Final Agreement and Implementation.

Economic Development— businesses we start to employ our people and provide funding for our programs.

Treaty Settlement Lands – (TSL) lands that will be returned to us in the Treaty.

Incremental Treaty Agreement – (ITA) in 2013 the other governments agreed 430 hectares of land would be returned, prior to final agreement and remain Ditidaht’s whether we sign a treaty or not.