



TE'MEXW
TREATY ASSOCIATION



Te'mexw Times



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Melissa Quocksister

An update from TTA Communications

January 30, 2019

Communications and engagement with all our members is important to us. We are lucky that today, there are even more ways to communicate and share input with one another. Since September, we have been hard at work updating and improving the way we communicate with our 5 member Nations.

We began with a communications survey that ran for 6 weeks in our communities and was sent out to community members via newsletter, email, printouts and Facebook. The purpose was to collect meaningful feedback on how our communities would prefer to receive information relating to TTA and current Treaty negotiations and as well as looking to areas of improvement. Among other things, you suggested the best ways for us to share information and provided valuable feedback on how the TTA website and social media pages could be more useful. We heard you and what you want us to focus on and we are busy making that happen. As a result, a comprehensive communications strategy has been created to address your feedback and support our goals for communications. We look forward to rolling out some new materials and tools in the year ahead.

Other communications initiatives we've been working on:

We offered community meetings in T'sou-ke and Nanoose, where we discussed the ways in which we plan on implementing some of the feedback from the community surveys and rolling out new communications tools. We reviewed the land and cash offers in these communities and collected feedback. In addition, we've been hosting a range of workshops to our Treaty Clerks, Chief Negotiators and TTA staff to improve our skills in community engagement. Workshops that included topics such as Canva and branding, Google Calendar implementation, Facebook and Instagram for Indigenous communities. Currently, we are redesigning our website to better represent our 5 member Nations and making it more user-friendly and easier to navigate for important information and materials.

We have even more planned in the year ahead to increase engagement and information sharing opportunities. Watch for future quarterly newsletters, the launch of our new website and updates to our Facebook and Instagram accounts. These tools will be the best way to receive the latest information on TTA news and updates. We look forward to sharing even more with you this 2019!

Your treaty office clerks are your go-to people regarding treaty in your communities. Please make sure to stop by their office to say hi.



Shannon Planes
T'sou-ke Nation

T' Sou-ke Treaty Office
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Sooke, BC V9Z 0X4
Office Hours: 8:30 - 4:30
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Songhees First Nation

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Loretta Cook
Snaw-Naw-As First Nation

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Christine Henry
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TTA Negotiations Update

January 24, 2019

Certainty Language:

Over the last year, there have been a number of significant changes in the world of treaty making. The most exciting changes have come out of what is called the External Working Group – consisting of representatives from lead tables (Stage 5), Canada and BC. This group has spent the last year and a bit drafting new language to address some of the biggest issues that prevent treaties from moving forward.

The first area of change is in the area of Aboriginal Rights and Title. Until now, modern day treaties assume a rights modification model, which means that your rights would be modified to match the rights negotiated in the treaty. The approach is called Recognition and Predictability, this means that your rights are recognised and affirmed, and will be exercised as agreed to in the treaty. The Crown will equally exercise its rights in accordance with the treaty. The treaty will clearly state that existing rights are not extinguished, surrendered or modified. There is no extinguishment. There is no modification. The next change relates to the above, it is called Periodic Renewal. This allows for the three governments (Canada, BC and the Nations) to open up parts of the treaty to renegotiate every 10 years.

This allows for the treaties to evolve with the everchanging world. The agreements are no longer set in stone.

Then there is improved language for Consultation. Currently the governments have a duty to consult if they plan to do anything that could affect your rights, and under the old treaty language, they would only have to consult in situations that have been identified in the treaty. The new language adds strength to the duty to consult, it says that Consultation is required for any activities that affect people ability to exercise their rights or affects Treaty lands. This is important to the protection of your territories.

There is also language proposed that says that if another nation establishes a new right, through court or other negotiations, the government will enter into negotiations with you to determine if that right should be included in your treaty.

These changes are hugely significant for nations who are negotiating treaties. The proposal is currently in the hands of the governments to review and approve. We are feeling positive that the language will be approved because the working group included representatives from BC and Canada. Further, we have already included these changes as a part of the TTA treaty.

TTA Negotiations Update Cont...

Fisheries:

TTA nations are a part of the Douglas Treaties. Because of this, fisheries matters are being negotiated outside of the Treaty, as the TTA nations have an existing right to fish as formerly under the Douglas Treaty. The agreement that is being negotiated describes how your Fishing Rights will be exercised.

Fisheries is typically the last issue to be resolved during treaty making. This is because to complete these negotiations the nations have to negotiate directly with DFO (Department of Fisheries and Oceans) which is not an easy task. DFO is currently awaiting a mandate to move forward on negotiations.

In December, your negotiators, Chiefs and legal representative met with the fisheries minister to relay a message of frustration and impatience with the lack of participation at the TTA table from DFO. The meeting went positively, however, fisheries negotiations will continue along as we wait for an update from them.

Land and Cash:

In 2017, Canada and BC made a Land and Cash Offer to three out of five of the TTA nations; Malahat Nation, Snaw-Naw-As Nation and T'sou-ke Nation. Beecher Bay Nation and Songhees Nation have yet to receive a Land and Cash Offer.

To date, the following offers have been made:

T'sou-ke Nation

Cash - \$14 million
Land Fund - \$12 Million
Lands - 350.0 Ha.

Malahat Nation

Cash - \$15 Million
Land Fund - \$13 Million
Land - 621.3 Ha.

Snaw-Naw-As Nation

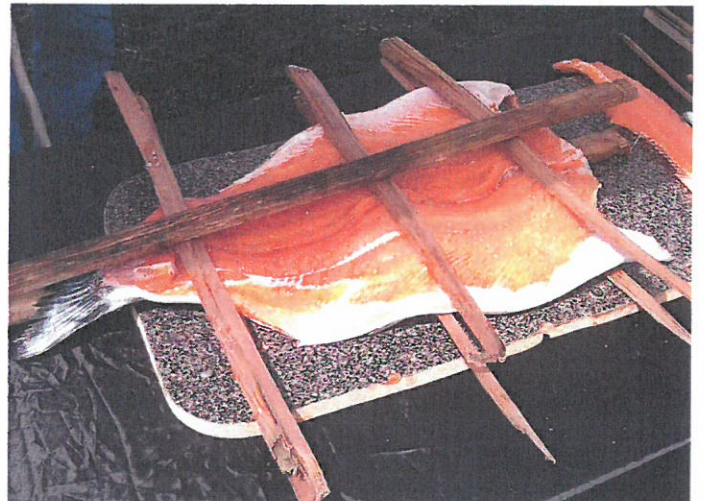
Cash - \$10 Million
Land Fund - \$0 (Used to purchase Little Mountain and Nanoose Transmitter Site)
Land - 426.7 Ha.

These numbers are from the 2017 Land and Cash Offer and are still under negotiation and will change as we move closer to a final offer.

TTA Negotiations Update Cont...

The three nations that have received offers are currently engaging community members to review the offers and a response will be put forward to the governments. For the nations who have not received a Land and Cash Offer, your negotiators are working hard to secure land parcels to be included. Some of the lands currently being negotiated are Royal Roads (Songhees Nation) and Mary Hill (Beecher Bay) which require direct negotiations with the Department of National Defence (DND), as well as other key parcels of available crown lands in the territories. Your negotiators continue to pressure the governments to make a Land and Cash Offer to the remaining nations.

For more information please contact
Melissa Quocksister, TTA
Communications Coordinator at
mquocksister@temexw.org or at 250-
360-2202.



Constitution Update

January 2019

Our five member nations are currently developing their Constitutions which will serve as a guiding document if the Indian Act is replaced by a Modern Treaty. In each community a constitution development team including a Constitution Committee, Governance Advisors, a Coordinator, Negotiators, and Legal advisors are at various stages of working together to incorporate community feedback on many important areas into the draft documents.

In Beecher Bay (SĆIAÑEW) Nation the committee is preparing to present the full draft to their community, we have reviewed each section at least once at community meetings and have presented the draft to Chief and Council. In T'Sou-ke Nation the draft constitution is almost complete! We have presented sections to the community as they were drafted and have presented the full draft to Chief and Council.

Snaw-naw-as Nation is preparing to present newly drafted sections to the community and will then present the overall draft to Chief and Council. The committee will review feedback and legal review and then will be ready to present their overall draft to the community.

Malahat Nation is well underway and their committee has hosted 4 community meetings and one open house, we are currently working through law making at our monthly committee meetings.

Songhees Nation Constitution Committee has recently started holding monthly meetings and are working towards reviewing introductory materials and planning community engagement!

If you would like a copy of the draft constitution for your nation, or for more information on constitutions please contact:

Katie Jarrett
Constitution Coordinator
kjarrett@temexw.org
250-360-2202



Constitution Update Frequently Asked Questions

What is a Constitution?

A Constitution is a document that explains how a group will function. The community constitution will include a statement of the core values beliefs and principles of your nation. These principles will be used to guide the everyday life of Citizens and also provide rules and responsibilities for leaders to live by.

How many people will sit on the constitution committee? And who decides who will sit on this committee?

The Constitution committees currently range from 6-12 members. The committees are different in each community. The committees were appointed by Chief and Councils.

How is the Constitution connected to Treaty?

The Te'mexw Treaty Association is negotiating modern treaty with the federal and provincial governments on a wide range of issues that include land, resources, fiscal matters and governance. Constitutions fall under the section of governance and we receive partial funding for this work as a Treaty related measure because in order to finalize a treaty agreement we would need a constitution in each community; however we can use a constitution even if Treaty isn't reached or before Treaty is reached.

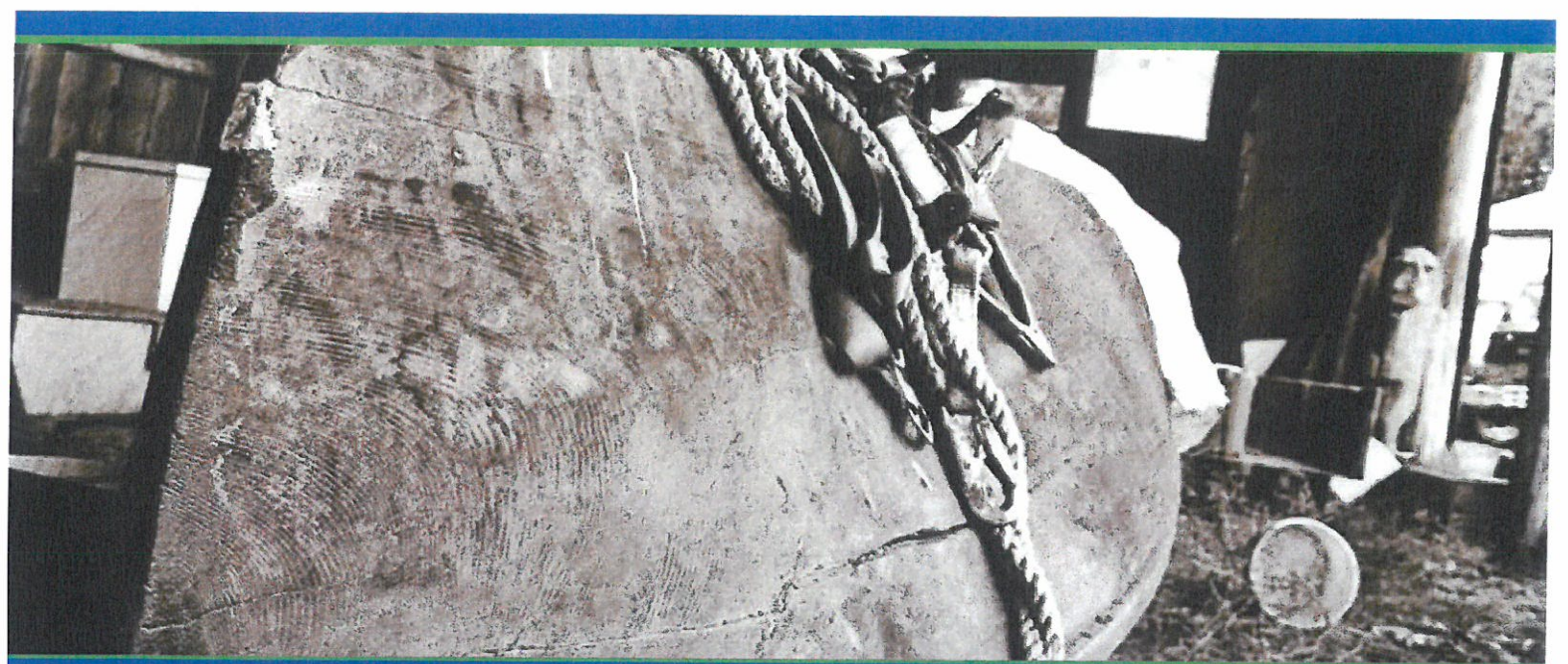
Will we get to vote on the constitution?

Yes, once the constitution has gone through a series of drafts, each community will be given an opportunity to review the proposed constitution, it will then go to a community wide vote. In order for the Constitution to come into effect a majority of voters eligible to vote will need to vote in favour.



Contact us

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