



# Gitga'at Reconciliation Negotiation and Independent Government Frequently Asked Questions

We Gitk'a'ata people have lived and thrived in our ancestral territories, guided by our ancestor's values, working within our complex social and political systems. We hold close our ways for continued survival, even as we adapt to new circumstances and opportunities. The strong connection to our lands and waters builds strength and resilience as our Nation starts on a path of rebuilding our own government system, regaining our jurisdiction and authority over our territories, and uplifting our community's cultural, social and economic well-being.

We are currently in negotiations with the Federal and Provincial Governments to work towards achieving our goals of renewal and empowerment for our Nation. Our aim is to negotiate an implement a new independent government agreement. This agreement will create a pathway through which we can regain our ability to govern ourselves and regain control of and authority over our lives, territorial lands, and waters. We will have the power to create new laws and structures to govern ourselves, to develop and deliver our community health and education programs, and to regain decision-making and management of our territorial lands and waters.

Here are the most common questions and FAQs during this process. We want to ensure our community's voices are heard and have a shared understand on this journey together.

## **How does GFN shape membership/citizenship with the move to independent government?**

Membership/citizenship is an important part of our recognition of belonging and access to services. The process to determine who is a member/citizen of the Gitga'at Nation will need to be carefully worked through and structured to protect and be inclusive to our membership. In the ongoing process to develop independent government, Gitga'at members will have an opportunity to shape how we want membership to be defined – and ultimately we will be pushing to have our own rules about who can be a member of the Gitga'at Nation, not rules grounded in the Indian Act.



**“What do we lose?”**

This is an important question that comes up very often as we go through this process. Many First Nations experienced a loss of rights and jurisdiction when they signed treaties with Canada. However, Canada and BC have since shifted their focus towards a less restrictive and more open approach called Reconciliation. This shift has included legislating a commitment to align laws with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), developing a Recognition and Reconciliation of Rights Policy (the “Triple R”), and creating a new fiscal framework in which the Crown covers the cost of negotiations.

In sum, the negotiation of Reconciliation differs greatly from the previous treaty process. The Reconciliation agreement will not take away existing benefits to Gitga’at First Nations like healthcare, tax exemptions, social service etc. A Reconciliation agreement will empower the Gitga’at people to build a new and more independent government, to make laws and increase jurisdiction, and to access capacity funds from the start of the process. Lastly, this agreement is not final and can be continuously updated.

<b>(Historical) Treaty Process</b>	<b>(Current) Reconciliation Negotiations</b>
<ul style="list-style-type: none"> <li>• Title is negotiated, abrogated, modified</li> </ul>	<ul style="list-style-type: none"> <li>• Title is recognized by Agreement (right up front), rights and title continue (not through litigation)</li> </ul>
<ul style="list-style-type: none"> <li>• All or nothing</li> </ul>	<ul style="list-style-type: none"> <li>• Step-by-step</li> </ul>
<ul style="list-style-type: none"> <li>• Funds come at the end</li> </ul>	<ul style="list-style-type: none"> <li>• Funding flows immediately and through the process</li> </ul>
<ul style="list-style-type: none"> <li>• Intended as a final agreement</li> </ul>	<ul style="list-style-type: none"> <li>• Does not necessarily have an end point</li> </ul>

**Is there a priority for off-reserve housing and language and culture?**

The current negotiations (as of early 2024) focus on a set of Good Faith Measures that include initial funding for housing and language. As a part of these negotiations, we are reviewing our jurisdiction and title over lands. Our aim is to take greater control over services and plan for a future that includes housing both on and off reserve. However, this goal will require comprehensive planning and time to achieve, with further funding coming through future agreements.



### **Do we have Indigenous lawyers working with us during this process?**

Gitga'at First Nation is working with reputable law firms – Ratcliff LLP and Sequia Legal LLP (formerly Devlin Gailus Watson) have experience with land claims and other issues specific to Aboriginal law. In addition, a Gitga'at member who is now a lawyer – Corbin Greening – is also now providing support on key aspects of the Independent Government process.

### **What step in the negotiations are we on, and how many steps are there?**

The short answer is that there are no specific steps in Reconciliation Negotiations. We are currently (as of early 2024) finalizing a Reconciliation Framework Agreement that sets out a number of good faith measures – areas that will receive funding immediately – and the priorities for further negotiations. The Negotiating Team has been meeting with Gitga'at members to ensure that the negotiators understand the priorities members want to see reflected in future agreements.

We should note that the research completed previously under the treaty negotiation framework remains useful for ongoing negotiations under the Reconciliation Negotiation framework.

At the same time as negotiations, we are planning development and implementation of our independent government structure and process to serve our people. To prepare for these changes, we will evaluate our capacity and readiness for independent government, making necessary changes and building capacities to deliver on the outcomes of negotiations. It's a huge undertaking with many steps happening all at the same time, but we are climbing the mountain of taking back control of our government and territory.

To learn more, please check our website or contact Eric Anderson, Negotiations Supervisor, at [ericanderson@gitgaat.ca](mailto:ericanderson@gitgaat.ca)

### **Can we go back to past agreements, or once an agreement is signed it can't be changed?**

Agreements have a built-in process to make changes as necessary. In addition, a set time frame to revisit the agreement for changes every five years is built in.



## **Who is negotiating the agreements?**

Our negotiators are Garry Wouters and Dan Cardinall, with Arnold Clifton providing additional support. They are working with negotiators from Canada and BC on the technicalities of our agreement.

For our community, we have the Reconciliation Advisory Committee to gather information from the membership and report priorities to leadership and negotiators.

Negotiations Supervisor Eric Anderson sits between negotiators, leadership, the RAC, and membership to track, report, and support the entire process.

## **Who is on the committees, and how are elected leaders making these decisions?**

**The Independent Government Working Group** currently includes:

- Teresa Robinson, Gitga'at member and Band Manager
- Cameron Hill, Gitga'at member, Elected Councillor and Speaker of Gisbutwada (Killer Whale) Clan
- Spencer Greening, Gitga'at member
- Dan Cardinall, member of Gitga'at Negotiating team
- Eric Anderson, Gitga'at member and member of Gitga'at Negotiating team
- Chris Picard, Director of Gitga'at Oceans and Lands Department

**The Reconciliation Advisory Committee** currently includes:

- Cameron Hill, Gitga'at member, Elected Councillor and Speaker of Gisbutwada (Killer Whale) Clan
- Spencer Greening, Gitga'at member
- Eric Anderson, Gitga'at member and member of Gitga'at Negotiating team
- Marven Robinson, Gitga'at member, elected councillor
- Arnold Clifton, Gitga'at member, Wii Hai Waas, Ganhada (Raven Clan) Chief
- Charlotte Anderson, Gitga'at elder
- Austin Basso, Gitga'at youth
- Mary Reece, Gitga'at Member
- Vanessa Lynn Danes, Gitga'at member



- Albert Clifton, Wahmoodm, Gisbutwada (Killer Whale Clan) Chief
- Owen Green

Throughout this process, the Reconciliation Advisory Committee will organize engagement with membership, elders, clan leadership, matriarchs, and youth to secure input on how to develop Gitga'at independent government. The Independent Government Working Group will work with the Reconciliation Advisory committee to develop engage with Gitga'at membership, draft documents , and discuss and review them with Gitga'at members. This review and adjustment process may take time, needing to be repeated before it captures and addresses what our people have said; when a final draft constitution is ready, it will be put before the Gitga'at membership for a ratification vote.