



Te'mexw Treaty Association & Esquimalt Nation Negotiations

Presentation to City of Victoria
Feb 23, 2023



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PRESENTERS

Ministry of Indigenous Relations and Reconciliation
Mark Lofthouse, Chief Negotiator
Rebecca Penz, Director of Consultation and Engagement
Stephen Winn, Negotiator

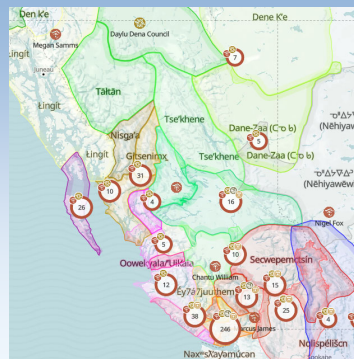
Crown-Indigenous Relations and Northern Affairs Canada
Michael Blackburn, A/Director of Negotiations, Vancouver Island
Gwyn Thomas, A/Negotiator

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Indigenous Peoples in BC

- 270,000+ Indigenous people in BC
- First Nations, Métis and Inuit
- 204 First Nations in B.C. (600 in Canada)
- Culturally and linguistically diverse
- 34 distinct languages and 90 dialects
- Sophisticated cultures, relationships and systems of laws



Historic Treaties in BC

Few historic treaties:

- Douglas Treaties, Vancouver Island (1850 – 1854)
- Treaty 8, Northeast B.C. (1899)



Reconciliation – Why?

Colonial policies and programs, including the Indian Act, Indian residential schools, and the 60s scoop, have impacted all aspects of Indigenous life:

- culture and social structures
- exercise of rights
- access to lands, resources, services and economic opportunities
- overall health and wellness (including inter-generational trauma and death)



Reconciliation – What?

A paradigm shift in thinking and action that involves:

- Recognition of on-going presence and rights of Indigenous peoples in B.C.
- Addressing past and on-going harms and healing
- Supporting strong and healthy communities
- Advancing self-determination

Ultimately, it's about partnering with Indigenous Nations to make a better BC

Reconciliation – How?

- An ongoing, dynamic journey
- Flexible, responsive, context-specific (no one size fits all)
- Renewed fiscal relationship
- Negotiating long-term agreements
 - Self-determination
 - Economic independence
- Shared initiatives to improve quality of life
- Partnering to manage land and resources



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United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) & the Declaration Act



Comprehensive human rights instrument that recognizes Indigenous peoples' right to self-determination and to “freely pursue their economic, social and cultural development”

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Modern Treaties in BC

- Most comprehensive form of reconciliation
- Since 2000, 4 treaties implemented (8 FN)
- New treaties are living agreements



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Te'mexw Treaties Overview



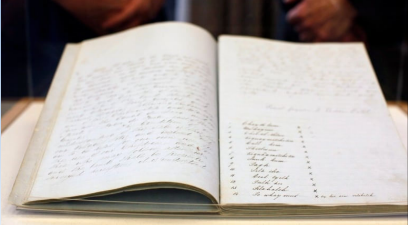
- Five Nations—Malahat, Beecher Bay (SC'IA/NEW), Songhees, Snaw-naw-as (Nanoose), T'Sou-ke—are negotiating treaties at a common table
- These treaties are intended to encourage investment, create jobs, expand economic development, and support social well-being for Te'mexw Treaty Nations and the entire Region

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Douglas Treaties

- 14 treaties around Victoria, Saanich, Sooke, Nanaimo and Port Hardy
- Douglas Treaties: First Nations retain right to fish and hunt as per formerly (held up in Court)
- New agreements (treaties, reconciliation agreements, etc.) will co-exist with Douglas Treaties



Negotiations Timeline



Overview

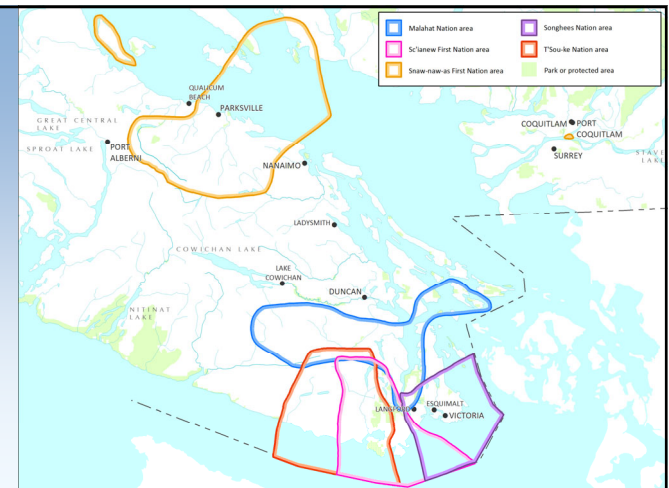
These treaties will:

- Recognize pre-existing rights and title of First Nations
- Return lands to First Nations
- Establish First Nations self-government
- Provide predictability
- Provide ongoing governance funding
- Include a one-time cash transfer
- Create opportunity for the power of taxation by the First Nation on their treaty land
- Support intergovernmental relationships with local/regional government
- Identify co-management/shared decision-making opportunities in Te'mexw territories

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Statement of Intent:
First Nations Identified Territory



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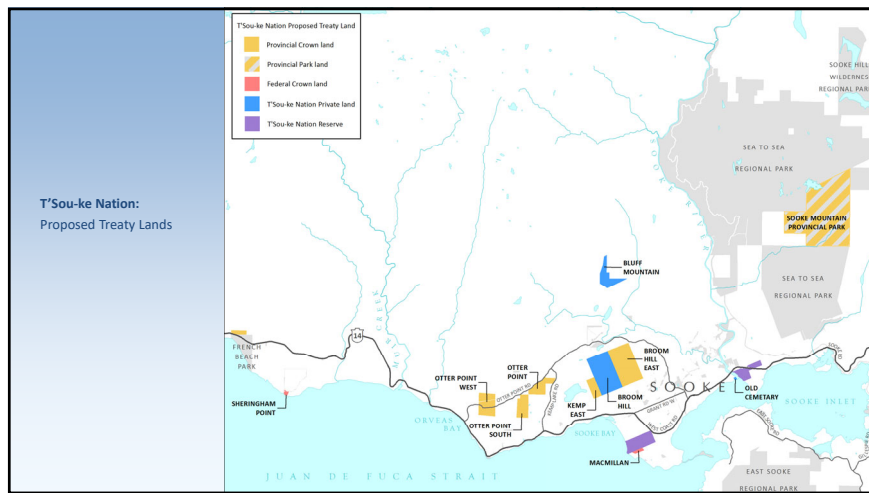
Proposed Treaty Lands

- The following maps show lands proposed to become Treaty Lands for the five Te'mexw Nations.
- The land package depicted on these maps is subject to conclusion of the Te'mexw Treaty negotiations and fulfilling consultation obligations.

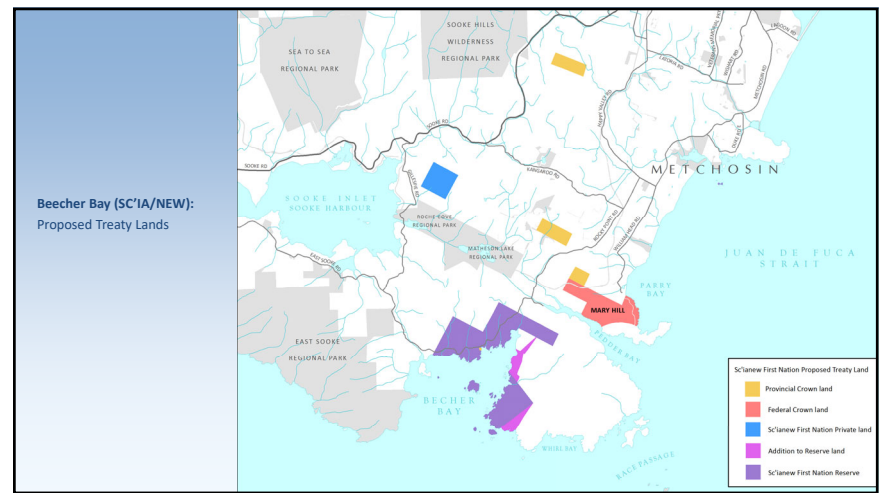
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Songhees Nation:
Proposed Treaty Lands

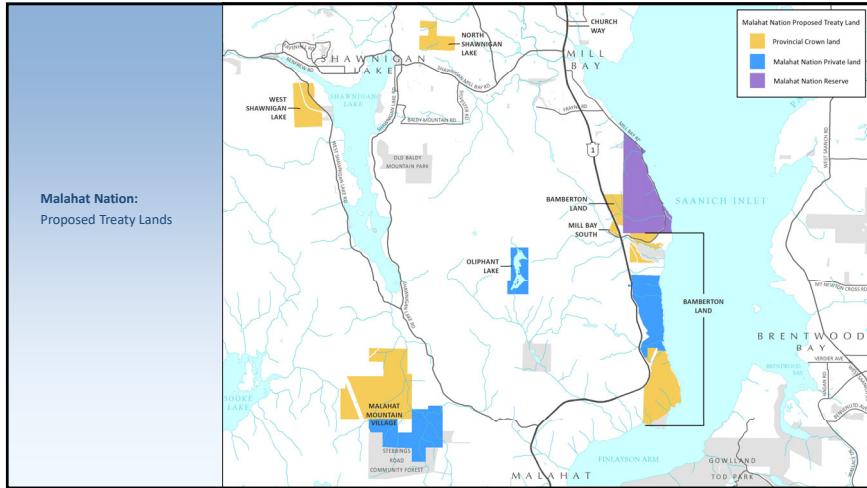
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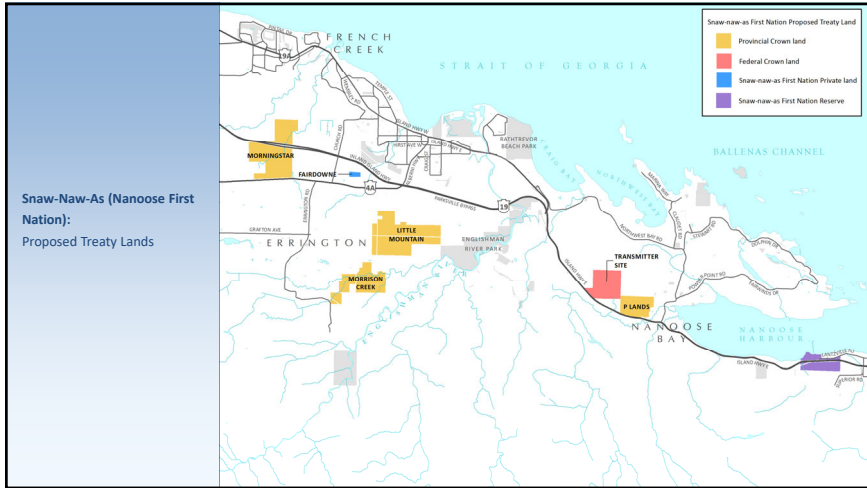
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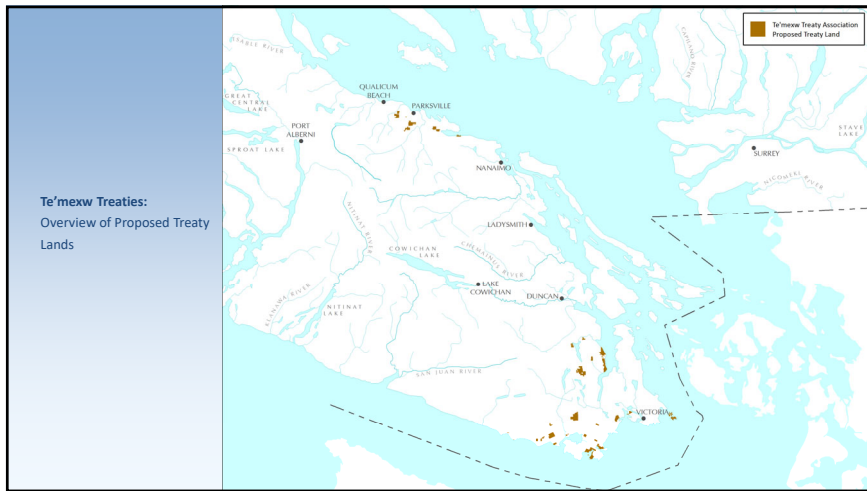
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Treaty Lands vs Reserve Lands



- Reserve Lands**
 - Owned by federal government
 - Decision-making limited
- Treaty Lands**
 - Owned in fee-simple by Treaty Nation
 - Treaty Nation government has jurisdiction

➤ All existing reserve lands become Treaty Lands

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B.C. Parks

- Two Provincial Parks under consideration for transfer to First Nations:
 - Discovery Island as Songhees Treaty Lands
 - Sooke Mountain as T'Sou-ke Treaty Lands
- First Nations agree to maintain public access, conservation values and recreational opportunities



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Self-Governance

- Inherent right of First Nations to self-govern and make laws (in accordance with treaty)
- First Nations may create laws when prepared to exercise authority (otherwise general laws apply)

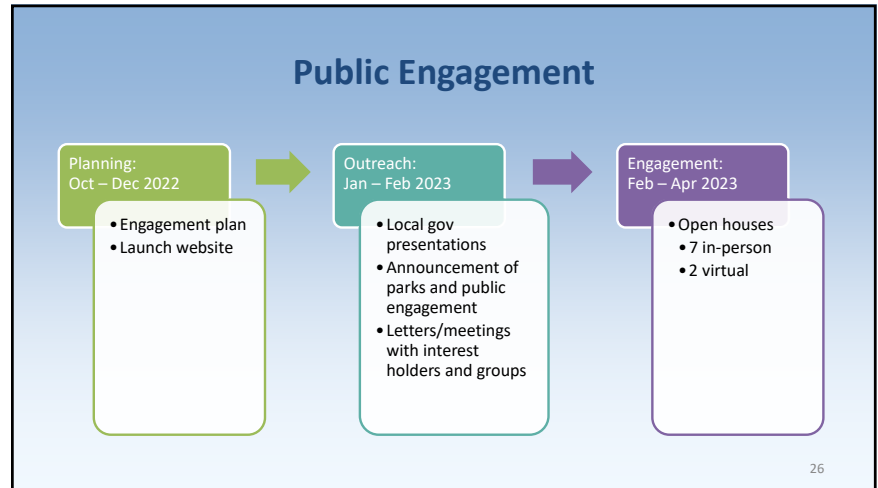


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Law-making Authorities include

- Lands and Resources
- Adoption
- Child protection services
- Aboriginal healers
- Health services
- Family and social services
- Marriage
- Childcare
- Language and Culture
- Kindergarten to Grade 12 education
- Post-Secondary education
- Heritage

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Public Open Houses

In-Person

- Sat, Feb 25, 11 – 2, Songhees Wellness Centre
- Thurs, Mar 2, 4:30 – 7, Sooke, Edward Milne CS
- Sat, Mar 4, 11 – 3, Colwood, Royal Roads University
- Mon, Mar 6, 4:30 – 7, Nanoose Bay Main Hall
- **Tues, Mar 7, 4:30 – 7, Victoria, George Jay Elementary**
- Sat, Mar 11, 11 – 2, Shawnigan Lake Community Hall
- Wed, Mar 15, 4:30 – 7, Metchosin Community Hall

Virtual

- Wed, Apr 5, 2:30 – 4
- Thu, Apr 13, 6 – 7:30

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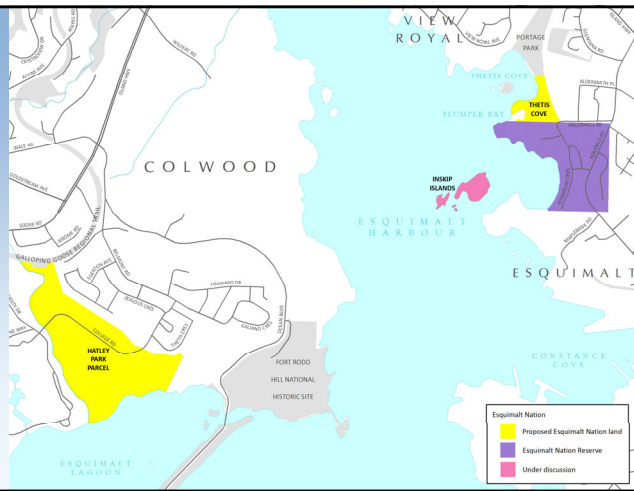
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Sign-Up for Te'mexw Treaty Updates:
www.engage.gov.bc.ca/temexw-treaty-negotiations

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Esquimalt Lands
being negotiated as
part of a Reconciliation
Agreement with
Canada and B.C.



Thank You & Questions!