

'Common table' unhappy with process

COURIER-ISLANDER AUGUST 26, 2009

On the eve of a four day "All Chiefs" meeting in Vancouver to discuss the recognition and implementation of aboriginal title and rights, spokespeople for the "Common Table" (63 First Nations at 23 treaty tables that are working together on issues common to them all) demand that Canada and BC negotiate in good faith.

Canada and BC have yet to respond fully on six issues discussed and opportunities identified during 13 days of intensive negotiations with the Common Table held during the summer of 2008, they say.

The results of the Common Table negotiations were summarized in a report prepared by the British Columbia Treaty Commission last year.

First Nations had been awaiting the promised response since October, 2008. Common Table representatives finally met with the Minister of Indian and Northern Affairs, Chuck Strahl and provincial Minister of Aboriginal Relations and Reconciliation, George Abbott, on Aug. 10 in Vancouver BC and were "extremely disappointed" and frustrated by both Canada's and BC's lack of response to the six issues that have been impediments to completion of Treaties with most First Nations in B.C. for more than a decade.

"We had been waiting for a response to the Common Table opportunities for over a year," said Common Table Spokesperson Bev Clifton-Percival of the Gitksan Hereditary Chiefs, "and all BC and Canada could come up with was a few speaking notes for the Ministers. I don't think government really understands the issues around Land claims in this province and have no idea how they are going to reach a comprehensive settlement with us. It is truly disturbing."

Spokesperson Robert Morales, Chief Negotiator for the Hul'qumi'num Treaty Group was also upset.

"There appears little sign of good faith on the part of the Crown with no intention to address our issues seriously," he said. "If these were labour negotiations the Crown would have been slapped with a bad faith negotiating ruling by the Labour Board by now. It is totally unacceptable and the citizens of BC should be concerned about where this will lead."

"Since the treaty process began First Nations have borrowed over \$300 million to negotiate and who knows how much Canada and BC have spent in taxpayers dollars. We cannot let this drag on any longer."

During the Common Table negotiations they said clear opportunities were identified in six key areas: recognition and certainty; Constitutional status of lands; co-management and shared decision-making; fisheries; governance; and, fiscal relations.

Opportunities that if acted upon could significantly advance Treaty Negotiations in this province beyond the current stalemate at the vast majority of treaty tables.

"We have not been able to make progress at our individual tables and had high hopes that collectively we could work with Canada and BC to get past flawed 'take-it-or-leave-it' government mandates and open the door to negotiate lasting and durable agreements with our people," said spokesperson Chief Robert Louie of the Westbank First Nation. "For many of us the Common Table is the last hope for the BC Treaty Making Process."

The Common Table people say First Nations hold aboriginal title to most of the province of BC and that the courts have directed that the property rights and governance authorities of the Crown and First Nations must be reconciled.

The governments must come honourably to the table and negotiate in good faith, they said. They were insistent that reaching a few settlements with a handful of small communities does not constitute settlement of the land question in BC.

With the majority of First Nations unable to accept the unfair conditions of settlement imposed by BC and Canada, it does not appear the Land Question in BC will be settled any time soon, they commented.