



INSIDE THIS ISSUE:

OAS Petition 2

Crown Land
Selection 4

Solidarity 7

Writing a Con-
stitution 8

Recognizing
Fishing Rights 9

Compensation 11

Community
Food Security 12

Collective Right to Property



HTG Chief Negotiator

Tl'ulthut

Robert Morales

My dear friends and relatives, I want to begin by wishing each of our families the very best and express our sincere condolences to those who have lost loved ones.

We have been very busy preparing for our upcoming hearing in Washington, DC before the inter-American commission on human rights. The inter-American commission on human rights is part of the organization of American states which is a United Nations body that deals with issues in North, Central and South America.

Indigenous peoples have brought their complaints against states in North, Cen-

tral, and South America to this commission to advance the recognition of their human rights, particularly the right to property. This Organization has recognized that the indigenous collective right to property is equal to an individual right to property, and as such must be recognized by their Member Countries.

As we stated in our previous newsletters, Canada has raised the issue of admissibility. They argue that the Hul'qumi'num Mustimuhw must exhaust their domestic remedies before they can appear in front of the Inter-American commission on Human Rights. Our legal counsel and our office has been busy preparing to counter this argument. We will be appearing in March before the commission to hear Canada's argument on this issue. We have been busy getting supporting material from many First Nations organizations on how they are unable to obtain remedies that are available, effective and adequate in Canada.

We have received support from across British Columbia and Canada. We offer our heartfelt thanks to all

efforts to deal with the injustices we are experiencing.

The illegal confiscation of Hul'qumi'num lands by the state of Canada must be resolved. Under international law Canada must either return those lands, offer replacement lands or offer compensation to the Hul'qumi'num people if those lands are not to be returned.

We have heard the words of our elders who have said that we must stay strong and determined in order to secure the kind of agreement that our communities will support. We thank the chiefs for their support.

We look forward to a positive result from this stage of our hearing, but we are unable to say when precisely the Commission will render their decision.

We are also pleased that we are back at the negotiating table here in Ladysmith. We look forward to meeting with our communities to discuss important issues that we have to deal with.

Again, I wish to offer my very best to each of you and your families and look forward to having the opportunity to sit down and talk about the important work of resolving the land question.

Organization of American States



Robert A. Williams, Jr.
Lead Counsel,
*Hul'qumi'num Treaty
Group v. Canada*

Last October, HTG pushed the rights and title of the Hul'qumi'num people before the international community at the Inter-American Commission on Human Rights (IACHR).

HTG presented oral testimony from Hul'qumi'num Elder, Arvid Charlie that clearly made a huge impact on the Commission's legal counsel, Secretariat staff and everyone else in the room.

HTG's team also made legal arguments that after nearly two centuries of uncompensated land loss and attacks on Hul'qumi'num culture, language and traditional knowledge, HTG's human rights complaint is the last remaining remedy available to the

Hul'qumi'num people to protect their property, cultural survival and other human rights in their traditional lands and resources.

With the support of the Chiefs and Elders in attendance in their traditional dress, and opening with a traditional prayer from Arvid Charlie, the hearing continued the historic tradition of the Hul'qumi'num in traveling to the world's great capitals; London, Ottawa, Washington; to plead their case for recognition and protection of their rights in their traditional lands.

I was proud and humbled to be a part of a great legal team and incredible technical support team at HTG that helped bring this case before the Commission.

I want to thank the Community for its tremendous support, trust and confidence in our team.

The resources the Community has invested over the years in developing Hul'qumi'num traditional knowledge, maps, and archaeological and ethnographic expertise have allowed us to mount a strong legal case before the Commission for admissibility.

I have worked on a number of indigenous human rights cases in nearly thirty years of doing this type of work, and I've never had better legal and technical support. And we've needed it, because Canada has invested considerable resources of its own in fighting this case.

We have been notified that HTG's hearing is scheduled for March 23rd at the Commission's headquarters in Washington, D.C.

At this March hearing, Canada will have its opportunity to respond to our October presentation and submissions.

Canada will argue to the Commission that it provides effective remedies to protect Hul'qumi'num property rights in their traditional lands and resources through the BC Treaty Process and through litigation in Canada's courts.

Canada will ask the Commission to deny a hearing to HTG on the merits of the Hul'qumi'num peoples' human rights complaint.

At the March hearing, HTG will be able to present its own response after hearing Canada's arguments.

Continued on page 3.

HTG's human rights complaint is the last remaining remedy available to the Hul'qumi'num people to protect their property, cultural survival and other human rights in their traditional lands and resources.

The Commission will put an audio cast or video cast of the hearing on its website (<http://www.iachr.org/Audiencias/select.aspx>) within a few days of the hearing. There will likely be things said by Canada that many in the Community will find offensive and hurtful, and where we can, we will try to respond to those things either immediately, or in written follow-up submissions.

We hope to help the Commission understand that it is precisely these backwards and out-of-step attitudes that have made justice and reconciliation in Canada's political and legal systems impossible to achieve.

In the time between the October hearings and now, there have been some very important developments supporting our case.

Robert Morales and Renee Racette have worked tirelessly in November and December getting the word out about our petition before this international human rights commission.

This effort has led to a national movement of grassroots support for HTG's petition before the Commission in Aboriginal communities.

We have been overwhelmed by the number of First Nations, BC and national Native organizations, and even the Inuit territorial government in Nunuvut to take the extraordinary step of filing

amicus curiae briefs before the Commission. *Amicus curiae* means literally 'a friend of the court', or a party which feels it has an important enough interest or expertise in a case that it asks the court to consider its views and arguments before reaching a decision. We have had, so far, the following *amicus curiae* briefs:

- Ahousesht First Nation
- Assembly of First Nations
- First Nations Summit
- Gitanyow Hereditary Chiefs
- Nunavut Tunngavik Corporation
- Union of British Columbia Indian Chiefs
- Westbank First Nation

We also have been told of other *amicus* submissions which will be completed and sent to the Commission before the hearing in March. These include:

- BC Assembly of First Nations
- Laich-Kwil-Tach Treaty Society
- Okanagan First Nation
- Stó:lō Tribal Council
- Tsilhqot'in Nation

There are a few First Nations considering filing an *amicus* submission, and others who wished to participate but were unable to submit their

own *amicus* because of lack of resources. We owe many thanks to all these First Nations.

This incredible showing of indigenous support at a national and provincial level will let the Commission know that the case of *Hul'qumi'num Treaty Group v. Canada, Petition No. 592-07* has tremendous significance for the advancement and protection of First Nations indigenous peoples throughout Canada.

It will demonstrate that a decision granting admissibility to HTG's petition will send a strong signal to the Canadian government and the world that an important international human rights body to which Canada has OAS treaty obligations will finally be calling Canada to account for its forced extinguishment policies and illegal takings of indigenous peoples' property and other human rights in their traditional lands and resources in British Columbia.

Thank you.

Robert A. Williams, Jr.
Lead Counsel, *Hul'qumi'num Treaty Group v. Canada*

E. Thomas Sullivan Professor of Law and American Indian Studies

Director, Indigenous Peoples Law and Policy (IPLP) Program

**The University of Arizona
 Rogers College of Law**

We have been overwhelmed by the number of First Nations, BC and national Native organizations, and even the Inuit territorial government in Nunuvut to take the extraordinary step of filing amicus curiae briefs before the Commission.

Senior Negotiation Support



Sketching out the maps at the back of the treaty: Crown Land Selection at HTG

Brian Thom, Senior Negotiation Support

Land selection is the process by which the parties to treaty negotiations agree on which lands in addition to the Indian Reserves will be fully held and controlled by the First Nation after treaty..

Land selection generally results in a map in the back of the treaty showing those lands which, as some people have put it, the First Nation has “got back”.

HTG has been discussing land selection with Canada and BC since our current round of AiP negotiations began in 2001.

A number of times during these discussions BC suggested a process of having HTG identify the ‘priority’ lands for selection, along with what they would be used for,

so that BC and Canada could come back to the table with an offer of how many of these lands they are willing to consider.

HTG has held that given the small Crown Land base, and the relatively high value of much of the Crown Lands in the territory that land selection should proceed from looking at all the Crown Lands that are not identified by BC as ‘essential Crown Lands’, not of ‘low’ value for potential use and not in areas of obvious overlap for land selection with other First Nations.

Studying the Land, Exchanging Interests

Early in these discussions, Canada and BC awarded HTG with funding to produce reports related to land selection.

The first, a two-volume report called the POLIS study (conducted collaboratively with the University of Victoria’s POLIS Project on Ecological Governance), was an assessment of the Crown lands in HTG territory for housing and community needs and a land capability assessment (with atlas) for economic development, re-

source management and cultural uses.

HTG tabled a more detailed assessment (with maps) of candidate Crown Lands for Community development purposes (ie: housing) in July 2003.

These studies showed that for community development purposes, the Crown Land and Indian Reserves would be insufficient for the long-term housing lands needs for at least Cowichan, Halalt and Penelakut (Tsussie), this report highlighted parcels that would be important to helping meet some of the HTG community development interests Land in certain locations.

Another detailed set of interests documents were tabled by HTG with respect to cultural lands, including a paper with maps in January 2004 and a second paper with maps on the highly culturally significant Crown Islets.

Other than the tiny islets in the Gulf Islands, only a few ancestral or heritage sites were found on Crown Lands, while Crown forest lands were frequently areas with important cultural values.

Continued on page 5

Crown Land and Indian Reserves would be insufficient for the long-term housing lands needs for Cowichan, Halalt and Penelakut

Continued from page 4

The Parties have had detailed discussions of subsurface interests, with presentations by BC in July 2003 and a detailed response from HTG in September 2003.

While mineral tenures are fairly well known, late 19th century mineral grants (which gave private interests more complete subsurface ownership, not a mere licence or tenure of Crown resources) remains a significantly complex area of concern.

The Parties have had extensive discussions about contaminated sites in August 2003, having identified over 75 contaminated sites on or immediately upstream from Crown Land or Indian Reserve.

Processes for further examining these sites during AiP negotiations with respect to land selection were proposed by HTG, but not accepted by the other Parties.

In 2002 and again in 2005 the parties discussed ‘access,’ which deals largely with how Hul’qumi’num people will make decisions about access to their lands by the public and government officials.

Significant chapter language was developed in April 05 though little substantive agreement was reached because of sweeping provisions for public access on Hul’qumi’num land being

asked for by governments. BC has since rightly observed that a parcel-by-parcel approach would aid the parties in resolving key differences in access chapter issues.

By November 2006, the parties had largely concluded chapter language discussions for land use planning after treaty on First Nations lands, including a commitment by HTG to have community planning laws in place by the effective date, and community plans passed within 10 years of the effective date.

The Parties have discussed cultural value of Crown Land in provincial parks, including options for land selection of certain highly culturally significant park areas, agreeing in July 2004 to continue these discussions at future meetings.

Maps and detailed interests were exchanged in August 2005, but no agreements were reached and governments requested that land selection of park lands be an option of last resort.

HTG has also, on several occasions, made request for treaty related measures or pre-AiP land acquisitions for significant parcels of willing-seller land, as they have come on the market, or to include willing-seller land discussions in pre-AiP land selection work-plans.

However, as per correspondence received from Canada

and BC, governments do not wish to discuss willing-seller lands until after all Crown Land selection options have been exhausted.

The negotiators have established a side table for technicians to work through the details of this land selection work.

This Land Technical Working Group (LTWG) has done significant work since its inception in September 2002, outlining on a parcel and area-specific basis the provincial, federal and Hul’qumi’num interests in 27,234 hectares of Crown Land, which have been highly instructive in understanding what it has done on the Crown Lands to date.

The LTWG has also provided the negotiators a set of options to meet the interests of the parties in lands identified in 2002-3 by BC as ‘essential’ but which have value and interests by HTG.

Most recently, the LTWG has been active in creating & reviewing a Crown Land atlas, coming to consensus on the primary and secondary potential use for the Crown Land, and agreeing on a land base of 28,495 hectares for discussion by the parties to further land selection.

Concluding the land section process

In December HTG, BC and Canada agreed to continue with land selection discussions at our table,

Continued on page 6

Canada and BC, governments do not wish to discuss willing seller lands until after all Crown Land selection options have been exhausted.

HTG also continues to raise the issue that private lands are going to be needed to meet interests, such as securing Valdes Island

Continued from page 5

tempered by the key fact that governments are not willing to conclude these discussion (make an offer) until the issues that HTG has raised at the common table have been resolved.

In the meantime, we have agreed to work at the LTWG level to develop mutual understanding of how community, cultural and economic interests are met by Crown Land (economic analysis, community housing profiles, cultural lands) and identify outstanding issues

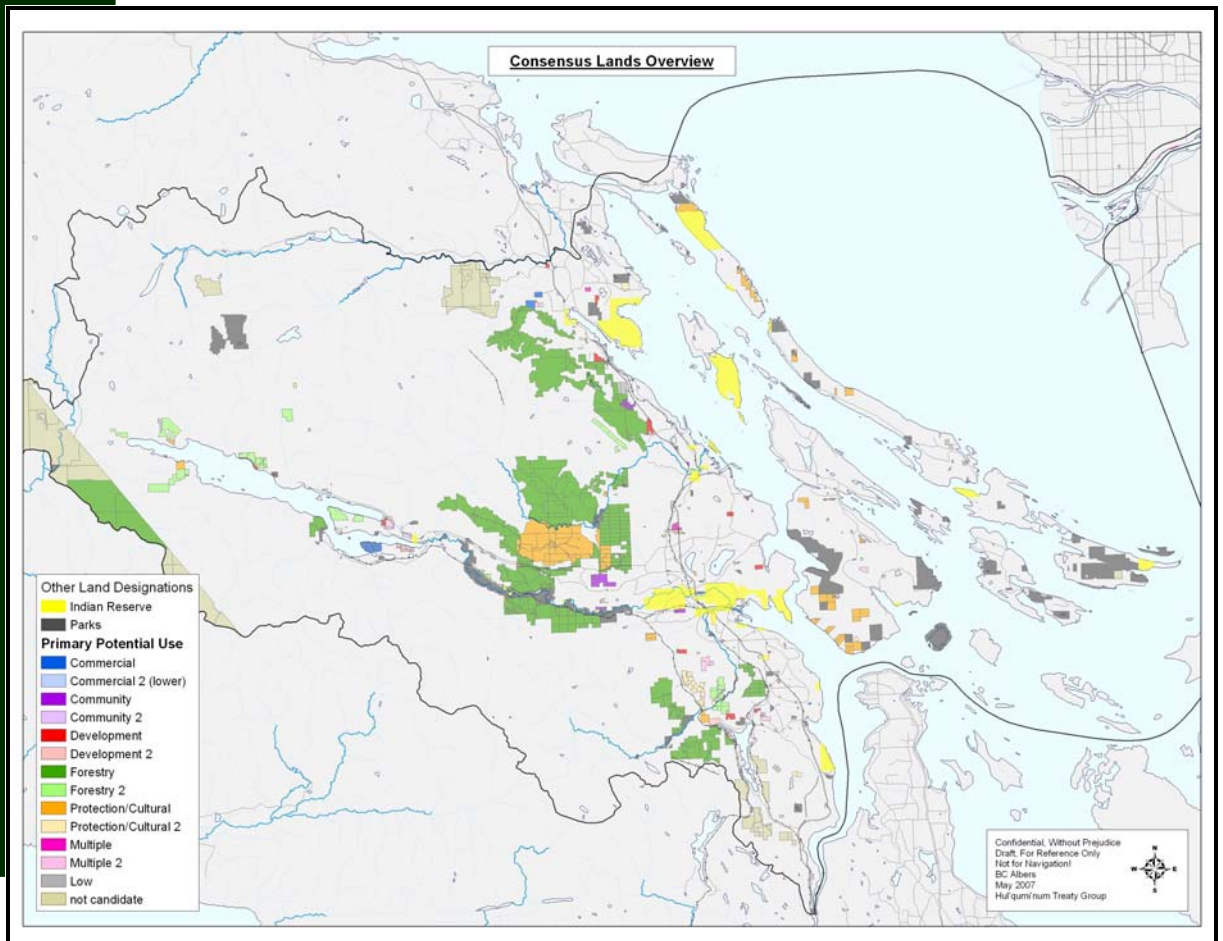
(access, water, contamination, location).

HTG also continues to raise the issue that private lands are going to be needed to meet interests, such as securing Valdes Island, 'blocking-up' Crown Lands with private forest lands, and better meeting community housing needs for First Nations like Halalt, Lyackson and Penelakut who have few Crown Lands suitable for housing development in their immediate areas. Key to being able to achieve these goals will be to have some resolution of the issues arising from

the 1884 E&N Railway Grant.

We hope that having done all of this work will result in shorter negotiation timelines when governments are finally ready to consider an offer to HTG, and that Hul'qumi'num member First Nations can draw on this information to move forward with their priorities for interim arrangements.

Brian Thom, Senior Negotiation Support



Solidarity A Powerful Tool



Solidarity amongst First Nations; a Powerful Tool

Renee Racette

HTG Legal Council

The Hul'qumi'num communities have received considerable support from First Nations of their petition to the Inter-American Commission on Human Rights seeking redress of the dispossession of their lands by the 1814 E&N Railway Grant.

It has been overwhelming and exciting to experience the incredible amount of solidarity and encouragement from First Nations across

Canada. However, it has also been heart breaking to read their submissions and realize the deeply entrenched position of the governments across Canada and the violations those First Nations continue to endure.

We have had several First Nations submit *Amicus Curiae* briefs to the Commission on the Hul'qumi'num people's behalf supporting the Hul'qumi'num petition and plight for redress.

They have provided very intimate details about their experiences of colonial theft and violations of their human rights.

First Nations have bravely provided descriptions of the suicide, poverty, violence, unlawful taking of their land, cultural loss and other hurts they bear.

The First Nations have described their multiple attempts at restoring the quality of life to their communities and redress for the violations of their rights through

litigation, direct action, protest, and negotiation.

It is apparent that Canada has failed to adequately address, if at all, the plight of so many First Nations across Canada.

It has been incredibly exciting to receive the immense outpour of First Nations support to ensure the Hul'qumi'num people are admitted into the Commission's process.

This support will prove vital to any decision the Commission makes. It will undoubtedly dispel any myth that indigenous people in Canada are having their issues addressed adequately and effectively.

Each First Nation, or representative body, shared what their experiences and frustrations in the most compelling matter; and with little resources available to them.

For this, I am humbled and must extend a whole hearted thank you. We are so much stronger united. Huy ch q'a

Amicus Curiae means "friend of the Court" and refers to someone not party to a case, who wants to influence the outcome.

Attention all HTG Citizens

If you or someone you know has moved or changed their phone number or their e-mail address please let us know so we can keep them informed.

Our toll free number is 1-888-9TREATY our e-mail address is info@hulquminum.bc.ca

“This is your future. You need to take ownership of it and you need to be part of it



Writing a Constitution and Deciding on a Form of Government

David Pope
HTG Legal Counsel

One of the important things the Hul’qumi’num people can do before a treaty is completed is to decide on a form of government and write a constitution for themselves.

A constitution that a First Nation passes for itself becomes the highest law in the First Nation. It usually includes statements of “who we are, how we will govern ourselves, how our government will be structured, and who does what”.

So far, in the British Columbia Treaty Process, there have been several different forms of government chosen by First Nations.

One, chosen by the Nisga’a, is a central government that is in charge of all the most important

matters, such as ownership of Nisga’a lands, resources, language, education, and relations with other governments, with village governments replacing the four old *Indian Act* Band governments.

The village governments have approximately the same local responsibilities as municipal governments in the rest of the Province.

A second governance form, chosen by Tsawwassen, has been to take the former Band government and to give it the additional responsibilities acknowledged by Canada and British Columbia.

It will be carrying out some responsibilities that are equivalent to the Federal Government, some that are equivalent to the Province, and some that are municipal.

A third form, chosen by Maa-nulth, has been to have one treaty for all, but with each of the five Maa-nulth First Nations continuing as separate governments with their own constitution.

There may be some central organization to administer important matters, such as a Maa-nulth

trust fund, however each First Nation will continue more or less independent of the others.

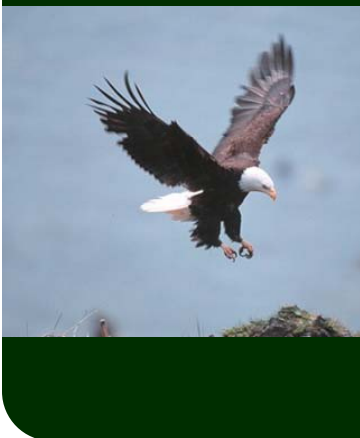
The Final Agreement specifies that the governments must be democratically chosen, but there are provisions for hereditary chiefs to be part of the government as long as a majority of representatives are elected. Each First Nation has its own treaty settlement lands.

The Hul’qumi’num Treaty Group is currently working with representatives of the members to examine and recommend possible governance structure for communities.

The words of the late George Watts to the Nuu-chah-nulth people also apply to the Hul’qumi’num: “This is your future. You need to take ownership of it and you need to be part of it”.

I am honoured to be advising the HTG on governance and legal issues.

Article submitted by
HTG Legal Counsel
David Pope



Recognizing Fishing Rights



Cheri Ayers
Natural Resource Manager

Fish Chapter and Oceans Chapter News

The HTG continues to explore avenues for movement in the stalled fish chapter negotiations.

In December HTG tabled a draft table of contents for the exploration of an Oceans Chapter as part of the Hul'qumi'num Agreement - in - Principle.

An Oceans Chapter would address the Hul'qumi'num's rights and title in the marine area and would be, in a sense, a companion Chapter to the Fisheries Chapter.

The Oceans Chapter would address issues of oceans management and other ocean resources beyond fish and marine plants.

So far the Government of Canada has not provided a response as to whether or not they would agree to negotiate on Hul'qumi'num interests beyond fisheries in the ocean environment. The DFO treaty staff are currently not negotiating at any tables in BC due to their own internal mandate review.

What is happening with Recognizing Indigenous Fishing Rights Down Under

A recent court case in Australia and an agreement in New Zealand between government and one of the largest iwi (traditional group of Maori) in New Zealand has secured ownership or regulatory ability for the foreshore (beaches) in favour of the Aboriginal people.

In New Zealand, the Maori people belonging to the Ngati Porou iwi have worked out a deal with the current government over the contentious *Foreshore and Seabed Act*.

This Act was originally developed to stop Maori from being able to claim freehold title to the foreshore and seabed where they could prove they had customarily used the coastline.

Many Maori actively opposed the establishment of this Act. However, in the case of the Ngati Porou, they own the majority of the coastline in their territory and have been able to come to a compromise which would allow them to veto commercial access.

The agreement covers the East Cape from Opotiki to Gisborne and allows Maori to designate areas as sacred, which includes the right to restrict or prohibit access, to veto resource permits and to set or waive conservation rules.

In Australia, Aboriginal people have had their traditional ownership and exclusive rights over title waters (the inter-tidal zone between the high and low water marks) fronting Aboriginal lands recognize in Australia's High Court.

The case confirms the exclusive right

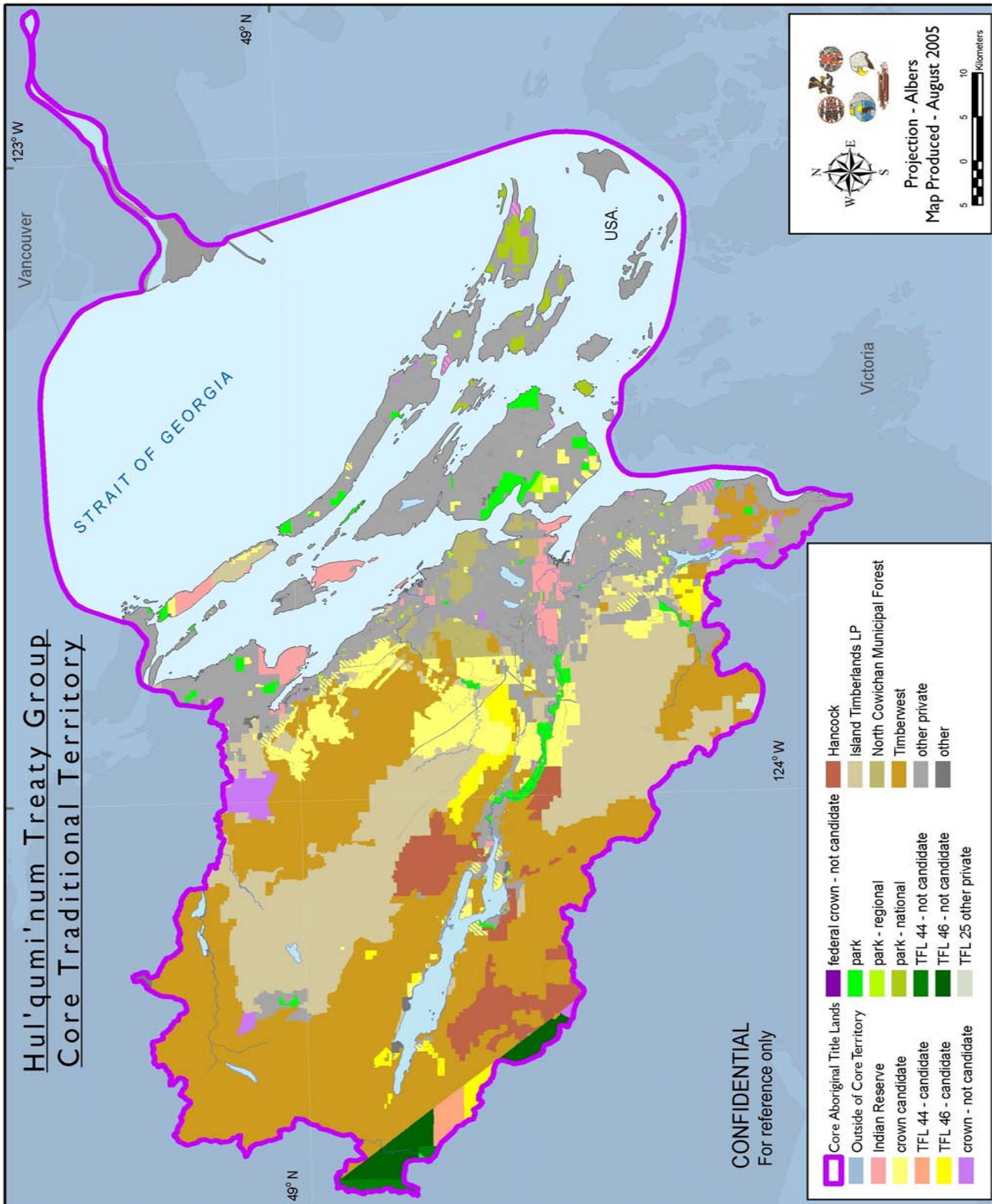
of the traditional owners to the area for customary access and their ability to determine when and where commercial and recreational fishing is carried out in the intertidal area as well as in tidal rivers.

It is speculated that this case could lead to the establishment of off-shore exclusive areas as well as a commercial right to fish within these areas.

One significant difference between this case and Hul'qumi'num territory is the Aboriginal lands are held in a fee simple system and include the area bounded by the low water tidal mark rather than as a reservation to the high water mark.

I will be heading off on maternity leave starting this April. Please contact either Al Anderson or Robert Morales if you have any questions regarding fish or oceans in Treaty.





Compensation

(Background paper presented by HTG Chief Negotiator, Robert Morales at the Expert Seminar on Indigenous Peoples and the Administration of Justice. Tucson, Arizona.)

The State has indicated that the Treaty Process is “forward looking” and will not be used to compensate for past wrongs. This negotiating position effectively means that the Hul’qumi’num Mustimuhw are left without a remedy for the illegal taking of their traditional territory. It is well recognized in international law that indigenous peoples

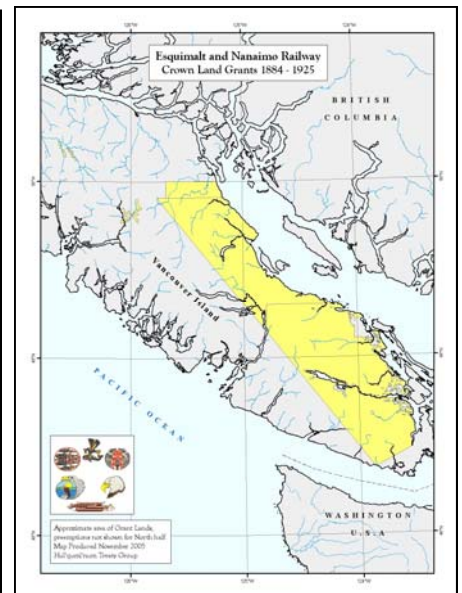
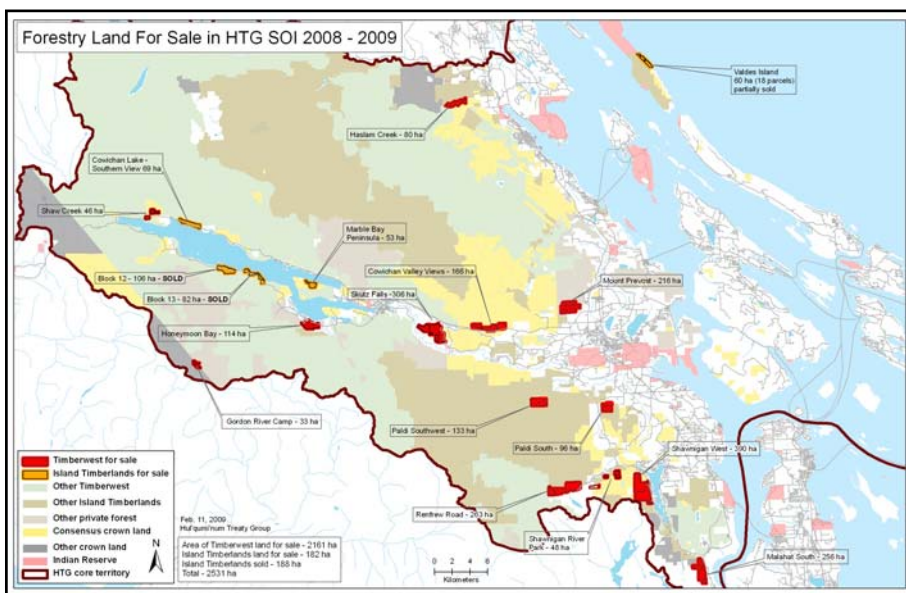
have a right to the restitution of their lands unlawfully taken, or alternatively, for fair compensation. The U.N. Human Rights Committee and the Committee on Economic, Social and Cultural Rights have all applied the collective right of restitution to indigenous peoples’ traditional lands, as has the Inter-American Commission on Human Rights.

The refusal of the government to discuss compensation which could provide the monies needed for the purchase and return of the traditional lands of the Hul’qumi’num Mustimuhw permanently sever these close, intimate sets of connections between the land,

connections between the land, the people, their livelihood, their language, and their cultural survival and development as indigenous peoples. These basic human rights to language and culture belonging to indigenous peoples are well-established under general principals of international law, Canada is responsible for any violation. This failure to discuss just compensation implicates the international responsibility of Canada in this case to protect the integrity of the Hul’qumi’num culture, of which Hul’qumi’num property rights are an essential part.

You say that these are forward looking treaties and that the past is not on the table, well fine, then what do you say we look forward from the time your people arrived.

(Penelakut Elder, August Sylvester)



Community Food Security



Karen Fediuk

Registered Dietician

HTG & several member First Nations have been involved in traditional food and nutrition projects over the past few years. I would like to report to the HTG communities on some of the findings of our studies.

For Island Hul'qumi'num communities, the ocean has always been a huge section of the community food store. People used to get about 2 lbs (1 kilogram) of marine foods (salmon, fish, crab and clams) on a daily basis. Shellfish has always played a central role; from one of the first foods to cross a baby's lips, they are ever wanted

and desired at community events and in houses.

The Shellfish Safety Project grew from concerns about a lack of access to safe shellfish.

Given the median monthly income of \$1500 for Hul'qumi'num households (2001), there is little money left after shelter costs to afford the basic cost of eating foods from the grocery store for a family of 4 which was calculated at \$695 for our area in 2007 (this is about \$760 today). Shellfish use can improve food security and can be an important source of *protein, zinc and iron* in an otherwise often inadequate diet.

However, most shellfish harvesting sites are closed for sanitary or Paralytic Shellfish Poison (PSP) reasons. Community members indicate they cannot attain what they desire and question the validity of shellfish closures.

Contamination of shellfish from cadmium [a heavy metal that damages the kidneys] is also a concern. Commercially cultivated BC oysters have an average level of 2.63 parts per million (ppm) of cadmium (Cd).

Due to these levels and as cadmium accumulates in our bodies and harms our bodies over time, Health Canada has issued a health advisory consumption limit of a dozen 40 g oysters per month per adult (1 lb) and one oyster per child.

For the Shellfish Safety Project, we undertook a health survey, monitored 2 areas (near Kuper and near Cowichan Bay) over a year for PSP, tested water at a popular beach for coliforms (from sewage) and tested a variety of clams, oysters, and crab for cadmium and organochlorines (PCB's cause development damage and dioxins/furans can cause cancer).

Continued on page 13

Given the median monthly income of \$1500 for Hul'qumi'num households (2001), there is little money left after shelter costs to afford the basic cost of eating foods from the grocery store

Continued from page 12

What did our Project Find?

Shellfish Consumption:

Adults who have nearby beach access eat up to an average of 2 oz (60 g) daily of clams, oysters, and crabs but if there is no access to an ‘open’ beach or depurated clams, this goes down to about an average of 1 tbsp day. Oysters were the most consumed shellfish.

Iron Stores: Many of the men and women who participated in our study had **low iron** stores. Iron is needed by our blood to carry oxygen to our brains, organs and muscles. Without enough iron rich foods on a daily basis, iron stores can become depleted and iron deficiency anemia can occur. When this happens, one feels tired all the time, experiences headaches often, has a hard time sleeping and will experience a rapid heartbeat if they physically exert themselves.

Iron is found in high amounts in protein rich foods like shellfish, eggs, fish, meat, birds, nuts and beans. Poor iron status not

only affects health but also affects how much cadmium gets into the body; with low iron stores, more cadmium is absorbed from food.

Cadmium and Organochlorines: Clams (harvested from the beaches and rafts at Kulleet Bay, Lamalchi Bay, Big Rock, Clam Bay, Boat-swain Bank and Samsun Narrows) are low in cadmium and high in iron. Oysters contain about 1.4 parts per million per gram of cadmium.

This is lower than levels found elsewhere in BC cultured oysters. Clams and crabs (including the guts) are low in organochlorines.

PSP: Levels at our monitoring site near Big Rock were generally lower than those found at the official monitoring site at Coffin Point. A PSP monitoring site at Kuper Island would better predict the need for closures around Kuper Island.

Water Quality Testing: Levels of coliforms were low in the spring and increased in the summer. This was likely due to an increase in summer

residents/boat traffic.

Project Recommendations:

Clams are one of the best sources of protein and iron and are low in cadmium.

Adults can consume up to 1 cup/week (200 g or 8 oz) of oysters that are harvested from the areas we tested. If one is buying oysters from the store, it is advisable to eat no more than 12 commercial size (40 grams) oysters on a monthly basis (that’s 1 lb). The best way to avoid cadmium is to not smoke as tobacco is rich in cadmium and it’s much easier to get cadmium into our bodies through our lungs than our stomach. It’s important to explore ways to protect important harvesting areas, including educating boaters and increase monitoring to reduce closures.

Resources created from this project can be found at the HTG’s website (http://www.hulquminum.bc.ca/our_work/projects).

Suggestions for Policy Change

For the health of all, policy makers and government need to re-prioritize the Salish Sea

Without enough iron rich foods on a daily basis, iron stores can become depleted and iron deficiency anemia can occur. When this happens, one feels tired all the time, experiences headaches often, has a hard time sleeping and will experience a rapid heartbeat if they physically exert themselves.

“We as First Nations people have to take steps to protect and understand our traditional knowledge and compliment it with what people know today to ensure our food is safe, our resources are protected, our practices continue and they are respected and our voice is heard.”

Tim Kulchyski.

Continued from page 13

as a food basket rather than as a dump. Governments should operate from the assumption that families want and have the right to harvest food from the marine environment. Currently, most families are prevented from harvesting clams, one of the most nutritious and healthy traditional foods because of the damaged marine environment.

Many families are food insecure and the affordable protein choices, like bologna, are not an equivalent substitute. Clams are much lower in fat and higher in protein, iron and calcium than bologna (see chart).

In 2002, in an infant nutrition study, we found that half of infants aged 7-11 months were at high risk for

developing anemia due to inadequate intake of iron. Mothers surveyed said that they would feed their infants traditional foods if they were accessible.

There is no comprehensive monitoring of changes to the growing marine environment. Cumulative impacts are highly interrelated and difficult to monitor/mitigate individually.

Run-off from upland activities such as urban development (source of oil, grease, fertilizers, bacteria and nutrients from livestock, pet wastes) and logging increased peak flow of run-off, volume of run-off) can lead to degradation of salmon habitat and can increase nutrients that contribute to PSP blooms (short term closures for clams and long term closure for butters) and contaminants such as siltation (impacts rockfish) and cadmium in shellfish (limit on how much to eat).

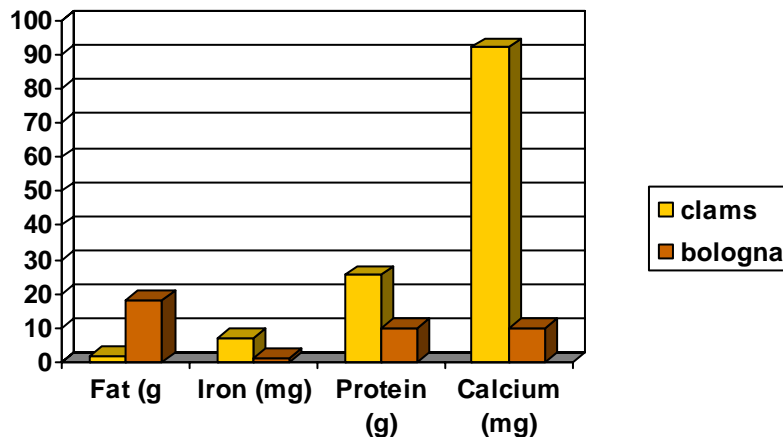
We need the province and

municipalities to focus on reducing the impact of activities on the marine environment.

The province also needs to work to reduce alienation of foreshore such as ensuring beach access corridors when approving new developments and to set aside FN traditional harvesting areas from potential foreshore leases.

At a federal level, we need departments and agencies to operate to prevent pollution (from human activities) not close areas for human health. High level treatment of sewage needs to become mandatory.

Article Submitted by Karen Fediuk Registered Dietician



Gulf Island Park Reserve



Uy skweyul. I'd like to provide you with an update from the Gulf Islands National Park Reserve (GINPR) Committee.

Species at Risk

An exciting project I mentioned before is the *Species at Risk Act* education and awareness initiative.

The Hul'q'umi'num'-run schools are the primary target audience for information and awareness on the various Species at Risk.

HTG chose Mena Pagaduan to carry out the contract for HTG while Parks Canada chose contractor Atheria George to assist Mena.

Mena and Athena (Parks' seasonal interpreter) have implemented the work plan. They have done a wonderful job gathering materials and information to carry out the

curriculum.

The GINPR Committee views the project as a positive and beneficial one because the students can bring home what they've learned regarding Species at Risk and apply their knowledge to help conserve and protect sensitive eco-systems.

Another project is the State of the Parks report. The report is due from every park in Canada, every 5 years.

Our committee stated the importance of having a First Nations perspective included. Our request has been met with approval and we are now in the process of working out the details to have our perspective included in this report. The report will then be submitted to the head office in Ottawa.

Park Careers

Regarding another initiative that commenced last spring, I began contacting various education, employment, and training coordinators of the member First Nations to discuss a workshop regarding skills, education, and training.

Although the response has been minimal, it is our hope that this workshop will assist Hul'q'umi'num' members in learning about the various

training and education needed to pursue a career with Parks Canada.

Field Guide

Finally, work is ongoing for the development of a multi-lingual field guide. Tim Kulchyski and I worked with Luschiim, Arvid Charlie, to draft 60-word cultural uses and Hul'q'umi'num' names for various marine and plant resources, fish, birds, and animals.

Currently, I am assisting Tim with the editing phase. A portion of this phase includes recording a few new terms as spoken by one of our elders, to be included in this project.

The words will be recorded with the assistance of a linguist so that we may include the words in future work. The next steps include referring to Parks Canada for their analysis, as well as their offer to print/collate the guide.

Newsletter Article

Submitted by **Lea Joe**

Gulf Islands National Park Reserve Coordinator

Students can bring home what they've learned regarding Species at Risk and apply their knowledge to help conserve and protect sensitive eco-systems.

Hul'qumi'num Treaty Group

RR#1 12611B Trans Canada Highway

Ladysmith, BC. V9G 1M5

1-888-9TREATY

Fax: 250-245-4668 INFO@HULQUMINUM.BC.CA

WWW.HULQUMINUM.BC.CA

HTG Board of Directors

President: Cowichan Chief Lydia Hwitsum

Vice President: Halalt Chief: Robert Thomas

Secretary Treasurer: Lake Cowichan Hereditary Chief Cyril Livingstone

HTG Executive Director: Al Anderson

HTG Chief Negotiator: Robert Morales

HTG Elders Advisory Board Co-Chair: Dora Wilson

HTG Elders Advisory Board Co-Chair: Myrus James

Cowichan Tribes Treaty Coordinator: Melissa Bellamy

Melissa.Bellamy@cowichantribes.com

Penelakut Tribe Treaty Coordinator: Robert Sam

Robert@penelakut.ca

Chemainus Tribe Treaty Coordinator: George Harris

treaty@cfnation.com

Halalt & Lake Cowichan Treaty Coordinator: Jack Smith

evergreen@halalt.org

Lyackson Tribe Treaty Coordinator: TBD

lyacksondofo@shawcable.com