

No cash for natives: Minister

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The vast divide at the Ladysmith-based treaty table likely won't end soon, with Aboriginal Relations Minister Tom Christensen saying cash compensation for colonial-era land grabs isn't on the government's radar.

"There is no mechanism to generate compensation," Christensen said in an interview with The Chronicle.

"Compensation is contrary to the purpose of treaties. A treaty is to reconcile the coexistence of aboriginal rights and title, and to provide the foundation for First Nation economic opportunities."

Robert Morales, chief negotiator with the Hul'qumi'num Treaty Group, has said without a clear understanding of how the land question will be resolved, negotiations are stuck at an impasse. Southern Vancouver Island has little Crown land for negotiation, and small discontinuous chunks in the area claimed by the Hul'qumi'num group. Most of the land was privatized in the 1880s after the construction of the E&N Railway.

The treaty group has been looking for the federal and provincial governments to commit to negotiating monetary compensation in lieu of some territorial rights. Christensen said the lack of Crown land on the Island is a major problem, but noted, while acknowledging past grievances, treaties are designed to be "forward-looking."

"We have to recognize the goal is to reconcile the competing interests — the existence of aboriginal rights and title with the reality of today," he said. "But we don't line up compensation with alienation of the land. We look how to set First Nations on a positive path forward."

Christensen also said overlapping land claims complicate any talk of monetary settlements. But he did suggest if sufficient treaty land is not found, compensation could eventually come into play.

"In most cases First Nations want a land base," Christensen said. "If there is no land, we may revisit the question of cash payment."

Frustration around the land question has prompted the Hul'qumi'num group to launch a series of policy documents, outlining an imminent unilateral intent to establish rights over claimed territory. A document on consultation policy is expected next month.

The documents, and Morales' testimony framing Canada as a human rights abuser at a United Nations forum in October, are parts of ongoing strategy, to exert pressure on the slow-moving treaty process.

Ian Baitey, the chief provincial negotiator with the Hul'qumi'num table, says negotiations have a highly regimented process, and doubts external forces will influence outcomes.

Baitey said negotiations are proceeding at an appropriate pace, but the land question is premature.

"We are identifying what the land situation looks like, but there is no doubt there are challenges around the availability of Crown land."

There is some hope the "new relationship" put forward by the two levels of government late last year can give fresh momentum to the treaty process. Christensen said new provincial policy eliminates the "half-century denial of aboriginal rights."

The federal arm of the Hul'qumi'num treaty table would not offer public comment on the state of negotiations.