

\$1 Billion Fails to Land One Treaty: First Nations Pay the Price while Lawyers Clean Up

Miro Cernetig

Vancouver Sun, 29 November 2006

VICTORIA -- As time fritters away and the army of lawyers and bureaucrats see their fees, salaries and expenses soar to \$1 billion, George Harris's heart sinks with despair.

He's just heard the scathing report released Tuesday from the federal and B.C. auditors-general: After 13 years of endless talking and about \$1 billion spent trying to make peace with the province's natives, negotiators have yet to sign a single treaty.

"It's going too slow," laments the plain-speaking commercial fisherman with the weathered brow that comes from a lifetime at sea. "And it's costing too much money."

By next year, the most optimistic prediction is that there will be three treaties signed and perhaps 19 agreements in principle with the 57 B.C. first nations at the table, federal Auditor-General Sheila Fraser said Tuesday.

That leaves about 150 first nations who aren't even trying for a treaty -- meaning that for the vast majority of B.C.'s natives, life as second-class citizens, what Premier Gordon Campbell has dubbed "the third solitude," will grind on.

Harris looks out upon the daily scene of the Chemainus First Nation, the impoverished native village on Vancouver Island's east coast that he's has called home for 62 years. This is the scene he always sees but can never accept:

There are about 800 people living here, just outside the town of Ladysmith. About half have no jobs. The median income is about \$7,000 a year, about one-third that of the average British Columbian.

Despite being on one of the West Coast's most scenic spots, the reserve has the depressing earmarks of most aboriginal reserves in Canada.

Its government housing sags with age. A few bungalows have recently burned down. That has further exacerbated the reserve's housing shortage, where some of the four-bedroom homes hold as many as 14 or 15 people.

If history is any guide, about 50 per cent of the children who live in those dwellings won't graduate from high school. Many adolescents have, in recent years, taken to hardcore hip hop and the nihilism that seems to have taken root with the young. Many have fallen into a cycle of drug addiction and many others are expected to follow.

"We had a lot of hope for getting a treaty," says Harris. "But that's mostly gone now. What I'm worried about is how much this is costing. What kind of legacy will I be leaving my grandchildren?"

Almost certainly it will involve an enormous legal bill for the residents of what Statistics Canada shows is the 14th poorest community in British Columbia.

The Chemainus First Nation came to the treaty negotiating table in 1993, joining five other nearby native bands that make up the Hul'qumi'num Treaty Group. Like all B.C. bands, they soon began paying for their negotiating teams by taking advance loans from the federal government, all of which must eventually be paid back.

So far, the Hul'qumi'num have spent about \$13.9 million -- more than \$1 million a year.

Despite the cost, the treaty talks seems to be foundering badly. Last week, the provincial government's negotiators informed the Hul'qumi'num their treaty talks would be cut from six days a month to three, said Brian Thom, a Hul'qumi'num negotiator.

The government's reaction follows the growing anger and intransigence of Robert Morales, the Hul'qumi'num's chief negotiator, who has complained that the federal and provincial negotiators aren't acting in good faith. He recently set up a group that has been joined by other frustrated first nations hoping to fast-track treaty talks.

That has not pleased the provincial government, which is trying to follow Campbell's call for a "new relationship" with aboriginals. That policy has won Campbell praise from some of B.C.'s most powerful native leaders. In a sign of progress, the province expects to sign three treaties by next year, a first under the treaty process.

But those breakthroughs have come at a price for other native groups.

mcernetig@png.canwest.com