



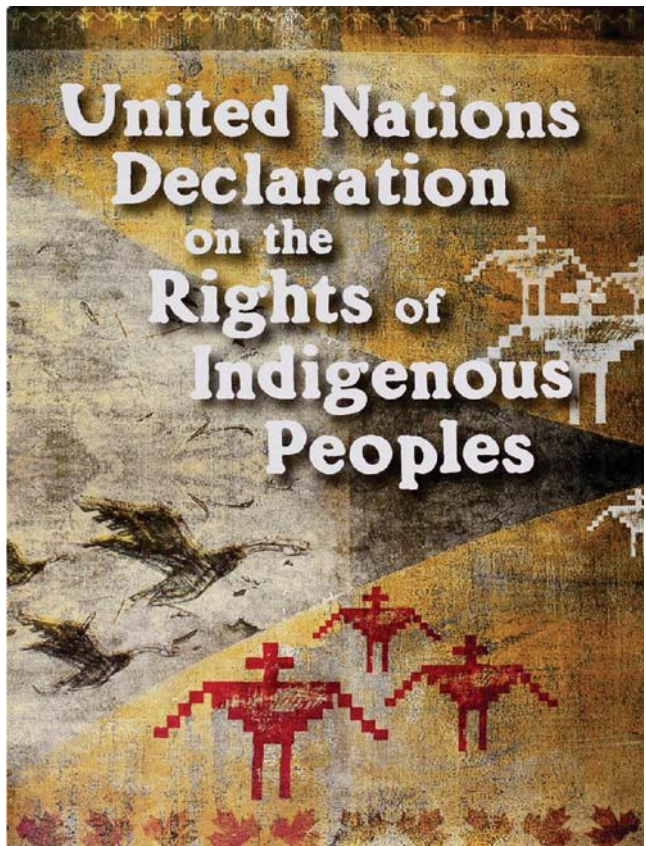
Kaska Dena News

UPDATE FROM KASKA DENA COUNCIL Governments' New Approach to Reconciling with Indigenous People

Canada has recently announced that the federal government is undertaking steps to forge a new relationship with Indigenous Peoples based on recognition of rights, respect, cooperation and partnership. This new approach, which began with the announcement in 2016 of Canada's endorsement of the *United Nations Declaration on the Rights of Indigenous Peoples* and Canada's *Principles Respecting the Government of Canada's Relationship with Indigenous Peoples* is being felt at negotiating tables across the country.

What is different with Canada's new approach?

Until recently, Canada has been negotiating with Indigenous Peoples based on government policy informed by common law and Section 35 of the Canadian Constitution, which formally recognized and affirmed Aboriginal and Treaty rights in the supreme law of Canada. While section 35 of the Canadian Constitution acknowledges Indigenous Rights, Indigenous Peoples have had to prove their rights exist to have them fully implemented – generally through court challenges at the expense of Indigenous Peoples. Past treaties were negotiated based on “cede and surrender” of Indigenous rights, as is seen in the historical numbered treaties. In recent years, Canada has been negotiating modern treaties based on “extinguishment” of Indigenous Rights. Kaska people and KDC negotiators have never agreed with cede, surrender or extinguishment of Indigenous Rights.



Canada's new approach is reflected in the following commitments:

1. Committed to implementation of United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)

In May 2016, the Minister of Indigenous and Northern Affairs announced Canada would now support, without qualification, the **United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)**. A key clause in the Declaration addresses **Free, Prior and Informed Consent**, stating government “. . .shall consult and cooperate in good faith with the Indigenous Peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.” On May 30, 2018 the House of Commons

Continued on page 2

Inside...

- Strategic Engagement Agreement - New Reconciliation Visions
- 3 Nations Society Renews its Partnership with the Provincial Government
- Boya Lake Provincial Park to be changed to a Kaska name: Tā Ch'ilā Park
- BC Parks Funds a Clean-Up in Ne'ah Conservancy
- New KDC Website
- National Indigenous Guardians Network Workshop
- KDC 2018 General Assembly





KDC has never accepted and will never accept any extinguishment of our Rights. While it is important to consider new approaches based on these recent strong commitments by government we want to assure our members that KDC will continue to pursue and insist on governance and land models at the negotiation table that fully recognize and respect our inherent rights.

Continued from page 1

passed into law a private member’s **Bill, C-262** which makes meaningful the government’s oft stated commitment to the Declaration and now requires the federal government to harmonize Canadian laws with UNDRIP

2. Supporting the Recognition of Indigenous Rights

In February 2018, Prime Minister Trudeau announced that the Government of Canada will develop, in partnership with Indigenous Peoples, a Recognition and Implementation of Rights Framework. The purpose of this framework, according to the Prime Minister will be to provide further clarity and certainty on Canada’s responsibilities toward engaging with Indigenous Peoples in a respectful, cooperative partnership.

3. No debt to Indigenous People for negotiating treaties/reconciliation

Canada announced in 2018 that as part of their new approach they will no longer require Indigenous Peoples to take on debt for treaty/reconciliation negotiations. As of 2018 negotiation loans will be replaced with non-repayable contribution agreements. Canada is also addressing past and present loans, including forgiveness of past loans.

BC’s Commitment to Reconciliation with Indigenous People

The provincial government has also undertaken steps toward reconciliation through their commitment to adopt and implement the UNDRIP, the Truth and Reconciliation Commission’s Calls-to-

Action, and the Supreme Court of Canada Tsilhqot’in decision. Most recently, the Government of British Columbia committed to work with Indigenous peoples in the spirit of respect and collaboration by introducing a set of draft principles designed to guide the daily work of provincial government employees.

The 10 draft principles are modelled on principles introduced by the federal government in 2017 and are intended to provide high-level guidance on how provincial representatives engage with Indigenous peoples. They address areas such as:

- The right of Indigenous peoples to self-determination and self-government, and the responsibility of government to change operating practices and processes to recognize these rights.
- The standard of conduct that government employees must demonstrate in all dealings with Indigenous peoples.
- The need for treaties, agreements, and other constructive arrangements, to be based on recognition of inherent rights and respect.
- A focus on approaching “free, prior and informed consent” in a collaborative and constructive way when proposed actions by the provincial government affect Indigenous peoples and their rights.

What does this mean for Kaska Dena?

KDC has never accepted and will never accept any extinguishment of our Rights. While it is important to consider new approaches based on these recent strong commitments by government we want to assure our members that KDC will continue to pursue and insist on governance and land models at the negotiation table that fully recognize and respect our inherent rights. This must be the shared direction of our work if we are to succeed with any future agreements and a true partnership with Canada and BC.



STRATEGIC ENGAGEMENT AGREEMENT – NEW RECONCILIATION VISIONS

In March 2018 the Kaska Strategic Engagement Agreement with British Columbia was resigned for its third time since its original signing in 2012. This amended agreement has been signed for 2 years versus 3 years, as in the previous agreement. It is seen as a “bridging agreement” as the province explores reconciliation with Indigenous Peoples.

Following Canada’s 2016 announced support of UNDRIP in July 2017, the Province of British Columbia correspondingly announced to a cross-government commitment to implementation of UNDRIP, the TRT Calls to Action and the Tsilhqot’in Decision. As part of this priority initiative for the BC Government, the redefining of the Province’s existing reconciliation agreements with First Nations are to be reviewed and updated to fit within the principles of UNDRIP.

As part of this review, a bridging agreement was formed for the current Kaska SEA to provide a timeline for renegotiation of a new higher-level reconciliation agreement. Starting in Summer 2018, the KDC negotiation team will work with BC to redefine the SEA into a new agreement that improves upon the joint decision-making and collaboration between the Province and the Kaska Dena. During this time, the commitment to working collaboratively and respectfully will remain a high priority for the Natural Resource Council.

Land and Resource Applications – 2017-18

A total of 109 referrals to date were sent to the Kaska Dena under the SEA for 2017-18. Referrals are sent at varying engagement levels from information only to strategic shared decisions depending on the scale of the development and potential impacts to the Kaska Dena.

Engagement Level

Levels	2017/18	2016/17	2015/16	2014/15	2013/14
1. Notification Post Decision	22	25	16	14	25
2. Review and comment	69	73	90	48	50
3. Shared Decision Working Group	12	18	28	9	33
4. Natural Resource Council	6	0	3	0	0
5. Strategic Shared Decisions	0	3	1	1	1
Total	109	119	138	72	109

Sector Type

Sector	2017/18
Archaeology	24
Forestry	14
Lands	7
Mineral	28
Parks	14
Utilities (Water, Wind, Hydro)	6
Wildlife	16

For questions concerning the referral process, please contact: SEA Regional Coordinator, Gillian Staveley, knrscsea@gmail.com



Starting in the Summer of 2018, the KDC negotiation team will work with BC to redefine the SEA into a new agreement that improves upon the joint decision-making and collaboration between the Province and the Kaska Dena.



The 3 Nations is a partnership between the Tahltan, Kaska and Tlingit Nations – a partnership that is trailblazing and leading a new best practice in social policy and innovation. The origins of this leading-edge partnership between the 3 Nations began with what is known as the Stikine Wholistic Working Group (SWWG) in a 2009 protocol agreement between the 3 Nations and the province.



3 Nations Society Renews its Partnership with the Provincial Government

On February 28, 2018, the 3 Nations leadership and delegation met with Premier Horgan, key Ministers, and ministry staff. The purpose of the meeting was to discuss a renewed partnership and a path forward that would reinforce working together, supported by the financial investment to achieve the 3 Nations' vision.

Our presentation was met with positive commitment from the Premier and Ministers of Indigenous Relations and Reconciliation, Finance, Children and Families, Energy, Mines and Petroleum Resources, and Forest, Lands, Natural Resources Operations and Rural Development, demonstrating the provincial government's commitment to implementing the UNDRIP and the Truth and Reconciliation Calls to Action.

In 2017 the 3 Nations Leadership approved the formation of the TKT 3 Nations Society to enhance stronger governance and administration of the 3 Nations' programs. The Society has now been established with a governance structure that includes a Board of Directors comprised of elected



February 2018 meeting between 3 Nations Leaders and representatives and Premier Horgan, Ministers Fraser (MIRR), Conroy (Children & Families), James (Finance), Mungall (Energy and Mines) and Donaldson (FLNRO)

representatives from each of the 3 Nations – a total of seven Board members. Kaska Dena are represented by the Deputy Chief of Daylu Dena Council, Chief of Dease River First Nation and Chair of Kaska Dena Council. As the 3 Nation Society's work is within the Stikine District, Kwadacha does not take part in the 3 Nations or in the Stikine Wholistic Working Group.

Each of the 3 Nations also has a technical representative who is appointed by their Leadership. Feddie Louie is the technical representative for Tahltan, Sue Carlick for Taku River Tlingit and Michelle Miller for Kaska Dena.

The 3 Nations will be implementing a communication plan to inform and engage community members and, enhance community input and direction. Regular updates will include the efforts and success of the Stikine Wholistic Working Group and implementation of the 3 Nations' 3-Year Strategic Plan. Watch for regular newsletters and a 3 Nations website with news updates, materials, and photos as our work continues.



Deputy Chief Lutz with Minister Fraser, MIRR

Boya Lake Provincial Park to be Changed to a Kaska Name: Tā Ch'ilā Park

Kaska Dena representatives have recently reached agreement with BC Provincial Parks to have Boya Lake changed to a Kaska name at the entrance to the park. The name of Boya Lake Park is to be changed to **Tā Ch'ilā** (aka Boya Lake Park), a name chosen by Kaska Elders meaning “blanket full of holes”

Boya Lake Park is situated in Kaska Dena Traditional Territory in north western BC, near Dease River First Nation’s community of Good Hope Lake. The park area

is riddled with lakes, which Kaska elders said resembles a blanket full of holes.

A kiosk will be established at the picnic site in the park with historical photos of Kaska Dena who traditionally used this area. Information about Kaska Dena will be written in Kaska language and translated into English to provide information for visitors about the history of Kaska Dena and their use of the area. The kiosk will also feature a sound bite of Kaska Drummers singing a traditional Kaska welcome drum song.



The name of Boya Lake Park is to be changed to Tā Ch'ilā (aka Boya Lake Park), a name chosen by Kaska Elders meaning “blanket full of holes”

BC Parks Funds a Clean Up in Ne'ah Conservancy

BC Parks recently committed funding for Kaska Dena to undertake a project in Ne'ah to clean up garbage left behind by Mushroom pickers in 2013.

In March of 2012 the Horseranch Range was designated as the Ne'ah Conservancy Protected Area and the next step was to begin drafting a Management Plan. Unfortunately, a wildfire happened and the following year in July of 2013 a large number of mushroom pickers arrived, bringing in ATVs by boat and

began cutting trails and setting up camps to begin mushroom picking. With no plan completed for the newly designated Ne'ah Conservancy, Kaska Dena had to work with the province to address unauthorized trail-cutting and garbage in a Protected Area. Kaska Dena representatives went to the site and handed out information about being culturally and environmentally responsible. The mushroom pickers left the area after they completed their picking and left behind a mess of garbage.

It took until Sept 2015 to coordinate a joint site inspection with Kaska and BC Parks.

Kaska have worked with BC Parks since then, seeking commitment for funding to clean up the garbage and return the site to its natural pristine state. With the funding commitment now in place, Kaska Dena representatives will be going into the Harvey Lake area in June or July to complete the clean-up





Kaska Dena News

New KDC Website!

New Kaska Dena Council website launched! Check it out!

To keep current with technology and be able to provide an updated interactive approach to getting information to members, KDC has recently updated its website. The new website was launched in May 2018, and provides information on negotiations and initiatives, as well as an interactive timeline, document repository, photo library, current news and more!

The timeline shows the history of KDC including the timeline of negotiations and other milestones and events in respect of the protection of Indigenous rights in Canada. For people who would like more information about the history of Kaska Dena Council or of the work towards protection of Indigenous Rights, and Kaska Dena Council negotiations in the BC Treaty Process, the timeline may provide some background.

The document repository is a virtual

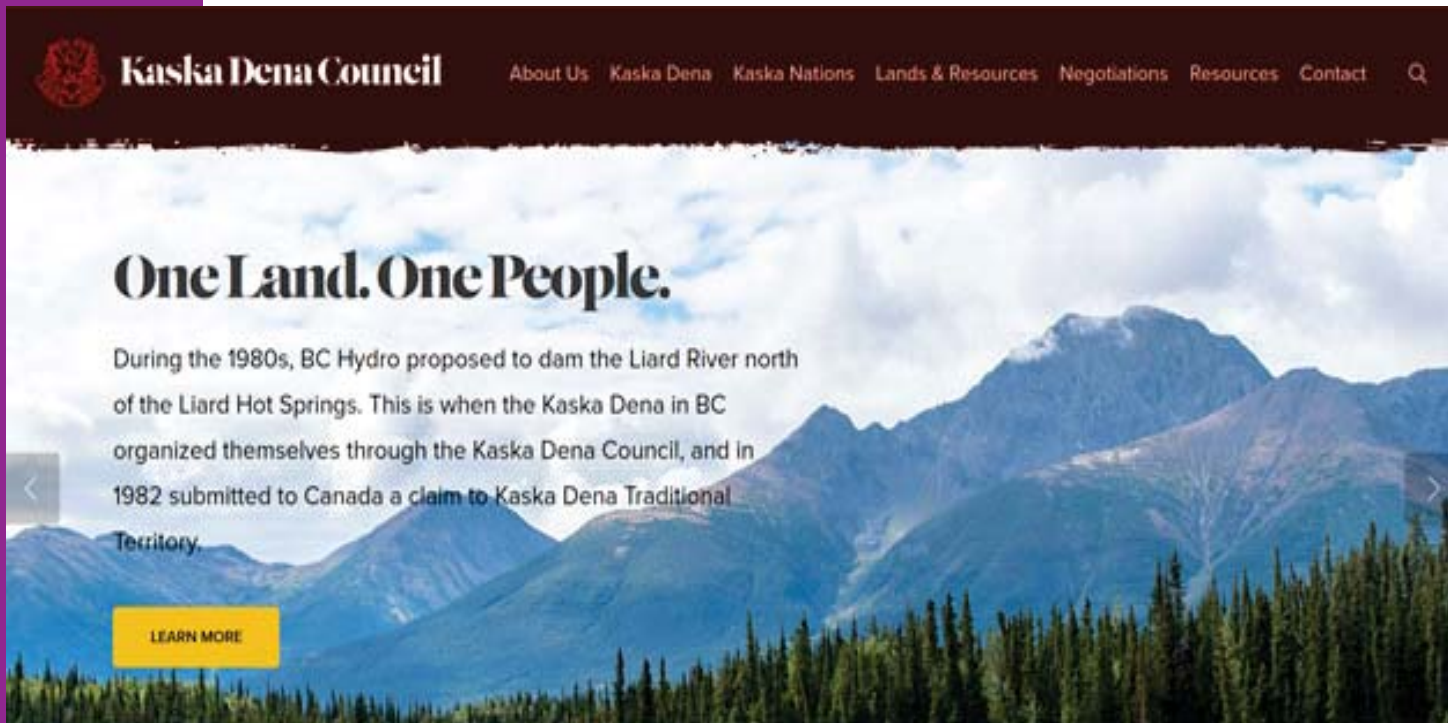
library with a search function to assist in the location of documents and a download function for those who wish to have a copy of a specific document. The document repository will continue to build as documents are added so that Kaska Dena will have an on-going library to reference important Kaska and Indigenous-related documents.

You will find copies of KDC agreements that have been negotiated, as well as many other key documents, such as all of the wonderful Muskwa Kechika youth camps. There are also photo galleries of historical photos and photos from the KDC General Assemblies.

At the bottom of the Contact Page there is a place to ask questions or provide feedback.

Check out the new website. New website, same domain name:

www.kaskadenacouncil.com



NATIONAL INDIGENOUS GUARDIANS NETWORK

The National Indigenous Guardians Network Workshop, hosted by the Indigenous Leadership Initiative (ILI) was held May 23-24, 2018 at the Lord Elgin Hotel in Ottawa. Thanks to the efforts of the ILI which is chaired by Dave Porter, the federal government announced \$25 million in last year's budget to fund a pilot program for Guardians programs and to create the National Indigenous Guardians Network. Since that time the ILI has worked in partnership with Environment Canada, Parks Canada, Indigenous and Northern Affairs Canada and others to negotiate a framework for the Network.

It was ILI's intention that a draft framework would be ready for review and consultation at a large National Guardians Gathering this spring. However, due to broad policy developments by the federal government, that event has been postponed until the fall.

In the meantime, the ILI continued its work to see concrete progress to advance the Guardians Network and to ensure that interim arrangements can be agreed with the federal government, so some funds can be distributed as soon as possible to potential Guardians programmes.

ILI created the space for the Network and succeeded in confirming initial funding. But it must be the job of Guardians to build a strong and representative Indigenous Guardians Network to continue the work of creating hundreds of nation-building Guardians programs across the country to monitor, protect and ensure Indigenous decision-making on Indigenous lands and waters. Guardians' voices must be heard. Guardians' ideas and creativity must influence and determine what the Network will look like.

With that goal in mind ILI secured private funding to bring an experienced group to Ottawa on May 23-24 to workshop the many details that must be addressed concerning Guardians and the Network if Indigenous Guardians together are to remain strong and equal partners with the federal government in this endeavor.

The goal of the workshop was to produce a solid model for the National Indigenous Guardians Network for discussion over the summer among the First Nations.

The workshop was very successful bringing almost 100 experienced Guardians and leaders from across the country. Kaska delegates included, Corrine Porter, Derrick Redies and Robbie Dick. The full report from the workshop will be available before the end of June and will be posted on the ILI website at www.ilinationhood.ca. In the meantime, you can see videos of all the presentations and plenary sessions of the workshop on the website.



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Mark Your Calendar!

Kaska Dena Council

2018 General Assembly

July 3rd - July 5th

This year our 2018 KDC General Assembly will be hosted by Kwadacha Nation and will take place in Fort Ware from Tuesday, July 3 to Thursday, July 5th. The theme of this year's assembly is "Reconciliation".

KDC business and reporting will take place during the morning, allowing time in the afternoon and evening for activities and events and lots of time for eating, socializing and reconnecting with friends and family.

This will be an election year for the Executive positions of Chair, Vice Chair Finance and Vice Chair Lands and Resources, so if you are a Kaska Dena Council member be sure to turn out to vote for the next term's Executive members.

If you have not yet registered as a Kaska Dena Council member contact the KDC office (250-779-3181) or register at the General Assembly. It is important to note that a KDC member is not the same as a Kaska Dena Band member. If you are unsure about KDC membership you can contact Michelle Miller by phone (call KDC office for her number), email Michelle Miller at kdexecdir@northwestel.net or go to the KDC website under "our members" www.kaskadenacouncil.com/our-members/

Kwadacha will be celebrating the opening of its Biomass plant during this week as well, so it is sure to be a wonderful week in Fort Ware.

Kaska Dena News is published three times a year by the Kaska Dena Council. For past issues go to:
<https://kaskadenacouncil.com/newsletter-archive/>.

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