

**Our Journey, Our Choice, Our Future:**  
**Using community-based participatory research to document the Huu-ay-aht journey to the**  
**Maa-nulth Treaty and looking at its implementation with BC and Canada**

**Research Project Community Engagement Session**

Huuay-aht First Nations in partnership with  
Heather Castleden, Queen's University

November 23<sup>rd</sup>, 2016 | The Barclay  
Port Alberni Community Engagement Meeting Summary

**Huu-ay-aht Advisory Committee**

- Simon Dennis, Elder & Mainland Representative
- Tliishin (Derek Peters), Ha'wiith Council Representative
- Wisqii (Rob Dennis Jr.), Port Alberni Representative
- Stella Peters, Ana'cla Representative
- Jane Peters, Ana'cla Representative
- Mercedes Williams, Youth Representative

**Research Team**

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**1) Treaty Negotiation**

**Discussion Question:**

**What are your strongest memories about the negotiation process?**

- Federal government had set allowance for land. There was not a lot of flexibility from the Federal government; for them, settling the land question was a bonus
- We are still trying to get control of some of our lands, including islands
- Unsure about fishing and logging. We still can't sell our fish - some things have not changed
- There were lots of community engagement sessions during negotiations, Ex. Newsletters, mail outs, and online information
- Some of our leaders fought for our Treaty rights. Not all of us knew about Treaty or were updated on negotiations. It was hard to understand language around land. It would be good to connect these discussions and negotiations to stories.
- Not all First Nations got along. A long time ago there used to be wars between Nations. We still have a hard time with First Nations trying to get along
- Things were peaceful when Elders were growing up. People lived in long houses and had/knew their responsibilities
- INAC controlled people and taught First Nations 'to hate each other'. Now there is divide amongst and between First Nations
- First Nations often do not know their connection between Nations. People used to work as one, but now it is a struggle for people to respect and help each other
- The older people got us here because they knew we were not in a good place under INAC
- Elders stand out. As youth, I looked to our Elders and our leaders; what we were told at community engagement sessions stood out. I learned a lot

- We needed a transition and a change from the INAC system. Treaty acted as a tool for us to move forward, and implementation is how we use that tool
- Everyone was very busy during negotiation and the leadership worked very hard. I wish I paid more attention as a youth. Treaty sounded very good when I was younger because it meant we would get more jobs, economic growth, land, health benefits, and education. It also meant we would not be governed under INAC and we could make our own decisions
- Prior to Treaty, funds for education were lumped together in INAC. Now education funds are not pooled and we can access our Nations' fund
- During negotiations I wondered why we weren't getting all the land
- People from other First Nations called the negotiation process 'bogus' and that we were 'sell outs' and that Treaty would not work and we would end up selling all of our land

### **Citizens Question:**

- How can we put Treaty into easier words so more people can understand what is going on?

### **What was your understanding of what was going on, and why was the Treaty important (or not) to you? How did you keep updated about the Treaty negotiation process?**

- Self-government is where we need to be, but implementing that is a hard process. We need to 'pull up our socks' to make things happen and make things work for us
- We have a lot more than other First Nations, especially in terms of access to fish
- We control fishing in our territory now. Non-Huu-ay-aht have to ask to fish in our territory
- We can 'lease the ocean', but we still can't sell our fish
- Our rules and laws are ours. We are not 'under the thumb' of the Federal government anymore
- Sometimes we make rules like the Federal government. We do not have to copy laws; we can change how we do things
- Our laws have the ability to set precedent for other First Nations working out their own laws
- We run our government now, not Ottawa. We have the chance to do a better job than they did
- Hope life will be better for our youth who are in school and are more knowledgeable. We used to learn about our Nation and Huu-ay-aht culture everyday. Elder teachings are very important.
- It is hard to teach about healing because Huu-ay-aht teachings are disappearing. We used to learn everyday, it was like being in school and we had to learn because we were told to listen
- Elders are teaching the language to the youth; this is an important step to help Huu-ay-aht heal and revive itself

### **How is Treaty working (or not) for you? What are the most important stories to share with others about the Treaty journey?**

- Health benefits are positive. We can access medicine benefits that were not covered pre-Treaty. Pre-Treaty we would have had to wait a long time for Ottawa to cover medical costs, but now our Huu-ay-aht government works for us
- Treaty as a word is misunderstood. Land was taken from First Nations under Treaty historically. Treaty was robbery and now we are using Treaty to fight - to get land back
- It is hard for some people to understand implementation. It sounded good, but we do not see all of the changes of Treaty now
- Many of our people are still in a difficult place. Some can't take care of their house. A government owned house will get fixed up, but the house next door someone owns and they can't afford to fix it. This discrepancy between Huu-ay-aht citizens is difficult to see

- There are few jobs at home; people struggle
- Disrespect happens if people disagree. We must be respectful if we have different opinions. We are allowed to disagree but we must be respectful of other opinions

### Recommendations

- We needed to work on ourselves to prepare for Treaty because of the effects of colonization. Some negotiators knew this, but not everyone. People in our community need help becoming strong; the health of people and healing needed to be a priority during negotiations. We needed to know who we wanted to be in 2011 for implementation
- The Truth and Reconciliation Commission of Canada (TRC) shows people are not in a good place and struggle to work past colonization
- Money was needed back from the beginning of negotiations for people to become healthy and be ready for Treaty implementation
- Other First Nations who are going into Treaty need to make sure their people are ready. Healing must be an ongoing process - Elders play an important role in healing
- Being negative towards each other is a behaviour that was learned through colonization; changes are happening under Treaty, albeit slowly. Ex. Graduation rates are increasing. Focusing on positive aspects rather than criticizing one another in negative ways is important [recommendation added after the engagement session]

## 2) Treaty Implementation

**Definition of treaty implementation:** The process of taking what was negotiated in the treaty and making it happen. This involves replacing the policies of the Indian Act with Huu-ay-aht's policies as outlined in the Huu-ay-aht Constitution and Acts.

### Discussion Questions:

**How is Treaty going for you? Is life with Treaty what you expected? What's going well? What's not going well?**

- The fisheries court case was won (Ahousaht Litigation), but the 'me too' clause is still not implemented. Fisheries are still a big problem.
- We can say we - Maa-nulth Nations - are one, but we are fighting over the me-too clause. Everyone ends up in court fighting
- Challenges still exist with everyday living
- There is too much red tape with our Huu-ay-aht government. Sometimes life under INAC seemed less regulated
- We want to manage our own money, not still rely on federal government funds
- 'Me too clause means nothing'. We left litigation thinking it would be okay and that we could implement what resulted from the Ahousaht litigation, but nothing has changed
- Boat owners have lost a lot of money signing ourselves out of the Ahousaht litigation. Citizens do not understand how much money has been lost
- We must become a self-supporting First Nation. We need to train our citizens and prioritize Huu-ay-aht working for our Nation. We need to train citizens now so they can have and be qualified for jobs in our Nation
- Youth are graduating high school and post-secondary, but we need to keep training them for jobs in our Nation so they can support themselves and support our Nation

- LNG will likely bring in their own skilled workers and experts; Huu-ay-aht's won't have skilled positions, nor are they ensured jobs. We need to ensure Huu-ay-aht citizens have work
- Youth also need to get trained for more than just positions with the Nation. Ex. Trades or helping in a research project like this one
- Cultural Treasures coming home is very important.. This would have never happened without Treaty. There is a lot to be happy about!
- Laws around elections do not always work. Six months after Treaty we had to have an election and another government was elected. If the leadership who were in positions did well during negotiations, let them stay in leadership roles while transitioning into implementation
- Implementation is a slow process. Huu-ay-aht's government can't do everything at once.
- Not every Huu-ay-aht citizen has the same priorities. It is 'hard to stickhandle' - some will think leadership is doing a great job, and others will not

### **Recommendations**

- Provincial and Federal governments need to have the authority to make decisions immediately at the negotiation table. We do not need messengers; we need actual negotiators. The lack of federal and provincial government's ability to make decisions at the table draws out the negotiation process
- We want to manage our own money, not rely on federal government funds. We need to figure out how to do this before implementation
- We set the precedent for other First Nations, but we do not have the funds to implement all changes or becoming self-governing
- Any First Nation who implements Treaty must be emotionally, mentally, and physically prepared
- Post effective date things were expected to change immediately, but nothing changes immediately. Some citizens were disappointed. Other communities should not expect things to change overnight
- There was pressure to sign the Treaty quickly because of a Provincial elections and concern that changing government would change priorities or motivations. It is important for First Nations to be firm on what they want to achieve with treaty and hang in there - do not rush the negotiation process because of changes in the Provincial government

### **Citizens Questions:**

- How does Huu-ay-aht's leadership choose what to implement first? What are the priorities of implementation?
- How will we be able to afford to become self-governing?