

## [Tsawwassen should be first to step up](#)

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VICTORIA – Listening to the reaction of various players to the rejection of the B.C. Treaty Commission's first-ever agreement, it's difficult to avoid the most pessimistic conclusion: 14 years and \$1 billion later, it's not working.

Chief Stewart Phillip was the first to step up to the talk radio microphone in Vancouver, and as expected he took a hard line: the treaty talks that his Union of B.C. Indian Chiefs has refused to take part in were set up before a series of court decisions clarified aboriginal rights and title to much of the province. All three agreements reached last year, with the Lheidli T'enneh near Prince George, the Tsawwassen in the Lower Mainland and the Maa Nulth group on Vancouver Island, involve giving up reserve land status and tax exemptions under the Indian Act. Therefore, no deal.

I fervently hope he's wrong about that, and there's good reason to believe the next vote will pass. The alternative, if the other 40-odd treaty tables in B.C. lose confidence, could be another decade of confrontation in B.C. and huge cost to aboriginal people and the rest of us.

A few weeks ago I asked a senior person involved with the talks if B.C. had any say in which treaty would go to a vote first. The short answer is no, although the province did focus resources on its most promising negotiations, as the pressure for results intensified.

In hindsight, it's clear the Lheidli T'enneh deal was a high risk. Perhaps half of its 274 voting members actually live on the reserve, with 100 in Prince George and others voting in Prince Rupert or Vancouver. As aboriginal author Calvin Helin noted in his radio appearance, bands keep members on the list after they move away because their federal funding is based on membership. The result is a voter group that's difficult to reach, or to read, as the Lheidli T'enneh chief found out after endorsing the deal. Also, development prospects for the new land are not yet clear.

The Tsawwassen First Nation votes July 25. Newly re-elected Chief Kim Baird has a much more cohesive community, with a clear view of an economic future centred on a container port. The territory is of course no stranger to industrial development, and its prospects are solid.

Real, rather than collective land ownership remains a key question. The B.C. Treaty Commission's low-key advertising says: "Businesses can see clarity in ownership and management issues that encourage new investment and long-term commitment to the province."

There's still a lot of legal wrangling about rights and title, part of what long-time aboriginal negotiator Bill Wilson calls "an industry with no product." Meanwhile aboriginal populations continue to grow rapidly and employment doesn't.

Fortunately, there is other good work going on behind the scenes. Aboriginal leaders met last week with Energy Minister Richard Neufeld at the B.C. First Nations Energy Summit, looking at ways to involve aboriginals at the planning stage of new projects like run-of-river hydro and oil and gas development.

Assembly of First Nations regional chief Shawn Atleo said the meeting showed the potential for B.C. to move ahead with energy projects as it has done with more than 100 forest resource agreements, which foster development and jobs without treaties.

Forest agreements have had their problems, Atleo said, but "we have an opportunity to get it right this time."

### **Goodwill in B.C.**

Aboriginal leaders still speak highly of the B.C. government's efforts to forge a new relationship that is more of an equal partnership. The view toward Ottawa, meanwhile, is increasingly hostile.

At the energy conference, First Nations Summit executive Dave Porter said the Paul Martin government treated B.C. aboriginal people as partners in the federal government's \$1 billion pine beetle program, but the Stephen Harper government has shut the door. Funds are trickling in, more for electioneering than dealing with the beetle.

Chief Phillip promises that there will be a day of protest just before the Canada Day long weekend, focused on the rejection of the 2005 Kelowna Accord and the Harper government's refusal to endorse a UN resolution on the rights of indigenous people.

### **Stakes high for kids**

Treaties don't just confer new responsibilities for land ownership. They also include authority over education and child welfare. The B.C. government's revamped children and families ministry is heavily committed to this, as is Mary Ellen Turpel-Lafond, B.C.'s new watchdog for children and youth.

Alas, the ministry felt the need last week to step in and take over the Sto:lo child protection office, independent since 1993 but racked by a factional dispute in recent years.

It's a reminder that all this treaty squabbling isn't really about legalities or land or money. It's about generations of kids with no hope, no family support and no future.

As Helin says, "we've got to own our problems."