

MOU Negotiations Update: the Wet'suwet'en Affirmation Agreement (AA): Ongoing Dialogue

Jan 7, 2021



The Wet'suwet'en are seeking an Affirmation Agreement to bring certainty for future generations:

- the sustainability of the entire 22,000km² of the yintah through the exercise of jurisdiction by the Houses in accordance with Anuk Nu'at'en
- the wellness of all House members through the exercise of jurisdiction by the Houses in accordance with Anuk Nu'at'en.

“Affirm” is to confirm the continued existence of the Wet'suwet'en House system of governance and Wet'suwet'en Title throughout the Yintah.

Our Mandate has not yet been completely fulfilled but we are farther along than we have ever been.

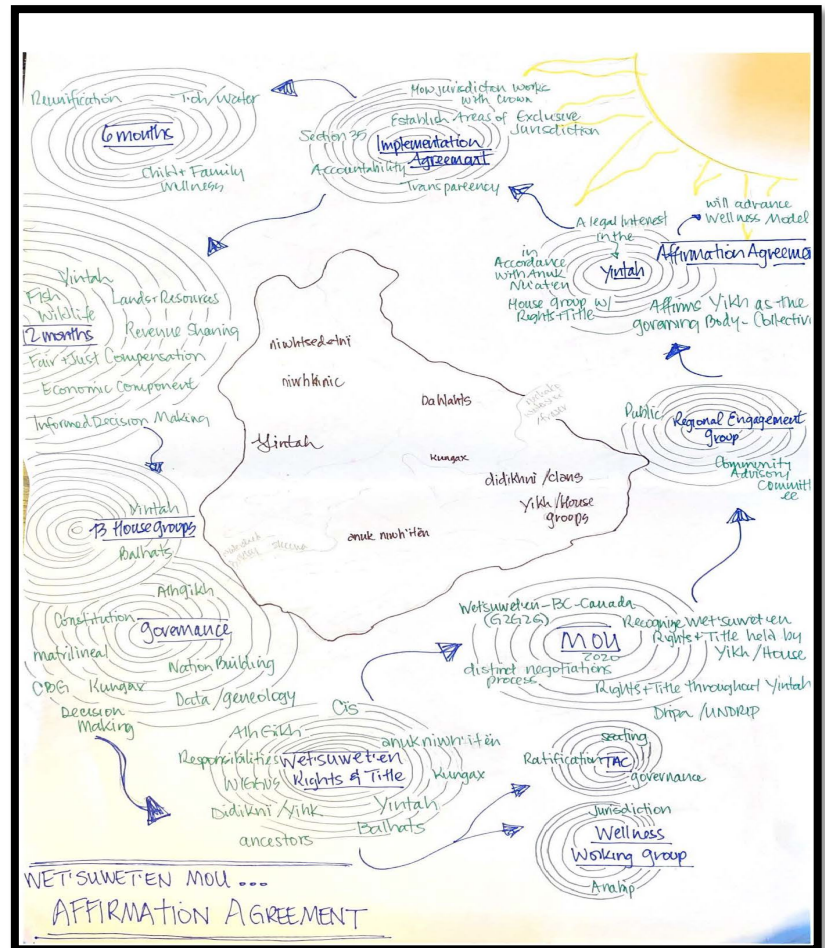
SUMMARY OF NEGOTIATIONS: What has been Achieved?

Under the Affirmation Agreement, Canada and British Columbia legally affirm what their Ministers agreed to in the May 14th MOU, namely:

- that the Houses are the governing bodies that collectively hold Wet'suwet'en aboriginal title and rights under the Anuk Nu'at'en
- that Wet'suwet'en aboriginal title exists throughout the yintah with specific application and geographic scope of the Wet'suwet'en legal interests in land to be addressed in Implementation Agreements

Canada and BC will also:

- recognize their policies that caused damage and or made efforts to fracture the Wet'suwet'en, immediately commit resources to support the internal Wet'suwet'en work on governance and unity building
- Canada will advance Wet'suwet'en governance under the Child and Family Wellness MOU while British Columbia is in election mode (back to formal negotiations soon)



- A draft poster was drawn up to share the many aspects of the negotiations.

British Columbia will agree:

- to preserve in the Affirmation Agreement the Wet’suwet’en aboriginal title interest in land on an interim basis until the specific application and geographic scope of the Wet’suwet’en Aboriginal title is addressed in the Implementation Agreements.
- to put in place in the Affirmation Agreement various measures under provincial law to implement aspects of Wet’suwet’en aboriginal title and rights on an interim basis until jurisdictional arrangements are addressed under the Implementation Agreements.




- to continue to advance the development of water objectives and water sustainability plans for the Upper Bulkley and Morice watersheds with the Wet’suwet’en while British Columbia is in election mode.

- It will advance the September 2019 Rankin table Term Sheet for approval by the cabinet early in 2021 to provide capacity for the Wet’suwet’en to move towards ratification of the Affirmation Agreement through their governance systems and to work on the yintah to ensure long term sustainability

In the Affirmation Agreement Canada and British Columbia will

- continue to consult Indian Act bands on matters

concerning Band Jurisdiction

- affirm the legal status and capacity of the Houses, or the jurisdiction of the Houses when the Wet’suwet’en have implemented “transparency”, “accountability”, “administrative fairness”, and “clarity” to be consistent with Anuk Nu’at’en
 - → the Wet’suwet’en will host a number of Alh Gikh, All Together, Sessions to explore aspects of Anuk Nu’at’en and these western governance concepts utilizing a two-eyed seeing approach or methodology; a two eyed seeing is a way to bring forward the Wet’suwet’en values, principles and key language terms alongside the western concepts of governance to ensure our laws, views & ways inform the MOU negotiations for the betterment of all 
- not agree under the Affirmation Agreement that Wet’suwet’en aboriginal title, as described in the Delgamuukw Gisdai’ Wa Decision, exists **throughout** the yintah

The **TAC** (title action committee) led by Marvin George, with the clan runners have been building up the clan profiles, updating the Wet’suwet’en Din’ize and Tsaké’ze lists, confirming residency, and beginning the demographics of each Clan and House Group. This work also links into the genealogy project that Heather Harris is working part time on.

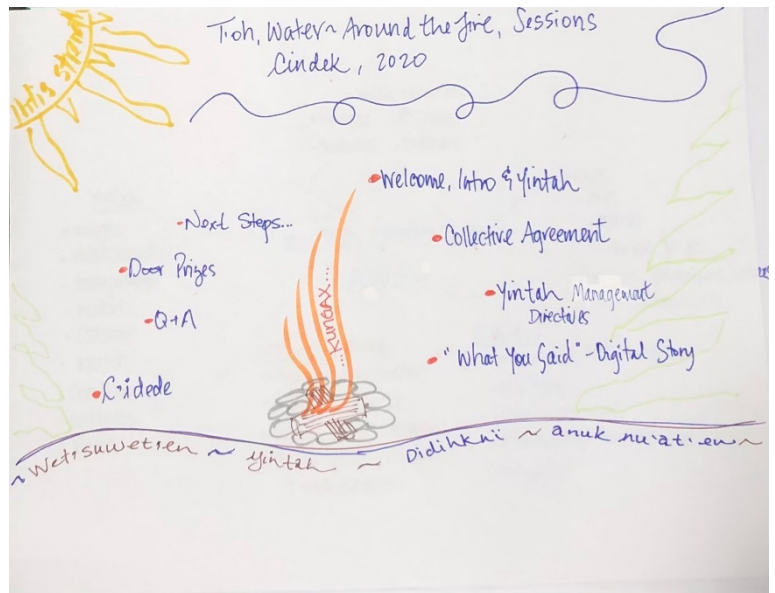
The MOU **regional advisory group** (interested parties on the yintah) and the development of the Core Advisory Committee (CAC) will resume in January 2021. A call out from the interested parties’ group to be a part of the monthly Core Advisory Committee is underway. It is important that this committee be representatives from a holistic and diverse background as the MOU is regarding healthy people and yintah.

The Wet’suwet’en draft Constitution has been edited and a summary of the many chapters consolidated for easier reading and in plain language. This too will come out in the New Year for Clan review and input.

The T'oh water dialogue "Around the Fire" sessions were completed in December 2020.

Four on line afternoon or evening sessions were held to provide an update on the development of yintah management directives (for those accessing the yintah) following and upholding our Anuk Nu'at'en and C'idede (stories).

About 20 people per session participated and provided heart felt concerns, dreams and reflections of Wet'suwet'en it'ën, ways regarding a changing climate, t'oh connects us all, water as ceremony and is sacred and is interconnected. The yintah management directives also utilized a two-eyed seeing approach with western science and Wet'suwet'en it'ën, ways. An oral report from this summer sessions is available for review and comment as well – see <https://youtu.be/h2Jmltf4jpA> to view the short digital story/report back to the Wet'suwet'en.



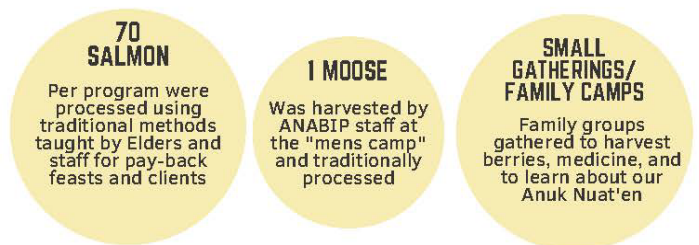
A final report of the December Cindek 2020 sessions will be shared in the New Year.

Wet'suwet'en Wellness Working Group Update - 2020 Key Activities

Nation Rebuilding Proposal 2020/21– funded in its entirety between CIRNAC and Indigenous Services Canada (ISC)

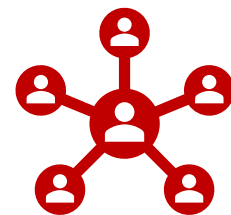
- This enables the Wet'suwet'en to undertake
- Internal Clan Unity Work
- Youth Engagement on Jurisdiction
- Inter-Nation Cooperation
- Support/Strengthen Language Authority (Coordinator, dictionary, expanded language master-apprentice programming)
- Wet'suwet'en Tsaké'ze (Matriarchs) unity work
- Wet'suwet'en Skills/Education Inventory
- Trauma Supports
- Nation Rebuilding Proposal submitted for 2021/22

TRADITIONAL LEARNING AROUND SUSTAINABLE LIVELIHOOD, WIGGUS (RESPECT), AND PROTOCOL



Wet'suwet'en Youth Engagement for Jurisdiction

- Hired a Nation Rebuilding Youth Director – Kayla Mitchell
- Hired 6 Wet'suwet'en Youth Interns from across the province
- Plans underway to hire 5 Elders and 4 additional Youth Interns
- Outreach activities to engage Wet'suwet'en youth in all aspects of jurisdiction planning and implementation



Prevention Programming – first example of multi-year funding (5 years from ISC)

- This enables the Wet'suwet'en to undertake
 - Multi-year planning and expansion of operational wellness work throughout the province
 - Expanded frontline staff to Burns Lake (eastern communities), Prince George and Lower Mainland
 - "regardless of where they reside" vision is being implemented

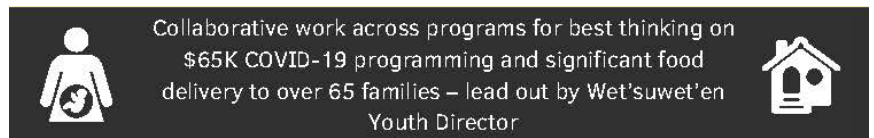
- Break-throughs for WWWG: no longer confined to “on” or “off” reserve but rather Nation-focused which includes everyone
- Prevention work not tied to a delegated agency model or to per capita modeling or funding

Genealogy Project – Year 1 of a Two-Year Project – Funded through BC Capacity Initiative Fund (ISC)

- This enables the Wet’suwet’en to undertake
 - Distinctly Wet’suwet’en research to define protocols, principles and practices of matrilineal Wet’suwet’en genealogy
 - Hired 5 Wet’suwet’en research interns (one per Clan) to work with genealogical expert Dr. Heather Harris under the direction/guidance of WWWG
 - Interface with IT company for year 2 to build the Wet’suwet’en genealogical database (core function: citizenship)

COVID-19 Support Funding – ISC and Wetzin’kwa Grant (local)

- This enables the Wet’suwet’en to undertake
 - Nation-specific needs assessment (questionnaire) re: COVID-19 support
 - Food Security support
 - Emotional/Social Connectivity – using virtual platforms to keep folks connected, bringing youth and Elders together re: using technology
 - Wellness focus: IFOT sessions, yoga, health challenges, etc.
 - Hired Wet’suwet’en contractors for administrative assistant, yoga instructor and wellness support worker



Collaborative work across programs for best thinking on \$65K COVID-19 programming and significant food delivery to over 65 families – lead out by Wet’suwet’en Youth Director



Wet’suwet’en people are passionate about the wellness of our nation. We are able to hire many Wet’suwet’en members largely due to that fact. One area we want to caution is that on-boarding and retaining staff at \$17.00/hr may be problematic

Wet’suwet’en Land-based 101 Session for Canada (took place June 2019)

- This was long cited by WWWG leadership as a key priority to ensure folks working within Canada’s system has a foundational understanding of Wet’suwet’en culture
 - Ripple effects within Canada and BC (MCFD’s Learning Feast Dec 2018) have been profound
- The **Wet’suwet’en 101**, nation rebuilding and honoring our ancestors is in an early draft stages – as a follow up to the 23rd anniversary of the Delgamuukw Gisday Wa Virtual Celebration, each clan will be invited to participate in developing and sharing their clan’s plaintiffs, witnessing the wisdom and the knowledge building for each clan; also links into the Clan Profiles work. This will begin in the early year too.

Consultation on Bill C-92 (federal legislation) and Amendments to CFCSA (provincial legislation)

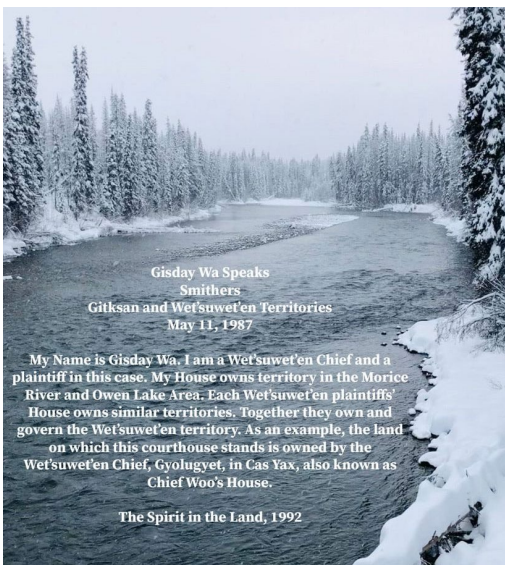
- This enabled the Wet’suwet’en to provide substantive feedback and shape/influence the amendments (CFCSA) and development (Bill C-92)
 - This is a commitment within the Wellness Tripartite MOU (Wet’suwet’en have input on legislative changes that impact them)

Child and Family Wellness Jurisdiction Gathering (on hold per COVID)

- This enables Wet’suwet’en to follow through on commitment to other Nations to host the second Jurisdiction Gathering
 - Funding is committed and being held in trust from ISC, CIRNAC and MCFD for this gathering

Scenario Planning to Identify Jurisdiction Pathways - Fall 2020

- This enabled the WWWG to begin the design work of Wet'suwet'en Child and Family Wellness Jurisdiction Pathways Options



On Dec 11 2020, the Wet'suwet'en and Gitksan hosted an online virtual celebration for the 23 years since the supreme court ruling of Delgamuukw Gisday Wa. The session started with the skiy'ze singing the Had'ih song, from the OW ECE program, and was so sweet! Madeek opened with a prayer. Many heartfelt memories of the many years of work that led to the court challenge were shared on the Zoom celebration. It was important to recognize the loss of many of the plaintiffs, the small army of allies and helpers that supported the aboriginal rights and title case, & the communities across turtle island and beyond that assisted was also highlighted.

Yagalahl, Dora Wilson, shared so many good memories, laughter, and some tears for her sisters that have since gone on into the spirit world. Big love for the plaintiffs, of all the Clans, and the helpers of the Two Nations took place on the 3.5 hour gathering. Gisday wa, Nekt, Mali, Peter Grant and many comments were shared in the chat and on facebook live with hundreds participating from across the Yintah and Lax yip. Tabi misiyh to Debbie Pierre and Kirby Muldoe for cochairing, planning team of George Muldoe, Flora Muldoe, Kirby Muldoe, Mali Glen Williams, Sandra Harris and for Kayla Mitchell for hosting the online event. The Wet'suwet'en youth agreed to read out the Wet'suwet'en plaintiff names and Flora Muldoe read out and shared a photo of each of the Gitksan plaintiffs.

Many elders, Din'ze and Tsakë'ze and youth helped behind the scenes, thank you – our next year will be another practice for the big 25-year celebration in 2022! Due to the quick turn around in coordinating this year's event we missed many people, so please hold the Dec 11th date for the next two years and we will start planning much earlier in the year.

We will be setting up a Delgamuukw Gisday Wa Facebook page to help coordinate and share the annual celebrations, share the Truths of our ancestors, elders and knowledge speakers. This will be set up in partnership with the Gitksan and hopefully early in the new calendar year.

On behalf of the Din'ze, Tsakë'ze and Skiy'ze, we send our condolences to the houses and clans grieving their loved ones. We wish all a safe and prosperous new year as we come together to do this work.

So' co ghudli' – take good care of yourself.