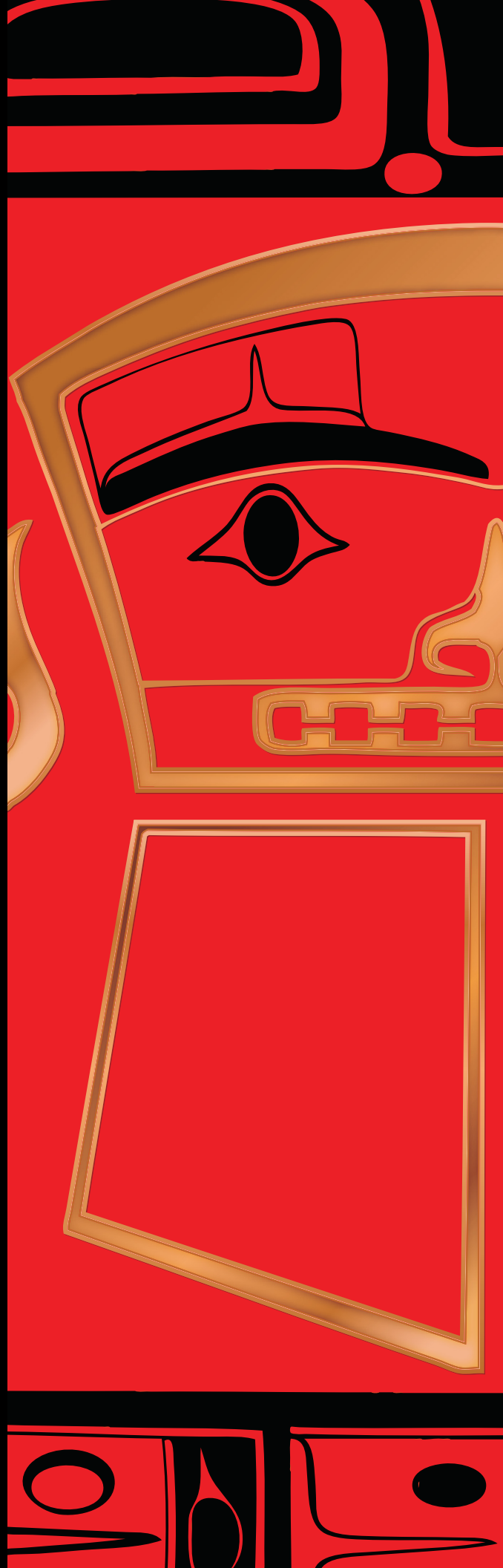


# LAX KW'ALAAMS

RIGHTS AND TITLE  
INITIATIVES  
COMMUNICATIONS  
PACKAGE

FEBRUARY 2022 - GYISIYAASK



# UKS-BAASK LAX KW'ALAAMS RIGHTS & TITLE INITIATIVES

**Lax Kw'alaams is taking the lead by exercising our inherent rights and title**, including governance and jurisdiction over our ancestral lands and territorial waters, to forge a path forward for our community. Recognizing that we are the strongest when we work together, Lax Kw'alaams leadership and administrative staff, including the Uks Baask Reconciliation Communications Coordinator, are working together to support **open and transparent communication between our Membership and this administration**. Lax Kw'alaams leadership, administration and hereditary leaders, together with the whole of our community, must work together to protect and advance the interests of Lax Kw'alaams as an Indigenous People.

**Our adaawx, 'oral traditions', tell us the directions of wind are supernatural beings. Uks-baask, the 'East Wind', is a warm wind bringing greenery and growth in the onset of spring. We hope that like uks-baask, these [or: these Rights and Title Initiatives] initiatives will usher a new season of growth and resurgence for our Nation.**

Recently, Lax Kw'alaams leadership met with the Honourable Murray Rankin, current Provincial Minister of Indigenous Relations and Reconciliation (MIRR), to impress the importance of recognizing Lax Kw'alaams rights and title interests within our territory. Lax Kw'alaams leadership is taking initiative to ensuring the Crown prioritize recognition of Lax Kw'alaams rights and title.

**The winds are changing** for First Nations, Canada and BC. New approaches ensure that talks between governments **start with** recognition of inherent Indigenous rights and title. This means **no surrender, no extinguishment, or modification** to Lax Kw'alaams rights and title. Agreements and understandings reached are **no longer full and final**, instead they are living documents that can change as our needs



change. Additionally, recent policy changes mean that we now have an opportunity to move towards reconciliation without being 'out-of-pocket'. It is only fair that the Crown pay Lax Kw'alaams costs of moving toward reconciliation.

Based on these shifting winds, our leadership, and administration would like to seize the present opportunity and explore the following rights and title initiatives:

- **Develop governance and work toward a Lax Kw'alaams Constitution;**
- Articulating Lax Kw'alaams rights and title to the Crown and other Nations, and make agreements for law-making authority over our lands, territorial waters and resources;
- Obtaining significant funding to enhance governance and co-management; and
- Protecting all important lands and territorial waters including identifying priority land and marine areas.

**Self-governance strengthens other rights and title** initiatives. Lax Kw'alaams has long maintained the inherent right to self-government, including the authority to:

- determine our own identity and Membership, **without government say**; and
- develop our laws and manage our territory

Lax Kw'alaams recognizes the powerful combination of shifting winds and long-standing rights to self-government as an opportunity to develop and sustain our own contemporary political system and governing institutions and move away from the *Indian Act*. This work includes respect for the important role of hereditary and traditional institutions.

The work we will undertake to develop a Constitution will be guided by close engagement and direction from our Members. Soon, we will be reaching out to our Membership to better understand your ideas, priorities, and creative thinking when it comes to Lax Kw'alaams rights and title. It is a very exciting time for Lax Kw'alaams and we encourage all Members, both living in and away from our community, to engage in this process as we ramp up our efforts to keep you informed and engaged.



# FREQUENTLY ASKED QUESTIONS FAQ

## Why is Lax Kw'alaams pursuing this work now?

Lax Kw'alaams is pursuing this work to protect and strengthen our collective rights and title interests. Now is the right time to take the lead because of: 1) changing policy 2) adequate resources 3) the important long term goals of Lax Kw'alaams to develop our own governance and lawmaking in respect of our territory. Lax Kw'alaams is defining the process, informed by s.35 of the Constitution, the United Nations Declaration on the Rights of Indigenous Peoples, and other important milestones. Also, Lax Kw'alaams must be proactive to ensure other Nations do not gain an interest in Lax Kw'alaams territory. Our membership has been clear that they want strong leadership from Lax Kw'alaams on our rights and title – and this administration, including with guidance from Tribal leaders, are ready to work together.

## Do we lose any of our rights, title, or jurisdiction by participating in this negotiation process?

Unlike the treaty process, all reconciliation discussions will start and end with the recognition of Lax Kw'alaams titles and rights throughout our territory. This means, no surrender, **no extinguishments, and no modification** of rights and title. At the end of this process there will be no “full and final agreement,” Lax Kw'alaams will pursue living documents that strengthen our rights and title long-term.

By proceeding with this Reconciliation negotiation process, Lax Kw'alaams will make a meaningful and significant step away from the *Indian Act*, and toward our Members' inherent right to self-determination and self-governance. Taking back our ability to govern ourselves reflects a deep understanding among Lax Kw'alaams that strong and appropriate governance is necessary to reach our full potential, maximise our peoples' opportunities and our collective future.

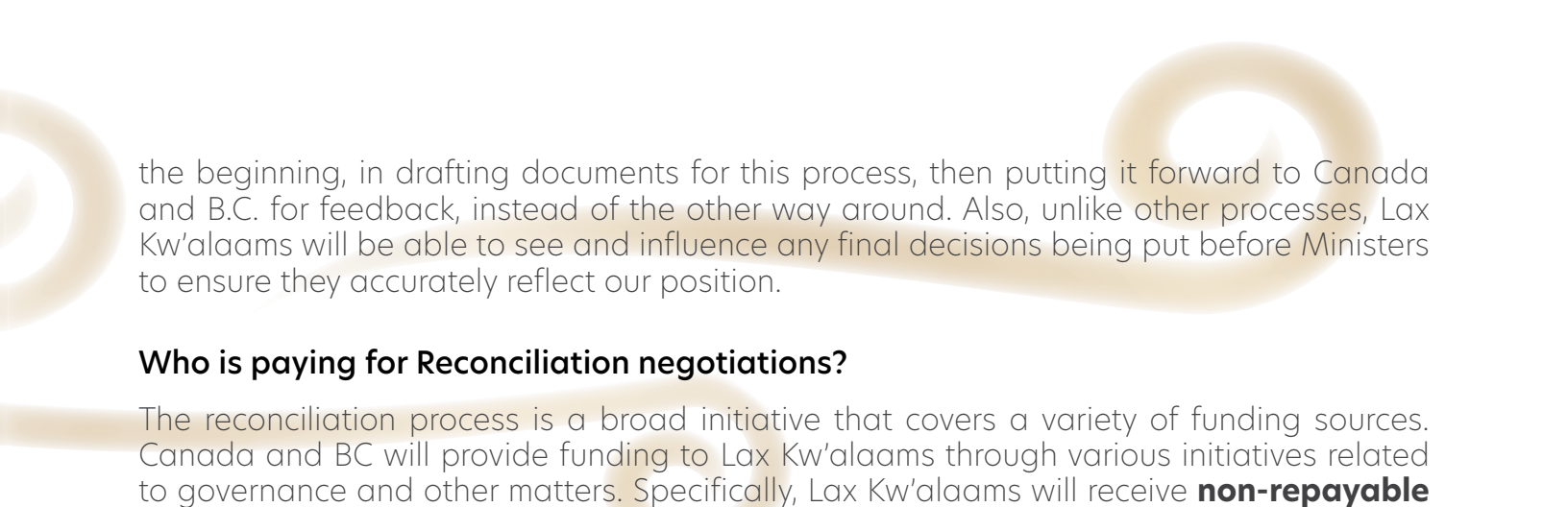
## Are we negotiating for land and territorial waters that's already ours?

For Lax Kw'alaams, all reconciliation efforts must start with a clear recognition of Lax Kw'alaams rights and title to the **entire** territory. Lax Kw'alaams has no intention of ceding or surrendering any of our territory (land or marine). By moving forward with Reconciliation negotiations, Lax Kw'alaams can strategically act to: (1) Protect all important lands from encroachment (by the Crown or other Nations) and (2) Articulate Lax Kw'alaams rights and exercise our law-making authority over our lands and Resources. Our members have been consistent in wanting Lax Kw'alaams to exercise greater control over our lands. The reconciliation process, **as defined by lax Kw'alaams**, will allow Lax Kw'alaams to assert that control. For our lands and territorial waters will stay ours, we must strongly assert our rights and title interests within our territory.

## How is Lax Kw'alaams ensuring we remain in control of this process?

Reconciliation Negotiations emphasize “co-development” of the framework and mandates for negotiations. This means that Lax Kw'alaams is taking a leadership role, right from





the beginning, in drafting documents for this process, then putting it forward to Canada and B.C. for feedback, instead of the other way around. Also, unlike other processes, Lax Kw'alaams will be able to see and influence any final decisions being put before Ministers to ensure they accurately reflect our position.

### **Who is paying for Reconciliation negotiations?**

The reconciliation process is a broad initiative that covers a variety of funding sources. Canada and BC will provide funding to Lax Kw'alaams through various initiatives related to governance and other matters. Specifically, Lax Kw'alaams will receive **non-repayable contribution funding** administered by the BC Treaty Commission. As the process progresses, other program funding will assist with governance related initiatives. Lax Kw'alaams can also expect resources flowing from the any agreements reached (such as an interim agreement on fisheries management for example). None of this funding needs to be repaid and Lax Kw'alaams is never 'out-of-pocket'.

### **How will this process follow Lax Kw'alaams traditional and cultural values?**

Throughout this process, Lax Kw'alaams will develop and maintain our own contemporary political system and governing institutions which include respect for the important role of hereditary and traditional institutions. The involvement of our hereditary leaders in this process will ensure that we are doing this in a way that is true to our cultural values and traditional leadership.

### **Will the Nine Allied Tribes be engaged during these negotiations?**

To ensure full transparency, Lax Kw'alaams wants to engage the Nine Allied Tribes during these negotiations. Lax Kw'alaams will work towards ensuring full representation into the negotiation process from Membership, leadership, and the Tribes to ensure everyone's valuable input is included. Lax Kw'alaams is encouraged by recent efforts to select Tribal representatives and has committed to including Tribal representatives as part of the reconciliation effort.

### **How is membership going to stay informed on the Reconciliation initiatives?**

In the coming months, Lax Kw'alaams Membership can look forward to more information on the Reconciliation initiatives to come and ways to engage in this process. Lax Kw'alaams leadership, including hereditary leaders, and administrative staff will be reaching out to our Members to better understand the best ways to engage you as this work continues.

### **What can membership expect next as preliminary engagement steps?**

Early in the new year, Lax Kw'alaams will be beginning the process to engage membership on the future of Lax Kw'alaams governance. It is tremendously important that our community moves away from the *Indian Act* towards our own Constitution that reflects the unique values of our community as an Indigenous people. **Work is already underway on an initial governance survey, keep a look out for an initial governance survey and other information in the new year!**

# RIGHTS AND TITLE INITIATIVES

Constitution  
Advisory  
Committee formed  
to guide  
development

Community  
engagement to  
inform  
Constitutional  
Framework  
draft

Constitutional  
Framework  
presented to  
community for  
feedback

Feedback  
incorporated to first  
Constitution draft and  
presented to  
community for  
final feedback

Community  
feedback  
incorporated into  
final proposed  
Constitution

Community  
ratification  
vote

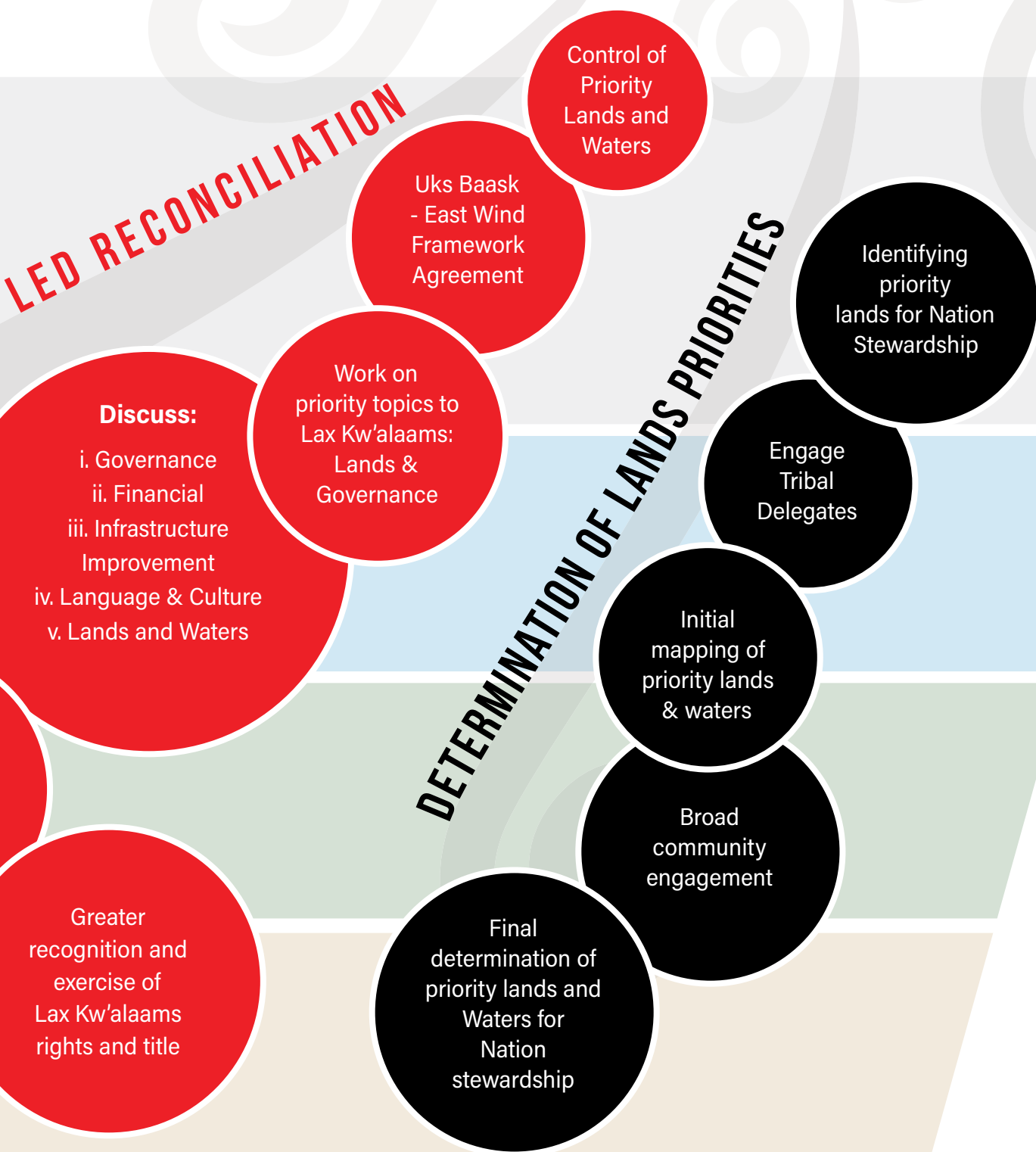
Incremental  
Reconciliation  
Agreements

GOVERNANCE AND CONSTITUTIONAL DEVELOPMENT

LAX K'W'ALAAMS

GOVERNANCE & JURISDICTION OVER OUR AN

## LED RECONCILIATION



CESTRAL LANDS AND TERRITORIAL WATERS

# MAKE YOUR VOICE HEARD

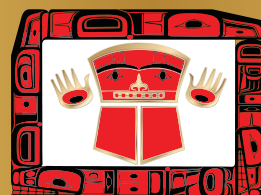
## PLEASE TAKE THE LAX KW'ALAAMS MEMBERS COMMUNICATIONS SURVEY

Lax Kw'alaams is developing strategies to better communicate with our members in governance initiatives.

We want to ensure Lax Kw'alaams' priorities, values, and preferences are reflected in reconciliation related processess.

This survey will help us do this.

PLEASE SCAN THE QR CODE TO SHARE  
AND LEARN MORE.



LAX KW'ALAAMS BAND