

The Treaty Process

The underlying problems for First Nations throughout this country have been a process that has led to segregation of the aboriginal people. History has demonstrated that segregation creates social and evolutionary problems within any community. While I don't intend to go into great detail on how this segregation has affected the First Nations Communities, I will say that in order to claim the rights under earlier treaty reserve arrangements that first nation people were required to live on the reserve, yet individuals held no personal property rights, or equity rights, to their homes or property. The new government Treaty Process has cast this segregation in stone.

The recent Tsawwassen Treaty implications in what is referred to as final settlement, is far from final. The Tsawwassen Treaty provides the 163 band members, living on the reserve, special rights to self government, which includes, collecting of taxes from all band and non band members living on Tsawwassen land. This also includes 724 hectares of land, 13.9 million dollars and special rights to harvest 78% of Fraser River Sockeye Salmon. The taxes and benefits would go to the Band but the band members residing on this land would get all the same benefits that other Canadian citizens get, at Canadian taxpayers expense. This may not sound too unreasonable if one ignores the implications.

If this Treaty was extrapolated to all First Nation Treaties, of those living along the Fraser River, that would be 177% of the Fraser River sockeye Salmon run and likely a similar amount of other salmon species in most other rivers throughout the province. In other words, the rivers could not produce this percentage and there could be no access to fishing available to the rest of the residence of the Province, which includes natives not living on these reserves. If all other Treaty land claims were similar there might not be access to hunting or fishing for the public throughout much of the Province. The non native citizens will be segregated.

The coastal First Nations participation in Commercial fisheries have historically comprised of about 30% of the commercial participants. These treaty settlements will potentially erode this participation and redistribute access rights, to one First Nations Community at the expense of the other.

The government doesn't deal with all First Nations collectively, so each First Nations negotiations has the ability to infringe on the rights of other First Nations, as well as the public in general. There is no process that appropriately informs the public of the possible results of these agreements, and the public in general is oblivious to these consequences.

The government has again tabled a Bill C-32 which is amendment that was strongly opposed by all commercial and sport fishing interest from both Coasts that will give the Fisheries Minister the authority to allocate access to fisheries resources on the principles of his consideration

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