

Fall 2024 Elders Update:

Negotiations Department

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Topics

- Self-Government Agreement Negotiations with Canada
- Traditional Clan Governance Research
- Constitution Review & Membership Code
- Community Wellness Projects Updates
- Child and Family Wellness – Resuming Jurisdiction
- Fall/Winter 2024 Citizen Engagement Plan
- Northern Territory Agreements Update



Self-Government Agreement Negotiations

- Building on our October 20, 2018 JCM mandate instructions, Negotiation Team has continued to engage Canada and BC to assert and advance TRTFN inherent rights and title.
- 2019 *Recognition and Reconciliation of Rights (RRR) Policy* has provided new opportunities to incrementally negotiate new shared sovereignty arrangements.
- Following from two multi-day TRTFN workshops (Oct 2023, March 2024), Neg Team is ready to engage Canada in exploring a 'Core Self Government Agreement' (SGA) that will have Canada recognize TRTFN as a 'Indigenous Government' rather than an *Indian Act* band.
- Process to get to a draft core SGA will take several years and will require substantial community involvement and ongoing check-ins and direction (JCM and CDC) as negotiations evolve.



What is a 'Core Self Government Agreement'

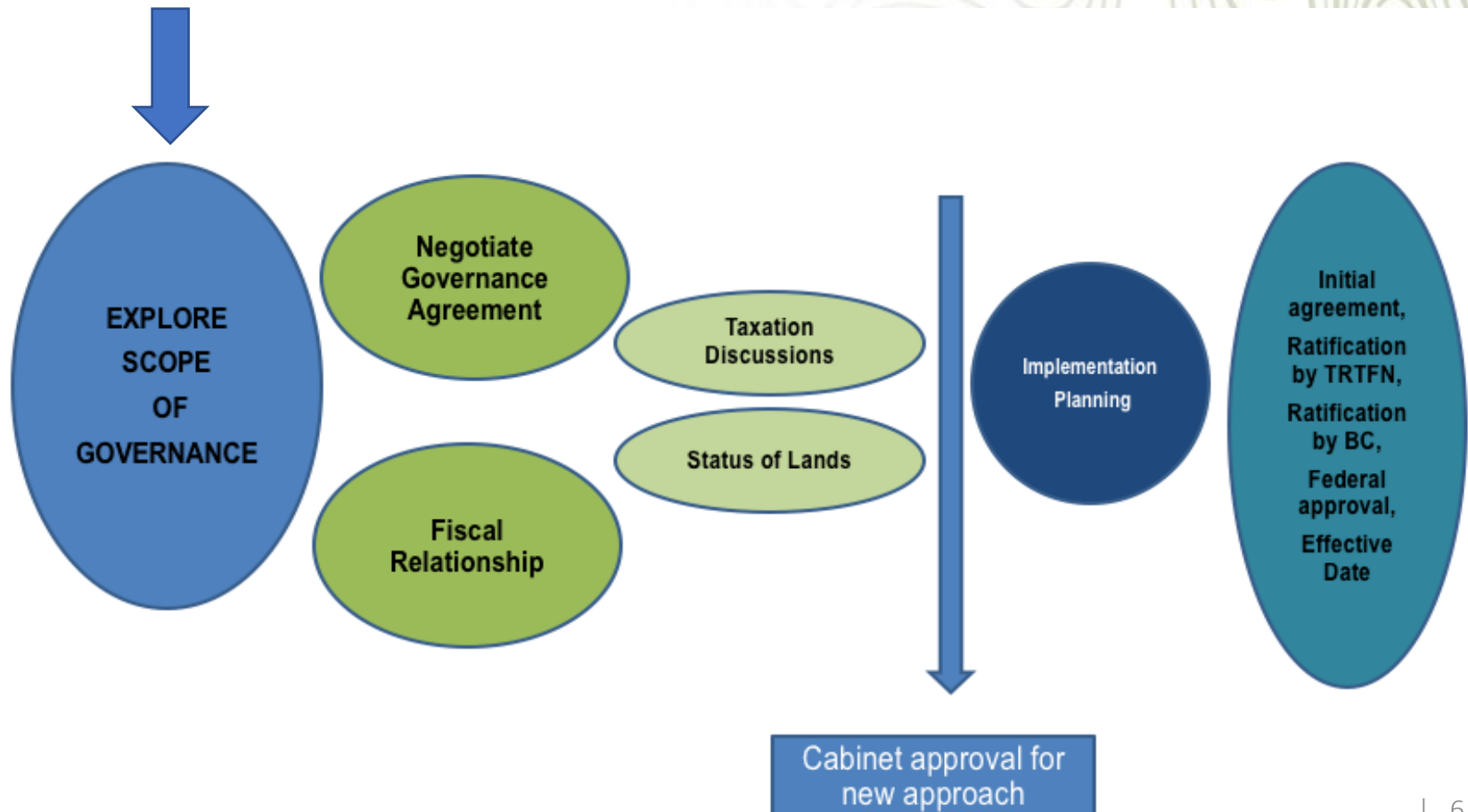
- An agreement that speaks to core governance, or matters that are at the heart of how a government functions, such as leadership selection, citizenship, and internal management.
- For *Indian Act bands*, these matters are determined by the *Indian Act*. For Self-Governing Nations, these matters are addressed in their Nations' own Constitution and its legal arrangements with Canada under an SGA.
- TRTFN already have a Constitution, so these governance arrangements are already in place.
- A Core SGA would result in Canada formally acknowledging TRTFN's Constitution and status as an 'Indigenous Government', ensuring TRTFN are no longer treated as an Indian Act band, and opening significant new authorities, funding and capacity for self-government.

Core Components of an SGA

- Part I – Definitions, Interpretation, **Purpose**
 - Recognizes Nation’s inherent right to self-government
- Part II – Nation Government
 - Defines nation as a legal entity with rights, including to acquire property
 - Affirms transition from Indian Band governance to Nation’s own Constitution
- Part III – Nation Laws
 - Affirms Nation’s jurisdiction (law making authority), including:
 - governance structures, institutions, membership rules, elections, financial management and accountability and the general conduct of government business.
 - language and culture.
 - reserve lands, including natural resource management, environmental assessment, land use zoning, land registration, and the creation of interests (rights) in Nation lands.
 - emergencies and emergency preparedness.
 - Management of public works, infrastructure, and community services like utilities and waste management on reserve.
 - Taxation (real property)
 - Child and Family Services on reserve
 - Health care delivery and services on reserve.
 - Administration and Enforcement of law.
- Part IV – Fiscal Relations
 - Affirms new fiscal relationship and funding arrangements
 - Leads to significantly increased funding & flexibility in allocation of funding at the discretion of the Self-Governing Nation

Steps to a Core Self Government Agreement

We are Here...



Trilateral Main Table Negotiations

- Negotiation Team is beginning to map out the steps towards a Core TRTFN Self-Government Agreement with Canada at the BCTC Main Table.
- Negotiation of this bilateral SGA agreement with Canada is priority focus for remainder of 2024/25 fiscal, and likely 2025/26.
- BC does not have jurisdiction in core self-government matters so is not significantly engaged.
- Negotiation of a parallel fiscal SG agreement will also be a key component of the work.
- Core SGA negotiations will be supported and supplemented by ongoing wellness initiatives and projects that can make a practical difference in the lives of TRTFN members.
- Anticipate negotiating a draft core TRTFN SGA within 2-3 years.

Traditional Clan Governance Research

- Substantive work completed by the research team, led by Tamis Cochrane, Ben Louter, Vanessa Udy and Russell Nesbitt
- Three draft reports completed that illustrate the rich history and self-governance laws and traditions of TRTFN:
 - Historical and Clan Governance: Consensus Building, Agreements and Conflict Resolution, May 2024.
 - Report Comparing and Contrasting Traditional Governance and Contemporary Governance under TRTFN's Constitution, July 2024
 - Comparative Analysis Lingit Constitutions (TRTFN, CTFN, TTC), July 2024
- Research will help inform the development an authentic Tlingit Self Government Agreement with Canada, as well as underpin the Constitution Review and Membership Code updates.



Constitutional Review & Membership Code

- Initial background research work done but a Constitutional Committee has not been established as per the December 4-5 2023 JCM Mandate.
- Not currently able to secure continued funding under a Canada Treaty Related Measure (TRM) in fiscal 2024/25.
- Constitution Review Project currently on hold until Tlingit oversight and funding issues addressed.
- New Membership Code development mandated under the November 16 2021 JCM Mandate will be resuming under a different approach and funding, after loss of Tlingit capacity and inability to secure on-going funding under a TRM for 24/25.
- Will need to re-set and secure guidance, capacity and resources to continue both the Constitutional Review and Membership Code initiatives.
- Both are critical foundations to our Self-Government and Self-Determination pathway.

Community Wellness Projects Updates

- Neg Dept Team continuing to advance practical Wellness Projects through the Wellness Working Group
- Given resource and capacity constraints, focusing on the following projects for Fall/Winter 24.
 - Warriors Trail Crew Program
 - Year Round Community Greenhouse Pilot
 - Cultural Ambassadors Program
 - Community Bus



Warriors Trail Crew

- Managed by Stephen Badwar and Amun Dawson, reporting to Megan Wenschlag, S&H Manager.
- WWG secured \$50K capacity grant for 23/24 and a further \$75K for 24/25.
- Warriors held a 10 day winter camp, involving 7 Tlingit Warriors-in-training, 2 Naa-chah-Nulth Warriors, 8 Tlingit Elders and other guests.
- Participants developed winter survival and travel skills, including completing Snowmobile Operator Certificate (8) and Chainsaw Operator Certificate (5).
- Warriors are bonding, building confidence and skills, and looking to expand their programming through Winter/Spring 24/25 with new funding.

"I loved it, [we did amazing] for the first time we ever hosted something..."

Warrior in training



Year Round Greenhouse Project

- An exciting project to build food awareness, improve nutrition, and lower food costs for all Atlinites. Led by Marie Vigneron, Community Garden and Food Sovereignty Coordinator.
- New Relationship Trust funding enabled a contract to ColdAcre, a Whitehorse-based company, to build the first container. Delays in getting the contract completed, but hope to have the container in place soon.
- Looking to expand training for Tlingit members in greenhouse agriculture through new funding opportunities in Fall 2024.
- Stay tuned!



Cultural Ambassadors

- Led by Vince Esquiro, we hope to have updates on this section soon! It will continue to search for cultural ambassadors to provide cultural programming and other supports to our community in a variety of ways.
- Given the losses in our community, we have to go at a pace that respects our community capacity.
- We are continuing to explore this one and hope to have updates at the next Elder's meeting.

Community Bus Project

- In the early stages of exploring what this might look like.
- Potential to fund a feasibility study through the Community Development Wrap Around Initiative (CDWAI)
- Ongoing discussions with O&M, CDWAI and local community will be needed to advance this project successfully



Child and Family Wellness – Resuming Jurisdiction

- We are now in the final year of funding offered through this federal pilot program with CIRNAC/ISC, funding ends in March 2025.
- The citizen engagement we have done already has gathered enough information to give shape to values and needs that will inform elements of a draft Practice Model.
- This will be refined in ongoing focused citizen engagement over this winter/spring.
- TRT's initial focus will likely be prevention services, not full child protection services like MCFD currently provides.

Child & Family Wellness con't...

- We have now learned from other Nations who are in this work. We propose that TRT should keep using it's own traditional clan governance research as the foundation of our own Practice Framework for program and service delivery.
- This will be shared and expanded upon in upcoming citizen engagement and hopefully supported in a winter JCM to seek a mandate from community on this critical work.



Negotiations List of Citizen Engagement – 2024 / 2025

2024

2025

SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY
 <p>SEPT 18 General Negotiations Elders Info Meeting 10:30AM - 3:30PM Atlin Downstairs Boardroom</p> <p>BCTC Updates & Self Governance Progress 10:30AM - 3:30PM Atlin Downstairs Boardroom</p> 	 <p>OCT 16 General Negotiations Elders Info Meeting 10:30AM - 3:30PM Atlin Downstairs Boardroom</p>  <p>OCT 22 -24 TRTFN Self-Government workshop 9AM - 3PM Atlin Downstairs Boardroom</p>	 <p>NOV 20 General Negotiations Elders Info Meeting BCTC Updates & Self Governance Progress 10:30AM - 3:30PM Atlin Downstairs Boardroom</p> 	 <p>DEC 11 Info Meeting For Elders TRM Clan Governance 9AM - 3PM Atlin Downstairs Boardroom</p>  <p>DEC 18 All Citizens Meeting General Negotiations BCTC updates & Self-governance Progress 5PM - 7:30PM Atlin Tutan Hit</p>	 <p>JAN 15 General Negotiations Elders Info Meeting 10:30AM - 3:30PM Atlin Downstairs Boardroom</p> 	 <p>FEB 19 All Citizens Meeting 5PM - 7:30PM Atlin Tutan Hit</p> 	 <p>MAR 19 Info Meeting For Elders 9AM - 3PM Atlin Downstairs Boardroom</p> 	 <p>APR 16 All Citizens Meeting 5PM - 7:30PM Atlin Tutan Hit</p> 	 <p>MAY 21 General Negotiations Elders Info Meeting 10:30AM - 3:30PM Atlin Downstairs Boardroom</p> 

BCTC Main Table & Special Negotiations Projects

1. BCTC Main Table
2. Traditional Clan Governance - Heritage Research
3. Constitution Reform Project
4. CFW - Child & Family Wellness - Resuming Jurisdiction



Please contact Anisha Carlick for assistance and information on this citizen engagement calendar

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Northern Territory Agreements

Following the February 26 2023 JCM Mandate, Neg Team successfully completed negotiation of both the Aashu Land Transfer Agreement (LTA) and Northern Territory G2G Agreement (August 25, 2023)

Both agreements contain provisions to address CTFN Treaty Rights and interests, as presented in previous updates.

Both agreements continue to be held up by CTFN opposition.

Further direction from the community and Leadership will be needed to plan next steps to ratify these agreements.



Our spirituality is a oneness and an interconnectedness with all that lives and breathes, even with all that does not live or breathe.