



BRITISH  
COLUMBIA



Ktunaxa Kinbasket Treaty Council

Canada

## **Ktunaxa Kinbasket Treaty Council Treaty Negotiations**

### **CULTURAL RESOURCES SUB-AGREEMENT**

#### **Interim Negotiating Framework**

**Public Information Draft**

**APRIL 10, 2002**

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# **CULTURAL RESOURCES SUB-AGREEMENT**

## **Interim Negotiating Framework**

### **BACKGROUND**

Canada, British Columbia and the Ktunaxa Kinbasket Treaty Council are engaged in treaty negotiations in the British Columbia Treaty Commission process. Our treaty negotiations include public consultation and internal review of documents jointly drafted by the three Parties.

The preparation of this Interim Negotiating Framework is one step in the negotiation process leading to the completion of a chapter that will be included in the Agreement-in-Principle.

The Parties are releasing this document for public information.

For further information on the negotiations, please contact any of the following people:

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# **Cultural Resources Sub-agreement Interim Negotiating Framework Public Information Draft**

## **PREAMBLE**

The British Columbia Government will be holding a referendum this year to guide its approach to treaty negotiations. The province has requested that some topics under negotiation be temporarily set aside until the provincial referendum on treaties is completed.

At the July meeting of the Chief Negotiators, the Side Table was asked to develop a mechanism to monitor the ongoing progress of negotiations during the period prior to the referendum. To address this request, BC proposed that the Parties develop and agree upon an Interim Negotiating Framework for each chapter.

The Interim Negotiating Framework for Cultural Resources sets out an agreed upon list of topics on which all Parties believe progress can be made during this interim period.

## **DEFINITIONS**

Cultural Areas;  
Cultural Resources;  
Provincial Heritage Sites;  
Cultural Materials;  
plus other terms as required.

## **PROVISIONS REGARDING [CULTURAL RESOURCES /PROVINCIAL HERITAGE SITES] AND ASSOCIATED CULTURAL MATERIALS**

1. Identify Cultural Areas

KKTC proposes to include Cultural Areas as a category in the proposal for [Ktunaxa Lands].

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Drafting conventions:

All Parties; *KKTC*; **British Columbia**; **Canada**; [not yet agreed]; (elaboration); additions; ~~deletions~~

2. Address matters related to the ownership of [Cultural Areas/Provincial Heritage Sites].

Cultural Areas is the term used by the KKTC. BC's interim negotiating instructions limit current discussions to Provincial Heritage Sites.

3. Describe the management and administrative responsibilities for Cultural Areas (heritage sites) on [Ktunaxa Lands].

4. Address access to [Cultural Areas / Provincial Heritage Sites] on and off [Ktunaxa Lands].

5. Address access to non-Ktunaxa Provincial Heritage Sites on [Ktunaxa Lands].

### **REPATRIATION OF CULTURAL MATERIALS IN FEDERAL AND PROVINCIAL INSTITUTIONS**

6. Describe the Ktunaxa role in public processes that affect the planning and management of Cultural Resources.

7. Address the process for the transfer of Cultural Materials from the Royal British Columbia Museum and the Canadian Museum of Civilisation to the Ktunaxa.

8. Address the process for negotiating bi-lateral custodial agreements between British Columbia or Canada and the [Ktunaxa Government] in respect of Cultural Materials.

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