



BRITISH
COLUMBIA



Canada

Ktunaxa Kinbasket Treaty Council

Ktunaxa Kinbasket Treaty Council Treaty Negotiations

PARKS AND PROTECTED AREAS

Common Principles Document

Public Information Draft

APRIL 10, 2002

This document is provided for discussion purposes only. It is not necessarily representative of the position any Party may take in treaty negotiations; it contains no admissions and is subject to change. It is without prejudice and will not be tendered or relied upon in any court proceedings.

PARKS AND PROTECTED AREAS

Common Principles Document

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 Common Principles Document 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:

British Columbia Marty Osberg Negotiator Phone: 250 356-6813 Fax: 250 356-0887 Email: marty.osberg@gems9.gov.bc.ca	Canada Katherine Beavis Advisor, Public Information and Consultation Phone: 604 775-5199 Fax: 604 775-7149 Email: beavisk@inac.gc.ca	Ktunaxa Kinbasket Treaty Council Bev Hills Communications Co-ordinator Phone: 250 417-4022 Fax: 250 489-2438 Email: treatyinfo@cyberlink.bc.ca
---	--	--

PARKS AND PROTECTED AREAS

Common Principles Document

Public Information Draft

The Parties agree that the following principles will guide the negotiations and be reflected in the provisions of the Final Agreement.

1. Reconciliation of Ktunaxa and Crown interests in parks and protected areas.
2. A relationship based on mutual respect and trust.
3. Certainty regarding:
 - 3.1. the ownership of parks and protected areas;
 - 3.2. [the jurisdictions, authorities and the relationship of laws within parks and protected areas on [Ktunaxa land];]
 - 3.3. the nature and scope of Ktunaxa use of parks and protected areas for food, social and ceremonial purposes; and
 - 3.4. [the roles and responsibilities of each of the Parties in the designation and establishment of parks and protected areas within the Traditional Territory.]
4. Clarification of the nature and extent of the Ktunaxa role in the management and planning processes for parks and protected areas.
5. Intergovernmental coordination among the Parties in the management and planning of parks and protected areas.
6. Clarification of the Parties' respective roles and responsibilities for the identification, protection, presentation and management of Ktunaxa cultural resources in parks and protected areas.
7. [Confirmation that management actions and operational expenditures do not become treaty obligations]

Provincial Interim negotiating instructions do not provide for the negotiation of Ktunaxa law making authority

May be moved to General Provisions

Drafting conventions:

all parties; *KKTC*; *British Columbia*; *Canada*; [not yet agreed]; (elaborations); additions; ~~deletions~~

-
8. Maintaining public use and enjoyment of parks and protected areas.
 9. Nature and extent of Ktunaxa access to parks and protected areas to exercise rights set out in the Final Agreement.
 10. Fostering Ktunaxa economic opportunities in parks and protected areas, [without creating treaty obligations].