

Ktunaxa STRONG

Vision Statement

Kɛmakʔa ksukʔuʔa-k
kuʔqani ɛ kitqakiʔ haqa
ksiʔʔ ɛxa ʔa-kʔukqaʔis
ksukiʔqukaʔmi-ka kiʔin
Ktunaxa naʔs ʔamakʔis.

Qus piʔaks ɛ naʔs ɛxaʔ
yaqanakiʔ haqaʔki.

Kitqawiɛmu kakiʔwiɛkiʔ
ʔamakʔis kisnikɛik
kɛxaʔ qa kiʔkʔaxuxami-k
kitqakiʔ haqa ɛ kisʔin
ʔaknumuɛtiʔis.

Strong, healthy citizens
and communities,
speaking our languages
and celebrating
who we are and our history
in our ancestral homelands,
working together,
managing our lands and
resources, within a
self-sufficient,
self-governing Nation.



Welcome

Ktunaxa Strong is not only about being strong, healthy citizens. It's about being a Nation that is strong in its values and beliefs. Our Vision Statement not only guides us, it also grounds us as a Nation. It is a constant reminder of our aspirations as a Nation.

One of those aspirations is being a self-governing Nation.

The work of the Treaty staff is all about the self-governing Nation part of our Vision Statement.

The Treaty Team presents this first issue of our bi-monthly newsletter as one of many ways to keep you, the Citizens, updated and informed.

Look for it every two months.

Quick question...

Do we have your current contact information, including your mailing address or email?

Not sure? Please reach out to check with Rachelle Sebastian by calling (250) 489-2464 ext. 4063. Or send her an email at: Rachelle.Sebastian@ktunaxa.org





Uh oh! The “T” word.

Yeah, we get it. “Treaty” is a word that has become a bit tarnished. But why is that? It’s true that we have been at this ‘treaty thing’ for quite some time.

Consider this, though: Sometimes getting it right takes some time. They say that “only fools rush in.”

Maybe only fools rush *out*, as well.

The late Leo Williams used to talk about “chewing on something long enough to decide if you can swallow it or not.”

So let’s chew on the “T” word for a bit.

Treaties are as ancient as we are.

A treaty is nothing more than an agreement between two or more groups on how they will coexist.

The B.C. Treaty process is about just that.

It’s a way for First Nations and the governments of Canada and B.C. to agree on how we will co-exist on a government-to-government (G2G) basis. A treaty is only what the three parties agree that it will be. And every treaty is different.

The Ktunaxa Treaty will be what the Citizens of the Ktunaxa Nation agree for it to be. The fact is that the treaty-making in B.C. has evolved quite a bit over the years. Court decisions and international declarations such as the *UN Declarations on the Rights of Indigenous Peoples (UNDRIP)* have resulted in new approaches to treaty-making in B.C. The Ktunaxa Treaty team is taking full advantage of the opportunity to explore a new Ktunaxa approach.

By Rosemary Phillips

Find the
mistakes,
win a prize!

Somewhere in this newsletter
are two *intentional* spelling
mistakes. Find them both, email
Keith at keith.clement@ktunaxa.org
with your answers, and we’ll enter you into
a draw for some great prizes.

BONUS: Find the *unintentional* spelling
mistakes, and we’ll enter your
name twice. **Treaty Team:**
Making typos work for you...
since 2020!



Nothing Less Than We Have Now!

The direction that was given by Ktunaxa Citizens when the Ktunaxa Nation entered into the B.C. Treaty process included:

“The Ktunaxa Nation will negotiate a Treaty with Canada and B.C. that will not result in either a loss or erosion of existing Aboriginal rights.”

As negotiators, we are always mindful of this direction. It would be a non-starter to present something to Ktunaxa Citizens that resembled a “full and final settlement of rights.”

This is one of the main reasons a new approach is necessary if the Ktunaxa Nation is to continue to pursue our goal to be a self-governing Nation.

A *new* approach

In the fall of 2017, the Treaty team provided a “Moving Forward” update to Ktunaxa Citizens in the form of a mail-out, followed by a series of community information sessions.

The purpose of the update was to inform Ktunaxa Citizens about the proposed new approach, and to get a general sense of support for exploring this new approach.

The feedback that we received from Citizens was one of the cautious optimism.

There have been many updates and community sessions since 2017, providing more information as we progress.

Here is a quick refresher:

The new approach is, for the time being, referred to as the “stepping stone approach,” which includes both **Rights Recognition** and **Core Treaty**.

Rights Recognition is changing the “certainty approach” from “full and final” to “existing rights as they exist”—and building ways for them to evolve over time.

Core Treaty is changing the overall structure of the treaty to something more akin to the Canadian Constitution, where the essential elements are in the Core, and other matters around how to implement those elements are in other G2G agreements.

Essential elements include how the Ktunaxa Government fits into Canada (structure, G2G relationships, relationship of laws, etc.), what powers the Government has, and what rights the Government and its Citizens have.



Where are we now?

As you may have heard, the Interim Citizenship Code was adopted through a referendum in May of 2018. Maybe you voted!

Now you can check out the Citizen Enrollment section of the Ktunaxa website for more information about Citizenship, including how to enroll, and Frequently Asked Questions.

You are always welcome to contact Rachelle Sebastian, Citizen Registrar.

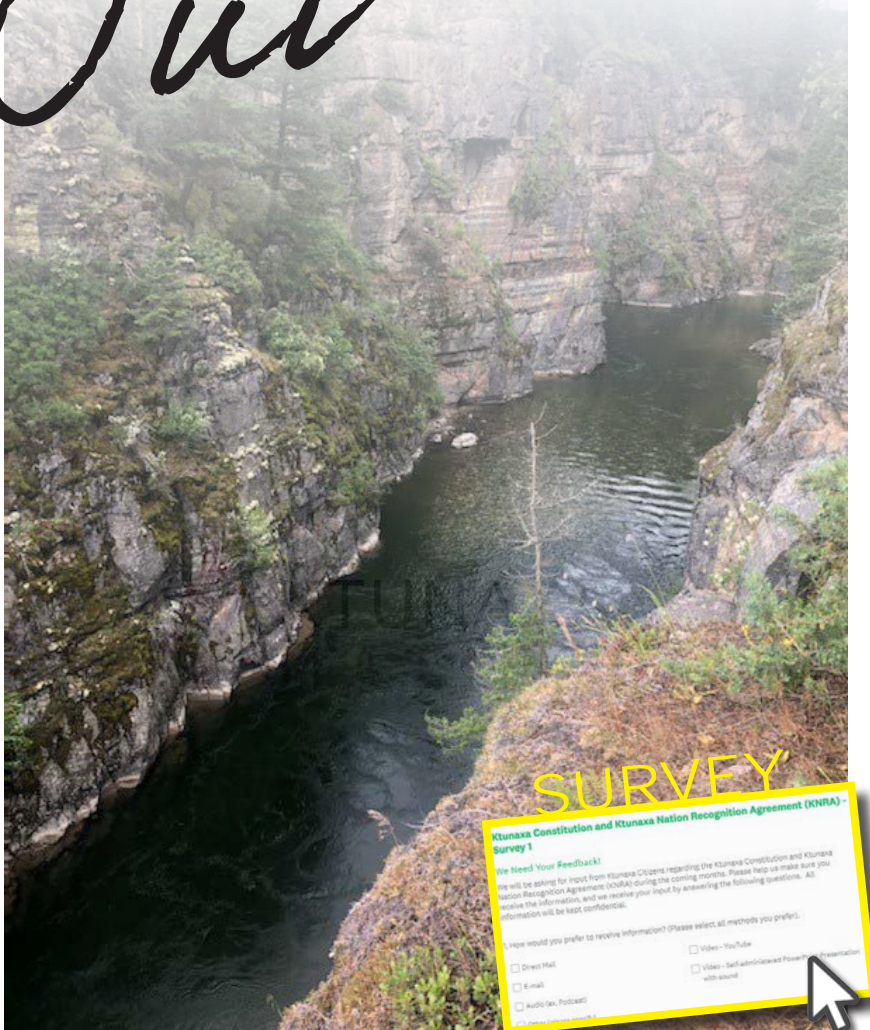
Rachelle.Sebastian@ktunaxa.org

**CITIZENSHIP
ENROLLMENT**

IS THE CURRENT STEP.
BECAUSE ONLY CITIZENS
CAN DECIDE NEXT STEPS.



Our CONSTITUTION



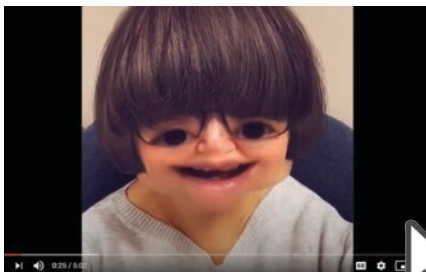
The Constitution Working Group (CWG) was assembled in June of 2017. Its purpose is to provide guidance and support regarding the completion and ratification of the Ktunaxa Constitution, including Citizen, leadership and appropriate staff engagement.

The CWG consists of mainly Citizens and is supported by Nation staff and a very knowledgeable legal team.

The CWG is working hard to complete the engagement draft of the Ktunaxa Constitution. Once that engagement draft is completed, our Citizen Engagement Coordinator, Keith Clement, will be looking for your input.

Please help Keith by completing a short survey by clicking on this link <https://www.surveymonkey.com/r/QYHZ9V8> or entering the URL into your browser search bar. You could win one of four \$50 prepaid credit cards.

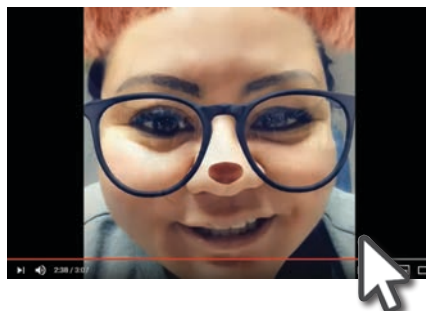
Ktunaxa Constitution Discussion



What exactly IS a constitution? Listen as Johanne Allard and Anna Morigeau go over the main points in this funny video.

<https://www.youtube.com/watch?v=c9heJlsE7DE>

Ktunaxa Interim Constitution



Çupqa and Nupqu talk about the Ktunaxa Nation Council Interim Constitution in this three-minute video created by Johanne Allard and Anna Morigeau.

<https://www.youtube.com/watch?v=bF3v1U2ZRE0>

A copy of the Ktunaxa Constitution Engagement Plan and the Draft Constitution will be available soon.

For more information, or for help with accessing the survey, send Keith a text, email or even give him an old-fashioned phone call.

He'd really like to hear from you.

Keith.Clement@ktunaxa.org
250-421-7680.

KTUNAXA NATION

RECOGNITION AGREEMENT

KNRA

The pursuit of recognition is not a recent undertaking.

In the 1920s, our ancestors had joined other First Nations from around B.C. in lobbying the Federal government for recognition. Their efforts took them all the way to Ottawa.

Here we are, almost a hundred years later, and we're almost there.

The Treaty negotiators continue to work on an engagement draft of the Ktunaxa Nation Recognition Agreement. The KNRA is key to defining our own government and having that government recognized by the rest of the world—one of the first steps in the stepping-stone Nation Rebuilding process.

Self-determination cannot occur in a meaningful way if we continue to be treated in the same way as “the local bowling club”—as a society, under the *B.C. Societies Act*. We must be recognized as a government who is acting on behalf of, and following, Citizen wishes.

Citizen Engagement will begin as soon as the KNRA Engagement Draft is completed.

The objectives of that engagement process are listed in the following table.

If you would like to see the KNRA Engagement Plan, please contact Keith Clement.
Keith.Clement@ktunaxa.org



SELF-GOVERNMENT

EMPOWER

To place the final decision in the hands of Ktunaxa Citizens.

INFORM

To provide Leadership and Citizens with information about the KNRA, its purpose and its importance in achieving the Nation Vision.

CONSULT

To obtain input and feedback regarding the KNRA.

INVOLVE

To work with Leadership and Citizens throughout the engagement process to ensure that concerns are consistently understood and considered.

COLLABORATE

To ensure Leadership and Citizens have the opportunity to be engaged and feel a sense of ownership.

CORE *Treaty*

The Treaty table has spent a lot of its time exploring a new approach and the KNRA.

We are just starting to get back to discussing the Core Treaty.

The idea behind a Core Treaty is to avoid “stuffing” everything into a long-standing agreement, especially when much of that “stuff” will likely change as our G2G relationships and Aboriginal Rights and Title become more defined.

So what will go into a Core Treaty?

The thinking is that *only those elements of the treaty that need to be protected under Section 35 of the Canadian Constitution* would go into the actual Core Agreement.

Other aspects of the relationship would go into annexes and side-agreements. Section 35 protection would not be subject to the changing policies of Federal and provincial governments.

The annexes and side agreements would allow for the evolution of both relationships and rights. They will allow us the flexibility to “draw down” jurisdictions when we are ready to do so.

An example is the co-management or stewardship aspects within ʔamakʔis Ktunaxa.

The commitment for co-management would likely be in the Core Treaty, so it could not be withdrawn by a change in government or a change in legislation.

The details of how that co-management happens would be in an annex or side agreement so it would be able to grow with us.

The Core Treaty approach creates the foundation and basically addresses three fundamental questions:

- 1)** Who our **C**itizens are;
- 2)** How we govern ourselves; and
- 3)** How we interact with those who have come to live within our homelands.

Ktunaxa Citizens and leadership will be relied on for input and direction as we work our way through the chapters and negotiations.

The reality is that it will be several years before Ktunaxa Citizens are asked to vote on a Ktunaxa Treaty.

There is still a lot of work to do.

Treaty

Online resource:
Understanding Our Treaties

This website is a new initiative that engages you to learn about treaties in an interactive learning experience.

<https://www.understandingtreaties.ca/>



STAFF profile

With every issue of the Treaty Newsletter, we will profile a different staff member. You'll learn a bit about the person, their role, and what they are currently working on.

Because you will be hearing a lot from this person in the coming months, our first profiled staff person is Keith Clement.

Take it away, Keith!

Ki?suk Kyukyit

My name is Keith Clement. My Ktunaxa name is ?Inismi titqat' which loosely translates to Rainbow Man. My dad was Conrad Clement who was a member of ?aqam (St. Mary's) and my mom is Anne Jimmie, who was formally a member of ?akisq̓nuk (Columbia Lake) but is currently a member of Yaqa Nu?kiy (Lower Kootenay). I, too, was a member of ?akisq̓nuk, but then I transferred to Yaqa Nu?kiy as a teenager and now I am a member of ?aqam.

It is a pleasure to be working with the Ktunaxa Nation Council again after a 11-year hiatus. I originally started my employment with the Ktunaxa Nation Council from 1992-2008, filling the positions of Information Manager, Database Administrator, Community Liaison, and Enrollment Coordinator.

Over the next 11 years I have spent the majority of my time in the Lower Mainland area working and going to school with a brief period in Kamloops and Creston. My educational background has always been in computers, (GIS), database administration, computer networks, computer-aided drafting (CAD) and, more recently, Building Information Modelling (BIM).



As the Citizenship Engagement Coordinator, my main focus will be listening to the Ktunaxa Citizens for their input, initially on the Ktunaxa Constitution and the Recognition Agreement.

Although Covid-19 has limited my ability to actually have in-person visits with the Ktunaxa Citizens, I am looking forward to contacting citizens via video conferencing or telephone.

I will also be working on a weekly podcast and developing some educational videos, which will be released soon.

In closing, I want to say that it is imperative that all Ktunaxa Citizens voice your opinions or concerns with respect to the Ktunaxa Constitution and the Recognition Agreement.

I look forward to hearing from Citizens.

Reach me on my cell at 250-421-7680 or by email at Keith.Clement@ktunaxa.org.

Are you interested in courses on Indigenous Governance through the Native Nations Institute?

Tucson Online is offering a number of courses from January 4th to 30th, 2021.

Ten FREE seats are being offered to Ktunaxa Citizens. See the flyer on the last page!

Space is limited, so email Darlene.Trach@ktunaxa.org by December 21, 2020.

The names of those who respond will be drawn by lottery.



UPCOMING OPPORTUNITIES

SPEAKER SERIES

Keep your eyes open for more information on our Speakers Series. This series will bring high-profile Aboriginal people such as academics and political figures into your living room via technology.

We will assist you in accessing the tech and learning how it works, too.

FOCUS GROUPS

If you would like to take a more hands-on role in shaping our future as a Nation, how about putting your name forward to participate in one of our focus groups?

Stay tuned for details—or contact Keith to express interest: Keith.Clement@ktunaxa.org



<https://www.youtube.com/watch?v=6QQT2s3WrE8>

Steven Point – What is Treaty?

From the video produced by Stó:lō Xwexwilmexw

Treaty Association: *"It's an agreement.*

An agreement between nations. We've never signed a treaty where we've given up our land.

Yet Europeans have come. They've occupied our territories, they've taken our trees, they've taken our minerals. We've never been recognized for all that we've given up. A treaty will finally set us on the correct path as a nation."



<https://www.youtube.com/watch?v=ZLuDiVYPP2E>

The Constitution Train

This video has been developed by Elections Canada as part of an educational resource for secondary students.

The video contains historical photos and a transcript is available here:

<https://electionsanddemocracy.ca/civic-action-then-and-now-0/aboriginal-and-treaty-rights-canadas-constitution-video-transcript>

THE INDIGENOUS GOVERNANCE PROGRAM
AT THE UNIVERSITY OF ARIZONA PRESENTS

January
IN TUCSON 2021

ONLINE COURSES

**INDIGENOUS
GOVERNANCE
LAW & POLICY**



**LIVE STREAMING
JANUARY
4th-30th**

~~**\$750**~~

**COVID-19
Response Discount:**

**\$500
PER CREDIT/COURSE**

Online Course Schedule

AM 8:00AM - 12:20PM PM 1:30PM - 5:50PM

WEEK ONE: MONDAY-WEDNESDAY, JANUARY 4-6

LAW 631D REBUILDING NATIVE NATIONS: AN INTRODUCTION
Stephen Cornell

LAW 579A INDIGENOUS PEOPLES' RIGHTS UNDER INTERNATIONAL LAW
Seanna Howard

THURSDAY-SATURDAY, JANUARY 7-9

LAW 631K THE EVIDENCE FOR NATIVE NATION BUILDING
Miriam Jorgensen & Jonathan Taylor

LAW 631U INDIGENOUS RESEARCH GOVERNANCE
Stephanie Russo Carroll & Dominique David-Chavez

WEEK TWO: MONDAY-WEDNESDAY, JANUARY 11-13

LAW 631M COMPARATIVE LEGAL SYSTEMS & THEIR ROLE IN NATION BUILDING
Robert A. Williams, Jr.

LAW 631P INDIGENOUS DATA SOVEREIGNTY
Randall Akee & Desi Rodriguez-Lonebear

THURSDAY-SATURDAY, JANUARY 14-16

LAW TBD RESPONDING TO PROBLEM GAMBLING: WHAT TRIBES NEED TO KNOW
Miriam Jorgensen & Celeste Napier **NEW!**

LAW 656A INTERGOVERNMENTAL RELATIONS
Del Laverdure & Jaime Pinkham

WEEK THREE: MONDAY-WEDNESDAY, JANUARY 18-20

LAW 656B COMPARATIVE INDIGENOUS GOVERNANCE
Stephen Cornell & Daryle Rigney

LAW 631L CONSTITUTIONS OF INDIGENOUS NATIONS
Alison Vivian & Miriam Jorgensen

THURSDAY-SATURDAY, JANUARY 21-23

LAW 631T TRIBAL BUSINESS LAW
Matthew L.M. Fletcher

LAW TBD INDIGENOUS LEADERSHIP FOR NATIVE NATION BUILDING
Karen Diver & Chellie Spiller **NEW!**

WEEK FOUR: MONDAY-WEDNESDAY, JANUARY 25-27

LAW 631J MAKING CHANGE HAPPEN
Miriam Jorgensen & Stephen Cornell

LAW 525 NATIVE ECONOMIC DEVELOPMENT
Joan Timeche

LAW 631S INDIGENOUS PEOPLES AND THE ENVIRONMENT
Torivio A. Fodder & Robert Joseph

THURSDAY-SATURDAY, JANUARY 28-30

LAW 631O CREATING INDIGENOUS ENTREPRENEURS
Mark Selman & Chris Derickson

LAW 631I INDIGENOUS ORGANIZATIONS
Danielle Hiraldo & Cheryl Ellenwood

REGISTER TODAY
▶ ▶ ▶ igp.arizona.edu

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**NATIVE NATIONS
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& the University of Arizona

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**Indigenous Peoples
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