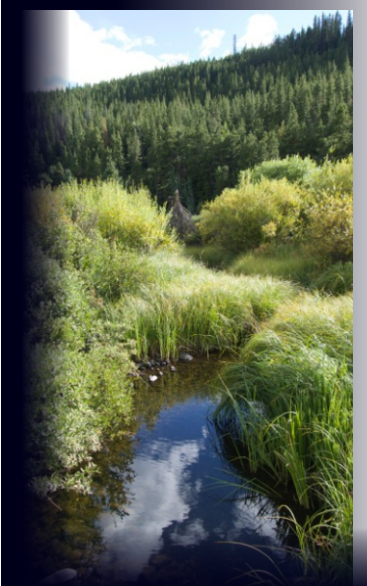
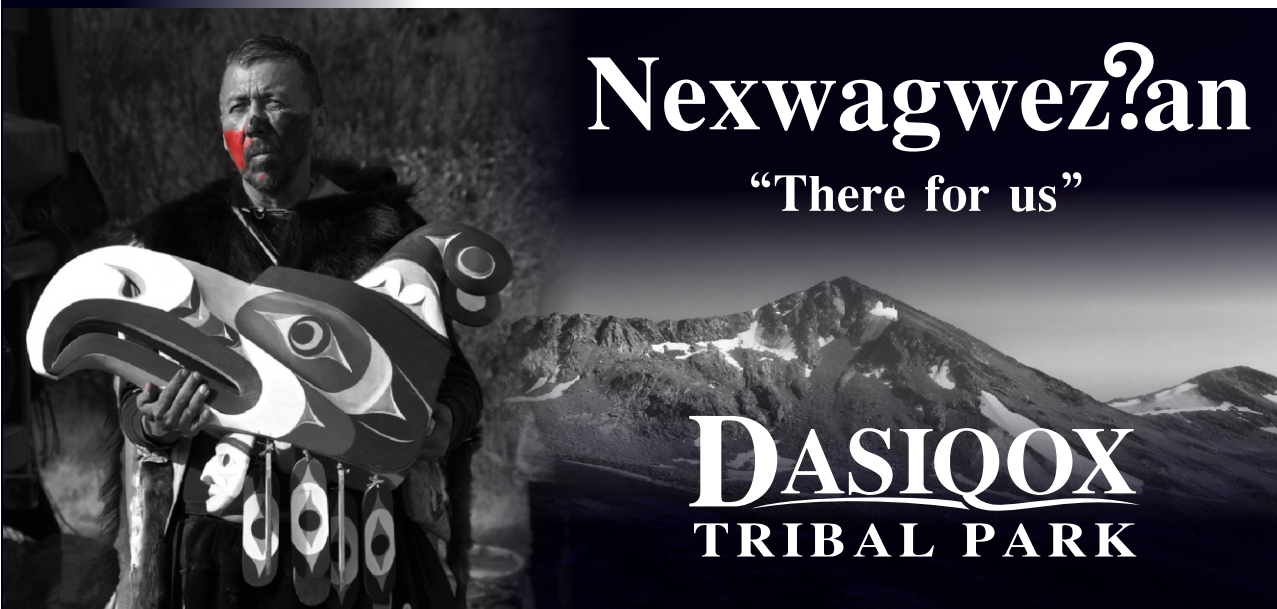


Draft Position Paper

March 2016



**Draft Position Paper
Nexwagwez?an
Dasiqox Tribal Park
March 2016**

Nexwagwez?an
“There for us”

DASIQOX
TRIBAL PARK

Dasiqox Tribal Park is an area of land that is critically important to the Tsilhqot'in. The Xeni Gwet'in and Yunesit'in Government are working collaboratively to build a common vision based on Tsilhqot'in values and laws, and develop and implement plans that fully address ecosystem stewardship, an economy for sustainable livelihoods, and cultural revitalization.

Dasiqox Tribal Park is an expression of governance initiated by the Xeni Gwet'in and Yunesit'in Government and supported by the Tsilhqot'in National Government. The leadership of both communities recognizes a pressing need to construct an alternative vision and land governance system that reflects the values of the local people who live from the land. The Dasiqox Tribal Park is also called Nexwagwez?an — literally meaning 'there for us' — to describe an area that prioritizes Tsilhqot'in values, ensuring that it remains of benefit to future generations.

The purpose of this position paper is to present the rationale and general direction of the Dasiqox Tribal Park. This document addresses the context, highlights key themes, and invites consultative steps to open up discussion as the initiative takes shape and moves through implementation.

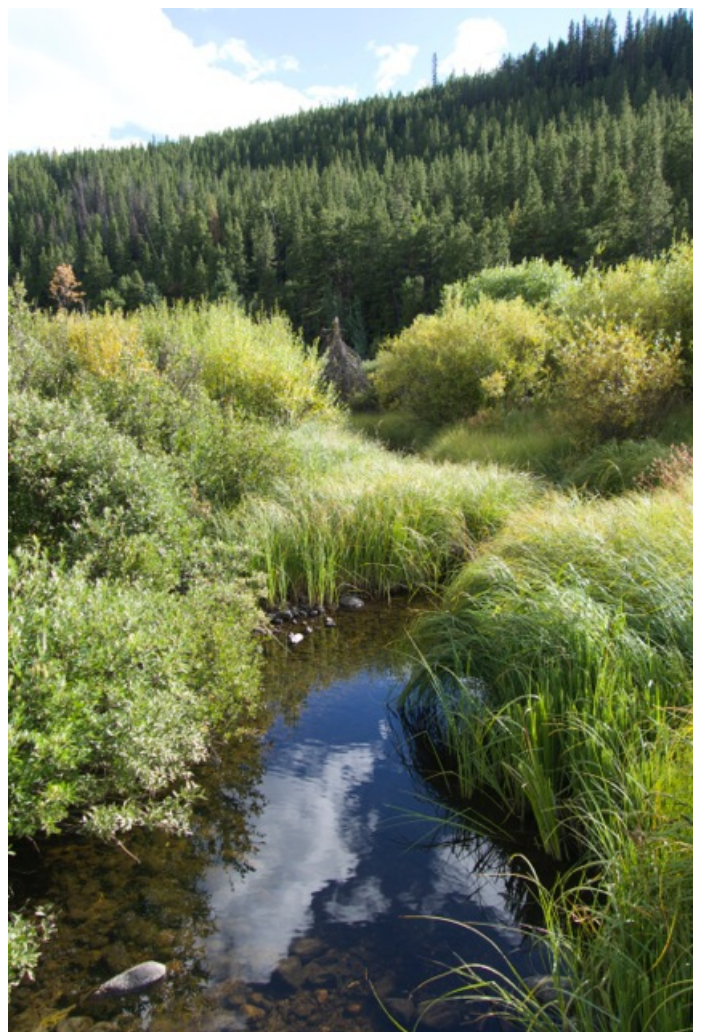
BACKGROUND

On October 4, 2014, the Dasiqox Tribal Park was announced. Central to this announcement was an event at Teztan Biny and the raising of a totem pole to celebrate the success of the Tsilhqot'in Nation in protecting this profound culturally and spiritually significant region from a proposed open-pit mining project. The event also celebrated the recent declaration of Aboriginal Title acknowledged by the Supreme Court of Canada and the establishment of this new reality in the form of the Tribal Park.

The totem pole, delivered as a gift to the Tsilhqot'in Nation by renowned Nuu-Chah-Nulth Master carver Tim Paul, is central to the creation of Nexwagwez'an. For the Nuu-Chah-Nulth, the woman, the wolf and the serpent carved in the totem pole represent creation. For many Tsilhqot'in, this is a reminder of Lhin Desh'oysh — a creation story, which highlights how the land was formed. To both the Nuu-Chah-Nulth and Tsilhqot'in, the symbol of the salmon captures a commonality in our approach to maintain clean water in perseverance of our main food source and respective cultures. The gesture of the gift was reciprocal in support of each other's struggles over the years. It remains a meaningful reflection of the change that is occurring and the event itself is testimony to the importance of our collective relationship to the land and the people who belong to it.

Since the announcement and gift giving ceremony, the Xeni Gwet'in and Yunesit'in Government's leadership has been actively organizing to develop capacity and formalize a planning process. The Dasiqox Tribal Park is beginning its initial phase of planning by first producing this position paper as a catalyst for discussion.

In addition, the Supreme Court of Canada decision, announced on June 26, 2014, has triggered engagement with the Tsilhqot'in and the Crown in negotiating how lands will be shared and managed. On February 11, 2016, the Province of British Columbia signed the Nenqay Deni Accord, a five-year reconciliation framework agreement to move into negotiations. It is expected that there will be a dialogue concerning the vision of all Tsilhqot'in lands, including the Dasiqox Tribal Park, and through negotiation there may be cooperation in managing the land through shared or joint decision-making, and/or land use planning.



CONTEXT

As a result of the Supreme Court of Canada

decision regarding Tsilhqot'in, there is a new path emerging as part of the reconciliatory context between the Tsilhqot'in and the Crown. The courts have issued an incentive to reconcile differences and historic wrongs. The Dasiqox Tribal Park emerges as a reconciliatory pathway to reconstruct the relationship with the Crown, expressing a vision that was suppressed by the denial of Tsilhqot'in authority to land, and out of the vision, the potential to arrange a new means of governance based on the Tsilhqot'in value-system and higher expectations of legitimacy. There are four main factors that compel the need for change in order to evolve into a new arrangement.

First and foremost, the Tsilhqot'in are motivated by the rising expectations in communities to repair the existing colonial apparatus that is untenable and prone to increasing conflict. In recent decades, the Crown has woefully neglected the Tsilhqot'in perspectives in planning and managing the land. This historic failure of the Crown to properly engage in a consensual relationship must be altered if there is to be any peace.

Second, the Tsilhqot'in are inspired by the Supreme Court of Canada's unanimous decision to recognize the existence of Aboriginal Title. It took 25 years to render a decision, which was initiated as a result of Xeni Gwet'in's stand against clear-cut logging in the Brittany Triangle and Xeni Gwet'in trapline. Though British Columbia attempted to get involved, as the Tsilhqot'in we felt land use plans should be done after the Title questions was settled. With Title, Xeni and the Tsilhqot'in Nation now hold exclusive control to the area. It reaffirmed the 2007 opinion expressed by the trial judge, which was based on extensive testimony from Tsilhqot'in elders. It was clear that the Tsilhqot'in ought to be a beneficiary and to manage their land as they see fit.

Third, the Tsilhqot'in have been impacted greatly by climate change and damage to the ecosystem by the pine beetle epidemic and forest harvesting. The Provincial Cariboo Chilcotin Land Use Plan failed to include First Nations values and did not anticipate the drastic change in strategies required to mitigate the impacts of climate change, the cumulative impacts of the pine beetle epidemic and mass extraction of forests. Therefore, there is an immediate need to re-adapt and ensure a wider spectrum of values are reflected in a new approach that incorporates the pending consequences of climate change.

Fourth, the Tsilhqot'in are recovering from the effects of colonialism as a result of diseases, an artificially imposed Indian Act and reserve system, abusive residential schools, and government indifference to the cultural, economic and general wellbeing of a people. Part of this recovery involves regaining dignity and affirming the core parts of a person's cultural identity. Another aspect of recovery involves reconnecting to the land and people. Healing requires the culture, and by extension, the integrity of the land to produce a moderate livelihood.

Taking into consideration these factors, the Dasiqox Tribal Park is initiated to provide an opportunity and alternative to the status quo and the colonial apparatus of control that the Crown has held illegitimately, which the Tsilhqot'in are quickly outgrowing. A "Tribal Park" was chosen because the expression of governance is unconventional; similar to sui generis nature of Indigenous law in the Canadian context, the Tribal Park cannot be captured by classic park designations, nor the current land management framework. The core elements of planning outline the scope of the Dasiqox Tribal Park initiative and further illustrate why this is unique to current government initiatives and programs.

CORE ELEMENTS OF PLANNING

The Dasiqox Tribal Park initiative incorporates three interconnected themes: Ecosystem Stewardship, Economic Sustainable Livelihoods, and Cultural Revitalization. The three themes demonstrate a divergence from the Crown's approach because it involves the Tsilhqot'in perspective of culture and economy in relation to the ecosystem.

1. Ecosystem Stewardship

From the perspective of the Xeni Gwet'in and Yunesit'in Governments, it is of extreme importance to apply an ecosystem based approach to managing the landscape, to maintain the biodiversity of key species and their related habitat. Previous work within both communities has identified the link between the integrity of forests and the way in which animals play a part in supporting the ecosystem. Some of the key species identified within the Dasiqox Tribal Park area include: grizzly bears, wolverine, salmon, mountain goat and sheep, wolves, deer, moose and the plants, trees and roots that support these species.

First steps have been initiated in identifying watersheds, soil and forest composition. The next steps, in the design phase, may include defining principles to ensure that adequate protection is provided to ensure that a healthy habitat for humans and animals can thrive along side the local economy, with the spatial access to regenerate culture.

2. Economy for Sustainable Livelihoods

Sustainable economies are a challenge for those who live in the Tsilhqot'in, a rural setting. On the one hand, the Tsilhqot'in people continue to embrace traditional means of sustenance: hunting, fishing, gathering berries and roots, collecting medicine. On the other hand, the Tsilhqot'in people have also accepted

segments of the cash economy. Yet the Tsilhqot'in have consistently expressed that economic activity in their territory should be based on their value system. For example, economic activity must support the integrity of forests so that they are not exhausted and traditional means of sustenance are maintained.

A preliminary step has been taken, as both communities have generated economic plans. Next steps include conducting research based surveys (i.e. to identify skills) and studies (i.e. to identify sources of cash leakage) to gather more information. Community and economic development can then proceed in a direction based on the strengths of the people and geography. The Xeni Gwet'in and Yunesit'in Governments have not focused on the mining or the forest industry, and are committed to a renewable and value-added approach to development.

3. Cultural Revitalization

Cultural revitalization requires a series of actions to reinvigorate the core teachings of the Tsilhqot'in and ensure children and future generations have access to practicing their culture and language. Many of these activities are specific land-based activities.

Land is life for Tsilhqot'in people — whether for the purpose of healing, or health, education, or economy. Tsilhqot'in people have a responsibility to learn their language. The language is learned through time spent on the land, and it contains the laws, stories, songs, and teachings in relation to the land. Thus, the centrality of culture as a foundational component of governance also reflects the Ecosystem Stewardship and Economy for Sustainable Livelihoods.

CONCLUSION AND NEXT STEPS

The Dasiqox Tribal Park is being employed the Xeni Gwet'in and Yunesit'in Governments as a model of governance to rebuild our communal relationship to the land. This approach considers the character of people, their history, the legacy of colonialism and the immediate need to heal and revitalize the core teachings, while always being conscious of future generations. This initiative seeks to interconnect three main themes: Ecosystem Stewardship, Economic Sustainable Livelihoods, and Cultural Revitalization. Much of the work on these themes is underway and has been ongoing. However, it is time to harness existing research and plans in order to continue to build on the strengths of local people.

While it is anticipated that there needs to be energy placed on engagement within the communities to garner a vision, mission, goals and objectives, the door is open to local residents, governments, and industry to be involved in this process. Moreover, the Provincial government is offered a chance to review the intent and direction of Xeni Gwet'in and Yunesit'in Governments, and to act in partnership to fulfill the desires and plans that are developed by the Dasiqox Tribal Park initiative.

We encourage feedback with a deadline of August 31, 2016.



“There for us”

