



2017 Inherent Rights Workshops Summary

“Inherent means that something is yours and *always* has been yours.

Exercising your Inherent Rights means protecting it all.”

Nation building and self-government were the issues that brought the subject of Inherent Rights to the forefront for Lilwat Nation Leadership in 2016/17. The goal? Better lives for all **Lilwat7úl** (People of the Land).

In November 2016, Lilwat Nation contracted the Centre for First Nations Governance (CFNG) to deliver a series of workshops to Leadership, staff and **I Ucwalmícwa** (The People), to examine how the Nation could meet its goals of self-governance and self-determination.

CFNG senior associates Satsan (Herb George) and Chris Robertson worked first with Chiefs and Council to create greater understanding of what moving towards self-governance within an Inherent Rights framework would look like. The next step was taking this information out to the community for input.

Three two-day workshops were held in January, February and March of 2017. This executive summary looks at the format, content and outcomes of these workshops.

PURPOSE OF THE WORKSHOPS

The purpose of the workshops was to build greater understanding the role Inherent Rights play in Nation building and self-governance. As well the workshop examined the critical importance of the Nation exercising Lilwat Title and Rights to ensure an independent future lived outside the oppression of the Indian Act.

The aim of these workshops was to gather information to create an Inherent Rights Governance Strategy, the blueprint for how Lilwat Nation Leadership should move forward to reach its goal of self-governance. Self-governance has been a goal promoted in all of Lilwat Nation's Strategic Plans since 2005. More than a decade later, the time has come to move forward.

WORKSHOP FORMAT

To gain as full an understanding of Inherent Rights, three two-day workshops were developed by CFNG with the hope that people would attend as many sessions as possible. These sessions were held over three weekends in January, February and March.

At the core of all sessions were creating an understanding of Inherent Rights, Lilwat Title and Rights, The Indian Act and the Five Pillars of Good Governance. The Five Pillars of Good Governance provided the framework for smaller group discussions that helped define how this could be applied to **Lilwat7úl** life, tradition and culture.



The CFNG senior associates led, with the assistance of **Skalúlmechw** Chief Dean Nelson, groups of up to more than 50 people through a discovery process that included exploring The Indian Act, reviewing precedent setting case law pertaining to Aboriginal title and rights, and developing strategies for supporting the Five Pillars of Good Governance. These pillars are:

1. The People
2. The Lands
3. Laws and Jurisdiction
4. Institutions (Governance and Services)
5. Resources

WORKSHOP PROCESS

The workshops used a process called Open Space, which allows participants to set the agenda, have their say and engage in discussions that take as long as necessary.

Each morning of each workshop began with a review of material presented at previous sessions, before new information was presented. Afterwards, participants broke into groups to discuss specific points and issues. The informa-

tion gathered in these smaller groups was reported back to the group at the end of day and submitted to the facilitators to use in creating an Inherent Rights Governance Strategy. These smaller breakout groups allowed for more ground to be covered during the session. The smaller groups ensured all **Lílwat7úl** voices were heard. From creative ideas for increasing understanding of Inherent Rights to questioning how best to move towards self-governance, all input was gathered for consideration moving forward.

WORKSHOP PARTICIPANTS

Lílwat7úl Elders, youth and adults attended the workshops. The January and February sessions were held at Úllus Community Complex. The March workshop was held at Xetólacw Community School.

WHAT ARE INHERENT RIGHTS?

There are many views among First Nations about what Inherent Rights mean.

For some, Inherent Rights refer to the gifts of The Creator: instruction on how to live that created the foundation for all First Nations' culture and traditions.

Others believe Inherent Rights refer simply to how **I Ucwalmícwa** lived, and their relationship to the land, before European contact.

And still others consider Inherent Rights as a term that encompasses the Crown's commitment to Aboriginal rights as expressed in Section 35 of the 1982 Canadian Constitution Act. (Inherent Rights are further entrenched in Section 25 of the Canadian Charter of Rights and Freedoms.)

"The guarantee in this Charter of certain rights and freedoms shall not be construed so as to abrogate or derogate from any Aboriginal, treaty or other rights or freedoms that pertain to the Aboriginal peoples of Canada including:

1. Any rights or freedoms that have been recognized by the Royal Proclamation of October 7, 1763;
2. And any rights or freedoms that now exist by way of land claims agreements or may be so acquired."

Inherent Rights are not something that are granted by Crown but rather a set of rights that are intrinsic to First Nations lives and must be respected. These rights have always been and always will be the cornerstone of self-governance.

THEMES THAT EMERGED AT INHERENT RIGHTS WORKSHOPS

WORKSHOP #1: OUR PATH FORWARD

January 20 and 21, 2017

The themes running through the exercises of the first two days of the Inherent Rights workshop were recognition of “where we were and where we want to be.” The loss of identity through historical impacts, the recognition of traditional governance models, current strengths and weaknesses and ultimate desires were expressed through facilitator led exercises that included smaller breakout groups brainstorming the issues that arose.

The priorities identified by the participants will be used in creation and implementation of the Nation Re-building process and Inherent Rights Governance Strategy to ensure good government.

At all three workshops participants broke into smaller groups to examine the Five Pillars of Governance and express what the idea meant to them. As well, the groups considered how the Indian Act had impacted their lives and community.

The themes identified in the first workshop continued to be echoed in the February and March sessions, these themes were:

People: I Ucwalmícwa (The People)

Participants considered what it meant to be **Liíwat7úl**. Among the comments were that “**Liíwat7úl** are People of the Land who are also **Státýemc**.” The group also felt that **I Ucwalmícwa** should ideally live in **Ntákmén** (Our Way), governed under **Nxekmin** (Our Laws) and embrace **Liíwat Ucwalmícwts** (Liíwat Language) and culture.

Land: Ucwalmicw Tmicw (People and the Land are one)

This group consider the land in terms of **I Ucwalmícwa** being the protectors/stewards of the land as the People and the Land are one. The group expressed the importance of the right to use **Liíwat7úl** oral history to define Liíwat territory: how it is used, occupied and protected.

Laws: Tsuwalhkcaw Tmicw (Our control over the land)

Participants in this breakout groups expressed the importance of observing, and enforcing **Nxekmin**, oral and community laws. It was also stated that since time immemorial **I Ucwalmícwa** have lived responsibly, guided by the principles of sustainability.

Institutions/Governance and Services: Skel7awlh (Leaders on the Land)

Participants considered the institutions that affect **I Ucwalmícwa**, from the Canadian Justice System to **Liíwat7úl clans** (Wolf, Grizzly and Owl) and Liíwat’s government. At the core of this conversation was the need to review all relevant institutions and see how traditional ways can be applied to them. The group also asserted “the right to govern ourselves.” It was discussed how being a sovereign nation would empower

I Ucwalmícwa, allow the Nation to meet with the Canadian government “Nation-to-Nation,” and build community pride.

Resources: Matqmin tmicwa (Walking and knowing the land)

Liíwat’s abundant natural resources—trees, water, plants, animals, metals, medicines, food, salmon, air, and minerals—were considered as important economic drivers. The group felt strongly about ensuring these resources, and the economy they supported, were sustainable and managed by **Liíwat7úl**. It was also expressed that it was important that everyone their understand roles and responsibilities to the land, resources and each other.

Note: *The comments regarding the Indian Act revolved around a central theme: the act had only served to keep **I Ucwalmícwa** oppressed, robbing the Liíwat Nation of its culture, language, and children.*



WORKSHOP #2: OUR PATH FORWARD

February 25 and 26, 2017

The second workshop began with a review of the information presented in the January workshop. The session provided participants with considerable information on Liíwat Nation’s title to its territory and the rights and jurisdiction its citizens have to govern their land and themselves in accordance with their own vision. Participants actively engaged in facilitated exercises to discuss these matters. The comments supported that of the first Five Pillars of Good Governance breakout groups.

The beginnings of an Inherent Rights Governance Strategy emerged with discussion of Strategic Vision, which identified learning traditional Rights of Passage, **Ucwalmícwts**, and hands-on cultural activities as things that should be mandatory until they are common practice. As well, the group felt that every effort should be made for **Ucwalmícwts** word identification to be used to reference land, **Ntákmén** and **Nxekmin**.

Citleqam (Bring back our laws) and **Ntákmén** were also priorities, as was the creation of a cultural calendar for the community. Guided by our Creator and Ancestors, **Liíwat7úl** will learn and live in **Ntákmén** through our traditional ways of knowing, to respect and trust one another.

WORKSHOP #3: GOVERNING OUR LANDS OUR PATH FORWARD

February 25 and 26, 2017

Satsan led the participants through a review of what had been discussed and determined in the first two workshops:

- History of Lílwat's inherent right to self-government
- Five Pillars and principles
- Origin and Content of the Indian Act (our time in Canada)
- Legal history of aboriginal title and rights and section 35 of the Canadian Constitution
- Legal and constitutional recognition of our inherent right to self-government, recognition of Aboriginal title and rights, expansion and definition of section 35 of the constitution, consultation and accommodation and reconciliation
- The governance of our communities, territories and the new relationship with the crown
- Inherent Rights Governance Strategy

21 KEY TOPICS IDENTIFIED BY I UCWALMÍCWA

The group of approximately 50 Elders, adults and youth determined key topics that they wanted to address as the path towards self-governance moves forward. (Two topics, *What was Lílwat government system?* and *Lílwat control and of Lílwat children*, appear twice.)

Lílwat Language Spoken by All

1. How to be able to teach people the language (without reading and writing, as that can come later)
2. What was Lílwat government system?

Creating Traditional Leadership

3. How will we enforce our laws?
4. What is our Lílwat Law?
5. Lílwat control and protection of Lílwat children (Child Protection Law)
6. What was Lílwat government system?
7. What does Lílwat citizenship look like?

Transition from INAC to Ntákmen

8. Transition from INAC to Ntákmen
9. Storytelling and place names in Liłwata Tmica
Liłwatakwá Liłwata Tselalh
10. How to reach the colonized people in a positive way
11. How do we get people on Board that are afraid of change?
12. How can we encourage the Lílwat youth to participate in this process?

Bring Lílwat Past Forward - Protecting Úlúus Ul (Our Group Measurement)

13. Lílwat moving forward and protecting the process, continuity and the Movement, and this group
14. Adjusting our administration to support Lílwat's right to self-government

15. Lílwat protocols sharing in positive ways, why we do the things we do from the womb to passing
16. Bring Lílwat Past forward
17. Lílwat control of Lílwat education
18. Knowledge of Inherent Rights to Self-Government process and Lílwat Law
19. Buy into our mandatory language and culture teachings
Understand • Trust • Change • Accept

Lílwat Tmicw – Lílwat Traditional Territory (LTT)

20. How will we enforce our laws?
21. What is our Lílwat Law?
22. Lílwat control and protection of Lílwat children
23. Creating Traditional Leadership

RECOMMENDATIONS FOR MOVING FORWARD

1. Organize with a clear vision, consistent goal and specific objectives
2. Realizing self-governance
3. Formulating a proactive legal strategy
4. Formulating a political strategy
5. Territorial stewardship
6. Implement a consultation and accommodation strategy
7. Respect the Spirit in the land

WHY LEADERSHIP BELIEVES IN EXERCISING INHERENT RIGHTS

Control over Lílwat Territory should belong to Lílwat Nation. By exercising our Inherent Rights and moving towards self-governance the Nation can achieve this goal. And in doing so, it can open up economic opportunities that would reflect and respect Ntákmen and NxeKmin.

Currently, there is a 30 per cent gap between INAC funding and what is needed for Lílwat Nation to provide services for I Ucwalmícwa. As long as the Nation operates under the oppressive and racist Indian Act, it will do so under a model of "managed poverty." And things will continue as they have for the past 150 years.

Most Liłwat7úl can agree that the current system is not working. Leadership strongly believes that I Ucwalmícwa deserve to control their own destinies. Leadership believes self-governance will result in an empowered, economically sustainable Lílwat Nation where culture, language and spirituality are entrenched in daily lives.

The forthcoming Inherent Rights Governance Strategy, developed using the contents of the three Inherent Rights workshop reports and the findings of future community engagements, will set the path for this exciting journey.