

Treaty Negotiators of the Future

Final Report



Image by Pat Kane

The Gordon Foundation would like to thank all of those who participated in this research, including the Land Claims Agreement Coalition (LCAC) participants of the “Communicating and Understanding Treaties: Responsibilities of Generations to Come” breakout session, and several subject matter experts.

The views in this document do not necessarily reflect the views or opinions of The Gordon Foundation.

This document is available under limited copyright protection. You may download, distribute, photocopy, cite or excerpt this document provided it is properly and fully credited and not used for commercial purposes. For more information, visit creativecommons.org.



11 Church Street, Suite 400
Toronto ON M5E 1W1

Tel: 416 601 4776 | Fax: 416 601 1689

E-mail: info@gordonfn.org | www.gordonfoundation.ca

Contents

Background	4
Research Process	5
Existing Resources on Treaties.....	6
Innovative Resources and Methods.....	9
Final Recommendations	12
Appendix – List of Participants at the LCAC Breakout Session	13

Background

Treaties¹, both Historic Treaties and Modern Land Claims, are important shapers in the relationships between Indigenous Peoples and Canada. Starting in 1701, the British Crown entered into Historic Treaties with Indigenous Peoples to establish peaceful relations. In more recent times, Modern Land Claims are being negotiated to define the rights of Indigenous Peoples and governments in regards to the use of land traditionally occupied by Indigenous Peoples. Historic Treaties and Modern Land Claims play an important role in building nation-to-nation relationships. The legacy, process and impact of both types of treaties are important knowledge for Canadians and future Indigenous leaders who may be implementing treaties and negotiating their own land claims.

There are many lessons to be learned from negotiators, elders, and others who worked for years on Modern Land Claims. As time passes, many of these lessons are at risk of being lost. The Gordon Foundation received funding from Indigenous and Northern Affairs Canada (INAC) to gather information on current programs, curricula and initiatives that teach and engage emerging leaders on treaties. The purpose of this report is to present the research findings, and to provide recommendations for effective ways to engage and teach future generations about Historic Treaties and Modern Land Claims.

This report looks to answer the following questions:

- What curricula, programs or initiatives currently exist?
- What initiatives and/or projects exist to ensure the next generation of treaty negotiators will be ready to be at the table and support treaty implementation?
- Are there innovative resources and methods to engage emerging leaders in Historic Treaties and Modern Land Claims?
- What are the gaps and potential programs needed to support knowledge building around Historic Treaties and Modern Land Claims? And what are some recommendations going forward?

¹ The term 'treaty' includes both the Historic Treaties (made from 1701 to 1923) and the Modern Treaties, also known as Modern Land Claims.

Research Process

The information provided in this report was collected through various methods:

- A wide consultation during a breakout session at the Land Claims Agreement Coalition (LCAC) on November 14, 2017, entitled “Communicating and Understanding Treaties: Responsibilities of Generations to Come”.
- A preliminary 3-month mapping exercise of existing programs, curricula and initiatives on treaties, including an identification of gaps, and innovative resources and methods.
- Discussions with subject matter experts in Yellowknife, Northwest Territories (NWT).

Approximately 100 people attended the LCAC session, including government representatives, experts, and students.² Participants were asked to provide insight on existing initiatives and new approaches that motivate the next generation to leadership.

To begin the mapping exercise, selected LCAC participants were contacted for further information on existing treaty resources, and relevant contacts. An internet search was carried out and additional experts were contacted. The mapping answered the following questions:

- What curricula, programs or initiatives on treaties currently exist?
- What initiatives and/or projects exist to ensure future generations of treaty negotiators will be ready to be at the table and support treaty implementation?

The criteria for the mapping was broad. Resources were identified based on a wide age range (students in Kindergarten, primary and secondary school, post-secondary and graduate studies, and the general public), and included a minimum of one component on treaties. Gaps and innovative resources and methods were also identified.

In addition, a number of subject matter experts were contacted and provided insight on resources, gaps, new ideas, and recommendations for the next steps.

² For a full list, see the Appendix.

Existing Resources on Treaties

The mapping exercise identified a total of **56 existing programs, curricula and initiatives that have some focus on treaties in Canada**, including 1 relevant course in the U.S. This included **20 Kindergarten, and primary and secondary school courses/programs**, and **14 post-secondary and graduate courses/programs**. The Foundation also identified **22 interesting and relevant resources for the general public**, which could be applied to emerging leaders. It is important to note that due to time constraints, The Foundation was not able to provide a comprehensive list of all treaty educational resources across Canada.

While there appear to be numerous examples across Canada, there is no mandatory treaties-based education. Further, certain regions do not have region-specific educational resources on treaties. For example, in the South Slavey region of the NWT there is only the Government of Northwest Territories (GNWT) Northern Studies 10 curriculum which does not include specific treaty information. The list below provides the findings of the mapping exercise.

Educational Resources for Kindergarten, Primary and Secondary School

- Beaufort Delta Schools- Gwich'in Cultural Studies
- Tlicho, Dene First Nations, NWT- Tlicho History Curriculum, Teacher and Student Handbook
- Government of the Northwest Territories- [Northern 10 Studies](#)
- Inuvialuit Regional Corporation- Modules for teaching the Inuvialuit Final Agreement³
- NTI and High School- [Nunavut Agreement Oral Project: Inuksuk High School Journalism Class](#)
- B.C. Treaty Commission- [Curriculum in Schools](#)
- Office of the Treaty Commissioner (Saskatchewan)- [Teaching Treaties in the Classroom](#)
- Office of the Treaty Commissioner (Saskatchewan)- [We Are All Treaty People](#)
- Office of the Treaty Commissioner (Saskatchewan)- [K-9 Treaty Education Learning Resources](#)
- Saskatchewan Curriculum- [Native Studies 10](#)
- Treaty Relations Commission of Manitoba- [Treaty Education Initiative \(TEI\)](#)
- The Rainy River District School Board- [A Journey Towards Reconciliation](#)
- Chief Zzeh Gitlit School- Cultural Camp
- Bimose Tribal Council- [Kiizhik School](#)
- Cree Cultural Institute- [Secondary 4 History](#)
- Chiefs of Ontario- [Indigenous Youth Engagement Session and Bundle](#)

³ In development

- Union of Ontario Indians- [Gdoo-sastamoo kii mi](#) : understanding our Nation to Nation relationship
- Union of Ontario Indians- [We Are All Treaty People: A Teacher's Guide](#)
- Treaty 6 Education- [Treaty 6 Education: Living Sky](#)
- Treaty 4 Project- [Treaty 4: The Next Generation Project](#)

Educational Resources for Post-Secondary and Graduate Studies

- Dechinta- [Various Courses](#)
- Nunavut Sivunskavut- [Various Courses](#)
- Nunavik Sivunitsavut- [Various Courses](#)
- Yukon College- [Indigenous Governance Degree](#)
- Yukon College- 6 Part Speak Series
- Yukon College- [First Nations Governance and Public Administration Degree](#)
- Yukon College- Professional Development Workshops
- Unama'ki College- [Mi'kmaq Studies](#)
- Nicola Valley Institute of Technology- [Aboriginal Governance and Leadership Certificate](#)
- University of Arizona- [Indigenous Governance Program](#)
- University of British Columbia- [Masters of Arts \(Indigenous Governance\)](#)
- University of Alberta- [Perspectives on Treaty Making](#)
- University of Saskatchewan- [Masters of Northern Governance and Development](#)
- Ryerson University- Various Courses- [Chair in Indigenous Governance](#)

Additional Resources for the General Public

- [Centre for First Nations Governance](#)
- NTI- [Nunavut Agreement Oral Project](#)
- NTI and Government of Nunavut- [NTI Elections Curriculum Initiative](#)
- Tilcho Government- [Tilcho Agreement Course](#)
- Historica Canada- [Treaties in Canada](#)
- Office of the Treaty Commissioner (Saskatchewan)- [Statement of Treaty Issues](#)
- Office of the Treaty Commissioner (Saskatchewan)- [As Long As the Sun Shines](#)
- Province of Nova Scotia- [Treaty Education Nova Scotia](#)
- Empowering the Spirit- [Stepping Stones](#)
- Metis Treaties Project- [Metis Treaties Project](#)
- The Mi'kmawey Debert Cultural Centre- [Mi'kmawe'l Tan Teli-kina'muemk](#)
- CBC Indigenous- Live Twitter Q&A
- Radio
 - a. Treaty Relations Commission of Manitoba- [Let's Talk Treaty](#)

- Games:
 - a. Treaty 9- [Path of Elders](#)
 - b. Ojibway and Cree Cultural Centre- [Promises, Promises](#)
- Film
 - a. John B Zoe- [Transitional Governance Project: Tlicho](#)
 - b. BOLD Realities, TakingITGlobal, and Canadian Roots Exchange- [Whose Land](#)
 - c. Alanis Obomsawin- [Trick or Treaty?](#)
 - d. Empowering the Spirit- [Alberta Treaties Road Trip](#)
 - e. Nunavut Sivunskavut- [Staking the Claim](#)
 - f. Grand Council of the Crees- [Eeyouch of Eeyou Istchee Documentary](#)
 - g. Makivik Corporation- [So That You Can Stand](#)

Participants at the LCAC session suggested the creation of a database or website to store information on existing resources. Further, subject matter experts consulted by The Foundation suggested that training/curriculum on Historical Treaties and Modern Land Claims should be developed for government. This information could facilitate a deeper level of understanding for government officials engaged in the negotiation and implementation process.

Recommendations

1. Ensure the information collected in this report is accessible to the general public through a **user-friendly and secure website or database**. This resource may also include interactive features such as stories by elders, negotiators and others involved in the negotiation and implementation process. In addition, as it is probable that other resources exist, the general public should be able to add to the list of resources.
2. Explore the application of **existing educational curricula on treaties** as required learning in schools.
3. Assist regions who do not currently have curricula to **create their own regionally-focused curriculum** based on existing models.

Innovative Resources and Methods

Many educators consulted throughout the research process recommended that although classroom teaching in a classroom is important, getting students actively involved through hands-on learning is more effective. Across the country, schools and communities are using new technologies to teach youth and the general public about Indigenous culture and treaties. The Gordon Foundation identified several innovative resources and methods, including: film; video games; podcasts; radio programs; on-the-land programming; opportunities to engage in ongoing negotiations; and simulation activities.

Video Games

Video games are one means of engaging youth in treaty education. One example is the **Path of Elders**.⁴ This video game engages students living within Treaty 9 territory in Northern Ontario. It teaches youth the importance of the fur trade, language, the value of elders and the negotiation process, and provides an opportunity for students to renegotiate Treaty 9. The Path of Elders website provides tools for teachers to integrate the game into their curriculum for Grades 4 to 10.

Films

Films are used by several groups to educate youth and the population at large on treaties. Some examples include:

- **The Alberta Treaties Road trip** is a video series that followed youth in their journey to learn about treaties in Alberta.⁵
- The Cree of Northern Quebec and Makivik Corporation each produced documentaries (Cree - **Eeyouch of Eeyou Istchee**⁶, Makivik - **So that you can stand**⁷), which include interviews with the original negotiators of the James Bay and Northern Quebec Agreement (JBNQA) and highlight the negotiation process.
- **Staking the Claim**⁸ is a film created in Nunavut that tells the story of the Nunavut Land Claims Agreement.

⁴ <https://www.pathoftheelders.com/>

⁵ <https://arpcresources.ca/consortia/alberta-treaties-road-trip/>

⁶ <http://www.gcc.ca/together-we-stand-firm/>

⁷ <http://pascalblais.com/sothatyoucanstand/>

⁸ https://www.mcnabbconnolly.ca/titles/4329/staking_the_claim

Podcasts, Radio and Social Media

Podcasts, radio broadcasts and social media allow knowledge to be shared in a way that is accessible to a wider audience. **Let's Talk Treaty**⁹ from the Treaty Relations Commission of Manitoba (TRCM) is a good example. This 15-minute bi-weekly radio series led by Treaty Commissioner Loretta Ross convenes guests to discuss the importance of the Manitoba Treaties and to answer questions.

There have been several attempts to hold pan-Canadian discussions on treaties. For example, in January 2018, **CBC Indigenous** hosted a live Q&A Twitter conversation that asked the question: "Are Treaties still relevant?" A live stream session answered questions from audiences across the country. However, the consensus seems to suggest that individual treaty lessons are more impactful due to regional differences.

The ability to meld the importance of treaties as a whole, while not losing the specifics of each treaty, is challenging. LCAC participants suggested the creation of a **podcast** that focuses on treaties. This podcast series could facilitate pan-Canadian discussion on the overarching importance of treaties, while still allowing for regional nuances. The series could be made up of one-hour shows, each focusing on a specific Modern Land Claim. This approach would provide an accurate, plain language way of informing others about what the treaties mean both factually and legally. It would also provide insight and analysis of the potential for treaties to further self-determination, its limitations, and complementary strategies.

Internships

Participants at the LCAC session and subject matter experts suggested that having internships would provide an opportunity for emerging leaders to be present at the table, partake in conversations, be active in research and have access to the entire negotiation process. The internships would allow first-hand learning on the creation of a Modern Land Claim.

On the land programming

On-the-land programming exists across Canada. This type of programming teaches emerging leaders about the importance of Indigenous culture, being on the land, what it means to be a leader in the community, as well as the value of treaties. Some examples include:

- **Dechinta**¹⁰ in the NWT is an educational experience which brings students on the land. Students can gain university credits through the University of Alberta.
- A two-week summer program will be held at **Yukon College** in summer 2018. It will teach 28 youth (ideally two from each of the 14 First Nations) about self-government and leadership. The students will visit two First Nations communities in the north of the territory and two in the south to witness various models.

⁹ <http://www.trcm.ca/multimedia/lets-talk-treaty/>

¹⁰ <http://dechinta.ca/>

Key informants highlighted that there is a lack of long-term funding for on-the-land programming, which may explain the lack of on-the-land programming in territory-wide curricula. Creating on-the-land programming on treaties would provide emerging leaders an experiential understanding of the history of their treaty, the realities of how treaties are seen and upheld, their rights, and why it is important to understand and interpret treaties.

Simulation Exercises

Simulation exercises allow youth to convene and learn how a governance model is used. There are a number of existing simulation programs that engage students in the legislative process, which could be adapted into a program on treaties. Participants at the LCAC recommended this type of activity as a means for students to engage and learn directly from leaders and elders by participating in a realistic simulation.

The **Nunavut Youth Parliament**¹¹ is a model currently being replicated by First Nations in British Columbia. This program allows youth to experience the realities of being a parliamentarian. This program could be adapted into a lesson on being a treaty negotiator/implementer.

Recommendations

1. Create a **Living Treaties Podcast** to enable long-term knowledge collection and transfer.
2. Create **internship opportunities** for Indigenous youth to participate in ongoing negotiations.
3. Research the feasibility of creating an **on-the-land program** on treaties and treaty rights.
4. Create a **Youth Treaty Negotiation Simulation** for students to convene and learn about the negotiation process and importance of Historical Treaties and Modern Land Claims.

¹¹ <http://www.assembly.nu.ca/about-youth-parliament>

Final Recommendations

While a number of regions across Canada are actively teaching emerging leaders about treaties, there are challenges and limitations to the reach and sustainability of these initiatives. At the same time, there is a growing risk of losing knowledge from former negotiators. However, as the report has demonstrated, there are opportunities to protect and share this knowledge and create innovative educational tools for emerging leaders. The following recommendations, provided earlier in this report, offer some guidance for protecting, sharing and innovating on knowledge transfer about treaties:

1. Ensure the information collected in this report is accessible to the general public through a **user-friendly and secure website or database**. This resource may also include interactive features such as stories by elders, negotiators and others involved in the negotiation and implementation process. Since The Foundation was not able to document all existing resources, an option for adding resources should be provided.
2. Explore the application of **existing educational curricula on treaties** as required learning in schools.
3. Assist regions who do not currently have curricula to **create their own regionally-focused curriculum** based on existing models.
4. **Develop and adapt innovative resources and methods:**
 - a. Create a **Living Treaties Podcast**
 - b. Create **internship** opportunities for Indigenous youth to participate in ongoing negotiations
 - c. Research the feasibility of creating an **on-the-land program** on treaties and treaty rights
 - d. Create a **Youth Treaty Negotiation Simulation** for students to convene and learn about the negotiation process and importance of Historical Treaties and Modern Land Claims.

Appendix – List of Participants at the LCAC Breakout Session

First Name	Last Name	Company	Title
Sonya	Abraham	Employment and Social Development Canada	Senior Program Advisor
Karen	Albright Murchison	Canadian Museum of History	Collections Analyst Repatriation
Amy	Amos	Gwich'in Renewable Resources Board	Executive Director
Jeannie	Arreak-Kullualik	Nunavut Tunngavik Inc.	Director, Social and Cultural Development
Philip	Awashish	Cree Naskapi Commission	Commissioner
Collier	Azak	Nisga'a Lisims Government	Chief Executive Officer
David	Ball	Fisheries and Oceans Canada	Resource Manager
Roshan	Begg	Government of the NWT	Manager, Implementation Planning
Carole	Blackburn	University of British Columbia	Assistant Professor
Wade	Brown	RBC DS	Royal Bank of Canada
Josée	Brunelle	Hunting, Fishing and Trapping Coordinating Committee	Analyst
Pearl	Callaghan	Yukon Land Use Planning Council	Chairperson
Ronald	Campbell	Federal Government	Retired
Sherry	Campbell	The Gordon Foundation	President & CEO
Clayton	Cheekie	Sayisi Dene Nene Land Claims Secretariat	Liaison Person
Bobby	Clark	Nisga'a Lisims Government	Interim Director of Communications & Intergovernmental Relations
Kevin	Clement	Crown-Indigenous Relations and Northern Affairs	Director of the Negotiation Support Directorate
Steven	Cooper	Cooper Regel - Masuch Albert LLP	Partner
Scott	Coulson	Uchucklesaht Tribe Government	CAO/DOF
Brian	Crane	Gowling WLG (Canada) LLP	Partner
Richard	Cywink	Carleton University	Student
Simon	Dabin	Univerty	PhD student

Clifford	Daniels	Tlicho Government	Chief - Behchoku
Stella	Desjarlais	House of Commons	Member's Assistant
Paul	Dixon	Sahtu Land and Water Board	Executive Director
Les	Doiron	Ucluelet First Nation	President
Laura	Duncan	Tlicho Government	Tlicho Executive Officer
Paulo	Eusebio	Indigenous and Northern Affairs Canada	Sr. Treaty Implementation Advisor
Sylvain	Fabi	Global Affairs Canada	Executive Director
Nathalie	Filion	Transport Canada	Manager/Senior Policy Advisor
Sahar	Golshan	Canadian Roots Exchange	Program Manager
Sheila	Grantham	Carleton University	Community Coordinator/Graduate Administrator, Indigenous Policy and Administration Program
Christine	Gravel	AANDC	Assistant Negotiator
Peter	Greenland	Gwich'in Tribal Council	Lands and Resources Intern
Mary	Grzybowska	Cooper Regel - Masuch Albert LLP	Student-at-Law
Michael	Haberl	Crown-Indigenous Relations Canada	Senior Negotiator
Peter	Hansen	Ka:'yu:'k't'h'/Che:k'tles7et'h' First Nations-Maanulth	Legislative Chief
Genevieve	Harrison	LCAC Modern Treaty Implementation Research	LCAC SSHRC Grant Administrator (Carleton)
Diane	Hill	Canadian Roots Exchange	Student
Peter W.	Hutchins	Hutchins Legal Inc.	Lawyer
Amelia	Johnson	Carleton University	MPPA Graduate Student
Wesley	Johnston	Indigenous and Northern Affairs Canada	Senior Advisor
Jen	Jones	University of Guelph	PhD Candidate
Nathaniel	Kalluk	Parks Canada	Joint Park Management Committee Member
Robert	Kanatewat	Cree-Naskapi Commission	Commissioner
Michael	Kerr	Colour of Poverty - Colour of Change	Coordinator
Kaylynn	Koe	Gwich'in Tribal Council	Corporate Governance Intern
Qilak	Kusugak	Nunavut Tunngavik Incorporated	Director of Implementation
Stephanie	Lane	Environment and Climate Change Canada	Manager
Catherine	Lapeyrie	Indigenous and Northern Affairs Canada	Implementation Coordinator
Pamela	Lefaive	Indigenous and Northern Affairs Canada	Director
Sashia	Leung	BC Treaty Commission	Associate Director of Process

Allan	MacDonald	Indigenous and Northern Affairs Canada	Director General, Implementation Branch, Treaties and Aboriginal Government
George	Mackenzie	Tlicho Government	Grand Chief
Jason	Madden	Pape Salter Teillet LLP	Managing Partner
Allen	Maghagak	Nunavut Impact Review Board	Board Member
Lauren	Mayo	Public Safety Canada	Senior Policy Analyst
Angela	Michielsen	Government of Nunavut	Policy Advisor
Shuvinai	Mike	Government of Nunavut	Director of Inuit Qaujimajatuqangit
Jim	Miller	University of Saskatchewan	Professor Emeritus of History
John	Moore	Gingolx Village Government	Village Councillor
Charles	Morven	Nisga'a Village of Gitwinksihlkw	Chief Councillor
Ailish	Murphy	Environment and Climate Change Canada	Treaty Negotiations
Christine	Nadon	Parks Canada	Manager
Larry	Neyando	Inuvik Native Band	Chief
George	Nitsiza	Tlicho Government	Assembly Member Whatì
Leo	Nitsiza	Tlicho Government	Assembly Member Whatì
Patricia	Paradis	Centre for Constitutional Studies	Executive Director
Stéphanie	Phaneuf	Treasury Board Secretariat	Senior Advisor
Angela	Piercey	Parks Canada	Qausuittuq National Park Manager Trainee
Elizabeth	Pigeon	INAC	Senior Implementation Negotiator
Carol	Poulin	INAC	Senior Program Manager
Brian	Prairie	Employment and Social Development Canada	Policy Analyst
Graham	Ragan	Gowling WLG (Canada) LLP	Partner
Ricky	Richard	DFO	Coordinator, Aboriginal Programs and Fisheries
Ronald	Robillard	Denesuline Ne Ne Land Corporation	Chief Negotiator
Dave	Roddick	Northern Public Affairs	Media contact
Sophia	Royle	Carleton University	Student
Susan	Russell	Parks Canada	Director
Anna	Ryan	Fisheries and Oceans Canada	Aboriginal Affairs Coordinator
Mary-Anne	Schroer	National Defence	Treaties and Litigation Coordinator
Patricia	Seguin-Hillier	Transport Canada	Analyst, Community Engagement

Jordan	Sewell	Alan Pratt, Barrister & Solicitor Alan Pratt Law Firm	Lawyer
David	Sheckter	Masuch Albert LLP	Partner
Jovan	Simic	Parks Canada	Qausuittuq National Park Manager
Ana	Stojanoska	Carleton University	MPPA Graduate Student
Keith	Tait	Gitlaxt'aamiks Village Government	Chief Councillor
Lisa	Tremblay-Goodyer	Library & Archives Canada	Director
Bruce	Uviluq	Nunavut Tunngavik Inc.	Legal Negotiator
Jennifer	Walker	Indigenous and Northern Affairs Canada	Implementation Coordinator
Eleanor	Waters	Indigenous and Northern Affairs Canada	Policy and Program Analyst
David	Wedawin	Tlicho Government	Chief-Gameti
Nichole	Williams	Kluane First Nation	Governance Analyst/Assistant Negotiator