

BACKGROUND

In July of 2008 the Gitksan Treaty Society for the first time made public their Gitksan Alternative Governance Model, (GAGM) which they had tabled in the treaty negotiations earlier that year. Under this model, it is proposed that Indian Reserve lands set aside under the Indian Act be eliminated. Indian Status under the Indian Act, along with all of the rights and entitlements also would be eliminated. For an understanding of the impacts of the model, refer to the **Analysis of the May 2008 Alternative Governance Model Proposed to serve as a treaty model between the Gitksan, Canada and BC, August 23, 2008**, located on this site.

On September 4, 2008 a meeting of community members and elected councils was held at Gitanmaax, B.C. to discuss the model. The presentation (located on this site) entitled "**Gitksan Band Councils & Gitksan Gimlitxwit Meeting – September 4, 2008**", was developed and delivered at the open meeting where community members impacted by the model, clearly communicated their disagreement with the model. Elected Band Councils (represented by quorums) were in attendance and at that meeting Band Council Resolutions were signed requesting that the Gitksan Government Commission take any necessary steps, including legal action, to protect the rights of the respective band members.

Since 2008 the efforts of the Gitksan Government Commission and the Gitanmaax, Glen Vowell, Kispiox and Gitwangak Bands to have the Gitksan Alternative Governance Model withdrawn from the Treaty Negotiation table have been ignored and rejected. On March 10, 2010 a "Fresh Amended Statement of Claim" was filed in the Supreme Court of B.C. The Plaintiffs are Spookw (aka Geri McDougall), Baskyalaxha (aka William Blackwater Sr.), Suu Dii (aka Yvonne Lattie), Luttkudziiwuus (aka Charlie Wright), Xsimwits,iin (aka Lester Moore), Moolxhan and Noola (aka Norman Moore), Gitanmaax Indian Band, Glen Vowell Indian Band, Gitwangak Indian Band, Kispiox Indian Band and Gitksan Local Services Society. The defendants in the legal action are the Gitksan Treaty Society, B.C. Treaty Commission, the Province of B.C. and the Attorney General of Canada. Refer to the **Fresh Amended Statement of Claim** in the Supreme Court of British Columbia for the relief sought in this action.

On May 25, 2010 a Case Management Conference hearing was held with Supreme Court Justice Kelleher. The Judge directed that by September 15, 2010, the defendants are required to submit their statements of defense. While the legal action has been moving forward, various community members and Council members have volunteered hours of their time to gather signatures on Petitions and Declarations. Signed **Petitions and Declarations** are being collected to confirm individual opposition to the treaty negotiations of the Gitksan Treaty Society. **Refer to the side bar to obtain copies of the Petition and Declaration for signature.**

Recently, community update meetings have been held by the Elected Chief Councilors and Hereditary Chiefs – the Plaintiffs - to inform the communities of the progress in the litigation. Community meetings were held in Glen Vowell, Kispiox, Gitanmaax and Gitwangak. Feedback received from community members re-affirms the direction given to the Gitksan Government Commission in September of 2008. Signed Petitions and Declarations continue to be received

and younger members in our communities are becoming educated on the issues and younger parents are becoming more outspoken to protect their and their children's futures.

Please take time to review the materials on this site which are listed as follows:

- 1) Analysis of the May 2008 " Alternative Governance Model" proposed to serve as a treaty model between Gitksan, Canada, and B.C. – August 23, 2008 by Bertha Joseph, LL.B, M.B.A. and Cynthia Joseph LL.B
- 2) GTS – "Alternative Governance Model – Gitksan Reconciliation" submitted by Gitksan Treaty Team – May 15, 2008
- 3) "Gitksan Band Councils & Gitksan Gimlitxwit Meeting – September 4, 2008"
- 4) Fresh Amended **Statement of Claim** – No. 15150 in the Supreme Court of British Columbia between Spookw et al. and Gitksan Treaty Society, B.C. Treaty Commission, Province of B.C. and the Attorney General of Canada.
- 5) Litigation Against Gitksan Treaty Society Update – May 25, 2010 - Update
- 6) Frequently Asked Questions
- 7) Explanation of Declaration and Petition Forms
- 8) Declaration form for printing and signature**
- 9) Petition form for printing and signature**
- 10) Assorted letters relating to the GAGM