

**GUUHADAK
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WILP'S SPOOKW/GUUHADAK/YAGOSIP**

Why the Gitxsan should not be in Treaty Negotiations

The Gitxsan Treaty Society has been in treaty negotiations for more than fourteen years, they have borrowed almost eighteen million dollars, and thus far there is nothing of substance to show for this debt. Many Gitxsan are now calling for the Gitxsan Treaty Society to cease treaty negotiations.

Supporters for remaining in treaty talks have stated “we don’t want a treaty we just want the money to keep coming”.

- Entering into treaty negotiations only for the money and the salaries is unethical;
- This is living on the backs of your children and grandchildren,
- This is sacrificing the future of your children and grand children for the present and for personal financial gain.
- Your children and grandchildren have to repay the debt which now approaches 18 million dollars.

Others are under the impression that we do not have to worry the treaty will still have to be ratified, meaning we can always vote “no” later.

- The problem with this type of logic is the Gitxsan are borrowing millions of dollars and falling further into debt.
- As the debt rises it creates more pressure to settle a treaty.

The negotiators for Canada and British Columbia would not be in treaty negotiations if they did not feel they had a high probability of the Gitxsan signing at the terms set out by Canada and British Columbia, terms that heavily favour Canada and British Columbia.

- With each passing year in negotiations Canada and British Columbia expect more and more concessions from the Gitxsan,
- If the Gitxsan don’t make concessions the negotiations will cease along with the in flow of borrowed money.

Some may be under the impression the Gitksan treaty society negotiators are in no hurry to sign a treaty, and this is just a process to go through, a process which pays good salaries to the negotiators and staff and pays honorarium to the Chiefs and directors. This logic is flawed because:

- The negotiators are doing presentations through out the province, showing the future they see for the Gitksan.
- They have advertised on CBC television promoting what they for see for the Gitksan, this “Alternative Governance Model” which is clearly a TREATY. Why do all the presentations in so many towns, why spend so much money advertising on CBC to convince Canada that this treaty is right for the Gitksan, if they did not believe in it.
- They not only believe the Gitksan should sign a treaty they want it fast tracked.
- They want the “Gitksan to be ordinary Canadians.”
- They want the Gitksan to pay taxes.
- They say “the Gitksan do not want be a burden on the Crown.”
- They want the Gitksan to give up the rights that they have long fought for and taken so long to gain.
- They also say “any agreement must of course end the application of the Indian Act”.
- They want the Gitksan to sign a treaty.

This is a treaty that has a limit of 4% of the claimed territory. How many Gitksan grow angry when they recall the stories of the fur trade, stories of Gitksan trappers being forced to stack furs as high as a rifle standing on end just to purchase one rifle. This is the same type of negotiation for the Gitksan, Canada and British Columbia are offering 4% and keeping the remaining 96%, or is it that they believe the Gitksan are willing to pay 96% of their territory for the remaining 4%. They also expect the Gitksan to pay back the wages they paid the Gitksan Treaty Society during the 14 plus years of negotiations.

- Canada’s negotiators are restricted by a mandate not to exceed 4% of the claimed territory.
- British Columbia’s negotiators are also restricted by a mandate not to exceed 4% of the claimed territory.

- The mandate and treaty negotiating formula Canada and British Columbia are using is based on the Nisga'a Treaty. The Nisga'a settled for 7% of their claimed territory, Canada and British Columbia have since reduced their offer to 4%.
- The Gitksan Treaty Society negotiators have known of the 4% limit imposed by Canada and British Columbia for many years.
- The Gitksan territory is 33,000 sq km, 4% of 33,000 sq km is only 1320 sq km.
- 31,680 sq km of Gitksan territory would be surrendered and lost, 96% of Gitksan territory would be surrendered and lost.
- Which family's territory will be left out of the treaty to be surrendered and lost for all time?
- Which family's territory will be part of the 1320 sq km included in the treaty?
- There are 63 Chiefs on the Gímlitxwít list, 4% of 63 Chiefs is 2.52 Chiefs.
- A treaty would only allow for the territories of 2 or 3 Chiefs and their families to be included.

Two of the negotiators employed by the Gitksan Treaty Society have territories claimed by and for their families. Elmer Derrick's family may not have territory.

- Gordon Sebastian's family (Luutkudziiwus) claimed territory equals 542 sq km.
- Bev Clifton Percival's family (Hanamuux) claimed territory equals 175 sq km.

All Chiefs have a fiduciary obligation to protect their family territory; the three negotiators share the same fiduciary obligation to protect their family's territories. How can they then be expected to exclude their family's territories from a treaty that they negotiate?

- The total sq km for the negotiators family's territory equals 717 sq km. and leaves only 603 sq km remaining from the maximum 1320 sq km allowed under Canada and British Columbia's mandate.

After the Gitksan Treaty Society negotiators exercise their fiduciary obligations and include their family's territories there is very little room for the territories of the remaining 60 Chiefs and their families.

The territories of 60 Chiefs and their families will be surrendered and lost for all time. After losing 96% of Gitksan territory the Gitksan Children will have to repay the debt of the Gitksan Treaty Society negotiators.