

Getting Started on Okimaawin Peoples Perspective

**Report on Activities
for the 2020-2021
Fiscal
Year**

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Ekosi

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INTRODUCTION

Our lives were thrown into disarray, fear, and uncertainty by the global pandemic during this reporting year. Tragically, we lost many lives. All our First Nations were severely affected, and even the regular routines were not so easy to navigate safely anymore. Often, there was no clear sign that times would improve. We could only hope that our lives would return to normal someday. But, considering all the forced changes that have been experienced, a “new normal”, offering a different way of living, will be upon us. This will not be new for the First Nations people. In the past, our ancestors persevered in times of hardship and despair and were resilient in adapting to each period that called for a “new normal”. Each time, they carried on their time- proven beliefs and traditions into their new way of life and maintained their respect and duty to the Creator, all Creation, the living, and the departed. This time will be no different as First Nations people will adapt to the “new normal” and, in unity, create a new and better way of life.

TFAO Inc. acknowledged this resiliency and recognized the need to chart new paths re-designed in the way we engaged with each of the 40 First Nations and their members that make up the Summit of Treaty Five Sovereign Nations. The pandemic restrictions did not allow personal meetings or our custom of large gatherings; therefore, we broadened the Summit’s voice to engage in the modern reality and took full advantage of the digital technology we had to continue to reach out to, and protect, our citizens - the Denesuline, Ininnu, Anishnewak, and Anishinaabe people.

2020-21 VIRTUAL SUMMIT

It was imperative that TFAO Inc. continue with the processes of Nation Rebuilding and Rights Recognition despite the global pandemic, but in a way that ensured the safety of Treaty 5 Nation citizens: Elders, women, youth, and men. After several attempts to navigate the ever-changing provincial orders and to abide with the safety measures put in place within the Treaty 5 communities, our communications focus changed from in-person engagement and gatherings to online meeting platforms, such as Zoom.

This reimagining of our engagement sessions was no small feat. As with our citizens, our preference was in-person or face-to-face sessions which are significantly simpler than orchestrating chatrooms that entailed working through numerous moments of “can you hear me?” or “you have to unmute yourself”. Nonetheless, we successfully adapted to the changed realities and have had several meetings, training sessions, and engagement sessions. We also hosted a Virtual Summit gathering with over 150 participants, which enabled us to provide updates to the Treaty 5 members that make up the Summit of Treaty 5 Sovereign Nations and to receive future directions. All these communications are listed within this report.

VIRTUAL GRAND ENTRY

Due to pandemic restrictions, no participants were allowed to gather in-person, so the Grand Entry was done virtually. This ceremony is a key part of First Nations culture. It acknowledges and displays honour, strength and unity. A video of the Virtual Summit was created by Treaty 5 youth that captured the symbolism, beauty and grandeur of the ceremony with each Treaty 5- member First Nation flag being prominently displayed.

OPENING PRAYER

Chief Marcel Head, Shoal Lake Cree Nation

Chief Head began his prayer by acknowledging all participants in the Virtual Summit, particularly Grand Chief Arlen Dumas, Assembly of Manitoba Chiefs (AMC), and Grand Chief Garrison Settee, Manitoba Keewatinowi Okimakanak (MKO). He remarked that Grand Chief Brian Hardlotte, Prince Albert Grand Council, and Chief Bobby Cameron, Federation of Sovereign Indigenous Nations, would also make opening comments.

Chief Head talked about the people affected by COVID-19 and the challenges that First Nations were going through. He stated that former Grand Chief Ron Michel had passed away recently. He asked participants to pray for those families who were mourning the loss of their loved ones.

He then recognized the Sunrise Ceremony conducted by Elder David Blacksmith, He stated, “I believe prayer is instituted by God, our Creator, hopefully the constant communication with our Creator God, is a personal relationship with God and through his son, Jesus Christ.” He also stated, Today we pray for unity, you said in your words, Lord, that a house divided against itself shall not stand. Father, today we stand on your word that this house, Treaty 5, stands together with one strong voice.”

OPENING REMARKS

Chief Clarence Easter- *Co-chair of The Summit of Treaty Five Sovereign Nations*

welcomed everyone to the Virtual Summit. He talked about how business was being done differently with Zoom during the pandemic. He mentioned the history of Treaty 5 signed in 1875. Treaty 5 was signed in our communities, and it defined the land, it defined the economy, it defined us as people, and it defined us as Nations. He said that we need grassroots people to understand that Treaty 5 was, and is, an agreement with Canada; it was there from the start, and we need to operationalize our rights, modernize our rights, build our lands, economy, our people. He added that our people are gatherers, fishermen, and traditional hunters.

stated that the Indian Act was established to divide First Nations. He stated,

, From day one in 1875, it divided us, but it also defined us. I'm from Chemawawin Cree Nation, we're supposed to stay on reserve, be good or they will not provide us any service and eventually we're supposed to go away. But we are not going away. We're actually thriving. Treaty 5 is our vehicle to define and operationalize ourselves as people, within our own lands. It segregated us, but it also bound us. Treaty 5 is what keeps us together. Treaty 5 only has one agreement with Canada. We need to learn how to live together, we need to learn how to build our economies, I believe in Treaty 5.

He further stated,

I've also been Christianized a little bit, but I've also been traditionalized...We have to take both worlds together and take what's good for us. The government will not help us, they will try to divide us, break us, domesticate us, and make us to be part of the Canadian society...We've always resisted, and we'll keep resisting, especially in Manitoba - the resistance will always be in Manitoba. Treaty 5 is the way to go, I encourage everybody, let's do this together and make it for all of our Nations and Treaty 5.

Chief Sheldon Kent – *Co-chair of The Summit of Treaty Five Sovereign Nations*

Chief Kent began his opening comments by welcoming and thanking everyone for attending the Virtual Summit. He acknowledged the COVID-19 restrictions that were in place and that the summit was being held virtually for this reason and for our safety. He stated, “I want to acknowledge the Pipe Ceremony this morning, for Elder Blacksmith doing that traditional component for us, and Chief Marcel Head for his prayer this morning.

It's important that we acknowledge the Great Spirit, the Creator, God, Jesus Christ, and I would also like to thank \≡∇≧Δ^o∇Δ^o∩≧ for his opening comments.”

“I want to share the importance of what we're doing with the and have been for the last 150 years.”

The work that is being done with the 40 First Nation communities that are signatories of the Treaty 5 and the adhesions to Treaty 5 is important. Canada and the provincial governments (Ontario, Manitoba, and Saskatchewan) benefit from all resources in Treaty 5 territory but they do not treat Treaty 5 Nations as equals. Chiefs have been fighting to change this for many years, listing and advocating for the people they represent.

It is important that we come together as a common Treaty 5 Nation because when it was signed, there were no provincial boundaries. Divide and conquer is a tactic long used by Canadian governments. We are looking for guidance from leadership and Treaty 5 citizens to re-establish our birthright and set a solid foundation seven generations forward. It is our responsibility to protect Mother Earth for those upcoming generations. Canadian governments are extracting all of our natural resources without our permission.

Grand Chief Arlen Dumas, *Assembly of Manitoba Chiefs*

Grand Chief Dumas brought greetings on behalf of the Assembly of Manitoba Chiefs. He acknowledged fellow Grand Chiefs, Chiefs, the Commissioner, the technicians, legal representatives and any municipal, provincial, or federal officials and dignitaries who were in attendance.

He thanked Elder Blacksmith for the sunrise ceremony and Chief Head for the opening prayer.

Grand Chief Dumas shared a story about former leader George Barker who wrote the book, “40 years a Chief”. The book highlights that our southern relatives have been very much a part of the Treaty 5. There are pictures here of Chiefs coming all the way up to OCN to meet with the Queen’s representatives. To speak together at this gathering is an acknowledgement of how our languages are so similar This shows how close our people truly are and how strong we truly are. The definitions that other people have created, like Cree, Ojibway and all the other ones, only serve to divide us. Fundamentally, our life, our languages tie us together, they hold us together.”

Treaty 5 First Nations are acknowledged for always being inclusive and receptive and for always working towards unity. Anytime First Nations people have been involved in struggle or difficulty, they have come together, wherever that may be, and they show that their strength is insurmountable. They are undefeatable and always persevere when they affirm their understanding of the Treaty and its obligations.

As we move forward, we explore history, and we find out how we need to collaborate and work together with our partners. Collaboration has always brought success. The leadership is acknowledged for their hard work. Much has been achieved over the years. We must remain unified, going in the same direction. The AMC supports Treaty 5. We remember our relatives who have passed away from COVID-19. We still need to practice social distancing and be safe.

Grand Chief Garrison Settee, *Manitoba Keewatinowi Okimakanak*

Grand Chief Settee brought greetings from the MKO Chiefs that he represents. He acknowledged the ceremony that was done by Elder David Blacksmith, who is from his First Nation, and also the prayer that was offered by Chief Marcel Head.

He acknowledged the leadership of \≡∇≧Δ^o∇Δ^o∩≧ and Chief Sheldon Kent for undertaking the process of working with the Treaty Five Sovereign Nations. He said, “It's a vision that I believe in, it is something that I truly believe with all of my heart that needs to happen. The capacity to revolutionize our nations with this Treaty 5 Nations gathering.” It is a catalyst for bringing people to the place where we need to be as governments, as nations with economies, and with our sovereignty. This is a sacred undertaking because

Treaties are sacred and invoke the presence of the Creator. They were entered into through ceremony and were signed between two entities.

It is time to take concrete action to elevate our Nations to Sovereign Nations as Treaty 5 signatories. We support and walk with all involved on this journey because our people must move forward from oppressive federal legislation, poverty, and rightfully claim our place. Treaties were supposed to grant First Nations people equal opportunities and status.

Ian Bushie NDP-MLA

Mr. Ian Bushie introduced himself as an NDP Member of the Legislative Assembly of Manitoba and was the Indigenous Relations critic for the Official Opposition, the New Democratic Party. He also stated that he was a former Chief of the Hollow Water First Nation.

of the biggest issues faced by the NDP caucus, as well as by his fellow northern MLAs, is the role Manitoba plays in First Nations governance.

First Nations get referred to as a federal responsibility so many times. First Nations people were put into provincial and federal boundaries and told to follow orders. There has been a lack of responsibility shown by all governments. The Province of Manitoba has not shown a real willingness to partner with First Nations. This situation has been highlighted even more by this pandemic. This is a unique time for First Nations people, an opportunity to move from the boundaries.

There is a strong First Nation/Indigenous component in the NDP caucus working on developing appropriate First Nation-focused policy. It represents basically all of Northern Manitoba. He acknowledged some of his fellow colleagues; Lindsey, from the constituency office, Amanda Lathlin from The Pas constituency, Daniel Adams from the Thompson constituency, and the NDP leader, Wab Kinew.

Gaps have been highlighted in the government's development work, such as the First Nations interests across the Treaty 5 territory,. He thanked the Treaty Five Summit working group on behalf of the NDP caucus.

Commissioner Loretta Ross

Commissioner Ross acknowledged the Elders who provided prayers and the ceremony that started the Virtual Summit. She thanked Grand Chief Dumas for acknowledging her grandfather George Barker. He was a former Chief of Hollow Water First Nation and was also the organizer and first president of the Manitoba Indian Brotherhood. Commissioner Ross stated that she had big shoes to fill in terms of advancing First Nations with respect to the Treaties.

First Nations people walk in their ancestors' shoes of their ancestors but have a challenge facing them when they try to get the Treaty implemented in the way that the ancestors understood the terms of the Treaty - especially the things the ancestors wanted for the future generations. She mentioned the Manitoba Indian Brotherhood's visionary book, Wahbung. She said that people often overlook the role of women in a lot of significant First Nations events and that there were some great videos about some of the women who were involved in the development of Wahbung. She added that the women stood beside the elected leaders and that should be acknowledged so that, in moving forward, First Nations advancement is inclusive and respectful.

Commissioner Ross stated that she was learning about the roles that different people have played in advancing the understanding and implementation of the Treaties in Manitoba. She is from Hollow Water First Nation, so Treaty 5 was near and dear to her heart. She offered the services of the Treaty Relations Commission in helping to facilitate not only education but advancing the implementation of all the Treaties. She then read from her presentation:

I think the work that the Treaty 5 office is doing in terms of going out and meeting and talking to people is excellent. We have so many Knowledge Keepers in our communities who have been silenced for so many years by so many of the policies; we have to seek them out. We have to encourage them and let them know that it's ok. We need them to share this Treaty knowledge so that we can build the governments and our institutions.

I've grown up under the Indian Act system, but we have a lot of our values as Nations and as First Nations people, and in the languages.

Knowledge Keepers and their traditional roles are important. They have preserved ceremony, language, and traditional lifestyles, so that future generations can continue the First Nations way of life.

She then acknowledged the Treaty 5 Office for the work that it was doing with the youth who have participated at all levels in the work of First Nations advancement. It was wonderful to hear the youth presentations on the radio and to see the work that the youth are doing. They will eventually lead the First Nations and that the people will be in capable hands, especially when the young people work side by side with the Elders.

The image the general public has with respect to First Nations people was crucial and that Canadians need to understand who First Nations people are. When First Nations work with public institutions, like the media outlets, the objective was to help Canadians understand First Nation histories and to help them understand the significance of the Treaties. This work is about First Nations people re-establishing their identity and power and how coexistence with all Canadians can occur in 2021 and beyond.

NATION REBUILDING AND RECOGNITION OF INDIGENOUS RIGHTS AND SELF DETERMINATION, ROBERT WAVEY

Robert Wavey is a member of the Fox Lake Cree Nation. He served as Chief, a Chief Executive Officer, and a Special Advisor for the Fox Lake Cree Nation. He also served as the Deputy Minister of Indigenous and Northern Relations for the Province of Manitoba from which he retired in 2016.

Elder Robert Wavey thanked Elder David Blacksmith for conducting the Pipe Ceremony and Chief Marcel Head for the opening prayer and acknowledging the summit participants. His understanding of the goals and objectives of the Chiefs regarding Nation Building is contained within an AMC Assembly resolution adopted in 2017. This resolution gave TFAO Inc. direction to enter discussions with the Crown on the development of an Okimowin (First Nation governance) model.

An inaugural summit was held on January 30th to February 1st, 2018, which confirmed TFAO Inc. projects and provided the mandate to enter into discussions on lands, natural resources, institution building, own source revenue, the economic gap, removal of the Indian Act, and to discuss First Nations relationship with Canada with respect to governance.

TFAO Inc.'s first project was the Nation Rebuilding process which involved talking with Treaty 5 First Nations citizens, including elders, youth, and women, about how to remove themselves from the Indian Act and to determine their views on governance. These sessions focused on First Nations rights, and current economic, social, and political realities.

The 1996 Royal Commission on Aboriginal Peoples (RCAP) concluded that “*the right of self-government cannot reasonably be exercised by small, separate communities whether the First Nation, Inuit or Metis.*” It recommended that it “*should be exercised by a group of a certain size - groups with the claim to the term nation.*” 20 years later, Canada announced the Nation Rebuilding (NR) tables in 2016 and 2017 in response to RCAP recommendations

RCAP initiated the exploratory discussions under both NR and RIRSD on alternative government systems to the Indian Act. These discussions led to the designing and drafting of the Treaty 5 governance model that identified functions, structure, and authorities.

Elder Wavey then presented a chronology of notable events relating to self-government, beginning with the Hawthorne Report. In 1963, the federal government commissioned then University of British Columbia anthropologist, Dr. Harry Hawthorne, to investigate the social conditions of Aboriginal peoples. Hawthorne completed his report in 1966, concluding that Aboriginal peoples were Canada's most disadvantaged and marginalized population.

To offset the repressive federal government policy, Hawthorne recommended that Aboriginal peoples be considered ‘*Citizens Plus,*’ and be provided with opportunities and resources to choose and develop their own livelihood. He also advocated ending all forced assimilation programs, such as the Indian residential schools.

In response, the federal government in 1969 delivered the White Paper that proposed the abolishment of the Indian Act, the end of Indian reserves, and the transfer of authority over Indians to the provinces. The White Paper was effectively challenged by First Nations and the policy was withdrawn by the government.

Then, in 1982, Section 35 of the repatriated Constitution Act recognized existing Aboriginal and Treaty rights, but this term was left undefined because of opposition by the provincial premiers. Later, in 1992, the Charlottetown Accord proposed a constitutional amendment to explicitly recognize Indigenous peoples’ inherent right to self-government within Canada. A national referendum in the same year, however, rejected the Accord and other Charlottetown initiatives. Of more importance to First Nations was the 1990 Oka crisis that resulted in Canada establishing the Royal Commission on Aboriginal Peoples (RCAP) in August 1991.

In 1996, the RCAP report included a detailed plan for First Nations’ self-determination. The Commission proposed solutions for a new and better relationship between Indigenous peoples and the Canadian government. Among the solutions, the Commission urged that the existing Aboriginal and Treaty rights be recognized and affirmed by Section 35 of the Canadian constitution, including the inherent right to self- government.

The Canadian government has recently taken a collaborative approach with First Nations by supporting their work to rebuild and to reconstitute their Nations and to facilitate the transition away from the Indian Act towards self-government and self-determination within the context of the Canadian Constitution. Self- government negotiations are to work in partnership to advance Indigenous self-determination, which is a fundamental Indigenous right and principle of international law, as set out in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), , which was tabled as Bill C-15.

Following the release of the RCAP recommendations, the Royal Bank of Canada examined the cost of doing nothing. It predicted that an even greater cost would be incurred by not implementing the recommendations of self-government advanced in the RCAP Final Report. In 2015, the Liberal government came into power and announced an agenda of transformational change. One key aspect of the proposed change was the recognition and implementation of the inherent right of self-government within the Canadian Constitution context.

In seeking transformational change, the Sovereign Nations of Treaty 5 territory are moving firmly in exploring how self-government could be applied by its First Nation communities. The Treaty 5 Summit has been working on two main themes in its protocols towards self-government. Great care has been taken to avoid the European model. First Nations ways of governing are different, and they work for First Nations people. This was true for many generations prior to the coming of the settlers. The First Nations people

believe that the natural law is Creator-given and is the law they choose to follow because it strengthens First Nations’ self-governance and traditional ways, knowledge, and identity.

The late Rorihokwats offered advice on developing self-governance, stating, “The first step is for a self-sufficient group of people to decide what is going to happen. The second step is for those people to meet regularly until it happens. The third step is to keep it happening, involving the youth, elders, and all people. A good initial strategy is to develop a first law or a constitution, which the people agree will be its foundation.”

Referring to the work with the Treaty Five Sovereign Nations, Elder Wavey stated that in the engagement with the people three governance models were identified and often discussed:

1. Individual First Nation Government model: Enables First Nations to negotiate a nation-to-nation relationship with Canada. There are existing models in Canada and in Manitoba, for example, Sioux Valley Dakota Nation.
2. Regional Government model: Based on cultural affiliations and may be identified by regions, for example, the northeast Manitoba. The Island Lake region is currently developing this model.
3. Treaty 5 Okimowin model: Treaty 5 citizens chose to develop this model. The Sovereign Nations of the Treaty 5 territory are moving strongly in exploring how this could be applied by its First Nations communities. During this process of rebuilding our Nation, several other important issues will be canvassed, including resource sharing, Treaty annuities, own source revenue, fiscal relations, sharing the wealth, and financing of the Okimowin model.

Higher-level work of the TFAO Inc. over the year was presented, including pathways and reasons for this work. .

TREATY 5 CONSTITUTION, DEREK NEPINAK.

Niibin Makwa (Nepinak) served as AMC Grand Chief from 2011-2017. He was Chief of the Pine Creek First Nation from 2008 to 2012 and was a Chairman of the West Region Tribal Council. Mr. Nepinak holds a first-class honours BA from the University of Alberta, a law degree from the University of Saskatchewan, and has completed the intensive program in Indigenous lands, resources, and governance at the Osgoode Hall Law School at York University in Toronto. Mr. Nepinak is a Sundancer and a father of four children.

Mr. Nepinak opened his remarks by acknowledging \`≡∇≧Δ^o ∇Δ^o ∩≧ and Chief Kent. He recognized the ceremony keeper, David Blacksmith, Treaty Commissioner Loretta Ross, NDP-MLA Ian Bushie, and all the Chiefs, Councillors, headmen and women, as well as the participants from the Treaty 5 territory, representatives from Canada, and the Treaty 5 technical team.

First Nations have been effectively governing themselves within this territory for thousands of years, long before the arrival of the Europeans and the imposition of the 1867 Constitution Act. First Nations possess inherent rights to self-government and First Nations Treaty rights that are recognized and affirmed by Section 35 of Canada’s Constitution Act, 1982. These rights are the foundation of the First Nations Constitution that is being developed.

Within the First Nations Constitution, there are three core elements of self-government -legitimacy, power, and resources - which There are 23 draft articles within this Constitution, each covering a different topic, and ultimately forming the base of the governance structure and laws. Foremost in the Constitution is the sacred principle that the Creator gave us life and our inherent rights. The Elders teach this principle as the basis for who we are as Indigenous people, that we are born free with rights and are given laws which govern our relationships with the people and the natural world. The original laws are

sanctified through ceremony by the Elders to affirm and honour the life given by the Creator. The First Nation government, which is based on the laws of the Creator, is called Okimowin.

The Treaty 5 governance laws will be redrafted in the Owanasowehikamik(Law Lodge), a traditional building where Elders, women, men, and youth convene for the creation, drafting, and adopting of the legislation. The legislation or draft laws will be ratified at the Summit, at which time the laws come into force. protection.

The province has created legislation that does not meet or address major issues brought forward by First Nations. Provincial governments believe they have full authority over the land, including reserve lands, because of the Natural Resource Transfer Agreement Act (NRTA). Conflict respecting lands and resources is expected as First Nations develop laws flowing from their Constitution. The Treaty 5 territory has never been surrendered, released, nor ceded to any authority or jurisdiction because it belongs to the Creator who gave the natural laws governing the lands and water.

TFAO Inc. oversees the business of government development will ensure the protection of First Nations and their right to self-determination according to their customs, belief systems, and institutions. This will empower the First Nation Constitution and show the paramountcy of First Nation laws over provincial laws.

Finally, there is the harmonization of laws which should be of interest to everyone. There should be a process to recognize conflicts between the laws created within the Treaty 5 Okimowin and the laws that already exist within the communities. The laws that flow from the First Nations communities will take precedence. After reviews with the Technicians and the Elders Committee, ratification is the final piece in the process to ensure a shared understanding of freedoms and rights.

First Nations must emphasize their inherent rights and the natural laws by which they live to strengthen the First Nation Constitution. Right now, First Nations have the ear of the government and that can be put to good use. The 1996 RCAP final report stated, *“We've come to the conclusion that the inherent right of self- government is one of the existing Aboriginal and Treaty rights recognized and affirmed by section 35 of Canada's Constitution Act, 1982.”* UNDRIP also states that Indigenous people have the right to self- determination - to determine their political status and pursue their economic, social, and cultural development.

There are three core elements of effective self-government:

1. *Legitimacy* refers to the public confidence and support for the government. It is built by community engagement of those who are going to be governed. This is called the “consent of the governed” and is fundamental to both the process and legitimacy of any Constitution.
2. *Power* refers to the ability to enact legal standards and ensure compliance, to compel legal accountability, and to resources consisting of the physical means to act. Resources are not only financial, economic, and natural resources for security and future growth, but information and technology as well as human resources in the form of skilled and healthy people.
3. *Resources* are needed to effect legitimate government. Governments will always be judged by their capacity. The means to renew, reclaim and implement original law can be done through the development of a Treaty 5 aggregate Constitution. A Constitution in time can become the supreme law of the people and addresses core elements of legitimacy, power, and resources.

Regarding the First Nation Constitution, Mr. Nepinak offered the following words:

This draft constitution is a complex compilation of the work of the Elders, youth, men, and women from Treaty 5 who have contributed their thoughts and input to the wording of the document. Elders and technicians have provided direction, oversight, and spiritual support on how this Constitution should be developed.

Mr. Nepinak presented the 23 articles created for the Constitution, highlighting considerations and expectations given to each. Each are fundamental to the process of governance and must be discussed before being ratified by the 40 Treaty 5 Nations.

Article 1. Declaration which ties this work to previous generations of leadership going back to June 28, 1991. The declaration from Treaty 5 communities declare that the Creator gave us life, inherent rights and laws which govern our relationships.

Article 2. Original law is the supreme law enacted by the signatories to Treaty 5 and adhesions. The law is sanctified through ceremony by the Elders of Treaty 5, as witnessed by the Creator. The original law should be observed by all people that reside on the ancestral lands of Treaty 5 Nations. It is a very important part of the Constitution because of the view of the natural world, the human relationships within that natural world as defined in key terms in the Constitution.

Article 3. Law-making powers are exercised through the Owanasowehikamik (Law Lodge) and they include the following authorities: the Treaty 5 Okimowin (Governance) may make laws on the following matters: elections of the Treaty 5 Okimowin citizenship; elections of Treaty 5 Okimowin; enforcement of Treaties, timber, water and other natural resource development; business and corporate law; protection and health of the land; protection and health of freshwater; education and development of educational institutions; family and child protection; gaming and recreation; police services; community wellness services; marriage, wills and estates; trade and commerce, banking and finance, currency and negotiable instruments; equality and mobility rights; health and personal wellness; housing, infrastructure and land permits; permits, licensing and other means of regulation of access to the land; protection of the environment; intellectual and cultural knowledge preservation; social assistance; justice and the establishment of institutions.

Article 4. Official languages. The official languages of Treaty 5 shall be used at all proceedings of the national economic sphere. When English language is used there shall be interpretation into Dene, Oji-Cree, Cree and Ojibwe languages. The official written languages included within Treaty 5 have a right to be translated and presented in the respective languages.

Adjudication, constitutions, and laws drafted by communities are brought into French or English-speaking courtrooms. This constitution is the basis of reclamation of Indigenous laws that predate the arrival of legal traditions. If called upon to articulate or for interpretation of this constitution, or the laws of Treaty 5, it should be provided in the ancestral languages of the people.

The content of this constitution is not for adjudication by foreign courts, which oftentimes in Canadian court systems, within their judicial mechanisms, take liberties within their language of English or French in adjudicating worldviews.

Article 5. Rights and freedoms. These are guaranteed rights for every citizen, such as gender identity and equality, fair treatment, freedom of association, safety and security, freedom of religion, not to be detained or arbitrarily imprisoned, life, liberty and security, mobility to move freely upon the lands.

Article 6. Ceremonies within the Constitution and general assemblies, including the Owanasowehikamik, shall be conducted in accordance with the belief systems, customs, and protocols of the First Nations. These spaces and conduct will be safe spaces, free of discrimination for all purpose and all persons, regardless of gender, age, mobility, or any other delineating factor. Creating safe places for discussion is critical to the advancement of free and respectful dialogue.

Article 7. Citizenship must identify who the First Nations members are. There is a provision for what is called “provisional citizenry”; a de facto citizen who is any person currently enrolled on the Indian registry of any particular First Nation in the Treaty 5 territory is considered to be a citizen of Treaty 5.

A person who is not a de facto citizen but is a person who is claimed and recognized as a First Nation member by family members, leadership, and other members of their respective First Nation within the

Treaty 5 territory is considered a Treaty 5 citizen. This can be done through regular adoption and customary adoption, including clan relations, recognition, incorporation, acceptance, naturalization, or any other means accepted by the First Nation.

A registry will keep a detailed accounting of the individuals and citizens within the communities. Each individual Treaty 5 Nation will be responsible to provide that detailed registry including the initial population of the citizens of the Treaty 5 territory.

Article 8. Identity includes identifying as a citizen, member, clan relation associate or friend of Treaty 5. It also includes the choice of Treaty 5 citizens to self-identify concurrently as citizens of the Canadian state, and/ or citizens of the province of Manitoba, Saskatchewan, or Ontario.

Article 9. Lands and resources. A very critical part of a legitimate government is the ownership of resources. Treaty 5 Nations never surrendered, released nor ceded lands and resources to any authority or jurisdiction beyond the Creator and they steadfastly hold the Creator-given natural laws governing the lands, areas, and water. This is an important part to declare at the outset. Canadian law, primarily provincial law, is premised on doctrines of discovery or doctrines of Terra Nullius, both of which are flawed doctrines.

We call it a legal fiction that the land was vacant when Europeans arrived here. There were no vacancies, we know that the land was fully occupied, we know that the land was being utilized and was kept in pristine condition by our ancestors.

We need to move away from the application of laws that believe that the land is only there for exploitation and conversion to wealth. We need to recognize that the Treaty is not just about the human relationship but the relationship to the land. The Treaty ensured that the land was shared, and that development was done together respectfully.

Land, water, air and animals are significant elements of the Treaty. If we extend the same rights of Treaty to the land and all the living things that we hold amongst ourselves within the human side of that relationship, we can develop systems of sustainable development within our home territories that protect the land, water, air and animals.

The Manitoba government follows legislation it develops and those developed by previous governments but does not come to the table to discuss major issues brought forward by the First Nations. Manitoba, like other provincial governments, believes that it controls the lands and access to those lands, even on the reserves. There will be a conflict as laws are developed within the First Nations Constitution regarding lands and resources. For this reason, there must be paramountcy of Treaty 5 First Nation law over provincial law.

Enshrine your lawmaking going forward; accommodation to provincial laws has to be negotiated. Treaty 5 Nations have land sharing and land resource management agreements in place, and we must establish best practices from those experiences. We have rights to self-determination, and we know that the hallmark of good governance is consensus-building.

Article 10. Clan-based systems of governance must be considered; they can be integrated into the government systems of Treaty 5 Okimowin. This includes lawmaking, political and organizational structure. It is an original form of government based on consensus, and today, can mean consent at the community, national and international levels.

Article 11. Treaty 5 government and structure, as presented at this summit, defines self-determination, governance and the inherent right to govern ourselves according to our customs, belief systems, and institutions.

Citizenship includes the right to be heard, the right to create governance actions by way of moving or seconding motions and resolutions. During the summit, upon designation of a voting structure, participatory rights may extend to voting rights of all summit participants in attendance.

The summit will move locations within the Treaty 5 territory, and costs associated will be a shared financial responsibility. The summit holds a plenary power to discuss matters that impact Treaty 5 members.

Creation of currencies, including digital currencies, or the adoption of foreign currencies, and passports and identification are to be considered. This means the creation of a Treaty 5 card as an official government document.

Creation and management of the Treaty 5 Secretariat Office includes the management of salaries, adjustments, benefits, staff of the Secretariat, and also oversees the business of government. The summit can mandate the Owanasowehikamik as an oversight body, similar to a governing council. The Governing Council executive will meet intermittently between summit gatherings, providing oversight, direction, and advice to the operational and administrative management of Treaty 5 Okimowin.

There are some specific items listed to identify the Governing Council. The summit will promote equal representation of men and women.

While in a duly convened meeting, and with notice, the executive holds the plenary power over the operations of Treaty 5 Okimowin. Plenary power includes the ability to introduce new resolutions, to affect the direction of Treaty 5 resolutions, and implement resolutions passed at the summit.

Article 12. Justice and administration. Owanasowehikamik is responsible for the creation, drafting, and adopting of legislation. Legislation is then ratified at the summit, at which time laws come into force. Laws may be introduced relating to the following matters: enumerated Treaties; ancestral lands; protection of the Earth; protection of water; protection of the environment, including air and air quality; family and child protection; health; fiscal relations and banking; livelihood; trades; economy; education; conflict of law; justice; courts and tribunals; culture, heritage, language and traditions; and policing. Owanasowehikamik is the central lawmaking entity of the Treaty 5 Nation governments.

Representative members of the Treaty 5 Nations include youth, women, men and Elders of the Treaty 5 Nations. Appointments to Owanasowehikamik will be consensus-driven in a duly convened meeting of the Governing Council and Summit of Treaty 5 Nations.

Vetting and approval with the people is how the laws become legitimate; laws bind themselves to people who are willing to be bound, that's one of the hallmarks of effective government. A Treaty 5 Judicial Council will be developed within the government and structure.

The summit may establish lawmaking processes identified in the Constitution, such as a First Nation criminal court, civil court and tribunals based on beliefs, customs, and practices. The establishment of the judiciary may include traditional forms of dispute resolution, also referred to as restorative justice mechanisms.

The summit can authorize the development of an independent Treaty tribunal to investigate the grievances and protests regarding Treaties as the core element of Treaty 5 Okimowin. Owanasowehikamik is mandated by the summit and Governing Council.

Advisory committees could be mandated by the summit and or by the Governing Council from time to time. They operate under the terms of reference ascribed to them until the achievement of the stated goals of the committee are complete. The committees may be terminated upon completion of their goals or prior to duty completion by way of the summit or the Governing Council resolution citing appropriate cause.

Article 13. The Treaty 5 sovereign office will develop financial policies and procedures for the establishment of an effective, accountable, and transparent financial management reporting system.

Article 14. Relationships with Treaty 5 members. Member Treaty 5 Nations belonging to Treaty 5 Okimowin have a plenary responsibility to the Treaty 5 Nations Operations Administration, Governance and Political Leadership. Treaty 5 Nation participation is voluntary and non-prescriptive. Treaty 5 Nations may delegate specific responsibilities to Treaty 5 Okimowin on programs, services, and authority for the development of institutions.

Article 15. Justice, laws, tribunals, and administration. The pursuit of justice is a matter of law for the Owanasowehikamik to articulate, draft and reclaim natural and customary law in a form and substance compatible with the members of Treaty 5.

Article 16. Okimowin will be built on the core principles of transparency and accountability to the citizens and governments of Treaty 5. The effective administration of government is the ability to establish financial best practices and to set new standards of how we operate with any currency.

Procurement is one of those processes; are we utilizing indigenous-owned businesses within Treaty 5? Are we doing business with our neighbour? Treaty 5 Okimowin may need to raise revenue. The Constitution allows for that, raising revenue for specific projects, going to traditional lenders such as banks or credit unions in order to raise capital

Article 17. Treaty 5 Nation governments are the cornerstone of the reclamation of collective governance initiatives in nation rebuilding. Treaty 5 nations participate voluntarily in the collective governance and diplomacy of the Treaty 5 Okimowin. The relationship shall be maintained to the level of sacredness. No incursions are made by a Treaty 5 government unless delegated by that leadership council.

Treaty 5 Nations will use their elected officials, the Chiefs and Councillors, to participate in the Governing Council. However, a selected/appointed Treaty 5 member of a specified First Nation, upon consideration and approval, can become a member of the Governing Council. This will ensure inclusivity and variety of experience within the Council.

Article 19. The creation of a central government office and the management and public administration of Treaty 5 Okimowin will be done in approved stages. It will identify initial, different roles and responsibilities required and these will be further developed over time within the office administration.

Article 20. The Summit holds the authority to amend the Constitution. There is an amendment formula included in the Constitution which requires advanced notice of any amendments going to the Summit floor. The notice is to be received by the Summit office in a minimum of 45 days prior to a summit. First Nations will receive a copy of the notice no less than 30 days prior to the start of a summit or a special assembly called for that purpose.

Article 21. Constitutional Conferences. These conferences will be part of the community engagement and commitment to build legitimacy within the constitutional process. Treaty 5 constitutional conferences allow for broader participation which begins with local community engagements. Each community will have a chance to conduct a dedicated, full day (or days) discussion of the presented issue(s) in a local meeting, which can be virtual or in-person. The decisions will then be submitted to the conference for further discussion, then ratification.

Article 22. The harmonization of laws. There should be a process to recognize conflicts within Treaty 5 Okimowin law creation and laws that are already existing within the communities. There has to be paramountcy that falls in favour of the First Nations laws.

The laws that are flowing from the First Nations communities themselves will take pre-eminence. Ratification is the final piece of the process; it allows for this draft constitution to make its way into the hands of the professionals, the Knowledge Keepers, where community engagement, revisions and representations of this constitution may materialize.

Mr. Nepinak concluded his presentation by introducing the Treaty 5 organizational chart, as drafted by Louis Harper and the TFAO Inc. technical staff. The components consist of the Summit, the sovereign office, programs and services, economic development, special committees, judiciary, the treasury, which forms a big part of the central government, First Nations governance, and governance affairs that are beyond Treaty 5, specifically

the interaction and/or relationship and dialogue with Manitoba and other province, the federal government, and international governments as required.

Questions and Answers

Chief David Monias stated the signatories to the Treaties were distinct, sovereign, and self-governing people. Each Indigenous Nation operated on its territory from its own community. This is still evident.

Every government, as determined by the people, has the power to show that they are a sovereign Nation. I represent my people and I protect the Treaty on behalf of the people of Pimicikamak Cree Nation as we understand the Treaty with the Queen. Our sovereign Nation, as described within the Treaty, was identified as the Cross Lake Band of Indians. It was put under the control of the Indian Act and its entities. This situation continues to exist.

What will the transition look like? Which model will be right? We need transitional committees or aggregate entities that are locally focused and not so much of the national level, or some other level. How will this transition impact our local and traditional territorial governance that has been in place and in practice for over a century? A lot of our people are used to what they have right now.

Derek Nepinak clarified that his role was confined to the synthesis of the data within the Constitution; thus, he is unable to speak to transitional processes. He is certain that CIRNAC and other government departments had committed several years towards the process of looking at Treaty-based aggregation. In his previous discussions with Carolyn Bennett, there was recognition of a more fundamental role of Treaties in the development of the future relations between Indigenous people and Canadian governments. How that transitional process may work is yet to be defined. Communities will participate when they are ready, based on respectful boundaries that must exist towards the leadership of the communities and a new vision of Treaty 5 Okimowin. Certain delegations may come forward and Pimicikamak Cree Nation may have very clearly defined laws that exist today. The vision begins to solidify more each time community leaders come to the table and share thoughts. It has been a good process from what has been seen to date. It is hoped that this continues respectfully.

RESOLUTION: DECLARATION

Resolution *Respecting the Declaration on Natural Resources on Treaty 5 Territory* was read by Jennifer Flett, Summit Co-Chair.

The *Declaration on Natural Resources on Treaty 5 Territory* was read by Wapastim Harper, who introduced himself as a member of Berens River First Nation and Garden Hill First Nation. He acknowledged Elder David Blacksmith for raising the pipe in ceremony this morning. This is done to ask the spirits to sit with us. It is important to always keep our relationship with the spirits in our ceremonies and as part of our meetings, and to allow people to have that important connection, even though it is virtual today.

Resolution respecting the Declaration on Natural Resources on Treaty 5 Territory:

Whereas the First Nations of Treaty 5 believe that their Lands and Natural Resources within the Treaty 5 territories were never surrendered to the Crown of England or the Crown in Right of Canada,

And Whereas the citizens of Treaty 5 Nations attending the Summit of Treaty 5 Sovereign Nations on January 27, 2021 declare that the existing title to the Inminewak, Inishinowak, Denesoline, and Anishinebek lands and territories still belong to Treaty 5 Nations,

And Whereas the Treaty 5 Nations declare they have the inherent and Treaty right to continue with their mode of life and to make a livelihood as articulated in Treaty 5,

And Whereas the Treaty 5 Nations declare they will not support the extraction of natural resources on their Treaty territory unless consent has been properly obtained from Treaty 5 Nations and where a fair and equitable sharing of resources has been achieved and agreed upon, environment for seven generations to come,

Therefore Be It Resolved That the Treaty 5 Nations hereby adopt the following declaration on Natural Resources on Treaty 5 territory.

Declaration on Natural Resources:

We, the peoples of the Summit of Treaty 5 Sovereign Nations make this declaration in unity as Treaty 5 Nations. We pledge to uphold our aspirations and political resolve as expressed in this declaration. We declare that we are the sovereign Nations of the Denesoline. Inishinew, Inninew, and Anishinaabe living on our ancestral lands that are situated in the Treaty 5 territory. We also possess by inherent right traditional lands that extend beyond the boundaries of Treaty 5 territory.

We declare that we have a right to the lands, territories and resources which have traditionally been owned, occupied, or otherwise used or acquired by our people from time immemorial. This right was declared by our ancestors and our Elders and is affirmed in Article 26 of the United Nations Declaration on the Rights of Indigenous Peoples. Furthermore, we have an inherent and Treaty right to continue with our mode of life and to make a living as promised in our Treaty. We also have an unfettered right to trade and commerce.

We vow to protect our lands and territory so our children and their children may continue to hunt, fish and gather for food, medicines and other life-giving resources forever from our territories. We made a sacred Treaty as sovereign Nations with the Crown known as Treaty Number Five and its Adhesions between 1875 and 1910, with the understanding, among other things, to share the bounty of our homelands. But the Crown at both the federal and provincial levels have taken a unilateral approach in the interpretation of the Treaty that only serves to benefit them.

This violates the articles of our sacred Treaty and our inherent right to access our own resources to sustain our peoples and our governments. We, the peoples of the Treaty Five Nations, declare we can no longer support and idly stand by with the ongoing extractions of our natural resources without fair and equitable sharing of wealth as intended in our Treaty. Therefore, we are prepared to stop all proponents entering our lands without proper consent and protocols. Thus, we declare that all levels of government and business proponents seeking to do business on Treaty 5 territory must now seek a negotiated business sharing agreement that respects our rights and our standards on environmental protection.

When a business and resource sharing agreement has been negotiated fairly, the Treaty 5 Nations governments may then consent to the permits, licenses, or any other land dispositions for the sharing of the natural resources. We also demand that all existing agreements on natural resources be examined or revoked, if necessary, to ensure there is and always will be a level playing field and equitable sharing of wealth as a precondition in reaching these agreements. These agreements, some of which may become modern-day treaties, shall be fully implemented. To this end, we are determined to uphold the true spirit and intent of our Treaty that recognizes an equitable sharing of lands and resources, as well as to uphold our responsibility and jurisdiction in the management of our homelands.

For the preservation of the environment and all life on the land and water and sky, we declare to obey all the natural laws given by the Creator so that our descendants for seven generations may benefit from the beauty and precious bounty of the land. As the Creator, who is the great mystery, is our witness, we promise that we will uphold this Declaration to bring justice and true meaning of our Treaty so we can all benefit. Mamaaw kaakike, Thank you.

Mover: Chief David Crate, Fisher River Cree Nation

Chief Crate spoke to the resolution. Each Nation had respect for other Nations, including when it came into going into each other's land when migrating during different seasons. The importance of having a Declaration is to protect people and lands and everything related to both. Federal and provincial governments impacted our communities and traditional territories through the policies of the Natural Resources Transfer Act (NRTA).

The NRTA is a historical document developed by governments giving themselves the power to make decisions that have severely impacted our communities. An example is what happened in northern Manitoba with the hydro developments. Southern Manitoba was the main beneficiary. The Interlaken region has been environmentally impacted by resource development of peat moss, particularly Lake Winnipeg. Peat development has stripped the land of nutrients and has destroyed moose and deer habitat. There is also the carbon problem that occurs when land is stripped. There have also been negative economic impacts. Communities like Fisher River rely on commercial fisheries..

Chief Crate stated, "We want to form an alliance with this Declaration so that we as Treaty 5 Nations can work together, to ensure employment opportunities from resource development in our Treaty area. We must develop revenue sharing, to build our economies from resource extraction because it generates millions of dollars from our traditional lands." Because of the environmental impacts, environmental protection is also

paramount. The purpose of having the Declaration is to make a statement to governments, the private sector, and business sector, who want to do business within Treaty 5 territory that they must work with the Treaty 5 Nations to develop fair and equitable agreements in all development initiatives.

Second, stated it is important that we say something about our lands and resources, as Treaty 5 Nations, because resource extraction is currently still happening. Nobody is saying anything about this yet gold mines, mining, and forest harvesting continues to receive the green light.

CHILD WELFARE LEGISLATION, WALTER SPENCE

During the Virtual Summit, the Treaty 5 Chiefs gave TFAO Inc. the mandate to pursue the development of Child Welfare legislation.

Walter Spence is a member of the Fox Lake Cree Nation, possesses both an BSW and MA, and is a retired child welfare expert with two decades of experience from the 1990s to the 2000s. Mr. Spence is a former Chief of Fox Lake Cree Nation, serving from 2012 to 2019.

Mr. Spence began his presentation with an introduction and acknowledgment of members of Fox Lake Cree Nation; Chief Morris Beardy, Councillor Dolly Peters, technicians, and Elder Robert Wavey. His presentation focuses on Treaty 5 Child Welfare and is an outcome of Bill C-92 and the Recognition of Indigenous Rights and Self-Determination process.

He gave the brief history of CFS in Manitoba and why the political First Nation bodies established their own Authorities under the Child and Family Services Act. The philosophy of the leadership in their decisions was to integrate traditional values in the development of childcare systems. There were funding inequities between the province and First Nations. Assembly of First Nations (AFN) and the First Nations Family and Child Caring Society filed a lawsuit against Canada under the assertion that Canada is denying the rights of First Nations children access to health and medical care. The Canadian Human Rights Tribunal accepted the submission for review. In September 2019, the Tribunal ordered the federal government to pay compensation to First Nations children.

The Social Development Policy Framework was co-developed with First Nations. A Chief's Committee on Child and Family Services was established, as were a self-determination and a technical working group on social development. This led to the drafting of Bill C-92 to affirm the rights of Indigenous governments or organizations to exercise jurisdiction over First Nations child and family services, establish new national standards and principles, including the rights of children, the best interests of the child, cultural continuity, and substance of equality. This will guide the implementation of UNDRIP.

Ultimately, a protocol agreement was signed between the federal government and the AFN to establish a new guide to support discussions on the implementation of the funding and overhaul the First Nations child welfare system. \$542 million over 5 years, Coordination Agreements with existing First Nations CFS, the National Advisory Committee on First Nations Child and Family Services Reform, and the Consultation Committee on Child Welfare, are all part of the process moving forward.

The first phase of this initiative was to engage the 40 Treaty 5 Nations in Saskatchewan, Manitoba, and Ontario, by seeking views and input from the local level. The objective of the Treaty 5 CFS models, governance, jurisdiction and law initiative began with the proposal and work plan. Elder Wavey's presentation on Nation Rebuilding and the process highlighted there was an important component in the development of governance structures for the First Nations Child Caring system.

The First Nations child welfare system in Manitoba began with political mobilization in the 1960s and 70s, when political leaders were concerned with the high numbers of children being removed from reserve by the provincial CFS authorities. Manitoba Indian Brotherhood, today known as the Assembly of Manitoba Chiefs, led the process. Tripartite agreements were signed by the federal government, Indian Affairs, Province of Manitoba, AMC, and MKO, leading to the creation of Aboriginal child caring agencies.

In the early 1980s, Indian Affairs agreed to provide on-reserve CFS funding. The province agreed to delegate the CFS mandate, and AMC and MKO agreed to oversee the agencies through the appointment of Chiefs to the boards of the newly created Aboriginal childcare agencies. Five Aboriginal childcare agencies were created in Manitoba during this time. The agencies began with three budgets, operations, or administration costs to cover the staff salaries, travel, maintenance, per diems of children in care, foster care and residential care facilities, prevention services, called Services to Families Program. Agencies and parents signed voluntary agreements for in-home supports to keep the family intact, such as homemakers, parent aides, intervenors, etc.

In addition to the legal requirements of provincial law, each Aboriginal childcare agency had philosophical goals included in the tripartite agreement, known as a Master Agreement. The goals included strengthening the family through Elder and youth interaction, community development, etc. The costs were covered from the prevention budgets.

A key component of cultural and community care was the establishment of Local Childcare Committees, which were comprised of community elders. These committees assisted the agencies with advisory support and guidance in dealing with family matters. During the 1980s, the agencies of Manitoba operated with huge funding inequities. At the same time, Medical Services Branch (MSB) decided that they would no longer be responsible for the care of Treaty status babies born with technology dependencies and children with complex health problems.

MSB also eliminated their medical social worker positions and closed their medical boarding homes. Both levels of government were unwilling to accept responsibility. Hospital referrals fell to the northern child caring agency, along with all the financial costs. The Chiefs of Manitoba continued to advocate for more control and ownership over child and family matters. However, the two levels of government did not return to the political table during the 1990s.

The agencies continued to experience more financial hardships, including the added responsibility of babies born with technology dependencies coming into care which costed agencies hundreds of thousands of dollars per child. The federal government eliminated the provincial budget from the agencies' funding agreement, resulting in an increased number of children coming into the agencies' care in December 1990. The Chiefs and AMC signed a historic agreement entitled the Framework Agreement Initiative (FAI) with the Federal

Government to work towards dismantling the Department of Indian Affairs. The spirit and intent of the FAI was to lead to self-government and full jurisdiction in the first year or two of the FAI process.

The collaboration of MKO Awasis Agency and the 25 northern communities led to the draft MKO Framework on Family Law. There was a change in the federal government in the mid-1990s that brought an increase to First Nations CFS core funding. This increase in funding contributed to the construction of daycare centers on reserves. Five agencies expanded into 12 agencies at that time. The increase in funding permitted Tribal Council regions and independent communities to seek their own mandate over CFS agencies.

That was part of First Nations' political assertion for more control and autonomy over child and family services.

More babies were born with technology dependency, causing the agencies to incur huge deficits. Agencies sought national advocacy from the AFN and FNCFCFS. The federal government did not provide funding. The AFN and FNCFCFS then filed a lawsuit against Canada on the assertion that Canada was denying the rights of First Nations children to access health and medical care. The Canadian Human Rights Tribunal accepted the submission for review.

Some more significant events occurred at that time. In 1999, AMC terminated the FAI process. Chiefs of Manitoba continued to voice longstanding issues of First Nations mistreatment by the provincial justice system. High profile cases of the deaths of Helen Betty Osborne in the 1970's and J.J. Harper in the 1980's led to calls for inquiries. Associate Chief Judge Murray Sinclair and Associate Chief Justice Alvin Hamilton were tasked to investigate, report, and make recommendations under the Aboriginal Justice Inquiry (AJI) on the administration of justice, including in child welfare, regarding Aboriginal people.

One of the AJI recommendations was for First Nations to have an expansion of CFS off reserve and for the Métis people to have a CFS mandate. During the 2000's, the AJI's Child Welfare Initiative was created, and an MOU protocol agreement was signed between Canada, the Province of Manitoba, AMC, MKO, and the Manitoba Métis Federation. Over the next five years, comprehensive groundwork to restructure the CFS system led to the amendment of the Manitoba CFS Act. The creation of the Manitoba authorities in 2005 permitted the transfer of responsibilities to operational authority offices and operational agencies for private province wide CFS mandates.

A governance model including a leadership council was enacted and legislated. However, the province halted this process and stopped attending the political table and swiftly exerted their powers. Under the CFS Administration Act, some of the aboriginal authorities and agencies were placed under provincial administration. Meanwhile, in September 2019, the Canadian Human Rights Tribunal ordered the federal government to pay compensation to First Nations children who were unnecessarily removed and placed into the child welfare system or denied necessary services under Jordan's Principle, and to their families.

The Tribunal also ordered Canada, AFN, and the FNCFCFS, to create a plan to identify survivors and distribute compensation by December 10, 2019. Statistics for children coming into care continued to rise. First Nations leaders across Canada voiced their concerns to the government concerning the 2016 census data that showed while First Nations, Inuit, and Métis children under 15 years of age made up 7.7 percent of the total population, 52.2 percent of these were children are in care. These children were also 12.4 times more likely to be taken into care.

The Government of Canada funded First Nations child and family services agencies to deliver services on reserve, and child welfare services by the province or territory where those agencies exist. Although Manitoba First Nations have 40 years of administrative control of child welfare, Indigenous people in some provinces and territories never had jurisdiction with decisions made by the governments of that province or territory.

In 2006, the Social Development Policy Framework was co-developed with First Nations, the AFN, and Indian and Northern Affairs to look at a number of policy recommendations for social programming and services, including the FNCFCFS. Due to federal funding cuts to AFN in 2009 and 2010, no national advisory work was conducted. In 2016 the Canadian Human Rights Tribunal found Canada's flawed and inequitable First Nations Child and Family Services program to be discriminatory and ordered Canada to immediately remedy the discrimination.

The Tribunal has issued five rulings relevant to First Nations Child and Family Services, and additional entities, such as the Truth and Reconciliation Commission, have called for immediate action. The Auditor General of Canada and the Interim Report on National Advisory Commission on First Nations Child and Family Services have all outlined the need for federal legislation as a critical tool to help reform child and family services. The Government of Canada responded that they are committed to co-creating options and exploring federal legislation on child and family services within its current mandate. The legislation affirms pre-existing rights of First Nations.

The 2018 federal budget announced that the federal government would provide funds for social development, including a technical working group on social development, the establishment of a Chief's committee on Child and Family Services, and a self-determination process. This led to the drafting of Bill C-92 in 2018 and 2019.

The new federal legislation, Bill C-92, affirmed the rights of Indigenous governments and organizations to exercise jurisdiction over First Nations Child and Family Services, to establish new national standards and principles, to include the rights of children, the best interests of the child, cultural continuity, and substance of equality to guide the interpretation and administration of the Act. The Act was to purportedly contribute to the implementation of the United Nations Declaration on the Rights of Indigenous People, which supports First Nations authority over Child and Family Services. It will also set up national legal principles and standards that have been drafted to prevent and remedy family breakdown for First Nations.

As of January 1st, 2020, every service provider providing child and family services will need to follow the minimum standards found in the Act. The act will help shift the programming focus to prevention and early intervention, ensure that Indigenous children receive culturally appropriate services, allow the child to grow up immersed in their communities and cultures, help children stay with their families and communities, and prioritize placement with one of the child's parents, or with one of the child's family members, within the community.

On July 20, 2020, a protocol agreement was signed between the federal government and the Assembly of First Nations to establish a new roadmap to support funding discussions on the implementation of the fund and overhaul the First Nations child welfare system. No dollar figure was identified at the time of the signing until the federal government announcement in October 2020. \$542 million over 5 years was identified to fund national discussions, coordination talks with existing First Nations CFS, including those with Section 35 rights holders, the National Advisory Committee on First Nations Child and Family Services Reform, and the Consultation Committee on Child Welfare.

The agreement also recognized that individual First Nation governments have autonomy to enter into agreements or take other implementation steps according to their own priorities and to not impose a structure on all First Nations, Inuit, or Metis groups.

The Treaty 5 Administration Office (TFAO) was mandated through various motions, resolutions, and work plans, to explore the jurisdiction of Treaty 5 Child and Family Services and to pursue discussions on governance through engagement mechanisms on child and family services reform with the ultimate goal of establishing a Treaty 5 Child and Family Services template legislation as per Bill C-92.

Official delegates adopted the work plan to make sure it meets the requirements of having adequate resources and meetings to discuss the following institution building. This initiative followed the summit of July 11, 2019, directing the construction of the Treaty 5 Sovereign Nations Law Lodge and to make laws of our own respecting, but not limited to, child and family protection and board motions.

At their November 19, 2020 meeting, the TFAO Board of Directors approved to engage in partnership with Indigenous Services Canada regarding child and family services reform and to request capacity funding.

The first phase of the initiative is to engage the 40 Treaty 5 Nations in Saskatchewan, Manitoba, and Ontario by seeking views and input from the local level, to understand the application of the Act, discuss the governance engagement mechanisms, and develop a child and family law that reflects First Nations culture.

The main objectives of the Treaty 5 Child and Family Services models, governance, jurisdiction and Law Initiative of 2020 starts with the proposal and work plan and involves the following matters for this fiscal year:

1. Preliminary discussions on establishing a Treaty 5 Child and Family Services System model. Affirm the mandate at the Summit of Treaty 5 Sovereign Nations on January 27 and 28, 2021. Council resolutions will be required to send Indigenous Services Canada the current mandate by Treaty 5 Administration Office, Board of Directors along with various motions and resolutions of the Summit of Treaty 5 Sovereign Nations.
2. Secure resources to build capacity for developing child and family services models that reflect First Nations values, beliefs, and traditions. Meeting with Indigenous Services Canada to submit a conceptual work plan on Treaty 5 Child and Family Services model, governance structures and law. Submit a budget for Phase II.
3. Recruit qualified human resources to achieve the objectives, conduct and compile comprehensive research on First Nations perspective on current issues relating to child and family services, secure funding for the fiscal year ending March 31, 2021. Coordinate complex projects, facilitations, consultations, and research.
4. Analysis of the Act, engage in community dialogue regarding interpretation and application of Bill C-92 with respect to governance engagement mechanisms. Partnering with government to conduct regional sessions regarding interpretation and applications of Bill C-92. Gather advice on project management, design, legal and policy considerations in relation to Bill C-92 from elders, technicians, and experts in the area. Work with women, youth, and elders to identify distinct and substantive considerations in all aspects of the project as it relates to culture, values and practice. Zoom conference with regions under Treaty 5 to build consensus on Treaty 5 Child and Family Services Law.
5. Regional engagement with 40 Treaty 5 Nations on government mechanisms, Child and Family Services models, governance, jurisdiction and law. Host internal meetings with CFS experts, leadership, elders, and technicians. A total of 10 internal meetings are to be held, depending on the availability of funds to build a process to achieve the goals and objectives of the project. Emphasis is to be made on consensus-building on Treaty 5 Child and Family Services model, governance or accountability mechanisms, jurisdiction and law.
6. Develop a framework for Treaty 5 Child and Family law through community engagement and dialogue. Identify the legislative authority mechanisms and scope of the Treaty 5 Child and Family Services law consistent to the Act. A job framework of 3 to 5 jobs, and Family Services Law ready for circulation to Treaty 5 First Nations for review.
7. Coordination of formal communication strategies and updates on the initiative. TFAO office will maintain consistent reporting and updating to all 40 Treaty 5 First Nations to ensure their full understanding of the project.

Every step will require the development of a communication strategy and processes for ongoing First Nations dialogue, utilizing social media websites, informational materials, and reports throughout the fiscal year to maximize connectivity with First Nations. Also, prepare and disseminate information, packages, and updates through the TFAO website, www.Treaty5.com, and other means of communication.

17 governance engagement mechanisms will guide the process:

1. The notice to Indigenous governing bodies, Section 12 of the Act, including when Indigenous governing bodies have not been identified, including information sharing and identification of level of information to be shared.
2. Section 12, subsection 2, approaches for child intake system, cross cultural, cross jurisdictional communication, and case management mechanisms. Each agency authority has an intake system through a case management model or software program, as well as cross-cultural, cross jurisdictional communication

3. Clarifying key terms and definitions, including care provider, substance of equality, significant measure, reasonable efforts, and ongoing reassessment.
4. The overall system oversight to support a 5-year review and that is referenced in sections 35.
5. 31.1. Identification of need for child and family services institutions. Grassroots consultations to hear some of the institutions that they want reflected in the future law.
6. Verifications of socioeconomic conditions under Section 15, We've talked about in the past, poverty, housing, overcrowding, some of these conditions led to child apprehensions.
7. Consideration for the needs of care program authorities between existing program, and the implementation of the Act.
8. Requirements related to the development of a data strategy or requirement under Section 28 of the Act.
9. Clarification of what constitutes a notice under section 20, subsection 1, and what information is required for a notice of intent and request to enter into a coordination agreement discussion, including identification and community validation of Indigenous governing bodies, identification of validation process with rights holders on the draft of legislation, communication timelines of partners.
10. Overview of existing funding gaps and overlaps in order to be able to identify long term sustainable funding.
11. Funding Review Cycle.
12. Long term sustainable funding or the Funding Review Cycle.
13. Develop a dispute resolution mechanism as related to coordination and discussions outlined in section 20, subsection 5.
14. Child and family services liability, again, for some of us who worked in child welfare, that is a key requirement, and we usually apply for insurance for the board of directors and staff, children in care, child abuse, etc. That has happened in the last 40 years in Manitoba with our agencies
15. A 12-month period to conclude coordination agreement discussions
16. The application of minimum standards in the act.
17. A coordination agreement and discussion process.

Comment by Chief David Monias:

Chief Monias thanked Walter Spence for his presentation and shared that he has worked with Walter in this process since the 1980's. Chief Monias commented that he sat on the National Committee on Welfare and Self-determination and on the National Committee for Social Development. Both committees discuss the child welfare development process at the national level. A lot of work had also been done through MKO and AMC, under the FAI.

Community consultations were conducted through workshops, door-to-door surveys, and Elders' forums. There was also participation in the development and negotiation of agreements in principle that led to self- government initiatives at the AMC and MKO levels. AMC has The Bring the Children Home Act and MKO has a Family Law Act based on the collection of the beliefs and values on child and family services.

The same process was followed in the community meetings for the Aboriginal Justice Inquiry Child Welfare Initiative (AJICWI), from 1999 to 2000. That led to the creation of the Aboriginal Authorities Offices for the south and north First Nations. Also, there was a definition of child welfare across Manitoba, especially with the losses where they were supposed to be on an interim basis. Those 25 First Nations are now being dissected on default, down to about eight First Nation CFS agencies.

Much work on devolution was done, despite being under the Manitoba Child and Family Services Act. A CFS Agency-based consultative committee worked on permanent community specifics to develop appropriate cultural services.

The focus must be on empowering people to help First Nations create their own Treaty-based laws rather than creating an aggregate or entity that take services away from First Nations who are sovereign and have systems in place already.

The provincial government was the primary barrier. It stopped First Nations from practicing culturally appropriate customary care practices. It did not fund us to empower our families, which was the reason the number of children in care started growing higher since the AJICWI. Something that was supposed to help us backfired.

The move was from centralization to decentralization, with the intent to extend our powers and authority. We may have to introduce agreements ourselves as Nations, which may be under this Treaty or other entities.

A lot of processes are happening, like entities being drawn up as Indigenous governing bodies. The distinct Indigenous governing bodies must remain with the First Nations, with the different governments or sovereign Nations. They delegate upwards of administrative power and executive powers that can be taken away later on.

OWANASAWEHIKAMIK (LAW LODGE), DR. JENNY WASTESICOOT

Dr. Jenny Wastesicoot presented on Owanasawehikamik (Law Lodge). She attended university to study Aboriginal spirituality, to better understand who we are as a people, as Cree people, and develop a cultural framework for self-government. She conducted an analysis of over 1400 documents and filtered through those documents for relevancy to Cree people. Her presentation is based on that research from the Hudson Bay Archives, Jesuit documents, and numerous discussions with Indigenous Elders.

The framework of her research was developed looking at the following areas: the inherent right to live as granted by Kitchi-Manito; the spirit and intent of the Treaties; Section 35 the Constitution Act 1982; the United Declaration on the Rights of Indigenous Peoples; the Canadian Charter of Rights and Freedoms, re: Section 2(b), freedom of religion; the Canadian Human Rights Act; and the living memory of the Elders and other proponents; and archival research.

Dr. Wastesicoot spent time with the Elders in her research. They always talked about Cree beliefs and stated that Cree law was different from the Canadian laws and institutions. Cree law is not really understood by existing Canadian regimes because Indigenous legal governing structures are centered around spirituality. The Elders maintained that Cree beliefs and value systems were grounded in spirituality, specifically in the belief in the Creator and His laws. The Elders stated the Cree belief that our ancestors continue to watch over us as we are working and living in this physical world - "We may not see them, but they are still around us, and we have to acknowledge them."

The Cree way of governance was very involved in ceremony. When Indigenous people first met Europeans and they came together to trade, ceremonies would be conducted as well as gift exchanges. These meetings and the ceremonies were recorded in Jesuit missionaries and Hudson Bay documents.

These documents revealed great interest in the First Nation way of life. Cree people believed that their dreams were very much part of their living world and would follow up to anything they dream their ancestors wanted of them.

The Cree people always offered a prayer of thanks before they ate or drank to acknowledge the spirits of the ancestors. The records showed that alcohol was first used by the First Nations as an offering, along with the tobacco, to the Creator and the spirits. Alcohol was an item used by the Europeans as an offering for good relations and for trade and exchange. Before long, alcohol became a source of upheaval and animosity as First Nations people became caught up in its addictive properties. Eventually, the Jesuits, the Hudson Bay, and the fledgling settler government banned alcohol as a greeting and gift item and curtailed it as a main trade item.

Written information about the “**Wakotowin**” was found in various documents. Wakotowin is the belief that all things were related: the person, family, environment, all living things, the spirit world, and the Creator. The First Nations people, therefore, lived a life based on the good relationship with the natural and spiritual worlds and allegiance to the Creator and His laws was paramount in all activities.

The Cree way of life was structured around the matriarchal system. Settlers dismissed First Nation women because settlers came from a patriarchal society and did not want to have any dealings with First Nation women. In the First Nation system, the women managed household and other material things needed for everyday living. Andrew Graham, a Hudson’s Bay trader, lived and traveled with Cree people. The Cree used dog sleds to travel, and he wanted to buy dogs from a Cree man. The Cree man explained, “The dogs don't belong to me. They belong to my wife. You have to ask my wife”. Dr. Wastesicoot’s findings led her to conclude that any decision regarding the family and the community, came from the women.

The values and beliefs held by First Nations formed the basis of Indigenous laws:

Aboriginal law comes from the Creator. The Creator’s laws are sacred, and they are grounded in spirituality. They have existed since time immemorial. They cannot be changed. They come with rules and regulations, and we have an obligation to live and act in harmony. And we also have protocols that we have to follow. These protocols extend towards the environment when we go out harvesting.

The early settlers, particularly the Jesuits, did not understand Indigenous laws, customs, or traditions. Instead, they started labeling the Indigenous way of life, the worldview and interconnectedness, as devil worshipping and witchcraft. Such biased thinking became the dominant messages in their documents. Then, over time, these messages came to be recognized as fact. Settlers’ perspectives began influencing First Nations ideas about themselves as well. As a result of historical events, which include European- based dictates, First Nations people have, failed to maintain, honor, and respect First Nation laws. This has caused, and is causing, numerous hardships that impact the whole family and community circle.

Dr. Wastesicoot spoke of the need to follow the protocols developed by the ancestors and to respect the Creators’ Law:

“We always have to be mindful that the Creator gave us these laws and one of them is called Pimatisiwin, our worldview. We understand Pimatisiwin as the act of not respecting the Great Law. If someone does something that is not right, there are consequences for crossing the line, which happens when one is not living in balance and harmony; and the results may bring harm to the individual family or community. Spiritual punishment can impact for generations.

For example, when we talk about wichinay, if we harm any animal, I heard an experience where there were hunters that didn't properly take care of their hunt and instead of sharing, they threw it in the garbage. The Elders saw that and were afraid that the hunters had offended the spirit of that animal. Sure enough, that's exactly what happened. So, the community had to go further out to access food. We have to be mindful. Pimatisiwin is something that many of us fall into because we tend to forget our laws because of things that happened to us, for example, residential school.

When we understand our law, Owanasawewina, we understand our original orders and they cannot be changed. They cannot be amended. We cannot negotiate them. We cannot eliminate them because these are original orders that come from Kitchi Manito,

our Creator. We understood there are rules and regulations that apply towards the care for a family's land and environment. Following them helps to maintain peace and harmony. No suffering, no poverty, no homelessness. For Indigenous societies, homelessness did not exist in the past because everyone was looked after. Neither did poverty exist. We had no poverty because during the fur trade era, when our men would go out and trade, they would make sure that they brought enough belongings, and they would distribute that share amongst everybody. So, there was never any poverty or homelessness. Everyone was looked after. That was our way of life.

First Nations people must relearn the ancestors' way of living and ways of doing things. Dr. Wastesicoot shared a story about when she came out of university and started to spend a lot of time with Elders to learn about and further understand the Cree way of life. She recalled an Elder saying to her, "When I went to residential school, I came out a bitter man and I was very violent". That was what he learned at the school, and it took a long while to get out of that experience and thinking. The Elder emphasized that the First Nations people must relearn what Pimatisiwin is and what it stands for. He added that the Indigenous way of life was grounded in spirituality, "Our foundation was spirituality, and we have to relearn all of that. What happened to us in residential school was that our spirits were damaged."

Dr Wastesicoot stated that such experiences have resulted in many First Nation people walking around "*spiritually disabled*". The First Nations people must fix this by reflecting on the learnings that we receive from the Elders and participating in ceremonies and cultural protocols.

The Elders have said that everyone supposed to be given a spirit name, which is spiritually connected to an animal, an environment image, or even to the universe. It is important to understand why a spirit name is chosen, that the name received is a teaching and a lesson and will help to ground us.

Research of Hudson Bay Company journals revealed that when the company traders met the First Nations to trade or exchange, they observed First Nations changing their names. A name was sometimes a form of discipline - whatever it was that you did, you could end up stuck with a name indicating the action. Today, the name can be referred to as a nickname and is different from a spirit name. Today, we are still getting names but only a few times in a ceremonial way.

First Nations people must understand that all cultural education is land based; however, doctors who do not understand our ways. Young children may be fidgety in class, and this could be because spirits might be bothering them. It was shared that there was a high percentage of the children prescribed Ritalin to calm them down while they are in school. Parents and teachers must work with the Elders to understand better and fully what was going on with an individual child in the school. If it has something to do with the spirits, then we must help guide them. It is important to understand that spirituality makes up the foundation of who we are."

First Nations people must take time to understand the ceremonies as they are integral to our Indigenous way of life. The origin of the ceremonial pipe was described as follows:

We know about our stories, our traditional stories, our creation stories. Well, one story has to do with that pipe, where the Eagle went to talk to the Creator because the people were suffering. So, the Creator told the Eagle to bring the pipe down for the people. And

then the pipe was given to the women. But the women noticed that the men were suffering, so they gave the pipe to the men so the men would no longer suffer.

What I learned from that is we have to take turns helping each other. If the women are suffering today, the message is that it is time for the men to transfer over that responsibility to help our women. That was our way of life. We helped each other. We shared and we took care of each other. We respected each other. It's important to understand this when we're looking at developing Owanasawehikamik (Law Lodge).

There are many other important ceremonies in Indigenous culture. Feasting, for instance, was and is very important to Indigenous people. It is held when a child is born to acknowledge and welcome the child. Each time that child went through a different stage of life, there was a feast of acknowledgement. This helped ground the child in their spirituality.

Gift giving, an exchange of belongings or knowledge, was also important to the First Nation way of life. This was done as a practice to cement alliances, to keep the people united. At the same time, the people were encouraged not to hoard belongings or possessions. Because of colonialism and ongoing assimilation, give aways are not practiced much anymore. First Nations people must reinstate gift giving because it will improve everyone's life - what we give away is what comes back to us. This was our understanding and our way of life. That was the life that given to us by the Creator:

In our way of life, we have the values that we live by, and we call them the seven sacred values. They are the principles of life and living. The Elders say, "Those are our laws." That is what I understand from the Elders.

In our culture and traditions, Sakiwewin is love; Kistenchikewin is respect; Kiskentamowin is wisdom; Tapatenimowin is humility, Tapwewin is honesty; Sokenimowin is courage; and Pakwaynamatowin is sharing. The words have a spiritual foundation because they come from the laws of the Creator. Thus, I always say that our language is multilayered. That means it is spiritual.

Pakwaynamatowin is very important because it maintains life, keeps the people together, and connects us to the Creator. For instance, our hunters shared what they got from hunting, and they would call the community members, "Come on, come and get a piece of meat, take it home." Everyone benefited by the sharing of food that was given by the Creator.

Sakiwewin, means hold your loved ones. Sometimes, we forget to do that. A lot of our people are on the streets because we do not understand what love really is. These are the things that we need to learn and understand when we're talking about Oonawaysakamik. So, as we move forward with our implementation plan, think about all those things that we need to do as we are moving forward.

TFAO Inc. has been given the mandate from the Summit of Treaty 5 Sovereign Nations to protect and implement our Treaty and inherit rights, as well as to put into effect our distinctive political strategies. One specific action is to develop a charter of the summit that will include, but not be limited to, making laws regarding Treaties, lands, natural resources, water, environment, family services, health, education, and justice and policing.

The Owanasawehikamik (Law Lodge) will serve as the law-making entity over matters where family, judicial, social, and environmental issues may be resolved. It will be a place to learn teachings and social responsibilities, and where law will be recited, informing community members how to live together. In developing Treaty 5 structures it is necessary that a sacred lodge, connected to the Owanasawehikamik, be located at a central location where ceremonies can be carried out by spiritual leaders. These protocols will be determined and decided by the working group, particularly in working towards building the Sacred Lodge.

It is very important to understand the proposed structure of Owanasawehikamik, the Law Lodge, and to base it on the structures that were used a long time ago. There is a teaching that comes along with building a law lodge. When resurrecting this lodge it must be started from scratch and not shortcuts can be taken, otherwise the teaching will be missed.

As an example of structures, when First Nations people lived in teepees, every part of building the teepee, from the harvesting of teepee poles and coverings, the circular structure, and finishing the structure (or the bringing together, connecting of all the components), came with a teaching. The teachings were acknowledged through prayers and thanksgiving. When the people entered the teepee, they were reminded of those teachings. Thus, they were reminded of the teachings every day of their lives. The traditional way of life was always grounded in spirituality and the belief that life existed in a circular motion, much like the circular seasons. Thus, the people always looked around the circular structure of the teepee and saw it as an image of the world that was interconnected and non-hierarchical. The seating arrangement inside the teepee was important as well because the position of each member, the headman, the woman, and the children, reflected the traditional way of governing. This was more obvious when a communal teepee or lodge was built, where all members attended and were seated according to positions of standing.

In implementing the Law Lodge, a female Elder with traditional knowledge must be sought to help with the building and resurrecting of the structural foundation. This recommendation came from the knowledge of Elders who teach that the ceremonies connect us to the woman. This was especially relevant to the building and use of the sweat lodge. Dr. Wastesicoot described the sweat lodge ceremony and the women's roles in the ceremony in the following way:

Elders say that entering a sweat lodge is like going into the mother's womb. It's a place and of comfort. It's a place where you can go and release all your emotions, and when you come out of there, you feel like you are renewed. You feel like you are literally reborn. A lot of our ceremonies are connected to our women. An Elder also told me that the women were the ones that were involved in the ceremonies. Elders tell us that it's important for us to understand the way it was, who was all involved, how our women were involved in governing, and the role that men and the young people had.

Ceremony was important for First Nations and was critical in bringing guidance and direction to their lives and works. This can be used in developing a Law Lodge and in restoring Okimowin (First Nation Governance). Dr. Wastesicoot elaborated on the importance of ceremony in the work of the Summit of Treaty Five Sovereign Nations:

Consulting in a ceremony is important to ensure proper protocol is being followed. Through ceremony the spirit of our ancestors will come and tell us if we are following proper protocol and if we are not, we will be told right away. The ceremony is critical and important to bring guidance and direction as the work proceeds.

Protocol and ceremony are very important in rebuilding and resurrecting of structural foundations.

When the settlers arrived, they interrupted the First Nation way of life. It will require sacrifice and a self- commitment to change for the betterment of all peoples and the Nations. The leaders must lead and be role models supporting one another and coming together when needed to give strength and support to resolve any conflict, dispute, or disharmony.

In exploring another way of governing Dr. Wastesicoot explained the importance of bundles:

Even today when our people have a gathering in a ceremonial way their bundles are important. But that was our way of governing as well. An important function of the law lodge will be the use of sacred bundles. These bundles were used to deal with social and political functions. Each nation member will bring their own sacred bundles to be displayed, as a spiritual remembrance when dealing with family, social, environmental, political, and judicial issues. The bundles serve to help in bringing balance, harmony, telling truth and to govern relationships with people and community members. It's very important that these bundles are there as a daily reminder of what it is that we're doing at this Owanasawehikamik (law lodge).

The following roles and composition within Owanasawehikamik (Law Lodge) were informed not only through Dr. Wastesicoot's research, which included texts by Mandelbaum, but especially from her numerous discussions with the Elders:

Otestamakwew

One of the important roles that was built into the governance structure were persons called Otestamakwew. Otestamakwew served as interpreters and understood the roles and responsibilities they carried as they recited their nation's law for the very first time. Each person that is chosen to participate functionally in the Law Lodge understood that they must fulfill a vow and were obliged to follow all necessary ceremonial requirements so that everything was being done according to the original instructions given by Kitchi Manito. For example, selected individuals had to give a feast where they gave an offering to make sure that the people were grounded and followed protocol.

Oskapewsak

The Oskapewsak were the helpers, they helped with the ceremonies. In our present renewal process, the Dene, Oji-Cree, Anishinaabe, and Cree will select an Oskapewsak. Each nation will also select four additional people to serve as Oskapewsak helpers. These individuals will work alongside the Otestamakwew. The Oskapewsak will assist with preparations, with all ceremonies and lodge building. There will be 16 Oskapewsak or Weechiwaywuk (helpers) assisting in the function of the law lodge. They are the ones that are called upon when a community needs to organize large gatherings or events. These people are already there in our communities. They are always there willing to help and are committed to help the Ceremonial Keepers with the ceremonies.

Knowledge Keepers

The traditional knowledge keepers consist of both male and female First Nations members and carry certain sacred knowledge relating to child rearing, family roles, traditional practices, education, water, land, environment, social and justice issues, and traditional governing structures. Each Nation will identify their own community knowledge keepers to guide, assist and support the work and needs of each of the Treaty 5 communities.

Omamatysewak

Another important role is Omamatysewak. These are the spiritual people, the Ceremonial Keepers. They took on roles as healers, visionaries, and ceremonial providers. They were often chosen to be leaders in the communities. They provided guidance and assistance in various issues. They would do a ceremony if, for example, somebody offended the spirit of an animal. The person and the community would suffer as a result. Every time a hunt was done, there would be problems and there was no catch. The Omamatysewak would then do a ceremony and find out what was going on. The Omamatysewak protected the Nation and the people; their role was important as they were the ones that knew how to use medicine power. Medicine power was an essential part of the governance of the Nations as it helped keep negativity out of the communities. The role of the Omamatysewak must be established at the Law Lodge to help bring about spiritual protection over the Nations and to keep the people and communities safe.

Smudging also relates to the role of Omamatysewak. It was a purification process of the mind whereby a person acknowledged the life given by the Creator and committed to follow the Creator's laws.

Okijidawak

Another important role is provided by the Okijidawak. The Okijidawak are young people who have earned the status of warrior. This role enabled them to be leaders who carried certain skills that were needed in the community in maintaining cohesion, unity, and policing. Their responsibilities were protecting the community, organizing hunting parties, taking care of the waters and the land (environmental protection). The Okijidawak helped to ensure the laws were followed for the health and safety of their people.

But I want to I just want to say something about Okijidawak, that word itself, if you were to really analyze that word “okijidaw, kijidawak”, in our community there was no such thing as failure, no one failed. So, if you went to try to run to be a chief, or maybe you ran a competition to try to beat the head lead hunter, but it didn't work out that way and somebody else won that competition, you became labeled as Okijidawak, "they tried". You became known as Okijidaw and earned that status of warrior because “you tried”. There was no such thing as failure in our communities. Unlike the system that we are working in today, if you're going to school and you don't make it right away by your failure, they put an F on there, instead of saying Okijidaw. Something to think about.

Taypenchykes

In each family there was always that one person who took the lead when family issues arose, they had a lot of influence and authority over family matters. This person was called by their siblings, “Taypenchykes”. These people acted similarly to what we know as Tapwastumakwewuk (callers). They called the orders in the community, and they reminded people of the order that was put forth. These orders may be to attend a feast or even prepare a feast, or to attend a ceremony. Oca-kit-ostamakew, “behave yourself”, this person acted in a disciplinary role and was responsible for setting things straight. Serving in a disciplinary role they may have the authority to scold those who are not listening. They ensured people followed protocol and they had the authority to correct behavior.

Child rearing practices included the role midwives who looked after a woman who was giving birth and the responsibility that came with that, including a ceremony to acknowledge the afterbirth. It was taken to the bush and put away in a sacred place. The Elders say that wherever you put your afterbirth, that is where your child will want to be in the years to come. The people have a responsibility to start taking care of that afterbirth. If they want to fix our communities, we have that responsibility. That was our way of life.

Opakamawaso

Opakamawaso, this person was responsible for children. Another role in helping the community was called Opakamawaso. They had the authority to correct and enforce positive behavior in children. So that person walked around in the community with a stick, but never used it, but just using this position to enforce positive behavior.

Opasastahikew

Another person is the Opasastahikew. This person kept people in order by reminding each person to make sure they are following the rules. Their role is like that of a whipper who gives people warnings but also to report them when they are not following the rules so that other disciplinary measures may be imposed. This person would act more like the political people in their functions. And when you see them in ceremonies too, they keep an eye out, they stand out and they look around for someone who is not following the rules, they walk up to you and say, "Hey, pay attention".

Many different types of resources are needed to do this work including spiritual resources. The construction and implementation of the Law Lodge will require such supports:

To signify the spiritual commitment a sacred fire must be lit. Igniting the sacred fire is also to awaken and acknowledge the spirits of the ancestors to watch over the law lodge. The sacred fire is also to acknowledge the connection to women, the matriarchs of our nation.

A traditional feast ceremony was also a big part of the Ininev political, economic, and social practice. A feast should be prepared for the Law Lodge, and should include, or be followed by, a gift giving ceremony.

Kosaposchikan is a ceremony that is used for health and wellness, seeking information, and was also useful in helping make an important decision. I found also in my archival research, especially in the York Landing/Factory area, a lot of our people used that Kosaposchikan whenever they needed advice or direction from the spirits, that's what they would do, they would use that Kosaposchikan. Especially when it came to a really hard time, they would use Kosaposchikan.

Gift giving, as I said, was a common practice that would serve to cement alliances and reaffirm friendships. So, this is something that should be an ongoing practice at the Law Lodge, to keep cementing those alliances and maintaining those friendships with the people.

Our traditional principles, seven teachings or seven laws, can guide the organizational plan and management us. These original laws will influence and direct the resolution of any conflict that arises as a result of this work. These original laws can be summed up as: *Pakwaynamatowin* – Sharing; *Sakiwewin* – Love; *Kistenchikewin* – Respect; *Kiskentamowin*- Wisdom; *Tapatenimowin* – Humility; *Tapwewin* – Honesty, *Sokenimowin* - Courage

The Law Lodge team will be guided by a code of ethics to serve as a reminder to maintain the highest standard of reputation, a positive attitude, and upstanding character in the work needed to maintain the Treaty Five Law Lodge. The management philosophy will be built upon the traditional customs and practices of Treaty 5 Sovereign Nations and will come from the guidance of the Knowledge Keepers. The Law Lodge team will encourage growth, development of knowledge, abilities, responsibilities, and maturity of the Nation so that they become independent, autonomous Nations. It is therefore important to this process to begin decolonization, supported with training and cultural awareness. This work will be carried out by the Weechiwaywuk (the helpers) at the community level. The Weechiwaywuk will be instrumental in helping to support decolonizing, an integral component to the work ahead.

Code of ethics are very important. As I said, I worked with elders before and we developed the code of ethics for them because our reputation today, according to the media, and the many times they attack us and jump on the negativity; and that's the image that they present out there. So, a lot of our elders have to work really hard to change that image because for a while the media was portraying them as abusers. We need to change that. We need to change our image of our people. How we do that is, we have to develop our code of ethics and follow our code of ethics, because that was our way of life.

It is important that we recognize the expertise and contributions of the Clan Grandmothers who will also become directly involved in decision making. It is recommended that an interim council to be established to work with local women to help support, revive, and honor the sacred roles and responsibilities once held by Treaty 5 matriarchs and to support and maintain law and order, bringing balance and harmony to the communities.

There will be a citizen function within the operation of the Law Lodge as well. Its function is as “a governing body established to serve as Ohkanawenichikew, the oversight body. To oversee

the governing functions of the law lodge.” Chosen representatives must comply with security requirements and have some financial literacy. These representatives will provide recommendations with regards to the operations and functions of the law lodge.

Many of our people right now are starting to say, how can we look after ourselves financially? We have to change that image as well, because a lot of our people right now are scared that we may not be able to carry ourselves, because we have to learn how to handle finances.

It was in the 1950s when we started really understanding that we could do a lot more in terms of our way of governing. But finances were not something that we ever really got a good handle on, and we need to get a good handle on that.

Owanasawehikamik Law Lodge will help its citizens to restore balance and harmony by traditional methods that include the “wiping away the tears” ceremony. So much has been lost and there is much sadness. Healing needs to happen in our community.

We have lost our way of governing so it's important that we do the ceremony to wipe away those tears. I share an experience we had with one of my family members. The mother lost her child through the sixties scoop. The child came back to us when she was already in her late twenties. We did the wiping away the tears ceremony. It was very, very powerful to go through that, wiping away the tears. And that's really important. We need to bring that back.

Our communities also have community drums to signify the enactment of the law lodge. Those community drums have to be sounded on the day of the resurrecting of the Law Lodge.

When the Indian Act came into place, Indian Agents and colonial law enforcers took away all our bundles to make an example of people that were practicing their traditions. These bundles were put into the center of the community and were all burned. The colonial government wanted to get rid of our connection to our spirituality, and they succeeded in large part in doing that. We need to bring back those traditions, ceremonies, the bundles, and community drums. A vision of the first steps in the process of establishing the Treaty Five Owanasawehikamik (Law Lodge) can include the following:

The lighting of the sacred fire will signify the start of the work. Once the first gathering is over, the coal from this fire will be taken to the next gathering. This procedure will follow until all recitals have been completed.

Tobacco is also very important. Tobacco offering must be provided to all that are going to be involved in the sacred work, especially to those that will take care of the bundles. Feasting, gift giving and holding ceremonies will be an important function and will be maintained throughout this work.

First Nations governance involves interconnectivity - ways of relating to ourselves, each other, and the world we share with all living things. There is connectivity, foundations of respect, love, humility, and there is an outside force that we must always consider when working or in conflict with, one another as well. Our way of governing is not hierarchical, it does not promote one individual above all others but instead emphasized balance and harmony. There is a place in our governing bodies for all, and that place is not determined by what the individual has achieved but, largely, on how the individual behaves and interacts with the original laws. First Nation law centers spirituality and use of ceremony to bring everyone into harmony.

Identifying and Monitoring Current Legislation that Affect Our Inherent and Treaty Rights - Jason Mercredi, TFAO Inc Research Analyst

During the Summit gathering in Black River on July 9-11, 2019, TFAO Inc was directed by the people through a resolution to develop a workplan to monitor and propose action on any proposed legislation initiative that may impact on the Treaty, Lands, Resources and Rights of Treaty 5 Citizens. In accordance with the resolution, number 071102019-5, "Resolution Respecting Citizenship Consultation", Jason Mercredi presented his research on current federal and provincial legislation that affect our inherent and Treaty rights at the 2020-2021 Virtual Summit. This includes UNDRIP, Bill C-15; protest laws in Manitoba, Bill 57; and provincial immunity, Bill 34. He then summarized a fuller legislative review of research that he conducted over the time during the COVID-19 pandemic. While this is not a legal analysis it is from a First Nation Treaty-holder perspective.

UNDRIP, Bill C-15

The *United Nations Declaration on the Rights of Indigenous Peoples*, or UNDRIP, is under consideration by Canada under Bill C-15. The declaration is an international guide on state and Indigenous relations. It contains minimum standards, including for treaties, and on Indigenous people's rights to natural resources on lands they have traditionally owned and occupied. 'Minimum standards' does not meet a high standard as set by Indigenous nations. Bill C-15 was introduced in Parliament on December 3rd, 2020. It follows the Honourable Romeo Saganash's introduction of Bill C-262, which recommended the acceptance and full implementation of UNDRIP by Canada. He entitled his bill "an Act to ensure that the laws of Canada are in harmony with the United Nations Declaration on the Rights of Indigenous Peoples."

Bill C-15 stated that the federal government is required, in consultation and cooperation with the Indigenous peoples, to take all necessary measures, including developing an action plan, to ensure that the laws of Canada are consistent with UNDRIP. Bill C-262 used the words, "in harmony with the United Nations declaration", whereas Bill C-15 used "consistent with United Nations declaration".

According to UNDRIP, self-determination means Indigenous Nations have the right to self-government and territory. Canada's position, however, was that any self-government must be within the framework of the Canadian Constitution. This meant little change in the Indigenous people's current relationship with the Crown because Indigenous inherent and Treaty rights, calls for sovereignty recognition, and traditional territory claims would continue to be subject to Canada's Constitution.

To subject our inherent and sovereign rights to Canada's Constitution permits an assumed superiority over our lives in a kinder Indian Act way.

UNDRIP recognizes that everyone, including the settler Nations, have the right to self-determination. Its preamble states, "Bearing in mind that nothing in this declaration may be used to deny any peoples their right to self-determination, exercised in conformity with international law." UNDRIP also affirms that all doctrines, policies and practices based on or advocating superiority of peoples or individuals based on national origin and racial, religious, ethnic, or cultural differences are racist, scientifically false, legally invalid, morally condemnable, and socially unjust.

UNDRIP Articles 3 to 5 refer to the Indigenous people's rights to self-determination. Article 3 states: "The autonomy of self-government in matters relating to their internal and local affairs and ways and means for financing their autonomous functions and the right to maintain and strengthen their distinct political, legal, economic, social, cultural institutions while retaining the right to participate fully, if they so choose, in the political, economic, social and cultural life of the state." This Article can be interpreted to mean that the claims by the Treaty First Nations that they had the right to access their territories and natural resources must be recognized and supported.

Several Indigenous Nations have expressed concern about Article 46 because it seems to limit Indigenous sovereignty. This Article states: “Nothing in this declaration may be interpreted as implying for any state, people, group or person, any right to engage in any activity or to perform any act contrary to the charter of the United Nations or construed as authorizing or encouraging any action which would dismember or impair totally or in part the territorial integrity or political unity of sovereign and independent states.” For some, the issue with this statement was that it neglected the Indigenous claim to territorial and sovereign rights. For instance, if the Natural Resource Transfer Agreement were to be found invalid due to breach of Treaty (where, as our Elders tell us we have not surrendered our lands), the result could mean a justified return of our lands which would cause a dismembering or impairment of the territorial integrity of the state (Canada).

The supposed territorial integrity and political union of Canada as an independent state, is based on the doctrine of discovery, terra nullius, which is a declaration that the settler nations have the God-given right to our lands. Article 46 was entered into UNDRIP in 2007 and essentially maintains the self-appointed authority of the Canadian state over our lives.

The implementation of Bill C-15 is addressed in Article 38 which states that Canada had to enact legislation that will enable the achievement of the declaration’s objectives. Article 39 affirms the rights of Indigenous peoples to have access to financial and technical assistance, including to promote the state and Treaty relationship with Canada. Bill C-15 provides a framework for the implementation of UNDRIP that must be finished within three years of Bill C-15 becoming law. This gives Canada three years to implement the Treaty rights that the First Nations had waited 150 years for.

UNDRIP did not use the language of subjugation, surrender, or being conquered. The omission of these terms is significant in the eyes of those who seek true implementation of the spirit and intent of the treaty - a harmonious and mutually beneficial relationship between nations, as sovereign to sovereign.

Treaty 5 oral accounts already support all of the things UNDRIP proposes to protect. Canada will complicate our rights even more if, or when, it implements Bill C15 as it is written. I say this because none of what Canada proposes to implement reflects the sovereignty of our Nations. Sovereignty does not belong under the sovereignty of another constitution.

Today, an issue of concern in the implementation of Bill C-15 is the consultation process Canada is currently rolling out. It includes getting feedback from the First Nations and the resource companies and corporations within Canada. However, though this new legislation impacts our inherent and treaty rights, it does not allow for a joint effort in drafting this new law because the recent Supreme Court decision in the *Mikisew Cree First Nation v. Canada (Governor General in Council)* in 2018, set a precedent that the Crown does not have to consult with Indigenous people when proposing new legislation. Consultation, in this case, is simply a courtesy by the Crown and any impacted aboriginal rights challenges will have to be made after the law is fully enacted.

The Mikisew Cree First Nation is a band whose traditional territory is in northeastern Alberta and contains oil sands within their territory. In 2012, the federal government introduced two bills that changed how Canada’s environment would be protected. The Mikisew said their rights to hunt, trap, and fish on the land would be harmed by the new laws that stated the oil companies and others would be allowed to build structures on or near many waterways without government approval. The Mikisew challenged this proposed new legislation in Canada’s courts.

The Mikisew case in 2018 was about whether the Crown had a duty to consult First Nation people when deciding on changes to laws that may harm their Treaty rights and whether courts had a role in enforcing it. Five Supreme Court judges decided that the Honour of the Crown was invoked at the lawmaking stage, but there was no binding duty to consult First Nations before a law was passed.

Manitoba’s Protest Law – Bill-57

On November 2, 2020, the Honourable Mr. Cliff Cullen, Minister of Justice and Attorney General of people participating in protests that block roads, railways and any other infrastructure deemed critical by the province. As of December 3, Bill-57 had only reached its first reading, and must reach three successful readings before being passed. The bill was not published at the time of this summit report and was still being designed.

Regarding Bill-57, Mr. Cullen said the province was looking at its options surrounding enforcement. He stated that this legislation would not stop peaceful protests, and the province agreed with the rights of people and organizations to assemble. However, the provincial parliamentary Hansard (verbatim recordings of parliamentary dialogue) recorded Mr. Cullen as saying that the main purpose of this bill was to protect critical infrastructure, if and when, a protest harms or threatens to harm the public interest of Manitobans. Because protests are often a strategy to influence decision makers and garner attention to Indigenous claims and rights before our rights are infringed, this new legislation does not allow for a protection of Indigenous rights and seems to suggest that Indigenous rights (both inherently sovereign, and constitutionally protected) are equal to, or perhaps even less, than the public interest (such as federal and provincial economy, infrastructure, or development).

Bill-57 would create legal offences and consequences for the obstruction of critical infrastructure such as railways and highways. While Manitoba claims to recognize the citizen's rights to expression on issues, and engage in peaceful protest, the bill is similar to what was recently passed in Alberta, *The Critical Infrastructure Defense Act*. Alberta's legislation bans blocking of railways, highways, refineries, mines, dams, and telecommunication installments, among other things. In Alberta, convicted offenders of the law may receive a maximum penalty of six months in prison or a \$25,000 fine.

This is seen as the government's response to what we saw in the Wet'su'weten protests and what we're witnessing in the Land Back movement in Mohawk country.

Manitoba's Immunity Law -- Bill-34

Another bill being monitored is Manitoba's Bill-34. It proposes changes to children's special allowance that will provide the province with judicial immunity from legal actions taken against them by current and former children in care for clawing back the monthly CSA children's special allowance.

According to an AMC press release, the province has been siphoning off approximately \$338 million from the CSA special allowance. The money was supposed to be for First Nations children who entered the provincial child welfare system. There is currently a class action lawsuit against the province that could provide compensation for children who didn't benefit from their CSA special allowance. However, if the bill passes, the province will be immune from any legal action, according to AMC Grand Chief Arlen Dumas.

Bill-34 effectively robs First Nations children and youth of their access to justice. The way the Manitoba government tacked this bill onto a budget amendment granted it immunity from criticism and opposition that would otherwise be heard during the typical stages of introducing a public bill. With the passing of this bill Indigenous children will be facing a further injustice.

Legislative Review

Following the TFAO Declaration of jurisdiction over all aspects of First Nation lives and the knowledge that First Nations sovereignty had never been surrendered, a review of Canadian legislation that affects First Nation inherent and Treaty rights was conducted. This legislative review explores and exposes the many challenges that we are facing as Treaty 5 Nations. Nonetheless, the review provides the Summit with a better and clearer perspective on what those challenges really are.

The First Nations entered into a Treaty with the Crown as sovereign and independent Nations. The Chiefs and Elders who agreed to and signed the Treaty had an understanding of the true spirit and intent of the Treaty. The main components of the Treaty were to maintain First Nations sovereignty, share the land and resources, and maintain traditions, cultures, and livelihoods. The First Nations were not subjects of the Crown - they retained rights that protected their way of life. Today, they ought to be able to make legislation that utilizes those rights. But they cannot because the federal and provincial institutions do not recognize

First Nation rights and do not even acknowledge the Treaty that they are answerable to. This legislative review identifies ongoing monitoring of Crown legislation that affects Treaty and inherent rights.

An initial scan of federal and provincial (Manitoba, Ontario, and Saskatchewan) legislation in the Treaty 5 territory identified Canadian legislation and constitutional documents that impacted all areas of First Nation jurisdiction and livelihood. The list included laws such as the Indian Act; Natural Resource Transfer Agreement; Child and Family Services Act; Section 35 of the Constitution, which purported to protect First Nations' inherent and Treaty rights; Section 91(24) by which the government assumed authority over Indians and Indian lands; and Section 92 of the Constitution, which provided the provinces with jurisdiction over Treaty 5 lands. The scan also included lesser-known laws such as the Navigable Waterways Act, Migratory Birds Act, Agricultural Products Act, and various housing and family-based laws. Each law reviewed impacted First Nations inherent and Treaty rights and prevented the right of First Nations to govern their own affairs.

TFAO Inc was given the mandate to recreate and re-establish the Owanasowehikamik, the Treaty Tribunal, the Charter, and restore the laws that pertain to Treaties, lands, protection of Mother Earth, waters, environment, family and child protection, health, livelihood and economy, education, courts and justice, culture, heritage, language, culture and traditions, and policing. The First Nations recognized that all these were negatively impacted by colonial laws and that they continue to be limited or ignored in their proper functions by the governments. The First Nations have the right to restore and utilize their laws and to govern their own affairs and that must be the goal of the mandate from the Treaty 5 Chiefs.

When Canada's constitutional amendments were under negotiation, in the time around the early 1980's, section 37 of the Charter was proposed that would have had the Prime Minister of Canada and the first ministers engage directly with First Nations across the land to discuss Indigenous rights. Had we been able to identify what our rights were, and are, Canada's legislation could look significantly different today. For instance, it would have been possible for a more equal partnership in the establishment of new laws. If section 37 were implemented, Canada would not just implement their version of UNDRIP *for* us, they would be implementing it *with* us. This would have led to constitutional or legislative amendments that further affirm and protect our rights by our interpretation, bringing them into cohesion with Canadian law, not subjugation.

In the review, a total of 387 Canadian laws were assessed as impacting Treaty 5 rights, and under that list were: 119 laws at the federal level, 104 in Manitoba, 92 in Ontario and 72 in Saskatchewan.

Specifically, the review summarizes areas of colonial law that infringe on our sovereign rights and territory. Treaty 5 Nations may want to consider articulating our own laws in those areas to reinforce inherent jurisdiction. Some of the challenges that we will face are redefining 32 courts and justice laws, 15 Culture and Heritage laws, 9 education laws, 16 environmental laws, 26 laws pertaining to child and family, 24 related to health, 90 regarding Lands, 51 regarding Livelihood and economy, 7 laws concerning policing, 33 regarding protection of Mother Earth, 20 laws over waters and waterways, and 58 general laws impacting Treaty rights. General laws impacting treaties include the Indian Act and other similar laws.

Regarding **courts and justice**, there are 32 laws in Saskatchewan, Manitoba, Ontario and at the federal level. The concern over this area of law is that contrary to the coexistence agreements (Treaty 5), the federal court claims authority and jurisdiction over First Nations affairs.

Judicial jurisdiction issues include circuit judges, a focus on punitive versus restorative justice, the size of communities, detainment concerns and access to justice, jury selection and participation, perspectives of law itself (natural law v common law or civil law), and interpretations of rights. Indigenous rights often juxtapose a Canadian public interest. As an example of outcomes from these conflicts of worldview, we too often see oil pipelines being built and billions of dollars being generated from that development, but First Nations do not have access to clean water. Additionally, we are offered colonial court remedies, which rely on the laws that impose upon our sovereignty to begin with, as the only available option to resolve these conflicts.

Another issue with courts and justice is that they are primarily based on penal law. In other words, they are punishment-based. In contrast, Indigenous societies are not punitive, or punishment based. Instead, Indigenous systems are restorative. Fundamentally, colonial laws conflict with our traditions.

Culture and heritage. There are 15 laws on Canada's books concerning artifacts of cultural significance, including those artifacts that have been sold or distributed to museums. These are often sacred items such as the treaty pipe locked behind glass at the Royal Ontario Museum. The lack of care these artifacts receive is troubling and requires First Nations hands and ceremony as the objects are not always inanimate. However, repatriation of these items becomes complicated by colonial processes and regulations. It is often a challenge to reclaim our cultural objects whether gifted or stolen.

Traditional marriages also fall under cultural heritage laws, as do some forms of traditional burials. Our traditions do not fit with colonial legislation regarding the birthing ceremonies which play an essential role in First Nation societies, or how the bodies of our relatives who have passed on must be treated.

Education laws fall under the jurisdiction of the provincial government although the Treaty right to education is a federal obligation. However, inherent jurisdiction over citizenship is not recognized by the Crown, so if an Indigenous child is not identified as a status Indian by the state, they will not qualify for the Post- Secondary Student Support Program through Indigenous Services Canada. When we have control over our own citizenship and ability to identify who is an Indigenous child, we will have more control over who receives post-secondary funding.

Furthermore, Canadian legislation does not include traditional education or languages, except where negotiated, and it lacks Indigenous control over what our children learn. A Treaty right to education, premised on the Treaty promise to continue in our avocation and mode of life, should involve being able to be on the trap lines or hunting with our relatives, where we learn our stories, traditions, customs, and values, as opposed to sitting in classrooms learning that Canadian history has very little to do with the First Nation relationship.

In the **environmental** areas of law, there are 16 laws which interfere with our inherent rights to behave and act as stewards of the land and to fulfill our inherent obligations to Mother Earth. Canadian environmental laws also interfere with our ability to share the land according to our Treaty. Canada creates stewardship laws with little or no participation from First Nations people, the original stewards of the land. There is often no mention of First Nations in these laws, and if there is, it may be a mere non-derogation of existing rights clause, such as “nothing within this law will derogate from the existing Aboriginal Treaty right to hunt, trap or fish.” But we are more than hunters, trappers, and fishers, we are governors of our own affairs and guardians of our lands for future generations.

Family and child. During the Summit there was much discussion about Canada's new First Nation child welfare legislation and a resolution to begin exploring Treaty 5 child welfare laws was accepted. The discussion is ongoing.

There are 24 laws regarding **Health**. We know about the medicine chest promise contained in Treaty 6. The First Nations of Canada have stated that this promise extended to all First Nation Treaty people and Canada has recognized this in part and has placed its obligation under the Charter of Rights. However, there is an absence of sufficient and beneficial health care services. Colonial laws regarding First Nations Health also create concerns over control of personal information for First Nations and their members.

Culture based treatments are simply not mentioned within Canadian health legislation; save for the allowance of some use of tobacco for traditional purposes indoors, which does not really include ceremonial healing, or mental health healing through language, or through culture. These traditional approaches are absent in Canadian legislation because Canada does not consider the First Nation worldview, or the way First Nations live. This impacts the treatment choices of First Nation peoples and limits a recognizable right to undergo traditional healing initiatives.

There are 90 Canadian laws affecting **lands**. This is detrimental to First Nations' economic prosperity based on our relationship to the land and the preservation of our land for seven generations; for as long as the sun shines, grass grows, rivers flow. It goes without saying that this is a spectacularly large issue where our Nations are concerned because we have not surrendered our lands. We have also not been justly compensated for the land that has been destroyed by economic development. Treaty 5 Nations are not part of the jurisdictional transfer agreements from the federal government to the provinces. Though we have fought, and continue to fight, to have our Treaty right to continue using our lands fully recognized, Treaty 5 Nations can still have their lands “taken up” where Canada requires it for their purposes or the public interest, such as parks or mining.

Section 35 of the Constitution Act of Canada protects Aboriginal Treaty and inherent rights. Because these rights are protected by the highest law of Canada, the public interest should not be equalized to Aboriginal Treaty and inherent rights. But the Constitution does this and the First Nations are not allowed the practice of their rights even when it relates to the partnership agreement of Treaty 5. This injustice results in our poor economic reality, which involves the lack of employment, loss of culture, the inability to use traditional spaces (where they still exist or have not been flooded out), the lack of any control over the use of our lands for mining, forestry, etc., and the ability to benefit from such development. Furthermore, it limits our agreement to hunting, trapping, fishing, and does not reflect the sharing of the land, and the spirit and intent of the Treaty.

Regarding laws over **livelihood and economy**, there are 51 laws that disrupt our ways of living, our avocations, and our community support systems by the lack of access to economic participation in the use and development of the natural resources. It affects gaming rights and the ability to provide for families and communities. Regarding gaming rights, if an Indigenous person wanted to sell moose meat that he had recently hunted, he must follow different codes and regulations, such as health inspections, etc. These are contrary to the traditional practices of First Nations. There is also no inclusion in colonial laws that ensure the proper taking care of animal remains once the animal spirit has provided for us, which is a violation of First Nation original laws.

In terms of pensions and old age benefits, the result is an inability to care for our Elders, which greatly disrupts our traditions.

Policing. There are 7 laws in the provinces as policing falls primarily under provincial jurisdiction. The right to police our own was never given up. As Dr. Wastesicoot stated in her presentation about the stick carrier, the Whipper, we were responsible for ensuring the good behaviour of our own people. It is our traditional right to take care of and discipline our own people and correct the negative behaviour. The imposing colonial penal systems violate the Royal Proclamation of 1763 and the Treaty of Niagara of 1764, which recognizes the sovereignty of indigenous nations and forbids policing on reserve. Through this imposed system Canada puts our people in jails, resulting in overrepresentation issues, high maintenance costs, and very little rehabilitation or interpersonal reconciliation.

The protection of **Mother Earth** is the fundamental core of First Nations reality because it relates to the First Nation belief in the Creator who gave Mother Earth and all the lands and resources to the people. Thus, the protection of lands is an inherent responsibility for First Nations people, which makes up an important part of our sovereignty.

The *International and Interprovincial Trade Act* legislates the protection of wild animals and plants. In this Act, Canada can decide which species of animal and plant can or cannot be imported or exported without ministerial grants, conditions or certificates. This law also allows for inspections and seizures on reasonable grounds without warrant. This Act infringes on the intertribal and interprovincial trade and self-governance of Treaty 5 Nations to import and share their animal or plant resources. Another Act that infringes on First Nation rights is the *Ontario Wildlife Law* that says that the minister may enter into joint exercise of any authority with First Nations. This leaves the First Nations with little choice but to abide by provincial laws.

We must convince the governments that they have the obligation to uphold and honor Treaty 5 as equal partners with First Nations and end the unilateral power imbalance currently imposed over our lives.

The following a list of examples regarding the protection of Mother Earth; the list displays 27 Manitoba problematic Crown laws alone. Each one of these requires a revision to include our traditional views, our worldviews of our relationships to all living things. The outcome of colonial title to the land is a slow process of eradicating our rights to the land.

Allocation of Hunting Licences Regulation, Man Reg 77/2006

Captive Hunting Regulation, Man Reg 176/2001

Captive Wild Animal Regulation, Man Reg 23/98

Cervid Protection Regulation, Man Reg 209/2014

Designation of Wild Animals Regulation, Man Reg 3/96

Designation of Wildlife Lands Regulation, Man Reg 171/2001

Exotic Wildlife Regulation, Man Reg 78/99

General Hunting Regulation, The, Man Reg 351/87

Hunter Education Regulation, Man Reg 128/2007

Hunter-Killed or Injured Livestock Regulation, Man Reg 26/88 R

Hunting Areas and Zones Regulation, Man Reg 220/86

Hunting Dogs Regulation, Man Reg 79/95

Hunting Guides Regulation, Man Reg 110/93

Hunting Seasons and Bag Limits Regulation, Man Reg 165/91

Managed Hunting Areas Regulation, Man Reg 146/2002

Miscellaneous Licences and Permits Regulation, Man Reg 53/2007

Moose Conservation Closure Regulation, Man Reg 122/2011

Posting of Crown Lands Regulation, Man Reg 175/95

Restitution Regulation, Man Reg 147/2015

Trapping Areas and Zones Regulation, Man Reg 149/2001

Trapping of Wild Animals Regulation, Man Reg 245/90

Use of Wildlife Lands Regulation, Man Reg 77/99

Vehicle use in Hunting Regulation, Man Reg 212/94

Wildlife Damage Compensation Regulation, Man Reg 20/98

Wildlife Fees and Royalties Regulation, Man Reg 31/92

Wildlife Protection Regulation, Man Reg 85/2003

Woodland Caribou Protection Regulation, Man Reg 113/91

Twenty laws regarding **waterways and waters** impact Treaty 5 rights. Water ought to be included as an inseparable property interest and be recognized under Aboriginal title to unceded territory. One of the laws that does not honour our Treaty is the federal *Safe Drinking Water for First Nations Act*. This law delegates the authority to provide First Nations with clean drinking water, “where deemed important for First Nations to have access to safe drinking water by way of approval, approved proposal for regulations and applies to lands under the Indian Act or First Nation Land Management Act.” The authority for action under this Act is by the Governor in Council on the recommendation of the Minister. One questions the wording of this legislation and the meaning of “where deemed important for First Nations” because inarguably clean drinking water is important to us.

According to colonial law, water falls under provincial jurisdiction. This one-sided claim to jurisdiction also reflects the unilateral interpretation of the Treaty. Canada’s waters and waterway acts impact Treaty rights in a way that fails recognition of our sovereign right to manage and protect waterways including the management of fish populations. This lack of recognition of Indigenous inherent rights causes an erosion of our sovereignty and imposed fish limitations impacts our ability to feed our families as well as participate in a larger economy.

Regarding **general laws** impacting Treaty rights, such as the Indian Act, there exists an eye-opening federal law titled, *The Indian Act Amendment and Replacement Act*. This Act was assented to on December 16, 2014. This legislative enactment amended the *Indian Act* to require band councils to publish their bylaws and repeal certain outdated provisions of the Indian Act. Within this amendment and replacement Act, the Government of Canada claimed to be committed to the development of new legislation to replace the Indian Act that better reflects the modern relationship between Canada and the First Nations people.

I don't remember being Canada's First Nation. The Government of Canada is committed to continuing its work and exploring creative options for the development of this new legislation in collaboration with First Nations that have demonstrated an interest in this work. If you don't know about it, you can't express interest, if you can't express interest, you can't collaborate. Gauging by the responses during our first Nation-building workshops, which the TFAO Inc staff have delivered, this collaboration claim would appear false.

Our original presentation to the communities was titled “Removing Ourselves from the Indian Act.” After reviewing all of these laws, I feel that we have to remove ourselves from a lot more than just the Indian Act. If the Indian Act is disbanded without our response or determination, the government's responsibilities to us, their obligations to us, will most likely fall under each of those laws that I've listed and more, which doesn't make any difference to our existing relationship with Canada.

General laws also include the subsidy act for provinces, where Canada supports the financial balance of provinces per capita. Yet First Nations do not receive these programs or these benefits from our own resources. Instead, we receive program funding. The general laws category also includes constitutional document amendment processes of interest as colonial governments will necessarily need to amend their Constitution and rewrite many of their laws to acknowledge true First Nations sovereignty. This is what our Treaty means, to respect the nation-to-nation relationship and share the land.

An example from Saskatchewan in the general laws’ category is the *Indian and Native Affairs Act*, which is mostly repealed, although Section 7 remains. This section states, “The minister is responsible for matters related to Indian and Native Affairs and may: (a) act as a contact for Indian and Native people with the Government of Saskatchewan; (b) establish social and economic development programs and policies for Indian and Native people; (c) make recommendations with respect to matters affecting Indian and Native people.” Should these matters not be our responsibilities?

In closing, the Crown’s recognition of First Nation Okimowin (our own governance) will properly require amendments to each of Canada's federal and provincial laws that negatively impact our Treaty and inherent rights. TFAO Inc. will continue to monitor the Crown's legislation and proposed laws.

PRESENTATION ON THE TREATY 5 INDEPENDENT TREATY TRIBUNAL - OVIDE MERCREDI

Ovide Mercredi is Cree, a lawyer, a negotiator, an author, a lecturer, and an activist on behalf of First Nations in Canada. He was born in 1946 into a traditional trapping, hunting, and fishing lifestyle in Grand Rapids, Manitoba. He has served as the Chief of the Misipawistik First Nation, Grand Chief of the Swampy Cree Tribal Council, Manitoba Vice-Chief of the Assembly of First Nations, National Chief of the Assembly of First Nations from 1991 until 1997, and National Spokesperson for Treaties 1 through 11.

Mr. Mercredi is best known for his deep involvement in constitutional law reform issues and Aboriginal and Treaty rights negotiations. He acted as a key adviser in First Nations' opposition to the Meech Lake Accord. He had a strong leadership role in the resolution of the Oka Crisis in 1990. He led the First Nations negotiations in the Charlottetown Accord. He addressed the United Nations in Geneva and New York on First Nations Treaty rights issues.

Mr. Mercredi has spoken about his experiences and beliefs at hundreds of venues from small community gatherings to universities and colleges throughout North America and internationally.

Mr. Mercredi provided an update on the Treaty Tribunal Resolution that was passed by the Summit of Treaty 5 Sovereign Nations in 2019. There are 40 individual First Nation signatories to Treaty 5 that must be respected. Unity is a fundamental requirement for the success of a Treaty 5 Okimowin and the institutions, laws, regimes, and components we develop, or redevelop, according to our old ways of being. Unity is fragile. We can develop our own interpretation of unity that doesn't necessarily mean unanimity but that allows for different strategies and plans to bring us together. If we base our unity on the autonomy of our communities, we will be able to maintain that autonomy.

We have learned through experience that where treaties are made between different people elsewhere in the world, they do not resort to the legal system of one of those people. Differences of opinion regarding treaties generally return to the political table to discuss and rectify those differences. Only when there is a failure to reach a political agreement on what the intent of a treaty is do they resort to arbitration or court systems. Having only the Crown dictate and interpret our treaty, Treaty 5, is unfair to us. It is unjust that one party to an agreement could assume authority to unilaterally change the terms of any agreement and subject their treaty partner to laws overriding that agreement. Although Canada has made some progress addressing Indigenous rights by way of Section 35 in their Constitution Act, 1982, it is not enough that we should be comfortable to allow the colonial courts to decide what treaties mean for us and what the treaties mean for them.

As a result of the Crown's refusal to honour and fully implement the spirit and intent of the treaty, our First Nations continue to see numerous negative impacts of our agreement. For example, as shown in the previous presentation, there are a significant number of laws that wrongfully override our Treaty and its promises. We only have to look at the jails to find out how those laws work, and to the child welfare experience to see how these laws have hurt our people. As Dr. Wastesicoot stated in her presentation, we need to focus and follow through on this idea of the reclamation of Indigenous laws. However, even doing so will only be a part of the solution, that alone won't be enough, we also must create our own institutions.

One such institution is the Treaty 5 Tribunal.

The work of developing a Treaty Tribunal began with a resolution that was passed at Black River in 2019. It clearly states that we must act as sovereign people, that we made a Treaty with the Crown, but we did not tell them in the Treaty to assert full dominion over our lands, resources and territories, or our governance over our own affairs. The Crown's belief is the opposite, and they rely on their single understanding of what they claim they did when they made Treaty with our people. But that is not our understanding. We identify this issue within the resolution as well, where it states, "We don't believe that one party to a Treaty should unilaterally determine what a Treaty means".

This is the egregious, wrongful situation we face right now, that our Treaty has been dealt with in the criminal courts. Our Treaty rights are not matters of criminality and they should never be dealt with in the criminal court. However, that's basically where the Treaty right to hunt, to fish, and to trap, has been defined, in a criminal court. We have faced many indignities and the most reprehensible is to have the settlers decide that our Treaty should be dealt with in their criminal court.

Instead, as the resolution says, if there is a dispute as to any meaning about the Treaty, it should first be dealt with politically. Which means that, if the Crown does not agree with us that we still have our natural resources, that we still have ownership of all the natural resources in our territories, then they have an obligation to come to us to talk about it. It is not such a simple matter that the Natural Resource Transfer Agreement circumvents Treaty jurisdiction. We should not simply be satisfied that because the Crown has conservation laws, that they have the right to make decisions about our land and our resources.

As per the honour of the Treaty, these issues should have been a discussion that started a long time ago when the first law was made to violate treaties in 1919, with the Migratory Birds Convention Act. That was the first law to violate our treaties. And our people never complied with that law, by the way. That's the beauty of our people; we know what resistance is, and we know the power of non-compliance. We have to maintain that resistance and non-compliance to make sure that in the end, we get what we call treaty justice.

The Treaty Tribunal resolution tells us that we should develop the tribunal and, at some point in time, we must establish it jointly with the other party to Treaty 5 - the Crown. This means that the process starts off by our people working independently of the Crown, creating the first vision of the tribunal before we share it with the Crown. Then, in the future, we would negotiate the establishment of a treaty tribunal with the Crown.

The Treaty Tribunal is to be established to make sure that our intent of the Treaty is honoured and respected by the settlers; to ensure that our Treaty is not dealt with in an oppressive way by the Crown, or in a very dismissive manner when it comes to the exercise of our rights on the land. There must be a balance in understanding of what our Treaty means because even now, there are a great number of violations of our authority over our lands. Provincial and federal laws continue to encroach on our territory and our own self-determination. Establishing and implementing a Treaty Tribunal will be a way of getting to the true intent and the spirit of our Treaty, in partnership and sharing ways with the other Treaty party.

We do not want the Crown to believe that they can achieve conquest of our people by law. We do not want conquest by law, you understand that. And even as it is right now, we face enough indignities with settlement, with mining companies and hydro development and all these things that have been imposed on our people. The way in which to fight back is to have the real meaning of the treaties understood and respected, not just by our people, but by the Crown as well.

We need our people to be protected from any misuse of legislation by the Crown with respect to the exercise of our Treaty and Aboriginal rights. Currently, there is no vehicle and no process, that is independent of the Crown's legal system, that would allow that to happen. It is therefore vital that we pay attention to how laws can interfere with our decisions, with our autonomy as a people. We have seen that even in modern times, the legislation regarding the children has been used as a way of ensuring that a province maintains jurisdiction and control of our children.

We never surrendered, in our Treaty, the right of our people to govern themselves. We never surrendered the right; we never gave the Crown permission to take full control of our lives.

And the Crown cannot, and I will repeat myself a few times here to make my point, carry on with interpreting our Treaty on their own, in their own institutions, for their own benefit and against our benefit as a people.

There are international precedents and models that exist which we can turn to as a guide in developing the Treaty Tribunal. We can develop the role, structure, mandate, and legitimacy of an independent Treaty Tribunal.

Any provincial law that is made regarding our children has no legitimacy because we never consented to be ruled by the province. Moving forward, as a people creating our own institutions, like a Treaty Tribunal, legitimacy means that those institutions have been developed with the full knowledge and consent of our people. Legitimacy is creating institutions that have been implemented and accepted by our governments, not the federal government or the provincial government, but our own governments, our First Nations governments. To establish legitimacy in creating the Treaty Tribunal, it is important that we properly vet the process through the Nation members, our people. The foundation must be our own inherent right as a people.

According to our history and culture, the foundation of our governance was developed by our ancestors over time. We must do the same, use the same models they used, to rebuild our governance systems. Our work must be influenced by our traditional ways of life, our languages, our experiences, and our relationship with the Creator. We have always had the freedom to create new institutions. Today, we can use models that reflect modern realities if we want. The process of restoring Okimowin, and creating institutions such as the Treaty Tribunal, are entirely our prerogative. What we build must empower our sovereignty and independence.

That's what self-determination means. As it stands now, we have a sort of a semblance of government that includes things like the Assembly of Manitoba Chiefs and MKO, because these are all part of our government expression. These are leaders expressing how they are going to work together and how they are going to fight the system together, and what priorities they are going to set in terms of addressing the needs and problems we experience as a people. That's part of government. We also have tribal councils, and these are an essential part of our government.

Right now, they are more focused on the idea of service provision, and they are based on what our people want at the local level. And then, of course, we have the foundation of our government which has to be the communities, First Nations themselves. But we have to invite a discussion beyond the Indian Act and beyond the community-based governance systems that are in place.

Consider what nationhood means. As an example, the community of Grand Rapids or Misipawistik - it is not a Nation by itself, rather it is a community that is part of the Cree Nation. Just like the Dene people, the Oji-Cree, and the Anishinaabe, each also have their own Nation. Each Nation is a group of people with a common language, territory, culture, traditions, and other identifiable traits. However, there are no existing expressions of autonomy based on nationhood. We do must define our own nationhood and exercise our autonomy as Nations, not just as a community.

In New Zealand, they have only one treaty for the entire Maori Nation, the Waitangi Treaty. Like Canada, New Zealand, as a state and as a Crown, never honoured the Treaty. To manage their disputes, the Maori negotiated on a political level with the New Zealand government and, over time, agreed to set up what they called the Waitangi Tribunal.

The Waitangi Treaty was written in both the Maori and English languages. From the written understanding of their Treaty, the Maori and New Zealand government established the principles to govern the Treaty. As a result, the Waitangi Tribunal was created through negotiations and established by legislation in 1975. The Waitangi Tribunal was given the mandate to address Treaty issues and claims by either party with respect to the meaning of any of the provisions in the Treaty.

They also agreed that the decisions regarding all Treaty-related issues had to be a political one (referred to earlier) and that it was not for the courts to decide what the Treaty meant. The Maori success in establishing the Waitangi Tribunal removed the Treaty and its terms from the criminal process. If the political discussions or negotiations ultimately failed, any differences would be resolved in the Waitangi Tribunal process.

I found it kind of interesting that as a Nation, the Maori would assert that they have a right to define what the Treaty means. That's where we're at now ourselves. The Maori insisted on and obtained this idea that they would appoint their own reps to the Treaty Tribunal, the Crown would have their own reps, and the chair of the tribunal is selected by the six representatives. The chair at that time a Maori judge. The example here demonstrates that it is wholly plausible that a Treaty Tribunal model we develop can be jointly developed with the Crown. If we were to go ahead independently and set up our own tribunal, it's not likely they would even attend because they are arrogant and insisting doing things their own way. And they are not likely to comply with a Cree institution when they are so used to having the power, having built their own institutions over our people and lands.

A conflict has arisen, however, in that the reading of the Maori and the English texts of the Treaty have led to different understandings, or interpretations, of the meaning of the Treaty and its contents. The conflict shows the importance of language and the need to reach the same understanding, especially the meaning and intent of each word, each statement, and each provision of a treaty or governance document. Therefore it will be crucial to begin the development of a Treaty Tribunal, first on our own, through our autonomy and based on our own understandings, and then present the new institution to the Crown, as a partner.

We do not want to give the white man the power to decide what the tribunal should look like. So, you will see that the process that I'm proposing is about how we use our own autonomy, our own worldview, our own belief about our future to decide what the tribunal should look like.

And once we have done that, then we will be in a position to negotiate with the Crown on what, ultimately, the tribunal will look like. Then the other party can pass legislation to give it a legal mandate for their purposes. We will use our own autonomous lawmaking power to establish the Treaty Tribunal.

The following update on the work that has been done to date on the Treaty Tribunal in order to meet the Summit's resolution was provided:

The development of a Treaty Tribunal is still in the early stages of discussion within our group. Following through on the Summit resolution, the executive from the Treaty 5 body and different people were identified to be part of this process of developing the tribunal. Going forward, though, the Treaty Tribunal committee is going to need dedicated fiscal resources for this work because, as I emphasized earlier, unity is very fragile. One way of maintaining unity is making people feel comfortable that they are involved. And making people feel confident that their voice is being heard. So, we came up with this idea of focus groups, meaning that if we come up with some principles and some initial design, as Treaty 5 Nations, we then would go and talk to Elders, youth, women, and men from the different regions. And for me, as you know, we are all assimilated to some extent, and we still, unfortunately, define regions by way of provincial boundaries. And for me, that means Manitoba, Ontario and Saskatchewan.

I think it's very important that we identify the principles for the tribunal. We also must develop its role and function and ensure that the whole process is First Nation-led. We

can develop it in much the same way that the Maori established their own system, way back in 1975. We have already started a Treaty 5 process where the voice of the people is respected and is led by leaders who respect the people and our traditions. The institutions we develop must empower our people, our Nations, and the generations yet to come.

The institutions will require approval by the people. They should also have room for modifications (this is important for our future generations). Approval gives legitimacy to the institutions. Once we have legitimacy then we can go to the Crown with our idea of what a Treaty Tribunal should look like and state our readiness to discuss and negotiate. Our agreement will be respectful and mutual in the development and establishment of the institution.

The recommended process for first Nations begins with ensuring we involve as many people as we can, and that the Summit approves our work. During the Summit we will table a template law to establish the tribunal. Once the template law is approved by the Summit, we will share it with our governments for review, ratification, and support. This will provide us with the legitimacy that comes from our people and leadership who make up the 40 First Nation signatories of Treaty 5. Through this recommended process we will have the sanction of the people and the authority of our governments to set up our tribunal.

The process involving the Crown is for Treaty 5 Nations to approach the Crown and express our readiness to negotiate in setting up a Treaty Tribunal. It can create and pass its own legislation to set it up, but whatever legislation it creates, it cannot be used as an opportunity to suppress what Treaty 5 Nations have done, or to ignore what we have proposed. This process will not be efficient if dealing with a lead negotiator who has been appointed as an official of the Crown. We must negotiate at a very senior level, dealing with top bureaucrats, as well as the political masters of the legislative branch of the parliament of Canada. This means we must discuss this at the level of the prime minister and his cabinet.

Now, let me say one more thing. Life is not as simple as you know. The treaty history itself did not start with Canada. I've always held the view that when it comes to our treaties that were made with Queen Victoria in right of the Crown of England, we never severed that tie with the Crown of England. Nonetheless, the representative Crown that's here in Canada is exercising the duty of the Crown of England. For our purposes, we can never agree that Canada has full jurisdiction over Treaty 5. We always have to maintain that link with the British Crown. And the reason I'm saying that is because at some point in our future, maybe not during our generation, but maybe that of our children or even our grandchildren, if Canada continues to fail to honor the Treaty they may go to the British Crown and ask that Crown to honor the Treaty. That is why we have to always maintain that tie to the British Crown.

In terms of political affiliation with the Crown, the First Nations of Canada are the only people who have not obtained absolute self-determination from the Crown. We have stood on the sidelines when possession rights were given to the Hudson Bay Company, fledgling colonies/governments, and finally, Canada. We have seen all the other people or nations that have been impacted by the British imperial system reacquire their freedom to re-establish their sovereign governments. India is free. Africa is free. Caribbean countries are free. They have decolonized as a people, and that is the process that we are engaged in right now.

And what I see going forward is that our children and grandchildren, and the children and grandchildren from other First Nations in Canada, are going to want to have a seat in the Commonwealth of Nations where the people who fought for and got freedom now sit. And it's an important institution that involves all the people from India, from Africa, and other nations that had been colonized by Great Britain. A seat alongside the free nations - that's the relationship we want when we talk about our relationship with the Crown. We will not make the mistaken impression that we are simply wanting to be part of Canada because that is not what we want. The British Crown arrived in our territory,

as it did in other First Nations territories, looking for a Treaty and we gave our consent to the Treaty. We were free to do that. But, when Canada was given its government powers, our freedom was lost in the legislative processes that established laws and possession rights. We, and other First Nations in Canada, have to reclaim our original relationship (our freedom) with the Crown and we will not abandon that relationship.

When Canada was considering the idea of repatriating the Constitution, they didn't have the power to amend their own Constitution without permission from Great Britain. Prime Minister P.E. Trudeau led the movement to gain freedom from the British Crown and advocated for the process of constitutional amendments. He did not limit it to just the idea of an amendment process, he included what is now known as the Charter of Rights and Freedoms, which is essentially about civil rights, not about collective rights. He did that to transform the country, and he succeeded in doing so. But he ignored First Nations people and there were no provisions for Treaties or Aboriginal rights. Section 35 exists mainly because our people fought against the repatriation of the Constitution, they did not want it unless their rights were recognized. This fight was led by the National Indian Brotherhood, later known as the Assembly of First Nations. Section 35 of the Constitution Act of Canada now states we have existing Treaty and Aboriginal rights. But it took great effort, many Chiefs and Elders went to England and lobbied with the House of Lords. They didn't trust Canada which argued that it had been given powers to make all decisions regarding its affairs, so they fought hard to put their case forward. They didn't believe that the repatriation would be good for the Treaties in Canada, and they wanted to make sure that the Crown maintained and upheld the Treaties that were made with the First Nations.

In the end a jurist by the name of Lord Denning stated he had no reasons to believe that Canada will not honor the Treaties. But added that people should be emboldened with the knowledge that no parliament can alter the Treaties. This is an important statement, an important decision, that should be part of our history lesson to all our people.

So that's where we are now in our struggle to find our own home in our homeland. I'm pretty confident we'll get there, but like I said, it's going to take many people working together because not one person has all the knowledge and the skills. And it's going to require us using those values that Jenny mentioned earlier; Sakihitiwan and Kisawaychiwin. These are the two things that are going to maintain that fragile unity I speak about.

“Decentralized unity” refers to every Treaty Nation and independent Nation in Canada has the autonomy and right to protect the people, lands, resources and animals in whatever territory or region they are located on. But the First Nations still must work together.

Questions and Answers

Eddie stated that he recalls seeing that the Queen stopped buying furs recently. To him, this was a symbolic form of terminating the Crown's Indigenous Treaty relationship. He questioned Ovide Mercredi if he agreed. He commented that the Hudson Bay is starting to close its doors, and that there should be research done on the duties of the Hudson Bay to our people versus being just a modern commercial store.

Ovide Mercredi responded that there are a number of ways of answering that question. When we talk about the right to hunt, the right to trap, and the right to fish and the right to gather, this is not about activity, but rather, about resources. We retain our right on the resource itself, which includes the idea of conservation and environmental management, and so forth. Treaty rights are not

limited to trapping an animal, it is also making sure that there is a habitat for those animals to survive. And as to what you mentioned there about the furs, there must be a market for that activity to continue. So, what you are addressing is the absence of the market, although it is there to some extent, but not with Hudson Bay company anymore.

Trade was part of an important historical fact in terms of our relationship with the settler. Going forward, when we deal with Treaty Rights, we don't want to limit it just to this idea that we once hunted, we once trapped. No, this is about autonomy, about governance over the resources, including fur bearing animals. So that would be a complete opposite with the idea that the province claims to have full jurisdiction over wildlife and all that, and conservation measures.

There is still this assertion by the province that they can do whatever they like, even on reserve land, to prevent our people from exercising their Treaty rights, which includes the commercial aspect of hunting and fishing and trapping.

Note

Referring to Lord Denning, Ovide Mercredi was speaking of the decision in *Regina v The Secretary of State for Foreign and Commonwealth Affairs, ex parte Indian Association of Alberta*: CA 1982, wherein Lord Denning stated:

[Lord Denning MR said that the treaties, having been entered into by the Crown when in law it was one and indivisible and was the Crown of the United Kingdom. Then in the first quarter of the nineteenth century this law was changed, not by statute but by constitutional usage and practice, so that the Crown thereafter was separate and divisible for each self-governing territory of the Commonwealth. Thereupon the existing obligations of the Crown became obligations of the Crown in respect of the territories to which they related, binding on the Crown only in right of those territories and no longer in right of the United Kingdom.] - get actual quote?

YOUTH PRESENTATION ON TREATY ANNUITIES - WAPASTIM HARPER

This past summer, TFAO hired a group of summer students and asked them to explore the question, "What are our annuities?" That work provided them with extensive research experience on Treaty 5 annuities and related issues. The youth were very passionate on the subject and, for a lot of them, it was their first time doing this kind of research for our people. The youth group consisted of Liam Duck from Little Grand Rapids First Nation, Jordyn Crampton from York Factory First Nation, Ryland Bland from York Factory First Nation, Lucas Kent from Black River First Nation, and Nate (?), technician.

Wapastim Harper provided a presentation on Treaty annuities and a youth perspective on sharing the wealth. He is currently attending his first year of university. The youth presentation was regarding what resources were coming out of Treaty 5 territory and who benefitted from the resource development. Wapastim acknowledged the youth that he worked with on making this presentation.

Wapastim:

Hello. I am back again to speak. Before I do, I want to say that I wasn't able to attend this morning's session because I was at the university attending my courses, but I'd like to acknowledge the pipe that was raised by Elder Blacksmith, Black River First Nation, the opening prayer by Chief Marcell Head, and all those who spoke before me. I also want to reiterate what I said yesterday that our voices are medicine for the people, what we speak of has meaning and those listening learn from it. That's a very important aspect of education. I think that sharing our voices, our knowledge is important to our Nations and important for our culture. It is also important in showing how we want to move forward in things.

According to the Oxford dictionary, an annuity is: "1. a fixed sum of money paid to someone each year, typically for the rest of their life. 2. a form of insurance or investment entitling the investor to a series of annual sums". In considering the second part of the definition, the word "investment" indicates that an investment (an initial payment or lump sum payment) was made by the person who is receiving the annuity from that investment. When the definition is applied to a Treaty annuity, it means that the person (First Nations) made an investment in the Treaty, which was in the form of their land. Put another way, the First Nations, in their Treaty, made a lump sum payment in the form of their land from which they receive Treaty annuities.

Annuities are very important because our people see them as gifts. For First Nations people, the practice of gift giving is an act of ceremony, and it is an act of recognition of love and relations. It has been a customary norm of our people since time immemorial.

Annuities are a significant symbolic gesture; to give gifts during the signing of a Treaty. The annuity given to First Nation was the gift of five dollars which was given to each man, woman, and child.

Another gift given in Treaty 5 was 160 acres for each family of five. However, other treaty territories got larger acreage because the commissioners deemed those lands as important for farming and other development. Our land had not been surveyed because the commissioners didn't really see much use for it at the time. As a result, Treaty 5 First Nations received a smaller acreage in their Treaty.

As one-time gifts, two hoes, one spade, and one scythe for cutting grass were given to every family that was cultivating the land. That was very important. Cultivating was talked about in our Treaty. There was also one plough for every ten families and five harrows for every 20 families for cultivating the land. The harrows were attached to cows so they could plow the ground. However, in order to get these gifts, the government had to have proof that a family was cultivating the land.

Also, as one-time gifts, the Chiefs received, on behalf of the band, wheat, barley, oats, and potatoes to plant, and one yoke of oxen and one bull to use in cultivating the land, and four cows to use in starting farming operations. A chest of carpenter's tools given to each band for building purposes: it contained one axe, a crosscut saw, a handsaw, a pit saw, sharpening file, a grindstone, and an auger.

Another financial annuity included 25 dollars for each Chief and 15 dollars for each council member. Each band was allowed to have three Councillors. Each Chief also received, for the use of his band, five hundred dollars per year to be spent on the purchase of ammunition and twine for nets. Today, the bands receive a 500-dollar cheque. This leaves the question, "How much have these dollar amounts inflated over time?"

Once every three years, the Chiefs received a suit of clothing. The purpose of this gift was for the commissioners to identify who the Chiefs were whenever they visited the First Nations.

Perhaps most notable was the one-time gift of the Treaty medal. The Treaty medal was a physical representation of our Treaty. We always hear from the Elders that the Crown never left the Treaty with us, and the medals that were given are in recognition of our Treaty.

[Another photograph presented] The Elder in this picture is from the Island Lake area. Another gift given by the commissioners during the Treaty a British flag. The flag was displayed (and sometimes worn), along with the medals and the wearing of the Chiefs' suits, during our meetings with government officials and during our ceremonies.

These are not merely items or gifts to receive; there was value in each gift listed within the Treaty. In addition to providing the symbolism of an ongoing relationship, the gifts have value in terms of economic sustainability and provide the ability to take care of our own needs and provide for our Nation members.

As an example of economic value, the youth calculated the conversion rates of the annuity payments from 1876-1910 into modern value, as of 2020:

The five dollars in 1875 is now worth \$118.31. That is a \$113.31 difference over 145 years. The Councillors should now receive \$354.93 each. The Chief should now receive \$2,957.75. And the band, or First Nation, should now get \$59,155 for the \$500 originally given for ammunition and twine. The question to consider now is, "How much have we missed out on through the years leading up to 2020?" That would be a substantial amount of money that was just gone, and we have not seen it.

The task of calculating conversion rates was an important one. In 1870, a healthy cow would have been valued at approximately \$34.00. Today, the asking price of a healthy cow begins at \$4,000. This equates to an 11,664.7% increase in value - the difference is staggeringly substantial. If we were to include inflation rates, the monetary value of these Treaty resources and our financial exchanges should have increased. The same ideology could apply to Treaty annuities. Where the promise to share the bounty and benevolence of the land was written into the Treaty, we could arguably compare our lost benefits to the generated value of what Canada profits from the ever-increasing value of the lands and natural resources. The result demonstrates a significant economic difference and exclusion from a growing economy that would have provided for our people and the stability of our chosen governance institutions.

An Elder, my grandfather, A.J. Felix, always says "every time you see a train pass by, that is either your resources or someone else's resources going out of their territory. And you can see these trains stretching for miles, all filled with their natural resources".

Gross Domestic Product (GDP) is the monetary value of the natural resources. In 2019, Manitoba's GDP was 63.49 billion dollars. Although we understand

that the Treaty 5 territory takes up only a portion of Manitoba, we also understand that the Crown makes money, not only from our ancestral lands within the Treaty 5 territory, but from our ancestral lands that extend beyond our Treaty territory. We declare that our traditional territories extend into southern Manitoba, Ontario, Saskatchewan, the Northwest Territories, and the oceanic waters of Hudson's Bay.

One does not need to be an economist to understand that we are being wrongfully and forcefully impoverished – or robbed. Manitoba's revenue is generated from the minerals, forestry, fishing, hydro and many other developments within the Treaty 5 territory, as well as in the territories of the other Treaties in Manitoba. Its major exports include electricity, gold, cesium, and other products developed from the natural resources. Manitoba is the country's leading exporter in petroleum that comes out of Treaty 5 territory. It also exports diamonds and zinc.

Saskatchewan generates 81.4 billion dollars a year from natural resources. Its major exports include diamonds, oil, potash, uranium, other minerals, wildlife, forestry, and fishing some of which comes from the Treaty 5 Nations' lands.

Similarly, Ontario's GDP averages 744.44 billion dollars a year, and some of its major natural resource development revenue and resource product exports come from Treaty 5 Nations' lands that are situated in Ontario. As the Elders have told us, and as the youth now come to understand and believe, we still maintain rights to our ancestral territories that we have identified. Treaty 5 did not surrender our ownership and our access to those lands or resources, thus our rights to our ancestral lands exist to this day.

The youth pose the question, How do we go forward with annuities and how do we go forward with addressing this issue with the government, and with our people?"

The Ontario court case regarding the Robinson-Huron Treaty and the promise made regarding annuities was shared as an example. The Robinson-Huron Treaty was signed in 1850, and within it was a negotiated augmentation clause regarding annuities. The Crown promised that the annuities would be increased when the resource revenue generated within the territories of the Treaty was not depleted by the giving of the annuities. Essentially, as long as the Crown didn't go into deficit, the Robinson-Huron annuities would increase at a later date.

Although Treaty 5 does not have a specific augmentation clause, that would have been based on the "bounty and benevolence" statement in the Treaty, we may also be able to address the issue of the gifts received and their inflation value today.

To increase the Treaty 5 annuities to today's value is fair game. I think we would have a substantial case to pursue in terms of our annuity of five dollars and other gifts given by the Queen. Like I stated earlier, the money and our gift resources, even the cows, go up in percentage value as time moves forward. The dollar value of our gifts has been going up since the Treaty. That is the claim we can put forward.

The Elders from Treaty 5 and other treaty territories have consistently said to share the wealth.. This is one of the most important aspects of the spirit and intent of our Treaty. We must honour the Elders' voices and accounts of the Treaty. In the Supreme Court of Canada case, *Delgamuukw*, the court affirmed that Elders' testimony is substantial evidence in any claim. If we were to go forward with a case similar to the Robinson- Huron treaty case, that is, to address the inflation issue regarding Treaty 5 annuities, our Elders' testimony of sharing the wealth could assist in winning an increase in our annuity payments.

Manitoba, Saskatchewan, and Ontario generate more than \$500 billion from natural resources annually. The Treaty 5 youth now ask, "Where is our fair share?" When the treaty text stated that the Queen wished to share Her bounty and benevolence, and the Elders' testimony state that the spirit and intent of the Treaty was to share the resources of the land and that anything negotiated in the Treaty is to be shared equally and fairly, we must address the unfairness of others getting wealthy from our lands and resources and not sharing any of that wealth.

I am going forward with the issue of annuities, of course, I believe that everyone's entitled to go about it in their own way, but I think the key aspect of doing it, if you do it alone or collectively, is to involve the people in the process moving forward.

That is key, as well as rooting everything in the principles of ceremony, traditional and Christian, because we have to remember, we do have that demographic in our nations. A lot of us are Christian. I'm Christian, too.

We must analyze decisions and the processes, for example, in the Robinson Huron Treaty annuity inflation case. At the Summit of Treaty 5 Sovereign Nations, in 2019, Diane Cormier, a lawyer who worked on the Robinson-Huron Treaty case, spoke to us about the legal process. Treaty 5 members should consider developing a Treaty 5 annuity task force to look at the current value of natural resources, annuity increase and legal strategies. This will enable constant assessment and monitoring of how much wealth is going out from our territory, what the value of our contributions is, and what our share of that wealth would be.

You know, once we start taking track of even every cent of the wealth, we then build up our knowledge and our strength in order to prevent this theft. So, you have to ask yourself, what are you prepared to do to get what is promised to us, this 50/50 sharing, this idea of sharing the wealth? I'd like to thank you for listening to this presentation.

This project would not have been possible without the dedicated work of the youth this past summer, the Elders we spoke to, all the resources that we have here at the TFAO, and everyone.

Chief David Monias commented that it is important to look at the annuities and whether they can be increased or not, the impact of inflation, and the promises made under Treaty and the violations that have been committed. He shared that his community is filing a claim against Canada. He is hopeful they can come to the table to look at these things as well as all types of losses that resulted from broken treaties – cultural and economic – as well as what is fair and mitigation measures. We must take action now. The appropriate people must be put in place to help us. Our own information belongs to us. It is critical to our informed decision-making. Settlement is not about accepting what was given but about ensuring compensation for losses, including those of the past, and entering into new agreements.

EYYOU ISTCHEE PRESENTATION ON CREE GOVERNANCE, DR. MATTHEW COON COME AND DR. TED MOSES

Dr. Matthew Coon Come is married with three daughters. He studied political science, economics, native studies, and law at Trent and McGill Universities. He is the former Chief of Mistassini Cree of Quebec, he served as Grand Chief of the James Bay Cree Nation of Eeyou Istchee for over twenty-one years, and he was the National Chief of the AFN. Trent University conferred upon him the honorary Doctor of Laws degree.

Dr. Ted Moses was born on a trap line near East Maine, Quebec. He's married with four children. He was educated at Ryerson and McGill University. Dr. Moses was a Chief and a Grand Chief. He was appointed as a United Nations Special Rapporteur for the Initiative on the effects of racism and discrimination and economic relations between Indigenous peoples and states. In 1996, Dr. Moses was awarded a Doctor of Laws degree by the University of Saskatchewan.

These Eeyou Istchee representatives delivered a power point presentation on the achievements and summary of their Cree governance history and showed a path to Indigenous Nation building.

Prior to the announcement of the Quebec Hydro project development in 1971, the Cree were very much nomadic in that they used all the Cree territory. The people were gone ten months of the year out on the land, hunting, fishing, and trapping. There were no roads going to the Cree communities. There was no telephone, and of course no internet. Additionally, access was limited due to the freeze-up in the fall and the break-up in the spring. Travel was done on the ice in the winter and on the lakes and rivers when they were open during the spring, summer, and fall. The Cree were largely left alone and undisturbed for many months at a time.

They were self-governing. Each trapline had a system in which a head person, a Talisman, was selected and who essentially governed the areas and the times when people went trapping and hunting. The self-government they practiced was limited however, because of the encroachment of outsiders and the resulting disruption of the Cree culture, traditions, sovereignty, and government. However, since the signing of the James Bay Northern Quebec Agreement, the Cree have been on a mission to recreate their own original sovereignty to the greatest extent possible. The Eeyou Istchee have implemented many of the key provisions of the United Nations Declaration on the Rights of Indigenous Peoples and the Royal Commission on Aboriginal Peoples.

Over the last forty-five years, they have been working with determination to build a Nation-to-Nation relationship with both levels of colonial governments. They have, in large part, accomplished this goal. They now operate on a Nation-to-Nation, government-to-government relationship with Canadian governments. They have improved their community infrastructures, gained control of education, gained the delivery of their own health and social services to people in the territory (which is not restricted to Cree peoples), and have comfortable housing and communities that their people enjoy.

The Eeyou Istchee have their own justice system that is funded by their own revenue which is generated mainly through revenue sharing ventures with respect to the extraction of natural resources on traditional territories. They do not use the term "revenue sharing" but they have developed a formula that

establishes how much, when and where the benefits would be derived. From these benefits they have enhanced their governance regime and eliminated the Indian Act so that it no longer applies to them. They have, over the 45 years, developed their own Nation that recognizes Indigenous rights and translates those rights into tangible improvements for the lives of their people.

The Eeyou Istchee Nation's current population is twenty thousand Cree people spread out over nine Cree First Nations and 11 Cree communities, with two more to become recognized by the Cree Nation soon. The territory is 375,000 square kilometers, designated under three different categories or recognition of rights. There are over three hundred traditional regions recognized in the Eeyou Istchee. The Eeyou Istchee also includes an Eeyou marine region agreement which recognizes Cree rights in the marine region and is managed by them.

Prior to establishing their own governance systems, there were very few jobs or job opportunities in the communities. The people mostly depended on hunting, fishing, and trapping. Houses had no running water and were not connected to the hydroelectric grid. Today, there are many jobs, mostly related to Cree- owned services and development, and their houses have much better standards.

There was no treaty between the Cree's and the Crown at that time. They had not entered any treaty although one was required by the 1912 Boundary Extension Act, which extended Quebec's boundaries to the north.

In 1971, the largest hydroelectric project in the world at that time was announced and was to be built entirely within the Cree territory. The announcement was done without consulting the Cree or obtaining their consent. This was when the fight for Cree rights began. The Cree were victorious at many levels. They were granted an interlocutory or temporary injunction in Quebec Superior Court. However, one week later, the Quebec Court of Appeals overturned the decision. Fortunately, the Cree had a permanent injunction, and the right to contest that decision in the highest court, the Supreme Court of Canada.

In 1975, after the court cases, Quebec and Canada decided to sit down and negotiate with the Eeyou Istchee. Canada refused at the beginning. After one year of negotiations on the agreement in principle - which was basically almost a roadmap for future negotiations – the James Bay and Northern Quebec Agreement (JBNQA) was concluded in 1976.

The JBNQA is a framework for collaborative development in the area that provides for the protection of the Cree traditional way of life and rights.

The vision of the partnership was built on a premise of the equality of all parties, and for once, raising the standard of life for the Cree people. These negotiations also resulted in the rebuilding of a Cree system of self-governance in their territory and included a unique regime that required an environmental and social impact assessment of all resource development projects within the territory. The assessment process was written in section 22.5 of the JBNQA and stated that all the developers and promoters must submit their request for an environmental certificate of authorization and, therefore, must submit themselves to an environmental and social impact assessment before any development can proceed. The Cree then have the opportunity to voice their opinion with regards to the project - how it affects them, their land, their way of life, and the basic rights of Cree people. The term for this is social acceptability and is very important because it allows the Cree people to say "yes" or "no" to a project.

Dr. Moses provided an example of a proposed uranium project, which the Cree community opposed as part of social acceptability. They said no, and the authorities that reviewed these projects and granted and recommended the certificate of authorization could not go any further. As a result of the Cree opposition, there was no uranium development. Dr. Moses described other projects, such as the Le Grande 1986 Agreement, which set an important precedent whereby all the resource development projects would have to go through a special environmental and social impact assessment under the JBNQA. That meant that Hydro-Quebec must comply with the JBNQA.

In 1984, a provision in the 1975 JBNQA, identified what is called local government. This established self- governance for the Crees on category 1A land, which are similar to reserve lands, under federal jurisdiction. This provision of local government also created the (Cree) regime. Under this provision, the Eeyou Istchee

saw an opportunity to address the question of the application of the Indian Act. They removed themselves from the Indian Act regime, so that the Indian Act does not apply to the Cree's or to any of their land. However, they retained section 87 of the Indian Act which deals with tax exemptions. The Eeyou Istchee local governance operates under a Chief and Council within their category 1A lands.

In 1976, the JBNQA was concluded. Unfortunately, the governments basically walked away along with Hydro-Quebec after they had gotten what they called the "Cree consent" to the agreement. There was no implementation schedule and plan. These unfinished requirements became a fight for the Cree.. To get the agreement fully implemented, the Cree initiated court actions and had many court proceedings. In 1980, they launched an important legal case against Quebec and Canada to address the failures of those governments to live up to their obligations under the JBNQA.

Dr. Matthew Coon Come

One of the challenges of any First Nation is to take a position on a project, whether to be for it or against it. When the Great River project was announced, it would have affected the traditional economy where, as the Cree say, "the land was the largest employer" because of hunting, trapping, fishing, gathering, and so on. Quebec wanted to proceed with the project, again, without Cree consent. So, the Cree opposed the project. However, one cannot just say no when opposing a project. The Eeyou Istchee found out they had to teach themselves about site management, energy efficient programs, and look at alternative forms of energy like wind, solar, etc. Doing so allowed them to present informed arguments and to participate in debates to ensure that their voices were heard. The Eeyou Istchee demonstrated that they will not accept projects that will be pushed down their throats, and they could use the national and international community to force Quebec to solve the project disputes.

The Cree succeeded in causing Quebec to suspend the Great River project in 1994. That win was good for the Cree of northern Quebec and for First Nations across Canada. Our Nations have lost so much over the years, so it was encouraging and galvanizing to see the Cree Nation of Quebec stand up and present their views, win support from the national and international communities, show the world that they knew what they were talking about, and prove that their way of life was important to the protection of the environment and all that lived in it. It also showed the growing power of our voice – "when we say no, it means no." Furthermore, a rule was established that stated when a proponent wanted to start a project, Eeyou Istchee consent will have to be obtained first.

Another example of effective unity against colonialism is during the early 1980's, when Premier Levesque had proposed, with the backing of a majority of Quebecois, to seek a secession from Canada or to separate from Canada. The Grand Council of the Cree's developed their own position and were well aware of the principles that were laid down for self-determination in UNDRIP because they had been involved for over twenty-five years in its wording and the drafting..

During the secession endeavor, Quebec claimed that it had the right to self-determination, but the Cree countered with the claim that Quebec could not claim that right and deny the original peoples of this land their legitimate self-determination. The Cree stated that they should have a choice as to whether they wanted to stay in Canada or go with Quebec. They made known their views and held their own referendum as a strategy to put Canada in a position where no double standard on the legitimacy of referendum results would be found if Quebec succeeded in getting a yes vote with their own referendum for self-determination. That is, self-determination for Quebec as a distinct nation must rightly exist for another making the claim.

They took the secession question all the way to the Supreme Court of Canada as a reference case, where that Court was asked to provide an advisory opinion on a legitimacy of the secession. The reference case led to Canada adopting a bill, and subsequent legislation, to decide on what guidelines should be used if Quebec were to secede from Canada. This event can be found in a book written by the Cree called *Social Injustice* and it can be used as a resource for Indigenous strategy and justice. Dr Coon Come summarized the experiences:

So, everything we've done, I think it is very clear that nothing is free. Everything that you strive for, you'll have to roll up your sleeves and work hard. Without pressure through legal proceedings, through public campaigns, through communication strategies, we would never be where we are right now. We fought for a right to govern ourselves. We fought for our Treaty to be respected. And as you all know, the JBNQA is a modern land claims agreement and it was entrenched in the Constitution back in 1980-81, therefore, the rights identified therein are Constitutional Rights.

We fought the governments, both federal and provincial, to show them that we knew what we wanted. And one thing is for sure, the federal and provincial governments know that not consulting us has never worked. I think it's as simple as that.

Dr Ted Moses

Both governments went for many years without fulfilling their obligations under the agreement. It was not until 2002, that the Province of Quebec finally listened and entered into a historic 2002 agreement with the Cree called La Paix des Braves or "peace of the brave agreement". This agreement essentially stated that the Cree would assume the obligations, the delivery of programs and services, of Quebec and administer those obligations. This new agreement recognized and affirmed the agreement contained in the JBNQA which stated that any development taking place on the traditional lands of the Cree required the consent of the Cree people. Cree consent is now a norm, the mainstay for all economic development projects throughout the Eeyou Istchee territory. Today, any developer that wishes to develop in this territory must submit and avail themselves to an environmental impact assessment process before they can obtain the certificate of authorization to continue with the project..

Today, Environmental Impact Assessment processes will take into consideration the Cree concerns of the trappers and include environmental employment, training, contracting, and any other related matters, as well as determining the way the project will be developed and the relationship between the Cree and the developer. The communities now receive annual payments for the implementation of the JBNQA. In essence, the Cree have now fully assumed the obligations of Quebec. They determine their own priorities and the type of projects allowed without any interference from the Quebec government.

Since 2002, the Eeyou Istchee have been on a journey of developing their communities, improving the capacity of their people to take on contracts, and creating employment and other opportunities not just in their communities, but in the territory where development is taking place. There are many Cree people working on the hydroelectric development, which was contemplated in the La Paix des Braves agreement, as well as participating in the development of two mining projects now in the territory. After 19 years, the La Paix des Braves agreement continues to give confidence to the Cree and fosters the Nation-to-Nation, or government-to-government, relationship.

In 2008 the Eeyou Istchee entered into a new relationship agreement with the federal government, which was basically in line with La Paix des Braves. The agreement transferred certain federal responsibilities to the Cree Nation government and provided a single payment of \$1.3 billion which is administered by a Cree Nation Trust.

The Cree Nation Trust is operated by an elected board that has a mandate to invest and to disperse the money generated by the resource-sharing agreements and Cree-owned developments, including the capital and interest, to the beneficiaries. The beneficiaries in the communities decide how the money is to be divided up and used and must submit a plan of programs and services to get the funding.

In 2012, the Cree entered the Cree-Quebec Governance Agreement, which extended Cree jurisdiction on Category 1 land. This category of land makes up about 20,000 square miles, or 30,000 square kilometers. In 2017, the Cree entered the Cree-Canada Governance Agreement that provided the Cree with the means to develop their own Constitution, affirmed that Cree laws applied on category 1A lands, and recognized the Cree Nation government.

Dr. Matthew Coon Come

One of the things that Eeyou Istchee wanted to ensure was recognition of their self-governance and achieving their own form of self-determination. While doing that, they wanted to make sure that the original agreement, the JBNQA, would be implemented, which is why several court actions were filed. In 2017, the Cree-Canada Governance Agreement made sure that what was promised under the JBNQA would be real and tangible for the people, and they could see the benefits of what they had negotiated.

For example, we were talking about water and sewage, housing, community centers, youth centers, police stations, new band administrative offices, warehouses, and equipment that we needed to purchase to run a community. So, there was a transfer of funds, but we knew that transfer payments were our right as was promised to us, and we secured that. And we knew we needed more than that. So that's why we pushed for revenues that we could benefit from, specifically the extraction of natural resources on our lands.

La Paix des Braves itself certainly cemented the concept of a Nation-to-Nation government, and that is the approach that Eeyou Istchee was always taking. Their approach was to have Nation-to-Nation, government- to-government negotiations and to be able to be masters of their own destiny, especially to be able to have a say in the way development took place in their own backyards. This has been demonstrated through the various agreements they have secured over the years. Progress did not come simply for Eeyou Istchee. There were many challenges to asserting their governance.

Through this assertive position the Cree succeeded in participating at the table with the federal government, creating a separate Aboriginal table along with the others, like the mining companies, the forestry companies, etc. What the Cree wanted was to have a say in what went on in their territory, to change the political structure that excluded them. They believed in a policy of inclusion, whereas the government had instead instituted a policy of exclusion by their legislation.

The Cree were not going to be left behind economically or without a say in the development and use of their lands. They insisted on being full participants. The Eeyou Istchee proceeded to set up their own structures that focused on economic development and governance, believing that these were inseparable. Additionally, they insisted on developing a governance regime in their territory that accurately reflected the

demographic reality. From these concerted efforts, they succeeded in developing what they call Eeyou Istchee James Bay Regional Government. The Eeyou Istchee is a Cree Nation government with full jurisdiction over category 2 lands, over a territory of approximately 70,000 square kilometers.

Under that regime, we had a say in the land and natural resource planning. We had a say in land resource management, and we had a regional government. And we were able to create exclusive land use planning powers over territory of 300,000 square kilometers of land. Because of the regional government that we created, we would be full participants in Category 3 lands along with Canada's provincial or federal governments.

The political structure has changed since the Cree revolution. Today, there is a conscious effort of inclusion and mutual respect by all parties regarding development within the JBNQA territory. Dr Coon Come described these working relationships and the reasoning for them:

There's a new regional government which is comprised of representatives from the Cree communities. That's where all the Chiefs sit, and the Grand Chief, Deputy Grand Chief, and all the other municipal mayors of the towns in the region.

And I can tell you that some of our people wanted to have nothing to do with the municipalities, just sit at the same table. But we managed to agree among ourselves that, hey, they're not going to go away and we're certainly not leaving either. And they've excluded us from having a say in what happens in our own backyard. So, let's sit down together, find a way on how we can coexist and be able to live together so that we can know exactly what's happened in our own backyard.

This incremental approach to change was not easy. It took much planning and trusting in the guidance received from the signatories of the agreement, from the Elders, and looking towards the future.

Ultimately, the goal was to give hope to children and our future generations, and help them realize they can get involved in being masters of their own lands, their own destiny. The Eeyou Istchee have been successful in providing tools to the people of their Nation so they can govern themselves. They provided tools and administrative support to their communities so that they can all strive to be a healthy people who feel secure. They have been laying the foundation for the long-term sustainability of young Cree people and the coming generations.

The Eeyou Istchee attribute much of their success in their involvement in, and support from, the United Nations, specifically to ensure that there was a principle of free, prior, and informed consent within their agreement. For any project to proceed, whether it is forestry, mining, or if oil is found within the marine area or on offshore islands, Cree consent must be first obtained.

Section 22 of the JBNQA, which included the principle of social acceptability, was crucial to the Cree. Now the Eeyou Istchee can protect the hunting, fishing, and trapping rights of their people and protect their territory through the environmental social protection regimes which minimized the impacts by any development within their territory. Dr. Coon Come elaborated on this point:

That section 22 was very critical for us. That section is a legal framework with the government and the Cree who agreed to set up an Environmental Social Committee. It is a recommendation body to which the developers have to submit their projects and demonstrate that they have social acceptability as a major component of those projects. Without that, the Environmental Social Committee would not even consider that project. So, I think that's one of the most important ones if you want to get involved in the development of your natural resources.

The Eeyou Istchee's position has always been that the rights they have under JBNQA are Constitutional rights, and are based on inherent rights, rights that came from the Creator. Recognition of those Indigenous rights is necessary for the rational and sustainable development of resources within the territories of Indigenous peoples. The Eeyou Istchee have demonstrated that natural resources can be developed in a

spirit of dignity, honor, cooperation, and harmony. The Eeyou Istchee hold over 80 signed agreements, all to do with protecting the rights of their people. No projects proceed without their consent, and they ensure that there is sustainable development in their own area.

It's a revolution, not only in terms of process or structure of governance, but in terms of physical improvements to our communities, and it is also a revolution in thinking about Indigenous rights.

It is recommended that I provincial governments be brought to the table and enter agreements with that level of Canada's governments. Some First Nations are reluctant to sign agreements with or to sit down and negotiate with the provincial governments. Not being afraid has worked to the Eeyou Istchee's advantage with La Paix des Braves and the relationship agreement with Quebec resulted in a separate table with the federal government, a separate table with Quebec, and has provided numerous benefits in terms of access to natural resources, health and social services, education, child services etc. It made sense to discuss these matters of jurisdiction with a proper governing body, i.e., Quebec.

Nation building is not a straight line. Nation building is like a puzzle, you know, one piece at a time. But we did have a general idea of what we wanted based on our community consultations and based on our experiences. We also recognized that we had the ability to pursue what was right for us. That helped our people to see what was promised to them and they were able to achieve those things.

The Eeyou Istchee has not taken the Original Law to take care of future generations lightly. The Cree also had youth initiatives.

Like in every Indigenous Nation, we all say that the youth are our future. In our case, we wanted to make that a living statement, so we established a regional youth council that is represented by an elected Youth Grand Chief and a Youth Deputy Grand Chief. Every community has its own youth facility in which the youth can plan and in which they can get involved developing ideas so that they feel they are a part of the Nation building. And I think they've demonstrated over the years that they are full participants in our Nation building.

In closing, Dr. Ted Moses added:

This is an example of what Indigenous peoples can do when given the resources and the opportunity to plan and determine their own priorities, instead of having people come from down south to use our lands and resources and the governments telling what is best for us. It's pretty well laid out and people are proud of their success and their achievements.

So, when we're given the opportunity and we have the tools and the right to determine our priorities, this is what we can do. Thank you. Thank you, everyone, for allowing us to make our presentation.

Questions and Answers

Chief David Monias, stated the Eeyou Istchee demonstrated excellent strides toward sovereignty, taking control of their economies, maintaining their economy with the land, and their service sector as well. They provided a model of transformation for Quebec Cree that could be emulated throughout the Treaty 5 signatory Nations. Certainly, other First Nations leaders will be looking at this model, as we are.

Maureen Brown questioned, how do you navigate through the dominant industry trumping Aboriginal title?

Dr Coon Come responded, the JBNQA predates the Delgamuukw case, and most of the Aboriginal law cases. One case that really helped our fight was the Calder case from B.C. which led towards the recognition of Aboriginal rights and title to the land. We were a bit ahead of our time as far as the courts were concerned.

That case really

David Monias questioned, do your agreements supersede the NRTA?

Dr. Ted Moses responded that the NRTA was specific to Manitoba, Saskatchewan, and Alberta, and would not have impacted Quebec region Cree. In the case of the Cree and their agreements, there were no treaties or agreements before. They ensured that if there were any laws in Quebec that were inconsistent with the JBNQA, then the JBNQA took precedence over those laws. To implement the JBNQA, there had to be a special legislation approving and giving effect to the JBNQA by the Government of Canada. Most of its provisions have now been translated into special legislation, which supersedes any other laws in Quebec that may be inconsistent with the JBNQA.

Chief Crate questioned, what was one of the most significant events along the James Bay Cree's journey?

Dr. Matthew Coon Come responded, the only time governments and industry come to you is when they want something. Then the government makes announcements for development of natural resources. Each time that these were made, the Cree had to decide and assess and analyze these announcements or projects. Because there are times in our lifetime when there's a window of opportunity for you to be able to change the political structures. We did. We were able to assume and can have a say on what happens in our own backyard. We prepared over a long period of time to advance the right to have a say on what happened in our own backyard; that we wanted to establish our own institutions and strengthen those institutions and be able to improve our communities. We really look at our situation - what the government is doing, what recent court cases we could use to advance and move the goalposts and so on.

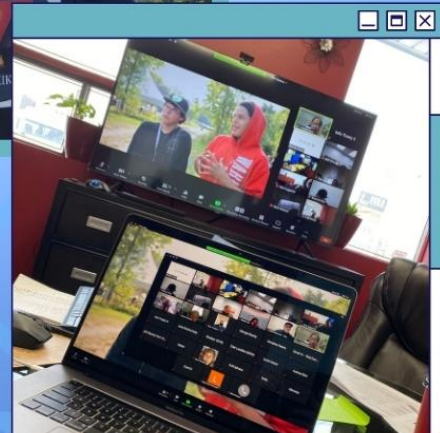
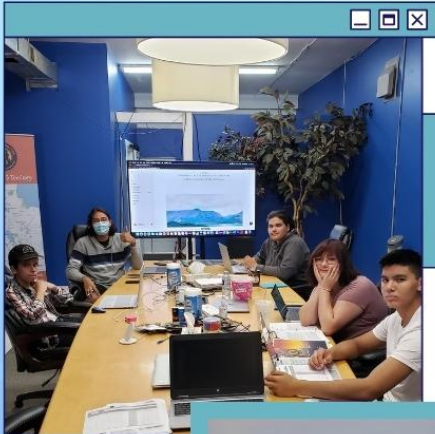
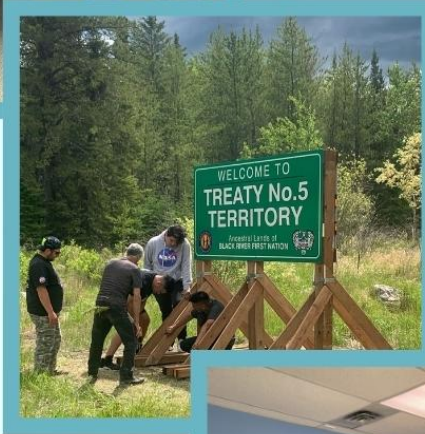
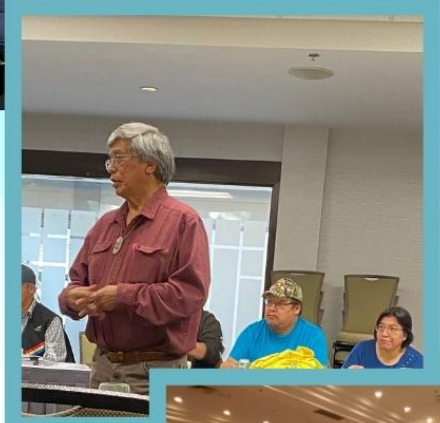
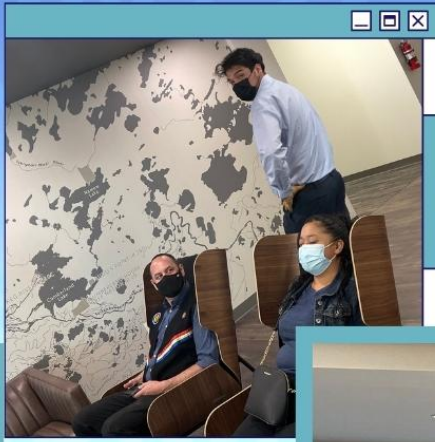
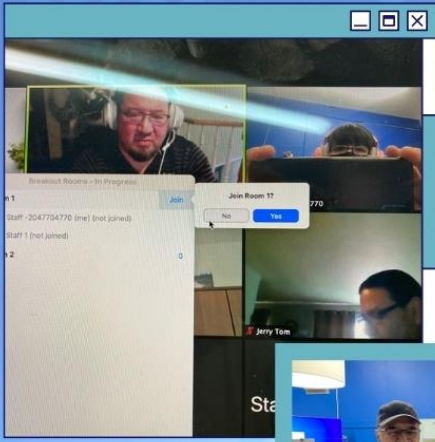
First Nations also must behave like the provinces (in terms of authority and jurisdiction), because the Crown will try to limit your rights and entitlement. That's not true though, they cannot limit our rights or entitlements. You can raise the standard. You can demand more. Treaty is not the only foundation of our rights but it's an entitlement in the confederation and the Crown will have to be forced to do what it promised. That's what we kept saying, during the court cases that we initiated. We saw the agreement as a contract, we saw it as a Constitutional right and if the government is going to renege on their obligations, we will challenge it. And certainly, if the government made an announcement that excluded our participation, we will use the agreement to say look to Section 22 which requires our consent.

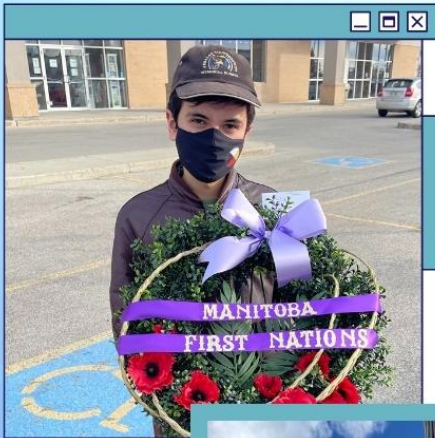
The Crown will try to forget. They will try to deny. They will try to extinguish the promises they made. That's why we took court action against the federal and provincial governments, and we saw the result of the cases – we got the agreements of La Paix des Braves and the New Relationship Agreement with Canada.

Elder Bill Travers, Kinonjeoshtegon, questioned, how did you get around the notwithstanding clause?

Dr. TenMoses responded, like many provisions of the agreement, notwithstanding clauses were challenging. Governments understand notwithstanding clauses. It is in the Canadian Constitution. We decided to use those provisions to our favor - to ensure that people down the line cannot say that the JBNQA is contradictory to a piece of (Canada's) legislation, therefore, the rights are redundant or that particular section is null and void, notwithstanding the JBNQA.

The provisions under the JBNQA are not written in stone but are solidified because the agreement is designed to be updated and improved, modified as circumstances evolve. That has been done through complimentary agreements, of which there are 35 to 40 complementary agreements to the JBNQA.





ENGAGEMENT SESSIONS

Due to the COVID-19 pandemic and the need to keep one another safe and not spread the virus, we were required to cancel several in-person engagement sessions.

We were preparing to attend a meeting on March 22 and 23rd 2020, in Brandon, Manitoba when the Canadian and provincial governments, in response to the pandemic, changes public health orders resulting in the need to cancel travel. In turn, this resulted in financial losses. Other engagement sessions had to be cancelled, including those scheduled for St. Theresa Point First Nation and Fisher River Cree Nation. The Treaty Five Summit in Cumberland House First Nation also had to be cancelled.

Fisher River Cree Nation was also planning to host the *Owanasawehikamik (Law Lodge)* Inaugural Gathering. This gathering stemmed from a Summit Resolution at the Summit of Treaty 5 Sovereign Nation held in Black River First Nation in July 2019. Its purpose was: 1. To conduct opening ceremonies and feasting of the *Owanasawehikamik*; 2. To discuss and adopt the mandate of *Owanasawehikamik*; 3. To discuss the composition of *Owanasawehikamik*; 4. To discuss and ratify the *Owanasawehikamik* rules, procedures, and traditional protocols; 5. To discuss other technical matters and/or common issues affecting Treaty 5 Nations and to make official decisions by resolution. More on this event can be found within this report.

SASKATCHEWAN TREATY 5 CHIEFS, OKIMOWIN REPORT

On July 20-21, 2020, TFAO Inc. engaged with Chief and Council representatives from the western Treaty 5 territory located in northeastern Saskatchewan. Phase II of the Nation Rebuilding Project titled “Okimowin: Building Our Own Governance Models” was presented.

TFAO Inc. has utilized these workshops to record dialogue and emerging common understandings as a vehicle to prepare the leadership and people for discussion on governance. As directed by the Summit of Treaty Five Sovereign Nations, TFAO Inc. remains the catalyst for exploring ways of achieving revived and new governance systems and addressing socio-economic conditions of the Treaty Five Sovereign Nations through direct First Nation participation, as well as roundtable discussions with the Crown.

TFAO Inc. Executive Director, Louis Harper, began the engagement session with an explanation of the difference between sovereign and self-governance terminology, and why TFAO Inc. uses “sovereignty”. He stated, the TFAO Inc. uses the word Okimowin (which means Sovereign) to show that we recognize our own governance. We are saying to Canada, acknowledge our inherent self-governance. We are trying to stay away from the self-governing model.”

The presentation was provided as an exercise to understand the position of Treaty 5 in developing its own Okimowin, an alternative governance model to the Indian Act. The presentation emphasizes the differences between Self-Government and First Nation Okimowin. First Nation Okimowin is a government based on inherent rights, whereas self-government is delegated by another government. Britain does not describe itself as self-governing, but uses the terms, Sovereign Nation, a sovereign government. Similarly, we are sovereign Nations with sovereign governments; we still maintain that we are sovereign Nations today. First Nations exercised their sovereign Okimowin during Treaty signing and sovereignty was never a subject of surrender.

However, once the Treaty was signed, the settler society imposed and forced the Indian Act government on us.

A Treaty 4 member was in attendance with his wife (herself a member of a Treaty 5 Nation) and spoke about borders and the creation of division between Nations. “There are 11 numbered Treaties that could be perceived as separating Cree, Dene, Oji-Cree and Anishinaabe Nations,” he said. The boundaries he referred to, as we know them today, exist to delineate lands and jurisdiction between Canada’s federal government and the provinces. The Treaty 4 member indicated how problematic imposed borders are, mainly because those borders divided the Nations, in some cases even dividing the same Nation into two or more separate entities. The creation of reserves was not in line with our ancestor’s understanding of the Treaties because the reserves limited our control and jurisdiction over our ability to prosper. Canada did not recognize our jurisdiction over our traditional lands but only granted us minimal use of those lands for hunting, trapping, and fishing. The separation of Nations created divisions and disrupted the relationships and unity between the Nations, even same-Nations, while, at the same time, drastically reducing the access to traditional lands by the imposition of treaty boundaries and reserves. Regarding the nationhood of different tribes, he said, “We may be divided by borders, but we are still Nations whether we are Cree, Dene, Ojibwe-Cree or Anishinaabe.”

The Treaty 4 member also spoke about unification and nationhood from the perspective of sovereign Nations and Natural Law. The Nations have stated their concerns about the colonial laws and the colonial courts that have no space for natural law. They stated that their rights and Nation sovereignty were impeded and disregarded by the non-inclusive and biased colonial systems. The Treaty 4 member was hopeful to see a re-established unity between Nations and was happy that Treaty 5 was beginning the process of Nation-building.

The unity of the 40 signatory Treaty 5 sovereign nations strengthens the relationships between autonomous Nations. The acknowledgement of the agreements our ancestors entered ensures a distinction or separateness from the Canadian state, it affirms our sovereignty. As the member from Treaty 4 stated,

We are still Nations, and we must be seen as sovereign Nations, not self-governing bodies that receive their power from the colonial state. We were not Treaty signatories to be governed or ruled by the Canadian government and their laws. Instead, we are, and always have been, governed by Natural Law.

Treaty 5 Okimowin finds its strength in recognizing Treaty 5 as a Sovereign-to-Sovereign legal agreement that binds First Nation and settler governments together. This position provides the Treaty 5 Sovereign Nations with unity and strength to claim that Canada must recognize the signatory First Nations of Treaty 5 as partners in the development of lands and resources and to force Canada to honour the Treaty promises, including the intent to share the natural resources.

Treaty 5 member, Dr. Jennie Wastesicoot, explained how historically the Crown emulated our treaty making process. It saw how we worked with our relations through treaty making and took advantage of that. In agreement with the member from Treaty 4, Dr. Wastesicoot stated that the Treaties had created divisions among the Nations and expressed her interest in the call for unity between the Nations of Treaties 1-11. She was also glad that Treaty 5 was taking a lead on Nation relation rebuilding.

Dr. Wastesicoot spoke of “returning to the knowledge of ourselves, and use of ceremony for healing”. She further stated that this reclamation of First Nation knowledge and ceremony,

Needs to happen and to include the voice of all community members to solidify our unity and relations to one another again. That will help to set our direction, to heal individuals, as well as Nations, and remove the divisiveness and return to our laws which promote balance, harmony and health.

She stated that First Nation people have struggled for a very long time to have their sovereignty recognized and their traditional governance systems restored.

“I know we have tried for a long time to restore the health and proper functioning of our communities. We must break the cycle of negative impacts that have fallen upon our people and communities and rebuild our governance systems and our laws. We also need to restore the cooperative relations within our own Nations and with the other Nations. That will solidify unity between all Nations.”

TFAO. Inc agrees with this statement and demonstrates the attempt to bring harmony and health to our communities through our engagement process. While we share the unfulfilling history of our relationship with Canada, we are mindful to instill hope that our Nation members will rise to the task to (re)create our own governance models that allow for a mutually beneficial relationship with the Crown, as the spirit and intent of the Treaty promised.

Dr. Wastesicoot presented the idea of rewriting the Indian Act to reflect our sovereignty. She asked if it was feasible to revise the Indian Act which is a piece of legislation that has suppressed and impoverished Indigenous Nations over a very long period of time. The idea of revising the Indian Act is that there are some strengths or advantages to Indigenous groups by having protection-based laws already recognized and operational, but that we should have control of them rather than the state. The Indian Act is a controlling piece of legislation that receives all its authority through colonial legislation. This Act has governed Indigenous peoples’ lives since it was enacted in 1876. As the first western Treaties were being signed, the colonial state was designing legislation that would suppress our governance systems, weaken our cultures, and forbid our traditional practices. The Indian Act is not mentioned in Treaty 5 and vice versa, the Indian Act does not mention Treaty 5 or any other Treaty. The omissions lead to the view that the Treaties were not being entered into honestly and were instead designed in such a way as to manipulate Indigenous people. Canada’s Indian Act legislation will forever submit Indigenous people to the assumed power of the colonial state. To rewrite the Indian Act, even to our benefit, would still subject us to an unprecedented level of control by our Treaty partner and continue to subjugate us to laws that are not natural to us, especially laws that suppress our governance systems and our relationship to the land because the legislated authority for the rewritten Indian Act will come from Canada’s legal system. Furthermore, the surrender clause that was written in the Treaty by the colonizers will be strengthened. That clause was never part of the spirit and intent of the Treaty.

One way to restore Okimowin is to bring ceremony back to the communities. Dr Wastesicoot stated, “The wiping away tears ceremony can help towards healing our Nations and returning to our own ways. Spirituality and ceremony have always been part of Indigenous governance systems, and in fact, are inseparable. This does not imply that a particular faith is unwelcome. We are taught that all belong, and are welcome, in a traditional ceremony regardless of what faith they practice. The unfortunate historical relationship with non-Indigenous religious or faith-based practices have created divide between our people but we do not have to allow that divide. Regardless of faith and spiritual practice we, as Indigenous Nations, must respect the choices people make for themselves and continue to honour our identity in unity, as good people, as stewards of the land.”

Dr. Wastesicoot stated that an important step in developing governance and law-making protocol was that Nation members need to be present at the meetings to have their voices and concerns heard. This process of equitable contribution and consensus building is imperative towards returning to traditional forms of sovereign governance and Nation rebuilding.

Charles Whitecap stated that we are the original people but, due to the assumed authority of a recent immigrant government that utilized the supposed God-given right to rule other nations, we have no access to our own resources. Due to this interference, Mr. Whitecap stressed, “We are no longer properly equipped to take care of our relations, such as fauna, fin, fur and feather”. He suggested utilizing RCAP as a

foundational piece to support moving towards sovereignty. He also expressed concern about provincial governments undermining First Nation initiatives and dictating and steering the accountability of participating First Nations in provincial bodies such as the Child Welfare boards.

These concerns come from the experience of First Nations through witnessing the Crown's failure to implement the spirit and intent of Treaty 5. Even though our Treaty promised a continuation of our mode of life and non-interference from others, Canada legislated the Natural Resource Transfer Agreement Act. This Act transferred jurisdiction over natural resources from the Federal government to the provincial governments, and as a result, First Nations have no access to their own resources. The Act transferred all Crown lands, mines, minerals (precious and base) and royalties, as well as jurisdiction over all game and fish. The full understanding of the Treaty was not considered and only our hunting, trapping, and fishing for food rights were recognized by the provinces. They were also given the power to legislate laws that infringed on our Treaty and inherent rights. The First Nations were not consulted when this transfer happened and, today, that continues to negatively impact our ability to continue in our mode of life by limiting our access to the land and resources that we were supposed to keep under Treaty. The transfer was totally contrary to our agreement with the Crown. For many Treaty 5 First Nation citizens, the concern of the overbearing power over us demonstrates the need to rebuild Okimowin even more.

Mr. Whitecap referred to the 1996 Royal Commission on Aboriginal Peoples that made numerous recommendations over 5 volumes regarding how Canada should relate to First Nations. "However," he said, "the vast majority of these recommendations have since been shelved and remain unattended to." Though tasked with finding and making recommendations on the foundations of a fair and honourable relationship between Aboriginal and non-Aboriginal people of Canada, the definitive conclusion was that "the main policy direction pursued for more than 150 years, first by colonial then by Canadian governments, has been wrong". The RCAP recommended recognition and respect for Indigenous sovereignty (the term self- government was used) and that Canada must honour those relationships as Nation-to-Nations and desist in its attempts to assimilate, ignore, or eradicate Indigenous presence. The RCAP report supported the Indigenous understanding and interpretation of the First Nations Treaties and recommended that they be implemented accordingly.

The process towards Okimowin (sovereignty) is not new; the First Nations people have been trying to gain Treaty justice for quite some time. TFAO Inc. continues in these efforts through our Nation Rebuilding and Recognition of Indigenous Rights and Self Determination projects.

Mr. Whitecap recommended writing constitutions for each First Nation that will be held to the highest authority and can be used to implement the Treaty between the Treaty 5 Nations and Canada. It is not right that our Treaty partner has the sole authority to interpret and work piecemeal on our Treaty. The First Nations have their interpretations and those should be considered. They must emphasize the need to properly implement the Treaty so that First Nations people can benefit from the promises that were made at the time of the Treaty signing. That way, the Treaty 5 people can install and operate under their own laws once again, and for as long as the rivers flow. RCAP and the Royal Proclamation provide strength to the First Nations' argument for self-sufficiency and support their inherent rights to maintain the traditional ways of life. The mandate to do this work comes from the people of the Treaty 5 Nations, not from the federal or provincial governments.

In 2019, the Summit of Treaty Five Sovereign Nations assigned the resolution to develop a Constitution for the Treaty 5 First Nations to TFAO Inc. The resolution is currently being worked on and will be completed at the end of the 2020 fiscal year. From there a template constitution will be developed and redesigned to meet each Nation's autonomous preference and desire. This template will be provided to the First Nations for their final input, inclusions or edits and authority to enact their individual Constitutions. These individual Constitutions are expected to be presented at community engagement sessions in the 2021-2022 year.

To encourage TFAO Inc. in the effort to develop methods of moving away from the Indian Act and of regaining control and jurisdiction over every aspect of First Nations life, Mr. Whitecap stated,

We have to be able to go beyond what's expected of us by the federal government and concentrate on the mandate given to you by the membership. I believe that, as we go along, the mandate needs to be expanded so that all that our ancestors agreed to on the day of Treaty is recognized and implemented.

Another Treaty 5 member in attendance, a Councillor, spoke about the loss of traditional ways and customary law through the process of imposed oppressive laws by our Treaty partner (the Crown). He stated that the true structure of this Nation, known as Canada, should be of equal strength between First Nation government(s) and the Canadian federal government. He also said that our Elders have directed us to move towards going back to our traditions and customary laws to implement our Treaty.

The Councillor continued passionately.

"There was the day before the Treaty, the day of the Treaty and the day after the Treaty. On the day before the Treaty and the day of the Treaty, our ancestors talked about sovereignty, they always had their sovereignty. Then, on the day after the Treaty their sovereignty and customary laws were lost, denied by the Queen's representatives. Ever since then our people have been subjected to the laws and orders of the federal government. But, despite that loss, we still have that sovereignty, our sovereignty, even if it is only in our hearts and minds for now. All our First Nations people still have their own forms of government, of law-making power within them, within their memories. We still have our land; we have our people, and we have our languages. Sovereignty and power are where we got to move towards, we got to move towards that again to restore all that is important to us. First Nation governance and the federal government should be viewed as equals."

The Councillor's comments reflect our Elders' historical accounts of Treaty 5, that we were to remain sovereign Nations while sharing the lands with Canada. The Councillor invoked a vision of a Nation-to-Nation relationship that was based on truth and equality, a very different relationship than the one we see today. Canada is not a Nation just of the Crown but of First Nations who should share equitable jurisdiction and governance over the land and resources bestowed upon us by the Creator and of other people from different Nations.

The Councillor was also concerned with the view that Chiefs and Councils were ultimately accountable to INAC, which is an arm of the government. He stated that such servitude does not reflect what was talked about during the Treaty.

TFAO Inc acknowledges this accountability requirement and the conflicts it often causes in our communities. The requirement arises out of the Indian Act. Our intention, as mandated by the Nation members, is to restore Okimowin in such a way as to restore trust and harmony within our communities and once again govern our own affairs in consensual-based balance with all Treaty 5 First Nations citizens.

TFAO Inc's efforts are in line with the Treaty 5 territory Councillor's comment that we have to return to the day before the Treaty, the time before we lost the power of our sovereignty and customary laws.

A video entitled "The Women of Treaty 5" was presented. One member emphasized the influence that grandmothers have in our Nations. The Summit of Treaty Five Sovereign Nations recognizes the contributions of the grandmothers and the important role they have in taking care of children and families. The Summit honours and respects the grandmothers in their work in carrying on the First Nations traditions, customs and knowledge. In most Indigenous sovereign Nations, matriarchy was an accepted form of societal structure where women held political power in the affairs of their communities and were bestowed with prestige and respect by the people. The women played a central role in maintaining good relations and harmony between people and communities and had authority to carry out dispute resolution practices. The Summit of Treaty 5 Sovereign Nations will continue to honour and respect the grandmothers and the women in the work to restore First Nations governance systems.

Councillor Cook also spoke about the imposed authority of provincial laws and regulations and how they placed limitations on the First Nations' rightful ownership of the land. He stated that he felt empowered when he learned about the work being done to properly implement the Treaty and the jurisdiction that we still hold over our lands.

He emphasized the necessity of knowing the full power and extent of the Treaty, as well as the ceremonies that defined and empowered the Treaty. In developing that knowledge, we will know ourselves and our history. Right now, there are many who do not know the meaning of the Treaty. So, it is important to transmit Treaty knowledge - the knowledge of our land base, our sovereignty, and our traditions. TFAO Inc agrees with these comments and its goal is to provide this knowledge to the Treaty 5 First Nations people, especially the youth, through our engagement sessions.

In 2019, the Summit of Treaty Five Sovereign Nations passed a resolution that gave authority to create and establish the Oonaswaykamik (Law Lodge) and assigned the work to TFAO Inc. Upon establishment, the Oonaoswaykamik will begin the work of re-establishing First Nation traditional and customary laws based on the Sovereignty of the Nations. Based on the acknowledgement of the Chiefs and Councils in attendance at the engagement session in Regina, we believe we are on the right path towards rebuilding our Nations and fulfilling Treaty 5 to the true spirit and intent our ancestors desired.

EAST SIDE SECTOR SASKATCHEWAN PRESENTATION

TFAO Inc. met with representatives from the western Treaty 5 territory which is situated in northeast Saskatchewan. We presented phase II of the Nation Rebuilding Project titled "Okimowin: Building Our Own Governance Models" to the Chief and Council and members of Cumberland House First Nation.

TFAO Inc. utilizes these workshops to record dialogue, discussions, and emerging common understandings as a vehicle to prepare the leadership and people for First Nations discussion on governance. As directed by the Summit of Treaty Five Sovereign Nations, TFAO Inc. remains the catalyst for exploring ways of achieving revived and new governance systems, addressing socio-economic conditions of the Treaty Five Sovereign Nations through direct First Nations participation, as well as roundtable discussions with the Crown.

Ted Bland began the presentation with the introduction of TFAO Inc., then moved directly into governance structures. He presented the traditional forms of Okimowin (governance) National, Regional and the Individual Independent Nations models. Ted explained the differences between the models, and the benefits and the challenges of each one. Some of the discussion focused on identifying and understanding who their nations were traditionally and where their name came from. The presentation proceeded and first focused on the Individual Independent model. Mr. Sidney McKay stated:

I had this vision of Cumberland House, and it was in the Treaty 5 text where it mentioned us as Ratty Country people. Ratty Country means the delta. So, by virtue of that written text, I believe that we are, as I call myself, Delta Cree and means the whole country is my land. That's where we should start as a community to develop our own individual governance system, as Cumberland House, and maintain our territory. We do it as an individual community, but we will also maintain our relationship with the regional group, the whole of Treaty 5 Okimowin that we're members of.

Chief Raymond Chaboyer added to Mr. McKay's comments acknowledging that he had concerns about how bigger communities tend to make most decisions about major political developments. He stated,

We've experienced northern and southern policy division among ourselves as First Nations and the more populated communities seem to override the less populated communities, which I've never liked, and that we, the less populated areas, really don't have a say on anything, even though we have a lot of issues. So that would have to be addressed in meetings, like this meeting. I think in a way, Manitoba has already started. They have the north and south. And I think that we do have to look at a model like that."

Chief Chaboyer was referring to the two PTO's, Manitoba Keewatinowi Okimakanak, which was incorporated in 1981, and the Southern Chiefs Organization which began in 1999. These organizations were developed because the north and south First Nations wanted to maintain their autonomy, and not be linked together based on geography. They also had differing issues, like on the cost of living and methods of service delivery. Chief Chaboyer did not want the bigger communities to make all the decisions based on population, stating that Cumberland House has a small population.

Marcy Iskweisis, a Cumberland House technician, stated that the best way forward is to have unity and solidarity amongst the leadership and the Nations. Her position was the result of some Canadians' response to First Nations and Indigenous issues; many times, First Nations and Indigenous people have been criticized and sometimes physically attacked for "standing in the way of progress," such as when they protect the waterways from oil and gas pipelines to ensure there is safe drinking water available for everyone. The Canadian government has utilized the RCMP and the Canadian Army to disavow, disperse, arrest, and even attack the land and water protectors. In addition to the use of violence and intimidation tactics, the Canadian government has also created legislation to protect projects that were many times approved without proper consultation with First Nation and other Indigenous Nations. The efforts to protest and oppose the projects often led to charges and incarceration. These issues are not uncommon for Indigenous people. Ms. Iskweisis stated,

I'm from Treaty 6, Beardy's and Okimasis. I have worked for Cumberland House for many years and I basically I have roots here. OK, anyhow, in order to establish or even develop this, I think there has to be a unity amongst all the First Nations Chiefs. They have to come together in solidarity and actually approach the issue that we're working against, not only the provincial government, but working against the federal government. To develop a unilateral system will basically create an uproar with the people of Canada. We have to establish and take a position of just saying that this is our inherent right. We then say to them, 'You are a visitor to our land, and we've accepted you as such.' And there has to be, like with the Chiefs, they have to become as one, to be able to develop this type of system. How else are we going to establish that without coming together and in unity?

Her position was well received by the group and the direction began to shift toward a national governance model.

A historical perspective was brought forward by Mr. Sidney McKay who spoke of the original intent of Treaty 5, specifically the spirit and intent of how governments should be working side by side with First Nations, not one dominating the other. He stated,

“Yeah, they signed the Treaty, but I don't believe we're trying hard enough to make them own up to that Treaty, what they signed. This means that they must share this land and they must recognize that we're supposed to work side by side by virtue of the wampum belt, where one government is not above the other government. That's the spirit that we're after. That's what I believe. And in recognition of this meeting's purpose, we have to have our own institutions, Constitution, departments, and policies developed by us for us.”

Mr. McKay also discussed the development of laws and the Constitution that would take place once they decided on a governance system.

Chief Chaboyer brought up the issue of Canadian laws that were created to protect the Canadian Constitution. He felt that these laws will be obstacles to developing a governance structure. He recognized the court system that protected Canada and that system will hinder the First Nation governance development process. He stated,

The laws that exist now, they were implemented by governments through the years. That would be our first obstacle, I would think. How do we get past that? What about the laws that were set to take our land away and our rights and everything? How do we get past that? We can't, I don't think, go to the courts.

Chief Chaboyer was correct to raise this issue. Canada's court system was not created with First Nations interests in mind. It was created to protect new laws and legislation that made up Canada's Constitution. Much work will be required to get recognition for First Nations' Constitutions and laws by Canada and Canadians. One institution that was described to Raymond was the proposed Treaty Tribunal. This tribunal will work together with settler states on First Nation Treaty issues and come to one decision that each signatory nation will abide by. Acting as a dispute resolution mechanism the Treaty Tribunal will be jointly operated by both treaty partners, free any power imbalances or unilateral imposing perceptions, unlike what we currently contend with in Canada's court systems.

Ms. Iskweisis shared a personal story about her grandfathers, one of whom was an employee of the Hudson's Bay Company. His employment required him to learn to read and write. His treaty was sold for scrip. Instead of his signature, there was an X on the document. She was upset because he knew how to read and write his own name. This was the way Indian agents took away Treaty rights from both the Indigenous people and the Metis. Scrip was a form of currency, it was either a land scrip or money scrip, and depending on the location, it could have meant 160 acres or \$160. She stated,

My grandfathers, both knew how to write. One was a prospector. One was an employee for the Hudson's Bay Company. He was a manager for the store at Pine Bluff. Then they had to sign their names. But there was an X for them, I saw that. And by that “x”, they sold their treaties for scrip, which was b.s. It was a way of tricking them. It wasn't them that signed it. That's how it is, you know, and I mentioned that, with all the IRS officials at that meeting. This is what we're fighting for.

Chief Chaboyer concluded the engagement session with closing comments about the Treaty 5 movement and thanked the presenters.

FOX LAKE COMMUNITY REPORT

The Fox Lake Cree Nation (FLCN) currently consists of roughly 1,100 members with 500 residing in the home Reserves, the Bird and Gillam Reserves, and the Town of Gillam. The remaining members live mainly in Thompson, Churchill, and Winnipeg. FLCN is a signatory to the 1910 Adhesion to Treaty 5, signed at York Factory. In 1947, Canada recognized the Gillam Band as an independent Band and was renamed the Fox Lake Band in 1949.

The objectives of the workshop were (i) to engage with members of Fox Lake Cree Nation on Nation Rebuilding, (ii) to discuss key areas of governance, and (iii) to revive and design alternative government structures and systems suitable to First Nation traditions and values through an uncolonized process.

The outcome of this community dialogue met TFAO Inc's Nation Rebuilding Project Activities workplan to create dialogue and gain input on the following: Treaty and inherent rights; correlation between treaty and inherent rights and nationhood; building awareness on Treaty-based approaches to governance, including consideration of aggregated levels of governance; and identification of potential aggregation/groupings of Treaty Five Nations based on identity.

Due to the pandemic restrictions and social distancing, a virtual session was used to provide information on Knowing your Rights, Current Realities and Okimowin (First Nation Governance). The response by the participants was varied, discussions covered different topics, and some focused on specific areas.

Elder Robert Wavey opened with a prayer, then introduced the Group from Fox Lake. Regarding the purpose of the presentation, he said, "I wanted to ensure that the Council and those that are participating are prepared to participate in the upcoming virtual summit. I wanted to also ensure that what we are doing and what Treaty 5 is doing are coordinated. We hope that this presentation will give us some thoughts and ideas on how to proceed with the other 2 initiatives that we have." Robert referred to the Nation Rebuilding and Recognition of Indigenous Rights and Self Determination process that Fox Lake was also engaged in with their membership. They were in the early stages of development and Robert wanted to ensure they were aligned with the TFAO initiatives.

Conway Arthurson talked about the relationship with Canada and Canadians. He posed the question on how to educate Canadians about the true history between Canada and First Nations, "We talked about education and how to get Canada to participate in the discussions to recognize our Treaties, to educate Canada, but what are we doing to educate Canadians about our Treaties? Have we thought about creating commercials for the non-Indigenous media to advertise so we can educate Canadians to learn about us, the Treaty, and First Nations? Was there any thought on doing that?" It was explained that the Treaty Relations Commission hosted a radio broadcast regularly on Native Communications Inc and they discussed issues like racism, discrimination, and injustice. Mr. Arthurson's question was important because it was a reflection of what First Nations and other Indigenous people faced in Canada. The promise of reconciliation from the Prime Minister was moving very slowly because Canada was slow in recognizing the recommendations made by government-mandated inquiries. Meanwhile, the unacceptable and often challenging situations faced by Indigenous people continued.

Chief Beardy shared his personal experience about education in Canada and stated, "Even my own children are still being taught in school about pilgrims during the time of the first Thanksgiving and what it was about. Really, that is the deception of Canada and its education curriculum, the proper history is not being shared."

Chief Beardy was, and still is, concerned that current First Nation children were being taught from a curriculum that the Province of Manitoba controlled. The province was not willing to have the true history of Canada's relationship with First Nations, especially how the control of the lands and waters was wrongly taken from First Nations, taught in the schools. He stated that it was time to get the truth out there so people will understand why First Nation people continue to face difficult challenges.

Mr. Arthurson then shared his account of a conversation he had with his late father, "My dad was a fluent Cree speaker, and I asked him if he could interpret Treaty 5 the way it was written. Basically, what he said was, '...it is impossible to interpret that Treaty because there are words in there that we do not know what they mean in Cree.' So, there were no words for some of that stuff written in the Treaty, like ownership of land - there was no such thing in the Cree language. That idea of 'ownership of land', as in owning property in land, was not part of our knowledge or our way of life so we could not 'own' the land. So how could we give something up that we did not own?"

The discussion that Mr. Arthurson had with his father was interesting because the Cree language didn't have words like "surrender" and "ownership" that were used in Treaty 5 as well as the other treaties. This topic has been brought up many times by different Elders and their interpretation of the treaties was consistent, mainly that the First Nations did not own the land and, therefore, could not have given up the land. Instead, they agreed to share the land with the Queen and her subjects. They also did not give up everything, including their sovereignty, their rights and their descendants' rights forever and ever. The Elders say that this part of the Treaty 5 text was added after the Treaty was signed. Mr. Arthurson added, "The interpretation of Treaty 5 was one-sided, and, through our research of the Canada documents, we came to understand that Commissioner Simmons, who signed the Treaty at York Factory in 1910, actually had Treaty 6 in his back pocket just in case we didn't sign Treaty 5. My understanding of Treaty 5 is that it's a farming treaty, you got your provisions for farming. Then you look at Treaty 6 and Treaty 10, those were more or less intended as natural resources treaties - to be able to live off the land, and to hunt, fish, or trap the way we did for many years prior to signing that Treaty."

It was noted that the negotiations for the Adhesions to Treaty 5 were to be better aligned with Treaty 6 benefits (greater land base, inclusion of medicines). The Indian agents were to negotiate as little as possible with the Nations in the northern territory. They left the region with only adhesions to Treaty 5. These promises held much less than most of the treaties across Canada.

One member questioned how the process of treaty signing happened, "We are talking about all the Treaties, there were no copies given to our people when they signed it. Was it that way throughout all of the rest of the Treaties with Canada, that there were no copies, was it like that for everybody? Or was it just Treaty 5?" That question was a difficult to answer because nobody knew if any Treaty 5 Nations received an original signed copy of their Treaty at that time. The history of the Treaty of Waitangi was shared, how a copy of the Treaty was given to the Maori, and the Treaty was written in the Maori language, in 1840 by the British Crown.

Referring to the northern Manitoba region, a FLCN member commented that when the Queen's negotiators from Canada came to sign the treaties, they saw that there was very little farmland in the territory. The north is full of lakes, rivers, muskeg and rock. He said, "I have difficulty imagining a Treaty 5 organization only because the government told us to sign a farming treaty. The benefits we get from that are a little bit different than other treaties." This member believed that farming was the focus of Treaty 5 and had less value in terms of sustainable industry, the north had very little area to farm, and did not mention the many resources in the region.

Mr. Arthurson spoke about unity and what sometimes happens within First Nation communities. "I truly believe in going with a united front, but at the same time I can see us separating down the line just like during the Northern Flood Agreement talks, where we had 5 or 6 communities, in the northern flood area. All of a sudden, where one person got a good idea and they ran with it, that partnership broke. I just hope that doesn't happen here. With all the dynamics that we have, it is an uphill battle." During the Northern Flood Agreement process, the affected communities negotiated agreements with Canada, Manitoba, and

Manitoba Hydro. The Implementation Agreements were negotiated individually. Initially they started together, united, but eventually each community began to look at their own interests and tried to maintain their own autonomy. Mr. Arthurson was concerned that this may happen again and how difficult it would be to stand united with forty communities. It was explained that there were different models that each community may consider.

Robert Wavey shared thoughts on the possible models of government, “We are looking at a confederation. A federated model not too dissimilar to what Canada has done in terms of Canada being the central power and then there are the provinces, there is shared power between Canada and the provinces. Not all the provinces have identical powers, some have more than others, depending on what they focus on or what their major economic generator may be. Those other communities and groupings of communities that have RIRSD or Nation Rebuilding, I think would contribute towards whatever model it is that we are developing.” Mr. Wavey was referring to the process that all First Nations communities may consider. He spoke about a model where equality for communities may be retained without any one Nation losing its autonomy. He stated,

We may need to adopt a model like that and incorporate its processes into a specific piece of legislation within the Treaty 5 Constitution. I do not know if we talked about the Constitution that is being developed; we probably did. I think it could be the model that everybody adopts which allows, as I said, for a federated basis. The individual First Nations may vary their child welfare legislation, as an example, or any other legislation that is identified as requiring different solutions and incorporate the processes into our Constitution.

Chief Beardy stated,

We have been given lot of eye-opening things that I have never actually thought about, so there is lots for me to learn. I cannot believe the way I was feeling, I was listening and reading, and things were just popping up in my head. I was getting a little frustrated hearing how things happened. The wheel is just spinning, and you wouldn't believe the amount of knowledge that I just gained from this couple of hours here.

These comments reflect the frustration that many First Nation leaders face, especially about the limitations that the federal government has imposed on communities.

Chief Beardy, in referring to moving forward with the Nation rebuilding and RIRSD processes, said; “There are years and years of information that you guys have looked at in order to do all this work and get to this point, so I look to you for guidance.”

CHIEFS STEERING COMMITTEE, Board of Directors, Technicians & Elders Teleconference,

Continuing with Objective #2 of the Nation Rebuilding Workplan, TFAO Inc. hosted a Chiefs' Steering Committee meeting via teleconference on October 8 & 9, 2020. This committee engagement provided the leadership with a platform to voice their Nation's experiences with colonization and provided input to TFAO regarding the future path of the Treaty 5 Nations.

During this meeting, the Liberal government of Canada's intention to create a National Treaty Commissioner and Office was critiqued for the Steering Committee. In large part, the feedback from the Chiefs in attendance was that a National Treaty Commissioner and Office would not suit the needs of Treaty 5 Nations. Several Chiefs stated that the Treaty remained incomplete. For example, promises were made to properly survey the reserves but for most First Nations the surveys made mistakes that resulted in shortfalls and inadequate lands. They waited for many years to have the mistakes corrected and have the proper number of acreages added to their reserves. Through land claims and settlement processes, the First Nations were also able to get additional lands that were productive or were in proximity to traditional fishing and gathering areas. Today, they continue to negotiate for the official recognition of their rights to

ancestral, or traditional, territories. They insist that the lands in these territories were to be considered shared lands according to the intent of the Treaty. But it does not appear that Canada's agenda goes towards recognizing the First Nations' position that they still hold their rights to their traditional territories, nor does it intend to consider the spirit and intent of the Treaties.

The Steering Committee found it troubling that CIRNAC identified the Assembly of First Nations, Inuit Tapiriit Kanatami, and the Metis National Council as partners-in-development in the National Treaty Commissioner Office. The main issue was that none of the above organizations represented the signatories of Treaty 5 in any development regarding lands and resources. The AFN is an advocacy and political body that cannot make development or other decisions for the First Nations. So, for the Steering Committee members, the process of creating a National Treaty Commissioner Office was starting off on the wrong foot.

Instead, the Steering Committee was unanimous in its support for the creation and implementation of a Treaty 5 spokesperson. This role would advocate for the First Nations' position on the true meaning and the spirit and intent of the Treaty. It would ensure that the government of Canada fulfils the promises made in Treaty 5 and is meeting other obligations to its Treaty partners, in truth and with honour.

Following on the Nation Rebuilding workplan, TFAO Inc. was instructed by the Summit of Treaty Five Sovereign Nations to explore the identified models of self-government (listed below) while respecting the relationship with the Treaty partners, the Crown and her successor, Canada. Informed by TFAO Inc.'s engagement sessions, three possible models of First Nation governance are currently being explored. Each model respects the autonomy of each First Nation and does not offer the colonial approach of imposing a new form of governance. As has been stated numerous times in our engagement sessions, the process must be completed in unity. The united process follows the traditional First Nation governance model of consensus building for decision-making.

The following models, which recognize that Treaty 5 is made up of four Nations, the Cree, Ojibway, Ojibway- Cree and Dene, are often brought up by the participants as outside of Canada's Constitution because our sovereignty was never surrendered:

- i. Individual (Autonomous) First Nation Models
 1. This model will continue the unique governance structure of each First Nation through their own autonomous design and will.
- ii. Regional Self-Government Model
 1. Develop self-government in a Treaty 5 region where each First Nation in that region will help to develop a unified structure of government wherein, they will make unified decisions on common issues. Individual First Nation issues will be acted upon without imposing negative impacts on the other First Nations.
- iii. National Self-Government Model
 1. This model unifies the 40 Treaty 5 First Nations and enables them to participate in all affairs under its own Constitution, with full control over lands, natural resources, citizenship, and other identified requirements within the Treaty 5 territory. This model will also allow each First Nation the autonomy to address its own internal issues while falling within the larger jurisdiction of the Constitution.
- iv. Other e.g., Co-existence Agreements

The discussion around the table on the development of Okimowin was consistent and unanimous in the agreement that the Treaty 5 Nations never surrendered their sovereignty. The Chiefs stated that the Treaty 5 self-government model must be based on First Nation sovereignty that continues to exist. They also stated that Okimowin's authority and jurisdiction must remain outside of Canada's Constitution and emphasized that Canada cannot create, impose, or influence any governance structure in the Treaty 5

territory. The First Nations must have full jurisdiction over their own affairs, lands, resources, and future. The Chiefs stated that this is true reconciliation which restores sovereign, Nation-to-Nation relationships based on respect and mutual understanding. It will also get rid of the negative interference caused by the racist Indian Act policies.

These discussions fulfill the TFAO Inc. mandate to identify Nation-based approaches on governance models through internal meetings and through First Nations' participation.

Louis Harper, Executive Director, TFAO Inc., also provided the Steering Committee with an update on the RIRSD process and progress.

TREATY TRIBUNAL COMMITTEE

An initial Treaty Tribunal Committee meeting was hosted by TFAO Inc., on October 26, 2020. This meeting was to begin movement on Resolution 07092019-3, “Resolution Respecting an Independent Treaty Tribunal”. This resolution was received from the Summit of Treaty Five Sovereign Nations at the Summit in Black River, in 2019.

Some documents were shared for review prior to the meeting to help develop informed discussions on the path moving forward. These documents included the Treaty Tribunal Resolution from the 2019 Summit, a discussion paper and backgrounder on the Treaty Tribunal, including a proposed mandate for review, and information on the Waitangi Tribunal in New Zealand as an example of a functioning Tribunal.

The objective of the Treaty Tribunal committee is to establish a process of creating a justice system based on Treaty and inherent rights. The tribunal will also develop steps to get Canada to: recognize First Nations’ inherent and Treaty rights; acknowledge and recognize the spirit and intent of Treaty 5, particularly the sharing of lands and natural resources; participate in Treaty discussions on earnest, balanced and respectful terms; and end the government oppression of the First Nations.

The initial direction for women on the committee’s project quickly exposed the need for a larger involvement of women in the processes for Treaty 5. It was decided that, to bolster participation in discussions on governance and future directions, this committee would be made up of Treaty 5 women. As one elder from Opaskwayak Cree Nation stated, “Women have been leaders for a long time.” She stated that more needed to be done to include the voice and direction of Treaty 5 women, rather than only specifying the women’s contribution to one resolution from the Summit of Treaty Five First Nations.

The Treaty 5 women in this initial tribunal committee stated that they wanted to achieve unity among themselves. As a working group, they will take up the recommendations and take their place in the roles of the Treaty 5 organization. It was agreed that the Treaty 5 women have a large and significant role to play in the Summit processes, that their traditional roles as land protectors and equal decision makers within the First Nations should be respected and recognized in the First Nations’ governance structures. Much of this was presented by Dr. Jennie Wastesicoot regarding the structure and organization of the *Owanasawehikamik (Law Lodge)*.

The women also stated that more extensive research on traditional cultures, customs and laws should be done with the focus on putting our laws back in place, as well as on Treaty and resource rights that will enable the First Nations to strengthen their positions with respect to lands and resources. The research information will re-establish the history of the women respecting the delivery of decision-making, governance, justice, and services in the First Nations, as well as their proper role as land protectors. The information will also put First Nations in the proper place within the Treaty. Furthermore, the recognition of the Treaty 5 women’s place in the First Nations’ history will make the future even stronger for our children because the women are the primary care givers of the children, and they provide the education. The committee members were glad to hear the Elder’s and women’s perspectives and appreciated that Treaty 5 was actively pursuing a restoration of First Nations’ governance.

Ovide Mercredi, Chair of the Treaty Tribunal Committee, provided an update on the work and vision of the Independent Treaty Tribunal at the 2021 Summit (as documented within this report).

ONLINE ENGAGEMENT

Although we were not able to engage with our Treaty 5 Nations in person due to COVID-19, our work continued through online to keep each other safe.

Following on previous successful engagement sessions and the numerous community voices that offered insight, direction, and encouragement, we developed an online presence that will ensure we continue in the work of moving ourselves towards Okimowin (First Nation Governance). The following reports demonstrate the determination of the TFAO Inc. Boards, Elders, technicians, and staff in continuing the work of developing and implementing Okimowin.

In early November, packages were sent to the First Nations which provided some of the work TFAO Inc. has already achieved on behalf of the Summit. This included audio and video recordings of eight Treaty 5 engagement sessions, tailored for presentations on radio or television. These eight sessions were created to continue the discussions with the Summit of Treaty Five Sovereign Nation members to generate understanding of our rights and history, as well as to create consensus on developing a governance model or models for Treaty 5 First Nations.

The content within the recorded broadcasts follows our Nation Rebuilding workplan. Specifically, the topics were: 1) Knowing your rights, 2) Rupert's Land history, 3) Current Realities, 4) the Statement to the Crown (as heard during the 2019 Summit in Black River First Nation), 5) Okimowin and Treaty 5 women, 6) Developing Okimowin, 7) Rebuilding Okimowin, and 8) Okimowin Models. The progression of the episodes assists in developing an understanding and reasoning for developing, or redeveloping, First Nation Sovereignty.

When a Treaty 5 First Nation plays these sessions on local radio or television, we invited Nation members to listen to the content then call us with their understandings, concerns, or directions, based on what they had heard. First Nations with members-only Facebook pages were also encouraged to host the videos on their Facebook pages. The call-in numbers were released at the end of the broadcast.

The following section of this report summarizes what we have learned from individual Treaty 5 First Nation members. The information below is based on interviews conducted following the community engagements sessions that were delivered by way of radio, television, or Facebook broadcasts. The person-centred interviews below are laid out thematically and an evaluation is performed in relation to Okimowin and TFAO Inc. mandates.

TREATY 5 INTERVIEWS: 2020/2021

TRADITIONAL NATION NAMES

When asked which First Nation the interviewees belonged to, each response indicated a relationship or responsibility to the land or territory and all living things within the territory. These responses demonstrated a connection to the land, to their Nation history and an understanding of their individual Nation's culture.

Some examples are:

Cha-ka-now sipi (Fox Lake): the hills river. Chemawawin:

dragging the net in the water. Kawischawasik: means beaver

house in Cree.

Kinonjeoshtegon: means caretakers of the fish (also referred to as jackfish head first nation). Kino Sipi

Cree Nation: (possibly) people of the river.

Kinosao Sipi (Norway House): Jackfish River.

Kitchi wasakain (York Factory): the Big house or the Main house. The big white building. Me quis

sko kan: Red Earth.

Mis-koo-si-pee: blood river, refers to “blood flowing in the veins”, thus the name Bloodvein River. Misipawistik (Grand Rapids): great waterfall, or thundering waters.

Mista-sipi-tin: singing rapids or big rapids.

Nisichawayasihk (Nelson House): where the three rivers meet. Ochekiwi Sipi: Fisher River.

Pe-na-say-chi-wan Sipi Ininewak (York Factory): the people from the river that flows like the thunderbird. Pimichikimak (Cross Lake): where the river flows.

Tataskewak: where big trees are.

Kistigan-ocheeng: Garden Hill.

AN UNDERSTANDING OF FIRST NATION OR INDIGENOUS SOVEREIGNTY.

Sovereignty is the inherent right of self-rule, self-governance that embodies the intent of our ancestors at the time of signing of Treaty 5.

Responses to questioning were meaningful and beautiful. It is obvious that Treaty 5 Nations continue to hold to their traditional views of who they are as sovereign peoples. While many discussions on this topic leaned towards the sadness of not having our Treaty honoured or being free to practice First Nation sovereignty and ways of being, they each reverted to the understanding that, although we are treated wrongly, although we are oppressed, we have every right to live the life that was given to us by the Creator.

For the respondents, First Nation Sovereignty is about regaining control of our own lands and protecting the lands for future generations. It is a way to look after each other, to keep our value systems and cultures going, keeping our traditions of our way of lives.

Sovereignty is not about disrespecting our relationship to the colonial state but doing everything separate from Provincial and Federal governments. It is about stepping out of the oppressive settler regimes to move towards an independent governance system while managing our own resources and revenue to give back into the community.

Sovereignty is also about our relationship to the land, as stewards and as dependents. Sovereignty is about being free to explore different aspects of Creation, to learn from it, and live in harmony with all things in that Creation. We are part of the land. We create harmony by establishing rules guided by our perspectives and worldview on reliance and respect for one another.

First Nation Sovereignty is the collective sovereignty of Sovereign First Nation peoples. Sovereignty is the right to make decisions. Every human has the right to make any decision they choose. We give up parts of our sovereignty with social contracts. We give our First Nations government a part of our individual sovereignty, and that collective Individual sovereignty is First Nation Sovereignty that is used to make decisions collectively.

It was also communicated that First Nation sovereignty is not granted, given, or created by the Canadian government, that our sovereignty comes from the Creator, thus it is a God-given right bestowed on our people with obligations and responsibilities to one another and all Creation.

AN UNDERSTANDING OF THE TREATY 5 AGREEMENT WITH THE CROWN (I.E., THE SPIRIT AND INTENT OF TREATY).

A general knowledge of Treaty 5 rights was shared by the majority of those interviewed. Fundamentals such as “hunting, trapping and fishing” rights were reoccurring comments. Others indicated that they believed the Treaty was supposed to help us, that it was not intended to surrender land or governance and was instead intended to share the land with the settler Nation.

The spirit and intent of the Treaty is to last for as long as the sun shines, grass grows, and rivers flow. We understand from this that the Treaty agreements remain active. However, the relationship with the Canadian government is a work in progress but it’s not where it needs to be. The Elders say that what was written in Treaty 5 does not reflect our oral records and Canada has yet to refrain from using its unilateral interpretation of the Treaty. As a result, Canada has not fully honoured the promises and terms contained therein. What it has delivered under the Treaty is so limited that our best interests as Nations remain unfulfilled. Nonetheless, each participant understands that the First Nations of Treaty 5 have upheld, and continue to uphold, their side of the Treaty, especially the access to the traditional lands given by our ancestors and the sharing of natural resources as intended.

Europeans were moving in, and people were settling on our lands and in order to ensure that there was peaceful settlement we came to agreements with them that they can live on that land. We did not give up any of our resources that were underground.

Some participants became visibly upset when recalling the Crown’s broken Treaty promises. They reflected on the harsh conditions of poverty, homelessness, and hopelessness within their own Nations. “None of this had to be this way,” said one participant, “we promised to share the wealth of this land and now we have so many lost people because they have no hope that Canada will treat us as equal partners to the Treaty as our ancestors trusted it would.” Furthermore, these comments are exacerbated by the lack of access for First Nations to be able to continue in our “mode of life”, or “avocation” as promised in the written text of the Treaty. The colonizer assumed control over the land and resources and imposed Canadian laws into every aspect of First Nations’ lives.

The intent of the Treaty was (not?) to give us the “short stick” in the pile. Stick us on reserves, where we basically had to fend for ourselves and keep us away from the cities.

As it was with all the numbered treaties, the signing of Treaty 5 was not an act of surrender of lands or waters. The intent on the part of First Nations signatories was about sharing the lands and waters. Our people were always in treaty making with each other as Nations prior to the arrival of Europeans. They trusted the word of the other party; the signing of written contracts was more of a European concept. This contractual signature on a paper was a foreign idea, loaded with trickery and betrayal. Once signatures were attained, however dishonestly, these documents were then used as legal weaponry against First Nation peoples. (Brenda Wastesacoot)

Several interviewees stated that Treaty rights were not a part of their education growing up. What they did know about Treaty was from personal conversations with Elders or knowledge holders within the community. From these teachings by the Elders, they understand that the Treaty was to provide for each other, a staple custom in First Nations. The Treaty recognized our equality to our new neighbors, and we

would learn from one another – we would both learn to survive in this new world by utilizing one another’s knowledge. Primarily, the Treaty was to create a better and more generous future for our future generations,

Did we sign away governance during Treaty making?

All responses to this question in the interviews stated emphatically that the First Nations of Treaty 5 never surrendered their sovereignty.

Several comments indicated that having lived under the oppressive system of the Indian Act for so long, First Nations sovereignty has been severely weakened.

It is important to understand that any compliance to the Indian Act is a mitigation strategy in order to ensure we continue to exist as distinct nations. The Canadian state and its courts believe in the extinguishment of our rights over time and would likely use Indian Act compliance as a justification for this perceived extinguishment. However, if we do not abide by the Indian Act regime we are penalized by the oppressive Canadian state; program dollars are often cut, services are cut, infrastructure is hindered and any viable participation in the economy we may have achieved becomes challenged. It cannot be prescribed as any fault of our own to work with the only option we have in order to survive. This is oppression. This sentiment was echoed repeatedly by the interviewees who often stated, “We must return to our own ways of governance.”

There were also numerous comments about deception and distrust because of the Crown’s conduct and treatment of First Nations and our Treaty. There were comments such as, “They prepared their documents in a way that seemed fitting to what our ancestors were talking about, and they ended up playing their word games with the legalese language” and “Split Lake never signed Treaty 5 - a paper spelling the terms of a different treaty was accidentally signed – you can ask the Elders in Split Lake who say that our ancestors signed the wrong papers. Later, in Winnipeg or Ottawa, they forged our ancestors’ signatures”. These comments not only reveal a negative view of Canada’s relationship with the First Nations but demonstrate the understanding that there is unfinished business in regard to our Treaty that must be addressed by the Crown in an equitable and unbiased manner.

What does it mean to be under a treaty? In a way it's like a noose around our necks. It must have been so difficult for our ancestors coming to a Treaty agreement and then realizing that what they were about to do was going to change the lives of generations to come. They learned that their sovereignty and traditions were being ignored and some Nations even got moved away from their traditional home communities or lost a part of those communities. This knowledge is very difficult and emotional for us. But it is good that we are trying to develop a full understanding of what our ancestors intended and what really happened, and to record that knowledge for the generations to come. The reality is that Treaty 5 is an agreement that many governments have utilized and manipulated to get whatever they wanted from First Nations. Our people are only starting to learn the deceit that has been used to undermine the Treaty, its promises, and its spirit and intent in regard to sharing and development.

AN UNDERSTANDING OF THE INDIAN ACT AND HOW IT IMPACTS TREATY 5 NATIONS.

Nearly every response indicated an understanding of the Indian Act as a means of control over Indigenous lives. It treats us like children, it debilitates us, and makes us less human. The Indian Act continues to impact Treaty 5 First Nations negatively and restricts our growth as people.

The Indian Act is not included in the provincial education curriculum so many students do not learn about its oppressive policies that control every aspect of First Nation people's lives. They do not learn that the Indian Act superseded the agreed-to terms of Treaty 5, an agreement that was to make the First Nations equal partners with Canada in the development of natural resources. They do not learn that the First Nations were disposed of their traditional lands and lost much of their economic resources and livelihoods. They do not learn that the loss of lands and resources impacted First Nations' cultures, customs and methods of governance. Therefore, the students cannot associate the poverty, fracturing of families, loss of children, lack of education, homelessness, and dependence on welfare with the oppressive policies of the Indian Act and the loss that First Nations have suffered and endured when their Treaty was set aside.

There is often confusion surrounding the Indian Act status card. Many have referred to this card as a treaty card. While a status card does help First Nation people access certain Treaty rights, such as health care or tax exemptions, it is important to understand that the status card is an instrument of Canada's apartheid strategy against First Nations' sovereignty and rights. Instead, the use and confusion around the status card has become something our nations have - over time and through coercion - simply come to understand as a reality, similar to Band Council governance structures which are viewed as being our own model of governance. Yet, these are not our ways and Treaty 5 does not indicate any surrender of our sovereign authority over our own affairs. Self-identity is an inherent right that falls under our governance system, under Okimowin, and we must protect our future generations from this encroachment.

I have been teaching a course in our community which looks at the Indian Act, for the past five years or so. The course entitled INS352 Indigenous Leadership, Policy, and Practices in Canada looks at Canada's colonial history. The Indian Act is a weapon of legal justification of enforcement in its attempts to control and destabilize First Nation communities. This colonial document serves to enable those placed in authority to use any means of force against our people. The Indian Act is a racist and sexist policy and the enforcement of it has left us devastated, disempowered and in many areas, incapacitated. Canada's Indian Act must be dismantled if real and true reconciliation is to be reached. It must be replaced with a more equitable and just policy which will see the economic stability of our people once again. (Brenda Wastesacoot)

The Indian Act controls, subjugates and destroys our people. It tears down our Nations and absorbs us into Canada's social network so that the government can apply its total control and secure the profitable development of all resources. It is, as one interviewee aptly stated, "a colonialist, sadistic piece of garbage that continues to wreak havoc on the lives of our people." Nonetheless, some indicated that the Indian Act is the only document we have that refers to our unique relationship to the Crown.

By creating our own Constitution, we will be able to better determine the parameters of our relationship with Canada on our own terms. The Constitution will restore the vision of our ancestors who said the First Nations and Canada will be equal partners in the development of natural resources; this will be more in line with the spirit and intent of Treaty 5 with respect to the sharing of lands and resources. TFAO Inc is currently drafting a Treaty 5 Constitution template which can be redrafted by individual First Nations or group of First Nations, depending on their decisions on what form of self-governance structure they want to develop. These efforts are mandated by the Summit of Treaty 5 Sovereign Nations by way of resolution number 07102019-1, "Resolution Respecting a Okiskinohtahiwewin Masinahikan (Charter) of the Summit of Treaty Five Sovereign Nations." Derek Neepinak presented on the progress of this resolution during the Virtual Summit of 2021 as recorded within this report.

WHAT FIRST NATION *OKIMOWIN* MEANS.

Okimowin means, “A government based on inherent rights; an inherent right to govern over and manage our own affairs. This includes the re-creation of our own laws, citizenship and identity, and our decision-making powers and processes over the use and preservation of our resources, languages and cultures. This government defines how we relate to and interact with other governments.”

Okimowin was understood by the interviewees as a way of working together to make Treaty 5 First Nations stronger, to keep our traditions alive for the future generations, and to restore our own way of dealing with conflict. This means that we have, and have always had, the right to take care of ourselves and our own affairs. No other body can rightfully grant us this right or take it away from us. The interviewees were excited that TFAO Inc, on behalf of the Summit of Treaty Five Sovereign Nations, was taking up this task of Nation Rebuilding.

The interviewees stated that before the arrival of the Europeans we lived by the Creator’s Law, also referred to as spiritual law or natural law. We were self-sustaining people and lived in harmony with the land and with each other. We humbled ourselves to the natural law and exercised respect for the law in regard to all our relations, not only humankind but also those living in the natural world and the spiritual world. It was understood that we were not a hierarchical society where one person or body held power over others and dictated how matters or affairs were to be handled. Rather, our Nations exercised inclusive and respectful governance that was based on consensus building. All our actions required respect and responsibility towards the animals, lands and waters.

Okimowin means that we have the right to look after what is rightfully ours and not to hold one above the other. When our people are talking about our own governments, they don't use the word “government”, they say 'takahnehnimisiwak' which means the ability to take care of ourselves, our family, our community, and our Nations.

Okimowin is viewed as an entity apart from the Crown, and certainly not subjected to it, but working in respectful relation with the colonial state and its governments. Essentially, Okimowin supports our sovereign, distinct, and autonomous Nations. The Elders tell us that our ancestors survived for time immemorial by following the Creator’s Law, the natural law. We can restore the Creator’s Law in our lives and once again thrive as independent, sovereign and strong people.

BENEFITS AND CHALLENGES IN RESTORING FIRST NATION *OKIMOWIN*.

Responses to this portion of the interviews were consistently mixed. There was much hope expressed but there were also despondent comments based on the current relationship with Canada. For instance, many interviewees expressed the belief that a beneficial and secure future for our people would be hard to achieve without first undoing all that has been done to us by Canada and its laws and policies. This comment reflects the long destructive history with our Treaty 5 partner under which our cultures and traditions were eroded, our governance systems, including the responsibilities and authority of women, were undermined, and our economic resources were taken away. All this was done under the Indian Act policies which also enacted a pass system that confined our people to the reserves, the Indian Residential School system which took children away from their families and made them live in very trying and dreadful situations, and the strict legislation that controlled First Nation people’s lives. The Act also utilized the unilateral interpretation of the Treaty to dictate how lands and natural resources can be used and developed. This led to the implementation of the Natural Resource Transfer Agreement Act, a process during which there were no consultations with the First Nations.

What was communicated without hesitation was the desire to take full control over our own lives once again. This can be done without seeking permission from our Treaty partner because we understand that we never surrendered our rights to self-governance and the development of economic resources. Nor have we been defeated by warfare. Though we are continually subjected to oppression caused by Canadian law, we have resisted and continue to persevere against the tide of colonialism. The interviews expressed a determination to return to a First Nation Okimowin governance system based on traditional values such as sharing, healing, and taking care of our own (which includes the land and waters, and wildlife upon or within it).

The participants brought up some very difficult challenges that we cannot overcome alone, such as the issues of assumed supremacy, racism, and apartheid policies that do not lie within our own means to correct – the colonial state is the only one that can change or get rid of them. No one believed that this needed change was impossible to do – it just needs the willingness of the state to admit to a wrong.

The desired results and benefits that many participants spoke of included: restoring what has been damaged, such as our languages, cultures, and ways of life; undoing what has been taught to us about our cultures being evil, being simple-minded people, or that our relationship to the land must be viewed in terms of capital rather than stewardship; undoing the legislation and policies that serve only the colonial governments; restoring the health of our people, our land, and our relations to Creation; restoring our traditional methods of raising children to ensure they understand their roles and the bonds created between families and communities; and restoring our justice systems to reduce the amount of conflict we see around us and rebuild healthy relations with our neighbors.

The benefits listed throughout the interviews all had to do with restoring our sovereignty and reclaiming our rights. The challenges all had to do with the imposed unilateral relationship with Canada and the long-term effects of that difficult relationship. Part of the challenges expressed is the ongoing fight against assimilation, a return to a belief in our own ways (beyond religion or spiritual faction) and a belief that we are not only capable, but competent in governing our own affairs.

Some challenges would be breaking away from the Provincial and Federal Government policy and stuff. In the end they want to control everything, they want to control what we do on our land. They want to control how we use our own land, it's a mess.

VIEWS ON SHARING THE WEALTH.

Wealth in First Nation life was not defined by economic gain and power but by how we tend to the needs of others and ensure the betterment of our people. There was a need to show the contrast between the First Nation view of wealth and the European-centric view of wealth, and more importantly, the contrast in the pursuit of that wealth, in order to see what was happening to our people. It is an unfortunate fact that some of our people have become accustomed to the European-centric view mainly by the fact that they have been told many times that they don't count, and they have no say in what happens in the pursuit of wealth. Fortunately, the Elders and others see the pursuit of wealth for what it is – the destruction of lands, resources, water, air, and animals and other living creatures; the continued suppression of Treaty and inherent rights; and the impoverishment of First Nations. This understanding is required in the work of restoring First Nations sovereignty and traditional laws which focus on providing for the needs of people and protecting the land. It also assisted in the discussion of this session.

Many participants stated that Treaty 5 was premised on a relationship of working together and sharing the wealth that would, and does, come from the land and resources. In First Nations value systems, no individual was held above another, and no one was expected to possess many things. In that system, no one was left homeless, left to starve, or left behind to fend for oneself. As one participant rightly stated,

“Sharing the wealth is good as this was the way First Nations people lived and were not afraid to share their wealth for the good of the family and whole community.”

The interviewees often commented that sharing and wealth distribution is natural law, which we can still see practiced in many First Nation communities. As such, the concept of rich and poor remains foreign to First Nations people and goes against natural law. The belief that sharing wealth is natural law was expressed by interviewees as our traditional ways and understanding of what we believed our Treaty relationship with the Crown was intended to be - that we would share all that our Creator had intended for us.

These views of sharing the wealth also indicate a desire to move towards a governance system that is not individualistic and will be beneficial to each of the 40 First Nation signatories of Treaty 5 while also benefitting our Treaty 5 partner, the Crown. When we can share the wealth, we can build better lives for all people.

Haven't we been sharing the wealth for thousands of years? And, in relation to recent history, hundreds of years? In regard to Industry and resources, the governments and corporations always claim that they are in joint partnership with First Nations, but that's not true. We're forced to join them, there are always the legislation and policies in place.

For us, the idea of wealth was feeling blessed with whatever Creator has given us and never taking too much or more than you need to have. So, we removed the greed factoring the way we conducted ourselves – how we take medicine, or how we utilize anything from the land. We never tried to have an excess of possessions. We just tried to take what we needed. We tried to do it in a way that reciprocated a beautiful relationship between ourselves and the resources that were available to us.

This comment describes the First Nation people's primary view of sharing the wealth and demonstrates how building up people, rather than individuals, to be self-sustaining is more beneficial than the “every- man-for-himself” method that encourages the individual pursuit of wealth.

What does that mean in relation to both Canada and other First Nations? How can it be done?

The definitive answer to this question is that Canada, as the representative of the Crown, must honourably implement Treaty 5. Many, if not most, of the signatory First Nations state that the Treaty remains unfinished business. Promises were made by the Commissioners to return to the communities and complete the Treaty negotiations. The incompleteness of Treaty negotiations is evidenced in the ongoing disputes over land ownership, governance issues and is further evident in the economic gap between Treaty nations against the spirit and intent of the Treaty for prosperity.

The relationship is based on the spirit and intent to share the land and resources. This has long been stated by the Elders and knowledge holders of the Treaty and is further bolstered in the language of the text of the Treaty: “to share in the bounty and benevolence”. The relationship, as it currently exists, simply does not work. Many participants want Canada to come to the table in an earnest effort to clarify its commitments and obligations with respect to Treaty 5 and, where clarity is missing, complete the negotiations in those instances, particularly regarding resource and profit sharing.

For many individuals interviewed, the issue of sharing the wealth, if the intent of the Treaty is implemented, go beyond First Nations receiving the benefits to use in their community-based economies, they want to see a sharing of the responsibility and decision-making power with respect to resources and land management and development. But Canada has continued to deny the sovereignty of First Nations and

has ignored the associated inherent rights and obligations, especially in regard to the stewardship of the land. The First Nations recognize that Canada unilaterally profits from the resources and have built a first- class country for their own citizens while denying First Nations a fair share of the economic prosperity. This type of relationship has caused, and continues to cause, hardships for First Nations families and communities resulting in over-representations in prisons, high suicide rates, violence, and loss of hope in our own homeland.

The First Nations state that the reserves make up about 1% of the traditional land base that was used by their First Nation ancestors to carry out economic and food-resource activities. They recognize that the early relationship with the Europeans provided for the development of the fur trade, the use of land and water navigation, the use of forest and water resources, and the sharing of knowledge regarding the survival techniques. The injustice that started at the time of Treaty is felt deeply by those interviewed. As one stated, “We’re not being treated equally by Canada and this relationship can be made better by making us more equal to everything”. The unfairness to First Nations continued in all the subsequent development of Canada as a Nation in which the First Nations were not consulted, instead they and their Treaty and rights were repeatedly ignored. The injustice and unfairness which continue to define the relationship between the First Nations and Canada, the so-called Treaty partners, must be properly addressed and the best way is for Canada to admit its many mistakes and honour and implement Treaty 5, all its promises, and the spirit and intent of the Treaty. During this process, the First Nations can rightfully restore their sovereignty, laws, cultures, traditions, and many other ways of living that were greatly impacted in the history of Canada.

THE ROLE OF WOMEN, MEN, YOUTH, AND ELDERS IN GOVERNANCE.

This topic revealed an understanding that our original governance structures that defined First Nations sovereignty and self-governance were severely diminished, and in some cases destroyed, when Canada began its pursuit for nationhood. First Nation governance structures are still not recognized, and we are continually oppressed by the imposed Indian Act band council system. The Crown’s interference makes it additionally challenging to return to a governance model of balanced respect between women, youth, elders, and men. This is a task that we must accept and develop for ourselves. Certainly, it would benefit our efforts to have Canada fully recognize our legitimacy and sovereign ways.

Women:

Women are understood to be leaders, protectors, preservers and nourishers of life, water, air, fire, and land. Before the diminishment of First Nation sovereignty, cultures and traditions, women had greater status and respected responsibilities within the First Nation governance systems that included management of property, community and family wellbeing, and equal decision-making powers with men. Sharon Mason stated,

I heard a Cree lawyer in Saskatchewan say that some of the teachings she was given was that the women traditionally, in their Nation, were responsible and protectors of the land. They were not part of signing/touching the Treaty, and because of that, land was never on the table because there would be no valid transfer of the land if women were never a part of that. There is something powerful in the role of women and we could find more significant roles, these are things worth looking into.

Women should be acknowledged for their effort in Nation rebuilding and restoring value systems, as well as holding significant roles in our nations. Settler society had enforced the idea that leaders needed to be men, this perception of inferiority then initiated misogynistic views of women in our nations. Through the Nation Building exercises and engagement processes, TFAO Inc. will acknowledge and input the women’s rightful roles as equally contributing members in the First Nation Okimowin, the Law Lodge, and other governance development.

Men:

There were not many comments made regarding men's roles within the First Nations governance systems, likely because we are aware that men have been in positions of power for a long time. Although we see more and more women being elected as Chiefs and other leadership positions, the prominent role of men was created and has been sustained by the Indian Act band council system of governance. The discussion was not meant to diminish the traditional roles of men that existed prior to the enforcement of the Indian Act when the men were decision-makers, hunters, providers, and protectors. In this engagement session, many respondents wanted to see a change in current governance systems that are dictated by the Indian Act by making the roles of women and men equal, as they were in the traditional governance systems.

Youth:

The responses also stated that the youth need to have a say in the delivery of governance because they are the future leaders who will have the responsibilities of implementing First Nations sovereignty and the governance and law-making systems that will ensure the continuance of beneficial cultures, traditions, and customs. They will also have the responsibility to ensure that all the restored systems have as their foundation the Creator's Law. In order for this future to be achieved, the youth need to be guided, to listen and learn from our knowledge keepers and especially the Elders. The participation in First Nation-based education systems was also viewed as beneficial so that the youth may learn what is happening now and develop skills to counter the offenses against our sovereignty.

Elders:

The Elders have all the knowledge and all the experience. They help counsel and guide our Nations' people because they have the experience, knowledge, and insight to help individuals, families, and communities. Elders are knowledge keepers, they know our histories, cultures, traditions, ceremonies, governance systems, and they know how things were done in the past. Their role includes reminding the people never to forget where they came from, never to forget that their lives and all they own and interact with were given by the Creator, never to forget their responsibilities, and never to forget the future generations. Their guidance is imperative in the making of informed, compassionate, and respectful decisions within our Nations and helping to make our Nations stronger.

How these roles fit into a government structure.

The feedback received on this topic was unanimous in that we must work together on equal footing. It was agreed that our First Nations operated and functioned on mutual decision-making, consensus building and united strategies before the Treaty era. Since then, they have tried to retain that cohesion but that has been very difficult given the imposition of the divisive Indian Act and other legislation. In the Nation rebuilding process, there must, once again, be balance in the decisions and action taken to deliver proper services within the Treaty 5 governance system, regardless of what roles individuals are given. There must be a sharing of information between the roles, not only within the larger system but also within the First Nations systems, and there must be a genuine effort to listen to one another, including to those not selected for leadership roles. The participants interviewed each discussed a desire to return to more cohesive First Nation governance systems based on natural law, the source of our original instructions.

Ultimately, each role will be an integral part of a governance structure of each autonomous First Nation, and they will select who assumes an identified role. For this purpose, some guiding principles were discussed in the interviews. The interviewees unanimously agreed that each role plays an equal part in First Nations governance. The persons selected to the roles would be representatives of the Councils or specified committees and act as advisors to the leadership.

Everybody was respected and everybody was equal. Our leaders were all chosen on merit and ability. The way that we measured wealth was never how much someone could keep for himself but the way someone used what he had to help others. The wealthiest people in our view were the people who gave the most, the people who helped the most. So, everything was done on merit, ability, and regard for the people. It didn't matter if you were a certain kind of person, a man, or a woman, everybody was equal in our way of life.

All these comments contribute significant information and direction to fulfill the requirements of the Nation Rebuilding workplan to (re)build a consensus based First Nation Okimowin.

WHAT AN OKIMOWIN MODEL OF GOVERNMENT MAY LOOK LIKE.

Ceremony has to be a part of Okimowin, it has to be a part of Treaty 5, and ceremony has to stay the way it is. Without ceremony it would be just talk and it's not going to work the way we want Okimowin to work. That's how the old men did things a long time ago, they called the whole community to come together when it was time to have a ceremony. Everybody had their part in Okimowin, everybody did their job, and the old men directed them. The process was like the way they put up the Sundance Lodge.

It was noted that the historical way of governing, using the traditional forms of Okimowin, was centred around the ceremonies. The ceremonies were integral functions in the structure and operation of a First Nation Okimowin. The places of ceremony always had circular structures that represented the circular movement of all things, the inclusion of all people, and the protective Spirit of the Creator. Within them, all decisions were consensus based and the agreements were based on First Nation values, traditional laws, and the Creator's Law. This was our way, and though it is understandably difficult right now to revive the Okimowin structure, the participants agreed that Okimowin, with its full ceremonies, must be restored for the First Nations.

The First Nation Okimowin model should be based on the original principles of equality, fairness and sharing, and it must focus on the First Nations' shared culture, traditions, laws, and ceremonies. No individual will be left out and the distinct nationhood identities will be respected and maintained. Although many do not follow the old or traditional ways, which is a result of colonization and also of personal choice, this should not be viewed as a hinderance. Rather, by invoking our shared customs and values we can meet in traditional ceremonial circles or other acceptable ways and function from points of respect and understanding, without having to impose one's beliefs on another.

The First Nation Okimowin will not rely on Canadian laws but will maintain respect for acknowledged laws. We will revive natural law while integrating current established First Nation laws, as well as contemporary Canadian laws that respect and benefit First Nations. The feedback provided also specified that a First Nation Okimowin should be separate from the Canadian Constitution. The relationship should be similar to the existing European Union wherein the sovereignty of each Nation is recognized, and decisions are made under fair, respected, and balanced treaty agreements.

I would say Okimowin would have to have more of our women in there. And more ceremonies. We will get too detached when we don't have Spirit in there. Our way of life needs the Spirit foremost because that is what feeds the mind and heart. Fasting ceremonies prove that. Okimowin would definitely be spiritually based.

Support for a Treaty 5 government

Some of the participants stated a preference for a regional model governance system. The responses were based on culture and tradition, land and water resource development (such as hydro, not every First Nation has hydro development), and the existing agreements with the province or Canada as reasons for their selection. However, even where regional governance systems were stated as a preference, there were also indications of the need for a centralized government and unity. This form of governance was presented by Ovide Mercredi to the Summit of Treaty Five Nations Virtual Gathering. He explained what he referred to as “decentralized unity”; such a model allows for the autonomy of each First Nation to be recognized while it works collaboratively with the other First Nations to strengthen their common nationhood and unity under Treaty 5.

It was agreed that we are stronger together than we are individually. The adage of many arrows bound together cannot be easily broken as a single arrow alone, was used to describe the strength of standing together as Treaty 5 signatory Nations. The Treaty 5 government model reflects what some respondents described as a traditional model of smaller groups banding together to create a larger alliance. The larger alliance would address specific common issues that affect all First Nations, like rights or tax issues, and concerns related to water contamination, disruption of habitats and animal migration routes, and climate change. Notably, these First Nation alliances would not have been confined by existing provincial or treaty boundaries. Respondents would like to see a revival of collaborative efforts concerning resource and land management led by traditional kinship and stewardship responsibilities that would also protect our animal relatives. From this perspective of unity, a few individuals expressed interest in a Turtle Island Indigenous Government that encompassed every Indigenous nation across the land.

One topic that received overwhelming agreement was that whichever model the Treaty 5 First Nations selected, that model should not be based on any of the colonial models and specifically not the Indian Act model of government control.

FINANCIALLY SUPPORTING A FIRST NATION *OKIMOWIN*.

The respondents interviewed agree that the Crown and Canada need to be put to task to start honouring all the promises and terms of Treaty 5. Not only is the continuing unilateral interpretation of Treaty 5 very unfair to First Nations but the denial of access to our natural resources with which to develop our economic base is totally unjust.

There was a noticeable agitation in those interviewed as they described the way the Canadian governments solely benefit from our lands and natural resources mentioned in our Treaty. The Treaty 5 First Nations want, and deserve, revenue sharing agreements that reflect the spirit and intent of the Treaty which is to share the revenue from developments of the lands and resources. Through access to and management of land resources, our First Nations can prosper in sustainable economies while protecting the environment from destruction and wanton use. The financial gain from accessing our resources can finance a Treaty 5 government. In order to secure and strengthen First Nations’ access to the natural resources, the Treaty 5 government will establish strong regulations for corporations to follow in various developments, such as mining, forestry, fishing industries, and hydro, so that outside interests can no longer rely on the unilateral decisions of the federal or provincial governments for accessing and developing the natural resources.

Some of the ways to support a First Nation Okimowin model include charging annual fees for businesses that are started on Treaty land, and revenue sharing with corporations. Financial principles, based on a fair accounting of sharing the wealth, should be created with our Treaty partner that reflects the spirit and intent of the treaty. Currently only Canada is reaping the benefits of our treaty and First Nations are left far behind

in terms of economic certainty and presence. These financial principles could provide opportunities for our future generations that reflects our collective and best interests, as defined by each autonomous Nation.

The respondents would like to see the funding that the corporations pay to the governments for the extraction of natural resources go to a financial institution within Okimowin. The Treaty 5 First Nations would determine how those funds would be used, such as housing, infrastructure, programming, healthcare, and policing. Getting the funding will allow us to be in control of how the resources are harvested by applying regulations directly to the corporations that currently benefit from our resources more than we do. This would be a shift from the impact benefit agreements given to outside interests to First Nations control of the agreement process. As one interviewee stated, "If the federal government and corporations are living off our resources, why aren't we? We signed treaty to benefit equally, not to be completely impoverished.

We must return to our First Nation teachings and responsibilities to the land and waters. We cannot afford to follow the dollar signs as the white man has led us to this path of self- destruction and climate devastation.

We must be equal partners in the resource extraction, where the benefits reach the poorest communities who lack the most basic of necessities and infrastructure.

Taxation with which to finance a First Nation Okimowin was also an idea explored. Taxation, in its basic meaning, can be compared to the traditional value of sharing with one another, mainly in the process of taking from an abundance, i.e., wealth, to help the poor or assist in development. Others wished to explore the viability of a modern trade and barter system.

It's definitely our right to share the bounties that Canada produces by taking our resources, but above and beyond that, we need to create our own economies again.

OTHER COMMENTS.

I really like this, that you're doing this, reaching out to the communities. You're making this happen, but I think it's going to take a long time and we can't take short cuts. Just the same way we are with the ceremonies, we can't just go and take things and rush things. I think this is a beautiful thing that we need to do, and our people are waking up to it. (Damien Lawrenchuk)

I think there is certainly a need for spirituality to be considered in any government. What we fall into doing is following the White man too much. I think it was Henry VIII, he separated church from state, we need to bring that back together. There should be no separation between state, or Indian Government, and our spiritual foundation. For us, our highest point in Governance has to do with the Creator's Law. That's just the way life goes.

We should strongly pull together and keep our traditional lives and keep our languages. They should bring back Cree language in schools instead of hiring white people to come and teach English. They should start hiring local Cree teachers to teach Cree for the kids to understand and to talk instead of English. That's what I want to see in Treaty 5.

No one teaches me stuff like that. I just know whatever they teach me in school, that's all.

I think they should find a way to get this topic more spoken about and educated about. It's hard for people to know about it at all. It's not even in the elementary curriculum yet. This isn't their country, it's ours. They cannot tell us what sovereignty is because we know what it is. There are so many people now and there's not even proper drinking water infrastructure in a lot of communities. In signing the treaty, we shouldn't even have to ask, they should be building infrastructure and caring for the people.

I think they should have more stuff for youth to do in the reserves, like outdoor rinks, skateboarding - more activities and places to go - maybe after school programs. The youth barely have anything to do, they get into drugs and go to jail. The recreation and sports activities would keep them busy.

We should think about the courts, if we go to court against Canada. Right now, Canada's taking us to their own courts, they have the advantage, so they win. It's a conflict of interest because they won't help us but by Treaty they are supposed to. They won't come to a verdict that will help First Nations people. They do that because they are in their own court. If we created our own court system, we could bring them to our courts, and there would be equal footing.

If this is a work in progress, it is a very positive thing and a step in the right direction for sure.

I think it's pretty good what we are trying to do here. We are trying to get back the lands that were taken from us, and all our resources that were taken. Way back then, when they were signing treaty, they did it in matter of days. Our people didn't really understand, and they didn't have the time to negotiate, they were told to sign the treaty and that's it. And today it's good that we are doing this, we can start all over again, now that we have a better understanding of what it is happening.

REFERENCE GUIDE DEVELOPMENT AND TRAINING

During Phase I of TFAO Inc's workplan we developed a Treaty 5 Governance Reference Guide (GRG). The reference guide is a toolkit to help guide the reader to learn about the history of Treaty 5 from the viewpoint of its citizens. It is about learning the importance of the Inherent and Treaty rights as they relate to self-determination and sovereignty. The reference guide stresses why our customs, values and beliefs of the Treaty 5 citizens are important to our national identity and existence. The reference guide will also help with the discussions on how to remove ourselves from the Indian Act totally. It also identifies current issues, models, and realities in building new government structures and systems.

The introduction section provides a broad spectrum of historical facts and contemporary issues which are found in each chapter with the corresponding page numbers. The purpose of the introduction section is to provide a quick reference for the reader. It describes the information contained in the different sections of

the reference guide and the main points that one should consider when reading it. One can read the introduction and then turn to the appropriate page for more detailed information. A summary is also provided at the end of each chapter to remind readers of the key points which may be useful in helping them do further reading and research.

The GRG is also intended as a resource to help answer questions that Treaty 5 citizens may have about the history of ancestral lands leading up to the making of the treaty relationship between the Crown and the First Nation peoples. There are many segments of colonial history that have created misinterpretations, misnomers and myths which have caused injustice for our people. It is important to understand each segment, so we are not misled in believing that we surrendered our sovereignty and territories. The fact is that we never gave up our lands and sovereignty. It is also important to understand the oral account of the history of Treaty 5, so we do not rely solely on one-sided information/interpretation.

Here are two examples of how land loss and treaty injustice have played out throughout history and are discussed in more detail in this guide:

- There was no consultation or negotiation process with the First Nations people who lived on and occupied the territory referred to as Rupert's Land when the land was "granted" to the Hudson's Bay Company and later sold to Canada. This was a major swindle in reality.
- Although First Nations entered into treaty arrangements with the Crown for many years prior to the Natural Resources Transfer Agreements (circa 1930's), there was no consultation or negotiations with First Nations. As a result, the Province of Manitoba received exclusive benefit over resources within the Treaty 5 Territory.

The belief that Treaty 5 people never surrendered their sovereignty, territories and their identity are the foundation of Treaty 5 people's conviction. This conviction empowers the Treaty 5 people to make their own decisions on how they want to rebuild their Nations, including the fulfillment of outstanding Treaty obligations, and treaty justice; and, to create the type of life they want for their next generations. This comes from the Creator-given sovereignty, the principles of caring and the forward-thinking that emboldened our ancestors during the treaty-making process.

The GRG can help Treaty 5 citizens understand the sacred responsibility of upholding the Treaty promises and the key historical accounts from the oral history of our peoples.

Phase II – Reference Guide

Continuing with the Nation Rebuilding Activities from Phase I, TFAO Inc facilitated a two-day training workshop of First Nation Facilitators on the use of the Reference Guide.

To complete this process, we hosted representatives from 20 of the 40 Treaty 5 First Nations who were selected to participate in a two-day training workshop on using the reference guide and becoming equipped to host discussions and facilitate workshops, meetings, or gatherings of their own First Nation's choosing to discuss the path forward towards developing Okimowin (our own government).

Through these facilitators, TFAO Inc. will be able to continue to engage the communities, leadership, and Elders to discuss Treaty 5 rights as set out in the Treaty. TFAO Inc will also collaborate with the Reference Guide facilitators to explore revived or new governance structures and systems through these engagements in the future. To best achieve these results, we sent each of the 40 Treaty 5 First Nations a Treaty 5 Reference Guide. Additional copies are available to each First Nation or interested parties as reference material on the historical relationship between Treaty 5 and the Crown. The information in the GRG reflects the perspectives of Treaty 5 First Nation citizens derived from our oral history, the different discussion forums held, as well as historical research.

The distribution of 40 Reference Guides on Nation Rebuilding included targeted questions on Nation Rebuilding. The appointed First Nation representatives were trained as facilitators to continue engaging First Nation members of Treaty 5.

The two-day training workshop on how to use the Reference Guide equipped the facilitators to be able to:

1. Host internal dialogue, discussions, and explore emerging common understandings as a vehicle to prepare the leadership/people for First Nation discussion on governance.
2. Continue to engage the communities, leadership, and Elders to discuss Treaty 5 rights as set out in the Treaty and to discuss the *Indian Act*.
3. Continue to explore revived or new governance structures and systems through community engagement.
4. Solicit ongoing views and ideas on Nation Rebuilding from the First Nation people.

SUMMIT OF TREATY 5 YOUTH REPORT

During the inaugural Summit of Treaty Five Sovereign Nations 2018, a resolution was passed that directed the leadership to include the Elders, Women and Youth in the development of the Treaty Five organization. The Board of Directors approved a budget to have Treaty 5 youth participate in a summer student research project. The research project topics included: the history of Treaty, the promises and annuities, who was the Chief and Council of the day for each Treaty 5 community, who were the Commissioners employed by Canada, and the effects of the Treaty. Five youth were hired for the research project.

MAAMAW KAAKIKE

Maamaw Kaakike, means Together Forever.

We are the youth from Treaty Five who believe unity is the most important path forward for our people. Unity is strength and it makes us strong. Our main goal is unity, harmony, and peace between all people. We seek justice for First Nations people in regard to our Treaty and sovereignty.

OUR YOUTH

Lucas Kent

My name is Lucas Kent and Thunder Bear is my spirit's name. I am of the Bear Clan. I am 21 years old and Ojibwe from Black River First Nation which is under Treaty 5 Territory. I began to work with Treaty 5 in July 2019 at the Summit in Black River and am continuing with the work. Alongside the work, I study filmmaking at the University of Winnipeg with the main goal being to help amplify indigenous voices and perspectives. I am thrilled to be a part of the Treaty 5 Youth Group, *Maamaw Kaakike*. The website launch we are working on is just the beginning and holds much potential as a way of connecting the Treaty 5 youth.

Rylan Bland

My name is Rylan Bland, I'm a 14-year-old student in grade 10 at Lord Selkirk Regional Comprehensive Secondary School. I grew up in York Factory First Nation and lived there up until 2 years ago. I am part of the Treaty Five youth group, *Maamaw Kaakike*, which so far has been a great experience - every day I learn about my people and the real history that is not taught in schools. I'm glad to have this opportunity. When I hear the phrase "together forever" I think of us indigenous people as always being together and having each other backs. It's about recognizing and acknowledging each other despite the fact you might not have even seen the person before. It's the feeling of being part of a team even though you haven't met them before.

Jordyn Crampton

Together Forever, it doesn't necessarily mean that individual persons will be friends forever. Rather, it is the idea that we as a community will stand together, that we are able to, and, through that experience, show the generations to come that it is important to stand together with others.

My name is Jordyn Crampton. I'm 18 and was born in Thompson, Manitoba. I have spent most of my life in Winnipeg. I am a graduate of West Kildonan High School, and I am starting my education at the University of Manitoba this year. Growing up, I struggled with my identity, not knowing what it truly meant to be a part of the First Nations Community.

A lot of that comes from the lack of knowledge; Why are we different? What makes us different? - the history behind it all. The Treaty Five Youth group is our way of teaching these things in our community and to help others find a connection to their nationality and identity as First Nations persons.

Liam Duck

Hello, my name is Liam Duck, and I am from Little Grand Rapids First Nation in Treaty Five territory. As a new graduate from high school, I plan to attend university to become a doctor. Being a part of Treaty Five youth has taught me tremendously about my own culture's history. Every day I learn and gain new insights about what it means to be Indigenous and the importance of unity, culture, and history. Using what I have learned and working alongside my brothers and sisters, I hope to use what I know about the past to work in the present, and ultimately lead towards a better future.

Wapastim Harper

Hello, Tansi, Boozhoo. My name is Wapastim Ka Kosta Ne Ta Kosit Ka Nee Po Wit Harper or just Wapastim. My mother is from Berens River First Nation and my father is from Garden Hill First Nation, both in Treaty 5 Territory. I am not a Canadian, I am Oji-Cree. I am 18 years old, a recent graduate from Saint Boniface Diocesan High School, and will be attending University this fall. I believe in the movement of First Nation self-determination based on the principles of our traditional values. Our youth group, *Maamaw Kaakike*, and our members look to help our people through different perspectives on education and topics of Indigenous unity/self-determination. Our people's fight for peace and harmony can be achieved through unity. All my life I have believed in peace, love, and friendship.

Miigwech

YOUTH WORKPLAN:

1. Annuities: a research project assigned to the youth for a summer student program. Study the history of Treaty 5; who was Chief and Council of the day, who were the Commissioners employed by Canada, what were the annuities? For submission to the communities on May 16th.
2. What is the importance of a Treaty annuity? How does it reflect the Nation-to-Nation relationship between the Crown and our people? How do we continue the effort of securing our annuities, for example education and always collecting the 5 dollars? In reference to the Treaty 5 Annuities.
3. Identify the agreed-upon annuities presented at the Treaty signing. Research each community in Treaty 5 territory, specifically regarding their annuities.
4. Who was the Chief and who were the Councillors? Who was the Indian Agent? Define terms.
 - Lucas Kent, Senior Student Staff, Wapastim Harper, Senior Student Staff, Liam Duck, Summer Student Staff, Rylan Bland, Summer Student Staff Jordyn Crampton
 - Completion date, July 30, 2021, of Historical and Indigenous Perspectives.

Interview our technical staff & Elders on Treaty history.

Find out what Treaty means to the 4 Nations.

- Guiding principles
- Elders' protocol
- Indigenous law
- Lucas Kent, Senior Student Staff
- Wapastim Harper, Senior Student Staff
- Elders and Technicians interview report. July 30
- Resources & Revenue research
- Conduct a geographical study of our territory
- Understand how Canada benefits and distributes the wealth
- Identify the cases that have been contested or researched
- Past compensations
- Calculate entitlements & Gross Net Incomes
- Wapastim Harper, Senior Student: Revenue distribution report
- Index of Annuities applied or not applied in the Treaty. What is 5 dollars' worth today, what was it worth then?
- Apply the process to all our annuities
- Define CPI (Consumer Price Index) and provide index of annuities report

The annuities research project was assigned to the youth. It included the study of the Treaty history; who were the Chiefs and Councils, who were the Commissioner, what were the annuities? For submission to the communities on May 16th (2021?)

The research focused on the following questions: What is the importance of a Treaty annuity? How does it reflect the Nation-to-Nation relationship between the Crown and our people? How do we continue the effort of securing our annuities, for example education and always collecting our 5 dollars? In reference to the Robinson Huron Treaty settlement, why is it important for Treaty 5 to pursue annuity inflation, payment, etc.? In regard to defending our Treaty and Treaty rights, what is the most important form of defense? What is the importance for involving cultural and traditional values for conversations about annuities and treaties?

Reference guide

Lucas Kent's participation was key to the development of the visual presentation of the reference guide, including the cover page and pictures in the book. Youth perspectives on governance, nationhood and traditional living were also placed in the reference guide. It is important to understand the worldview of the youth as we prepare them for adulthood. We recognize the current realities of what our governance structures are because of the Indian act.

Wapastim Harper - Governance

Our ancestors had two fundamental foundations of governance: natural law and customary law. These laws defined our sovereignty. And that sovereignty, strictly protected and followed by all First Nations, is rooted in spirituality. It burns at the center of our spirit all our lives. Our spirituality is a way of life. The laws guide our lives for the better. They have guided our relations with others, our families, and our Nations. The laws are honoured by ceremony that are seen as offerings of thanks to our Creator who gave us those laws. To me I have always seen our ceremonies, nationhood, sovereignty, and other things to be all connected. Our societies and Nations were free, strong, and resilient with our connection in ceremony to our brothers, sisters, the spirit world and the Creator. Our sovereignty is everything for me when looking at it from a ceremonial perspective. It is what binds us all to the water, land, and the thousands and thousands of generations in all of us.

The world that our people live in today is not working. Canada's systems are not for us, it never has been. We will not survive under its systems because we are not free to determine our own way of living, to reclaim our sovereignty. For me, I understand and see the importance of returning to our traditional forms of governance under our sovereignty. I propose the ideology of thinking "Red". This is the prioritization of the safety and security of our people, lands, and resources. This ideology stresses forward thinking on economic control and growth. It also emphasizes the education of our people in all forms of growth including but not limited to Treaties, military strategies, sciences, and engineering. This Red thinking ideology is sovereignty. With this thinking we can help our people lift the colonial constraints of Canada. We can help teach our people that whoever the Member of Parliament is in our territory, they do not speak for us. As a matter of fact, no Canadian speaks for us because we are not even Canadian. Canada does not have our interests in heart. It is time for our people to be set free. It is time for us all to wake up, unite under our Creator and His Laws, and reclaim what is ours. We must do so on our terms, no one has ever been set free by asking for it from their oppressors. Our sovereignty outweighs any of Canada's colonial policies. It triumphs over their agreements, and it reigns as the absolute supreme authority. I dream about the day when our people are finally living the lives they deserve, as sovereigns over their own land. With that sovereignty, that great power, also comes responsibility. We must always ensure never to breach our Treaty, or ever declare war to hurt or kill the other. Our responsibility as sovereigns is bonded to the Creator's wishes of natural law and the life of all living things. We must not forget that our sovereignty is our spirit. Our sovereignty is the love all our fathers have, the same love our grandfathers have. Our sovereignty is all the courage our mothers and grandmothers have. To me, we must be willing to lay down our lives to protect sovereignty for our children and the next seven generations. Our sovereignty is undying, just like Creator's love.

By Lucas Kent - Nationhood

A Nation is a large group of people that share a common language, culture, traditions, and history. It is important to know that First Nations people that were here on Turtle Island before the settlers arrived were once strong vibrant Nations. We had our traditions that defined the way our Nations functioned; we had our languages, our values, and customs. With colonization our Nations weakened. What were once vibrant, strong Nations have been systematically torn apart, such as our children removed from families and taught to hate their own ways. What is missing and what can bring us back together is gaining a better understanding of our history, languages, and traditional practices. These are the things that have been forcibly removed from our people. To let our people return to our own ways is to reject what has been force fed to us by Canada.

Rylan Bland - Traditional living

Sovereignty is our physical and spiritual connection to Mother Earth. We, as young Indigenous people, must go back to the land and re-learn our old ways; the teachings that were passed down by generations of Elders. We must re-learn what our traditional medicines are and practice our ceremonies; we need to learn how to harvest, hunt and fish again. We must learn to protect the land and our traditional territories. Then, we, the young people can begin to lead our Nations under these foundations.

T-shirts

During a planning meeting with the youth, the discussion began to focus on sustainable revenue for the youth group. It was decided that the group will make t-shirts with messages, logos and art specifically created by the youth for sale. Staples was the main supplier that we decided to approach and utilize their services. Troy Edgcumbe was the main contact and he and Lucas Kent went to work to get all selected shirts made. The youth selected *Maamaw Kaakike* (Together Forever) as the logo theme and the logo was created by Wapastim Harper. The youth agreed that it would be the design for *Mamaaw Kaakike*,

There were 7 sample Treaty 5 Youth t-shirts designed with text and some with the Treaty 5 logo. We posted some of them online, social media, website, with the idea of gaining some recognition and make sales with messages like: Creator; The sun still shines, the grass still grows and the rivers still flow; Natural law; Sacred law; Creator's law; We will not forget there is no higher law than the Creator's law; There is a higher law than Treaty law, it is the creators law; Water Land Air; Corporate law does not override Sacred law; Nation to Nation We did not forget, We are sovereign Nations; We are fortified by ancestral knowledge; Treaty land is Indian land forever.

Website Development

Mamaaw Kaakike (Together Forever).

The youth group is being established as a platform to reach out to the youth in Treaty 5 territory to generate interest in our politics, our history and Treaty relationship with Canada. By registering as members and becoming part of the group, the youth can learn about the treaties in the territory through educational material, videos, and presentations about historical facts, such as the Indian Act, the Constitution, etc. The focus will be on unity and harmony. During this process, the youth will create a vision statement for the group.

The youth have completed presentations and have submitted them to be part of the reference guide. They have been reviewed by Wapastim Harper, Lucas Kent, and Rylan Bland. The focus is on sovereignty, nationhood, and our traditional ways. These videos and blogs will become part of the Website to generate discussion and to educate the youth of Treaty Five. The website features Radio shows, education, gallery, discussion, and stories.

Self Defense Video

Wapastim Harper created a video that looks at the history of Canada and Indigenous people, such as Canada's response to Land and Water protectors. The presentation was recorded at Gas Station Art Centre in Winnipeg by the youth group, they set up their own background and lighting for the video. Camera and audio recording equipment was also handled by each youth. The process took the whole day, reshooting and making sure the audio and video equipment was working properly.

The result is a video that looks at historical events, different leaders standing up for their rights, protecting their land and water, and Canadas use of military, militia and RCMP to break down blockades, threaten and intimidate people. Canadas's response is "development for the greater good of the people" as Prime Minister Justin Trudeau stated but all the action focuses on the protection of big corporations, lack of consultation, and misuse of power.

REGINA JULY 19-22. 2020

Nation Rebuilding, RIRSD: the youth involvement included conducting interviews and participation in presentations. Youth and staff travelled to Regina to meet with the East Side Saskatchewan Leadership. Presentations were done by staff and Youth. The focus of the meeting was the Okimowin model. Wapastim did a presentation to the leadership on Self Defense. The presentation was well received and Wapastim got excellent feedback for the group. The other youth participated in group discussions and presented the outcomes to the larger group.

Ceremony at Fort Qu'Appelle; After the meetings were completed in Regina the group travelled to Fort Qu'Appelle and met at the File Hills Qu'Appelle Tribal Council. The staff there gave the group a tour and then hosted a meeting in the Morning Star Lodge. In the lodge, each staff and youth had an opportunity to speak, traditional stories were shared about protocols that happened before any major decisions were made, and the processes of sweats, feasts, and ceremony were described by the local Elders. A Pipe was raised for the Onasowaykamik.

The group then met with an Elder in the traditional territory who said that teachings such as language, food preparation and crafts were being passed down to the youth. The Elder shared stories of the way things were, what led him to become a traditional healer and teacher, and why it is important to remember your roots, to learn the traditional ways.

FISHER RIVER

The engagement with the Fisher River Elders and Chief and Council involved a presentation on Nation Rebuilding, youth involvement, and a presentation on historical perspectives. During this engagement session, Chief Crate invited his traditional Elder, Miskew Ginew, to speak to the Pipe that was raised for the ceremony. We were informed that the community spiritual leaders were preparing for the Law Lodge. Miskew shared how the ceremony took place, the dreams that came and how they knew the ceremony was coming to their community.

Onusoweyikamik. (Law lodge) Several meetings were held to discuss the location of the Law Lodge and it was decided that Fisher River would host the first gathering for Onusoweyikamik, after much planning, preparation and a site visit. On July 19th the staff and students travelled to Fisher River and stayed overnight at the local hotel. During the evening, a COVID-19 case was discovered in a nearby community and a decision was made to cancel the construction of the Law lodge. The staff and youth returned to Winnipeg the following morning.

YOUTH RADIO SHOWS

On September 30th Louis met with staff, Wapastim and Lucas to discuss developing 30-minute Radio shows to be aired on Native Communications Inc (NCI) for a ten-week period. The radio shows were to be broadcasted across Manitoba, Saskatchewan, and Ontario. The focus of the radio shows was based on the workplans for Nation Rebuilding and Recognition of Indigenous and Self Determination. Lucas Kent produced the radio shows, Kyla Harper and Wapastim Harper conducted the interviews and presentations. Due to the pandemic restrictions and regulations, the interviews and presentations were pre-recorded. The radio shows were considered a success, there was much discussion generated about topics and positive feedback from many people in and around the Treaty 5 territory.

Here are some of the topics broadcasted.

- Historical perspectives
- Knowing your rights
- Current realities
- Child and family

YOUTH LED INTERVIEWS

During the development process of the annuities research, the youth decided it was important to interview men and women to get their perspectives on the treaties. Three interviews were completed and transcribed, some have a brief analysis and summary attached as well. The purpose was to get an understanding of treaties from former leaders and to learn some of the challenges that Indigenous people face on a daily basis.

Dennis White Bird

What do Treaty Annuities mean to you?

Treaty Annuity to me is a number of things. Ever since I can remember my parents would take the children to the Treaty payment. We would meet with the Treaty Commissioner or the Treaty payment officer along with an RCMP, they were seated at a table, and we received our Treaty money. It was \$5 dollars for each of the children and my parents. After a period of maybe 25 years, my Treaty Annuity payment jumped to \$25 dollars when I became Chief. To me, Treaty Annuity was a payment that was made from the government of Canada.

As Indigenous people, our cultural and ceremonial custom is to give a gift. When Treaty was being made, money was part of the daily activity and it was transferred from one party to the next as an honour to the agreement, it was a financial commitment by the Crown to the First Nations to honouring the agreement.

I've heard the Elders talk about the picture on the \$5 dollar bill representing the Crown at the time in 1875, the picture was on the money so that First Nations people could understand that the agreement was being made with the British Crown. Following the whole idea behind the \$5 dollar bill, some Elders made it clear that it is not a payment for the land, it was actually a gift exchange, money was the commodity of the day that's what they used to facilitate the Treaty making process. It was a commitment made based on fiduciary or a financial obligation.

I turned 70 years old yesterday; I was born in 1950 in Rolling River First Nation. The hospital was 7 miles in the town of Erickson. There were no roads at the time, I was born in the community. We looked after my grandfather and my grandmother, at the same time they provided us our culture, our custom and our spirituality. My grandfather was blind, but he was also a very well-known medicine man and today it is still a very big question for me, how could a blind man be a medicine man?

My grandfather had a radio and that was it for entertainment, the winter months is when storytelling was very keen amongst the First Nations people. My mother would give me a little pinch of tobacco and said to go give this to grandfather and tell him to come and share some stories with us. I would run to my grandfather's shack and offer him the tobacco. I said, "Can you come and sing some songs on your drum?" Within about half hour he would show up with his drum, he'd sit down, and my mother would offer him tea and bannock. He sang on the drum, many different songs, not only ceremonial songs but also social songs and other types of songs.

The following week was the time for the Pipe Ceremony. We placed blankets on the floor, then have the Pipe Ceremony. It was very important to all of us. Throughout the year, in severe storms with thunder and lightning or potential tornado, my grandfather would get his pipe ready. We lived on a hill, I was like 5-6 years old and would take my grandfather to the edge of the hill and stand there in the rain literally, the thunder and lightning all around us. He would offer his pipe to the thunderbirds. You could almost see the thunder clouds separate; it was simply amazing. I have not seen that since. The Pipe Ceremony was used for medicinal purpose, communicating with the Creator, the thunderbirds, and nature around us.

Then following that, maybe a week or two, there was storytelling and legends by the Elders. My grandfather would come and share legends in the Anishinaabe language. Many of the legends he told had a story behind them. This was very significant in terms of who we are as Anishinaabe people. We had a by-level house, most of my grandfather's healing took place early in the morning just before sunrise. One day, they carried this man in on a stretcher. My uncle was the singer, he sang for my grandfather. They started with the healing ceremony and when the ceremony was over, they had a feast and that man got up and walked out of the house.

My grandfather was powerfully gifted. He had root medicines, he had leaf medicines, bark medicines that he used throughout his entire life. He was never in the hospital, was never dependent on a doctor. [Sometimes I joined him in his search for medicines. My grandmother had problems with her vision, but she would take me along with her too and show me the different plants that she needed. That's the knowledge that I had as a young boy.

I went into residential school in Sandy Bay, about 120 miles away from our home - that was almost the end of my culture, my custom, and my knowledge. I do recall what my mother was able to teach me and what my grandparents were able to teach me during the summer and sometimes during the winter.

I attended a Catholic school, here in Winnipeg, for my high-school, and then went to university in Brandon. I became a teacher in the town of Erickson for 7 years. I became a Chief for my community of Rolling River First Nation for 18 years. As a leader I worked with Treaty Land Entitlement where I was the head negotiator for Treaty Land Entitlement for most of those 18 years. Most of my fellow Chiefs were from the northern communities. We were able to reach a final agreement with Canada and Manitoba on outstanding Treaty Land Entitlement. Today that agreement is still being implemented, they're still trying to resolve it by converting all the lands into reserve status.

In 2000, I became AMC grand chief for 5 and a half years. Chiefs then submitted my name to be a Treaty Commissioner and Canada agreed and I became Treaty Commissioner here in Manitoba. I did that for 5 years. Then I was hired by Grand Chief Derek Nepinak to come help out with the Assembly of Manitoba Chiefs. I have been there since; I've worked with Grand Chief Nepinak and now Grand Chief Dumas.

I think the future is right here at this table, it is very honorable that you are accessing this information on Treaty. You will be the messengers that will take that message to the next generation, and for you to become the future leaders. The knowledge that you will carry with you is an important aspect; spirituality is very important - your own personal spirituality.

Many of us we have spiritual traditional names that we carry. Mine means the "Man standing at the Centre of the Earth". To me that is not the real meaning of who I am; I asked my mother, "Mom, what did grandpa say about my name when he gave it to me? What was the dream or the story behind it?" She translated it in the Anishinaabe language, "In the springtime or the summer when the thunderbirds are travelling from the West in an easterly direction, the thunderbirds come in a flock and at the center there is one thunderbird; he is protected by all the other thunderbirds as they come across. Nothing will ever reach him, that's what your grandpa said." That was the meaning of his dream and that is where my name came from. I feel protected all the time because I have a lot of people around me all the time, they help to support that. In each one of our names, we have these traditional names that are spiritual names. It is a spirit because it comes to you in a dream, and we carry it for the amount of time that we live. That spirit travels with us.

I used to ask my mother things; she had 8 children, 4 boys and 4 girls. So, we were sitting at the table, and being siblings, we were teasing one another, saying you look like this, you look like that old man over there. Our mother said, "You shouldn't be talking like that, you shouldn't be talking about people or making fun of people, they can hear what you're saying." So that was the message. I asked, "Mom, what you said, how would they know that we were talking about them, how would they know that we were making fun of them?"

She said, "Each one of those people have a spirit name. The spirit travels around and it hears, then that spirit goes back into the body and that's how that knows." That's what she said, and I strongly believe in that; that the spirit is protective, and it will guide us, that is why we have spiritual names. It is part of our guidance, our tradition, our custom, our teaching, and it is important.

Today, there are many children out there who do not have that spirit name, it's not their fault. Many times, the government of Canada wanted to stamp out Indigenous people, they wanted to stamp out Indigenous culture, they wanted to kill it. If you recall John A. MacDonald, the first prime minister, his statement to parliament was, "kill the Indian in the child" which was really the primary focus of government in the 1870's, and that's why residential schools were brought in. Today, it still continues with the 60's scoop, the foster care system, it's still happening so that's why we have to reenergize as Indigenous peoples.

I'm glad that Treaty 5, Treaty 4, Treaty 2, Treaty 3, each one of the Treaty areas that we're aware of are regenerating their Treaty knowledge; they're bringing the Treaty knowledge back, and hopefully they will educate their young people so that we can have strength, the same strength that we had as a Nation of people. We're reenergizing, we're renewing our nationhood, we want to strengthen our nationhood, we want to be able to plan the governance of our community, it is very important.

This whole election system that the government uses was set in place to weaken the First Nation; you have an election in the community every 2 years, and that was to create dissension, to create dysfunction in the community. You have families fighting each other for leadership, you have brothers and sometimes sisters that are fighting for leadership. When you have families like that nobody works together. It's easier for the government to come in and say, "Oh let's do this", so they are in control, that's why we need to look at traditional forms of governance. Not necessarily look at what the government of Canada is doing, we need to take a critical look at how we form our own governance structures and systems,

Speaking of annuities, you have the Robinson-Huron Treaty and the Robinson-Superior Treaty First Nations who were able to challenge the government in the court of law, in their own court system. You have to be very careful when you pursue a Treaty case in a court system, because you will face their judges in the court system, where their judges are appointed by the Crown. Your lawyers are also taught in the Crown's institutions, in high schools, in universities, and whatever, your lawyers have to sign an oath basically to the Crown to uphold the law. I think that is a significant part, everything is designed to protect the Crown.

In that particular case, in terms of taking your Treaty issue into a court system, our Elders have cautioned this a long time, years ago, telling us not to take our Treaty into court because the court system is not ours. Secondly, the Treaty that was made in 1871, this one here at Lower Fort Garry, after the Treaty was made and even before the Treaty was made, they smoked the pipe. Then they asked the Creator to be a witness of this Treaty dialogue. After it was done, they smoked the pipe again. After it was all over, after they had written some of that, after there was an oral understanding by the Indigenous people of what they understood the agreement to be. They smoked the pipe again and that is one of the reasons why they cautioned because if you take this Treaty right to court then it means that you're not really believing in the Creator, you're not believing what the Creator had taught you.

There were some leaders that also went into sweat ceremonies, some leaders that went on the vision quest, some leaders that went into the sweat lodge to go and seek answers. I think those are the important ceremonies that Indigenous people have, we still have them; we're very fortunate that some of our ancestors, some of our traditional leaders went into hiding. They went further into the bush to go and practice their culture. I remember in Rolling River my grandparents going deep into the bush to go and practice their ceremonies, to go and practice their cultural ceremony. Some of those ceremonies they were so protective of, that even my mother was not allowed to witness some of those ceremonies even though those were her in-laws that were practicing the ceremony.

That's where it's at and I think that for the annuity with Robinson Huron, it was based on a promise that was made at the time of the Treaty, what the promise really was "after this Treaty is made, we'll provide you with this annuity for every man, women, and child once we make more money from your land, we will provide you with more." That was basically the concept.

But, well after that Treaty was made, there was no increase to their annuity and that is what they charged Canada with, a breach of that Treaty. Our First Nations immediately west of Robinson-Huron, Robinson- Superior, we were able to find out, we were able to carry their messages through ceremony, that we knew what was offered in that Treaty. We pursued that same principle here in Manitoba, when we pursued that we were told by the Crown, "All we can offer you is what was given in the other Treaties." That's the important part, in that Treaty dialogue, in the treaty discussion, the promises that were made are enforceable.

If you promise by saying, "I promise to give you \$5 dollar after I get my Treaty money", and when that time comes, when you have that \$5 from the government, you have to turn it over and give it to the person you promised. That is the promise to do something, so that is what it's all about, and I think here in Manitoba maybe we have that right as well, because of that simple promise that was made; What I have offered you in this Treaty is exactly the same as I offered others, I cannot give you more, I cannot give you less. That is a promise that we need to work at, maybe that will be your responsibility to secure that right.

The same thing there was another Treaty promise that's quite significant in terms of expansion, today you have your little pockets of reserves here and there, lands that were based on 32 acres per person in Treaty number 1, and for a family of 5 that only amounts to 160 acres. Try to fit in a family of 5 into those 160 acres, you try to survive on that land for a hunter, a gatherer, and a trapper. That is not going to happen, you need more acreage than that. The same thing with Treaty #5, all you got was 160 acres for a family of 5, or 32 acres a person.

Treaty #1, Treaty #2, Treaty #5 are the same. I'm not sure about the Northern Treaties, but we received 120 acres per person in Treaty #4. I believe it's the same with Treaty 3, and for a family of 5, it was 640 acres. We received one whole section of land. I think it was getting a little bit better in that respect and it could've been because agriculture, I don't know; I don't know the real reason why they expanded on the number of acres that each reserve received.

But going back to my initial statement of having access to more land, in Treaty #1, there was Chief Yellow quill who was present at the Treaty-making process that was in Fort Garry. He asked the Treaty Commissioner, "What happens now? Is this the amount of acreage that you want to leave for me to have? What happens to my children? My children's children? He didn't say grandchildren, he said my children's children, and their children. We won't have enough land to sustain ourselves. Then what happens?" The Treaty Commissioner responded, "We will have more land for you from the west of where you are now." That was around Long Plains, Swan Lake, around that area, so that was the promise. A promise that they never lived up to, and a promise that needs to be challenged.

Each one of these Treaties, you can look at the dialogue in each Treaty and then you apply that to the written, you reconcile and come out with a point that you'll need to challenge with the Crown. It is a lot of research, it is a lot of reading, a lot of thinking on the one side. You also need to talk to the Elders, what is the Elders' interpretation? As to what happened, that history is still alive, it's still alive and the Elders still

have that knowledge.

That's what we need to use, in the written text there's no spirituality in the written text, but when you talk to an Indigenous person the way that they define things, it is based on spirituality. The reason I say that is, the language that we have as Indigenous peoples is the language that was given to us by the Creator. The Creator gave us the language and it's a spiritual language. Our Treaty is within that language.

You take something, and you cover this individual or anything that you already have you cover it over and above that. So, you have your sovereignty as an Indigenous person, you're a sovereign person and you already have every single right as a human being, everything that the Creator gave you. You don't take it away, you cover it up with the Treaty right to health, to education, the Treaty right to be able to govern yourself. You have all these Treaty Rights that are over and above what you already have as a sovereign person so that's what it means, that's why I say language is important, it's absolutely key in terms of giving definitions of Treaty.

Elder White Bird also spoke about the understanding of the Elders and their interpretation of Treaty. They believe that we maintain every original right that we had before the coming of the settlers. The Treaty adds to those rights, such as health and education - they were not given or taken away.

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Derek Nepinak Interview.

The interview began with an introduction of the group by Louis Harper. He explained to Derek that the project is to look at the Treaty Annuities from historical and Indigenous perspectives while also taking the Robinson-Huron Treaty case into account as a guideline for successful negotiation. Another topic that is important to the discussion is the spirit and intent of the treaties.

What is your understanding on Treaty Annuities?

The concept of Treaty annuities pre-date Treaty. It means it started discussion about gifting, when we started to get into economic relationships with newcomers from other parts of the world, they would always recognize a protocol of gifting. If they wanted to sit down with us, they would always bring gifts. There was always an observed exchange, and it was diplomatic in nature.

The seriousness of the discussion was always reflected in the quantity or the quality of the gifts they brought and that predated Treaty. When Treaty came along in our territory, what they did was incorporated a \$5- dollar payment. They brought the \$5 dollars as a gifting protocol; it wasn't intended to replace the value or the economic value of lands and resources. It was intended as an extension of the protocol and the recognition of relationship that went back to the very early times.

Some of the history will show that one of the first ships of the Hudson's Bay Company landed on the shores of the Hudson's Bay back in 1670. They brought gifts with them. These gifts are an extension, and a recognition of the Treaty Annuity payment is the recognition of that history that goes back to 1670 and the Charter for the corporation of the Hudson's Bay Company was issued to the company; it's about respect and recognition, it was not intended to replace the value of the lands and resources. There are other provisions in the Treaty that are supposed to reflect the economic value and the economic certainty of Treaty. But that Treaty annuity payment of \$5 is supposed to be something different. That was just a historical demonstration of respect for the relationship.

Derek's understanding on Treaty Annuities such as the \$5 given out annually is not in purchase of the land or anything to that value. The annuities are a part of the gift giving protocol that is tradition with our people. Derek notes the Hudson's Bay Company's arrival in 1670, as they brought gifts as a show of respect. The belief that the payment of annuities were direct payments for the land is commonly misinterpreted. The gift-giving was done to demonstrate mutual respect between the two Nations.

How can we ensure that the continuance of our annuities in an equitable manner?

I'm thinking about annuities in the sense of the \$5 annuity that they paid. There are other provisions in the Treaty that you might say are annuities. Take Treaty 4 for example, the provision of a yoke of Oxen and farming implements, you could also say that's part of the Annuities, but I believe it's the commitment to the economic harmonization and reconciliation going forward. You have what they call Cows and Ploughs specific claims happening now.

There are a number of communities that have brought their specific claims for cows and ploughs and have received significant sums of money, \$100,000,000 to \$150,000,000 for cows and ploughs. That's economic displacement, that's compensation for that economic displacement but that leaves the issue of the Treaty annuities outside of that. How do we ensure the continuance? We ensure the continuance as an element of the continuation of Treaty. And how long does the Treaty go? It goes for as long as the sun shines, the grass grows and the rivers flow. It goes forever,

We ensure the continuance of annuities by ensuring the continuance of treaties. How do we ensure the continuance of the Treaty? We look at how the lands and waters are doing, we look at what the environment is doing, and we commit to living a good way, a respectful way, a responsible way with our neighbours and the settlers that came to establish themselves amongst us.

When it comes to equity it's difficult to place the value on equity of the annuity. Is it fair to receive \$5 when \$5 today doesn't go as far as \$5 did at Treaty time? We have to ask ourselves when someone gifts us a gift: Do we place an economic value on that? Do we say well this isn't enough today? Or I don't like that gift, it's not enough for me? We generally don't do that because it would be disrespectful.

If we're going to raise the issue about equity, and equitable distribution of wealth, I'm not sure if I'd try to squeeze it in to the Treaty annuity payment because it's a gift. Where I would try to force the issue is on Treaty that was supposed to ensure equity of economic and equality of economic opportunity.

Keep in mind that before anybody else was here, we had all this territory. We could drink out of the river, the lakes, we didn't have to boil our water or get it treated with chemicals in order to live. We had an abundance of berries and food that was healthy. That kept us healthy for 100 years, people lived over 100 years back then because they knew how to eat properly off the land. We had what I like to call the original wealth, it was all there for us. When they came in and brought Treaty, brought economic interest into our territory, that slowly diminished our ability to be wealthy in that space. That's where the discrepancy in equity was created, equity being equality.

Summary: We ensure the continuance of our annuities by ensuring the continuance of the Treaty. We ensure the continuance of the Treaty by examining and evaluating the state of our environment. When it comes to equity, Derek asked if it is fair to determine the value of the \$5 that was a gift to us. Bringing up the issue of equity and equitable distribution of wealth, Derek focused the issue on the matters of Treaty that is supposed to ensure equity of economic opportunity and equal economic opportunity. Derek alluded to "the original wealth" which is how the land used to be - before water was treated with chemicals or boiled before consumption and there was an abundance of berries and healthy foods. This is the wealth that has been slowly diminishing. He stated, "We ended up on the short end of the stick, you might say."

In reference to the Robinson-Huron Treaty case, why is it important for Treaty Five to also pursue annuity inflation payments or increase in the payments? Why is important to have a share of the wealth on our lands and territories?

When Treaty Annuity was first calculated to be \$5, what was that \$5 based on? It was based on the value of a basket of goods in Montreal at the time. So go back to 1870s or 1860s, a basket of goods in Montreal would include, like flour, and the types of things you would need to live on was valued at \$5. So that's what the original \$5 was based on, so if you kept pace with inflation, inflation is really the erosion of the value of the dollar.

The value of \$5 back in 1875 would have been worth \$150 dollars today. Because of the impact of inflation of the Canadian dollar, that means is the \$5 that you get in your pocket today is really worth nothing. You can't really even pay for parking downtown with that amount anymore. But if it were indexed to inflation, what that would mean is that the value would continue to rise so you get more of a Treaty annuity payment based on what the value of a basket of goods in Montreal would have been. So, if they would have kept pace with that inflation, we'd all be getting 10x or 15x the amount of Treaty annuity that we're still getting today.

And like I said if we want to pursue that and I know that there's communities out there that are, you know were saying that \$5 gift is no longer valuable. Even though it is to me a symbol of the Treaty, you're going to get different perspectives and different arguments from different people. But I believe equity is built in other ways through the Treaty, not necessarily through the \$5 that they give us. The \$5 is just a gesture, it's like a handshake.

Summary:

The Treaty Annuities were first calculated to be \$5 based on the price of a basket of goods in Montreal at the time of Treaty signing. If pace were kept with inflation \$5 in 1875 would have been \$150 dollars or more today. The impact of the inflation of the Canadian dollar it leaves the \$5 worth nothing. Not even enough today for parking anymore. If it were indexed to inflation the value would continue to rise so you get more of Treaty Annuity payment based on a basket of goods in Montreal would have been. If pace were kept, we'd be getting 10x or 15x the amount of Treaty annuity we are getting today. There are a lot of communities out there saying that the \$5 is no longer valuable, even though to Derek it is a symbol. He says, you know you're going to get different perspectives and different arguments from different people. He finished by saying the \$5 is just a gesture, it's like a handshake.

What is the importance of the spirit and intent of the Treaty and how does it relate to the Nation-to- Nation relationship between the Crown and our people?

The spirit and intent of Treaty makes the Treaty timeless. A lot of people talk about modernizing Treaty because they think the language that was used back then, or the ideas of Treaty back then, are outdated today because its 2020 now and the Treaties were done in the 1870s. If you focused your understanding of the Treaty based on the spirit and intent of Treaty, then its timeless. It doesn't matter when the Treaty was signed because the core elements and the foundational principles of Treaty are as relevant today as they were back then.

Now, Canada, as it represents the Crown, it says that the literal understanding of Treaty is the one that's important to them, the one they can read in English; for example, they say that the Treaty right to education was satisfied when they put a schoolhouse on the reserve. They think that they satisfied the Treaty right at that point. We come back and we say the spirit and intent of Treaty, when it comes to education, was to ensure that the young people had the opportunity to learn the cunning ways of the white man, as it was said back then. That is, we have every opportunity to learn, to live and function in the ways of the society that was being built up around us.

If you look at Treaty in that context, the Treaty right to education is not only, Can I go to school or have the opportunity to go to school?, but I'm going to get the best education or an education that is equivalent to the education that the settlers are getting here in the city, and I'm also going to get to be able to go to University or College or pick up a trade. That is what the spirit and intent of the Treaty was all about and if you look at the broader context, it makes the Treaty timeless. It makes the Treaty grow with us, as a tree would grow, that's the understanding of its space in the world and that's how the spirit and intent of Treaty is, as I've grown to understand and interpret it.

Take the Treaty right to health, for example. I was in Ottawa and sitting with a bureaucrat and he said, “The Treaty right to health, there’s that, they had a little black bag. It wasn’t very big and on it there was a white cross and they said, “when we signed the Treaty, we meant the Treaty right to health would be covered by that black bag, and all it included was bandages - the types of bandages you would find back in the old times”. That’s what they thought the Treaty right to health was. When we think of the Treaty right to health in the context of the spirit and the intent is that we would have access to the medicines, we would have access to the science, and the knowledge, and the technology that goes with being healthy; it’s much more comprehensive when it comes to the context of the Spirit and the Intent of the Treaty as opposed to the literal understandings as they’ve been either adjudicated in courts, or as they’ve been read in English.

Because we didn’t speak English back in 1875, so how does that relate to the Nation-to-Nation relationship between the Crown and our people? The Treaty is the foundation. The Treaty rests below the Canadian Constitution because you can’t have a Canadian Constitution if you haven’t settled matters with the original people first. So, they too have settled matters with us by way of making Treaty; therefore, and thereby giving them a chance to build a legitimate constitution which one day might actually resonate with us, but it doesn’t yet, for most of us. That’s why some of us don’t celebrate Canada Day.

We need to have respect and recognition for the foundational nature of our relationships which are in Treaty. That’s where the Nation-to-Nation discussion really comes from. So, just one more piece on that, we talk about the Crown and our people. A lot of our people say you know we didn’t make Treaty with Canada. We didn’t make Treaty with the province of Manitoba or the province of Ontario or the Trudeau government; you know we made Treaty with the Crown. But Canada will say they represent the Crown and all their dealings with us. We find that an arguable point.

I think that’s why some of our leaders in the 1980s and beyond, and even earlier, have went over to London to talk to the Queen about the breaches of Treaty and what we’re going to do to fix these things because our people still believe that there is a possibility of a relationship with the Crown that’s not represented in the politics of today’s government. That’s why we sit down with our Elders at the table, to keep us grounded and remind us of the foundations and principal concept of Treaty

Summary: The spirit and intent of Treaty is what makes it timeless. People talk about modernizing the Treaty due to the language used back then. What Canada understands is the literal understanding, the one they read in English. Derek used the Treaty right to education to further his point, Canada is satisfied by putting a schoolhouse on the reserves. This was not the spirit and intent of the Treaty right, which is that when it comes to education, it is to be ensured that the young people had the opportunity to learn the ways of the white man and to have the opportunity to learn, live and function in the ways of society that was being built around us. The bare minimum definition by the government is, what is given and nothing more. The spirit and Intent are more comprehensive and there is more meaning behind it.

When the other half of the Treaty doesn’t live up to it and they don’t honour it, how do we defend our Treaty and Treaty rights?

What we’ve seen since the repatriation of Canada’s Constitution in 1982, is the question of the section 35 box of rights of Indigenous rights, or First Nation Treaty rights. Is that box empty or is it full? We did not just arrive here one day with an empty box of rights: we’ve been living our rights for thousands of years. What did arrive here one day was Canada’s Constitution, right in the ideas of what that constitution might be, they by necessity had to bring another concept of what our rights might be if they were hoping to harmonize their way of life with our way of life. They needed to leave an empty box, even though we believe our box is already full, because we know where we come from, we know who we are, we know our rights. Whether they be inherent rights or otherwise, but they needed those interpreted.

When Manitoba conservation said we can’t hunt or fish in a particular area then we have to defend what we know is rightfully ours. So how do we do it today? We often go into their courtrooms, and we battle them, I’ve battled them in court more than once. The court system is not perfect because you’re never going to arrive at a solution in a Canadian Colonial Court that is going to completely address the issues that are outstanding when it comes to defending our Treaty rights. What we’re trying to do is feed ourselves. If

you're out fishing, you're just trying to feed your household, same as if you're out hunting, you're just trying to feed your household.

What they're trying to do from the government's perspective is prevent us from going out on the land because they have other purposes for it, they have other uses for the land. They want to sell the moose to an American hunter. They don't want to let us take that moose home to feed our family. They want to sell it for \$5,000 – \$10,000. They want to make sure there is a strong sport fishing industry so they don't want us putting it in nets in the certain lakes because they want big numbers of fish so that a fisherman might tell his buddy to go fish there at some other point.

There are different motivations as to why and how the management of resources is done and we have to defend our access; that to me is what defending our Treaty rights is all about. Now, going to the courts is not the best situation; it's not always going to create the best outcome for us but really short of taking up arms. What other outlets do we have? We commit through Treaty to live within the laws in a respectful way. We still committed to the Treaty through our ceremonies, through the raising of our pipes, and anything beyond that would be beyond the scope of the commitments that were already made.

Women's Interview in Saskatchewan

The treaties as we all know, they signed an agreement. The annuities, they do make their \$5-dollar payments and in our area, we only receive \$5 dollars and nothing else. But we do try and get our school to teach the treaties so the children will have to understand what our Treaty rights are, and what we're promised. Those annuities are kind of like an ongoing payment of five dollars even though some of the youths are kind of questioning why only \$5 dollars, and when will it go up? They also notice that other treaties are getting more than us. Like some have flour and five dollars. And like in Ottawa they raised the five dollars for some treaties.

It's kind of involved with what we inherit, like with treaties for us, that what we inherit is our right for what is ours, like our land, that is ours; and even with us it was the land air and water, they a part of us "as long as the river and the sun rises, and the grass grows".

How come water is important to our cultures and community?

Water is very important to us because it's about cleaning and cleansing and taking care of our children. Water is about washing them and to cleanse our bodies and clothes, we need that water around and, in our bodies, as well, so water is really important to us.

We have rivers and swamp and it's kind of hard to preserve our water now, even in our lake it's hard, it's about trust. But in the winter, we used to get water from snow, we melted it. But today we have water where we're really too dependent on what we receive than getting our own. Many years ago, people used a well, if you were in that time or if your grandma or parents shared that well, you had that pail and had the ability to get fresh water.

What would you like to see if we got control back of the water?

We would want them to share their profits with us; it's revenue sharing, and it should be ongoing. They shouldn't be hesitating like they're doing; it is your present, you know it's just sitting there, we're waiting. They should be willing to share half portion, at least half. And they should not hold it back and say we need the support before we give you this, it shouldn't be like that.

What is your view of the government holding control over our communities?

Others really don't know what our needs are, they don't know our way, we're still facing a lot of challenges in our communities even though we are in our own little areas. They decide what's important for us like, this is what you need, this should be enough for you, it's like being given rations. They say this should be enough for you in your community given the population. It's not really about the issue about money, it's about what they take and that they need to return to us, you know giving back instead of always taking.

What is the female role in your community?

There's always been the female protocols and men's protocols. Female's protocol is to look after the house, look after the family, that is our role and there was a female group in Shoal Lake that used to guide and direct the community; we are losing our status in leaders, and just recently now, women are starting to come into leadership, we had one as a Chief and we had a couple of other females in government.

I think both men and women should work together in leadership, but in our community, females go to the people, the kokum and mothers, if the niece or nephew are messing around you always go to aunty and she will straighten it out, or kookum will straighten it out; we do still have that female role and we also have that female role when it comes to wakes and funerals too.

TREATY 5 YOUTH VIRTUAL GATHERING REPORT

Unity: Building the Identity & Inspiring the Change

VIRTUAL YOUTH SUMMIT – DAY 1

Elder David Blacksmith did a presentation on traditional ceremony. Elder Blacksmith is a spiritual ceremony teacher and is from Pimicikamak Cree Nation in northern Manitoba. He talked about the importance of smudging and what it does.

Smudging ceremony, in our language, we call it, minuas si wasin. Your senses, when you smell something, it triggers a certain part of your brain. Your spiritual part of your brain, your belief. That's what this is. That's why we need the smudge; it's so everybody's in the right mind. We also use it to purify the air.

Elder Blacksmith stated that there were a few smudges that one could use, when someone goes to hunt moose, deer, or buffalo. If you go near that animal, they smell you, your human scent. When you smudge with smoke, you hide that human scent. It is the same thing with our spirits; that they are like animals, they get startled. He said that our people were not scientists, they were spiritual people.

He explained the Cree term for pipe and what it meant; it doesn't mean pipe; in Cree language it is “Ispogun”. There are many different kinds of pipes, women pipes, men pipes, they're called “Ispo” which means to kneel on something, so you don't fall. “Pogun,” he said, “is a dream helper. Every time you light it, somebody, a spirit, looks after you. We have to honour that guide because some have forgotten how to. Intuition is that spirit guide in there. Everybody has this, it's the direct communication to the spirits, and we've lost that. The tobacco that's placed in the pipe is also medicine, but it's not for us to have, we don't inhale it, it's for the spirit. As soon as spirits smell this smoke, certain grandfathers, certain spirits, they don't like it. But your grandfathers look after your ancestors.”

Elder Blacksmith shared how he speaks to the spirits with his rattle in the Cree language, “We call it Shishi one.” He then described his rattle, “If you look at it, the bottom is red, it represents the earth. The blue represents the sky and the white line, all these dots represent everything in between. When you shake it, you're in a womb, all you hear is the heartbeat of the mother 24/7, but that heartbeat is when she's praying. They say that's the Creators talk.”

He said that he doesn't mind the technology as an Elder, “I don't mind it at all because my grandfather told me when I was young, when I saw the shaking tent, I understood that the old ones used to do that, our people. They used to communicate one hundred miles away, thousand miles away with other medicine people”. He talked about communicating with other medicine people and said some people believe this is still practiced today.

I just want to show you one more thing before we go. The wing, Mikiso (eagle), it only attracts positive molecules. All the negative bounce off, the people put those positive molecules on the body. It's invisible. When you smudge, the spirit is comfortable where he lives. Because you are a spirit, a gift to you by God or Creator, and you've got to clean that spirit to feel good.

SUNRISE CEREMONY

Elder Blacksmith spoke about the tobacco when beginning the sunrise ceremony, “Tobacco is used as a form of our prayer for what we are as a people; our ancestors did this thousands of years ago. We call the spirits with a whistle. We will do that today and hopefully we will get our answers for what we want to achieve in the youth summit, which is to confirm that Treaty 5 is truly our future as a Nation. Being part of Treaty 5, we have to educate the youth about who they are, our history and our future, and everything that comes along with it, such as economics, sobriety, to be proud of our language, our heritage, and our Cree Nation.

This is the eagle whistle. I'm going to light this pipe for you. We point it to the Creator to let Him know our prayer. Then we use the whistle to ask for direction from our spirit guides. This is our Bible, I guess you know, the best way, the simplest way I can explain it. The stone represents your faith in God and in the self and in our Nation and what it is that you do. It should be that strong, should last that long. The stem is made out of trees, wood, and it's called uscogee; it represents the honesty that a person has for the Creator, Kitchimanitou.

When you do this, the Creator knows your truth. You can't lie to the Creator. This is what I used to pray and to meditate, to show what I was praying for. That's why I close my eyes.

Thank you.

Chief Kent

Chief Kent thanked Elder Blacksmith for the pipe ceremony and said the sunrise ceremony was a good way to start our days, by acknowledging the great spirit, our Creator. Chief Kent also thanked him for sitting with us for the next couple of days, with all the presenters as we go forward, and ensuring that the message will be clear for the Treaty 5 youth gathering.

Technology has changed things. Traditionally we would gather together, we would meet for a couple of days, have a discussion in an open format where we can socialize withgone another. But, due to this global pandemic, we're challenged, but we have to do business this way. Technology is able to bring us together.

He acknowledged the 40 Nations of Treaty 5 from the western Ontario border to the eastern borders of Saskatchewan. Our territory and our alliances are vast, covering a million acres. He explained that the purpose of this Youth Summit is to bring awareness, to inform youth of their inherent rights, and bring them knowledge of their birthplace.

“We're the only people that this land was given to by the great spirit, the spirit on Turtle Island. It's our responsibility to protect Mother Earth, protect our waters, protect the natural resources that were given to us. We were taught to utilize those resources in a good way, not to overconsume what was given to us. Traditionally, our people only took what they needed.

We didn't over harvest, that's how we were. That's how we were prior to the settlers coming; we had our own systems in place, our own ways, our own laws and regulations as spiritual people. That's why the government's new settlers were able to manipulate our ancestors. They were taken advantage of, but today the intent for us is to start coming together and working together.

Today, the Treaty 5 youth face many distractions, like the music, the rock star or rapper life. The reality is many of these people are dying of addictions. There are many challenges but the technology we see today, we can utilize that as a tool for us. But there are other challenges as well, we have cell phones, the Internet, all kinds of information out there, and it can distract us.

This is my own perspective, but for me, we get distracted by all this glamour that they portray, this beautiful picture to be a movie star, to be a rock star, to be a rapper, get into drugs and alcohol. That's just a glamorized façade, it's not reality. What it leads to is addictions. What the world should start focusing on is showing all the movie stars overdosing from drug abuse or crashing because of alcohol abuse. But my intent herewith this part is to say that, as a people who are connected to Mother Earth, connected to the great spirit with all these gifts that were provided to us, we must utilize those gifts to start believing in ourselves. When I tell people what my spirit's name is, they know my home fires are over there. I'd like to see that youth are coming back to the ceremonial ways to make themselves strong.

You can be successful in life. Our young people can be successful, healthy and have a good connection with the great spirit. You can all do amazing things. For us as Treaty 5 Nations, the 40 of First Nation signatories, we've been hit with many challenges over the years. We've had different people come to us and disrupt our way of life, such as the residential schools, day schools and the 60's scoop.

We live in harmony with Mother Earth. Today's youth have to work together, and the leadership is going to do that as well. We have to support our leadership right now. The way things are going, the way society is set up, a Chief try to help his community and sometimes follows what he sees from other Chiefs and Council members, but if anything goes wrong, right away people blame the leadership. We have to stop doing that. We have to start lifting them up, supporting them and each other. When we do that, we make our leaders strong, then our communities will be strong. The negativity, the criticism, hurts each of us and it brings us down. This was not our way. Our ways were simple ways, respectful. Look at the sweetgrass braid, it stands for unity because it's a strong braid that is made strong by combining all the leaves together. This represents everybody working together, to be strong together. We can work together as the foundation for our communities to start getting healthy again.

Our territory is created with the vast natural resources such as minerals and water. Our natural resources in the Treaty 5 area are vast and the settler society, the colonies, have benefited for the last 150 years, while our people have struggled. We have a lot of poverty, our infrastructure, these infrastructures, our roads, our houses, our school, community centers, they're not in good standard condition, in terms of the rest of society.

We just have what we need to get by. The current system we have is flawed and we're not benefiting from the resources. But as the 40 of us come together, we can achieve great things. It's frustrating when listening to the premiers, they treat us like we're second-class citizens or third-class citizens in this country. We

should actually be equal or even higher than them because we're the true landowners and we're the landlords.”

Chief Kent ended his talk by acknowledging the Creator and the pipe in the morning ceremony, then spoke about the path forward.

I know there are expectations during these couple of days; we will hear good things, good information, and we will provide feedback, to support our path for Treaty 5 and for our people. We thank the Treaty 5 team that put together the youth who are putting this together on behalf of our people. Everybody, have a good couple of days.

Chief Easter- ᓄᓐᓄᓐᓄᓐᓄᓐᓄᓐᓄᓐ

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But before I say anything further, I'd like to acknowledge all the people that are working on this file, some of whom are here today, and I also want to acknowledge the people who worked on the file in the past, those who are not here with us today, especially the women. Too many of us have gone. I think that we need to recognize them. Now, we must go on to build our Nations, build our strength, and build on each other's knowledge.

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He emphasized that we need to maintain our languages, and that we also need to look after ourselves better because we haven't been looking after ourselves, that we keep losing people, especially women. We also keep losing our own kids to government agencies. He said that we should have our own agencies, so if any family is in trouble, the children stay with us. It should be the community that looks after our children, it should have the right to guardianship, not somebody from the outside. We need to look after ourselves that way.

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The governments have always been scared of us especially when we got together. They know that if we get together, we can take everything back. That's what the governments are afraid of, and they keep dividing us. They'll give us money here, they'll give us money over there, that's

how they divide us. When you look around you, you see many corporations are around.

Together as Treaty 5 Nations, I think we can go althea way with this and we should not lose our focus of who we are, where we're going, and we should do it together.

As we move forward together on this path of rebuilding our Nations and our governments, we need to take back what is ours. That's my message. Thank you.

HISTORICAL TIMELINE PRESENTATION – WAPASTIM HARPER

*Wapastim's presentation is a historical timeline. It begins with the first century Roman empire prior to contact with First Nations (called "Indians" at the time of first contact). He explained why Europeans became very desperate for wealth and resources; their main connection point was cut off, they looked to alternate routes to Asia, which led to the discovery of the Americas. *Note: The name "First Nations" is used interchangeably with the word "Indians" as used at the time of contact and for some centuries after.*

Wapastim also describes how Christianity reshaped the minds of the Indian people, and that the terms used to describe us at the time were infidels, heathens, pagans and savages, thus relating us to non-Christian people. The concept of infidels and heathens would continue to be used to characterize our people for a few centuries. Christianity is still prevalent within First Nation communities.

As part of the presentation, Wapastim discusses some of the earliest treaties established; he talks about the treaties that were made for development of Indian territories by the settlers. In 1764, the terms and conditions of the Royal Proclamation were upheld by a gathering of two thousand chiefs from across the Turtle Island who created the Treaty of Niagara. The Two Row Wampum, which had been introduced by the eastern First Nations, was presented in recognition of the agreement. This helped re-establish a Nation- to-Nation basis between First Nations and Europeans moving forward to the Canadian Confederation in 1867.

The Fathers of Confederation looked to further expand the Dominion of Canada. Sir John A Macdonald, then requested the transfer of Rupert's Land to the Dominion of Canada. But Rupert's Land was still under Indian (First Nations) rule at the time, though the Hudson's Bay Company had commercial rights within the territory. The land extended from the western part of Ontario to the foot of the Rocky Mountains, and from the 49th parallel, which is the United States border, to the Arctic Ocean. Queen Victoria denied the Transfer and referred to the Royal Proclamation of 1763, stating that negotiations of treaty had to be made with the Indians in the spirit of equitable and fair compensation for the Indian lands.

Treaty 5 was signed in 1875 in Berens River and Norway House. The Treaty is between the Swampy Cree and the Ojibwe and the Queen of Great Britain and Ireland, Queen Victoria. Representatives from the surrounding territories came to the signing and took days for the negotiation of the Treaty. The Treaty Adhesions began in 1876, and all the way to 1910.

During this time, Indian residential schools started to come into existence all around Canada; they were administered under special legislation developed for the Indian Act. They were first administered by the Anglican, Catholic and Methodist Churches and sponsored by the federal government of Canada. All the schools were geared towards the assimilation of the Indian children and their Identities were stripped away while attending these schools. The children's hair was cut, siblings were not allowed to speak to each other, and their languages were prohibited. The abuse of children was a regular occurrence in these schools, in the forms of severe discipline, including strapping and beatings, inadequate nourishment, forced labour, and sexual assault. The children had no recourse for protection and their experiences have intergenerational effects still felt to this day. The last residential school closed its doors in 1996.

He also read the statement to the Crown by Ovide Mercredi; "For many years now, we have watched our Treaty rights being eroded and taken away by federal and provincial laws, in many cases without us

knowledge, and in every case without our consent. We are sovereign Nations who made treaties with the settler Crown. It was done with the recognition and understanding that we are an independent people who want peaceful relations with the settler society. Our ancestors never relinquished title to our lands, waters and resources. Yet with deliberate intent and with bad faith, the Crown proceeded after Treaty signing to assert full dominion over our lands and territories.”

Wapastim’s presentation revolved around many ideas and concepts, terms and timelines. It provided a brief overview on how we got here today and how we fit into such a complex political world. This period included the first century Roman Empire, the thirteenth century crusades, the fall of Constantinople, the fourteenth and fifteenth century discovery of North America and the contact with the First Nations. First contact included the pre-confederation treaties, and trades and alliances, the Royal Proclamation of 1763, the 1764 Treaty of Niagara, Rupert’s Land Transfer of 1870, Confederation, and the Treaties: 1 & 2 in 1871 and 5 in 1875. Then he presented the Indian Act, Indian Residential Schools, the Natural Resources Transfer Agreement, the White Paper, Canadian Constitution of 1982, the Canadian Government’s Apology for Residential Schools, and the TRC. These events shaped the minds of the white people on Indian policy. Even today, this colonial thinking continues to exist.

The Roman Empire concept of expanding territories by the conquering of peoples and taking their lands and resources became the same policy towards First Nations in the Americas, although the people of Canada were not conquered but were still subjugated. But the question is, “Was the conquering of peoples seen as good according to the values of their religion?” That question later morphed into what were called the thirteenth century crusades. After the fall of the Roman Empire and the loss of eastern lands, the Christian Byzantine Empire went to war with the Muslims over Jerusalem and its lands. Theologians at the time justified this invasion as a reclamation of a Christian city, Jerusalem, and defined it as a just war for the Christian faith. They called the Muslims infidels, heathens, pagans, and savages because they did not follow Christianity.

The fall of Constantinople occurred in 1453. Constantinople was the bridge for European trade with Asia, which was the term used for the Nations of India, Persia, Turkey, China and Mongolia, for hundreds of years. Europe ended up going to war with the Ottoman Turks, the rulers of the Turkish Empire. Constantinople later became compromised after Europe lost that war. Europe then became very desperate for wealth and resources because their main connection point to Asia was cut off. So, they looked for alternate routes to Asia, which led to the “discovery” of the Americas.

In the fourteenth and fifteenth century, the Europeans traveled to parts of Africa, India, Australia, South America, New Zealand and eventually to North America where new lands were discovered. Pope Alexander the Sixth created the Doctrine of Discovery based on previous papal bulls which claimed that Christianity, or the Rule of Christ, had supremacy over lands and people. The new doctrine gave “God-ordained” rights to Christian kingdoms or rulers to take lands from non-Christian people. This doctrine is embedded in Constitutions around the world today. I wish to share with you a small part of the doctrine.

It was Pope Nicholas V who advocated the Christian right to vanquish or capture and subdue all Saracens and pagans, to reduce them to slavery and take their lands and all their possessions. He directed that the captured and subdued pagans be converted to Christianity in order to better control them. This same doctrine was carried out in the colonization and subjugation of the First Nations in Canada.

“Prior to contact, we had vibrant Nations, traditional trade and marketing networks. We had economical and societal structures, languages, science, mathematics, health and technologies, to name a few. We had sacred ceremonies and the knowledge of our lands and territories, and we took on sacred duties to be caretakers of those lands. We had traditional governments for our people on those territories. We even had hostile relations, related to territories and resources, and made military alliances. We made

treaties and confederations. And most importantly, we had an all-around sense of kinship and respect for every aspect of society based on our customs and beliefs that have been passed down from generation to generation to generation.”

The first recorded European to contact First Nations was Chocobo (sic), an Italian explorer commissioned by King Henry VII to travel across the Atlantic Ocean in the 16th century. The French explorer, Jacques Cartier, soon landed on Turtle Island and had plenty of trips back and forth and formed a relation of trade and friendship with First Nations. Settlers came in the 1500's, mostly to look for a place where they could practice their particular brand of Christianity in peace. They were also expected to explore the new lands and to contribute to the development of trade with the First Nations. By the 1700's, approximately sixty settlements of French, Spanish and British colonies had been established along the Atlantic coast. Most prominent in these colonies were the Christian Puritan, Jesuit, Anglican, and Catholic orders. Trading with First Nations became a sought-after industry that brought wealth for Europe.

“I mentioned the Beothuk people because they were the first casualties that all died off. They're extinct. We, as First Nations, were exposed to a clash of cultures from Europeans.”

In some instances, germ warfare was practiced, with Europeans giving disease-laden blankets to the Indians. Our people often could not prevent the French and British settlements expanding into First Nation territories. After nearly three hundred years of being exposed to a growing European colonialism, the First Nations wanted change. They wanted to stop the incursion of colonial settlers into the First Nation lands, and they were increasingly alarmed by the policies imposed by the British. In 1762, Chief Pontiac raised an army in order to drive the Europeans back to where they came from and carried out his war into 1763. King George III of Great Britain, seeing the outbreak of the war, realized that the settlers were carrying out great frauds involving the theft of lands on behalf of his empire against the First Nations peoples, The Royal Proclamation of 1763 was introduced in an attempt to re-establish good relations between the First Nations and the Crown but was quickly ignored by land and resource-hungry settlers. In an effort to solidify and empower the Royal Proclamation, the Treaty of Niagara was called by the leaders of the First Nations in 1764.

King George stated that the Indians would be protected under the Royal Proclamation of 1763 and recognized them as Nations of Indians. This ensured that treaties would have to be made for the development of Indian territories by the settlers. The Proclamation stated that no lands could be purchased by individual settlers and all land to be claimed would have to be done through a treaty process initiated by the Crown. In 1764, the terms and conditions were upheld by a gathering of two thousand Chiefs from across present-day Ontario, Quebec, Michigan and Wisconsin. The Treaty of Niagara was created, and the Two Row Wampum was presented in recognition of the agreement. This helped establish a Nation-to- Nation relationship between the First Nations and Europeans.

It is important to recognize the Two Row Wampum in the forming or creation of a Treaty. The wampum, belt, has the image of two boats moving alongside each other on a river. This signified the two Treaty partners going together side by side, meaning that they will work and co-operate together as they travelled on the new path. They will not interfere each other, as signified by the respectful distance each boat is from the other, but they will help each other, even militarily, as signified by the movement together. The Two Row Wampum was the true representation of a Treaty, as defined by the First Nations, and represents a mutual understanding of the relationship between nations.

The Canadian Confederation was established in 1867 under Sir John McDonald, and the provinces of Canada formally came under the Dominion government of Canada on July the 1st, 1867. This dominion included Quebec, Ontario, New Brunswick, and Nova Scotia. This established another superpower in North America in addition to the United States. The Dominion of Canada was still under British rule. What came

from this was the British North America Act and what is now called the Constitution Act of 1867. Under this Act, section 91(24), stated that the federal government had jurisdiction over the affairs of Indians and lands reserved to Indians.

Not long after the Rupert's Land Transfer in 1870, the Fathers of Confederation looked to Indian lands for further expansion of the Dominion of Canada. Sir John Macdonald had requested the transfer of Rupert's Land to the Dominion of Canada, but Rupert's Land was still under Indian title at the time. The Hudson's Bay Company only had commercial rights within the territory, which extended from the west of Ontario to the foot of the Rocky Mountains, and from the 49th parallel, which is the United States border, to the Arctic Ocean. Queen Victoria denied the transfer and referred to the Royal Proclamation of 1763, suggesting that negotiations of treaty be made with the Indians with the intent of creating equitable and fair compensation for the Indian lands.

“Treaty 5, as it's known, was signed in 1875 at Berens River and Norway House between the Swampy Cree and Ojibwe Nations and the Queen of Great Britain and Ireland, Queen Victoria. Representatives from around the surrounding territories came to the signing and it took mere days for the negotiation of the Treaty. Adhesions to the Treaty were signed between 1876 and 1910.”

Compensation within the Treaty was made by a token payment of \$5 dollars from the Queen to the Indians in gratitude for the kindness shown by them. The Treaty 5 territory extended from northern to central Manitoba and into small parts of Saskatchewan and Ontario. One year after 38 First Nations signed Treaty 5 (in total 40 signatories signed), the Indian Act was passed into law in 1876. Section 91(24) of the 1867 BNA Act had given Canada the responsibility over Indians and Indian lands; this responsibility was carried out under the Indian Act. The Act was federal legislation that governs over every aspect of Indian life. For instance, it prohibited traditional governmental systems of Indians.

The Indian Act held control of, and in most instances forbade, the trade, production and sale of goods that the Indians required for providing their livelihoods. It also restricted and reduced the access to the resources and lands of Indians. The main goal was to assimilate Indians into Canadian society and culture. Around the same time, the Indian residential schools began their operations in Canada and their administration was done under the Indian Act. They were operated by Anglican, Catholic and Methodist churches with oversight by the federal government of Canada. In all schools, the children's hair was cut, and their languages were prohibited. The abuse of children occurred in these schools which resulted in intergenerational effects still felt to this day. The last residential school closed its doors in 1996. The residential school issue remains today a major matter that First Nations wish to have resolved before reconciliation can happen. This discussion is paving the way for many open discussions on social norms to help education and reconciliation.

In the Natural Resources Transfer Agreements, 1929-30, the federal government negotiated the transfer of most of the natural resources located within the provinces to Manitoba, Saskatchewan, Alberta and British Columbia. This was done without the prior consent of First Nations within those provinces. The NRTA gave legal rights for the four western provinces and Canada to use those resources for the purposes of development. The First Nations were thus denied their inherent rights, interest and ownership of their resources identified in Treaty 5. In 1969, former Prime Minister Pierre Elliott Trudeau and Federal Minister of Indian Affairs Jean Chretien created the 1969 White Paper, which proposed to reshape relations with First Nations by the elimination of Indian status, the enhancement of the Indian Act's assimilation policies, the cancellation of all land claims, and the sale of reserve lands.

“This created a very heavy, open discussion on the rights and recognitions of First Nations in Canada. It led to strong opposition from First Nations across Canada.”

Canada officially became a sovereign independent country, separate from the British Crown under the Canadian Constitution in 1982. In the Constitution, the Crown of Great Britain transferred the responsibilities regarding the Treaties with the Indians without consulting the First Nations of Canada and without their permission. Section 35 was created and constitutionally affirmed to protect, and recognize the Treaties, Aboriginal rights and Aboriginal title as interpreted by the Supreme Court of Canada. Section 35 also defined who, from the First Nations, Metis, and Inuit, an Aboriginal person was.

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), developed by many working groups from the global Indigenous populations, took over 20 years to be finally adopted. UNDRIP ensured the human rights, inherent rights, Treaty rights, equality and justice for the Indigenous Nations around the world. On September 13th, 2007, the United Nations adopted UNDRIP. Canada, Australia, New Zealand and the United States voted against this declaration, although in 2016, Canada finally recognized UNDRIP.

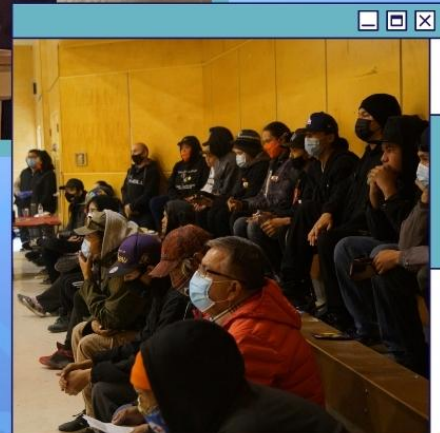
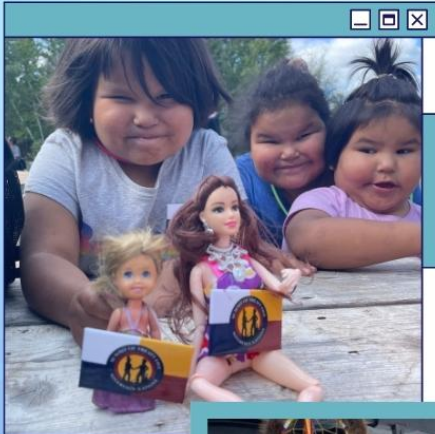
In 2007, Canada apologized for damage done to the First Nations by the Indian Residential Schools. Prime Minister Stephen Harper apologized to the IRS Survivors and the First Nations for the abuses against First Nation children done in the Indian Residential Schools. In June 2008, the Truth and Reconciliation Commission was created to seek justice for First Nations in Canada and to make recommendation to correct the wrongs done in schools. The TRC report emphasized the need for reconciliation in Canada and spelled out the Commission's recommendations as "Calls to Action". This initiated a call for change within Canada and to begin a dialogue on justice and recognition of rights.

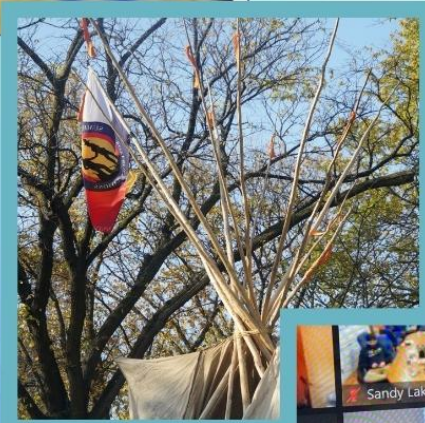
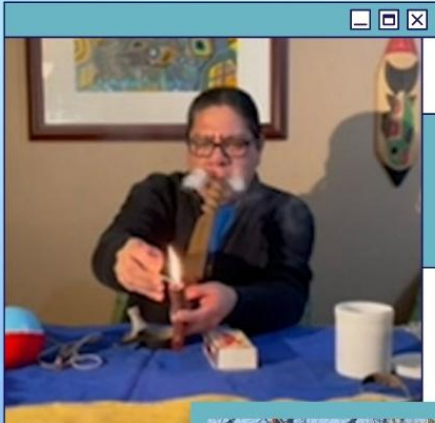
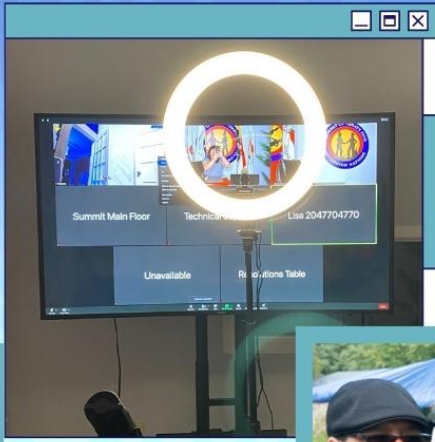
I would now like to share a portion of the Treaty 5 statement to Minister Carolyn Bennett, as a representative of the Crown, made on July the 11th, 2019 by former National Chief Ovide Mercredi.

For many years now, we have watched our Treaty rights being eroded and taken away by federal and provincial laws - in many cases without our knowledge and in every case without our consent. We are sovereign Nations who made Treaties with the settler Crown. It was done with the recognition and understanding that we are an independent people who want peaceful relations with the settler society. Our ancestors never relinquished title to our lands, waters and resources. Yet with deliberate intent and with bad faith, the Crown proceeded to assert full dominion over our lands and territories.

This is not the meaning of our Treaty. The Crown recently, under Canadian law and the courts, recognized the unconscionable act of the unilateral interpretation of treaties. Any meaning that is in dispute should be dealt with politically. And, in the absence of political agreement, there should be a permanent independent Treaty Tribunal jointly established by the parties to the Treaty for dealing with disputes. Our people are resilient, and we shall someday enjoy the fruits of Treaty 5. We will weigh all our options and make wise decisions to secure a bright future for all our people.

Canada will no longer remain as the sole beneficiary of Treaty 5. We will make this sacred promise to our people and for the benefit of our future generations of our Nations. Thank you for listening to my presentation. It's important that we share a common history and a common memory.





Questions and Comments

Although there is little talk about the Rupert's Land Transfer, First Nations leaders believe the Hudson's Bay Company had no legal authority to transfer Rupert's Land to Canada as it was self-granted without legal authority.

Racism is institutionalized in religion because Christianity is a male-dominated religion. That's the truth of it. For our people, we root things in matriarchy, and we respect our women and egalitarianism, as it's called. The Church and Christianity is not like that.

A similar presentation was done at my school when I was in grade 12. We had to present an assignment in a class about global issues. I told my school, I said, I'm not going to work on anything global until our home is fixed.

And a lot of their negative reaction was that they were ashamed of their own history, they were ashamed that they still call us "Indians", they were ashamed that in their laws and in their doctrines in the church, we were still savages and our women were considered whores, and our fathers were considered bastards. They were ashamed of that. And I told them that I had it all typed out and all the exact phrases that the popes would use when referring to our people.

Can you elaborate more about the Beothuk?

Those that are descendant from the Beothuk have all died (Beothuk are the original people of what is now known as the Newfoundland area). That Nation of people no longer exist, they were killed off, I believe, by the French. And that's where the term Redskin came from because they put red ochre across their skin and I'm sure many other tribes did that. But that's where the French coined the term Redskin, and they would pass it along to other white people. But the Beothuk are no more. They've all passed away. I think the last of their people was named Shanawdithit and she was taken, I'm not sure if it was at a young age, but she, at the end of her life, was interred.

Co-host: I have a message that was written by JoHannah Minty, who is Treaty 5 and is mixed blood.

The future of our Nation is beautifully diverse. If people have been and continue to be incredibly complex and dynamic beings, we cannot be reduced to two-dimensional stereotypes or characters as our Nations expand and continue to reclaim and strengthen our roots. We need to recognize that our people, us, you and I, are valuable and can be beneficial to the people when we live as genuinely as possible. The youth are coming home, and this is something to be celebrated.

The co-hosts then played a short video showcasing and celebrating our young people.

INCLUSION AND DIVERSITY WITHIN OUR NATIONS - DEREK NEPINAK

Derek Nepinak served as AMC Grand Chief from 2011 to 2017, former Chief of Pine Creek First Nation and former chairman of the West Region Tribal Council 2009 to 2011.

My name is Derek Nepinak, I'm from the Pine Creek First Nation. There's a number of different people from different Treaty areas that live on the Pine Creek Reserve. I don't necessarily shape my identity around me

belonging to a band. I'm part of the Anishinaabe Nation, which spans all the way from the Great Lakes, all the way to the Rocky Mountains.

My presentation this morning for the Youth of Treaty 5 is on the issue of citizenship and identity. Your identity is going to be shaped by your experiences that you're living right now in your communities and your families. Your identity will be shaped by those things that you want to hold on to most dearly.

I want to talk about how colonization within our homelands has impacted who we are and how we identify, and also opportunities that present themselves as we move forward into the future as the youth of Treaty 5 become young adults and begin contributing to the leadership, in the formal leadership of the day.

Through your Constitution, you take back much that's been lost along the way in our colonization. We're reclaiming space now, in our evolution, within our relationships with Canada and the provinces. You will have the opportunity to grab on to that process at the right time; we're doing our part now as the older generation. But it's up to you to step up when you're ready and to take the reins of leadership over from this generation and lead it in a good way.

I was asked to talk on unity and building identity and inspiring the change. The question that was put to me in the development of the presentation is how will tomorrow's youth fit into Treaty 5, as we become more diverse? How are the youth moving away from a colonized categorization of our people? How can we cultivate a culture of inclusion in terms of identity?

Those are all very complex, in the circle are our communities, our families, as indigenous people. What I say is that we have an original jurisdiction that was here long before anybody showed up from other parts of the world.

I'm glad we laid the foundation for the discussion earlier on because I can't overemphasize the importance of the recognition that you are sitting there and have thousands of years of heritage and ancestry in your space.

We live in our communities; we live on the land. But thousands of years go into our genetic memory and go into who we are today; that is our original jurisdiction. We didn't talk about these things when Treaty was made, when Treaty 5 was negotiated back in 1875. We didn't talk about our deep heritage, our lineage, our ancestry, we only talked about the things that we were willing to share when it came to the settlers that came from other parts of the world.

Most of the first settlers came from parts of Europe and they entered into agreements with us called treaties; they wanted to secure their interests in the land, in the economy, and they've benefited greatly.

"The generations today are sitting on the estates that were built in the last hundred years. That's why people believe they have a lot of wealth, it's because they've been able to generate resources and wealth from our lands, off our fish, off our trees, off the natural resources. They've excluded us, unfortunately, in the early treaty-making process."

We identified what was important to us at Treaty time and how we identified with one another, because when we talk about citizenship, membership and identity, how did our ancestors talk about one another, and how did we relate to one another from our lodges? This was an important point that was discussed and raised in the early Treaty of 1874.

That happened at Fort Qu'Appelle, Saskatchewan in 1874. During the negotiations, there's a man that stood up and he was called the Gambler, this is what he said.

"I am telling you plainly, look at these children that are sitting around here and also at the tents which are just the image of my kindness. There are different kinds of grass growing here that is just like those sitting around here. There is no difference even from the American land. They are here, but we love them all the same. And when the white skin comes here from far away, I love him all the same. I am telling you what our love and kindness is."

What the Gambler was saying was that there was already a great diversity of people at Treaty time; he said it doesn't matter that there are different kinds of people, they're going to be loved all the same because there is no difference. That was an important term of Treaty, to recognize the diversity of people that were coming to the treaty-making table and entering into terms of treaties.

During the negotiations of Treaty 3 at what's called Northwest Angle in September of 1873, the First Nations identified their membership and how they took ownership of communities back then, a Chief said,

"My friends listen to what I'm going to say, my brothers, we present you now with our best and our strongest compliments. We ask you not to reject our children who have gone out of place. They're scattered all over and good tasting meat has drawn them away. We wish to draw them here and to be contented with us, then the governor that was at the Treaty negotiation said if your children come and live here, of course they will become part of the population and we as yourselves," at Treaty time it was negotiated, and the community decides who belongs."

It's not up to Canada or Canada's Indian agents to determine who belongs in the community. It was recognized at that point that the community decided for themselves who belongs and how that impacts on identity.

But Treaty was different from what we realized and what we've come to know from our relationship with Canada. Canada created its laws based on its Constitution Act of 1867 and then later on its Constitution of 1982. In Canada's Constitution, they divided the roles and responsibilities of lawmaking between two different arms of their government, the federal government and the provincial government. The federal government operates in Ottawa. We see them on the news all the time.

The Prime Minister is Justin Trudeau. He runs the federal government today. The province of Manitoba has its own government run by Brian Pallister. What is concerning today is the power of lawmaking at the federal government level and Canada's Constitution.

In Section 91, they created a provision called "Indians and lands reserved for Indians"; from there they created the Indian Act, there's a section in that Indian act, which is section 6 called the Indian Registry. Canada or the federal government decides who is going to be an Indian under that Indian act.

That's not what we agreed to a Treaty time. The Indian Act of 1876 was passed as a law of Canada. It was done without our discussion or knowledge. It was done without any of us providing input into how we managed and how the relationship would happen between ourselves as the Indigenous people and everyone who has come here over the last 150 years.

"We had no role in creating that Indian act, but we're still subjected to it. The Indian Act created the Indian Registry, and that registry determines who is entitled or not entitled"

to be an Indian under the Indian Act. What it's done is broken families into have and have not status.

Some of us have family members who have a status Indian card, whereas other family members don't have that status card because of who mom or dad got married to or different factors that eliminate the creation or the recognition of an Indigenous identity.”

John A. Macdonald tried to do away with the tribal system and assimilate Indian people and Duncan Campbell Scott, over one hundred years ago wanted to get rid of the Indian problem.

Today, our leaders are still fighting for our rights, from the politicians going as recently as 1969, the creation of the White Paper policy, aimed at who we are and our special status in Canada's Constitution. What are the impacts of that?

One of the impacts of colonization is that we've been captured in the Indian Act legally, and Canada creating the status Indian has created a numbering and surveillance system designed and controlled by Canada.

“In some ways we've become commodities, which means that they make money off of us because they make profits off ongoing colonization of ourselves and our family members. I started to talk about this when I was the Grand Chief and I talked about it amongst our Treaty circles.

I always incorporate that in this Indian Act document, and see it going into a garbage can. But at the same time, we as Indigenous people have to start taking back ownership of our identity outside of the Indian Act, and that certificate of Indian status. Oftentimes we go put gas in the car on the reserve. They ask for your Treaty number, we talk about treaty in the context or in the perspective of that certificate of Indian status, but it's not really a treaty.

Those cards we get are not Treaty cards, those are Indian Act status cards. They use that number to trace and track where you're going when you're traveling or whatever. They use that number to manage your access to different health programs and services.

Section 35 of Canada's Constitution of 1982 created an opportunity for Indigenous people. In the beginning, all of Canada's laws fell into their Constitution and in Section 35, what they said was the existing Aboriginal and Treaty rights of Aboriginal people are hereby recognized and affirmed. They defined Aboriginal people in their Constitution as including Inuit, Indian and Metis people of Canada.

“What if I told you that the Indian in Section 35 of Canada's Constitution hasn't been defined yet? I think this is important for the future generations because we can take back what it means to be Indigenous through that mechanism. Within Canada's Constitution, we can start telling Canadians who we are as Indigenous people and where we belong.

If we have the political will to move in that direction, we don't have to rely on them to tell us through their Indian Act, and through their status cards who we are. It's up to us to step up and identify who we are to them. I think that's what Canada's Constitution in Section 35 gives us, an opportunity.”

We didn't get it done in the 1980s and in the 1990s and even in the most recent discussions with Canada going back to the Idle No More movement in 2012, 2013; we did not get that work done, but it's still there to be done.

That's the work for the future generations. We have new tools to help us shape that identity. The new tools within Canadian law as well as international law, including the United Nations Declaration on the Rights of Indigenous Peoples, which was passed in 2007 in the United Nations General Assembly. But it wasn't passed here in Canada until a few years later, and we can use these tools to reassert ourselves.

"I ask at this point in our conversation, how do we connect to our identity today in the aftermath of colonization? It's about connection to land. How do we identify with the land and the geography that we come from? There are beautiful resources, lakes that still have clean water, there's lots of fish, there's forestry, there are natural resources that can last for a thousand generations.

Connection to land, the Creation and the recognition of identity is very important; money didn't mean anything to us back then; my grandma had a garden, we were self-sufficient. We were very strong as a family. That's part of how we create our identity today as we connect ourselves to the land. Connection to community and belonging is also a big part of how we identify."

It's important for young people to think, where do I belong in my community? My connection to communities has been through leadership, through providing leadership at the community level, but also at the regional level, through the Assembly of Manitoba Chiefs.

Think about who I am, I'm my mother's son and my grandma's and my great grandparents' baby boy. But I'm a man now, I have a connection to my past, and I know who I am and where I come from. Each of my aunties were "my mom". I always say I had five or six different moms who took care of me when I was a little boy. We all took care of one another within our family and that's my connection to the past. That helps me build my sense of identity today. Identity begins with a recognition of belonging to something bigger than yourself.

"If you were standing in a crowd in your community, who would claim you as belonging to them? That's the question that was raised recently, because there's a lot of people out there who are claiming to have Indigenous identities today who don't have any Indigenous ancestry. They don't have a connection to the community. That's where your identity begins to take shape."

Sylvia McAdam actually spoke about this. Sylvia McAdam is Cree from Treaty 6, she's a band Councillor in Treaty 6 right now. She was one of the four ladies who founded the Idle No More movement. She was talking about identity. She started with that basic question, who claims you as belonging to them?

I want to recognize all that Treaty 5 has done. It is a lot of work in the area of constitution development. Canada has its Constitution; Treaty 5 also has a constitution that has been developed, and in it there are articles that focus specifically on the issue of citizenship and identity.

The issue of identity is protected in the Treaty 5 Constitution; the Constitution can be changed through amendments. What's most important about the Constitution is the fact that you can choose, as young people, to decide who you want to be within Treaty 5, you can choose to identify based on your family, your family line, your clan or choose to identify as a Manitoban.

You can choose to identify as a Canadian. You're not confined to any specific identifier in terms of your belonging to the broader community. You will have the room through your Constitution of Treaty 5 to identify how you want, and that opens up the door to being inclusive.

The leaders in the days gone by who negotiated Treaty saw our identity as a process that was built from our love for one another, our love for our family members, recognition for our neighbors, our Nation and our Nation of people. If that's the premise or the starting point for belonging, I think it's important that's shared and incorporated in the work that you have ahead when it comes to your own Constitution and Treaty 5; there's also provisions in your Constitution for citizenship.

Citizenship is officially identified as the Indian Registry that keeps track of every single person who has a status card within Treaty 5. There's also room for custom adoption; your Elders, your knowledge keepers, they'll hold ceremonies for adopting people into families, then adopt them into the membership of the community. It's important to note, though, that even if you're adopting people who are not status Indians, Canada will not make them a status Indian after you make them a member of the community; they will have to go through that qualification process to become status. Treaty 5 has the option of creating its own citizenship and membership codes. That includes the ability to see past the limitations within Canada's Indian Act. If we are really going to be inclusive, to shape and build our own identities within the context of Indigenous worldview and Indigenous knowledge systems, then we're going to have to see beyond the confines of that Indian Act process that was meant to destroy us or eliminate us in history. It is about identifying ways of shaping identity towards a better future. Treaty 5 has done a really good job in helping to shape that discussion in the broader context of what Canada is today and where Canada might be moving into the future. That is my presentation. Thank you.

Questions

Do you ever reflect inward? Do you ever take inventory of colonial beliefs that you feel through your behaviors, responses, and ideas?

I think we all do in some respects, because we are all today living in a colonial reality.

We are still living within colonial systems. Those colonial systems are developed from Canada's Constitution, Canada's laws, and the policies and regulations that are used to manage the relationship with Indigenous people. To decolonize ourselves means to reflect upon and learn the teachings from the knowledge keepers of our communities, the ceremony keepers, the ones who know the history, to take those understandings and to learn from them and start to question the reality that we live in.

This is how things would be if people treated everyone with respect, which was supposed to be the foundational premise, one of the foundational principles of treaty making; and then that is where I think the decolonization process starts to begin, it is where you start to question everything.

As young people with mixed heritage, how can we overcome feelings of guilt and shame?

Being mixed with white can be difficult because of the history between Indigenous people and white colonizers. I have green eyes and where did my green eyes come from? When I go back in my own lineage, my own history, I have ancestors that came from what I have been told are the Orkney Isles, men from the Scottish Highlands way back when, and when they came over here and they started trading with our Nation of people. Then of course, there was mixed blood that was created from that.

That is the most important question when it comes to starting out in history and figuring out where things went wrong in our relationship with the newcomers from other parts of the world.

The Treaty was a meeting of our people, Indigenous people, with newcomers from other parts of the world who wanted to establish a government, establish an economy, establish a settlement in a rural and urban

environment. We were here for thousands of years already, we lived within our communities, spoke our own languages. We were unique Nations of people.

We entered Treaty as Nations with the newcomers who brought other forms of government into our territory. We agreed on certain aspects of mutual respect and sharing; that is what the treaty agreement is about. The Treaty lives on for as long as the sun shines, the grass grows and the rivers flow; that is called perpetuity. These treaties are international because only Nations can make treaties. The Crown, representing the queen or the king, entered into these agreements with us.

What happened was the federal government arrived purporting to represent the Crown, saying it represented the Crown, and began to create laws like the Indian Act. It is the law of the settler society and governments that arrived here. But they use that Indian Act to convince us that we needed it, and we needed to be recognized as status Indians when the truth is we are the original Indigenous people here, and we have to take back our identity to separate ourselves from under their Indian Act, and control. That is where the difference is; that we are original Indigenous people that made Treaty with the Crown and the Indian Act is a creation of Canada's federal government, which we did not create. We just have two questions and then is it the first one? These questions are very complicated.

These are not easy questions to answer. They are complex and that's good. It means people are thinking, what happens to the Treaty 5 children that are born abroad and raised abroad? Treaty 5 within its Constitution and the Treaty 5 lawmaking process can make provisions within their law, including regulations for the inclusion of children who are born outside of the ancestral territories, within the Indian Act process, they might be a band member from Berens River, but they might live in B.C., for example. Treaty 5 through its Constitution and its lawmaking can have provisions to allow for the inclusion and the repatriation of people who have been raised or taken away from their homes and raised in different parts of Canada or different parts of Turtle Island.

We know this already because we have already seen repatriation happen for generations of young people who were scooped up and sent away through what's called the 60s and 70 Scoop. Children that went into child welfare and then were raised outside of their family. Like a lot of that, Treaty 5 has the ability to create law, to include those family members and those individuals, and to bring them home. It's being done already, and it can continue to be done to repatriate and bring people back to their families.

I want to thank you guys for inviting me. I really appreciate it. It is very inspiring for me to see, you know, the young people sitting in and learning about these things, taking leadership on this. We've, many of us, have been in the trenches of the war against colonization, the war against racism here in our own homelands. We spent a lot of time in the trenches trying to fight for good things and the well-being for our people.

RESTORING CHILD AND FAMILY JURISDICTION - WALTER SPENCE

Walter Spence is member of Fox Lake Cree Nation (FLCN) and is a retired child welfare expert of two decades; he was the former Chief of FLCN and is now currently the co-operator of small businesses in Manitoba. Walter's presentation is about the provincial child welfare system, another dark chapter in our history.

There were many apprehensions of children from the reserves in the 1960s and 1970s, including a number of children who attended residential schools. Our people were concerned with the number of children being removed from their home communities by provincial child welfare authorities. First Nations children were adopted out of province and country by the provincial agencies. The then Chiefs of Manitoba reached out to the Manitoba Indian Brotherhood, a political organization representing the Chiefs of Manitoba, and took political action to stop the child welfare practices by the provincial government.

As a response, the MIB and the Chiefs lobbied the two levels of Canadian government with the objective to restoring jurisdiction and governance of child welfare back to the reserve communities. This political movement led to the tripartite meetings of the federal government, the province of Manitoba and MIB (later, the Assembly of Manitoba Chiefs).

The tripartite meetings led to the creation of Aboriginal childcare agencies on reserves. This means the agencies were run by Aboriginal people but had to comply with provincial guidelines and federal funding. In terms of colonization, the federal policy and the provincial policy had much impact on Indigenous people in Manitoba and across Canada. When we look at our history, we had a lot of challenges experienced by the Aboriginal childcare and agencies.

In the 1980s and 1990s, we had challenges experienced by our Aboriginal childcare and the agencies, even with our Aboriginal-operated agencies; we continued to see the same, or worse, statistics for children being apprehended and taken into care. Funding was inadequate compared to the provincially operated agencies.

During this time, we saw more child deaths while in care. Indigenous peoples operated the agencies but had no control of the provincial and federal funding. The Chiefs in Manitoba continued to assert their voices for more control and ownership over Child and Family matters by setting their understanding of that master agreement as an interim step toward restoring full jurisdiction over Child and Family. Sadly, the two levels of government did not return to the political table. In the 1990's, the AMC and Canada signed the Framework Agreement Initiative (FAI); this was an historic agreement with the federal government, to work towards dismantling the Department of Indian Affairs.

The spirit and intent of FAI was to lead to self-government. In the year 2000, another initiative AMC and Manitoba signed into was the Aboriginal Justice Inquiry. Child welfare initiatives started in the year 2000, including a protocol agreement that outlined the terms and conditions with both levels of Canadian government, AMC, MKO and the Manitoba Metis Federation. The First Nations viewed the spirit and intent of the Child Welfare Initiative as moving closer to achieving more jurisdiction over Child and Family.

The next five years was comprehensive groundwork to restructure the CFS system in Manitoba. This allowed reserve agencies to have province-wide mandates, the first time for any First Nations group across Canada. Also, the political parties in the process agreed to a governance model, with the leadership council enacting provincial legislation, and the leaders would meet on a regular basis to ensure that restructuring of the CFS system continued.

The provincial representatives ended the process in late 2010, by no longer attending the meetings and exerted their powers under the CFS Administration Act by placing some of the Aboriginal authorities and Aboriginal agencies under provincial administration. This included the removal of agency directors and agency boards of directors, by placing a provincial administrator in their place to operate the authority office or CFS agency. First Nations leaders expressed their disappointment and sought intervention from the political organizations.

In 2018, 2019, Canada and the Assembly of First Nations collaborated on a draft bill called Bill C-92, an act respecting Indigenous children and youth and Families, because the First Nations leadership across Canada voiced great concerns in Canada regarding the increasing overrepresentation of Indigenous children in care of the provinces and territories. This was because of the government's paternalistic and racist policies and practices.

Indigenous children are more likely to be placed in foster care than non-Indigenous children. The key drivers include poverty or lack of housing, parental substance abuse and domestic violence. In 2018 the federal government provided funds for social development. This event commenced work by establishing the Chief's Committee on Child and Family Services and Self-determination, a technical working group on social development. This led to the drafting of Bill C 92 in 2018, 2019.

The purpose of this new act is to affirm the rights of Indigenous governments and organizations to exercise jurisdiction over Child and Family services and establish new national standards and principles such as the rights of children and best interests of the child. The act will help shift the programming focus to prevention and early intervention to ensure that Indigenous children receive culturally appropriate services and grow up immersed in their communities and culture.

Here at Treaty 5 office, we go back to the people and arrange for summits where Treaty 5 Elders, people and Chiefs can guide us in our work. Through that process Treaty 5 Nations submit resolutions; this one is on restoring jurisdiction of child welfare, this happened in July 2019. The resolution says, “Whereas it is desirable to have full jurisdiction on child welfare.” From this office, we will talk to the people, to engage with the people as to the structure, functions, and authorities of Treaty 5 child welfare institutions and to explore the creation of a Child and Family protection law.

There are 40 First Nations signatories to Treaty 5. Each Nation supports us doing exploratory engagement sessions. What that means is, we are going to reach out to the 40 communities, speak to them about child welfare jurisdiction, ask them, “What are the structure, functions, and authorities of a Treaty 5 child welfare system, models, governance, structure and law?” We will partner up with Indigenous Services Canada, recognizing child welfare jurisdiction under the Bill C-92 to manage the process as well.

This office will also be looking at jurisdiction and policing, housing, education etc.

We are developing a work plan for this Treaty 5 Child Family Services Initiative. The first phase involves engagement with Manitoba, Saskatchewan, and Ontario First Nations. We will be seeking input from 40 communities across the three provinces to start establishing and designing Child and Family service systems as per the views and input from the local community. We want to develop a Child and Family law that reflects our culture.

The work plan talks about a broader scale including all aspects of the Act, community consultations on governance, establishing Treaty 5 child welfare systems, building capacity to establish the delivery models, secure resources to design a framework, and Treaty 5 Child Family Law.

The overall objective of this office is based on a restoration of Okimowin and related jurisdiction. There is a copy of the resolution on Child and Family that can be found on the treaty5.com website. TFAO Inc has been given the mandate to carry out an exploratory discussion on child welfare legislation. Some of the questions we will be asking are, “What would you like to see in this child welfare legislation?” and “How do we restore jurisdiction over Child and Family services?” and “What would that look like if we had self- government?”

We will look at the important pieces that our Nations can develop, create and pass into our own laws, and revitalize customary care practices, that will replace the Bill C-92. This aligns with the overall objective of Nation rebuilding.

The theme is that the Treaty 5 Sovereign Nations will develop, create, and pass our laws, and revitalize customary care practices. Jurisdiction simply means we are taking control over our lives with the ultimate goal of restoring balance within ourselves, our family, our community and culture as Indigenous people, and the ways we are going to look at this will include our spirituality. We've been taught by our Elders that our inherent laws, our laws are given to us by the Creator. These laws tell us about our relationships on Earth and our relations on Earth.

The laws also provide our identity and languages while we're in the physical world or this reality. Our spiritual teachings teach us how to look after Mother Earth and these teachings help us to live in the world. They also teach us about our relations and how we are related as one with the land or the people of the land as one. Language and stories tell us about how and why we, as people, live in relationship with all forms of life in order to survive and thrive. The mandate and purpose of this initiative can be explained as.

We want to develop, create, and pass our own laws to revitalize customary care practices. Jurisdiction over child and family simply means restoring balance and relationships within our community of families and cultures, Indigenous people, spirituality, customs and customary care practices or ways of doing things, traditions. For example, the birth of a baby is given a spirit and we celebration to honor that spiriting the physical world of reality. Our families are our teachers.

We learn about roles and responsibilities as a child, as a daughter or son, wife or husband, parent, or grandparent. The power of customs, practices and traditions contribute to family unity and healthy functioning. Treaty 5's Child and Family Services Initiative is to talk to, as well as record and document, the 40 First Nations of Treaty 5, see what they think should be the structure, function and authority of a Treaty 5 Child and Family Law.

Our objective is to do the exploratory work on Child and Family Law or child welfare jurisdiction. When we go to the communities, we will be speaking about our spirituality. Some of the things we will be asking is, "What are your community's customs and customary care?" "What are your community's practices or ways of doing things?" "What are your community's traditions in child and family matters, for example, traditional child rearing, what then in a physical world, there's a community's customs to consider?"

The practices and traditions help develop and define the roles and responsibilities of the child, daughter, son, wife or husband, parents and grandparents, and Elders. These customs, practices and traditions contribute to family unity, healthy, functioning relations and relationships.

This was written by JoHannah Minty, one of our Treaty 5 youth members in the office today.

Our home was broken not because we are incapable, but because the Canadian government and their forefathers refused to see us as humans and continue to ignore our humanity as they actively and intentionally disrupt our families, denying mothers and fathers the chance to parent.

The bond between a mother and a child is sacred, the bond between a father and his child is precious. It is hard to find the words to express what needs to be said. I will say, is our home state the chance to kill on our terms? Here is a video showcasing and celebrating our Indigenous families.

I just wanted to say thank you again to the Treaty that you set up that video.

INTERGENERATIONAL IMPACTS PRESENTATION - ROBERTA AND JENNA KENT

Roberta and Jenna Kent are mother and daughter from Black River First Nation. Roberta is a mother of three adult children and two grandchildren, she runs the convenience store in the community. Jenna is currently raising her son by the traditional Ojibway and Cree teachings. They are joining us today to share their stories of intergenerational healing and overcoming addiction.

Roberta Kent: *Today I would like to acknowledge the Creator; it belongs to everyone listening here today, the organizers here at Treaty 5. My name is Roberta Kent. I am from Black River First Nation in Treaty 5. Ima a mother of three adult children and two grandchildren.*

When Roberta became a mother, she and her husband talked about how they would raise their children. They did not want them to grow up in a house of parties or to see the negative things that could happen, such as violence or addictions. They wanted their homes to be a safe place for their children, “Our home was their home”. Roberta is a recovering alcoholic.

I didn't drink much when my children were younger. We traveled around with them and did a lot of different activities with our children. I started to enjoy going out for drinks with my friends when my kids were a bit older, maybe like 8, 10 years old. When I started drinking, I thought it was harmless.

Roberta admits that when she started drinking it was irregular, but it started getting to be one night every weekend, then all weekend, when her children were in their teenage years. She decided to try drugs with her friends. It seemed fun in the moment. She would go out, have some drinks, and get high, but the length of the time she drank became longer and longer. They moved to Winnipeg so their children could go to school and graduate – which they have. She did not know anybody in Winnipeg to drink with when they first moved here, but she had her hookups.

In the beginning, after they had moved to Winnipeg, if they had company come over, they would sit in the basement and “do our thing”. Morning would come and they would still be sitting in the basement. Her children started to wonder why they were drinking and would question that. Her children did not really see them much during their younger years because they would go out with people so often. Roberta started to make friends in the city, she would go out with them and return home late at night.

I didn't like them to see me in that state of being drunk. I started to make friends here in the city, I would be home at night when they would want to sleep. But would end up taking off before morning. They wouldn't question me. It was too hard to face the guilt of them seeing me in that state, them being teenagers now, my daughter looked after my son a lot because I would be gone two nights, sometimes three.

Roberta would turn her phone off so her family could not get a hold of her. She reflects that it was scary to think about being high and or drunk and for her children to get hold of her. She really did not want them seeing her like that. Her children would be worried about her because her phone would be off. They could not get hold of her. Roberta would come home feeling sad and guilty telling herself, “This is going to be the end of my drinking.”

But it was not easy to beat this addiction. She started letting her daughter drink at 16. She says doing so allowed her to ease her own guilt. She thought she was doing a good thing for her and thought that at least she was drinking at home. She made up excuses for why it was a good idea. Unfortunately, allowing her daughter to drink at an early age was only causing her pain and heartache. Her daughter started drinking uncontrollably. Roberta says when her daughter drank, it was scary, “We go to sleep at night, wake up in the morning, and she would be hammered”.

Jenna Kent: Jenna introduced herself to everyone and acknowledged the Creator and all the listeners, the youth of Treaty 5 and the organizers. Jenna's traditional name is Sweetgrass Swaying in the Wind. She was recently given another name, Fire Thunderbird Woman. She is from Black River First Nation, Treaty 5, and she too is a mother.

My mother and I are here today to speak about addiction and intergenerational trauma and healing. That is struggling with alcohol addiction. I am an alcoholic, it has been quite the battle, I always struggled with mental health as a teenager, specifically depression. I was not sure why I felt this way. My addiction started

whenever my life situation got hard. I was angry, unhappy, scared, hurt feelings, and numbing those feelings took away the pain, temporarily.

I started to drink and tried to be drunk all the time. I was attending university at the time and was not doing well with my grades. I was drinking a lot of alcohol to hide whatever it was I was hiding inside myself during this time. I met my husband during this time, and we had our son Skylar. I found a new reason to fight and a new reason to live. I would say it was going well; it was kind of like a Band-Aid. It seemed like I had it together.

I was working and married with a man who I absolutely adored, and I had a beautiful home. And looking back, it looks like I had everything together. But at the same time, I was destroying myself because I had not really dealt with the trauma and the pain. My point here is that you can't really mask what you feel inside you, you need to take care of the inside, because it'll always be there unless it's dealt with.

I couldn't see a way out of the addiction at that time. The alcohol had such a hold on me and while I tried my best to hide it, I couldn't find a way out. It made my depression worse, and I felt angry with my parents, with myself and my partner. My relationship wasn't a very healthy one at the time. I ended up getting heartbroken as well as hurting my loved ones because of that. Drowning any type of pain is not a healthy cycle. Doing so causes more problems. Someone with addictions may not feel that pain temporarily while they are using, but in the long run, they have to fight for themselves, their loved ones and fight for life.

I encourage others to try, overcoming addictions is truly possible even when it seems impossible. What I have come to learn is that I became dependent on alcohol as a coping mechanism. There is absolutely no shame in getting mental health help. I just want to let you know your feelings are valid and you're important and to take care of that.

Roberta Kent: Roberta said her husband quit drinking a few years before she did, and that he started going to the ceremonies. She recalled a time when her husband came to pick her up in the morning from her friend's place. He asked her to go for a ride with him, to put something in the bush. There was a song playing from Big River Cree called "My Heart Belongs To You". He cried and told her that he's been praying that she would join him in ceremony. Roberta recently heard the song again and shared that it reminded her of where she was during that time, mentally, spiritually, and emotionally, "I felt the pain he felt, the pain he was feeling at the time. Wishing, and praying that I would smarten up."

She was thankful that her husband asked her to go into ceremony, but she didn't go right away. Finally, one day she said, "OK, I'll come to this once." She did, and that was when they met their teacher, Andrew.

Once she started becoming involved in ceremony, it felt uncomfortable to be involved, but that it also felt good. Andrew's teachings were different than most. He showed nothing but love for people, whether you're an addict or not, he does not turn you away.

Even if someone decides to come to a sweat drunk. Andrew says it might be that one push this person needs. In the way he teaches us is a bit different. We're all one, we're all equal. There's no shame if a woman is on their time. You're not put in the back. You're still equal, you're still helping do everything, and he's got his reasons for that.

Attending ceremony helped her find a better way, a way that was fitting for her and her husband and their children. Today, her family is all involved in the ceremonies, and they are all learning to do their own sweats. They are learning songs, helping to gather grandfathers. Her children and grandchildren are learning both

traditional and Christian ways. “It makes me proud to see and know that they have overcome the addiction lifestyle and will not be going back to those ways.”

Roberta’s granddaughter also attends sweat ceremonies with them when she can. Roberta is insistent that these addiction cycles will end with her grandchildren. They intend to give their grandchildren a better start.

They'll grow up in a ceremony. Knowing our ways, knowing the songs, knowing they will grow up to know the sacred teachings. I didn't give this to my children. I thought when they were old enough that they would choose their own religion if they wanted to follow. I know now you need religion in your life, whether it's through church or through ceremony.

Roberta explained that we all need to have that faith or belief that gives us strength when we are down or helps give us that extra push to try something new. Only one year ago Roberta didn’t think she would be able to sing a song, but she has been learning songs and singing them in the lodge. She hopes that others will find their path in life because we need more warriors.

Jenna Kent: An important step to take when it comes to healing is to forgive yourself, learn to love yourself, and forgive your parents. Our Indigenous people are facing intergenerational trauma that is passed on from generation to generation.

This negativity was taught to us through residential schools. It's become a cycle and how we live our lives. It's time to heal our brokenness for our children and our children's grandchildren and for ourselves. I look at my son and see his beautiful personality, he's bright, full of energy and has a bright future. The world is his and I want to be here for my son and continue to keep learning as much as I can while he walks through this life.

I want to continue being present, to use my own knowledge and understanding of mental health and addictions, my healing journey and all of my family healing. I am lucky to have them and that they found their way through ceremonies. I am grateful for my ceremonial teacher, Andrew, and our ceremonial family. Even when I attended my first sweats, I turned to alcohol again and felt urges not to go. But I pushed myself to attend, and always felt happy and proud when I did continue to attend ceremonies and sweat lodges.

I began to find such a proudness in our people, our culture, our traditions, the languages, the songs, the medicines, the land, learning our seven teachings and getting back to our roots as Indigenous people. Whatever it is that helps you love yourself. Andes for hard times, they do happen, they are lessons. An important thing I've learned is to face problems head on. Addictions always lead to more problems.

I hope whoever took the time to listen, I wish you all well. In my prayers. I ask that I'm on the right path to live. Honestly, I pray for the youth, for those who hold on to hate, for those who lost loved ones and the ones struggling with addiction and mental health issues. Never give up on yourself. With that, we do want to share some of those. songs that we've been learning

Questions

How did Intergenerational effects, or intergenerational trauma affect your beliefs about parenting?

Well, I grew up to the same thing I was doing. Like the parties and like seeing all the parties, seeing the things that could happen. When I had my children, and before my daughter was born, both me and my husband talked about how we would raise our children, how we did not want that lifestyle for them. Our home was their home. This is their safe place, and they won't see the big parties that we have.

This made me think about how I wanted them brought up.

What advice would you give young people who are upset with their parents and may not know why at the moment?

The advice I would give is, just to realize that we're all human, we're all walking this life and we make mistakes. And the important thing is to forgive, and they'll take that and start to heal.

PROMOTING OUR LANGUAGES - PAUL RABLIAUSKAS

Paul Rabliauskas is an Anishinaabe comedian from Poplar River First Nation. He and his mother, Sophia, speak about the language and how important it is for the younger generation to learn. Paul tells the youth how their language initiative started during lockdown and the importance of teaching others.

Paul always wanted to speak the language, but says he was “a lazy kid”. He would rather play video games than have his mother teach him the language. His mother had been trying to teach him the language his whole life but it never quite resonated. It was during the Covid lockdowns that they decided to really make an effort for him to learn the language, to make the best use of their time together in quarantine.

We were kind of stuck with each other. I had all this amazing equipment and I'm sitting around and I'm like, Mom, we should do a language lesson, just teach me stuff. I hooked up the microphone and then started a podcast, it is called “Paul Anishinaabemow”, which means “Paul speaks Ojibwe”.

Paul asked his mother if she was a little worried when she started teaching him because, as he says, he has a history of not learning language. He further asked how important it was for her to have her kids ask her to teach them, and was that important to someone who speaks the language?

Sophia replied that it was very important to have him learn the language. She has always wanted him to learn along with her other children and said that there was a sense of urgency to learn and continue our languages, “I think we need to start learning our language before we lose it, especially for young people”.

Paul disclosed that sometimes when he hears people in his community speak their language or hears the language at the band office or family members speaking, that he feels a little bit of shame that he cannot understand what they are saying. He knew he was not the only one and empathized with the youth who cannot speak their Indigenous language. It eventually occurred to him that he had a tremendous language resource in his mother and wanted to make full use of the opportunity to have her teach him the language.

He asked his mother, “Why is it important to start at home? Why is it important to be in a safe environment to teach the language?” She answered.

Well, first of all, it is my responsibility as a mother and as Kokum to pass on the language, Anishinaabemowin. I feel like it's never too late for anybody to learn. I assure you that it will reawaken the spirit of the language of our people as Anishinaabe. You

have that within you, if you acknowledge that spirituality of language, it will help you. I think the time is right, your timing, everything is coming together, and you will learn as much as you can at your own pace. No pressure.

The language is a spirit. That's something Paul and his mother discussed in their first podcast episode. Paul remembers when his mother said that “the language was a spirit” when going over a lesson. He didn't understand what she meant until the second or third podcast episode.

I remember getting ready to come shoot. We do this every Sunday. I was very happy knowing that we were going to do the language lesson, my mom knew the language is going to be around. We're laughing, we're having a good time. And I thought that's the language. That's when she speaks about the language being alive, having its own life and spirit.

Paul felt that he wouldn't be able to understand the language at first. But he stuck through it and says, “When you feel it, it starts to make sense”. His advice to anyone looking to learn is to try to create a space where there's good, healthy energy around. He also advised to take the time to learn, be patient with yourself and don't expect immediate results. “It's fun”, he said, “to listen back on the podcasts and hear my mom be patient with me and take the time and hear my mom laugh with me as I make mistakes. We laugh together and we fix those mistakes together.” This laughter represents a safe space to learn and a connection of respect and understanding between the teacher and the learner.

Paul and Sophia then talked about the importance of language in the process of decolonization. If you look at Indigenous communities and activists in the city, they talk a lot about colonization. Sophia said that if we want to decolonize, if we want to live in a kind of society familiar to our ancestors and traditional ways, then we can't do any of that without the language. You can't talk about being independent as First Nations people, or being sovereign, without the language.

Sophia said that when we think about our future leaders, it's going to be hard to communicate with our people if we don't speak the language. Leaders could really help our communities and future generations, if you are working with people, especially our Elders, by keeping our languages alive.

I remember growing up, first and foremost, whenever business was conducted, a prayer was said, prayer in our language. To give thanks in our language that was given to us, then they would move about their business still in the language. I speak in my language; I understand more, and I feel more because my language is all my spirit and my emotions of how I see things.

Today, Sophia is often challenged to explain things in English when something is emotionally attached to what she is trying to say, examples are when she talks about the land, the water, everything is emotionally or spiritually attached to what she is trying to say. This is an example of how connected we become to our languages as well as how connected that spirit of the language is to us, how we explain things through that connection.

She encourages anyone to listen to their Paul Anishinaabemow (Paul Speaks Ojibwe) podcast and to learn their traditional languages. Either through the podcast or any other support youth may connect with.

Paul: *I want to thank Treaty 5 and thank all the youth because we talk about how important it is that the youth learn the language. Sometimes as a youth, you don't know where to start. Just the fact that you're listening and watching with us here today means*

that you're ready, that you want to take initiative and start. My suggestion is just start slowly, keep going and don't stop. That's my recommendation for all the youth out there.

Sophia: *Miigwech, I am very happy to be asked to talk about the language and it's important for the youth to really understand the importance of our language. We're at the brink of losing our language and our way of life. I think that's why our work needs to be done. As young people try and really advocate for the language, let your voices be heard and getting programs such as getting out in the land and learning the language. I remember the Elders used to say, if you want to heal your community, go back to that land. The land has the wisdom, the land has the knowledge to help you. That includes the language and knowledge, that spirituality of the land where your people are. Our ancestors lived on that land, and they will give you the help that you need to go back and find that desire to learn the language, because that's something that belongs to us Anishinaabe people.*

I often tell Paul and my kids and other kids who are willing to learn, it's not your fault that you lost the language. It's not the fault of the communities. That's why we need to work together to have more language opportunities in our communities. With that, I'll say, Haw. Miigwech.

CONTROL YOUR FUTURE – BRIDGETTE LAQUETTE

Brigitte Laquette is an Olympic Gold Medalist from Mallard, Manitoba, a small Metis community about four hours north of Winnipeg. Her First Nation is in Saskatchewan, her mom is from Cody. Brigitte spent summers there growing up because her mom and grandma live there. Her parents now live in Dauphin, Manitoba, which she considers home. Her father is Terrence Laquette. Her family played a huge role in her life, and they did everything they possibly could to get her to where she is today.

Honestly, I don't know how they made it work, getting me to play at all these high-level teams. They always made sure that I had the best stuff. I remember when I first started playing hockey, we were on welfare, and my parents had us young. They had my sister when I was 21-22 and then my brother when I was 26.

Brigitte's father owns a construction business in Dauphin area. Her mother is a grade 2 teacher, and her sister is a nurse in Cross Lake, Manitoba. Her brother is currently in the process of getting his levels for his journeyman certificate, and he's also a coach in Manitoba; her family all played hockey.

Brigitte's sister played on every team that she played on; she started playing hockey because we needed an extra skater. Her sister played forward for a time, then realized that goalie was her position, and she was an amazing goalie. The first time Brigitte was invited to try out for Team Canada, her sister was invited as well. She received support letters from 31 Division 1 schools. Now her sister is a nurse and has two kids, Sarah and Jacob, and they both love hockey.

Brigitte's brother also played Junior hockey. He played in the major Manitoba Junior Hockey League with the Dauphin Kings for three years and then the OCN Blizzard for two. Her brother-in-law also played hockey in Juniors, for the Waywayseecappo Wolverines. He also played in NCAA in Philadelphia. Throughout Brigitte's hockey career, her family has given her endless support and have always believed in her abilities,

even when she found it hard to believe in herself. She feels fortunate and blessed to have that kind of support from such wonderful people.

Honestly, I wouldn't be able to be where I am without them. This is just a side of my family and those that are important to me. My dad actually didn't play hockey at all. He is more of a coach. He didn't play organized sports although he played recreational hockey and basketball and stuff like that. My mom didn't play sports. But, you know, obviously she had taught me the importance of hard work and perseverance throughout her life.

Growing up in such a small community of 250 people meant that she had to overcome obstacles to get to where she is today. She grew up with eczema which still flares up once in a while. But she said, "I have bad skin; growing up I had it really bad not knowing that I was allergic to pretty much everything in the environment and food."

Brigitte remembers being made fun of or being called names because of her skin. She remembers one particularly upsetting incident on the bus; she couldn't get back to her house fast enough. She explained that she got off at the bus stop crying and hurt. She ran straight to her house; "it was hard for me, and it was hard for me being called all these names, my mom would always try to make me feel better."

My Choom would put me on his lap. He was a minister. He was quiet and he prayed for me. He told me, my girl one day God's going to put you in a place where everyone is going to notice you, and don't give up. That's kind of why I do a lot of these kinds of presentations and talk about my life. It's important for me to say that always be kind, you don't know what other people are going through.

She also remembers the people that were nice to her in school and would ask her how her day was because she really wanted to quit school and didn't want to go back. Fortunately, she found her way through her love of sports, and could play every sport. But there was just something about hockey that she just loves. She could go on the rink and spend hours out there by herself. Skating was like an escape for her, allowing her to pretend she was in this whole other world.

Her dad would put on the goalie pads, and they'd practice drills and breakaways, shoot pucks and stick handle. She begged her dad to put her into hockey at first. Her team thought maybe it was a little too rough, but she was a pretty rough kid.

Her dad finally bought her first pair of skates and didn't look back. Brigitte started playing on boy's hockey teams almost her entire minor hockey career. For Bridgette, this was when she had to overcome another obstacle, which was bullying and racism.

"I remember the first time we tried out for a hockey team, I remember walking into the dressing room, it was like kind of the first team that we ever tried out for a hockey team, it was in Winnipeg at the Maxwell Center. I walked into the room with the city girls. They sat on one side. My sister and I sat on the other side of the dressing room, and they just stared at us, didn't say a single word. Very awkward and uncomfortable. I didn't make the team. They wanted to keep my sister, my dad said no. We ended up trying out another team around Brandon area. These girls were just amazing, friendly, and down to earth. They walked in the dressing room. They say hi, they asked how we're doing, I'm still like really good friends with at least three of them now today. We just clicked, very friendly people and accepting people."

She recalls playing in the city tournament where she got into a shoving match with another girl in the corner of the ice when the other girl she said, "Get off me, you dirty Indian". Shocked, Brigitte didn't know how to

react at first. “I was angry, sad, I cried because I was frustrated. I remember going to the bench and my dad came over and he asked me what was wrong, I didn't want to repeat it.”

Eventually she did tell him what happened. His response was simple, he told her to “beat them on the ice”, meaning be the bigger person, be focused on yourself and your own success. Her father taught her that when people say things like that, it doesn't matter what they say because you'll be winning in the long run.

Since then, she's been called every single name in the book, it got hard for her at times, especially when she was going through her teenage years. Not retaliating and beating them on the ice is exactly what she wanted to do. Eventually she left Canada and went to school in the States.

She then started getting invited to play on High-Performance teams; one of these other lessons that she learned quickly was when she was invited to try out for Team Manitoba and the provincial team, the big teams. She did play on the National Aboriginal Hockey Championship Team Manitoba. However, she remembers going to try out for this team and showed up super out of shape, thinking she could go in and rely on her skill.

While she had always done a lot of stick handling growing up, she didn't do the work off the ice. Unfortunately, she got cut from the team and her sister ended up making it. Brigitte says her sister was always a very hard worker, very fit, very small and worked her butt off all the time. She ended up making the team, but Brigitte didn't make it. Her sister went to the Nationals in Kitchener and got a bronze medal. Meanwhile, Brigitte was stuck at home in Mallard. She didn't like that feeling of not being good enough.

I remember that's when I sat down with my parents and we wrote down these like short-term and long-term goals, what I wanted to achieve in the next 5, 10 years. I wanted to get a scholarship to the States, I wanted to play in Canada, wanted to make team Manitoba, eventually, one day maybe be a teacher and make the Olympic team. I wanted to be a teacher because my mom was a teacher. I set goals for myself.

I ended up getting invited to try out for Team Manitoba and making the team, going to Nationals, and got top defenseman award of that tournament. Meanwhile, during that year, I was also invited to the over 18 Team Canada, and I went to the first two rounds, made it past those rounds, made the team and we went to Lake Placid, then made the world championship roster and everything was just like kind of falling into place. All because of putting in that work, I ended up playing on Team Canada for two years.

Brigitte got a silver medal in Germany and then world championships in Chicago; here her team won in overtime. She got a gold medal and finished in the top three players in the Canada and the World Championships. She could have been satisfied with just that because she achieved her goal of wanting to play in Canada one day. She wanted to eventually play on the senior team with Hayley Wickenheiser and Jana Hafford, in the Olympics, so she kept cracking away at that. She got a lot of offers from a lot of different Division 1 schools and soon accepted a scholarship to the University of Minnesota. Brigitte graduated in 2016, but this is where things started to kind of spiral down a little bit.

Her parents didn't drink when she was growing up. Her dad stopped drinking when she was two years old. She wasn't raised around alcohol and was always around her family growing up. She went to college which was a different scene for her. It was very out of her comfort zone, away from home and away from family.

She started going out and partying with teammates and friends from school and living the college and university life. She continued to do well on the ice though. She got noticed by the national team and was playing on the U22 team with Team Canada and got several awards in her division with UMB as a defenseman, and that too was kind of falling into place.

But she didn't feel that her balance between schoolwork and hockey was right. Her skills on the ice were enough to get invited to try out for the 2014 Olympic team. Hockey Canada's home base is in Calgary and it's a six-month long trial prior to the Olympics. She was 20 years old when the head coach asked her if she wanted to be centralized for the 2014 Olympics.

I did pretty well in college, but I just wasn't prepared physically and mentally. I ended up getting cut from the team that year, I took six months off from hockey, and gained 25 pounds. I wanted to quit. I had zero motivation. I just continued in that kind of toxic, part of my life; I sat down, my parents and I regrouped, I wanted to try for another four years, but I don't know how I'm going to do it, but I know that I'm young and I can say I'm not done yet kind of thing.

She still wanted to achieve the goal of playing in the Olympics. She made the decision to do that again. She went back to college and finished her schooling while continuing to play hockey. She made the World Championship team that year, but barely. She completed college hockey in the year of 2015. But she also continued to party and continued that same social life she was in when she got centralized and cut from the Olympics. In 2016 she moved to Calgary.

After she graduated, she trained with the Calgary Inferno and the national hockey team. She eventually made it onto the World Championship team again that year. She continued to party. "I thought I was able to kind of continue my lifestyle and still train as an elite athlete. I find these years were very dark. I guess it was a very dark point in my life."

I decided that I didn't want to continue down the same self-destructive path and I wanted to turn my life around and become someone who I was truly meant to be, someone that my family could be proud of, and to start living a healthy lifestyle. I got along fine with the GM of Canada, and I told her I needed help. She said she'd support me in any way she can.

She got a conference call with the coaching staff and told them that she decided to change her life and that she came to the gym for help. They were very supportive. The head coach was her former assistant coach from her time with Duluth and was also supportive of her choice to give up drinking. She also reached out to her friends, her best friend at the time stopped drinking as well.

She reached out to others who have overcome drinking before, like her dad. Her dad got sober at 24. "I asked him what his journey was like to learn from his experience." She also reached out to her friend Michael Ferland who told her some helpful tips, such as, "You have to be serious about this because if you do this and you if you go back, you're going to look like a fool."

I was just surrounding myself with good, genuine, positive people and Canada paid for a counselor. I didn't end up making the world championship team that year. I had to kind of prove to my coach that I was serious about my lifestyle change. I ended up getting centralized in my second time, another six-month long trial. But this time around I felt like I was more, I was happier. I was more clearheaded. I was focusing on myself and my lifestyle choice.

The day she made the Olympic team she was super-nervous, Brigette says she was nervous for the whole month of December. She took her time getting into the rink and sat in one chair waiting for the coach. It felt like forever. She was so nervous she just couldn't smile at anyone. The coach came to get her. She went into the meeting room where a table was set up and there were three chairs on one side. There was one

empty chair on the other side, for her. The three coaches were sitting at the table, and they said, “Come sit down.” As Brigitte recalls, only 10 seconds into sitting down, the coach stands up and reaches over and says, “Congratulations on becoming an Olympian.” She was relieved, happy, and couldn't believe she was going to the Olympics.

I told my dad, my parents cried on the phone. They were super pumped; it was, it is truly a dream come true because this is something that I worked hard at my entire life. The Olympics itself was kind of a blur, I remember walking in the opening ceremonies and when they announced Canada and all of us athletes, it gave me the chills. I was holding back tears. I just remember how happy I was wanting to facetime my parents or like I was sending them videos and all my uncles and aunts and cousins back home, thinking back on how supportive they were and my house, part of my community and my reserve.

She remembers being overwhelmed with happiness and having such a proud feeling. Her first game, she says, she wasn't very nervous. It wasn't until her second game, when her parents showed up at the Olympics, playing in front of them made her nervous. The Olympic final was “pretty crazy,” she recalls, and her team brought home the silver medal.

Post Olympics, Brigitte has done a lot of speaking engagements. She has done a lot of presentations and didn't realize how big of an impact she had on others.

I was just going there to play the sport that I love to do. I did that my whole life. Being a First Nations person to make that team, like, I didn't realize how big of a deal it was. Growing up I didn't have that person that was like me in my sport. There was a lot of great Indigenous hockey players in the NHL or who used to play in the NHL, but there wasn't a First Nation woman who played on one in Canada.

I didn't realize until I came home from the Olympics and had many messages from all these Indigenous communities. It was inspiring and fun for me to share my story and telling youth the truth and you guys, it doesn't matter where you come from. I come from small community of less than one hundred fifty people.

It took Brigitte a lot of hard work, determination, and perseverance to become a member of Team Canada. It wasn't easy, overcoming these obstacles that First Nations people face, but it was absolutely 100% worth it for her because her passion is hockey.

That's what I love to do, it doesn't even have to be hockey, it could be if you wanted to be a teacher, if you want to be a doctor, if you wanted to be a carpenter, just do whatever you can to achieve your goals, live your life with no regrets; good things started to happen as soon as I started to get my life straight.

It took her roughly a year and a half to restructure her diet and begin healthy eating. The difference was like night and day for her, and she was able to constantly improve on the ice as well. She won the world's top three players, Canada top defenseman in 2010, played on the Team Canada development team as part of the Women's World Championships for 3 awards, then in 2019 got an Inspire Award. She also received a Dream Catcher Award in 201_. Furthermore, she was awarded the mental health female athlete and the Tom Longboard Award. Then, in 2018, was the Olympic Games.

What matters most is taking care of yourself and putting your goals first. Don't be afraid to ask for help when you need help at any point in life; surround yourself with good genuine people. That'll get you a long way and most importantly, believe in yourself. I know that having doubts is a normal feeling and believing in yourself is what makes the biggest difference. I'm glad that I am here to share my story today.

Youth Perspective: Controlling Your Future - Rylan Bland

Rylan Bland is a 15-year-old student in grade 10 at Lord Selkirk Regional Comprehensive Secondary School. Rylan grew up in York Factory First Nation and lived there until three years ago. Rylan worked with the TFAO Inc. office last summer as part of the youth team developing Maamaw Kaakike, which means together forever.

Working with the TFAO office and other Treaty 5 youth was a great experience for Rylan. He was able to learn something different about his people and about history, history that isn't always taught with depth in schools, and tells the real truth about Canada and its relationship with Indigenous people. Rylan says what he has learned so far is very shocking. Truths about what colonization has done and is still doing to Indigenous Nations, that they control us from, from birth to death.

“It's crazy how much I actually felt, tough stuff about our history and where we are now,” he said. Rylan imagines what it would be like if we First Nations still controlled ourselves rather than being oppressed by Canada and the Indian Act policies. While he recognizes how strong Indigenous Nations are he would also like to see us stronger and without fear to govern ourselves. He is grateful for his time with TFAO Inc over the summer.

I don't think I would have been interested if I didn't become part of this group. When I hear the phrase 'Together Forever', I think of us and other Indigenous people as always being together and having each other's backs. It's recognizing and acknowledging each other, despite the fact that you might not even have seen the person before. I want to become a firefighter. One day I'm going to study what I need to just because I just wanton help other people. That's like a big part of it, the whole helping aspect of it and stuff like that.

Rylan doesn't smoke, drink, or do drugs, and he doesn't plan to start either. He's committed to live a healthy life so that he can help other people. He works a lot in his spare time keeping in mind his goal to become a firefighter. His friends live the same way that he does, clean living and goal oriented. While they all share the same interests, Rylan says the only difference is that most of his friends want to become police officers.

Rylan's main goal in life is to continue taking healthy steps forward for himself as a young Indigenous man. He hopes other youth feel the same way about their future. As he says, “I just want to live healthy and be proud.” Rylan has learned a lot about our traditional ways, and sovereignty, from his parents. Many of these teachings he attributes to going out onto the land.

Sovereignty is part of our physical and spiritual connection to Mother Earth and the Nation. The issue we as young Indigenous people face is we must go back to the land and learn the old ways. We are interconnected with all the living things. These teachings were passed down from generations of elders. They will guide us. We will learn what our traditional medicines were and understand our traditional ceremonies. We will learn

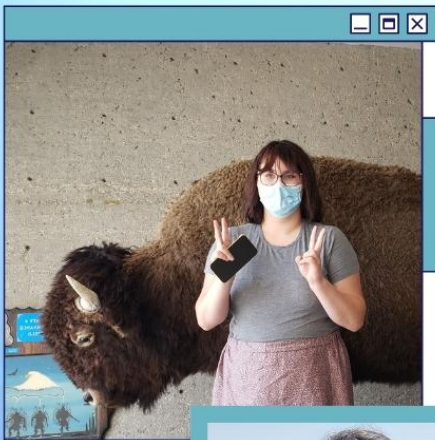
to preserve and protect the land and our traditional territories so the next generations can enjoy what we have today.

This is our identity. This is who we are, this is our generation. And this is where we come from. Let's embrace who we are. We hold our heads high and are proud of our nations, as strong indigenous people. As we get older, we can begin to lead our Nations under these foundations. Thank you.

Day One Closing Prayer - Elder Blacksmith

I just wanted to say that I am truly, truly impressed to watch the young people, middle aged and the Elders working together; to see technology and our future and our traditions combined together. For as long as there's humans. I'm very impressed with what I witnessed with Treaty 5. I was always proud to be from Treaty 5, and I was even prouder today to be a part of the bright future for our young people.

I am privileged to be here with you and to witness. I'll say my prayer in my language. Don't forget. Our future is our past, our traditions, our sweat lodges. Because without that we will lose the spirit of who we are. I respect other cultures, other religious entities, denominations. But that is not you. Remember who you are. You are Anishinaabe, that's what the Creator called us. Four elements put together, you put a soul to that, it makes human being, that's who we are.



VIRTUAL YOUTH SUMMIT – DAY 2

Opening Prayer - Chief Marcel Head

Chief Head welcomed the participants and stated that their interest in Treaty 5 and the work being done is good to know. He hoped that the youth will learn from this presentation so they too may one day maintain the protection of our Treaties and Treaty 5. He emphasized that we all need to work together, to take in the history, learn from it and pave a better path for our people into the future. He prayed for wisdom, guidance, and knowledge for all throughout the day.

Sunrise Ceremony - David Blacksmith

Elder Blacksmith began by commending the youth there, the young people, because he always wants to see more youth involved in our culture and loves to share the teachings he has received and pass them down for future generations to continue in the culture and traditions. He gave thanks for the opportunity and stated how impressed he was with what the youth have accomplished and how they are achieving those accomplishments.

He explained how he became a pipe carrier. There are many, many different types of pipes. He received his pipe a long time ago when he was young. His grandfather had a pipe, and he was telling him about the way one should live long enough to be a perfect human being, but that they should refrain from alcohol, drugs, violence, not to be abusive to people, towards children, towards peers. He took this lesson very, very seriously when he was young and those teachings and those things made a lot of sense to him, his grandfather's teachings. And as a young man, he decided not to use drugs or alcohol in his life. He is now 59 years old and happy to say that he never drank alcohol in his life. "It wasn't hard at all," he says, "it was an easy decision to make." He hoped that the youth can be inspired by his decision and that they make those same decisions for their own lives; to live a life in the most positive way possible.

Opening Remarks - Wapastim Harper and Jordyn Crampton

The Treaty 5 Youth Virtual Gathering began with a review of the previous day's presentations and comments from the co-hosts about what they found really stood out for them.

Summary of Day 1

A video honouring the Murdered and Missing Sisters was played the previous day which both co-hosts, and many viewers, found really impactful because it shared statistics that revealed how high the numbers are and how little is being done or said, to bring comfort to families and prevent future occurrences of missing Indigenous sisters. The video was also made by one of the Treaty 5 youth working with TFAO Inc which made the video very personal to those who were involved in its creation.

The youth co-hosts acknowledged the opening prayer and ceremony from day one, as well as the opening remarks by the TFAO Co-Chairs, '≡∇≧Δ[∞]∇Δ[∞]∩≧ from Chemawawin, and Chief Kent, from Black River First Nation. Wapastim stated how important it is to invite and learn from the board members and other leaders in the Treaty 5 Nations.

Afterwards, there was a historical perspectives video, presented by Wapastim Harper and followed by riveting discussion afterwards. A lot of questions came from the youth in attendance, and a conversation with Wapastim himself about how schools impact learning about Treaty 5 Nations' history, and Indigenous history in general, and how we can work towards sharing our knowledge with one another rather than relying on school learning.

Yes, and I hope you learned a lot from that presentation. I know that a lot of the early Christian history is taught entirely at school. So, I thought it was important to understand

where their ideologies came from. When they talk about us being savages and heathens and all this all these horrible, derogatory names, I think it was important to put a spotlight on their mindset as well.

After the historical perspective video, Derek Nepinak presented on identity and membership within First Nations. His presentation also included a diversity video, which took a look at our Nations having mixed people, or where people come from, different backgrounds and those who are adopted in, or who marry in. Much of what this presentation talked about was inclusion into our Nations and making everyone feel safe. Jordyn Crampton summarized this video with her thoughts,

I really like the part where it showed both sides of the spectrum that if you're mixed, you're still facing issues, trying to become a part of the community. And for someone who is fully indigenous, having too strong features and feeling almost assimilated from the other group, there's no exception fully, no matter what percentage you are. And in addition to that, the blood percentage thing was made from a colonizer's perspective; no matter what percentage you are, we're all indigenous and we're all a community.

And I thought that video really represented us as a whole group instead of just one small fraction that we were placed in. And Derek said a really interesting thing in his presentation afterwards, that it wasn't for other people to claim us as indigenous. It's our community, ourselves, our people in our family who can claim you within the community and claim you as one of our people. It's not the government who decides who we are.

And then after Derek's presentation, Walter Spence had a PowerPoint on restoring Child and Family jurisdiction, which the co-hosts found to be quite sad because it related to so many of our Indigenous children. Wapastim shared his thoughts on Walter Spence's child welfare presentation:

And the reality is we really don't know where our children are when they're taken away. We don't know who they're with and all these underlying factors that makes Child and Family services a very scary thing for people.

After lunch there was an intergenerational video that talked about the relationship between parents and children or grandparents, and children and learning their culture. The cohosts found this presentation to be moving, to see the next generation continuing traditional beliefs. The presentation was followed with an intergenerational conversation with Roberta and Jenna Kent, who attended the virtual summit to share personal stories. Roberta and Jenna also finished their segment with a beautiful song.

Afterwards, we had a Promoting Our Language by Paul and Sophia Rabliauskas. Paul is a comedian, and his mother is a language speaker. These two showed a small clip of what they do separately. But together they operate an inspirational podcast which demonstrates how we can learn our language in a safe and comfortable space and that it doesn't have to be in a formal classroom environment. You could have fun learning a language.

Bridgette Laquette then presented on her personal experiences through her hockey career, as well as her upbringing and how her parents supported her through her dreams and how she was able to accomplish them. The co-hosts stated how they found Bridgette's presentation relatable and inspirational, that her struggles and overcoming those struggles can be applied to any walk of life, career or dream any youth may have. As Wapastim summarizes:

It's something that I think a lot of indigenous youth will have to face. It's that new frontier of relearning and taking control of your future and who you are. And that will be a difficult thing as our parents and our elders have forgotten some things over the years.

And so, in order to live a traditional life, whether you're a man or woman or two spirited or however you may identify yourself, it's a hard life. It's not supposed to be easy. And so, Bridget's presentation really impacted.

There was then a youth perspective on controlling your future by Rylan Bland. Rylan was also a youth employed by TFAO Inc over the summer and he shared his ideas on moving towards a better future individually and as community.

Jordyn Crampton

Yeah, he really grew in his place with our youth group the past summer and seeing him step up into his role was really nice to see and I did not know he wanted to be a firefighter.

That was really cool. At the end, we had a closing prayer by the Chief, and I believe. Yes. And that is where we ended the day. Thank you, Chief. Head again for yesterday's prayer. And before we get started, our first segment again, we want to introduce ourselves.

The two co-hosts then reintroduced themselves to begin the agenda of day 2. Jordyn Crampton is a Treaty 5 youth from York Factory and Wapastim Harper is from Berens River First Nation and Garden Hill First Nation. Wapastim acknowledged Chief Head again for the prayer morning along with Elder David Blacksmith for the pipe ceremony to begin day 2. Wapastim shared his view on the importance of bringing both religious and spiritual leaders together. Chief Head is not only a Chief but also a Christian minister, and Elder David Blacksmith is a traditional knowledge keeper and pipe carrier.

I know that in our territory we have a lot of Christian and traditional people. And so, it's important for us to unite not only against political and social issues, but also religiously and spiritually through ceremony, as it's not entirely been done before, as the relation between Christianity and our people has been pretty rocky, I guess. But it is important to have all representation at our meetings. And so, I am humbled and honored not only as a traditional person, but as a Christian person, to have both my religion and my spirituality be accepted at this meeting.

Jordyn then introduced the video “How we Persevere, a Self-Defense Video” developed by the Treaty 5 summer youth at TFAO Inc written by, and starring, Wapastim Harper. The video speaks to the threats against Indigenous sovereignty that First Nations continue to face, and the struggles to overcoming colonial threats of violence, from the youth perspective.

SELF DEFENSE VIDEO – TREATY 5 YOUTH WAPASTIM HARPER

We need to have a conversation that must start now in order for our people to come together against the common problems. You and I are like our brothers and sisters. We have to unite. Today, I will be talking about self-defense, the defense of our lands, waters, and citizens.

I start with a quote that Nelson Mandela once said. One man's terrorist is another man's freedom fighter. What is this quote about? It's about perception, really, and it's about how others views you when you're fighting for your rights.

First, we must talk about the purpose of this presentation: the defense and security of our lands, waters, and people. We must preserve our sovereign identity and we must maintain our traditional philosophies at all costs. There is a natural balance in nature and in life that teaches us peace and harmony which is to be maintained at all times. We must maintain respect for all persons, no matter their beliefs, race, and ethnicity. So, with this in mind, you have to ask yourself the question, "Who is a terrorist, a terrorist as a person or group that uses unlawful violence, intimidation and fear, against people and the pursuit of political aims?"

What is terrorism? Terrorism threatens the dignity and security of human beings everywhere and endangers innocent lives. Acts of terrorism include territorial invasion, public displays of aggression or hatred, public manipulation through media and government laws and policies. Now, we have to ask the opposite, "Who is a freedom fighter?" There are two types of freedom fighters, those who use violence and those who do not use violence. Freedom fighters utilize unity and prioritize their willingness to sacrifice for the cause.

Freedom fighters fight for the alleviation of state oppression; freedom fighters or people who impact the people, community, Nations, and world around them. But we must always remember that freedom fighters are people who are unnamed. I use this picture of Derek Nepinak, an activist and his Treaty, Freedom Ride, as an example, because everyone in that picture is a freedom fighter. Now we have to ask ourselves, "What does our Treaty say on conflict?"

Treaty 5 confirmed our sovereignty and self-rule. We believe we never gave up lands, sovereignty, and the duty to protect and maintain peace and order. I share with you some text from Treaty 5 regarding the Indians' promise that they will in all respects obey and abide by the law; and they will maintain peace and good order between each other, and also between themselves and other tribes of Indians, and between themselves and others of Her Majesty's subjects, whether Indians or white. It goes on to say they will aid and assist the officers of Her Majesty.

The Treaty never extinguished our policing systems. In fact, the Treaty recognized our capability and right to defend, protect and assist with our internal affairs, policing, and child and family services. These are important for us to defend. We need to ask ourselves, "Who are we?" We are sovereign Nations, we have the sovereign right as Nations to ensure the safety of our men, women, children, and territories as guided by the teachings and wisdom of our ancestors passed down from the Creator. We have to remember our ancestors did whatever was necessary, by any means necessary, to defend our lands, waters, and citizens. And we have to always remember that the women are pivotal in the protection and survival of our Nations and the nurturing of our people. Always remember that. As First Nations people in this colonial society that we live in, we have to identify the threats that face our Nations and our people: racists and racism that exists in the society that we live in today.

In Canada, there are currently 300 active terrorist hate groups. This includes the Ku Klux Klan, neo-Nazis and Skinheads, to name a few. These groups present very real threats and are not averse to attacking people of colour and fighting for what they believe is rightfully theirs. On another level, we have the Canadian laws and policies suppressing recognized rights, such as Treaty rights and inherent rights. This Canadian institution of laws is enforced by over eighteen thousand five hundred RCMP and police officers. These policing bodies even protect the mining companies that encroach on our lands and rights. Provincial managers are a threat when they are close to our First Nations. We don't know who lives there. We don't know what's going to happen. We need to be ready.

We must also remember residential schools still affect our people through what's called intergenerational effects and what's happening today, another, modern form of genocide through Child and Family Services, which prevents the transmission of identity and culture. I want to put some faces to the threats we face as First Nations people here in Canada. Specific residential school staff that prevented the transmission of identity, culture, and beliefs; we have to ask ourselves - who taught our people to hate the length of their hair, who taught our people to hate the color of their skin, who taught our people to hate the occupations that they do on the land, and who taught our people to hate being around even themselves is something to think about.

I share a photo of the Royal 22nd Regiment that was deployed in Oka in 1990. Over 4,000 army personnel were deployed in Oka to surround 50 men, women, and children. We know how that turned out. Canada deployed the same Royal 22nd Regiment to Iraq. But there was only half, 2,700 of them. I will explain why they deployed more to Oka than to Iraq in a later slide. Again, we see a repetition of events with the Royal Canadian Mounted Police in Wet'suwet'en just this year, in 2020. They invaded traditional ancestral territories, utilizing Gestapo tactics, and infiltrating First Nations.

I have to reiterate, with the increased violence of police brutality, why it's happening through the RCMP militarization, RCMP officers are armed with Smith and Wesson combat pistols and submachine guns, fire carbine rifles, riot gear, armored trucks, tasers, battering rams, surveillance and intelligence. That is a lot of stuff to take down the so-called terrorist freedom fighters. Canada justifies military and police actions through the Criminal Code of Canada.

I share with you section 25 of the Canadian Criminal Code. It states everyone who is required, authorized by law to do anything in the administration or enforcement of the law, if he acts on responsible grounds, is justified in doing what he is required or authorized to do, and in using as much force as is necessary for that purpose. What that says and what that means is if they can justify it, they'll do it to you. They used that in Oka, they're using that in Wet'suwet'en. And who's to say they won't use that against the rest of us?

We have to understand why they think that way, and it's right there in the original mission of the RCMP; the RCMP was created by the parliament of Canada in 1873 with the intent to control the Indians and protect white people who were taking "available" lands. I share with you a quote by Sir John Macdonald, "I have not hesitated to tell this house again and again, I cannot always hope to maintain peace with the Indians, that the savage was still a savage and that until he has ceased to be a savage, we are always in danger of a collision and danger of war and danger of an outbreak."

Savages who will cause a war. This is why they deployed 4,000 armed personnel to Oka. This is why they are deploying so many officers to Wet'suwet'en, in B.C. It's because they see us as the greatest internal threat to Canada. Another threat that we face as First Nations people is the Privy Council of Canada. The Privy Council advises the Prime Minister's office regarding state and constitutional affairs. Canada has prerogative powers. This means that they can do whatever they want, whenever they want to, to whomever they want.

I share with you a case from the late 80s, the St. Catharine's Milling and Lumber Co. v. R., which has been used as a judicial precedent throughout the years. The Privy Council in this case referred to the Royal Proclamation of 1763 when relating to land use by the Indians as a personal use of a usufructuary right. They said that you can use the land, but you cannot own the land, you don't have the mental capability to own the land. But why is that?

Why would they say such a thing? The most common answer is because of the doctrine of Discovery or the Indian Act or Section 91(.24) of the Canadian Constitution. But in fact, you have to understand the social climate at the time and that many people in government even had beliefs in social Darwinism or they thought European whites were at the peak of human evolution, while Asians, Africans, Indians, and any person of color were akin to an ape or a monkey, in a word, a savage.

With all of this in mind, as sovereign Nations who signed an international agreement with another sovereign Nation, we have to look at international laws. I share with you what the United Nations found on the effects of terrorism. Terrorism creates an environment of fear. It jeopardizes fundamental freedoms and aims at the destruction of human rights and humans. Terrorism has a negative effect on existing laws, it destabilizes governments, and is linked to serious crimes such as murder, extortion, kidnapping, assault, hostage taking and robbery.

Terrorism has adverse consequences for the economic and social development of Nations and jeopardizes friendly relations amongst Nations. Terrorism also threatens the territorial integrity and security of Nations, and it is a threat to international peace and security. This is what we're facing and have always faced terrorism from colonization. I also share with you the United Nations Declaration on the Rights of Indigenous Peoples and what it has to say about self-defense. Article 4 of the United Nations Declaration on the Rights of Indigenous Peoples states, Indigenous peoples are exercising their right to self-determination and the right to autonomy or self-government in matters relating to their internal and local affairs, meaning they have the right to police services and Child and Family Services, among other rights.

Article 29 states, Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. It goes on to state in Article 30, military activities shall not take place on lands or territories of Indigenous peoples. Article 37 states, Indigenous peoples have the right to recognition, observance and enforcement of Treaties, agreements, and other constructive arrangements. We have the right, as before mentioned, to enforce our capacity to defend.

Now, I love my people and I love the work that we have done to defend our lands, waters, and citizens, which is why I want to share some acts of defense. I share with you: the Chief, here in England at Buckingham Palace, holding up our 2005 flag. Why did he do this? It was in recognition of our sovereignty. Here we have Ovide Mercredi's response to the 1993 liberal Red Book outside a convention in Ottawa, 1996.

This was in response to broken promises on inherent and Treaty rights. Here we have Treaty 5 citizens erecting a territorial sign for Black River First Nation, an act of defiance and an act of sovereignty to let Canadians know that we are the protectors of the land. Here we have our former Chief Bill Traverse, climbing a flagpole at this protest against the erosion of Treaties. We have citizens at Hollow Water First Nation protesting silica sand extractions in their territories as well.

Here we have former Chief Gilbert Andrews of God's Lake First Nation, who abducted Indian agents during an infrastructure meeting. I'll tell you what. He got the funding. I would like also to share a quote by Chief Dan George, "Where no one intrudes, many can live in harmony." Our traditional warrior societies, they are our armies. Warriors are very distinct women and men in the clan, tribe, and Nation. Women are pivotal to traditional warrior societies, and they defend the Nations.

These warrior societies have sacred obligations to protect the people, land, and all Creation. In turn, Creation protects us. Traditional warrior societies have strength and bravery, generosity, spirituality, and peacemaking skills. And there's also contemporary warrior societies that exist across Canada. And what is important to take away from this is if we're going forward and defending our people, it's good to know all these international laws and different forms of self-defense models, but we have to root it in ceremony like our ancestors did.

We have to root it back to who we are as First Nations people. I share with you the Bear Clan, which was founded in 2014 by James Favell. This movement was formed after the death of Tina Fontaine and the desire for justice and to fight inequality faced by Indigenous peoples in Canada. The Bear Clan recruits volunteers to patrol the streets of Winnipeg, Manitoba. They maintain peace at defense rallies, and they search for murdered and missing Indigenous women and girls; they even provide necessities for their volunteers.

And they have inspired many more Bear Clan patrols across Canada, including Brandon and Thompson. Idle Know More, which was formed in 2012 by four women, Jessica Gordon, Sylvia McAdam, Shirley MacLaine and Nina Wilson, was developed to restart Indigenous nationhood, environmental protection and re-establish connections with the Nation-to-Nation relationship established in the Treaties. This was a grassroots movement that inspired all to join, and it was meant to inspire the next generation of warriors.

Protests happened from coast to coast to coast, and even inspired the Chief of Attawapiskat to dispense her fast, and the Cree youth to walk from James Bay to Ottawa, which is a 1,600-kilometre walk. The American Indian Movement, or AIM, was a grassroots movement formed in July 1968 in Minneapolis, Minnesota. It was founded by Dennis Banks, Russell Means and Clyde Bellecourt, and it was formed to address the systemic racism and police brutality against Indians in the United States of America.

Some notable feats that AIM has done is they marched across America to speak about the wrongdoings against Indians and about how treaties were being ignored. They occupied the Bureau of Indian Affairs in order to talk about treaties with the White House. They've even had a major impact on international Indigenous movements that are still around today. Again, I will reiterate the fact that I like to do extensive research on topics, which is why I would like to share non-Indigenous forms of defense. The Fruit of Islam, the Fruit of Peace, as Islam means, therefore, why one of the original institutions of the Nation of Islam was created in the United States by Wallace Defarge Muhammad.

On July 4th, 1930, it recruited the young men of Islam as soldiers for their paramilitary wing. Now, they didn't carry weapons. They just knew how to do hand-to-hand combat. They did night and day patrols in the neighborhoods. They did protection and services and protests. They were there to protect the black community and Nation of Islam. And they were even the bodyguards to Malcolm X. The Black Panther Party, or the Black Panther Party for Self-defense, was an organization founded to address the injustices done to the black people in the United States.

It was founded by Huey Newton in October 1966 in Oakland, California, and it was guided by the ten-point program, for example, we are one, we want freedom, we are empowered to determine the destiny of our people and our community, and We want an immediate end to police brutality and murder of black people. Now, there's a lot of misconceptions about the Black Panther Party. They did not go out and arm indiscriminately. In fact, they helped young children walk to school.

They fed the homeless. And what they did was they followed police with guns and video recorders. There was a story where an officer had pulled over a black man and the Black Panther Party was following them. Black Panthers pulled over and all up the street, they got out, got out their guns and video recorders. And all the police officer heard was they were ready to defend. We need to be ready to defend. I mentioned these two parties, these two organizations, because they are similar to the Bear Clan, and the American Indian movement.

It's about defense and defending our people. Now, don't be too alarmed. There's also a lot of misconceptions about anarchy. Anarchy is a political ideology that seeks accountability, freedom, and egalitarianism and equality. Violence is not an intrinsic aspect of anarchy. Anarchy is the organized alleviation of state oppression. Anarchism is a form of direct democracy; you might have heard the term 'for the people, by the people', and it's what the ancient Greeks followed.

There are many subcategories of anarchy as well, including anarchy. Feminism, which is matriarchy-based, is the fight for women involvement in your Nation, community, and world around you. There's also green anarchism, which is the environmental exploitation fight, and there is anarcho-pacifism, which advocates for non-violent forms of resistance. That is what Gandhi followed. Gandhi was considered opposed to violence; he believed in non-violent struggle. Indigenous peoples relate to the above-mentioned types of anarchism, the alleviation of the Indian system to prevent the abuse of our women, to prevent the abuse of our natural resources, and to put a stop to police brutality.

The following people have been labeled as anarchists by others in society: Martin Luther King in his speeches, Malcolm X, who worked alongside Fruit of Islam, John Lennon in his song writings, and Che Guevara and his revolution.

Comments

Jordyn Crampton

That was a really good video. I personally liked how you pointed out different definitions and eased your way into this serious topic because not everyone might know about certain things, and different definitions of terrorism and what could be, or identifying the threat. I really liked how you pointed out there's more than multiple threats. It's not just the government, it's also mining, it's also the RCMP, and that was like a good learning moment for me because I always kind of just blamed one general umbrella term.

Wapastim Harper

Yeah, that was the intention for the video, that I don't think it's talked about enough. How many dangerous aspects our people face, like if your First Nation's really close to a white municipality, that's opportunity for your people to have easy access to liquor and drugs or nowadays it's cannabis dispensaries. And you have all these colonial institutions in these municipalities that are so close to our First Nations that we're losing our youth to these institutions. We're losing our youth to liquor, drug and cannabis use and they, in a lot of cases, end up in courts and penal institutions. And many end up homeless in Winnipeg, Brandon,

Thompson and other centers. It's a fact that many more of our people are affected or impacted and one of the things that happens is children are apprehended and they become lost.

And these situations don't need to happen. What needs to happen is we need to bring our people home. We need to make sure that they eat, that they sleep, that they're educated, and that they know the dangers out in the world. We can protect our brothers and sisters, so that we can bring the number of lost people down, for instance, the eighty-four percent who are involved in child welfare. We can bring that number down and we can make it safe for people.

Questions

What do you truly feel about the Canadian government and what would you say to Canada as a young Indigenous man?

Why am I so off? Why is it so off to not have to be afraid to walk with my back to a cop and be afraid of getting shot from behind? Or why? Why is it unreasonable? Like why? Why is it a challenge for people to have clean drinking water or why is it wrong for us to learn our languages or to have access to our territories? Why is that wrong? Why am I upsetting you so much to the fact that you're willing to shoot me in the head for it and to incarcerate me, to ruin my reputation, to take my woman away from me, to hurt my sisters, to hurt my mother, to hurt my grandmothers.

Why? Why me being on my land, being on the lam? The Creator told me to look after why. And I think that's the only question I would truly ask Canada is why - why do you have to hold so much anger?

You talked about hatred, and it's clear to us, and I'm sure to the viewers that you have a very strong feeling towards the government. Another question is, what is your advice to our people that are holding the same anger and are just tired of the tolerance we have to hold towards white people and their ignorance?

I think if we look at the history of our people, we've been downtrodden for so long that it's become the norm, and that's not okay. It's not okay to tell your kids that our people are just sad people and they have given up because it's not true. That's not what our Elders tell us. That's not what our parents tell us. But that's what the government tells us, that we're just sad and we have accepted what they give us. Sorry, people. Of course, I think a lot of First Nations people go through that hate for the white man, that hate for Canada, that hate for racist people.

But for me personally, I think that I detest the violence. I would never act to hurt anyone indiscriminately, to never target one person. But I do believe that Canada has done criminal things and criminal actions. They're the criminals. They're the ones who stabbed the knife into our backs and are still pulling it out. We're only now healing from the wounds after such a long time.

So, I think that is what Canadian people need to know and to understand, that we have suffered for a long time. We are patient and we have been here longer than they have and will be here longer than they'll ever be. We'll be here long after Canada passes, and we will see the fruits of our lands and territories again. We'll see the fruits of our negotiations, the efforts our people have gone through. We will one day return to a place where we can honor our brothers and sisters that were lost, the casualties in this long war.

The kids that commit suicide, the sisters that go missing, the mothers that go missing. All of that is important for us as Indigenous people, if you're a man, if you're a woman, if you're two-spirited or however you identify, and we need to take action. What are you going to do if someone comes at you with a gun, a taser, a rope, or a chain? That happens to a lot of our people. So, I think that's an important question for people to sit on, at least to think about, "What are you willing to do to protect everything your ancestors fought for you to have, and for your children to have, for the next seven generations?"

What advice would you give to those youth who are tired of even our own people and our community not stepping up for us or hearing our voice?

That's a good question. It's about fear. It's that fear-mongering that Canada is so good at, that keeps us under their thumb. To them, we're a dollar sign. We're the poorest of the poor, all the way at the bottom of the pyramid in their system. And because we're so poor, everyone else is above us and they want to keep us like that.

So, we have to get over that colonial mindset of being at the bottom, because our Elders tell us, and have always said, that we're rich - we're rich people. Not in the money sense, or tangible senses, but with our words, we're rich with our words and we're rich with our ears because we're able to listen to all walks of life and to all people. And we're rich with our eyes because we can see the spirit world, and we can see the aura, that spiritual aura around people. So, we have gifts, we have that richness in this already, and we have to instill that into our people to remind them that money is not the crux of the world. The money is not important to us, not as important as unity can be. And so, for youth who are struggling to get their voice out, struggling to bridge that intergenerational gap where you can, as a kid, go sit at the table with your Chiefs and tell them how you feel, or your Counselors, or any other kind of leader, whether in your Nations or communities.

I'd say just go for it. Just say how you feel because that is the spirit in you, that medicine, that voice. That medicine will come out and will guide how you speak. It will articulate it almost for you. And you won't even know what you're saying half the time (laughs). No, but it will genuinely guide you if you truly believe in what you're saying. And your people will see that, too, and they'll support you, especially because you're a kid.

Earlier, we had a conversation that relates to your video of the new law in Canada regarding protesting. How do you think that affects our youth and our community?

So, what you are talking about involves Manitoba's Bill C-57, which criminalizes protesters anywhere in Manitoba. I think that is completely unjust. We are being denied, not only civil rights, but human rights to protest on our lands and territories, to protect them for our children. And I don't think Premier Brian Pallister has any clue, or any idea, what our land means to us, what our people mean to us and what our future means to us.

And I genuinely believe that if we were to show him peacefully, calmly and respectfully how much this stuff means to us, how much of this you know, I don't speak my language, but if there's a word for that feeling that all of this and all of these things that are interconnected brings to our people that one word, if we can show them, if we can show the white world that spark of inspiration, and that spark of power that our ancestors had for thousands of years, I genuinely believe that we can have our problems begin to fix themselves overnight.

You can use the power of prayer; God works through the night, and He'll make things better in the morning. I genuinely believe that. And if it's important for us to educate ourselves, our people can take a stance so that we can do it properly, and so that we do not act indiscriminately, and so that we do not cause unwanted violence and only defend what is ours by right.

Those are my thoughts on the lives of those protesting. So that's Bill C-57. So, my thoughts on the laws against protesting, once again, is that they are an intrusion on our civil and human rights to protect and to protest. Don't be surprised that sharing our thoughts will probably go under scrutiny and the laws will criminalize us as they criminalize protesters.

And to go forward through that and to see how that impacts our people would be interesting. I'm not entirely sure how to answer that question about what I truly think about it, because in reality, at the end of the day, I would still go out to protest, even to fight. I don't think any of their laws would stop me from protecting what I believe in and what is rightfully all ours.

It would be great to have access to the videos. Is the video available on our website specifically?

Some are. I don't think the self-defense one is up on the website yet. Because of Covid, we alternated between projects, especially if you listen to our radio show on NCI, we were just bouncing between stuff. But I'm sure if we did it properly and fixed it up, we could have the video out in about a month's time, possibly.

Wapastim Harper

So, for our next point of discussion today, we will have an Okimowin discussion on what has been done up until now with my dad, Louis Harper.

OKIMOWIN - LOUIS HARPER

Louis Harper, the Executive Director for TFAO Inc Treaty 5 Office, gave a presentation on Okimowin. Okimowin means self-government in our language. More specifically, he presented on what the Treaty 5 Office is doing to restore Okimowin within the Treaty 5 territory.

I'm going to start off by talking about an old friend. His name was Rarihokwats. He was an Elder. He was over 80 years old, and he recently passed on to the spirit world. But I want to commemorate him because he did a lot of work for Treaty 5. Rarihokwats was a lecturer, historian, and he worked with First Nations right across the country and more specifically, before he passed on, he worked with us considerably.

Louis then asked Wapastim to recite the Story of Treaty 5 that was written by the late Rarihokwats. This shortened version is helpful and important towards understanding what Treaty 5 is and how it came to be.

The Story of Treaty 5 – Rarihokwats, Read by Wapastim Harper

Treaty 5 is known as “the Winnipeg Treaty.” It was entered into in 1875 at Berens River and Norway House by the Queen of Great Britain and Ireland and the Saulteaux and Swampy Cree Tribes of Indians. Additional adhesions to the Treaty were entered into in 1876. Through the Treaty, the Queen received the right to take up certain lands for immigration and settlement with the condition that the Canadian Government would pay compensation to the Indians for the use of Indian land.

These were tough times. The Indigenous peoples who had depended upon the fur trade found a dramatic decrease in their well-being. There were fewer animals and lower fur prices. Unlike the southern Indigenous peoples, agriculture was not a viable option. There was starvation around the Hudson Bay Company Post at Norway House. Smallpox continued to ravage entire villages. European settlers were starting to move into the territory.

To understand the Treaty, we also have to understand the historical situation as it was in the 1860's. What is now Treaty 5 territory did not have much settlement, but settler governments wanted to acquire the lands around Lake Winnipeg for resource extraction, and to have a secure transportation route to the West. So, in 1875, the government appointed Lieutenant Governor Alexander Morris and a well-known multi-lingual Metis trader, James McKay, as Commissioners to handle arrangements for Treaty 5. McKay has been described as “thoroughly understanding, of Indian character, he possessed large influence over Indian tribes, which he always used for the benefit and the advantage of the Government.”

Decisions made were that they (Morris and McKay) would offer less favorable terms to Treaty 5 than had been set out in earlier Treaties. The rationale was that the lands in the northern region, which included what is now Treaty 5, were not as valuable as the agricultural lands in Treaty 3 and 4 territories. They would offer to set up reserves of only 160 acres per family of five, rather than the 640 acres in Treaties 3 and 4. A gift of only \$5 would be offered instead of the \$12 in the earlier Treaties. The Treaty states that the Indigenous peoples would give the Queen's people free navigation of all lakes and rivers and free access to the shores.

Otherwise, Treaty 5 would be similar to the earlier Treaties – there was little room for negotiation. And, as had been the case in Treaties 1-4, the Government's conduct indicated it had no intentions of following the Orders of Queen Victoria on fair and equitable compensation in Treaty 5.

So, this was the background and setup when Commissioners Morris and McKay set sail from the mouth of the Red River in the Hudson Bay Company's new propeller-driven steamer, the *Colville*. After having to wait two days for northerly winds to stop, they sailed north to Berens River, arriving at 9:00am, 20th of September 1875. The Treaty meeting took place at the Wesleyan Mission school house near Berens River Hudson's Bay Post. It started at 4:00pm and adjourned at 11:00pm. According to the text of the Treaty, in those seven hours, the Treaty was agreed to, and the Chief and headmen had signed the document. It took until 1:00am for everyone to receive their \$5, all recorded on a pay list. The \$5, incidentally, was not intended to be payment for the lands – rather it was “a gift from the bountiful benevolence” of the Queen. Despite this historical account on the time spent to negotiate Treaty 5, the Elders of Berens River said Chief Jacob Berens had negotiated the Treaty 5 annuity which took days. Given this assertion there is some question as to the veracity of the official historical account.

It was all done in that afternoon and evening. “Here's your Treaty. Sign here.” (Not all of the people of the area were present – other Commissioners had to come back the following year with the remainder of the Treaty annuity payments cash money)

If the Treaty can be interpreted as the government interprets it, the Indigenous people had just ceded, released, surrendered, and yielded up forever all their lands, lakes, rivers, streams – their entire livelihood, their children's entire heritage. This is not true according to the Indigenous Peoples. Lands not taken up for immigration and settlement were to remain “reserved for the Indians.”

After the “negotiation” at Berens River was completed, the Commissioners set out the following morning for Norway House, 189 kilometers north along the east coast of the Lake via the Nelson River. Again, there were strong winds, and they had to remain at anchor all day, setting sail at midnight. At 9:00am the next morning, 24th of September, they passed the old, abandoned Norway House post and went on to the new post at 3:00pm. There they met in a large warehouse of the Hudson's Bay Company with two groups of Cree. One group had converted to Christianity. The second group, known as “the Wood Band,” had not converted (except for their Chief, Tapastanum, also known as Donald William Sinclair, who had recently been baptized).

The Commissioners' strategy was to talk first about the terms of the Treaty. Everything was translated by James McKay. After they set out the terms, they talked about reserves. The Christian group was told that a reserve would be established for them at Fisher River in Treaty 2 Territory to the south. The non-Christian people would get their reserve on the west side of Cross Lake on Otter Island. There was more talk, the Treaty was finally signed, the medals and uniforms presented, and the payments made. The Chiefs then “thanked Her Majesty and her officers for their kindness to the Indian people.” The whole affair ended the same day it had begun.

Then the Commissioners headed toward Grand Rapids on the Saskatchewan River, 130 kilometers southwest across the Lake. That Treaty meeting took place on the 27th of September in open air on a cold morning. A large fire had been built. The Commissioners used the same strategy that had worked so well for them at Norway House. But there was an additional problem with the reserve's location. The village was on the north side of the river, and the Commissioners wanted it to be moved to the south side. The community demanded \$500 to cover the cost of moving and rebuilding. The Commissioners agreed to pay that amount the following year. (The following year when other Commissioners went back to pay the \$500, the Chief of Grand Rapids was surprised – he thought the negotiations were still going on and that the discussions about entering Treaty were still continuing.)

Nonetheless, their work done, the Commissioners headed back to the Red River Settlement. On the way, they encountered Thickfoot, a spokesperson of the Jack Head Point people, along with others from Big Island, Black Island, Wapang and other islands in the area. They told the commissioners they had heard about the Treaty and wanted to be included. They also requested a land parcel along the main shore, where they could farm and fish. Thickfoot demanded that the Commissioners appoint him as Chief; they did, over the objections of the people involved. Everyone was told to meet with the Commissioners at Dog Head Point next summer to select a reserve.

Eight days, four Treaty meetings, 400 kilometers of travel on the waters after the first meeting, and it was all done.

But the Commissioners continued tinkering with the Treaty. Without the consultation of the Indigenous peoples involved, the Commissioners decided to alter the western boundaries of the Treaty, so as to go all the way west to include the Swampy Cree at The Pas settlement on the Saskatchewan River. Thus, the boundaries were altered without obtaining consent – the Commissioners recommended that those after-the-fact discussions would take place the following summer. This format of being fast and loose with the negotiations supports the view that the treaty process was one-sided and was rammed through without the consensual parameters of the Indigenous people.

Then the Commissioners headed for home in the Red River Settlement. Their diaries recorded that they thought everything had gone well. They boasted of adding to Canada's territory 258,989 square kilometers of lands, waters, and resources. The area ran from the east shore of Lake Winnipeg all the way to the west of Cumberland House in Saskatchewan, and as far north as Split Lake.

(The above is an excerpt from the Treaty 5 Okimowin Reference Guide which is available at the TFAO Incoffice as part of our Nation Rebuilding workplan and efforts)

Louis Harper

This short Treaty 5 story was read at this youth gathering to make sure that we all understand Treaty 5, it's meaning and how it transpired. One of the things that we have to understand also is that even though the initial Treaty signing at Berens River, Norway House and Grand Rapids and other communities took place in 1875, other treaties were signed. They call them the adhesion to Treaty 5 treaties which were signed until 1910, on various occasions. Rorihokwats told us that "there were hardly any negotiations". For example, in Oxford House when the Treaty Commissioner arrived there, what he did was he read out the Treaty, the Treaty provisions, the Treaty itself. And when the people understood, then accepted the Treaty, then he asked who the Chief was and apparently, they had an election to name a spokesperson. Then, after they elected the Chief, the Commissioner gifted the Chief a Treaty medal and a uniform, and a flag that they put over his shoulders. So, it wasn't really negotiations at all. And so, the leader that was appointed, elected at the time, became only a symbol, not a negotiator and we should understand that. The treaties are misunderstood, but one thing for sure, and the courts of Canada have determined that treaties are alive today, they're well and alive, and they're not historical treaties, as people would refer to them: they're alive today and current.

The task for the leadership and the purpose of TFAO Inc's office is to ensure the promotion, protection, and implementation of all of Treaty 5, including the adhesions.

One of the other things Rorihokwats said was that we live with lies. Lies that the Canadian government is perpetuating, telling our people and what we're learning in school are the untruths. Rorihokwats said that the Truth and Reconciliation Commission reported that lands were seized, populations were forcibly transferred, their movement was restricted, languages were banned, spiritual leaders were prosecuted and punished, spiritual practices were forbidden. Also, the objects of spiritual value were confiscated and destroyed, families were disrupted to prevent the transmission of cultural values, identity, and history from one generation to the next. Canada did all these things.

How could that have happened? Well, it's very simple, he said. From the beginning, settlers who took over Canada engaged in an intentional campaign of deception, which has now become the "truth" institutionalized as Canada's official history. This is the history that you learned when you went to school and those of you who are still in school

are still learning it. It has been embedded in one generation to the next to the next. And the right questions are no longer being asked. What the courts have ruled over the last hundred and fifty years, the government policies that were imposed for 150 years have created a new law, a new history which conceals and hides the true facts. Canada has been built on a foundation of false pretenses, premises, and institutionalized amnesia. A country cannot be built on a on a living lie, and that's the problem Canada has today of trying to reconcile all the evils and illegal actions that has happened into a good positive relation, what they call reconciliation.

But it doesn't fit because they are asking you to recognize what is not true. We've all been deceived and our task today, your task today and my task and all of us, is to find the true facts, make them known, and to change the course of history to one that is honorable and has a good foundation.

(This excerpt is taken from a Treaty 5 Youth Booklet and is available at the TFAO Inc office)

Mr. Harper then provided the purpose and brief history of the Summit of Treaty Five Sovereign Nations and the TFAO Inc Office. In 2017, a decision was made by an official resolution passed by the Treaty 5 Chiefs attending an Assembly of Manitoba Chiefs conference. Simply put, the resolution was to start addressing Treaty 5 rights. The resolution also included a mandate to set up an office, a Treaty 5 office. So, in 2017, TFAO Inc office was established and is now situated at 499A Madison Street, Winnipeg, Manitoba. TFAO Inc's offices are open every day and has accumulated a lot of information and books that we can share.

The first meeting with the Chiefs happened on January 30th, 31st and February 1st of 2018. Treaty 5 is not just Manitoba Treaty 5 Nations. There are three Treaty 5 Nations from Saskatchewan, which they are Cumberland House Cree Nation, Shoal Lake Cree Nation, and Red Earth Cree Nation. Each are very active with the work that we do at TFAO Inc. In Manitoba there are thirty Treaty 5 First Nations. There are also seven Treaty 5 Nations in Ontario. Altogether there are 40 Treaty 5 First Nations,

TFAO Inc was given the mandate to begin dialoguing, to start talking to the government of Canada, the Crown, regarding Treaty 5 self-government, including how can we remove ourselves from the Indian Act. As such, one of the main projects, one of our main purposes of our Treaty office in Winnipeg is to look at different governance structures and systems, and hopefully in the future, the near future, remove ourselves from the Indian Act legislation. The Indian Act is a piece of paper that governs our people, what we can do and what we cannot do. It outlines the powers of the Chief and Council.

Regarding the work TFAO Inc does on behalf of the Summit of Treaty Five Sovereign Nations, one of TFAO's projects is called the Nation Rebuilding Project. TFAO engages with communities to talk to the people on Nation rebuilding and to explore new governance structures and government models from the First Nation sovereign perspective; meaning we can rebuild our Nations without Canada's directions or interferences; ultimately to remove ourselves from the Indian Act. The Nation Rebuilding project will end in 2024. Originally, it's a concept that came from the Royal Commission on Aboriginal Peoples Report (RCAP). RCAP's recommendation was, why don't we look at the old ways in which the First Nations used to organize themselves as Nations, in nationhood. This is the concept of The Summit of Treaty Five Sovereign Nations, and why it is called Nation Rebuilding. TFAO explores the possibility of putting First Nations together as a government, a new government that manages the affairs of our own peoples and lands. This process is funded by Canada because they believe that this this may be a good approach.

The other initial project being worked on by the TFAO Inc team is the Recognition of Indigenous Rights and Self-Determination (RIRSD). While the Nation Rebuilding project involves talking to the people through community engagement, the RIRSD project is about talking to the Crown, or the government. There are six items that the Crown has agreed to talk about: 1) Natural Resources, meaning the lands and resources 2) child welfare, 3) Nation-to-Nation relationships, 4) self-government models and processes, 5) fiscal

relations, including how we will fund a Treaty 5 Okimowin, and 6) Treaty annuities and sharing the wealth. TFAO has been busy talking to the government for the past two years on those six items and will be having roundtable discussions on many of these items this year.

We also started a child welfare reform project. This is an exploratory project, and our mandate is not to establish a child welfare agency; those exist already for our people. Instead, the child welfare mandate is to talk about how we can recognize or develop our own child and family services within the Treaty 5 government. One idea is based on the inherent custom child welfare practice, meaning understanding how we raised our families before Europeans came to our lands? How did we cover our child and family services? The other thing that TFAO is looking at is a recently legislated Canadian law, Bill C-92. What Canada said in relation to this new law was that they're telling First Nations we can get more jurisdiction. That we can restore more jurisdiction through this process and the limitation to this new process is that they're telling us what the parameters are going to be. Basically, it's a new system that's going to be based on Canadian law. So TFAO's project is based on the inherent custom child welfare practice, and the other one is on Canada's child welfare reform under Bill C-92. TFAO has only just started this project recently and is currently organizing the work ahead. Part of the work will include going to the communities to have discussions with the people.

In 2017, the Summit of Treaty Five Sovereign Nations began the process of looking at alternative structures and systems to the Indian Act. Treaty 5 First Nations never liked the Indian Act and agreed with the government that the Indian Act must eventually go, so that's why TFAO was established. The government of Canada had established exploratory tables under National Rebuilding and under the Recognition of Indigenous Rights and Self-Determination, and this was all about looking at different government systems other than the Indian Act.

Today, the Treaty 5 Summit resolution and First Nations engagement discussions on alternative government structures has led to the drafting of a Treaty 5 government constitution. This Treaty 5 Constitution has been presented to the Treaty 5 people at our last summit and overwhelmingly, the First Nations supported the new constitution in principle. In principle means that they agreed to the intent and content of the first draft. What the Treaty 5 people said was to continue drafting, refining the constitution and make sure the people of Treaty 5 know about the Treaty 5 Constitution, which means that TFAO Inc. will have to go to the communities to talk about this.

In 1966, the government of the day, Prime Minister Elliott Trudeau and Jean Chretien, then Minister of Indian Affairs, asked Professor Hawthorne to do a report on Aboriginal peoples, their struggles, their economic status, their political and legal status. This report is known as the Hawthorne Report, and it recommended that there should be a change in policy towards First Nations.

The Canadian government of that day established what is known as the White Paper in 1969. This paper said that Indians will no longer be treated as Indians. They will be immersed or integrated into the Canadian body, the general society. They will not have reserves and they'll take away the reserves. While Canada thought this was a good policy, the First Nations across Canada began protesting, stating that the White Paper was not acceptable, that we have to protect our Treaty rights, inherent rights, we are special. We have special status here in Canada. So, the White Paper was defeated. And that was the end, the end of the White Paper of the day. But one of the things that has been noted is that behind the scenes, the government of Canada is still implementing the White Paper which presents ongoing issues.

Then in 1982, the Canadian Constitution was amended to include Section 35. Section 35 affirms and recognizes our Treaty and inherent rights. Based on this Section 35, there have been many court cases, one of which is called Sparrow. In the Sparrow case, the Supreme Court of Canada recognized that First Nations have a right to self-government. So, the following year, there was another commission, called the Penner Commission. This commission was about looking at self-government. One of the report's recommendations was to give First Nations the right to self-government. The report recommendations led to the Charlottetown Accord, a constitutional revision to include Aboriginal self-government rights and recognition as a third order of government, equal to the federal and provincial governments. There was a referendum, a vote on the Charlottetown Accord across Canada and it was defeated. Ovide Mercredi was the National Chief at the time.

In 1995, Canada wrote the Inherent Right to Self-Government Policy. This policy has been rejected by First Nations; one reason we have these Nation Rebuilding and RIRSD projects is to look at these different approaches and explore how we can attain self-governance. If Canada and Treaty 5 First Nations agree to a process, then we would undergo a self-government negotiations process.

In 2015, the Truth and Reconciliation Commission provided their report. Their main focus was to reconcile the damages, or the wrongs, that were inflicted on First Nations people. In their report, they use a term they call “self-determination”, which is similar to self-government. But self-determination is about having the authority to determine your own destiny. So today, Treaty 5 Office’s process is about addressing the struggles on self-determination and self-government.

Okimowin Models

Mr. Harper then went over the different Okimowin models TFAO Inc has been exploring. These models were developed through intensive consultations and engagement with different communities in our Treaty 5 territory.

One of the models that came out of engagement sessions is an *Individual First Nations Model*, that means your own First Nations would go on their own in negotiating their own governance models. That is, they will act autonomously. Louis then used Sioux Valley Dakota Nation as an example because they acted on their own and now have a self-government model in practice.

Another model is a *Regional Government Model*. A regional government model is about cultural language affiliations. A good example of that is Island Lake. Island Lake is currently looking at a regional government model.

The third model that is being explored in the engagement sessions with the Treaty 5 First Nations, and one that was articulated at the Treaty Five Summit, is to start looking at the *Treaty 5 Okimowin Model*. This means all Treaty 5 Nations in northern Ontario, Manitoba and Saskatchewan come under one umbrella, one government. The TFAO offices started looking at that and have begun drafting a Treaty 5 Constitution, as mentioned earlier. During that exercise of drafting the Constitution, what emerges is a structure, a structure of Treaty 5 government that was presented and agreed to in principle at the Summit.

Questions

What drives you to continue to fight for our Treaty and our people?

Well, apart from myself personally, I've always had an interest in our rights. I recognized at a very early age that something was wrong. My grandfather, his name was Thomas; we had a practice in our family of sleeping over at our grandparents' place. And one morning when we got up, it was so calm as we sat outside, and he said to me, “Look at the lake.” It was just clearer than clear and there was no wind, and I could really see the land. My grandfather made a comment I have always remembered, he said “This is your land, take care of it.”

So, at the very young age, I thought, well, that's my land. And as I got educated, went into high school and university, I began to realize that our land was taken from us by the colonial government. And those colonial laws have been put in place to make sure that that ownership is with the Canadian government.

So, I studied the treaties. And the more I read, and I mentioned Rarihokwats and what he said; what he said was, it's a lie. Treaties were signed to share the resources, to share the land with the white people; not to take over totally. So that's my interest. The other motivating factor for me is the people who share the same perception. And more recently, it's the resolutions that decision making by the people and the leadership that says, “Let's do something, let's do something to address our Treaty rights.”

What is your dream for the youth here today in the summit and for the seven generations to come?

Let me begin in 2017, 2018, when we first had our Summit, the people came in droves to attend. The leadership passed a motion at that first conference, and it said, make sure you involve the youth, make sure you involve the women and the Elders, make sure you preserve and use the language. That was the motion that was passed. And I think what we've done has been a good thing at our office.

We have ensured that the youth are involved every step of the way, and this conference is an indication of how dedicated we are at the Treaty Five office to make sure that the youth are involved and to provide more understanding to the youth about our rights in general: Treaty 5 rights, inherent rights. Our Nations are going to be stronger if we invest in the youth, if we take the time to teach them what we know as Elders, as adults - to make sure that they're on the right foot as they go forward because they will be the leaders. What I mean by leaders is in the very near future they will become leaders in their own right, in the business world, in the medical, legal, or social fields.

Some of you will become leaders of your Treaty 5 Nations. I said this, years back, and I wrote in this Treaty 5 youth booklet, and that's the investment as an Executive Director for TFAO Inc, I've committed to do that.

Who is the Crown? Would you elaborate and explain more on who the Crown was or is?

The treaties of Canada were made between the Crown and the First Nations, and the Crown was the king, or the queen, at the time of the signing of the treaties. It depends on what year a particular treaty was signed. So, that's who the Crown is and everything the government of England and the government of Canada do is in "right of the Crown" or, they act on behalf of the Crown. So, when they signed treaties in Canada, they signed on behalf of the Crown.

The Crown is the queen at the time of our Treaty. Everything, every business the governments do, they do it on behalf of the Crown. Even though Canada is now supposedly an independent country, they still use the word Crown in Ottawa, and in the provinces. It's symbolic. But for me, if you're going to use the word Crown, then you haven't separated from England, you're still part of England, if you're going to use that term.

Can all of this information go into school curriculums?

The answer is yes.

As you know, the law prevents us from having our own curriculum. Like what Rory said, "The history is all lies." What you learn in school is a lie. So, we have to set the story right. When we decide to have our own curriculum, the province is the one who has authority on the content. The province has authority over education. What is being taught in schools in Canada? It's called the Dividing the Powers, or the Division of Powers.

Regarding curriculum development, the answer is yes, we can do it, but it has to be under our authority. Treaty 5 First Nations leaders have said, "Just do it, assert our authority and develop the curriculum as you see fit." So, we did exactly that a month ago and started developing our own curriculum based on this book. It's called the Summit of Treaty 5 Sovereign Nations. This is a training book, a resource book. We also wrote up a curriculum for how schools can start teaching using this book.

Who did we sign the Treaty with then, was it with the Crown?

Yes, in Treaty 5, and in Treaties 1 to 11, we signed the treaties with the Crown; it was Canada and its commissioners who negotiated the treaties. But at the end of the day, when they signed on the dotted line, or put their X's, it was with the Crown at the time, and it was Queen Victoria for Treaty 5.

TWO-SPIRITED PEOPLE VIDEO

After TFAO Inc's Executive Director's comments, the Virtual Youth Summit began the segment on celebrating two-spirited people. This segment began with a few introductory words written by JoHannah Minty, another youth in the TFAO office.

JoHannah Minty

Traditionally, Anishinaabe people have always had stories of transforming spirits. Take Nanaboozoo, a spirit known by many names and many forms, and blessed with the ability to change shape, shapeshift and transform. The spirit of our people are sacred beings possessing the same magic as the spirits from our creation stories.

The hatred, fear and rejection of the true spirit of our people that we face is not our own. It is a poison planted by the colonizers. It is essential to protect, uplift and respect our true spirit of people because they are a gift and they have a power to lead us to a better tomorrow, to our true spirit of people. Today, you who are two-spirited are seen, you are loved, and you are worthy. This is a video showcasing and celebrating our two-spirited people. Please enjoy.

The Two-Spirited People video which was very well received by those in attendance. So much so that they wanted to play the video again. However, due to the timeframe, the video was played later in the day. The video will be made available on the Summit of Treaty 5 Sovereign Nations' website and the Mamaaw Kaakike (Treaty 5 youth) website, as well.

CELEBRATING TWO-SPIRITED PEOPLE – VANESSA TATE AND JAMES HARPER

Vanessa Tate

Vanessa Tate is proud of who she is as a two-spirited person. She is a role model, an advocate, community leader, educated, a lifelong learner, and a survivor. As she says, "I am me and I am proud to be me."

Vanessa is also a recent kidney donor. On July 16, 2020, she donated her kidney to her dad. This comes to show that two-spirited people are healers. Vanessa has also accomplished much in her time. She graduated from grade 12 with class distinction as valedictorian. She holds a master's in development practice, where she graduated with highest distinction and got the gold medal for having the highest-Grade Point Average (GPA) from the University of Manitoba. She also holds a bachelor's degree, a certificate in Indigenous Women Community Leadership, and has visited Kenya, Africa, and New Zealand. She received a certificate in building local Indigenous knowledge for community resilience. As well, she is a certified economic development officer for CANDU

I would like to thank you for this opportunity to be here. To share the story, my story of being two-spirited.

My intention in sharing my challenges and struggles is not to be seen as a victim, rather it is to share with you the realities of a two-spirited person, because at the time that I had the courage to acknowledge my identity and who I am, is to spread who I was when was 20 years old. I will take you through the journey of how I am, how I am able to be here in front of you today. To be able to speak about who I truly am.

This is my story. There may be things that people may not agree with or that may probably offend someone, but that is OK, because not everyone needs to agree with me. I am merely sharing a piece of my identity in hopes that it may touch someone's heart and spirit or that they may relate and provide support to a person, especially a young person. This is my moment to educate and provide insight and education through storytelling. Yes, it still instills fear in me to tell my story, but it gets easier and I'm still abet nervous because I know that I am still not accepted for being two-spirited in some circles, including some family ones.

And I know it will reach some people and stuff will be said. But who cares? Enough is enough. It is time to be proud and be an inspiration and role model for those young ones. When asked to present today, I was honored to be here to be able to speak on this topic. I was humbled and honored so that I had to it. It was my duty.

And the Creator has put this opportunity in my path for a reason. My story is one story, and I have many two-spirited relatives that have amazing stories as well.

Vanessa began her story of growing up in northern Manitoba before fully understanding who she would become, either a nurse, a doctor or maybe a police officer. She was her mother's only daughter; her father had other children, including two daughters and a son. But she was her parents' baby girl. She had two older brothers who taught her how to play sports, go trick or treating, and play war.

Vanessa had to leave her home community for high school and attended Frontier Collegiate Institute in Cranberry Portage, Manitoba, eight hours away from her home. This was the first time she ever heard about lesbians. She knew about gay men because, well, there were some in her home community but no lesbians. It was then she knew she could identify, but never spoke a word of it. In her 20s, she met a woman. One thing led to another, and at first, she was freaked out.

What am I doing? I was terrified, but deep down, I was embracing my true self. I was living in another city. So, I thought what they can see won't hurt them. I was wrong. Like said, Moccasin Telegraph travels fast. That day came when I was confronted and told the life I was living was a sin. I hid for a long time from my family. I knew they wouldn't accept that things changed. I wasn't their baby girl anymore.

I wasn't even the daughter anymore. I was no one to them. However, as many of my friends and sisters told me, you have to do what's right for you and honor yourself because no one else walks in your shoes.

Vanessa apologized that her story starts off sad but acknowledged that it must be told. Her bravery in telling her story was intended to let others know what two-spirited people go through today; that some may feel

disowned, as she was, and feel as though they have no place to go. Her story offered perseverance through those experiences and invited others to understand themselves and their place in our Nations.

In her early twenties Vanessa struggled with homelessness, joblessness and found she had no real-life skills to survive on the streets. She went from northern Manitoba to southern Manitoba in search of a place, a home, and for acceptance. She didn't have family by her side and could not call on them when things got tough for her.

I went from Norway House to Cross Lake to Winnipeg to Leaf Rapids to Thompson, where I finally found a friend willing to take me in. These travels happened in the span of less than a month and it didn't end there. Again, I found myself running from the ignorance and lack of acceptance. I jumped the bus again a few years after living in Thompson and went to Winnipeg. I just knew I wanted to get away from the hateful comments, the lack of support and the constant battle of wanting them just to love me as I was. The bullying and the teasing that two-spirited people face really takes a toll on you mentally, spiritually, and emotionally; to be made to feel that you were a joke and teased because of your sexuality, even by your own peers, by your own family.

Vanessa spoke about the bullying and ignorance she has faced; the hurtful comments that were intended to shame or embarrass. She spoke of how she had no one to turn to, was afraid to speak to a counselor or a therapist but that when she did try, she felt that they didn't understand her or know how to deal with two-spirited people, how sometimes they may not even want to. These isolating moments made her feel lost and she began to experience internal homophobia which she explained as "When you dislike who you are."

Vanessa then started feeling an overwhelming loneliness; she felt rejected by family and by friends, and even by the Creator, which led her to have suicidal thoughts. Suicidal thoughts and suicide are topics that aren't discussed enough and need to be.

I stand here today, a survivor of suicidal thoughts with many attempts, of course, no one really knows about many. Some people close to me have saved me a few times. It gets exhausting trying to find a place where you're not discriminated against and can feel safe to just be you.

Many times, I hid my identity of being two-spirited because it's easier. I have had manfriends and family that have accepted me and don't look at me any different. These people are my saviors, for without them I don't think I would have survived and be here today to share my story.

Vanessa asked, "What do you think may have caused all this erasure and lack of acceptance of two-spirited children because every child is a gift from Creator?" She then answered that colonization has caused a major disruption in our culture and in turn caused our people to forget the rightful roles of two-spirited people in our communities. She recognized that Christian teachings, the bible, and the societal systems say that only man and woman could engage in relationships and that these obtuse teachings are what taught her she was living in sin.

She also acknowledged that assimilation in residential schools and the abuses that occurred there were horrible, and that many of those were same sex abuses. She conveyed how residential schools disrupted our cultural lives, separating boys and the girls to modify behaviour and instill a gender reality not conducive with our culture.

So where does that leave our two-spirited children? Many times, they were forced to go with either the boys or the girls based on their biological sex. So, labels to me are a

colonial thing. For me, being two-spirited is about my identity, it's not just gender or sexual orientation.

Vanessa's message was to be kind to one another. Her own journey came full circle. She remembered to honor her place in the circle of life, to honor her identity and be proud of who she was. She attended her first two-spirited powwow and dressed in a jingle dress. She honoured those who support her, such as her sisters who took good care of her and honoured her in return. She said that even with the support, it was her spirit and herself that had to honour her. No one else could do that for her but herself. Though there are people who can guide and offer support, she needed to love herself for herself.

She acknowledged Albert McCloud, whom she called auntie. Albert McCloud has remained her role model, her mentor and helped her find her voice. At her master's degree graduation, Albert McCloud gifted her an eagle feather. She felt very honored. Receiving an eagle feather from a two-spirited person put her on cloud nine. Albert McCloud was, and is, very a knowledgeable historian, a lovely human being. She stated that she will forever be grateful for Albert McCloud.

It is also good to have a strong support circle. I discovered this in my journeys, those moments I told you where I felt alone and lost all my support circle is the reason I am here today. They gave me unconditional love. They became my family. Dr. Alex Wolfson writes, "Stories of two-spirit people is really about journeying along a circular path." It is our nature to be whole and to be together. We are born into a circle of family, community, living creatures and the land.

Our encounters with racism, homophobia, sexism may disturb our balance and we sometimes lose our place in the circle. Two-Spirited identity is about circling back to where we belong, our roots, our communities, our support systems, and our collective and individual selves. Reconciliation, I do not have all the answers, but together we can be there for two-spirited people, we can eliminate suicide, we can eliminate homelessness, we can provide a safe space for two-spirited people. Especially the youth that can't speak for themselves or are afraid and have nowhere to go as I was when I was young.

Vanessa said we need to acknowledge the history and roles of two-spirited people before colonization, before Christianity and Eurocentric views were introduced. There are knowledge keepers that could bring this teaching forward to young people, and prayers and tobacco need to be offered. We have many two-spirited role models, survivors, and successful persons that we can highlight so that our young ones can have someone to relate to and look up to.

Traditionally, two-spirited people were cherished as family members and respected as gifts from the Creator. So, what does it mean to be to be two-spirited? The term two-spirited was coined in the 1990s at a gathering in Winnipeg and from then on has been used to identify Aboriginal persons who identify as gay, lesbian, bisexual, transgender, and the list goes on. Vanessa spoke of researching academic literature and discovered some pretty amazing insights. For example, First Nation cultures supported and honored two-spirited people. These individuals served important roles at community functions and held positions of high regard and prestige. Two-spirited people often held sacred or ceremonial roles such as counseling, healing, being pipe carriers and being visionaries. When someone identified as two-spirited, this was an act of proclaiming who they were that honors and integrates sexuality, gender, culture, spirituality, and all other aspects of who they were.

Now, that's more like it. This makes me proud. This makes me feel good about who I am. I wished I were honored in this way when I came out, but I look now to the future

and how I can be an asset in changing the views of two-spirited people in our families, communities and in our society.

Now, it is time to provide some dialogue and not be ashamed to silence. Vanessa's goal this year is to visit her two-spirited relatives and "have tea and share stories". She shared a quote from a document about suicide prevention and two-spirited people by the national Aboriginal Health Organization: "First Nations communities and society can support two-spirited people by providing safe spaces that include and respect them, by standing up for them, and by speaking out about discrimination they experience." She asks, "Is it that simple?" Another major piece of inclusion is the program and services for two-spirited youth and persons that meets their needs and is culturally appropriate.

Unfortunately, she has not heard of many services or programs in her travels. She insists that these programs and services will save a life because two-spirited people will not feel so alone and isolated. We do need supports that meet two-spirited needs. In her conversation with Albert McCloud a few years ago, he identified some needs such as human resources on how to come out, working with families and communities, and shelters specific to two-spirit youth who find that they are homeless because they have been kicked out of their homes, but may not feel comfortable going to an all boy's or girl's shelter.

Dialogue on these different things needs to happen. If it is already being done, that is good. I'm not saying it isn't, but it needs to be. There needs to be more awareness because I haven't come across much. Maybe I am looking in the wrong places. And finally, I challenge and ask academics, organizations, and those of you here to host the two-spirited talk, celebration, panel or even conference, where you invite youth, adults and elders that are too scripted to speak, present, or participate.

There is not a lot of literature out there as well on the topic of two spirited people; it is time to rise up. It is time to change the story.

I told you a story that was sad and hard to tell, but I did this because I don't want to have to hear another story like this. I dedicate this presentation to those two-spirited youth people who never got a chance to tell their story, who are still struggling and need that guidance. I honor you.

Kinaskomatinow for listening to my story. It humbles me and it gives me great honor. My message to the youth and a message that was shared with me, always love who you are, do not worry about what others think of you or judge you. Walk that path for you and always, always love you. That is the hardest lesson I've had to learn and am still learning today, because at the end of the day, the only person that is there for you is you. So, give yourself the best of the best.

Question

What is your message to parents who are struggling with acceptance of their two spirited children?

I think definitely, for me, it's that your child is a gift from the Creator, regardless of if they are two-spirited. You know, that was a gift that was offered to you. And again, because of the historical (cultural

interferences), because of colonization, there's a lot of misconceptions and judgment towards a two-spirited child. But an Elder told me, every family should have a two-spirited child, they are a gift.

I've spoken to a lot of different youth and different people along my journeys. And it's been hard to hear a lot of stories and how they struggle. But embrace them, love them, because they are your child and they're a gift from the Creator. No matter what, support them because society is a very hard world, and they need you very much. It's difficult sometimes, even with parents, they have to deal with the racism, the discrimination that comes with having a two-spirited child. Once we start embarking on this journey of allowing two-spirited to be part of the circles, it'll start to go away. So, again, as much as it's definitely a difficult journey, the biggest thing is to love your child. Love your child like you love every one of your other children.

Comment

Jordyn Crampton

Wow, thank you. Thank you again for just coming here today and sharing your story. I could say for all of us in the office, it was very powerful and moving just to hear how you persevered through your own struggles with self-identity, of being two-spirited.

Wapastim then introduced James Harper.

James Harper

Mihskakwan James Harper is a member of Sturgeon Lake Cree Nation in Treaty 8 territory. He was born in Edmonton and raised by his mother. He is an urban Indigenous man who grew up in Edmonton and is now living in Winnipeg.

James Harper began by acknowledging that Winnipeg is on Treaty 1 territory and homeland of the Metis Nation. He expressed his gratefulness to the youth of Treaty 5 and the organizers for offering the privilege to share his story.

He expressed the importance of learning our language as it is fundamental to reviving our rich culture and identity and building strong Nations. He is committed to undoing the harm of colonization through language learning. It's important that our youth have their voices heard, especially when talking about the future of our nationhood since it is the youth who will be leading the next generation.

James Harper acknowledged that his roots where some of his father's family came from was the Island Lake area, one of many beautiful places across the Treaty 5 area. He also acknowledged his partner and the love and support he received from both his own and his partner's family.

His presentation walked us through his story on learning and understanding and accepting himself as a queer Indigenous man.

So, thank you in advance for allowing me to share my story as a queer Indigenous man. I use the word "queer" as it is a reclaimed word that previously held a negative connotation, and it is an umbrella term to encompass our gay, bisexual, lesbian friends and many more gender identities.

James shared that as a child he was viewed as being feminine. So much so that his teacher would say to him "the girls' bathroom is over there" when he wanted to use the school bathroom. From this misgendering experience he learned about gender identity and expression. What was more profound was "that I was exposed to a deep misunderstanding and lack of representation of what we as Indigenous people face." Beyond the misgendering, his identity as an Indigenous boy was challenged by stereotypes and

misconceptions, such as being watched in the aisles at Shoppers Drug Mart or being assumed that he received a free financial handout from his reserve.

At a young age, adversity and prejudice became part of his vocabulary and he began to internalize some of these behaviours in grade four.

I kept my grades up and did my best to fit in. And this was an effort that little did I know that I was so different that it was next to an impossible task to fit in. And why? Well, in grade seven, that's when I fully realized that I was gay. And it was a pretty startling revelation, honestly, given everything I knew about gay people at the time. Where they were TV show characters, they were flamboyant, they were pop divas and so on. I felt that I was kind of far from what the stereotypical view of what a gay man actually looked like.

He discussed how he came to understand that gay, bi, lesbian, LGBT community, were people to be mocked, they were people to be shunned and were very misunderstood. This led him to spend much of his energy keeping his identity as a queer Indigenous man from being known. From observing how life was certainly easier in many senses for his straight colleagues, his sister, or her friends, he would often wish to be “normal” and would ask the universe, “Why me?” Their lives seemed as “regular TV or movies” to him. And so, his secret remained with some close friends for some time.

Fortunately, though suppressing his identity for the most part, James Harper was able to excel at school and he did his best to study in class and plan for university. He credited his overall motivation as being able to come out in a fresh start in university. “No one will know me before I could just see myself be a wholly new created person,” as he put it. However, the universe, as always, had something else planned.

It was in grade 10 when he was outed by an ex-friend. His friend gathered a group of classmates and began telling the others of his hidden identity. The treatment he received from others changed instantly, they laughed at him, stared at him in disgust and walked away from him altogether. To James Harper, his biggest fear was now before his eyes. He was outed and had no control over the situation. He struggled to maintain motivation at school and his life at home.

But word travelled back from school. One day, minding my own business in class, we were interrupted by my English teacher asking to see me. She told me she knew what happened. And she offered me a hug and she told me that I'm here for you and we'll make this all right.

Today, he doesn't underestimate the amount of struggle that he endured during that period following this very traumatic form of bullying. It took him many counseling sessions, sleepless nights, and late assignments to muster up the courage and strength to finally have a face-to-face reconciliation meeting with his bully. He could have easily walked away but he showed great tenacity and bravery. The whole meeting for him was a blur.

During the meeting with his bully, he told him exactly how the outing impacted him, and the bully apologized to which James offered forgiveness.

I remember walking out of the vice principal's office feeling like a weight had been lifted. And so now that that was all over, the whole school knew but who cares, it's out there, people know, I might as well just own it now. And so, I did. So, what surprises me to this day is how instantaneous and meaningful this moment embracing my complete and true identity was.

Although he admits that it still was tough facing the occasional flare or side-eye, but it was even more of a benefit to suddenly know that there's a support system out there for him, to know that others were going

through this with him and people who will love him unconditionally. He finally came out to his mom in grade 12, to not much of a surprise to her; she was supportive and loving. He helped his high school organize a gender sexuality alliance march to participate in a pride parade, one of the very few high schools to do so at the time.

Following high school, James Harper began university and became more involved in Indigenous movements and organizing activism. While he grew up off the reserve, he admits he wasn't completely aware of how accepting or not accepting people were on the reserve. It only took a few visits to and from Sturgeon Lake for him to realize that there was a lack of a place for him. "That's so gay," was a rampant phrase among other nasty phrases. Although these phrases weren't necessarily directed at him, they nonetheless made him feel very uncomfortable and exposed to him that his community still had a lot of work to do to make a truly safe place for all.

In university he became involved in his school's pride events but didn't see any fellow Indigenous people. While he found the groups discussing relevant topics and organizing for important on-campus initiatives to benefit the Queer Collective, he found himself in a mostly white group and wasn't able to truly facilitate a place where he, as an Indigenous queer man belonged. A place that lacked important elements for him, such as spirituality, ceremony, and a culture. Such elements were basically nonexistent.

The concept of intersectionality, the interconnected nature of social categorization, such as race, class, gender as they apply to the individual, and the overlapping Indigenous collective system are big academic terms that don't necessarily achieve what they claim to. For him, if someone identifies within two or more marginalized groups, chances are, there is not a very unique place for them, and they may feel even more discriminated or even more marginalized than by just associating with one or the other. He has felt this way himself. There was basically very little space within Sturgeon Lake Cree Nation for him to be an out and proud queer member, and there wasn't enough space for him to be visibly Indigenous and practicing his culture in a queer space. And so, he felt stuck in an empty space where he felt like he ultimately didn't belong.

That was until he met his partner, Kyle. He and Kyle started dating in 2014. They attended Winnipeg Pride, Out and Proud together. He soon realized that Kyle's story of finding acceptance was similar to his own. Kyle exhibited such a love for others that it nearly bewildered James, knowing the struggles that they had both individually endured. "How could a man like him who had undergone so much pain and so much hardship, still have the capacity to show unconditional love and support for his family and for enabling his over 20 nieces and nephews?" he wondered. Now James credits a lot to Kyle for teaching him about love and all about loving yourself, loving your family, your Nation, of being unconditional, despite the hardships, despite the rejections, the disappointments and so on. Kyle is someone who is able to talk to his family with compassion and help the kids dream big. He demonstrates to the kids the love that he wishes to carry, for them to carry.

Doing their best, as visibly queer uncles, they offer support and guidance for kids to overcome any challenge and believe in love themselves. They have also recently invested in a home large enough to provide space for any of the family's kids should they ever need to stay with them.

There's our family, but there's also our chosen for many of our queer youth. Sometimes we are just so misunderstood and neglected by our immediate family and caregivers. It's just that they are forcing us into gender specific expectations. I was fortunate to have mom that loves me no matter what, but also, I also know how important it is to have that aunt or uncle or that English teacher who might understand a bit better and foster us in moments of vulnerability.

So, I encourage you to consider their broader families and their Nation, their communities, and see if there's anyone who might understand us. It's important that, you know, that the struggles of being queer and Indigenous isn't unique or new. You matter. And there are youth, adults, elders who are going through, or have gone through

similar experiences, find them, they're out there, like Kyle and me. We will do our best to ensure the challenges aren't as hard for them as those challenges were for us.

Kyle and James are still exploring what it means to be Indigenous. They understand that the legacy of colonization has produced unhealthy outcomes. Traditional views on gender weren't so narrow and isolating. He urges all people to ask themselves what gender means to them and how their ancestors practiced love for themselves, their families, and communities. While there are and were specific gender roles to be held, there was immense love for our fellow kin to allow everyone to see themselves in that way.

At the very beginning, it starts with love for yourself, recall before that I was questioning the universe, why me? I thought of being born as a queer Indigenous man with a purpose. However, my entire life journey unfolded the way that it did for a reason without the struggle, internal and external, I wouldn't have been blessed with the opportunity to demonstrate courage. Without my identity, I wouldn't have met my partner, Kyle. Without my deep understanding of what injustice looks like, I wouldn't have had the great privilege of sharing the strength and the courage and, truly, the love that I have for my community. And in that way, carrying the teaching aspect to it and loving yourself every day, no matter what. And with that, I know that there are people out there, whether you know it or not, that will love you unconditionally for exactly who you are.

And indeed, it is not a curse, but a very special and unique gift that was given by the Creator. For all our youth out there, know that our ancestors are looking out for you and that you have something special that the world so desperately needs.

Thank you. Hiy hiy.

Question

Do you believe that there is enough two-spirited representation in the political sphere?

Basically, the flat answer is no, there's not enough representation politically. And this is why, again, I urge that connection of love and that teaching among especially Treaty 5 leadership and youth, to empower our youth and our two-spirit folk, to elevate their voices and have them be heard. And the sooner we do that, the sooner we can build a stronger sense of nationhood.

The Virtual Youth Summit then took a break for lunch. Upon returning from lunch door prizes were given out, which included a T-shirt designed by the summer youth staff at TFAO Inc. and are available for purchase at the TFAO Inc office. The hosts also gave away resource books developed by TFAO Inc staff over the year.

SACRED TEACHINGS

To start the afternoon's segment, the co-hosts introduced a video about sacred teachings. Co-host Jordyn Crampton read the introductory words for the video, as written by JoHannah, a youth working in the TFAO Inc. office.

Gianni Crow was once quoted saying, "Grandfather says, when you're feeling powerless, that's because you stop listening to your own heart, that's where your power comes from." We as Indigenous people are truly blessed because our ancestors have gifted us a rich and beautiful culture.

Our language, dance, music and stories, ceremony and traditions are all tangible experiences of our soul. We give thanks to our ancestors that protected our medicines throughout the trials and tribulations put onto us by Canada. Here is a video showcasing and celebrating our rich diversity and powerful cultures. And please remember you are your grandmother's living prayer.

Wapastim Harper

Wapastim then announced the next presenter, Wendel Star Blanket, a traditional knowledge keeper. Elder Star Blanket first opened with a drum song and then shared traditional sacred teachings with the youth.

The Sacred Tipi Teachings - Wendell Star Blanket

I want to introduce myself by my colonial name, my colonized name is Wendell Star Blanket. My Cree name [speaks Cree] means when he speaks, he speaks with power, and he speaks with authority because the words that he speaks are not his words. They're the words of these people, his people standing behind him, that's what makes them powerful. And the second part of my name [speaks Cree] is like the Earth and althea spirits of the Earth hear his words, and that's what makes them just. Because if I tallies, it's the spirits of the earth that will correct me.

So, the reason I have a smudge going, is because I'm not here to lie to anybody. Rather, I'm here to share with you what took me almost fifty-six years to learn, and I'm trying to-do it in an hour.

Learning for us, as First Nations people, is what I have always been told, "go out and get a First Nations education." Elder Star Blanket emphasized that we have to know our language, have to learn our songs, and our spirit name – to know our history, and our grandfather's, and our grandmother's.

His great-great-great grandfather signed Treaty 4. His name was [speaks Cree]. [And when the Indian Act was put in place, his great-grandfather became the first elected Chief, his name was [speaks Cree], Red Dog. Wendel emphasized that by tracing one's lineage they can learn about who they are and what makes them unique.

Elder Star Blanket began by sharing the Teepee teachings that were passed onto him by his mom's side of the family, his grandmother. He attributed his ability to stand before the group and in confidence talk about the Teepee teachings to the Elders who said, "We have to be able to pass some of these teachings

on to our children.” The Elders started those universal teachings, the Teepee teachings, when they put up a teepee at the Saskatchewan Indian Federated College, which is now known as the First Nations University of Canada. The Elders gave names to the teepee poles, and they gave a name to where the poles come together at the top. They also put names to the bottom of that teepee, and they put names to those pins that are used in front of the teepee. Then they began sharing Creation stories. Those Creation stories talk about where some of our teachings come from.

So, for example, the pipe, every man, every woman that carries a pipe, the teachings that they have, there are Creation stories behind the pipe. There are generational stories behind that pipe, where that pipe comes from. And so, you have to know those stories and they’re only told in our language, also in other Indian languages. That’s why we have to know where our fans come from, where our rattles come from - they all have Creation stories. When his grandmother put up the teepee, she used to sit and tell him about the meaning behind each part of the teepee; the poles, the canvas, the bottom of the teepee, the pins, and what the teepee meant. His grandmother would say, “My grandson, you have to know these stories, because if we don’t, they’re going to get lost. By the time you become an older man, our women are going to forget their responsibility. Because traditionally, putting up a teepee was the responsibility of women while the men would sit and sing songs. And somehow today that role got reversed.

And so, she talked about that. And she said, do not to look down on our people, because when you look down on somebody, you're looking down on yourself. But rather, try to lift our people, try to lift our people up by teaching them what I'm sharing with you today. So, what I share with you today comes from my grandmother - it's yours. It's not mine. I have to share it with you the way she taught me.

There's still snow on the ground so I can tell you a Creation story. My grandmother and grandfather used to tell me, at one time the human beings, the plants, the animals, the birds, the insects and the fish all lived together.

We all lived together with the Creator. and at that time, all of the animals got together because they heard that the Creator was angry. They heard the Creator was mad at the ones they called the human beings, the two-legged ones. And because he was an angry, a little bit upset with them, he was going to put the human beings on a round place called Earth. And as they were being told this, the Buffalo Spirit came running.

Grandfather Buffalo heard that the Creator was going to put these human beings on this place called Earth. And so, he said, “Tansi, I want to help. I want to help these pitifulness called the human beings.” The Creator asked, “How are you going to do that?” Grandfather Buffalo replied, “I offer my bones. The human beings can take 12 of my ribs and build them into a shape like a teepee. And they can take my veins, they could make rope and sinew, and they could tie that teepee together. They could take my veins out and they can use that to make moccasins, to stitch them together to make clothes. Because these pitiful human beings are just going to have skin, they’re not going to have feathers, they’re not going to have fur. They’re not going to be able to stay warm when it snows on this place called Earth. They’re not going to have protection from therian or protection from the sun. They can take my stomach and use it to carry water so they can drink. They can eat my flesh, so they’ll have sustenance, so they’ll have strength. So, they’ll always have strength, and they’ll live, and their blood will always breach. And I will live in them.

And as he was speaking, there was a loud slap. This loud slapping was the Thunderbird Spirit who heard Grandfather Buffalo Spirit talking to the Creator and Thunderbird Spirit came down to Grandfather Buffalo. He landed and said, "I too want to help".

And so, Thunderbird Spirit said, "Let them take 15 of my brothers - the Buffalo - and sew them together. And if they sew them into my shape as I fly over the ground, once in a while I will fly over and come and check on the human beings, I'll check on everybody on earth. I will protect the human beings from the wind, from the rain, from the snow, and from the sun. And I will help that way." And then Thunderbird Spirit said, "In that place where they tie the poles of the teepee together, it will be called the Thunderbird nest."

Thunderbird Spirit added, "When the human beings sleep in the teepee, I will bring them knowledge, I will bring them knowledge about the medicines. And I will bring them their dreams and their visions. And I will share with them those teachings about the medicines."

And so sometimes when you sleep in that teepee, you're going to get visions, you're going to have dreams about the medicine, about the plants, about what you can use to fix yourself, and to help others. The human beings who live on this place called Earth face things called illness, sickness, poverty, hunger, racism, and prejudice. And Thunderbird Spirit will give them strength in their dreams, he will remind them of who they are, that they are Nehiyawewin, they are Nakota, they are Anishinaabe. Thunderbird Spirit will remind them.

Behind each teepee, there is a Clan and there's a mother. A clan mother owns that teepee. The women were given specific instructions about that teepee, like how to sew it and how to paint it. They were given the teachings behind that teepee, about how to instruct their children and their grandchildren about how to build the teepee according to the teachings.

So, for example, you might be Bear Clan, you might be Eagle Clan, or Otter Clan, to the count of seven. Each tribe is represented by a teepee so there are seven main teepees. Seven clan mothers represent the pins in the front. Each clan mother chose a spokesperson. So, you might be the first and your teaching would be like, [speaks Cree] "If you do something to hurt somebody, it's going to come back to you." For example, if you dropped something that you own on the field and I come along and take it, then someone is going to do that to me. But if you drop something on the field and it's yours and I see it, I won't take it. I will look at it, but that's yours so I'm not going to take it. So that would be our first teaching.

Our second teaching would be [speaks Cree]. And that means if you take something that doesn't belong to you, then for ten generations, your family's going to suffer for having taken that item. Our second teaching is that what you do is going to affect your whole community.

So not only do you have an individual law, but you also have a secondary law, which is going to affect your whole community, and then your Nation, then the whole world. So those teachings on the teepee are very strict and you have to enforce that through your whole tribe. Each person has to enforce that to their tribe, and so on and so on.

The poles are tied together by the Thunderbird Spirit's gift. The Creator gave permission for this gift, so you have to first think about that, think about the Creator; "What's your relationship to the Creator or do you have a relationship with the Creator?" You have to know that each individual has a responsibility to the Creator, it is represented by the first pole, it is the first teaching:

Our first responsibility is the Creator, and it's as simple as putting our hands up. Looking up and saying, "Thank you, Creator". A very simple prayer to start establishing your relationship to the Creator, you do that when you get up every morning, even before

you wash your face, even before you start your daily routine. And you pray before you go to bed at night. As you get older you start giving thanks for specifics, the family in your life, your friends, even those who have offended you, because they too offer you a teaching about yourself, your reactions, and your strengths.

The second point of thanks, as represented by the second teepee pole, is towards Mother Earth. When you think about everything that's in Mother Earth, you think about the insects, the grass, and the medicines. 65% of today's medicine comes from Indigenous people, it comes from us. The plants, the rocks, the land, the insects, the animals, the human beings, be thankful for that, all comes from Mother Earth. If you think about it, even the car outside that drove here comes from Mother Earth - the rubber comes from the land, the engine is made out of metal that comes from the land, and the gas and oil that power that car all come from the land. Our clothes too come from Mother Earth, "How many of us are thankful for our clothes so we don't have to look at each other without those clothes?"

The third teepee pole represents our relatives, our relations. Before we come to this earth, we choose our families, we choose our relatives, we even choose our friends, our partners and even those people we sometimes fight with, those people who offend us. We are asked to be thankful for everyone equally because they all have something to teach us about ourselves and who we are.

We should know how to look after ourselves physically, mentally, emotionally, spiritually, and intellectually. Know that first, because a lot of us aren't happy with ourselves, but if we enjoy ourselves, we'll never, ever think of suicide because we know that we are with the Creator, that we belong. When you don't acknowledge, when we forget, Mother Earth and all your family and relations, those things like suicide, those things like getting drunk and getting high will affect us, will enter our lives, our spirits. But our spirits are strong because we know ourselves, we know who we are. You have your Indian education, you have your ceremony, you have your teepee, you have your home fire. You know who you are. Love yourself. All this comes from our Creator and our Mother Earth.

The fifth teepee pole represents respect. Respect for the Creator, respect for Mother Earth, respect for fellow human beings, and respect for yourself - it is in that order. You've got to have respect for the Creator before you're going to be able to respect everything from Mother Earth. In the same way, you have to respect the Creator and Mother Earth before you're going to have respect for human beings, and you have to respect the Creator, Mother Earth, and human beings before you're going to respect yourself. If you forget about one or the other, then you're not going to respect yourself much.

Respect is natural law. Everybody thinks they know what respect is, but sometimes they get mistaken. There are four parts to respect and those are represented by our next four teepee poles: love, patience, discipline, and sacrifice.

There are two kinds of love. I heard people talking about them this morning. They are unconditional love and conditional love. Unconditional love is the love that we had when we lived with the Creator, we loved everything, and we loved everyone.

It's like when we're born, our mum and dad love us unconditionally. That's unconditional love. But right after we're born, what happens? We cry, and why do we cry? We cry because we need love, we need nurturing. So, we start conditioning others to love us, and we become conditioned to love them. So that when we get older our love becomes conditional. From that conditional love we narrow our views to love only those things we have been conditioned to love, whether its superficial things that lack depth, or things that we find beautiful but may want to control or make it our own. When we get old, when we become grandparents and we have grandchildren, then our love becomes unconditional because we let a lot of expectations go. Unconditional love is in our blood.

Love: love the Creator, love Mother Earth, love the human beings, and love yourself.

The sixth teepee pole teaches us discipline. It takes discipline to develop a relationship with the Creator and it takes discipline to develop a relationship with Mother Earth, for what she provides us. It takes discipline to establish relationships with the human beings and it takes discipline to understand ourselves.

The seventh teepee pole represents patience. We have to be patient with the Creator and to be patient with Mother Earth. The Creator and Mother Earth are not going to give you what you want. We are only going to get what we need in life. We have to be patient with human beings because we can never be happy trying to live somebody else's life. We will never be happy trying to tell others what to do all the time, and them not doing it. We have to be patient with others as they develop their own relationship with the Creator, Mother Earth, human beings, or themselves. Be patient with others as they learn those things. We will only be happy living our own lives and we should be patient with ourselves, as well, because each of us is a gift from Creator.

You might have a drum inside you, you might know how to sing. You might have a rattle inside; you might know how to shake it. Understand yourself. Be patient with yourself because you're a gift from the Creator and it might take you a lifetime to learn how to use this gift. You're a gift. You're special. You belong here, just like me. Just like anybody else sitting in this circle, you belong here. The Creator put you here.

So, we have the teepee poles representing the Creator, Mother Earth, human beings, our selves, respect, love, patience, discipline, and sacrifice. When one learns all these things, it is then we become men or women. There is no such thing as the woman doing all the work. It's about man and a woman as equal parts, together men and women create the home fires. We are not to think that men are better than women, or women are better than men. So, the next pole in the teepee represents the male and the female because half the teepee belongs to the women and the other half belongs to the men.

When you bring the male and female together, then we can create life, we create children, and we are ready to pass these teachings onto them. Therefore, the next pole represents hope. When we have children, we have hope.

The next pole after that represents faith. Faith is something we have to learn. No one can give you faith. Faith comes from inside you. And some of us, we search for it, we go around, we travel the world looking for something. Some say we need a man to complete us, or we need a woman to complete us.

My grandfather used to say some of us had a lifetime to travel from here to here (pointing from his head to his heart). And the things that get in the way are called addictions. Addictions to drugs, alcohol, sex. These addictions get in our way from traveling from here to here (again points from his head to his heart). Have faith in the Creator, have faith in Mother Earth, have faith in other human beings, have faith in ourselves. And the last one is "dot, dot, dot", those are the rest of the teachings that you're going to get in life.

So according to my grandmother, the teepee poles represent Creator, Mother Earth, human beings, our selves, respect, hope, faith then the teachings we're going to get in life. And there are four parts to respect: patients, discipline, sacrifice. Then you're a man, then you're a woman, and you can have children.

The bottom of the teepee represents 28-32 pegs to fasten your teepee to the ground. There are 4 fours in life that you should know as a man or as a woman: 4 fours meaning, four directions (norths, south, east, west), or four phases (four seasons or moons). These teachings have taken me nearly 56 years to learn. My grandfather sent me out to fast for four days and four nights and that helped me begin my journey of what my grandfather called "Indigenous education".

. Thank you for participating, and I hope I didn't offend anybody. You remember to be strong, and that you are the future. You represent my future. You give me hope, you give me faith that these things are still going to be here one hundred years from now. Someday, because I'm standing here talking to you, someday your children or your grandchildren are going to be standing where you are.

Question

For the youth who grow up in urban areas, the inner cities, that don't have people in their life like traditional Knowledge Keepers, what words of encouragement would you give to those youth, to not be scared to speak up and to reach out and learn things?

Well, in today's modern day and age, we have a thing called technology. And there's also a thing called social media, you can Google grandfather. You can Google anything, you can even Google about medicine.

So don't be afraid if your starting point is going to be on your computer. Your starting point is in your school. When I went to school, they didn't have teachings about treaties or teepees. I had to see that myself. I lived in the city and had to find my way to my uncles, on my own, to go and learn about sweats.

As a traditional Knowledge Keeper, as an older person, it's my responsibility to tell you, to teach you, and if I can't tell you, then it's my responsibility to direct you to someone, another Knowledge Keeper, who knows or can teach you. That's our responsibility, as traditional knowledge holders, so don't be afraid to approach your own people in your own communities first.

Jordyn Crampton introduced Elder Audrey Bone. Elder Bone offered some ceremonial teachings and encouragement for the youth to learn traditional ways.

Ceremonial Teachings – Elder Audrey Bone

Thank you for inviting me to be a part of your event. My name is Audrey Bone. My spirit name is Morningstar Woman, I'm from the Deer Clan. I want to greet the youth. And I want to thank you for being patient and taking this time.

It's very important for you as youth to be participating in the very important things that are being passed down. I just want you to know that a little bit about myself. I'm a great grandmother, I'm a grandmother, I'm a mother. And I have six grandchildren and four great grandchildren. I want to share with the youth a little bit about my journey and how I started going back to following and learning about our teachings, the ceremonies and about our culture.

Elder Bone started her traditional journey when she was young, in her mid 20s. She was experiencing very difficult issues in her life, so she followed her desire to change her life and learn her culture and teachings. So, she started reaching out to various knowledge holders and Elders. Both of her parents went to residential school, and she did as well. The residential school experiences of her parents and herself inhibited a lot of her spiritual journey for many years. She emphasized that it's important for us to know that spiritual path when we're very young children, that we learn about our cultures.

She said that we need to start teaching our culture and traditions to our children when they are very young. When she was a little girl, around four or five years old, she stayed with her grandparents off and on. Her grandparents were her biggest and greatest teachers. She remembered the things that they did when they all went out on the land and stayed out there for whole summers; how they lived off the land. They went hunting, fishing, picking berries, and picking medicine. It was a really special time for Audrey. She learned

so much from them, not just about living off the land, but about some of the teachings, like the spirit within human beings that gave strength, being Anishinaabe, and being a people who protected the land.

When her grandparents passed, she felt really lost and abandoned and didn't understand why they would leave her all of a sudden. She didn't understand about death because no one talked about it. She could not learn from her parents because they were both in residential school; her mother was in residential school when Audrey was a just four or five years old. So, many of Audrey's family's teachings were put on hold because of those schools.

What she knows now, and what she shares, is that children learn at a very young age. She recalls what her grandparents taught her. They left her some very special teachings about the ceremonies that she remembers to this day. She would follow her grandfather around and was always asking him questions. One example was seeing her grandfather preparing a feast. There was a lot of food that was cooked for the people. Then before the feast started, her grandfather did a prayer and placed some food in the fire. She wanted to know why he was putting the food into the fire, so she asked him. Her grandfather told her that placing the food was part of the prayer; it was an offering to thank the Creator for the food that they were about to eat. She remembers to this day what he said when she was just a little girl.

When it came time for me to go to a residential school, I already knew a little bit about our teachings, but that's where it ended for me. After that, I was very lost for quite a few years because my grandparents were gone and no one else was around to continue the teachings. So, I ended up in residential school. And it was worse there. We were not allowed to speak our language. We were not allowed to talk about our way of life, our culture or anything. So, it was like my life, my happiness, my security, and my teachings were all stolen - all was taken away from me at that time. It was the same for all the Indian children in that residential school. After the residential school, as I grew older, I started wondering; What am I? What is my purpose here? Why am I here?

These thoughts are what Elder Bone attributes to her starting on a journey of healing herself. She wasn't feeling good about herself and about a lot of things in her life. She wanted to go back to her teachings, to reclaim the things that her grandparents started teaching her as a child. To start her journey, she attended some very special healing circles in Alkali Lake, B.C. She then invites the youth to watch a documentary called "*The Honor of All: The Story of Alkali Lake*" which told a story of recovery.

The Shuswap people of Alkali Lake were guided by their Native culture and spiritual teachings long before the Europeans arrived, and British Columbia was established. By 1940, several generations of the Shuswap people had been subjugated to the culture-breaking process of colonization and residential schools and were forced to live in an artificial town created around a church building. Stripped of their Native culture and beliefs, the Alkali Lake people were left with a void in their lives that begged to be filled. Thus, they were ripe for the devastating force of alcohol. This story of heartfelt recovery from almost complete cultural and spiritual destruction is true. All the incidents depicted occurred between 1940 and 1985.

*Available on DVD. **The Honour of All: The Story of Alkali Lake**, by Four Winds International Institute. 2006, 40 minutes, color.*

Like many other Native people, when Elder Bone began her journey, she didn't know where to start. So, she just started asking, offering tobacco, and asking different people to help her and to guide her, or to show her who she can turn to for the teachings. Through this approach, she had many, many teachers over 45 years of being on her journey of healing and going to many ceremonies.

Elder Bone entered her first ceremony, the sweat lodge ceremony, at Alkali Lake. That ceremony prepared her for another ceremony, the vision quest. A vision quest is a ceremony that helps us to heal ourselves mentally, physically, spiritually, and emotionally. She recalls that she was very emotional when she went up on the mountain as part of her quest, "I did nothing but cry when I was there." In talking about the ceremonies, she says that we can't learn them from books, we need to actually experience them and go through them in our own lives and it's very important for us to find that teaching path.

She went on her vision quest ceremony every summer for 8 years, then she started her Sundance ceremony which she also did for 8 years. She explains that the purpose of both of these ceremonies is to help us heal ourselves. They also help us to find ourselves, to get in touch with our spirits and also to get any help we need from our Creator.

There are many names for our Creator, everybody has in their language what they callout Creator. And it's no different than the God they talk about when they go to church, you know, it's the same. So, I learned this. My grandmother left me the greatest gift that I guess anyone could leave someone - and that is teaching me about the spirit within me which leads to understanding and strength. That gift has really helped me. It helped me to survive by showing me my path, my purpose in life.

Her grandmother taught her to say a prayer every night and every morning. Her grandmother told her, "Our Creator lives everywhere. He lives in the trees. He lives in the animals. He lives in everything in all of Creation. God lives, our Creator lives, and He lives inside of each and every one of us." To Elder Bone, this confirmed that we are sacred beings and prayers are very powerful because when we talk to our Creator, we also talk to our spirit guides, our ancestors.

Elder Bone learned that one can talk to the Creator, or God, anywhere depending on how one's views are aligned. She says it is important to find that connection to your Creator because, from her own experience, it helped her through her times of grief. Her connection to the Creator also helped her to find herself, to find her purpose in life and to know what her gifts were; "Each and every one of us have gifts. Our Creator didn't just send us to Earth with nothing. Our Creator is very generous. He gave us many gifts, but it's up to us to look within ourselves to find that."

She made her choice to find her path so that she wouldn't have to carry her pain anymore or hold onto negative things and seek to drown those pains through drugs, alcohol, or pills. She says it takes time to find that balance within our lives, families and communities, so be prepared to take your time finding your path. Our spirituality is a very important part of our life and that was almost erased by what happened in the residential schools and other institutions that tried to colonize us.

Our ceremonies guide us to help ourselves and to move forward, and there are many different kinds of ceremonies. One of the most important things that we need to do when we ask for a ceremony, when we ask for help, is to offer tobacco to whomever you're asking for that help and guidance, and that healing. If we can begin each day with the smudging to cleanse our mind, our body, and our spirit, then we're clearing our paths so we can go on with that day in the best way. For her daily smudges, she uses sage, cedar, sweet grass and makes the offering of tobacco to the Creator, so that she can cleanse herself of negativity and have a good day or rest.

And you know, when we pray, sometimes our answers don't always come, even just offering that tobacco, when we go outside, that's a prayer ceremony, you're offering that tobacco to our Creator and to our ancestors to help you, to give you guidance. There are songs also, our songs are prayers as well. And our dance, when we dance, we are also praying, we are stepping on that sacred earth.

Throughout Elder Bone's vision quest, sun dance and other ceremonies that she went to, she was able to find all her gifts. They didn't come quickly or easy, it took her a whole lifetime to know and to gain that knowledge of all the things that she wanted to know and learn. She reminds us of all that we must have

patience along our journey, but to also believe that what we are seeking will come to us. She adds, “Our teachers and our Elders teach us to believe in our dreams, to listen to our dreams, and sometimes people get visions not just in dreams, but when they're awake. Those dreams are important because they are guides showing us something or giving us a message of maybe something we need to do.” She advises the youth, that if they do have dreams, it's good to talk to someone that can help you to interpret that dream. Sometimes one just needs to talk to someone or maybe they will need to have a ceremony to find out what that dream is telling them.

So those things were very important to our people before the coming of the Europeans to our land. Our people lived in harmony with everything, with nature, with God's Creation. They knew what to do.

Elder Bone talked about the medicines. The medicines are very important to our way of life. It's one of the gifts that were passed down to her from her family, especially her grandparents. Her great grandmother comes to her in dreams, and she's been her teacher also. She believes that her grandmother continues to guide her and to pass the gifts to her. These gifts include working with the medicines. Elder Bone helps people who are sick and need healing. She says that a lot of the Western medicines is not good for us, a lot of it will do more harm to us than good, such as throwing us out of balance or limiting our perceptions of being connected to the Creator. She explains, “Our Creator has given us healing through Creation, through the plants and animals, so that we can take care of ourselves. There were never pills on our land or alcohol or all that stuff that's hurting our people today. We don't always need those things because we have it all in the natural medicines that are on our land.”

When Elder Bone started her healing, she always set goals for herself. She recommends that we all set goals for our journey too, including short term goals, long term goals, and throughout life. Through ceremony she has been able to reach all of her goals. She wanted to sing, to drum, so she started a women's drum group and there she learned drum teachings and many songs. She always wanted to dance, too, and so she learned about the jingle dress dance. This particular dance involved ceremony because the jingle dress is not just an outfit, it's a medicine dress.

A long time ago there's a story that comes with that dance, it's called The Medicine Healing Dress, the jingle dress. And there's a healing dance that goes with it. So, there's a special ceremony that's done at the traditional powwows where people can come offer tobacco to the drummers and they can ask the jingle dress dancers to do the healing dance for someone that needs help, maybe someone who is sick, or for anything, whatever they're asking for help for. That's another goal that I accomplished in my life.

Elder Bone also always wanted to run a sweat lodge. When she moved home to her community, that's the first thing she did. She put up the sweat lodge after completing some of her years of vision quest. By way of traditional protocol, she was given the right to put up a sweat lodge. The sweat lodge requires that a person learns many things about putting it up and on how to perform the ceremonies and prayers that are used. Sweat lodge helpers are also required and they are usually young people who are learning about the culture and teachings.

The naming ceremony is also one of her gifts. That's when someone gets her, or his, spirit name through which she also learns about her Clan; it's important to know our Clans as they provide us with our space and roles within the Nation.

The naming ceremony came to me in a dream. But I didn't know what it meant, so I went to one of my teachers. I had many teachers in my lifetime and the one I used to go to in the beginning of my journey was in Long Plains, Donald Daniels. He was one of my teachers, and I went to see him, and he told me, “You've been given the gift of doing naming ceremonies,” so I was really happy, but I was also thinking I couldn't do

it. But he said in time it will come. And the way it came was exactly how he told me, so I do that ceremony and it helps.

Elder Bone says that when a child comes into the world, it's good to give them their name soon and sometimes they'll have another name when they're older. A person can get a childhood name, and then they get an adult name later in their life. A spirit name helps that child throughout their childhood as well as helping their spirit with guidance, self-awareness and through difficult times. She says that sometimes when she helps people receive their spirit names they leave and become very emotional because their spirits have been touched, they've opened that door to their ancestors, to the spirits that come in there to give them their names. These ceremonies help people to move on, to start their journey, "It's so beautiful to see, what a difference it makes in a person's life when she or he is able to make that connection to the spirit, to the ancestors."

Elder Bone and her friends operate a medicine camp each springtime. They do a special ceremony for each season too. They open their camp in the spring because it's the time we give thanks for the new season, because everything is coming back to life. In the wintertime, some of the animals slow down, some of them hibernate, like the bears, and everything kind of comes to a standstill. Winter is also a time when people stay inside more. People are closer together in the cold seasons so that's the time when the stories are shared. Families talk about our stories during wintertime; storytelling is how they pass on the teachings. The spring signifies the beginning of new life. The people open their camps, and they make a big feast to honor all of Creation, for example, the plants. As has been done for many generations, Elder Bone and her friends, along with the campers, go out on the land and pick the medicines that have started to grow. They then teach the campers how to dry them.

The medicine camp offers teachings to different groups all through the summer and anyone is welcome to the camp. No one is turned away; if they want to learn, they can attend. "That's the way of our people," she says, "our people were always very kind. When you think of the seven natural laws, or the seven sacred teachings, that we were given, those are the things that guide our lives."

Elder Bone shared the seven grandfather teachings of the Anishinaabe Nation, which can be said to be the basis of natural law in many Indigenous Nations, as: love, respect, truth, wisdom, humility, courage, and honesty. These natural laws are the gifts we were given by the Creator to live by. As Indigenous peoples, we try to follow these natural laws to the best that we know how.

She also mentioned ceremonies for young people, ceremonies for young women and young men who are coming into adulthood. She gives the example of a coming-of-age ceremony that helps youth to learn about their roles and to learn the teachings around the men and women, teachings that will help them to grow and to learn and to move forward in their lives into that stage of becoming an adult.

I want to share with the youth, if you're thinking about or if you haven't had the opportunity to find somebody that can mentor you, or to give you that guidance, a very important teaching that I got when I was doing my vision quest.

One of the Elders that helped me and that put me up on the mountain to do my vision quest, he passed on a teaching to me that we need to start believing in ourselves. We need to start listening to that guidance that comes from within. When we pray, offer the tobacco, and ask for help for something that we feel very strongly about, or something that we want to do, or are passionate about, it could be anything, the help will come. It could be singing, dancing, or picking medicine, it could be anything that you're drawn to. It's good for you to reach out and not to waste your time just mulling over; just do it.

Believe in yourself, believe in the guidance that you're getting from within, because that's the Creator talking to you. The Creator and your ancestors want to guide you. It's almost like they're pushing you to do it so you can find those things that you're searching

for in your life. And when you're doing something and you feel really good about it, you feel really happy. That's a sign that you are on the right path. You are doing what you need to be doing at that time. An Elder once told me, "Listen to the guidance that comes from within because no one else can ever tell you what you need to do." Don't always run and ask other people to make decisions for you, to tell you what you should do next, you need to seek out those things for yourself.

And when you do, just do them. Go forward and your path will be open. When you offer the tobacco, the ancestors are really happy that their children are going forward, and going back to that way of life, those teachings that kept our people for so many years on the path that was given to us as a Nation of people to live a good life. Be kind to one another. Always reach out and help. And when someone's going through a difficult time, be there even if you don't know what to do, it's good by just listening to them. Like in this time, you know, everyone has gone through a very difficult time.

And it's OK to reach out, to help, to ask for help.

Elder Bone closed by reminding us that our way of life is not about taking. It's about giving back in return. It's like a circle, we offer tobacco for what we're taking from the earth, we offer that feast to give thanks for everything that we have, and all our ceremonies that we do.

She said she was very happy to share her knowledge with the youth and welcomed anyone to attend her camp to learn more about medicines, ceremonies and our culture.

Question

What would you like to say to young people who feel like it takes too long to get in touch with their spirit and to learn these ceremonies? A lot of young people don't have the patience or resilience to learn something new like that. How would you give them words of encouragement to persevere?

It doesn't take that long. I think back to when I was young. I was very impatient too, but along the way I learned patience a little at a time. I suggest that they spend time with an Elder or even spend some time in a setting like in a camp, to learn the teachings and traditions firsthand, to experience some of the ceremonies. They may learn what they want to do in their lives.

That's the way things have been done over the years. Our children have not learned patience and it's no fault of theirs, but they need to learn what patience means. Learning our ceremonies and traditions requires patience and it is a good way to learn patience about many other things. I would say, if they came to our camp or any other camp, they would learn how to pick medicine, pick sweetgrass, maybe how to cook fish, and about some of our culture, and they have to take time to do each and to learn. I think it's a matter of slowing down because things are not always immediate.

If they really want that, then they need to set their mind, their spirit and go to ceremonies, be a helper, so they will learn all those things by actually doing them because it doesn't happen fast. I've been doing this for over 45 years now and it took me a long time to learn that patience by doing all the things, the hands- on stuff, and living the life that we live.

I think there are too many things that are instant today. Putting something in the microwave and pressing the button, you know, that's not our way. Our way of life is not instant. We make a fire at our camp. That takes time because we have to get wood for the fire. It also takes time to cook our food. We have to know how to do those things, and other things for the camp, and we have to have that commitment. If the youth

would really like to learn, then they need to put something into it, like if I give one hundred percent to something I'll get that back in return, like cooking and eating. It's just a matter of having that mindset, that they want to learn. Even going into the sweat lodge, that's a very common experience for the spirit and when you come out of there, you feel very renewed.

A lot of the things that are important, or we think are important in our life, they're less important because what we're learning out there is more important. It's helping us to become that human being that we want to be and to learn about ourselves and be able to make that change within ourselves. Like I always say. I've always been a stubborn person, all my life, but I turned that stubbornness around to get me to where I want to go. I never gave up. I never stopped. I used that in a positive way to change my whole life around.

Jordyn Crampton

Your words were really inspiring, and I think it could really teach a lesson for people who are too afraid to start learning. And I just want to thank you one more time for your wonderful stories and your teachings, and about your camp. We would love to send out that information to everyone in the zoom meeting.

TREATY 5 YOUTH BOOK CLUB - LUCAS KENT

Lucas Kent is from the Sturgeon Clan from Black River First Nation. He explained that the Treaty 5 youth group decided to create a book club.

We have created a Discord server that anyone here can join. The link to the Discord group along with the password to access the books on our website will be sent out to each of the registrants. Discord is where we can discuss the book choices. Every two months we will read different books. Discord is an app that you could get on your phone or your computer. It's a group chat type of app.

The books will be made accessible through the Treaty five website under the tab "books". The link is password protected. The password will be 1875, which is also the year that Treaty five was signed. The first book we will be reading is titled "Unsettling Canada", a book by Arthur Manuel and Chief Ronald Erickson. It's a very informative book and a really good read. We will also have a tab where we can discuss the books that come from Treaty 5, such as the educational resources that we have and the perspectives on governance and Indigenous rights.

We're also working on adding the book, "The Marrow Thieves", by Cherie Dimaline.

I hope you join our Discord server. Once again, the link will be sent out to each of the registrants. Thank you.