CULTURAL COMPETENCY GUIDE

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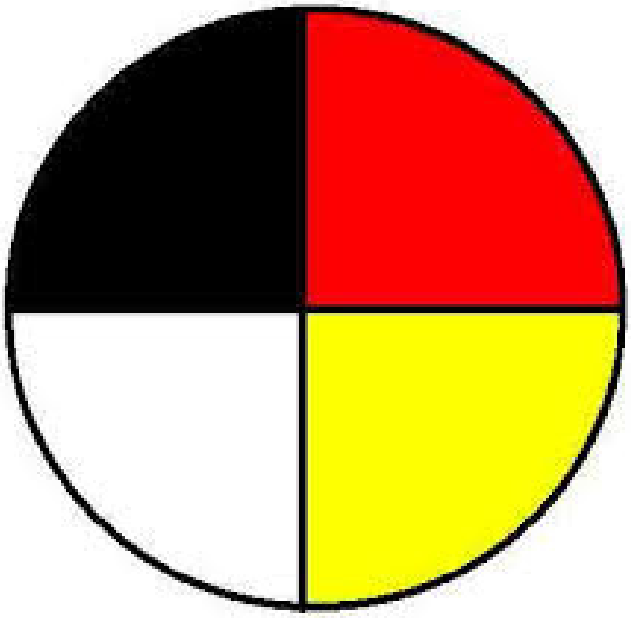
1	**Truth and Reconciliation**	• TRC Call to Action #27
2	**History and Legacy**	• Review the overview of the history and legacy of Residential Schools
3	**UNDRIP**	• Review the United Nations Declaration on the Rights of Indigenous Peoples
4	**Treaty 2, 4 & 5**	• Overview of the Saskatchewan Treaties • Understanding Treaties 2, 4, & 5
5	**Treaties 6, 8 & 10**	• Understanding Treaties 6, 8 & 10
6	**Aboriginal Rights & Indigenous Laws**	• Understanding Aboriginal Rights • Brief overview of Indigenous Laws • Understanding Aboriginal–Crown Relations
7	**Action Plan**	• Create your own Reconciliation Action Plan

TRUTH AND RECONCILIATION
CALL TO ACTION #27

We call upon the Federation of Law Societies of Canada to ensure that lawyers receive appropriate cultural competency training, which includes the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal– Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.



Why is Call to Action #27 Important?

- **Historical Context**: The legal system in Canada has played a significant role in the oppression and marginalization of Indigenous peoples, whether through the enforcement of discriminatory laws like the Indian Act or through the residential school system. Lawyers have often lacked the knowledge or cultural understanding necessary to properly represent Indigenous clients or interpret Indigenous rights in legal contexts.

- **Bridging the Gap**: Historically, the Canadian legal system has been founded on Eurocentric principles, often disregarding Indigenous laws, customs, and perspectives. There has been limited engagement with Indigenous legal traditions and insufficient recognition of Aboriginal and treaty rights in legal education. Call to Action #27 seeks to change this by fostering better understanding, respect, and cultural competency among legal professionals.

Key Components of Call to Action #27

- **Cultural Competency Training**: Lawyers are urged to develop a deeper understanding of Indigenous cultures, histories, and perspectives. Cultural competency training would involve an awareness of how colonization and residential schools have shaped the lived experiences of Indigenous peoples, contributing to ongoing socio-economic and legal disparities.

- **Education on UNDRIP**: The United Nations Declaration on the Rights of Indigenous Peoples is a vital framework for advancing the rights of Indigenous peoples in Canada. Lawyers need to be educated on its principles, particularly those involving self-determination, land rights, and consultation processes. Understanding how UNDRIP is applied in legal cases or negotiations is essential for practicing law in a way that upholds Indigenous rights.

- **Understanding Treaties and Aboriginal Rights**: Treaties are foundational to Aboriginal-Crown relations, and legal professionals must understand their historical significance and the ongoing legal obligations they represent. Training in treaty rights ensures that lawyers respect the original spirit and intent of treaties while applying modern legal frameworks.

- **Incorporation of Indigenous Law**: Call to Action #27 encourages the integration of Indigenous legal traditions into the mainstream legal system. Indigenous law, with its unique principles and practices, should be seen as complementary to Canadian common law and civil law traditions. Legal professionals need to be equipped to engage with Indigenous legal systems when working on cases that affect Indigenous communities or rights.

- **Skills-Based Training in Conflict Resolution and Anti-Racism**: Many legal issues involving Indigenous peoples arise from deep-rooted conflicts, whether over land, governance, or resource management. Training lawyers in conflict resolution, human rights, and anti-racism equips them to navigate these challenges more effectively and with greater sensitivity. Anti-racism training helps dismantle the biases and systemic racism that persist within the legal profession.

Challenges and Implementation

- **Federation of Law Societies of Canada (FLSC)**: The FLSC, the national coordinating body for Canada's law societies, is responsible for setting and enforcing standards for legal education and professional conduct. Implementing Call to Action #27 requires the FLSC to mandate cultural competency training and Indigenous law education across law schools and for practicing lawyers.

- **Integration into Legal Education**: Law schools across Canada need to embed these topics into their curricula, ensuring that future lawyers graduate with a solid understanding of Indigenous legal matters. This may require reforming core courses and providing specialized electives on Indigenous law and Aboriginal-Crown relations.

- **Continuing Legal Education (CLE)**: For practicing lawyers, continuing education programs need to prioritize these areas. Some provinces, such as British Columbia, have already begun requiring lawyers to take courses related to Indigenous issues, but full implementation remains uneven across the country.

Examples of Progress

- **Law Societies Adopting Reforms**: Some provincial law societies have begun requiring cultural competency training for lawyers. For instance, the Law Society of British Columbia implemented a mandatory Indigenous intercultural competency course for all practicing lawyers in 2021.

- **Indigenous Law Institutes and Programs**: Various universities in Canada are developing programs and research initiatives aimed at integrating Indigenous legal traditions into their law curricula. The University of Victoria, for example, offers a joint degree in Canadian common law and Indigenous legal orders, which provides students with a deep understanding of both systems.

Long-Term Impact

- **Enhanced Legal Advocacy**: As lawyers become more knowledgeable about Indigenous law and rights, they will be better equipped to advocate for Indigenous clients in courts, negotiations, and dispute resolution processes. This will contribute to more just and equitable outcomes for Indigenous peoples in the legal system.

- **Strengthened Aboriginal-Crown Relations**: Lawyers who are culturally competent and understand Indigenous legal systems will play a key role in building stronger, more respectful relationships between Indigenous peoples and the Crown. They will be able to facilitate negotiations and agreements that reflect the principles of reconciliation and respect for Indigenous sovereignty.

Call to Action #27 is a crucial step in transforming the Canadian legal profession to better serve Indigenous peoples and advance reconciliation. By ensuring that lawyers receive appropriate training in Indigenous issues, laws, and rights, this Call to Action aims to promote justice, equity, and the recognition of Indigenous sovereignty in the legal system. However, full implementation will require sustained effort, investment, and commitment from law societies, law schools, and practicing lawyers across the country.

Residential Schools in Canada

Introduction

For over 150 years, Residential Schools operated in Canada, where First Nation, Inuit, and Métis Nation children were forcibly taken from their families and communities to attend schools located far from their homes. More than 150,000 children attended these schools, and many never returned.

The first church-run Residential School opened in 1831. By the 1880s, the federal government had adopted an official nationwide policy to fund these schools. In 1920, the Indian Act made attendance mandatory for Treaty-status children between the ages of 7 and 15.

These schools were often overcrowded and underfunded, providing a substandard education. Children were harshly punished for speaking their own languages and prohibited from practicing their ceremonies or wearing their traditional clothing. Abuse, both physical and sexual, was common. Poor living conditions led to many children becoming ill with preventable diseases such as tuberculosis and the flu. The last Residential School did not close until 1996, located in Saskatchewan.

The Truth and Reconciliation Commission of Canada (TRC), in its extensive Final Report, concluded that Residential Schools were a systematic, government-sponsored attempt to destroy Indigenous cultures and languages, assimilating Indigenous peoples to ensure they no longer existed as distinct communities. The TRC characterized this intent as "cultural genocide."

History of Residential Schools in Canada

The concept of residential schools in Canada emerged in the early 19th century. Initially, these institutions were established by various Christian religious organizations, such as the Catholic Church, Anglican Church, Methodist Church, and Presbyterian Church. The primary goal of these schools was to assimilate Indigenous children into Euro-Canadian culture by eradicating their languages, traditions, and identities. There were a total of over **130** residential schools operated in Canada between 1831 and 1996. In 1931, 80 residential schools were operating in Canada. This was the most at any one time.

Government Policies

The Canadian government supported and funded these schools as part of a broader policy of assimilation. The government believed that by removing Indigenous children from their families and communities, they could integrate them into Western society and eliminate Indigenous cultures. This policy was rooted in the notion of "civilizing" Indigenous peoples, which was justified through a paternalistic and colonial lens.

Indian Act of 1876

The Indian Act of 1876 played a pivotal role in the establishment and expansion of residential schools. The Act aimed to control almost every aspect of Indigenous life, including education. It provided the framework for the federal government to fund and mandate attendance at residential schools.

Mandatory Attendance

In 1920, the Indian Act was amended to make attendance at residential schools mandatory for all Treaty-status children between the ages of 7 and 15. This policy was enforced with strict penalties for non-compliance, further entrenching the schools' role in assimilating Indigenous children. Parents and guardians who refused to allow their children to attend were at risk of arrest by Indian Agents and/or RCMP. Children would often run away and then be forced to return.

Conditions and Practices

Residential schools were often poorly funded and overcrowded. The education provided was substandard, and children faced harsh discipline. They were punished for speaking their Indigenous languages and were forbidden from practicing their cultural traditions. The conditions in these schools were often harsh, leading to widespread physical and emotional abuse.

Religious Organizations' Role

Religious organizations played a central role in the administration and operation of residential schools. They were responsible for the day-to-day management of the schools and the implementation of their

assimilation policies. These organizations were often complicit in the abuse and neglect that occurred in these institutions.

The last residential school closed in 1996

Daily Life in Residential Schools

Until the 1950s, residential schools operated on a half-day system, in which students spent half the day in the classroom and the other at work.

Gender-Specific Tasks

Tasks were separated by gender. Girls cooked, cleaned, did laundry, sewing etc. while boys did general maintenance and agricultural labour. Many tasks were to be done before breakfast and before supper. Image via Canada. Department of Mines and Technical Surveys. Library and Archives Canada, PA-042133

Attending Church

School days began early, usually, a bell summoned students to dress and attend chapel or mass. On Sundays, while not in school, students were expected to spend time on religious practices.

Recreation & Breaks

Time was set aside for children to play, usually in the afternoon or evening once all their chores were done for the day. Many students spend their holidays working and staying at school. It was not until the 1960s, that schools allowed students to spend the holidays with their families. Image via J. F. Moran. Library and Archives Canada, PA-102575

Cultural Suppression

Many students were forbidden to speak their language and practice their own culture. Statements like "Kill the Indian, Save the Man" or "Kill the Indian in the Child" were common slogans that

explained the purpose of residential schools. To further detach the students from their culture, schools would give them new names, cut their hair short, and force them to wear uniforms. Every aspect of their identity was suppressed and their way of life was deemed inferior to the mainstream ways.

Image of Thomas Moore Keesick from Muscowpetung Saulteaux First Nation via Library and Archives Canada/Annual report of the Department of Indian Affairs 1896/OCLC 1771148

The government's goal during this time was to erase Indigenous Peoples and the easiest way for them was mass genocide. They believed Indigenous Peoples as ignorant, savages, a burden to society, and in need of guidance on the "right way to live".

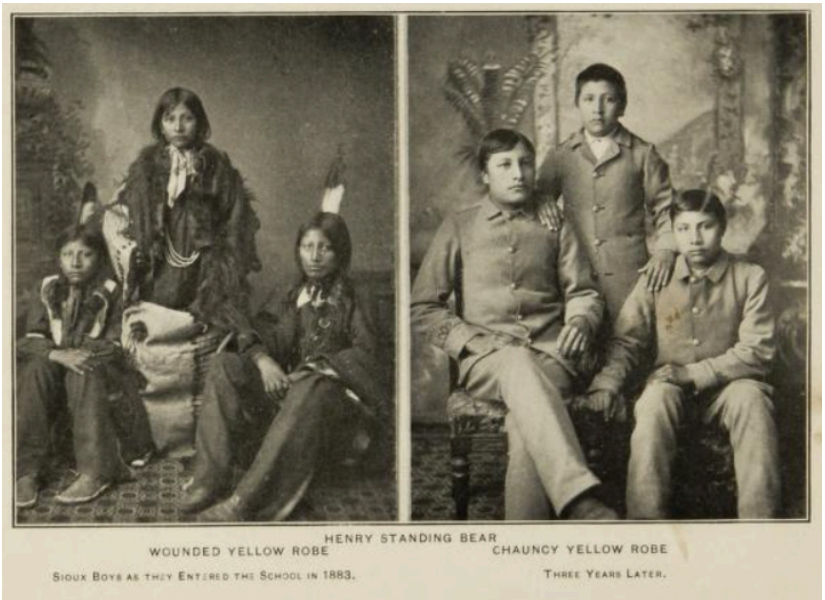


Image: The induction of three Sioux boys at Carlisle Indian Industrial School. Reprinted from Souvenir of the Carlisle Indian School by J. N. Choate, 1902, Carlisle, PA: Carlisle Indian School Digital Resource Center.

Some former students have positive memories of their time at residential schools, and some may have been treated fairly by priests and nuns who ran the schools. However, these "good" experiences happened within a system aimed at destroying Indigenous cultures and assimilating Indigenous children.

Indian Day Schools

Not all Indigenous children attended residential schools. Some attended "Indian Day Schools" or provincial public schools. They operated from the late 19th century until 2000. These schools were intended to assimilate Indigenous children into mainstream Canadian society by eradicating their cultural practices, languages, and traditions. This system is linked closely to residential schools. However, students attending Indian Day schools were educated in their communities and returned home at the end of the day.

Similar to residential schools, the Roman Catholic, Anglican, Presbyterian, Methodist and later United churches operated these institutions. These schools were funded by the federal government and, in total, over 699 Indian Day Schools operated on nearly every Indigenous reserve in Canada. The only exception being in Newfoundland and Labradour.

Quick Facts of Indian Day Schools

When did the first Indian Day School open?	It differs based on region and time frame. Some schools did not open until the 1950s while others have history dating back to the 1700s.
How many students attended Indian Day Schools?	Similar to residential schools, it is estimated that 150,000 Indigenous children attended Indian Day schools.
What was the purpose of Indian Day Schools?	The main goal was to assimilate Indigenous children into Euro-Canadian culture. Students were taught English and French, Western academic subjects, and Christian religious teachings.
How many children died at Indian Day Schools?	According to APTN News, an analysis of records from 46 out of 699 Indian Day Schools found that 200 Indigenous children died at these schools. This indicates that the total amount of deaths is much likely larger.
When did the last Indian Day School close?	The last Indian Day School in Canada closed in 2000.

Mohawk Institute, Brantford, Ontario Image via Canada. Department of the Interior. Library and Archives Canada, PA-043613

1 of 25 **children died in residential schools**

Stories & Testimonies'

Residential school survivors' stories are powerful testimonies that shed light on the profound impact of the residential school system on Indigenous communities in Canada. These personal accounts reveal the widespread abuse, cultural suppression, and lasting trauma endured by Indigenous children forced to attend these institutions. Sharing these stories is crucial for understanding the historical and ongoing injustices faced by Indigenous peoples, fostering reconciliation, and ensuring that such atrocities are never repeated.

To read and/or listen to survivors, please visit one of the following websites for more information. Please be aware that many of these stories may be difficult to hear.

Legacy of Hope Foundation

Is a National Indigenous charitable organization with a mandate to educate and create awareness and understanding about the Residential School system. Image via
Home - Legacy of Hope Foundation

Indian Residential School Survivors' Storybase

The Indian Residential School Survivors' Storybase is a project that seeks to bring together many stories from residential school survivors that are available online in one searchable format. These items are created by organizations external to the University of Toronto Libraries, and this collection brings them together and places them in conversation.

Community

You can often find residential school survivors within your own community. If they are willing, take the time to sit with them and listen to their stories. This personal connection can provide valuable insights and help honour their experiences.

Impact & Legacy

Even though Residential Schools and Indian Day schools are no longer in operation, the effects of these institutions are still being felt today.

Residential Schools laid the groundwork for the epidemic we see within Indigenous communities today. Many survivors have experienced trauma that has had a lasting effect on them and their families, leading to intergenerational trauma.

Intergenerational trauma refers to the transmission of the effects of traumatic experiences from one generation to the next. This can occur when the initial trauma affects the mental health, behaviors, and relationships of survivors, which in turn impacts their children and subsequent generations. Symptoms of intergenerational trauma can include anxiety, depression, substance abuse, and difficulties in forming healthy relationships. Today, one of the major impacts is the over-incarceration,

lack of housing, child apprehension, systemic poverty, marginalization and violence against Indigenous women, girls, and 2SLGBTQQIA+ peoples.

The operation of Residential Schools occurred through several generations of Indigenous peoples. Therefore, the process of healing from the trauma, hurt, and pain will also take several generations. The process has begun but it is not an easy or simple one.

Conclusion: Reconciliation

Since the closure of Residential Schools, families and Indigenous communities have supported survivors with the long-term impacts including family breakdowns, violence, and aimlessness. In the 1990s, former students demanded that the government and churches publicly acknowledge their role in the schools and provide compensation for their suffering.

In 2005, the federal government established a $1.9 billion compensation package for the survivors of abuse at Residential Schools.

In 2007, the federal government and churches that operated the schools agreed to provide financial compensation to former students under the Residential Schools Settlement Agreement.

In 2008, Prime Minister Stephen Harper, on behalf od the Government of Canada, offered a formal apology acknowledging the harm caused by Residential Schools.

On September 20, 2019, the names of 2800 children who died in Residential schools were released by the National Centre for Truth and Reconciliation. According to archivists, another 1600 children who died in residential schools remain unnamed, and researchers continue to pore over records to discover their identities.

On June 3, 2021, the federal government established September 30th as the National Day for Truth and Reconciliation. The day honours the survivors and their families. This also coincides with Orange Shirt Day which began in 2013 and was inspired by residential school survivor Phyllis Webstad. On her first day of school, Phyllis, wore an orange shirt that was taken from her by the school authorities and never given back.

The history of residential schools in Canada is a dark chapter marked by systemic efforts to assimilate Indigenous children and eradicate their cultures. Established in the late 19th century and operating well into the 20th century, these institutions were characterized by widespread abuse, neglect, and cultural suppression. Children were forcibly removed from their families, stripped of their languages and traditions, and subjected to harsh living conditions and maltreatment. The legacy of residential schools has left deep scars on Indigenous communities, contributing to intergenerational trauma that persists today. Acknowledging this painful history is crucial for understanding the ongoing struggles faced by Indigenous peoples and for fostering genuine reconciliation and healing.

timeline

1831

The Mohawk Institute in Brantford, Ontario, accepted its first boarding students becoming the first residential school in Canada.

1876

The Indian Act is established, providing legal foundation for the creation and funding of residential schools and giving the federal government control over Indigenous education.

1880s

The federal government officially adopted a policy to fund residential schools across Canada. Numerous schools are established, operated by various religious organizations.

1907

Medical Inspector for Indian Affairs, Dr. P.H. Bryce, reports that health conditions in residential schools are a “national crime.”

1920

Duncan Campbell Scott, Deputy Superintendent of Indian Affairs, makes residential school attendance compulsory for children between the ages of 7 and 15.

1940 – 1950

Reports of abuse and neglect in residential schools become more widespread. The government begins to receive increasing criticism, but the schools continue to operate with little reform.

1951

Major revisions are made to the Indian Act - women are allowed to participate in band democracy, and traditional practices and ceremonies are no longer prohibited.

timeline

Indian Affairs regional inspectors recommend the abolition of residential schools

1958

1960s

As Indigenous communities increasingly resist the residential school system, enrollment begins to decline. The government starts to shift towards more community-based education programs.

The Constitution Act is amended and now recognizes and affirms the rights of “Indian, Inuit, Métis peoples of Canada.”

1982

1986–1994

The United Church, the Catholic Missionary Oblates of Mary Immaculate, the Anglican Church, and the Presbyterian Church all issue formal apologies for their participation in the residential school system.

The last residential school, located in Saskatchewan, closes its doors, marking the end of the formal residential school system.

1996

1996–1998

Class action lawsuits begin to appear.

Assembly of First Nations National Chief Phil Fontaine announces a class action lawsuit against the Government of Canada over the legacy of residential schools.

2005

timeline

Prime Minister Stephen Harper apologizes to First Nations, Inuit and Métis for the residential school system

2008

2009

As part of the Indian Residential School Settlement Agreement (IRSSA), the Truth and Reconciliation Commission (TRC) is launched and hosts events all across the country to listen to Canadians who want to share their residential school stories.

First TRC National event held in Winnipeg, Manitoba

2010

2015

The TCR releases its final report, which concludes that residential schools were a form of “cultural genocide” aimed at destroying Indigenous cultures and languages.

A discovery of unmarked graves at former residential schools led to increase awareness and calls for further investigation and accountability.

2021

Today

Communities continue to search for unmarked graves at various residential school sites. Many TRC Calls to Action have remained unfulfilled.

UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

Introduction

On Canada's National Indigenous Peoples Day, June 21, 2021, the United Nations Declaration on the Rights of Indigenous Peoples ("UNDRIP") received royal assent in Canada becoming the Declaration on the Rights of Indigenous Peoples Act (the "Declaration"). This Declaration declares that Canada's laws will be consistent with UNDRIP and affirms it as an important source for interpreting Canadian law.

What is UNDRIP?

The UN General Assembly adopted UNDRIP on September 13, 2007, and is at minimum the global standard for "the survival, dignity, and well-being" of all Indigenous peoples worldwide.

UNDRIP outlines Indigenous peoples' individual and collective rights, including the right to self-determination, culture, and land. It emphasizes the importance of respecting Indigenous traditions and practices while advocating for their rights to be recognized and protected in both national and international law. It is non-binding and therefore non-legally enforceable, but it still serves as an important framework for promoting and protecting Indigenous rights globally.

Key Rights in UNDRIP

The Right to Self-Determination

Acknowledges the right of Indigenous peoples to freely determine their political status and pursue their economic, social, and cultural development. This might include:

- **The right** to decide their political status, which means they can choose their form of governance and political representation including the right to self-government or autonomy within the framework of the existing state.
- **The authority** to control and manage their own economic resources and development projects. This may also include making decisions about how to use and benefit from their lands, resources, and economic activities.
- **The right** to practice and revitalize their cultures, traditions, languages, and customs.
- **Meaningful participation** in decision-making processes that affect their lives and communities including being involved in decisions, related to laws, policies, and projects that impact their rights and interests.
- **The right** is recognized in international law, and UNDROP emphasizes that Indigenous peoples should be able to exercise this right following the principles of equality, non-discrimination, and respect for their unique cultural identity.

The Right to be Recognized as Distinct People

Emphasizes the recognition and respect for the unique identities, cultures, and social structures of Indigenous peoples including:

- **Their own** cultures, languages, traditions, and social systems.
- **Their ways of life**, social structures, and cultural practices differ from the dominant society. UNDRIP supports their right to maintain and develop these distinct cultural attributes.
- **Supporting** the establishment and maintenance of Indigenous governance systems and institutions that reflect their unique cultural and social structure. This can also include traditional leadership structures and community-based decision-making processes.

- **Governments and Institutions** are encouraged to formally recognize and respect the distinct status of Indigenous peoples in legal and political frameworks. This may influence policies, laws, and agreements to better accommodate and support Indigenous ways of life.

The Right to Free, Prior, and Informed Consent

A crucial principle in UNDRIP. It particularly concerns decisions that affect Indigenous peoples' lands, resources, and cultures.

- **Free**: Consent must be given voluntarily, without any form or coercion, intimidation, or manipulation. Indigenous peoples should not be pressured into agreeing to decisions or projects that impact them.
- **Prior**: Consent must be sought before any project or decision that affects Indigenous lands, resources, or rights is undertaken. This means that Indigenous communities should be consulted well in advance of any activities or policies that might impact them.
- **Informed**: Indigenous peoples must be provided with all relevant information in a comprehensible and accessible manner before giving their consent. This includes details about the potential impacts, risks, and benefits of the proposed actions or projects.
- **Consent**: The decision to agree or disagree must be made by the affected Indigenous community as a whole, typically through their traditional decision-making processes and leadership structures. Consent is not just a one-time event but involves ongoing dialogue and negotiation.

All of these elements are essential for respecting Indigenous peoples' autonomy and rights, preventing exploitation, and ensuring that their voices are heard and respected in decisions that affect their lives.

The Right to be Free from Discrimination

A fundamental aspect of UNDRIP, emphasizes that Indigenous peoples should be treated equally and fairly without bias or prejudice. Here's what this right encompasses:

- **Equality and Non-Discrimination:** Indigenous peoples have the right to enjoy all human rights and fundamental freedoms on an equal basis with

others, without discrimination based on their Indigenous identity. This means they should have equal access to services, opportunities, and protections afforded by law.

- **Protection from Specific Forms of Discrimination:** This right protects Indigenous peoples from discrimination in various areas, including education, employment, healthcare, and participation in public life. It also guards against discriminatory practices that might undermine their cultural, social, and economic rights.
- **Legal and Institutional Safeguards:** Governments and institutions are obligated to implement laws and policies that prevent and address discrimination against Indigenous peoples. This includes establishing mechanisms for reporting and remedying instances of discrimination.
- **Cultural and Social Respect:** The right to be free from discrimination includes the recognition and respect for Indigenous cultures, languages, and traditions. Discrimination against Indigenous cultural practices or values is prohibited.
- **Historical and Structural Inequalities:** Recognizing and addressing historical injustices and systemic inequities faced by Indigenous peoples is part of ensuring freedom from discrimination. This involves acknowledging past wrongs and working towards correcting ongoing disadvantages and disparities.

Ensuring that Indigenous peoples are free from discrimination is essential for achieving justice and equity, allowing them to fully exercise their rights and participate in society on equal terms.

25 years: Negotiating and Endorsing

UNDRIP took nearly 25 years to negotiate. The process involved hundreds of UN member states and groups of Indigenous peoples from around the world.

Indigenous leaders in Canada played an important role.

Key Milestones in Canada

- **2007**: Canada initially opposed UNDRIP when it was adopted by the UN General Assembly.
- **2010**: Canada reversed its position and endorsed UNDRIP but still expressed reservations about some aspects.
- **2015**: the Truth and Reconciliation Commission calls on all levels of government to adopt UNDRIP as the framework for reconciliation.
- **2016**: Canada officially committed to fully implementing UNDRIP. This commitment was accompanied by promises to work in partnership with Indigenous communities to ensure that Canadian Laws and policies align with the principles.
- **2017**: Parliament passes Bill S-3 to help address known sex-based inequities in registration provisions of the Indian Act for certain situations.
- **2018**: Canada does the following:
  - **Releases** the Principles Respecting the Government of Canada's Relationship with Indigenous Peoples affirming the implementation of UNDRIP and requiring a transformative change in the Crown-Indigenous relationship.
  - **Amends** the *First Nation Land Management Act* increasing First Nation's decision-making power over how their reserve lands are managed.

    - **Passes** the *Department for Women and Gender Equality Act* affirming Canada's commitment to implement UNDRIP and acknowledging that the rights in UNDRIP are guaranteed equally to Indigenous individuals regardless of sex.
- **2019**: Canada continues to introduce new policies, pass legislation, and implement principles that align with UNDRIP including:
- **2020**: Canada introduced Bill C-15 which aimed to align Canadian laws with UNDRIP. This would later become the Declaration and continues to collaborate with Indigenous peoples on implementing UNDRIP in Canada.
- **2021:**
    - **Canada** releases its component of the National Action Plan, the Federal Pathway to Address Missing and Murdered Indigenous Women, Girls, Two-Spirit and LGBTQQIA+.
    - **The Declaration** received royal assent and came into force. The Declaration provides a roadmap for the Government and Indigenous peoples to work together to fully implement UNDRIP.
    - **A process** for consultation, cooperation, and engagement between the Government and Indigenous peoples was developed for an action plan and to take measures to ensure laws are consistent with UNDRIP.
- **2022**: The Minister of Justice tables in Parliament the first annual progress report on the Declaration.
- **2023**: The Minister of Justice tables the 2023-2028 Action Plan to achieve the Declaration and tables the second annual progress report.

Implementation and Challenges

Despite legislative progress, there have been challenges and criticisms regarding the pace and effectiveness of implementing UNDRIP.

Indigenous leaders and communities continue to express concerns about the adequacy of consultations, the translation of principles into concrete actions, and the need for more substantial changes to address longstanding issues including:

- **Slow**: Many Indigenous leaders and communities have expressed frustration with the slow pace of implementation. Many argue that despite legislative commitments, action plans, and changes, it has been limited and

insufficient. They wish to see quicker action and real improvements in their lives.

- **Insufficient:** Many criticize that the Government of Canada continues to lack consultation with Indigenous peoples and communities. Indigenous leaders are continuously asking to be more involved in the decisions that affect their people and communities. Meaningful engagement and partnership are seen as essential for true adherence to UNDRIP principles.
- **Lack of Clear Processes:** There are concerns about how the principles of FPIC are being operationalized with many criticizing that there is a lack of clear mechanisms and processes to ensure Canadian laws and policies are consistent with UNDRIP including concerns about how the government handles consent before starting projects on Indigenous land.
- **Continued Rights Violations:** Despite the adoption of UNDRIP, some Indigenous communities continue to face violations of their rights, particularly related to land and resource disputes. These ongoing conflicts highlight gaps between the principles of UNDRIP and the realities faced by Indigenous peoples.
- **Economic and Social Inequalities:** Indigenous peoples have also pointed out that broader social and economic inequities remain unaddressed. These include disparities in health - such as clean water, education, housing, and employment that continue to affect Indigenous communities disproportionately.

The Canadian government continues to work with Indigenous communities to address these concerns and make further progress on implementing UNDRIP. This includes ongoing consultations, policy developments, and efforts to improve relations and support for Indigenous rights.

Conclusion

While UNDRIP is a significant step in recognizing Indigenous rights, its effective implementation in Canada faces several challenges. Addressing these concerns requires meaningful dialogue, cooperation, and tangible that will bridge the gap between principles and practice.

"IF RECONCILIATION MAKES YOU FEEL GOOD YOU'RE DOING IT WRONG" - FIRST PEOPLES LAW

Questions to think about:

- What do I already know about the history and current situation of Indigenous Peoples in Canada?
- Who can you learn from more about Indigenous Cultures and Experiences?
- Where and how can I use my knowledge of UNDRIP to advocate for positive change in my community?
- How can I reflect on my learning journey and assess my growth in understanding Indigenous rights and UNDRIP?

Further Reading & Resources

- **Karine Duhamel.** "The United Nations Declaration on the Rights of Indigenous Peoples." Canadian Museum for Human Rights. Published September 8, 2022. <https://humanrights.ca/story/the-united-nations-declaration-on-the-rights-of-indigenous-peoples>
- **Government of Canada,** "United Nations Declaration on the Rights of Indigenous Peoples Act Action Plan." ,https://www.justice.gc.ca/eng/declaration/ap-pa/ah/index.html>
- **First Peoples Law**, <https://www.firstpeopleslaw.com>
- **Erin Hanson**, "UN Declaration on the Rights of Indigenous Peoples," Indigenous Foundations. <https://indigenousfoundations.arts.ubc.ca/un_declaration_on_the_rights_of_indigenous_peoples/>

Saskatchewan Treaties

The Saskatchewan treaties are a series of agreements between the Canadian government and various Indigenous nations. These treaties were part of a larger framework of numbered treaties across Canada, aimed at facilitating European settlement and resource exploitation while promising certain rights and protections to Indigenous peoples.

Following the Confederation in 1867, the Canadian government was eager to extend its influence westward. The expansion aimed to open up lands for settlement and development, particularly for agriculture, and to secure the necessary resources to fuel the young nation's growth.

The Indigenous peoples of the prairies were experiencing profound disruptions due to increased European presence, the decline of the buffalo herds (a primary food source), and the impacts of European diseases. The Canadian government sought to negotiate treaties to address Indigenous concerns and facilitate the peaceful transfer of land.

Key Terms used in Treaties:

Cede (Cession): To cede land (the act of cession) is to give up or surrender the authority to control and own that land.

Adhesion: By signing an adhesion to a treaty, Indigenous peoples who could not attend or were not initially included in treaty negotiations were able to enter into the terms of that treaty.

Land Title: Land title refers to specific rights to a territory. In Canada, Aboriginal title describes the rights of Indigenous peoples to land based on long-standing land use and occupancy. It is the unique collective right to use of, and jurisdiction over, ancestral territory and is separate from the rights of non-Aboriginal Canadian citizens under common law.

Annuity: The treaty annuities are annual cash payments distributed by the Government of Canada to the descendants of the Indigenous peoples who signed the Robinson–Superior and Robinson–Huron treaties and the Numbered Treaties.

Key Treaties in Saskatchewan

The treaties most relevant to Saskatchewan are the numbered Treaties 2, 4, 5, 6, 8, and 10. Each of these treaties covered specific geographic areas and involved different Indigenous

groups:

Photo Courtesy of the Royal Saskatchewan Museum

The Saskatchewan treaties had profound and lasting impacts on the Indigenous peoples and the province. While they were intended to be mutually beneficial, the implementation often fell short, leading to grievances and legal battles that continue to this day. Many promises, such as those related to education, healthcare, and land rights, were inadequately fulfilled, leading to socio-economic challenges for Indigenous communities.

Today, the treaties are recognized as foundational documents that established the framework for ongoing relationships between Indigenous peoples and the Canadian state. They are seen as living agreements, requiring continued negotiation and renewal to address historical injustices and move toward reconciliation.

The Saskatchewan treaties are a crucial aspect of Canada's history, reflecting the complex and often contentious interactions between Indigenous nations and the Canadian government.

Understanding these treaties is essential for appreciating the historical and ongoing challenges faced by Indigenous communities in Saskatchewan and for working towards a more equitable future.

There are misconceptions that only First Nations peoples are part of the treaties, but that is not the case. As the phrase “we are all treaty people”, implies both Indigenous and Non-Indigenous peoples in Saskatchewan are part of the Treaty.

TREATY 2 (1871)

Treaty 2, also known as the Manitoba Post Treaty, was one of the earliest of the numbered treaties between the Canadian government and Indigenous nations. Signed on August 21, 1871, at Manitoba House, Treaty 2 involved the Anishinaabe (Ojibwe) and some Cree nations. Although primarily associated with parts of Manitoba, the treaty also covered a portion of eastern Saskatchewan, making it significant in the broader context of Prairie treaties.

The Treaty 2 negotiations did not start until July 27, 1871, after approximately 1,000 Indigenous peoples, including men, women, and children, formed a camp of roughly 100 tents in a semi-circle around Fort Garry. James McKay, a Métis member of Manitoba’s Executive Council, was retained as interpreter.

After concluding negotiations for Treaty 1, Commissioner Simpson, Lieutenant Governor Archibald, and James McKay along with the clerk of Manitoba’s Legislative Assembly went to Mantiboa Post, an HBC trading post on the southwest side of Lake Manitoba, to complete Treaty 2.

Treaty 2 was signed on behalf of the Anishinaabe by Mekis, Sou-sonce, Ma-sah-kee-yash, François (Broken Fingers), and Richard Woodhouse. The written text of the treaty, the Anishinaabe agreed to:

> *“cede, release, surrender, and yield up to Her Majesty the Queen, and Her successors forever.”*

A large tract of very valuable land to the west and north of Manitoba as it existed in 1871, and three times as large as the province of Manitoba. In return, each band would receive a reserve large enough to provide 160 acres for each family of five. Each man, woman, and child was to be given a gratuity or one-time payment of three dollars, and a yearly annuity totaling $15 per family of five. The government also agreed to maintain a school on each reserve and to prohibit the introduction or sale of liquor on reserves.

Like Treaty 1, the Indigenous negotiators may have understood the treaty as a promise to share the land with newcomers and each group would pursue its livelihood without interference, especially since the government emphasized that they would have the ability to continue to hunt and fish on ceded tracts, and confused the concepts of “surrender” and “reserves.”

While the treaty's terms were clear, the implementation often fell short. The promised agricultural implements and training were either delayed or inadequate, hindering the transition to farming. The establishment of schools was slow and often did not meet the needs of the communities.

Moreover, the interpretation of hunting and fishing rights became a point of contention. The government imposed regulations that restricted these activities, leading to tensions and disputes over the interpretation of treaty rights.

Treaty 2 is marked by ongoing challenges and efforts towards reconciliation. The initial failures in implementation led to socio-economic hardships for many Indigenous communities covered by the treaty. Over time, Indigenous leaders and communities have sought to address these issues through negotiations, legal challenges, and advocacy for their rights.

Today, Treaty 2 is recognized as a foundational document in the relationship between Indigenous peoples and the Canadian government. It underscores the need for continued dialogue, respect for treaty rights, and efforts to address historical injustices. The treaty's principles and promises remain relevant as both parties work towards fulfilling the spirit and intent of the agreement.

TREATY 4 (1874)

Also known as the Qu’Appelle Treaty was signed on September 15, 1874, at Fort Qu’Appelle Saskatchewan. The majority of Treaty 4 lands are in present-day southern Saskatchewan with small portions in western Manitoba and southern Alberta

By 1873, the decline of the bison and increased western settlement threatened First Nations in western Canada, prompting Indigenous groups to seek treaties with the government. Although initially reluctant, the government agreed to negotiate after pressure from Alexander Morris, the lieutenant governor of Manitoba and the North-West Territories. Morris, along with other commissioners, arrived at Fort Qu'Appelle in 1874 to negotiate a treaty with the Indigenous peoples of the region.

Negotiations for Treaty 4 were challenging as the Cree and Saulteaux sought full compensation for their lands, remembering unfulfilled promises from earlier treaties. Verbal promises of agricultural aid and medical assistance had been made but were omitted from the written text of Treaties 1 and 2, leading to dissatisfaction among the First Nations. This discontent set the tone for Treaty 4 negotiations, where the Cree, led by Chief Loud Voice (Kakiishiway), and the Saulteaux, represented by "The Gambler," expressed concerns about the Hudson’s Bay Company’s past actions and the Crown's commitments. Despite initial resistance and tensions, including demands for restrictions on the Hudson’s Bay Company and hesitancy to negotiate at the HBC post, the First Nations eventually agreed to the terms of Treaty 3, and on September 14, 1874, thirteen chiefs signed Treaty 4.

The terms of Treaty 4 included land reserves, annuities, agricultural provisions, and hunting rights, but implementation was slow, causing ongoing frustrations. A year after signing, confusion arose over the treaty's validity, with Chief Piapot pushing for expanded terms like farm instruction and medical aid. The First Nations were disappointed by the delayed agricultural help and expected immediate assistance. They had also insisted on a Treaty Ground to conduct treaty business, but in 1882, the government redirected treaty payments to reserves, leading to the Treaty Ground's disuse. In 1995, over a century later, a settlement

allowed for the purchase of much of the original Treaty Ground and the construction of the Treaty 4 Governance Centre to preserve and honor Treaty 4 culture and heritage.

TREATY 5 (1875)

Also known as the Winnipeg Treaty, Treaty 5 originated in two historical processes. The southern part was negotiated in 1875 and was largely a result of the instance of the Indigenous peoples of that region that the federal government recognized their aboriginal rights. The northern part of Treaty 5 was negotiated in 1908. The Treaty was signed by the federal government, Ojibwe people, and the Swampy Cree of Lake Winnipeg.

In the mid-1870sm the Indigenous peoples of the Lake Winnipeg area were interested in making a treaty with the federal government. They had heard about the concessions offered to the Indigenous nations of Treaties 1 through 4 and demanded the government to provide similar economic assistance, provisions of tools, and protection against the encroachment of settlers on their territories. The communities such as Norway House were also looking to relocate from the north of the lake to an area in the south that had more suitable agricultural lands.

Although the government was interested in opening up the Lake Winnipeg region for future development, it was not initially keen on negotiating a new treaty. The government eventually agreed to enter a treaty with the Berens River bands and other communities around the lake. However, they were not looking to make a treaty with the northern part of the lake due to the limited agricultural and settlement potential, therefore not making it a priority for the government. Regardless, one exception was made for the Norway House band and it was agreed that the Crown would include them in negotiations.

Both sides of a commemorative coin, Chiefs Medal, for Treaties 3, 4, 5, 6, and 7.

Initially excluded from early treaty negotiations, the federal government later approached Indigenous peoples in northern Manitoba as it sought to acquire land for railway development and in response to the discovery of oil. In 1907, instead of including these groups in the more

generous Treaty 10, the government opted to add them to Treaty 5 to reduce costs. Reverend John Semmens was sent to secure these adhesions from various Cree and Oji-Cree communities between 1907 and 1910, culminating in the final formal stages of Treaty 5's expansion.

Métis Scrip

Between 1908 and 1910, Reverend John Semmens processed Métis scrip applications in northern Manitoba. Scrip was a government-issued certificate that extinguished Métis land claims in exchange for land or cash. Unlike treaties, scrip did not involve negotiations or provide ongoing benefits, leading to long-term negative effects on the Métis community. Many Métis people lost their status and associated benefits through scrip settlements.

Once again, there were misunderstandings about the treaty terms, especially regarding the selection and location of reserves which complicated the administration of the treaty early on. The Indigenous peoples of Treaty 5 were concerned about the failure of the government to provide seed, cattle, and farming tools, there were errors in band membership lists, and problems with the schools on their reserves.

In the early 1900s, William McLean, a Department of Indian Affairs agent, questioned whether Indigenous peoples fully understood the terms of the treaties. The Split Lake and Nelson House bands asked about hunting and fishing rights, indicating confusion about reserves. Elders believed they were sharing, not ceding, their land. Historians suggest that treaty commissioners, eager to open land for settlement, failed to clearly explain the terms and did not allow Indigenous peoples to negotiate. Cultural and linguistic differences, along with imposed leadership systems, further contributed to misunderstandings.

TREATY 6 (1876)

When Canada acquired the lands of the Hudson's Bay Company in 1869, the Plains Indigenous peoples in central Saskatchewan, including the Cree, Ojibwe, and Assiniboine, grew concerned about the federal government's intentions regarding the land and its Indigenous inhabitants. By 1871, these Indigenous groups sought to negotiate a treaty with the Crown to protect themselves from the encroachment of outsiders, such as Métis, white settlers, and surveyors, and to address the threat of starvation due to the declining bison population.

Initially, the federal government was uninterested in negotiating a treaty, despite local missionaries and government agents urging them to do so. To gain attention, the Cree halted members of the Geological Survey in 1875 and threatened to turn back telegraph workers, making it clear they would not tolerate trespassing on their lands. This prompted government officials, influenced by Alexander Morris, the lieutenant governor of Manitoba and the North-West Territories, to recognize that treaties could effectively access and develop Western lands. As a result, the government agreed to negotiate a treaty with the Plains Cree and neighboring Indigenous peoples.

On July 27, 1876, Alexander Morris led a team, including treaty commissioners William Joseph Christie and James McKay, to Fort Carlton to negotiate a treaty with the Plains Indigenous peoples. Upon arrival on August 15, Morris met with Cree leaders Mistawasis (Big Child) and Ahtahkakoop (Starblanket), and the rest of the Cree gathered three days later. A sacred pipe ceremony was held, emphasizing the spiritual significance of the discussions. Morris outlined the government's intent to create reserves and assist with farming, but resistance arose from Pitikwahanapiwiyin, who argued against giving up land already owned by the Cree. According to Métis observer and translator Peter Erasmus, Mistawasis and Ahtahkakoop effectively silenced dissenters like Pitikwahanapiwiyin, arguing that the treaty was necessary for their people's survival as bison hunting declined. On August 23, 1876, after negotiating additional terms, including a medicine chest and famine clause, Treaty 6 was signed by the head chiefs. The Duck Lake band joined four days later.

Chief Mistahimaskwa (Big Bear) via Library and Archives Canada/C-001873

On September 5, 1876, the treaty commissioners arrived at Fort Pitt to negotiate Treaty 6 with the local Indigenous peoples, though not all chiefs were present, including Chief Mistahimaskwa (Big Bear). Alexander Morris offered the same terms as those at Fort Carlton, which Chief Weekaskookwasayin (Sweet Grass) supported after deliberation. Weekaskookwasayin and the Fort Pitt bands signed on September 9, 1876, influenced by other chiefs' decisions to sign the treaty. When Mistahimaskwa returned, he brought news that previous treaties had fallen short of expectations and expressed frustration that negotiations had concluded without him. He viewed the treaty as a "rope around his neck," symbolizing the loss of freedom and control. Although initially opposed, chiefs like Mistahimaskwa, on July 1879, and Minahikosis (Little Pine), on December 8, 1882, signed adhesions to the treaty, fearing starvation and unrest.

In exchange for Indigenous title to their land, Treaty 6 provided annual payments of $25 for each chief, $15 for each headman, and $5 for other band members, along with a one-time payment of $12 per band member. The treaty also allocated reserve lands at a rate of one square mile per family of five, promised schools on reserves, and provided twine, ammunition, and agricultural tools. Additionally, for the first three years, Indigenous farmers on reserves were entitled to $1,000 in agricultural provisions. A medicine chest was to be kept on reserves, and rations were promised in times of famine and pestilence. Indigenous peoples retained the right to hunt, trap, and fish on reserve lands.

Many chiefs signed adhesions to Treaty 6 after 1876, viewing it as the best way to protect their people. Adhesions were signed at various locations, including Fort Edmonton (1877), Blackfoot Crossing (1877), and Fort Walsh (1879 and 1882). The Michel Calihoo Band signed in 1878 but lost their status as Indians in 1958 through enfranchisement, which was later partially restored. Misunderstandings about Treaty 6, particularly regarding land cession, have led to ongoing disputes. Indigenous leaders believed they were agreeing to share the land, not surrender it. Modern interpretations of Treaty 6 include calls for equal healthcare access and economic support. The Confederacy of Treaty Six First Nations, established in 1993, works to protect treaty rights, and Treaty 6 peoples continue to defend their rights through land claims, lawsuits, and participation in movements like Idle No More. In 2013, Edmonton established Treaty No. 6 Recognition Day to honor the treaty.

TREATY 8 (1899)

Treaty 8 was signed on June 21, 1899, by the Crown and First Nations of the Lesser Slave Lake area. The treaty cover s 841,487 square kilometers,making it the largest treaty by area in Canadian history. It includes northern Alberta, northwest Saskatchewan, and parts of British Columbia and the Northwest Territories. The treaty was prompted by the discovery of valuable resources, particularly during the Klondike gold rush, and involved Indigenous groups with different social structures than those encountered in previous treaties.

Initially, the Canadian government was reluctant to make treaties in the North, viewing the land as less valuable for agriculture or settlement. However, periods of starvation among Indigenous peoples and the discovery of potential oil and minerals led to increased interest. By 1897, with tensions rising due to the influx of miners, ie., the Gold Rush, the government saw the need for order and negotiated Treaty 8. The treaty's terms and implementation differed from previous treaties, significantly impacting governance and Indigenous peoples in the region. A party of treaty commissioners consisting of former lieutenant governor David Laird, civil servant James Andrew Josephy McKenna, and politician James Hamilton Ross traveled to negotiate the treat with the Cree, Denesuline (Chipewyan), Dane-Zaa (Beaver) and other inhabitants of the territory.

In early June 1899, three treaty commissioners set out from Athabasca Landing to negotiate Treaty 8 in an unfamiliar region. The first signing took place at Lesser Slave Lake on June 21,

involving the Cree. Initial negotiations faced challenges; the treaty presented did not address many of the Indigenous peoples' crucial needs, leading to resistance and lengthy discussions.

The commissioners, lacking experience with northern lifestyles and criticized for using Prairie nations as references, eventually secured agreement based on oral promises to ensure support for the elderly and poor, provide medical care, and preserve traditional hunting, trapping, and fishing rights.

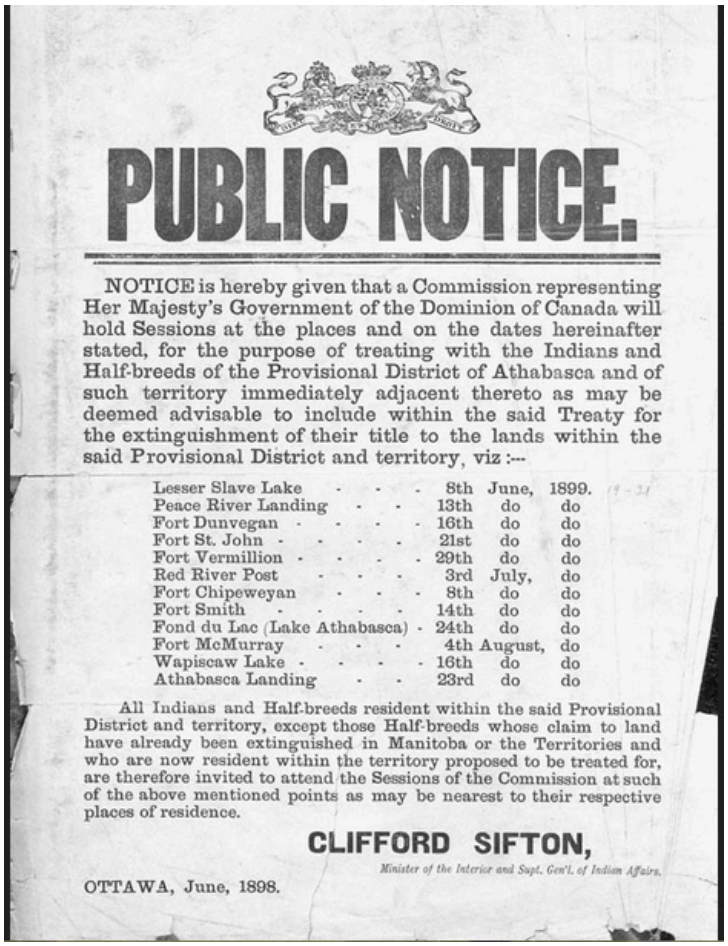
Following the Lesser Slave Lake signing, the commissioners traveled to various locations, including Fort Chipewyan, Peace River Landing, and others, to finalize the treaty with the Denesuline, Cree, and Dane-zaa. Despite claiming success, some groups were not reached until 1900.

The boundaries of Treaty 8 were shaped by factors such as mining interests, prospectors, transportation routes to the Klondike, and the need to establish peace between settlers and First Nations. The treaty's terms, similar to those in earlier treaties, included reserves, annual cash payments (annuities), and other promises in exchange for land surrender. It also ensured the right to hunt, trap, and fish, with some land excluded for settlement, mining, and other uses.

Reserves were allocated based on one square mile per family of five, with provisions for individual land grants of 160 acres for those who preferred to live separately. Immediate cash payments were set at $32 for chiefs, $22 for headmen, and $12 for others, followed by smaller annual payments. Additional funds were allocated for teachers, and agricultural tools and livestock were provided for those interested in farming. Annual supplies of ammunition and fishing twine were also included for those who wanted to continue traditional practices.

After Treaty 8 was initially signed in 1899, additional signings, or adhesions, occurred to include more Indigenous groups. However, inconsistent and inaccurate reports have complicated the understanding of these adhesions.

In February 1900, inspector J.A. Macrae secured adhesions from several groups, including part of the Dane-zaa band at Fort St. John, the Fort Resolution bands (Tlicho, T’atsaot’ine, Denesuline, and Deh Cho), the Sturgeon Lake Cree, and the Upper Hay River Deh Cho. Some Denesuline from east of Smith’s Landing also joined.



PUBLIC NOTICE.

NOTICE is hereby given that a Commission representing Her Majesty's Government of the Dominion of Canada will hold Sessions at the places and on the dates hereinafter stated, for the purpose of treating with the Indians and Half-breeds of the Provisional District of Athabasca and of such territory immediately adjacent thereto as may be deemed advisable to include within the said Treaty for the extinguishment of their title to the lands within the said Provisional District and territory, viz :—

Lesser Slave Lake	8th	June,	1899.
Peace River Landing	13th	do	do
Fort Dunvegan	16th	do	do
Fort St. John	21st	do	do
Fort Vermillion	29th	do	do
Red River Post	3rd	July,	do
Fort Chipeweyan	8th	do	do
Fort Smith	14th	do	do
Fond du Lac (Lake Athabasca)	24th	do	do
Fort McMurray	4th	August,	do
Wapiscaw Lake	16th	do	do
Athabasca Landing	23rd	do	do

All Indians and Half-breeds resident within the said Provisional District and territory, except those Half-breeds whose claim to land have already been extinguished in Manitoba or the Territories and who are now resident within the territory proposed to be treated for, are therefore invited to attend the Sessions of the Commission at such of the above mentioned points as may be nearest to their respective places of residence.

CLIFFORD SIFTON,

Minister of the Interior and Supt. Gen'l. of Indian Affairs.

OTTAWA, June, 1898.

Ottawa: June 1898 Notice of Treaty 8 Negotiations: Library and Archives Canada, 2008

In December 1909, commissioner H.A. Conroy negotiated with the Fort Nelson bands, primarily Deh Cho and some Tsek'ehne, who signed on August 15, 1910. Harold Laird revisited the Fort Nelson bands in May 1911 to secure additional signatures from 98 Tsek'ehne people on August 4, 1911.

By 1913, it was noted that some bands, such as those in Fort Grahame, Moberly Lake, Fort St. John, and Hudson's Hope, had not signed the treaty. These groups were included in 1914, with further entries from Whitefish Lake occurring in 1915 and subsequent years.

In the 1930s, some Métis, including 42 from Fort Resolution, were admitted. Certain bands in British Columbia, like Liard River, Fort Grahame, and Finlay River, as well as those in Alberta, were not included in the initial treaty. The Tsek'ehne of McLeod Lake were officially brought into Treaty 8 in 2000.

During the Treaty 8 negotiations, a Scrip Commission led by Major James Walker and J.A. Coté was also active. This commission aimed to extinguish Métis title, addressing concerns that the Métis, who were numerous in the North, might oppose the treaty and discourage First Nations from signing if their needs were not addressed.

Métis had the option to join the treaty process or receive scrip, which could be redeemed for $240 or 240 acres of land. Despite government attempts to make scrip non-transferable to prevent speculation, this was not implemented, and many Métis sold their scrip to speculators.

The commission investigated Métis claims across various locations, including Lesser Slave Lake, Peace River Crossing, and Fort Chipewyan. In 1912, the scrip option was removed in Alberta for Treaty 8, and Métis claims were then dealt with through treaty admission.

Overall, 1,195 money scrips (totaling $286,800) and 48 land scrips (covering 4,462 hectares) were issued in 1899, with more than half going to the Métis of Lesser Slave Lake. Issues with Treaty 8 arose almost immediately. The government frequently failed to deliver promised money and supplies on time, leaving some groups owed payments for years. Promises such as medical care were often not fulfilled. Additionally, new laws regulating hunting and trapping, like the 1916 Migratory Birds Act and the 1917 Game Act, led to political resistance. For instance, in 1920, First Nations at Fort Resolution boycotted their annual payments in protest.

Disputes have emerged regarding how well the terms of the treaty were communicated or understood. Many Indigenous signatories would not have agreed to the treaty had they known it would impose restrictions on their traditional ways of life. The transfer of responsibility for natural resources to provincial governments after 1930 led to conflicts, as treaty obligations were federally managed, and Supreme Court decisions have limited provincial powers in this area.

Ongoing land disputes remain, particularly in the Northwest Territories, with groups like the Akaitcho Dene and Dehcho First Nations still negotiating land, resource, and self-government agreements. The government's delays in resolving these claims have complicated resource development. In northeastern British Columbia, some treaty signatories oppose resource projects, arguing they violate treaty rights.

TREATY 10 (1906)

Treaty 10 is the 10th of the 11 Numbered Treaties between Indigenous peoples and the Canadian government, aimed at expanding westward settlement. Signed in 1906–07, it covers about 220,000 km² in Saskatchewan and Alberta. The land was deemed less suitable for agriculture, leading to government reluctance despite Indigenous requests for a treaty. The need to address Métis claims and the creation of Alberta and Saskatchewan in 1905 ultimately led to the signing of Treaty 10.

The Royal Proclamation of 1763 established that Indigenous peoples had ownership of their lands and that treaties were needed to extinguish this title for settlement purposes. Following the acquisition of Rupert's Land in 1870, there was increased treaty-making with Indigenous groups across Canada, especially in areas along planned railway routes.

Despite earlier requests from Indigenous groups for treaties, the government initially ignored them, partly due to reluctance to address lands deemed less valuable. The need for treaties became more pressing with the creation of Alberta and Saskatchewan in 1905 and the desire to address Métis claims.

By 1902, the government began considering treaties for the northern areas, influenced by previous treaties and internal disagreements over land value and compensation. The decision was made to model Treaty 10 on Treaty 8, as it was already established and familiar to Indigenous peoples.

In Treaty 10, signatories were given a choice between reserves or “land in severalty” for families or individuals preferring to live separately. Reserves were allocated at about one square mile per family of five, with adjustments based on family size, while individuals or families opting for separate land received 160 acres each.

The treaty protected the rights to hunt, fish, and trap but allowed for government regulation and potential land use changes for activities like mining. The government promised support for education and agriculture, though the terms were less specific than in some other treaties. Financial payments included $32 per chief, $22 per headman, $12 per individual, with annual smaller payments, along with medals, flags, and suits for chiefs and headmen.

Treaty Commissioner James A.J. McKenna led the Treaty 10 negotiations, accompanied by North-West Mounted Police officials and a local missionary. Despite travel delays, they reached Île-à-la-Crosse in August 1906, where they met with members of the English River First Nation. Chief William Apisis expressed concerns about being excluded from earlier treaties and the impact of government education on missionary schools. Indigenous people also requested livestock and farming tools, but McKenna convinced them to sign the treaty without changes.

McKenna continued to address similar concerns about education and traditional livelihoods in other communities. He assured them that the treaty wouldn't disrupt their way of life but avoided making specific promises. This approach helped him secure signatures from the

Indigenous communities he visited, though negotiations had to be extended due to travel difficulties.

The next summer, in 1907, Thomas Borthwick, a local Indian agent, was appointed to conclude the Treaty 10 negotiations with strict instructions not to alter the terms or make any verbal promises. Borthwick first addressed concerns from existing Treaty 10 signatories, including complaints from Chief Iron of Canoe Lake about rushed negotiations and fewer supplies than the previous year. Chief Apisis of the English River First Nation expressed concerns about hunting restrictions and the lack of promised medical assistance.

Borthwick then signed new groups, including the Barren Lands First Nation and Lac La Hache (Hatchet Lake) Denesuline Nation. The Hatchet Lake group was particularly cautious, signing only after the treaty was fully explained in their language. Throughout, Borthwick reassured them that their rights would be protected but avoided making specific promises, similar to McKenna's earlier approach. This successfully concluded the Treaty 10 negotiations.

While northern Indigenous communities initially experienced fewer disruptions to their traditional life due to Treaty 10 compared to those further south, changes still occurred. There has been disagreement among signatories about the treaty's meaning. Elder Bart Dzeylion of the Hatchet Lake Denesuline believed the treaty promised the protection of their land and way of life, which included a deep philosophical connection to the land. Disruptions to this order are seen as violations of the treaty.

In addition to differing interpretations, the federal government failed to honor the treaty's written terms. Neither Canoe Lake nor English River First Nations received adequate reserve land. This led to the Treaty Land Entitlement Framework Agreement in 1992, which provided financial compensation to Indigenous nations. English River received over $10 million, used partly to purchase an urban reserve near Saskatoon, and Canoe Lake received compensation for missing land. Canoe Lake also faced another claim related to land taken for the Cold Lake Air Weapons Range. Additionally, the Athabasca Denesuline has been involved in a long-standing dispute over land use north of the 60th parallel.

Questions to Think About

- How can treaties contribute to reconciliation between Indigenous and non-Indigenous peoples in Saskatchewan? What steps can be taken to ensure that treaty rights are respected and upheld in the future?
- What specific rights and promises were outlined in the treaties? How were issues like land ownership, hunting and fishing rights, education, and financial compensation addressed?
- How did Indigenous communities view the treaties at the time of signing, and how do they interpret them today? What cultural and spiritual beliefs influenced their understanding of the agreements?
- What were the Canadian government's goals in negotiating the treaties? How did these goals align or conflict with Indigenous expectations and needs?
- What does Treaty mean to you personally?

Aboriginal Rights & Rights of Indigenous Peoples in Canada

Introduction:

Aboriginal rights are collective, inherent rights that stem from Indigenous peoples' historical use and occupation of certain areas, existing since before European contact. These rights differ between First Nations due to their distinct societies and include land rights, subsistence activities, self-determination, self-government, and the right to practice their culture, customs, language, and religion. Aboriginal rights do not come from external authorities but originate from Indigenous peoples' deep-rooted connection to and governance of their traditional lands. This makes them fundamentally different from the rights held by non-Indigenous Canadians under common law. These rights are collective, meaning they belong to the group rather than an individual, and are crucial to Indigenous peoples' way of life. Aboriginal rights are inherent and are recognized under Section 35 of the *Constitution Act, 1982*.

Key Points

Inherent Nature: Aboriginal rights are not created or bestowed by Canadian law; they exist because of Indigenous peoples' historical and ongoing relationship with their traditional territories.

Cultural and Social Roots: These rights are deeply connected to Indigenous peoples' identities, traditions, and ways of life, including their spiritual beliefs, languages, and governance systems.

Varies by Group: Each Indigenous nation may have unique rights based on their history and connection to specific lands and resources, so these rights are not uniform across all Indigenous peoples in Canada.

Aboriginal Rights are Different from Treaty Rights

Aboriginal Rights are inherent and stem from the historical use and occupation of land by Indigenous peoples.

Treaty Rights, on the other hand, are specific rights that are negotiated through agreements between Indigenous nations and the Crown (the government). These treaties can outline land

rights, resource use, governance, and other aspects of Indigenous life. While treaties are binding legal agreements, they do not define or limit the scope of Aboriginal Rights—they exist in addition to inherent rights. (*See section on Saskatchewan Treaties*)

Key Points

Aboriginal Rights are pre-existing, while Treaty Rights are the result of legal negotiations between Indigenous nations and the government.

Treaty Rights are legally enforceable agreements, whereas Aboriginal Rights are often asserted and affirmed through legal recognition over time.

Treaties do not cover all Indigenous peoples in Canada, but **Aboriginal Rights apply to all Indigenous groups**, regardless of whether they have treaties with the government.

Understanding Aboriginal Rights is crucial for several reasons:

1. **Cultural Preservation**: Aboriginal Rights play a central role in the survival and flourishing of Indigenous cultures. They allow Indigenous peoples to maintain their traditional practices, languages, and beliefs, which have been passed down through generations. This is vital for preserving their identity and heritage in a world that has often sought to assimilate or marginalize them.
2. **Self-Governance and Autonomy**: Aboriginal Rights include the right to self-determination, which means that Indigenous communities have the right to govern themselves and make decisions about matters affecting their lives. This includes control over land, education, health, and legal systems. Recognizing and upholding these rights is essential for Indigenous communities to regain control over their affairs after centuries of colonial interference.
3. **Legal and Moral Responsibility**: The recognition of Aboriginal Rights is a legal obligation under Canadian law (*Constitution Act*, 1982) and a moral imperative for addressing historical wrongs, including colonization, land theft, and cultural destruction. Upholding these rights is part of Canada's broader process of reconciliation with Indigenous peoples, acknowledging past injustices, and creating a path forward based on respect, fairness, and mutual understanding.
4. **Sustainability and Resource Management**: Indigenous peoples often have a profound relationship with their environment, and their stewardship of land and resources is crucial for sustainable development. Protecting Aboriginal Rights to land and resources benefits not only Indigenous communities but also broader ecological and environmental efforts.

Key Takeaways

- **Cultural survival and resilience**: Aboriginal Rights ensure that Indigenous cultures, languages, and traditions continue to thrive.
- **Political autonomy**: These rights help restore and protect Indigenous peoples' self-determination, and are essential for their sovereignty and future well-being.

- **Reconciliation**: Understanding and respecting Aboriginal Rights is critical to advancing reconciliation and justice between Indigenous peoples and the Canadian government.

History of Aboriginal Rights

The recognition of Aboriginal rights is complex, as Indigenous peoples and the Canadian government often have differing views on what these rights encompass. The government has not acknowledged some rights recognized by Indigenous communities. To address this, Aboriginal rights were enshrined in Section 35 of the Constitution in 1982, and Section 25 of the Charter of Rights and Freedoms ensures that Charter rights do not undermine Aboriginal rights. However, there has been no consensus on what specifically constitutes an Aboriginal right, leaving the courts to define these rights over time.

Pre-European Contact: Indigenous Nations

Before European settlers arrived, Indigenous peoples across what is now Canada had well-established and complex societies. Each nation or group had systems of governance, laws, and social structures tailored to their needs and cultures. These systems were often based on collective decision-making, respect for the land, and harmonious relationships within the community and with nature.

- **Governance Systems**: Indigenous nations, such as the Haudenosaunee Confederacy (Iroquois Confederacy), had sophisticated political and legal systems. The Haudenosaunee Confederacy, for example, operated under the Great Law of Peace, one of the earliest known frameworks of governance, which promoted collective decision-making and consensus-building among different nations.
- **Laws and Traditions**: Each Indigenous community had its own set of laws, often passed down orally through generations. These laws governed land use, community responsibilities, conflict resolution, and relations with other nations. Many Indigenous legal systems were built on principles of respect for nature, reciprocity, and collective well-being.
- **Cultural Practices**: Indigenous cultures were vibrant, diverse, and rich with tradition, spiritual practices, art, and language. Their ways of life were closely tied to their relationship with the land and natural resources, forming a deep cultural identity rooted in place.

Colonization and Its Impact

With the arrival of Settler's, Indigenous societies were dramatically and violently disrupted. Colonization involved the forced displacement of Indigenous peoples from their lands, the imposition of foreign laws and governance, and a concerted effort to assimilate or eradicate Indigenous cultures.

- **Land Dispossession**: Settler's viewed land as something to be owned and used for economic gain, leading to the displacement of Indigenous peoples from their traditional territories. Many Indigenous communities were forced onto reserves, often small and isolated areas of land, stripping them of access to the resources they had relied on for centuries.
- **Imposition of Foreign Laws**: European powers introduced legal and governance systems that ignored or undermined Indigenous laws and governance. This included the doctrine of **terra nullius** (meaning "land belonging to no one"), which was used to justify the seizure of land despite the long-established presence of Indigenous societies.
- **Cultural Suppression**: Settler's led attempts to erase Indigenous cultures, languages, and traditions. One of the most harmful tools of cultural suppression was the establishment of residential schools, where Indigenous children were taken from their families, prohibited from speaking their languages, and subjected to abuse in an attempt to assimilate them into Euro-Canadian society. (*see History of Residential Schools in Canada*)
- **Marginalization**: Colonization resulted in widespread marginalization of Indigenous peoples, including loss of land, resources, and autonomy. Their rights were systematically eroded, and many Indigenous communities faced poverty, poor health outcomes, and social challenges due to the lingering effects of colonization.

Constitutional Recognition in 1982

After decades of struggle for recognition, Aboriginal Rights were formally enshrined in the ***Constitution Act, 1982***. This marked a significant shift in Canadian legal history and was a key moment in the recognition of Indigenous peoples' rights within the framework of Canadian law.

- **Section 35 of the Constitution Act**: Section 35 recognizes and affirms the existing Aboriginal and Treaty Rights of Indigenous peoples in Canada. It does not create new rights but acknowledges the rights that Indigenous peoples have inherently held. Importantly, Section 35 provides constitutional protection for these rights, meaning they cannot be easily overridden by other laws.
  - **Definition of Rights**: Section 35 protects Aboriginal Rights, such as land rights, cultural practices, and governance, though the specific nature of these rights has often been defined through court cases.
  - **Treaty Rights**: Section 35 also recognizes Treaty Rights, affirming the validity of agreements made between Indigenous nations and the Crown.
- **Section 25 of the Charter of Rights and Freedoms**: The Charter of Rights and Freedoms is a key part of the Canadian Constitution, ensuring that fundamental rights and freedoms are protected for all Canadians. Section 25 of the Charter specifically ensures that nothing in the Charter "abrogates or derogates" from Aboriginal Rights. This means that the fundamental rights guaranteed by the Charter cannot override or diminish Aboriginal Rights.

Significance of the 1982 Constitutional Changes

- **Legal Protection**: The constitutional recognition of Aboriginal Rights under Section 35 was a turning point. It gave Indigenous peoples a powerful tool to defend their rights and

challenge government actions that threatened their land, culture, or autonomy. Many significant court cases since 1982 have invoked Section 35 to protect Aboriginal Rights.

- **Reconciliation and Nation-to-Nation Relationships**: The inclusion of Aboriginal Rights in the Constitution acknowledged the need for Canada to move toward a more equitable relationship with Indigenous peoples. This recognition laid the foundation for ongoing efforts toward reconciliation, where both parties work toward healing historical injustices and rebuilding respectful nation-to-nation relationships.
- **Legal Precedents**: Landmark court decisions following the 1982 constitutional recognition have helped clarify the nature and extent of Aboriginal Rights. Here are some key examples:

Key Elements of Aboriginal Rights

1. **Land Rights**

Land rights are a fundamental aspect of Aboriginal rights, rooted in Indigenous peoples' historical and ongoing relationship with their traditional territories. Indigenous peoples view land not just as property but as a source of identity, culture, and livelihood. These rights include **Aboriginal title**, which recognizes Indigenous ownership of the land and the right to manage and use it according to their customs and needs. Aboriginal title is distinct from Western concepts of land ownership because it reflects a collective stewardship of the land passed down through generations.

- **Land Claims**: Aboriginal land claims refer to legal cases or negotiations where Indigenous groups seek formal recognition of their title to traditional lands. Land claims may arise in areas where treaties were never signed or where Indigenous peoples argue that their lands were wrongfully taken. These claims often involve negotiations for compensation, return of land, or co-management of resources.

Here are some notable land claims that have been resolved:

Land Claim	Location	Year Settled	Key Provisions
Nisga'a Treaty	British Columbia	2000	2,000 km² of land, $190 million in compensation, self-government powers.
Yukon Umbrella Final Agreement	Yukon Territory	1993	Framework for 14 Yukon First Nation, over 41,000km² of land, financial compensation, resource rights.
Tsawwassen First Nation Agreement	British Columbia	2009	724 hectares of land, $33.6 million, self-government powers.
Gwich'in Comprehensive Agreement	Northwest Territories, Yukon	1992	22,000 km² of land, $75 million, subsistence harvesting, wildlife management.
Tlicho Agreement	Northwest Territories	2005	39,000 km² of land, $152 million, self-government rights.

- **Aboriginal Title**: Aboriginal title is a constitutionally protected right, meaning it cannot be extinguished without the consent of the Indigenous group in question. Courts have recognized that Aboriginal title gives Indigenous peoples the right to use and manage their lands as they see fit, subject to certain limitations. Landmark cases like **Delgamuukw v. British Columbia (1997)** and **Tsilhqot'in Nation v. British Columbia (2014)** have clarified the legal basis for Aboriginal title in Canada, affirming that these rights exist where Indigenous peoples can demonstrate historical occupation and control over the land.

2. Cultural Rights

Cultural rights are essential to the preservation of Indigenous identity, allowing Indigenous peoples to continue practicing their languages, customs, spiritual beliefs, and traditions. These rights recognize the deep cultural connection Indigenous communities have with their land and the need to pass down traditions from one generation to the next.

- **Practicing Customs**: Indigenous peoples have the right to maintain and practice their unique cultural traditions, whether through ceremonies, artistic expressions, or community rituals. These customs are often deeply tied to the natural environment and land, making cultural rights closely linked with land rights.
- **Language**: Language is a crucial part of Indigenous culture and identity. The right to speak and teach Indigenous languages is recognized as a core cultural right. Many Indigenous languages in Canada were threatened by policies like residential schools, where children

were forbidden from speaking their native languages. Revitalizing and preserving Indigenous languages is now a key focus in Indigenous communities across Canada.
- **Religion and Spiritual Practices**: Indigenous peoples have the right to practice their spiritual beliefs freely. Indigenous spirituality is often land-based, meaning that access to sacred sites is a critical element of their religious rights. Ensuring that Indigenous peoples can maintain their spiritual connection to the land is central to protecting their cultural rights.

3. **Self-Government**

Self-government refers to the right of Indigenous communities to make decisions for themselves and govern their own affairs. This is an essential aspect of **self-determination**, which allows Indigenous peoples to control their own governance structures, laws, and political systems, rather than being subject to external control by the federal or provincial governments.

- **Right to Self-Determination**: Indigenous peoples' right to self-determination is recognized in both Canadian law and international law, such as the **United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)**. Self-determination allows Indigenous communities to decide how they will structure their governments, create and enforce laws, and manage their lands and resources.
- **Indigenous Governance**: Self-government can take various forms depending on the needs and preferences of the Indigenous community. Some Indigenous groups operate their own justice systems, education programs, and health services, while others may negotiate co-management agreements with the Canadian government for shared decision-making over land and resources. These systems are based on traditional governance structures, often emphasizing collective decision-making, respect for elders, and a holistic approach to community well-being.

4. **Resource Rights**

Resource rights include the ability of Indigenous peoples to use and manage natural resources, such as forests, fisheries, minerals, and wildlife, that are located on or near their traditional lands. These rights are critical for both economic and cultural survival, as many Indigenous communities rely on hunting, fishing, and gathering for their livelihoods and to maintain their cultural practices.

- **Hunting and Fishing Rights**: Many Indigenous treaties and legal agreements recognize the right of Indigenous peoples to hunt and fish in their traditional territories. These rights are essential for food security, cultural preservation, and economic independence. The case of **R. v. Sparrow (1990)** helped clarify that while the government can regulate Indigenous hunting and fishing rights, such regulations must respect the constitutional protection of Aboriginal rights, and any limitations must be justified.
- **Subsistence Rights**: For many Indigenous peoples, subsistence activities like hunting, fishing, and gathering are not only a means of survival but also a way to maintain cultural and spiritual connections to the land. These activities are often passed down through

generations, and Indigenous legal systems place great importance on maintaining balance and respect for the natural world when utilizing these resources.

- **Resource Management**: Indigenous peoples have increasingly sought greater control over how natural resources are managed on their lands. Co-management agreements and partnerships with governments and corporations allow Indigenous communities to have a say in resource extraction and development projects. These agreements recognize Indigenous knowledge of the land and its ecosystems, promoting sustainable practices and ensuring that Indigenous peoples benefit economically from resource use.

Legal Framework and Important Cases

1. Legal Protections of Aboriginal Rights

Aboriginal rights are rooted in the long-standing presence of Indigenous peoples in what is now Canada, encompassing aspects such as land, cultural practices, self-governance, and resource use. These rights were inherent before European settlement and remain central to Indigenous identity and survival.

Indigenous peoples have continually asserted these rights, often through the legal system, leading to important court rulings. Over time, key legal precedents have shaped the interpretation and protection of Aboriginal rights. Courts have recognized that these rights are not easily extinguished and that any government action affecting them must be justified under stringent legal standards.

These following cases illustrate how Aboriginal rights have been shaped and clarified by the courts, providing a robust legal framework for their protection. Each decision highlights the need for meaningful engagement with Indigenous peoples and reinforces the notion that their rights are not subordinate to other legal or governmental interests.

2. Key Court Cases

Case	Significance	Outcome
R. v. Calder (1973)	This was one of the first cases to recognize the existence of Aboriginal title in Canadian law. In this case, the Nisga'a Nation argued that they had never surrendered their rights to the land in British Columbia.	The Supreme Court of Canada was divided on the issue of whether Aboriginal title had been extinguished, but six of the seven judges acknowledged that Aboriginal title existed prior to European colonization. This case was a turning point that led to increased awareness and the eventual negotiation of modern treaties.
R. v. Sparrow (1990)	This case is one of the most important in defining Aboriginal rights under Section 35 of the Constitution Act, 1982. Ronald Sparrow, a member of the Musqueam Nation, was charged with fishing with a net longer than permitted by his fishing license, but he argued that his Aboriginal right to fish superseded the regulations.	The Supreme Court ruled that while the government could regulate Aboriginal rights, it had to justify any infringement on those rights. This case established the **"Sparrow Test"**, which outlines the criteria the government must meet to justify any limitation on Aboriginal rights.
Delgamuukw v. British Columbia (1997)	This landmark case dealt with Aboriginal title, specifically the land rights of the Gitxsan and Wet'suwet'en First Nations in British Columbia. It clarified the nature of Aboriginal title and the legal test for proving its existence.	The Supreme Court confirmed that Aboriginal title is a constitutionally protected right under Section 35. The Court held that Aboriginal title is a right to the land itself—not just the right to use it—and that it encompasses a broad range of uses. This case also emphasized the importance of oral history in proving land claims.
R. v. Van der Peet (1996)	This case addressed the issue of how Aboriginal rights are defined. Dorothy Van der Peet, a member of the Stó:lō First Nation, was charged with selling fish caught under an Aboriginal food-fishing license. She argued that her actions were protected by her Aboriginal rights.	The Supreme Court ruled against Van der Peet but, in doing so, established the **"Van der Peet Test"**, which outlines how Aboriginal rights are to be defined. The Court ruled that for an activity to be protected as an

		Aboriginal right, it must be an integral part of the Indigenous group's distinctive culture prior to European contact.
Haida Nation v. British Columbia (2004)	This case clarified the **duty to consult** with Indigenous peoples before making decisions that could affect their rights. The Haida Nation objected to the transfer of logging licenses on their traditional lands without their consent.	The Supreme Court ruled that the Crown has a duty to consult and, where necessary, accommodate Indigenous peoples before making decisions that could affect their Aboriginal rights, even if those rights have not yet been proven in court.
Tsilhqot'in Nation v. British Columbia (2014)	This case is the first time the Supreme Court of Canada recognized **Aboriginal title** to a specific area of land. The Tsilhqot'in Nation claimed title to over 1,700 square kilometers of land in British Columbia.	The Court ruled in favor of the Tsilhqot'in Nation, confirming that Aboriginal title gives Indigenous groups the right to decide how their land is used and to benefit from its resources. The decision established that the government must obtain the consent of Indigenous groups when dealing with their land.
R. v. Powley (2003)	This case was the first major decision concerning Métis rights under Section 35 of the Constitution Act, 1982. Steve and Roddy Powley, members of the Métis community, were charged with hunting a moose without a license, but they argued that they were exercising their Aboriginal rights as Métis.	The Supreme Court recognized that the Métis have constitutionally protected Aboriginal rights and established a test for identifying who qualifies as Métis under Section 35.
Mikisew Cree First Nation v. Canada (2018)	This case involved the **duty to consult** Indigenous peoples in the legislative process. The Mikisew Cree Nation argued that they should have been consulted when Parliament was drafting legislation that would affect their treaty rights.	The Supreme Court ruled that while the duty to consult does not extend to the legislative process, Indigenous peoples still have other avenues to challenge laws that infringe on their rights, such as judicial review. This case highlighted the ongoing complexities of consultation and legislative decision-making affecting Indigenous rights.

Challenges and Ongoing Issues

Differing Perspectives

The differing interpretations of Aboriginal Rights between the Crown (Canadian government) and Indigenous communities are at the heart of many ongoing disputes. The Crown often views these rights through a legal or political lens, using treaties or legislation to define their scope. In contrast, Indigenous communities typically understand their rights as inherent and connected to their historical occupation, governance, and cultural practices, which predate colonization. For example, Indigenous peoples may argue that land rights and title are sacred and inalienable, whereas the Crown may see these rights as something that can be modified or extinguished through legal agreements.

This clash in understanding leads to tensions around sovereignty, land claims, and resource management. Moreover, the Crown's often narrow interpretation of treaties or historical documents contrasts with Indigenous interpretations that emphasize holistic connections to land, culture, and community, complicating negotiations and legal processes.

Unsettled Rights

The reality is that many Aboriginal Rights, particularly land rights, remain unsettled. Despite the legal recognition of Aboriginal title in landmark cases such as *Delgamuukw* and *Tsilhqot'in*, a significant number of land claims are still in limbo. Negotiations between Indigenous nations and the government can take decades, during which Indigenous communities face economic, social, and environmental challenges. Unresolved land claims often delay the establishment of clear governance and management structures, leaving Indigenous communities vulnerable to decisions made by external governments or corporations.

This uncertainty can create mistrust and frustration, particularly when external entities exploit natural resources without Indigenous consent, exacerbating existing tensions. Legal disputes over specific rights, such as the right to harvest natural resources, continue to unfold as Indigenous groups seek greater autonomy over their traditional territories.

Impact of Historical Injustices

Historical injustices continue to cast a shadow over the efforts to reconcile Aboriginal Rights in Canada. Colonization introduced systemic policies that sought to assimilate Indigenous peoples and erase their cultures, resulting in devastating consequences. The legacy of residential schools, where Indigenous children were taken from their families and subjected to abuse, has had intergenerational impacts, affecting language retention, cultural practices, and mental health in Indigenous communities. Additionally, the land dispossession and resource extraction that accompanied colonization disrupted Indigenous economies and

governance structures, leaving many communities struggling with poverty and marginalization.

These historical harms are compounded by discriminatory policies like the Indian Act, which imposed strict government control over Indigenous affairs and stripped away rights, such as the ability to hire legal counsel. The slow pace of reparations and the ongoing marginalization of Indigenous communities underscore the need for a more active recognition of Aboriginal Rights as part of Canada's broader efforts toward reconciliation.

Interactive Component

Case Studies

Using real-world examples helps contextualize the abstract concepts of Aboriginal Rights and bring them into focus for the audience. Case studies such as the *Haida Nation v. British Columbia* decision on consultation rights, or the *Delgamuukw* decision on Aboriginal title, allow participants to understand the legal and practical dimensions of these rights. You could examine cases of contemporary land disputes or resource conflicts, like the Wet'suwet'en hereditary chiefs' opposition to pipeline construction, as they illustrate ongoing challenges to Indigenous self-determination. Discussing how these disputes are being handled through the courts or negotiated settlements can engage the audience in critical thinking.

Group Discussions

Facilitating discussions encourages participants to think critically about the issues presented and explore why recognizing and respecting Aboriginal Rights is vital for Canada's path to reconciliation.

Group discussions could revolve around questions like:

- What role should the government play in resolving land disputes?
- How do Aboriginal Rights intersect with environmental protection and resource management?
- Why is it important to acknowledge historical injustices in order to move forward with reconciliation?

These discussions may allow you to grapple with the ethical and legal dimensions of Aboriginal Rights and explore the broader implications for Canadian society.

Listen to Indigenous Voices

Listening to Indigenous speakers who share their stories and perspectives on Aboriginal Rights offers a powerful way to deepen the learning experience. Indigenous leaders, elders, scholars, or legal advocates can provide personal and community-level insights into what these rights mean in practice. Hearing directly from those who have experienced the impact

of court rulings, government negotiations, or land disputes offers a more nuanced understanding of how legal decisions affect Indigenous lives.

These voices can speak to the spiritual, cultural, and practical significance of land, self-governance, and resource use, fostering a deeper respect for Indigenous knowledge systems. Additionally, speakers can address ongoing challenges that Indigenous communities face, such as the environmental impacts of resource extraction or the struggle for greater autonomy. By providing a platform for Indigenous voices, the presentation not only educates but also amplifies perspectives that are central to the conversation around reconciliation.

Call to Action

Importance of Understanding

Our learning, it's crucial to recognize that understanding Aboriginal Rights is not just a legal matter—it’s a step toward healing and justice. These rights are foundational to respecting Indigenous sovereignty, cultural heritage, and the contributions of Indigenous peoples to Canadian society. A deeper understanding helps non-Indigenous Canadians rethink their relationship with Indigenous communities, encouraging more meaningful reconciliation. By grasping the importance of these rights, we can promote fairer governance, better resource sharing, and more thoughtful environmental stewardship.

Recognizing Indigenous worldviews, governance, and cultural practices allows us to envision a future where Canada honors its commitments to Indigenous peoples and helps rebuild a nation that supports justice for all.

Encourage Further Learning

As we conclude, I want to encourage you all to continue exploring and learning about Aboriginal Rights. There are many excellent resources available—books by Indigenous authors like Leanne Betasamosake Simpson or Richard Wagamese, documentaries, and government reports that provide deeper insights into Indigenous legal and cultural landscapes.

Consider visiting Indigenous cultural centers or participating in events such as Orange Shirt Day or National Indigenous Peoples Day to connect with Indigenous history and contemporary issues. Supporting Indigenous-led initiatives, whether by donating, volunteering, or staying informed, is also a tangible way to contribute to reconciliation.

Remember, learning about Aboriginal Rights is an ongoing process that requires active engagement. By taking these steps, we can all contribute to fostering a more respectful and just relationship with Indigenous communities in Canada.

Indigenous Laws

Indigenous laws encompass the legal principles, norms, and practices developed by Indigenous peoples across the globe. Rooted in cultural heritage, these laws govern the relationships among individuals, communities, and the natural environment. They reflect the values, beliefs, and customs unique to each Indigenous culture, forming a vital part of identity and social cohesion. It is important to note that each Indigenous Nation has its own distinct set of laws, shaped by its unique history, culture, and environment. However, many of these laws share common themes and principles, reflecting the interconnectedness of Indigenous peoples.

Key Principles

1. **Holism**:
   - Indigenous laws often adopt a holistic approach, recognizing that the well-being of individuals is intertwined with the health of the community and the environment. This interconnectedness informs practices that promote harmony and balance.
   - For example, many Indigenous cultures practice land stewardship, viewing the earth not just as a resource but as a living entity with rights and responsibilities.

2. **Respect for Nature**:
   - Indigenous laws frequently embody a deep respect for nature, emphasizing sustainability and responsible resource management. This perspective arises from a spiritual relationship with the land, where every living thing is considered interconnected.

   - Many Indigenous practices, such as controlled burns or seasonal harvesting, are designed to maintain ecological balance and promote biodiversity.

3. **Community-Centric**:
   - Decision-making processes in Indigenous legal systems prioritize the input and consensus of the community rather than individual interests. This communal approach fosters accountability and collective responsibility.

   - For instance, when making decisions about resource management, communities often hold gatherings to discuss and reach a consensus, ensuring that all voices are heard.

4. **Elders and Knowledge Keepers**:

- Elders hold a revered position in Indigenous societies, serving as custodians of traditional knowledge and cultural practices. Their guidance is sought in legal matters and community decision-making.

- Elders often share teachings that highlight moral values and ethical conduct, which are integral to the understanding and application of Indigenous laws.

5. **Oral Tradition**:
   - Many Indigenous laws are transmitted through oral storytelling, which encompasses historical narratives, lessons, and cultural values. This method of transmission fosters a deep connection to identity and community history.

   - Oral traditions ensure that the laws remain adaptable and relevant, allowing for interpretation in the context of contemporary challenges.

6. **"All My Relations"**:
   - The principle of "All My Relations" is fundamental in many Indigenous cultures, reflecting the belief that all beings—humans, animals, plants, and the earth—are interconnected and part of a larger family. This concept emphasizes mutual respect and responsibility towards all living entities.

   - This principle is often invoked in discussions about environmental stewardship, social justice, and community relationships, reminding individuals and communities to act with consideration for the well-being of all beings and the earth.

Historical Context

- **Colonization**:
  - The arrival of European settlers often disrupted Indigenous legal systems, leading to the imposition of colonial laws that marginalized traditional practices. This has resulted in ongoing legal and social challenges, including land dispossession and cultural assimilation.

  - Historical treaties and agreements frequently disregarded Indigenous laws and governance, creating tensions that persist today.

- **Resurgence**:
  - In recent decades, there has been a notable resurgence of Indigenous legal systems as communities strive to reclaim their legal traditions. This movement is often linked to broader efforts toward reconciliation and self-determination.

  - Indigenous peoples are increasingly advocating for the incorporation of traditional laws into contemporary governance frameworks, leading to hybrid legal systems that respect both Indigenous and non-Indigenous perspectives.

Contemporary Relevance

- **Sovereignty**:
  - Indigenous laws are essential for asserting sovereignty and self-determination, allowing Indigenous communities to govern their affairs according to their cultural values. This is vital for preserving identity and autonomy.

  - Legal recognition of Indigenous laws supports efforts to reclaim jurisdiction over lands, resources, and governance structures.

- **Legal Recognition**:
  - Some national and international legal systems are beginning to recognize Indigenous laws, promoting cooperative frameworks that integrate Indigenous legal traditions. This recognition is crucial for fostering mutual respect and understanding.

  - For instance, Canada's Supreme Court has acknowledged the importance of Indigenous laws in various rulings, affirming their relevance in contemporary legal contexts.

- **Land and Resource Management**:
  - Indigenous laws play a significant role in sustainable land and resource management, providing valuable insights into conservation and ecological stewardship.

  - Indigenous-led initiatives often emphasize collaborative approaches to environmental protection, addressing contemporary challenges such as climate change and biodiversity loss.

Examples of Indigenous Laws

- **Cree Laws**:
  - The Cree Nation emphasizes community, kinship, and a reciprocal relationship with the land. Their legal principles often focus on respect, responsibility, and the interconnectedness of all life.

  - For example, the Cree practice of "kiskinowin" involves recognizing the rights of future generations in decision-making processes, ensuring that actions taken today do not compromise their well-being.

- **Haudenosaunee (Iroquois) Confederacy**:
  - The Haudenosaunee Confederacy is known for its sophisticated governance system based on the Great Law of Peace, which emphasizes consensus decision-making and respect for individual voices.

  - This model has inspired modern democratic principles and is a significant example of Indigenous governance and legal systems.

Here are some examples of Cree Laws that align with Evolve Law's Values:

- **Be Real: Wahkohtowin - Kinship**
  (Wah-Koh-Toh-Win) means that as humans we have obligations and responsibilities to maintain good relationships.

- **Work Smarter not Harder: Kwayaskonikiwin- Restoring Balance**
  (Kway-Yask-Koh-Nee-Kee-Win), means Justice but a closer translation would be to "Restore Balance".

- **Care: Kitimahkinawow - The Law of Compassion and Caring**
  (Kee-Tee-Mah-Ki-Na-Wow) describes a person's actions when they show kindness, pity, and compassion towards others. Kitimahkinawow, is deeply embedded in not only Cree law but a way of life. It teaches us to have compassion and care for one another.

- **Continuous Improvement: Tapahteyimowin - Embracing Humility**
  (Tah-Pah-Tay-Yem-Moh-Win) teaches us humility which is one of the most important First Nation teachings and laws.

- **Work with Drive: Miyowicehtowin - Creating and Maintain Good Relations**
  (Mee-Yo-Wee-Chi-To-Win) is a law that teaches us to maintain peace between people of different places and perspectives. This guiding law goes beyond mere interactions; it is a profound call to cultivate and nurture good relations within the community.

Understanding Indigenous laws is crucial for fostering respect, collaboration, and reconciliation between Indigenous and non-Indigenous communities. Each Indigenous Nation has its own distinct legal system, but many of these laws share common themes that reflect a broader Indigenous worldview, including the essential principle of "All My Relations." Recognizing these laws honors Indigenous cultures and traditions while contributing to more equitable legal systems that reflect diverse values and practices. By integrating Indigenous legal principles into contemporary governance, societies can work towards more inclusive, sustainable futures that honor the rights and identities of Indigenous peoples.

Aboriginal–Crown Relations

When considering Aboriginal-Crown relations, it’s important to note that the term "Aboriginal" is now primarily used in legal contexts, such as the *Constitution Act, 1982*, and specific government documents. The preferred terminology is "Indigenous" or more specifically, "First Nations," "Métis," or "Inuit," as these terms better reflect the distinct identities and nations of Indigenous peoples in Canada.

Indigenous Self-Government and Nation-to-Nation Relationships:

Self-Government Agreements:

Self-government agreements are modern arrangements between Indigenous groups and the Canadian government that allow Indigenous communities to govern themselves in key areas such as education, health, justice, and culture. These agreements affirm that Indigenous peoples have the right to make decisions about their own affairs and reflect their distinct political, legal, and social structures. Examples include the **Nisga’a Final Agreement** (1998) in British Columbia and the **Nunavut Land Claims Agreement** (1993), which established Nunavut as a self-governing territory.

Nation-to-Nation Relationships:

The nation-to-nation approach acknowledges that Indigenous peoples are sovereign entities that engage with the Crown (federal and provincial governments) as equals, not as subordinate groups. This relationship is rooted in historical treaties, such as the **Numbered Treaties** signed in the 19th and early 20th centuries. In modern times, nation-to-nation discussions have resurfaced in the context of reconciliation, emphasizing the equal status of Indigenous nations in political, legal, and governance matters. The Crown’s duty to consult and accommodate Indigenous peoples in decisions affecting their lands and rights stems from this framework, highlighting the importance of partnership and mutual respect.

Inherent Rights vs. Rights Granted by the Crown:

Inherent Rights:

These rights derive from the fact that Indigenous peoples have existed and governed themselves long before colonial contact. Inherent rights include the right to self-governance, control over lands, and the preservation of their cultural practices and languages. Section 35 of the Canadian Constitution recognizes and affirms these rights, acknowledging that they were not granted by the Crown but existed long before colonization. This distinction is essential in legal and political discourse, as it underscores that Indigenous sovereignty is not something the Crown can give or take away; it is a pre-existing condition.

Rights "Granted" by the Crown:

In contrast to inherent rights, some argue that the rights outlined in treaties or agreements with the Crown are "granted" by the government. However, Indigenous peoples emphasize that their inherent rights are not derived from or dependent on the Crown's recognition, but rather, the Crown's role is to acknowledge these pre-existing rights. Understanding this distinction is critical when discussing Indigenous sovereignty and the legal frameworks governing their relationship with Canada.

Cultural Revitalization and Language Preservation:

Language and Culture Suppression:

Colonial policies such as the Indian Act and residential schools sought to assimilate Indigenous peoples by erasing their languages and cultural practices. This has led to a significant decline in the use of Indigenous languages and the transmission of cultural knowledge.

Many Indigenous communities in Canada are actively working to revive their cultural practices, languages, and traditions that were suppressed. Cultural revitalization efforts include promoting traditional art, dance, ceremonies, and storytelling, which are central to community identity and resilience. These efforts are also closely tied to healing from the trauma of colonization.

Revitalization Efforts:

Indigenous communities are now focused on revitalizing their languages, traditions, and cultural identities. Initiatives include language immersion programs in schools, funding for language and cultural education, and the establishment of cultural centers. The federal government passed the **Indigenous Languages Act (2019)** to support the preservation and promotion of Indigenous languages in Canada. The recognition of these languages as foundational to Indigenous identity is also part of broader reconciliation efforts.

Economic Development and Resource Management:

- **Indigenous Economic Participation**: Economic independence is a goal for many Indigenous communities, who have historically been marginalized in Canada's economic systems. Today, many are building economic capacity through ventures in industries such as natural resource development (e.g., mining, forestry, energy), tourism, and fisheries. Indigenous-owned businesses are growing, contributing to economic reconciliation by creating jobs and generating revenue within communities.

- **Impact Benefit Agreements (IBAs)**: These agreements are a tool used to ensure that Indigenous communities benefit from economic development on their traditional lands. They often include provisions for job creation, skills training, and revenue sharing, allowing communities to gain from projects that affect their territories. IBAs are critical in ensuring that economic development is balanced with respect for Indigenous rights and sustainable land management practices.

Truth and Reconciliation Commission (TRC) Calls to Action:

The **TRC Calls to Action** are a comprehensive roadmap for addressing the legacy of residential schools and the broader impacts of colonization. These 94 calls cover a wide range of issues, from child welfare and health to justice and media. For example, Call to Action 45 calls for the repudiation of doctrines like "terra nullius" (which falsely claimed that lands were unoccupied at the time of European arrival) and the Doctrine of Discovery, which were used to justify the colonial seizure of Indigenous lands. Calls to Action related to education and child welfare stress the need for culturally appropriate services and education that reflect Indigenous history and knowledge systems. *(Refer to the TRC Call to Action #27)*

Ongoing Challenges with the Indian Act:

The **Indian Act**, a piece of colonial legislation, continues to regulate many aspects of First Nations life, including band governance, land use, and membership. Although the Act has been amended over time, it remains a source of tension, as it imposes a governance structure that is incompatible with Indigenous sovereignty and self-determination. Many Indigenous leaders advocate for the complete repeal of the Indian Act and a transition to systems of governance rooted in Indigenous laws and traditions. However, the transition away from the Indian Act is complex, as it involves dismantling a legal framework that has been in place for over a century.

Urban Indigenous Populations:

As more Indigenous people move to urban areas, there are unique challenges and opportunities related to housing, education, health care, and employment. Urban Indigenous populations often face barriers to accessing services that reflect their cultural needs, and there is a growing push for better policies and programs to support these communities.

Issues around the application of Aboriginal-Crown relations in urban settings are becoming increasingly important, especially in the context of service delivery and maintaining connections to one's community and culture.

Indigenous Law and Legal Traditions:

Indigenous law refers to the legal systems that have governed Indigenous societies for millennia. These laws are often based on values like reciprocity, respect, and collective responsibility, and they vary across different Indigenous nations. In recent years, there has been a growing movement to incorporate Indigenous legal traditions into Canada's broader legal framework. Some communities have begun to establish Indigenous courts, often focusing on restorative justice approaches that prioritize healing and community restoration rather than punishment.

Repatriation of Land and Artifacts:

Land reclamation and the return of cultural artifacts are key elements of reconciliation. Many Indigenous communities are advocating for the return of ancestral lands, sacred sites, and cultural items held in museums or private collections.

Land Repatriation: Many Indigenous nations are seeking the return of their ancestral lands, which were often taken without consent or adequate compensation. Land claims and negotiations are a critical part of reconciliation, as land is central to Indigenous identity, culture, and livelihood.

Artifact Repatriation: The return of cultural artifacts, sacred objects, and human remains from museums and private collections is also a crucial element of reconciliation. Many Indigenous communities are working with institutions to reclaim these items, which are deeply connected to cultural identity and spiritual practices.

Environmental Stewardship and Traditional Ecological Knowledge (TEK):

Indigenous peoples have long been stewards of the land, with a deep understanding of local ecosystems developed over thousands of years. **Traditional Ecological Knowledge (TEK)** is increasingly recognized as an essential part of contemporary environmental management and conservation efforts. TEK emphasizes sustainability, respect for natural resources, and a holistic understanding of the environment. Indigenous peoples' involvement in environmental stewardship is seen as crucial in addressing issues such as climate change, biodiversity loss, and sustainable resource management. Many Indigenous communities are now working in partnership with governments and environmental organizations to integrate TEK into modern conservation strategies.

Conclusion

Aboriginal-Crown relations in Canada are characterized by a complex and evolving history. From early diplomacy and trade, through the imposition of colonial policies and displacement, to the modern era of legal recognition and reconciliation, these relations have profoundly shaped both Indigenous and settler societies. As Canada continues to work towards reconciliation, Indigenous nations are reclaiming their sovereignty, advocating for their rights, and playing a central role in shaping the future of the country.

Further Reflection:

Here are some reflective questions to consider when thinking about Aboriginal-Crown Relations in Canada:

1. **How** did the Indian Act impact Indigenous Governance, identity, and culture?
2. **How** does Section 35 affect contemporary discussions around Indigenous rights and sovereignty?
3. **What** are the challenges of fully implementing UNDRIP in Canada?
4. **How** can Indigenous and non-Indigenous peoples work together to foster mutual understanding and respect, and what does true reconciliation look like?

My ReconciliACTION Plan

Learn and Understand by

Explore by

Recognize by

Take action by

Teach by

FIRST NATIONS IN SASKATCHEWAN

THERE ARE 70 FIRST NATIONS IN SASKATCHEWAN, 61 OF WHICH ARE AFFILIATED TO ONE OF THE NINE SASKATCHEWAN TRIBAL COUNCILS.

The total registered Indian population of Saskatchewan First Nations as of February 28, 2009 is 129,138.

The five linguistic groups of First Nations in Saskatchewan are Cree, Dakota, Dene (Chipewyan), Nakota (Assiniboine) and Saulteaux.

Treaties 2, 4, 5, 6, 8 and 10 cover the Province of Saskatchewan.

Indian and Northern Affairs Canada
Affaires indiennes et du Nord Canada
Saskatchewan Region

Canada

First Nations Communities and Treaty Boundaries in Saskatchewan

1	Ahtahkakoop First Nation (6)	E-15
2	Beardy's and Okemasis First Nation (6)	F-16
3	Big Island Lake Cree Nation (6)	B-13
4	Big River First Nation (6)	E-15
5	Birch Narrows First Nation (10)	C-8
6	Black Lake First Nation (8)	G-2
7	Buffalo River Dene Nation (10)	C-9
8	Canoe Lake Cree First Nation (10)	C-12
9	Carry The Kettle First Nation (4)	J-22
10	Clearwater River Dene First Nation (8)	B-8
11	Cote First Nation (4)	L-19
12	Cowessess First Nation (4)	K-21
13	Cumberland House Cree Nation (5)	L-14
14	Day Star First Nation (4)	I-19
15	English River First Nation (10)	D-9
16	Fishing Lake First Nation (4)	J-18
17	Flying Dust First Nation (6)	C-14
18	Fond du Lac First Nation (8)	E-2
19	Gordon First Nation (4)	I-20
20	Hatchet Lake First Nation (10)	J-5
21	Island Lake First Nation (6)	B-14
22	James Smith First Nation (6)	H-16
23	Kahkewistahaw First Nation (4)	L-21
24	Kawacatoose First Nation (4)	I-19
25	Keeseekoose First Nation (4)	L-19
26	Kinistin Saulteaux Nation (4)	I-17
27	Lac La Ronge First Nation (6)	H-10
28	Little Black Bear First Nation (4)	J-20
29	Little Pine First Nation (6)	B-16
30	Lucky Man First Nation (6)	E-16
31	Makwa Sahgaiehcan First Nation (6)	C-14
32	Mistawasis First Nation (6)	E-16
33	Montreal Lake First Nation (6)	G-14
34	Moosomin First Nation (6)	C-16
35	Mosquito, Grizzly Bear's Head, Lean Man First Nation (6)	C-17
36	Muscowpetung First Nation (4)	I-21
37	Muskeg Lake First Nation (6)	E-16
38	Muskoday First Nation (6)	G-16
39	Muskowekwan First Nation (4)	I-19
40	Nekaneet First Nation (4)	B-23
41	Ocean Man First Nation (4)	K-23
42	Ochapowace First Nation (4)	L-21
43	Okanese First Nation (4)	J-20
44	One Arrow First Nation (6)	F-17
45	Onion Lake First Nation (6)	A-15
46	Pasqua First Nation (4)	J-21
47	Peepeekisis First Nation (4)	J-21
48	Pelican Lake First Nation (6)	D-15
49	Peter Ballantyne Cree Nation (6)	J-10
50	Pheasant Rump Nakota First Nation (4)	K-23
51	Piapot First Nation (4)	I-21
52	Poundmaker First Nation (6)	C-16
53	Red Earth First Nation (5)	K-15
54	Red Pheasant First Nation (6)	D-17
55	Sakimay First Nations (4)	K-21
56	Saulteaux First Nation (6)	C-16
57	Shoal Lake Cree Nation (5)	K-15
58	Standing Buffalo First Nation (non)	J-21
59	Star Blanket First Nation (4)	J-20
60	Sturgeon Lake First Nation (6)	G-15
61	Sweetgrass First Nation (6)	C-17
62	The Key First Nation (4)	L-18
63	Thunderchild First Nation (6)	C-15
64	Wahpeton Dakota Nation (non)	G-15
65	Waterhen Lake First Nation (6)	D-13
66	White Bear First Nation (4)	L-23
67	Whitecap Dakota First Nation (non)	F-19
68	Witchekan Lake First Nation (6)	D-15
69	Wood Mountain First Nation (non)	F-24
70	Yellow Quill First Nation (4)	J-17

Tribal Councils and Affiliated First Nations

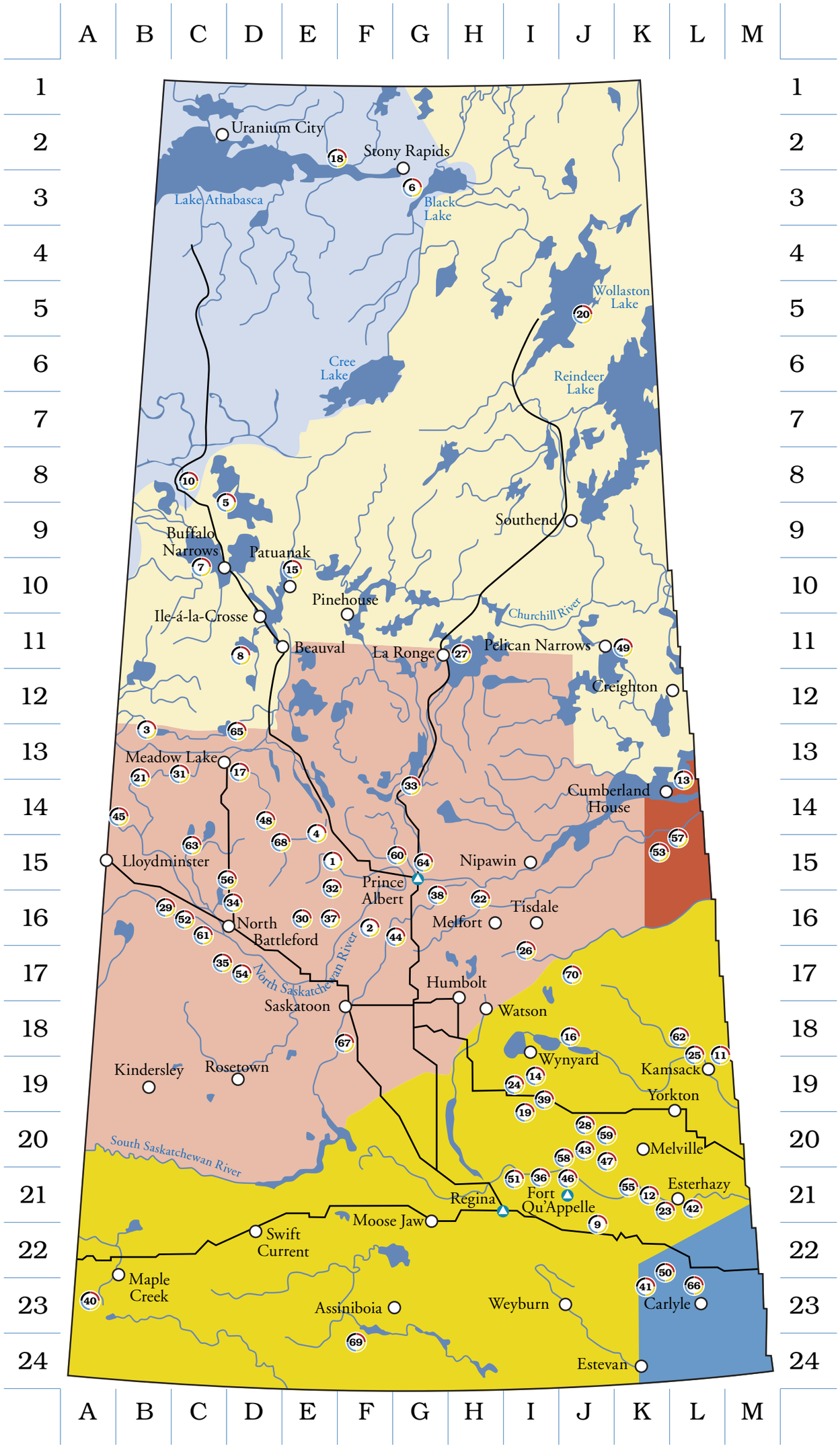
Agency Chiefs Tribal Council	4, 48, 68
Battlefords Agency Tribal Chiefs	1, 34, 54, 56, 61
Northwest (BTC) Professional Services Corp.	29, 30, 35, 52
File Hills Qu'Appelle Tribal Council	9, 28, 36, 40, 43, 46, 47, 51, 58, 59, 69
Meadow Lake Tribal Council	5, 7, 8, 10, 15, 17, 21, 31, 65
Prince Albert Grand Council	6, 13, 18, 20, 22, 27, 33, 49, 53, 57, 60, 64
Saskatoon Tribal Council	26, 32, 37, 38, 44, 67, 70
Touchwood Agency Tribal Council	14, 19, 24, 39
Yorkton Tribal Administration	11, 23, 25, 62, 41, 55
Unaffiliated First Nations	2, 3, 12, 16, 42, 45, 50, 63, 66

Legend

- Treaty Boundary No. 2
- Treaty Boundary No. 4
- Treaty Boundary No. 5
- Treaty Boundary No. 6
- Treaty Boundary No. 8
- Treaty Boundary No. 10

- (00) First Nations Communities
- Cities, Towns & Hamlets
- Indian and Northern Affairs Canada Offices
- (6) Indicates Treaty Number Signed

- Indicates additional selections (includes multiple reserves and reserves held in common)
- Not Located in Actual Treaty Area
- Indicates roadways
- (non) Did Not Sign Treaty



Indian and Northern Affairs Canada
Affaires indiennes et du Nord Canada
Saskatchewan Region

Canada

Name of Band	Phones	Fax
Ahtahkakoop First Nation	(306) 468-2326	(306) 468-2344
Beardy's and Okemasis First Nation	(306) 467-4523	(306) 467-4404
Big Island Lake Cree Nation	(306) 839-2277	(306) 839-2323
Big River First Nation	(306) 724-4700	(306) 724-2161
Birch Narrows First Nation	(306) 894-2030	(306) 894-2060
Black Lake First Nation	(306) 284-2044	(306) 284-2101
Buffalo River Dene Nation	(306) 282-2033	(306) 282-2113
Canoe Lake Cree First Nation	(306) 829-2150	(306) 829-2101
Carry The Kettle First Nation	(306) 727-2135	(306) 727-2149
Clearwater River Dene First Nation	(306) 822-2021	(306) 822-2212
Cote First Nation	(306) 542-2694	(306) 542-3735
Cowessess First Nation	(306) 696-2520	(306) 696-2767
Cumberland House Cree Nation	(306) 888-2226	(306) 888-2084
Day Star First Nation	(306) 835-2834	(306) 835-2724
English River First Nation	(306) 396-2066	(306) 369-2155
Fishing Lake First Nation	(306) 338-3838	(306) 338-3635
Flying Dust First Nation	(306) 236-4437	(306) 236-3373
Fond du Lac First Nation	(306) 686-2102	(306) 686-2040
Gordon First Nation	(306) 835-2232	(306) 835-2036
Hatchet Lake First Nation	(306) 633-2003	(306) 633-2040
Island Lake First Nation	(306) 837-2188	(306) 837-2266
James Smith First Nation	(306) 864-3636	(306) 864-3336
Kahkewistahaw First Nation	(306) 696-3291	(306) 696-3201
Kawacatoose First Nation	(306) 835-2125	(306) 835-2178
Keeseekoose First Nation	(306) 542-2012	(306) 542-2586
Kinistin Saulteaux Nation	(306) 878-8188	(306) 873-5235
Lac La Ronge First Nation	(306) 425-2183	(306) 425-2590
Little Black Bear First Nation	(306) 334-2269	(306) 334-2721
Little Pine First Nation	(306) 398-4942	(306) 398-2377
Lucky Man First Nation	(306) 374-2828	(306) 934-2853
Makwa Sahgaiehcan First Nation	(306) 837-2150	(306) 837-4448
Mistawasis First Nation	(306) 466-4800/4801	(306) 466-2299
Montreal Lake First Nation	(306) 663-5349	(306) 663-5320
Moosomin First Nation	(306) 386-2206	(306) 386-2098
Mosquito, Grizzly Bear's Head, Lean Man First Nation	(306) 937-6120	(306) 937-3678
Muscowpetung First Nation	(306) 723-4747	(306) 723-4710
Muskeg Lake First Nation	(306) 466-4959/4950	(306) 466-4951
Muskoday First Nation	(306) 764-1282	(306) 764-7272
Muskowekwan First Nation	(306) 274-2061	(306) 274-2110
Nekaneet First Nation	(306) 662-3660	(306) 662-4160
Ocean Man First Nation	(306) 457-2679	(306) 457-2933
Ochapowace First Nation	(306) 696-2425	(306) 696-3146
Okanese First Nation	(306) 334-2532	(306) 334-2545
One Arrow First Nation	(306) 423-5900	(306) 423-5904
Onion Lake First Nation	(780) 847-2200	(780) 847-2226
Pasqua First Nation	(306) 332-5697	(306) 332-5199
Peepeekisis First Nation	(306) 334-2573	(306) 334-2280
Pelican Lake First Nation	(306) 984-2313	(306) 984-2029
Peter Ballantyne Cree Nation	(306) 632-2125	(306) 632-2275
Pheasant Rump Nakota First Nation	(306) 462-2002	(306) 462-2003
Piapot First Nation	(306) 781-4848	(306) 781-4853
Poundmaker First Nation	(306) 398-4971	(306) 398-2522
Red Earth First Nation	(306) 768-3640	(306) 768-3440
Red Pheasant First Nation	(306) 937-7717	(306) 937-7727
Sakimay First Nations	(306) 697-2831	(306) 697-3565
Saulteaux First Nation	(306) 386-2424	(306) 386-2444
Shoal Lake Cree Nation	(306) 768-3551	(306) 768-3486
Standing Buffalo First Nation	(306) 332-4685	(306) 332-5953
Star Blanket First Nation	(306) 334-2206	(306) 334-2606
Sturgeon Lake First Nation	(306) 764-1872	(306) 764-1877
Sweetgrass First Nation	(306) 937-2990	(306) 937-7010
The Key First Nation	(306) 594-2020	(306) 594-2545
Thunderchild First Nation	(306) 845-4300	(306) 845-3230
Wahpeton Dakota Nation	(306) 764-6649	(306) 764-6637
Waterhen Lake First Nation	(306) 236-6717	(306) 236-4866
White Bear First Nation	(306) 577-2461	(306) 577-2496
Whitecap Dakota First Nation	(306) 477-0908	(306) 374-5899
Witchekan Lake First Nation	(306) 883-2787	(306) 883-2008
Wood Mountain First Nation	(306) 266-2039	(306) 266-2024
Yellow Quill First Nation	(306) 322-2281	(306) 322-2304

Tribal Council

Agency Chiefs Tribal Council	883-3880/3881	883-3336
Battlefords Agency Tribal Chiefs	446-1400	446-1308
Northwest (BTC) Professional Services Corp.	445-1383	446-0612
File Hills Qu'Appelle Tribal Council	332-8200	332-1811
Meadow Lake Tribal Council	236-5654	236-6301
Prince Albert Grand Council	953-7200	764-6272
Saskatoon Tribal Council	956-6100	244-7273
Touchwood Agency Tribal Council	835-2937	835-2198
Yorkton Tribal Administration	782-3644	786-6264

Provincial Organizations

Federation of Saskatchewan Indian Nations		
Regina	721-2822	721-2707
Saskatoon	665-1215	244-4413

Published under the authority of the Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians
Ottawa, 2008

www.ainc-inac.gc.ca
1-800-567-9604
TTY only 1-866-553-0554

QS-S019-030-EE-A1

Cat. No. R32-214/2009E

ISBN No. 978-1-100-12007-2

Cette publication peut aussi etre obtenue en francais sous le titre :
Les Premieres nations en Saskatchewan

Information current as of printing March 2009

For more information on the First Nations or organizations listed on this document, please refer to the First Nation contact information listed above, contact Indian and Northern Affairs Canada at the information listed below, or visit: **www.ainc-inac.gc.ca/ai/scr/sk**

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