

Citizenship at hand for five Vancouver Island bands

BY JUDITH LAVOIE, POSTMEDIA NEWS MARCH 20, 2011



Seas can be rough on the exposed open ocean around Kyuquot Sound. The Maa-nulth Treaty, Vancouver Island's first modern-day treaty, comes into effect April 1 and the five Maa-nulth First Nations from around Barkley Sound and Kyuquot Sound, are finalizing individual laws, strategizing economic development projects and planning individual celebrations as well as a joint celebration in Port Alberni on April 2.

Photograph by: David Wei, For Canwest News Service

VICTORIA — Tom Happynook's family will soon become full Huu-ay-aht citizens — a symbol to all 635 members of the First Nation that after 135 years, the Indian Act no longer rules their life.

The Maa-nulth Treaty, Vancouver Island's first modern-day treaty, comes into effect April 1 and the five Maa-nulth First Nations from around Barkley Sound and Kyuquot Sound, are finalizing individual laws, strategizing economic development projects and planning individual celebrations as well as a joint celebration in Port Alberni on April 2.

But for many, the ability to decide membership is a powerful symbol, changing something that has long been a sore point for bands, who have had to accept the rulings of Indian and Northern Affairs Canada.

"On April 1 my children will be Huu-ay-aht citizens, as will many other people who were denied aboriginal rights, despite being connected to our nation," said Happynook, a hereditary chief.

Happynook's parents and grandparents gave up their Indian status because they did not want their children dragged off to Alberni Indian Residential School, Happynook said.

"They wanted to vote in federal elections, they wanted to buy a house in Victoria, they wanted to be able to go up on the passenger deck on the B.C. Ferries. Under the old system, none of those things would have been possible if they had kept their status," he said.

Happynook's status was restored in 1985, but his two sons were denied status.

"The INAC system was structured to deny Indian status to many people with native ancestry," he said.

"We are returning to the customary practices of our ancestors where no person with Huu-ay-aht ancestry will be refused citizenship."

The five First Nations — Huu-ay-aht, Ka:yu:'k't'h'/Che:k'tles7et'h', Uchucklesaht, Toquaht and Ucluelet — will receive federal capital transfers of \$73.1 million to be paid out over 10 years, land transfers of nearly 25,000 hectares and revenue sharing of about \$1-million annually for 25 years.

In the Huu-ay-aht village of Anacla, excitement is growing, said Chief Robert Dennis.

"This gives us the tools to make our lives better," he said.

Huu-ay-aht will receive title to their 1,077 hectares of reserve land around Bamfield — which, after April 1, will be known as Huu-ay-aht land or homelands — and another 7,181 hectares within their traditional territory. Capital transfers will amount to \$22.2 million and the projected revenue-sharing payments will be \$350,000 annually.

Economic development, mainly around fisheries and forestry projects, is vital, but good governance will be the key to success, Dennis said.

For the last two years the bands have been developing laws ranging from environmental protection and freedom of information to codes of conduct and land use plans.

"We have held 60 to 70 community meetings. People have been very engaged and people have been giving very good recommendations," Dennis said.

Some, such as a decision not to let people with a criminal record run for office, have required constitutional amendments, he said.

The new governance system blends traditional chieftainships and methods used by modern elected councils.

"We're looking forward to implementation with nervous excitement," Dennis said.

"It has been 150 years since we were in control of our own lives, communities and destinies and we've got some catching up to do.

The only other modern day treaty negotiated under the umbrella of the B.C. Treaty Commission is Tsawwassen First Nation.

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jlavoie@timescolonist.com

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