

## Questions & Answers - September 27 Treaty Information Session

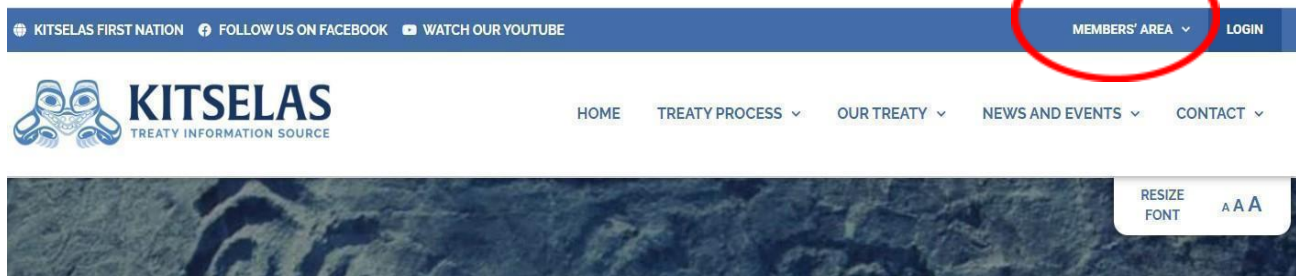
Thank you to the Kitselas Members who joined us in person and via Zoom for our 25th Treaty Information Session community meeting on September 27, 2023.

Below, please find the Q&As from the meeting.

**The next Treaty Information Session is on Wednesday, October 5, 2023, at the Kitselas Community Hall, with dinner at 6 p.m. and the meeting at 6:30 p.m. The meeting will also be hosted on Zoom starting at 6:30 p.m. Our topic is Treaty Implementation. Everyone is welcome at Treaty Information Sessions.**

The meeting recording from the September 27 meeting is available in the Members' Area of the [www.kitselastreaty.ca](http://www.kitselastreaty.ca) website.

Please register to access this area:



### **Q – What happens if you don't enroll in the Kitselas Treaty and Kitselas votes 'yes'?**

**A –** You would remain a Canadian Status Indian with all the rights and benefits (programs) of any other Status Indian in Canada (tax exemptions, health benefits). The Kitselas First Nation may continue to be your administrative contact. If you don't enroll, you won't be entitled to any new or additional Treaty benefits. You can enroll in Treaty anytime; the right to enroll doesn't end with a Treaty vote.

### **Q – Who will be on the Eligibility & Enrolment Committee?**

**A –** There will be four (4) Kitselas Members on the Committee, plus one (1) Kitselas member on the Appeals Committee (for a total of five (5)). The Committee will probably meet monthly, and Committee Members will be paid an honorarium for each meeting. The advertisement for Committee members will be in next month's Treaty mail out and Kitselas communications.

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### **Q – What happens if the Constitution doesn't get passed?**

**A –** If Kitselas Members vote 'no' to the Constitution, we would first try to understand why. We would want to know which parts of the Constitution Kitselas Members didn't like so that we could fix those problems and make the Constitution better. And then we could have a second vote for the Constitution if needed.

The Constitution is different than the Treaty. The Treaty was created by negotiating between Canada, BC, and Kitselas. The Constitution is made entirely based on what the Kitselas community decided, what Members have said through over a decade of community consultations/workshops on the Constitution.

We have continued making the Constitution better, and we're currently working on the tenth version of it. Contact the Treaty office to learn about upcoming Constitution workshops.

We won't move forward to a Treaty vote until the Constitution is approved.

### **Q - If Kitselas votes 'no' to the Treaty, what would happen? Tonight, the presentation seemed like an 'all or nothing' kind of option. Will you continue to work on other forms of self-government if the Treaty doesn't go through?**

**A -** If Kitselas votes 'no' to the Treaty, we would be free to explore another form of self-government if we want. We discussed these other options in January 2023, and you can find a summary about these options on the Treaty website or phone app.

The Treaty is the only option that gives us everything we want. But if we want to explore other self-government options, the Kitselas staff will need to ask you, the Kitselas community, what you want to focus on/do.

### **Q -What kind of question(s) will we be asked when we vote on the Treaty?**

**A -** The Ratification Committee committee will develop the question(s) that will appear on the ballot when Kitselas Members vote on the Treaty.

The question(s) on the voting ballot will be straightforward, clear and simple.

**Q – The Chief and Council and leadership are accountable now, not just if a Treaty is passed, because of several Supreme Court cases that addressed the Chief and Council fiduciary (legal) responsibility to the community, like for expenses. There is accountability within the legal system; there are ways to keep the Chief and Council accountable.**

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**A** – You are correct. When I mentioned "accountability," I wasn't talking about holding people accountable for serious crimes like fraud or stealing money. Those things are against the law already, and the Treaty won't change that.

What I meant by "accountability" in the Kitselas Treaty is that you will have more legal power to ask for reports, updates, information, and financial responsibility. You will have more say in making sure things are done correctly. This is a new level of authority, and we won't need to go to the Supreme Court to make sure our Chief and Council are doing their jobs properly.

Looking ahead to the spring of 2024, one of our information sessions will focus on Kitselas laws and how the Treaty will change the way we make laws. We want the information related to the Treaty to flow freely and transparently to Members.

**Q – When the Treaty Team travelled to other places in BC to visit Kitselas members. How did these visits go? Did a lot of people show up to these sessions? What was your gut feeling about how many would support the Treaty that are off-reserve?**

**A** – In spring 2022, we hosted seven community events in seven communities across BC, where we met with about 70 Kitselas Members.

Overall, Kitselas Members living off-reserve were primarily concerned about losing benefits, programs or services, tax exemptions, and health benefits. After the Treaty, Kitselas will still get tax exemptions, and programs and benefits won't be reduced. Once the Treaty Team addressed Members' concerns, they felt satisfied that the Treaty was good.

If you're a Kitselas Member living in downtown Vancouver, the Treaty won't really change much for you. It will mainly affect those living in the Kulspai and Gitaus communities.

Next year, after we finish the draft Treaty, we plan to do one more tour to communities across BC to meet with Kitselas Members. We're also considering a special homecoming event around July 1, 2024, for a few days. This will give people who live far away a chance to come and ask questions; we're still working on the planning for this event and will share more with Members once we have more details.

We have about 182 eligible Kitselas Member voters living on our Indian Reserves, 117 living nearby in Terrace and Thornhill, and 234 living further away, all across Canada, with a few in the USA. Our Treaty Office will do everything possible to ensure everyone gets all the information they need to make informed decisions, regardless of where they live.

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**Q – One other question, let's say the vote is in favour of the Treaty. Are off-reserve people going to see any financial benefits? Will those living away also receive benefits and gifts?**

**A –** No matter where they live, our Elders will receive a check as part of the Elders' Pension. If the Treaty is approved, there might be a check to share some of the extra money with everyone. This is just something that could happen, not a commitment.

With the Treaty, KitseLas will have a lot more money, and our elected leaders will need to decide how to use it. After the Treaty, we may choose to spend more money because we'll have more money coming in, but our government will decide this, not the Treaty Office.

**Q – I would hope that community Members will express an interest in serving on the Enrolment and Appeals Committees. And I hope that there will be a role for a Council of Elders. With their knowledge and history of families and communities, it would be good to involve them in the process.**

**A –** An Elders Council for Appeals is a good idea; we will incorporate this into our Appeals process.

**Q - In terms of dual citizenship, it almost sounds like KitseLas could be discriminated against by Canada, by not having a chance to have this dual citizenship like all other Canadians. I'm not sure, but it comes to mind that it could be a legal challenge to be denied this right.**

**A –** Even though it is possible to have dual citizenship (such as for the United Kingdom and Canada), you can't vote in both nations' elections. Similarly, you can only get health benefits from the place where you live. Where you live is a key part – you have to live there to get benefits there.

Part of the reason Canada is opposed to dual citizenship is simply administration – you may only get benefits from one (1) First Nation.

The Indian Act does not allow you to belong to two (2) First Nations. This doesn't change with or without the Treaty. If we do vote 'yes' for the Treaty, the power of our own Constitution gives us control over our Enrolment criteria. In theory, post-Treaty, we could explore dual citizenship.

**Q – Is the \$200 Elders' pension to buy votes?**

**A –** No, it's not intended to buy votes; it is intended to support our Elders.

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**Q - If we vote 'no' on the Constitution that does that mean no Treaty? Or halt the Treaty?**

**A -** If KitseLas Members vote 'no' to the Constitution, we would first try to understand why. We would want to know which parts of the Constitution KitseLas Members didn't like so that we could fix those problems and make the Constitution better. Then, we could have a second vote for the Constitution if needed.

We won't move forward to a Treaty vote until the Constitution is approved.

**Q - Could there be more incentives for KitseLas Members' education for the young band Members since we will be getting an influx of funds? Will the education funding we have now be the same or will it be different in any negative or positive way?**

**A -** After the Treaty, education, health and social assistance programs will continue to be funded exactly as they are now. Like all other programs, base funding does not change. However, with the additional money available through Treaty, KitseLas may choose to increase funding or incentives to KitseLas students. That will be up to future Legislatures, not the Treaty Office.

**Q - Would it be possible to do a summary sheet of what the Indian Act does and why it became the Indian Act so members who don't have access or want to digest it over time to compare it to the Treaty and come to their own conclusions?**

**A -** Yes, we will update our current summary sheet comparing the Indian Act to (the final) Treaty and share it with KitseLas Members.