



**Gwawā'enuxw
Kwīkwāsutinuxw
Haxwa'mis
Dzawada'enuxw**



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Musgamagw Dzawada'enuxw Tribal Council

Delivered via fax and Registered Mail

Open Letter

May 22, 2013

Chief and Council
'Namgis First Nation
49 Atli Street, Alert Bay
P.O. Box 210, Alert Bay, B.C.

Dear Chief Cranmer and Council,

Re: Outstanding Concerns with 'Namgis Treaty Negotiations and the draft 'Namgis AIP

It has come to the attention of the Musgamagw-Dzawada'enuxw Tribal Council that the 'Namgis First Nation intends to hold a general assembly on Saturday, May 25, 2013 in Alert Bay, BC. It is our understanding that the purpose of the general assembly is to provide 'Namgis members with an opportunity to discuss the recent failed Agreement in Principle vote and to provide Chief and Council with direction regarding 'Namgis First Nation's Treaty Negotiations.

While we respect the right of each First Nation to determine its own method for resolving the outstanding land question, the Musgamagw-Dzawada'enuxw Tribal Council has serious concerns with the treaty negotiations of the 'Namgis First Nation.

In particular, we understand that through your Statement of Intent (a 'Namgis treaty negotiations map) and likely in the course of your negotiations, the 'Namgis First Nation is seeking to secure constitutionally-protected treaty rights within the traditional territories of the First Nations who comprise the Musgamagw-Dzawada'enuxw Tribal Council. To this, we take exception and cannot support such an objective. Such an approach has the potential to afford the 'Namgis First Nation with the right to be consulted and accommodated in regard to activities that may or may not occur within the traditional territories of Musgamagw-Dzawada'enuxw Tribal Council peoples.

Further, this has significant implications in regard to land and resource related decision-making and revenue and benefit sharing. As you can appreciate, this situation raises deep concern for the people of the Musgamagw-Dzawada'enuxw Tribal Council.



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While we recognize that today, some descendants of the Musgamagw-Dzawada'enuxw peoples are found within various First Nations, such a fact does not automatically provide a foundation for land and resource rights within our territories for all First Nations with Musgamagw-Dzawada'enuxw descendants. Rather, the peoples of the Musgamagw-Dzawada'enuxw Tribal Council choose to honor our traditional means of access to territories and resources. We are of the opinion that any approach to access and assertion of rights which is inconsistent with the traditional ways of Kwakwakawakw peoples to be unacceptable.

It is in this context that we urge the 'Namgis First Nation to consider the implications set out in this letter and promptly remove from the scope of your treaty negotiations all efforts to secure constitutionally-protected treaty rights within the traditional territories of the First Nations who comprise the Musgamagw-Dzawada'enuxw Tribal Council.

We appreciate the fact that we are all here to stay and that we are neighbours. We all want to work toward resolving the outstanding question and to secure the best possible future for our people. In doing so, we must always be mindful of the implications of our various negotiations and activities on our neighbours and to uphold our traditional ways.

If you would like to discuss the contents of this letter in greater detail, we welcome the opportunity to meet with you. Please do not hesitate to contact the offices of the Musgamagw-Dzawada'enuxw Tribal Council with any questions or should you wish to make meeting arrangements.

Best regards,

In the Spirit of Growth and Unity

Chief Bob Chamberlin
Chairman Musgamagw-Dzawada'enuxw Tribal Council

Cc: Chief Commissioner Sophie Pierre, BCTC
Minister Bernard Valcourt, AANDC
Grand Chief Edward John, First Nation Summit
Chief Doug White III, First Nation Summit
Dan Smith, First Nation Summit
Grand Chief Stewart Phillip, UBCIC President
Ministry of Aboriginal Relations and Reconciliation
Mr Tim Koepke, Canada Chief Negotiator
Mr Heinz Dyck, BC Chief Negotiator

**to kwimasanoxw lalkwalatle'yex ganoxw
musgamagwxwe' dzawada'enuxwax**