

'Treaty Based' Arrangements – What does this mean?

The first time that this language started to be used regularly by Treaty technicians and Treaty First Nations leadership was in the context of establishing the objectives of the Treaties 1-11 strategic direction back in 2005. This period was when the Government of Canada, then under Liberal Prime Minister Paul Martin, was looking to secure a broad swath of support for the 'Kelowna Accord,' at a First Minister's conference to discuss Aboriginal Issues. The pan-Aboriginal approach under a joint federal and provincial agenda was cause for waving a big red flag by Treaty leaders. It was put forward that not only could the agenda not be pan-Aboriginal but also that what was being called a 'distinctions-based' approach would need to be further discussed with the people of the Treaty nations before being ratified. The Kelowna Accord, with its submission of 8 Billion over 5 years for health, education, water, housing and infrastructure was not implemented of course with the election of Stephen Harper as the Conservative Party of Canada leader back in those days.

Today, as the national discussion has pivoted quickly to the Rights Recognition Framework, there is much to be understood about where the federal government is headed with regard to implementing a changed law and policy environment around Treaty and other First Nations.

For *onihcikiskwapowin* – Saddle Lake Cree Nation there are a great many factors to be further understood about the complete details of the Government of Canada objectives but given their continued agenda at assimilation and devolution, clearly there is a need to begin to establish for ourselves the notion of a defined Treaty-Based Arrangement. The questions we must look at includes (but is not limited to) what does a truly Treaty based arrangement look like when you consider that for over 140 years, the Indian Act and its policy and law impositions has meant that we have been told what to do and when for several generations. *nehiyawak* Tribal Codes and policies protected by the Treaty. How do we ensure that? Needs fully met as understood by the forbearers at the time of Treaty. How do we make sure that is a cornerstone of any Treaty Based arrangement? What will protect our lands in a Treaty Based arrangement? What does a funding formulae based on Treaty look like?

Indeed, answering these questions is a core reason as to why we feel strongly that there is a need to work closely with like-minded nations of people such as the Onion Lake Cree. Our Treaty Alliance is currently growing as more and more First Nations from the various Treaty areas begin to recognize the need to plan to protect Treaty. The Onion Lake leadership has worked toward treaty implementation for at least 20 years and so there is a great deal we can learn and build from the strong work already completed there. Saddle Lake also has incredible amounts of knowledge supporting Treaty protection. Early discussion so far has centered on protecting the Crown and Treaty legal relationship, re-affirming the spirit and intent of Treaty, obtaining recognition and raising the specter of a legal relationship supported directly by the Governor General of Canada and the Treasury Board. There is much to be done, many conversations to be had, but what is certain right now is that this federal government intends to work quickly to implement new legislation to replace the Indian Act. What we must do now is prepare for clear-headed and proactive action with strong nation level discussion to bolster our future as the peoples of *onihcikiskwapowin*.