ŦE,ITḴEN,IST I SŁEW̱ÁL,NOṈET SĆA,Í
“Moving Forward and Speaking the Truth and Peace of Mind at Last”
Joint Statement by the W̱SÁNEĆ Chiefs of Tsartlip, Tseycum First Nations, the Minister of Crown-Indigenous Relations, and the Minister of Indigenous Relations And Reconciliation

Acknowledgement

Canada and British Columbia acknowledge that the W̱SÁNEĆ Nation
– which includes, but is not limited to the Tsartlip and Tseycum First Nations –
is the beneficiary of and successor to the North Saanich and South Saanich Treaties of 1852.

Introduction

The North Saanich and South Saanich Treaties – part of the Vancouver Island Treaties (also known as the Douglas Treaties) – were signed in 1852 between the Crown as represented by Governor James Douglas and certain representatives of the W̱SÁNEĆ Nation.

We recognize that there are differing perspectives of the North Saanich and South Saanich Treaties,
including when it comes to their historical context, geographic scope and content.

Though Canada and British Columbia have long considered these agreements to be land purchase agreements,
W̱SÁNEĆ oral histories hold that they were agreements to settle disputes
and establish peaceful relations between the W̱SÁNEĆ Nation and the European settlers.

Canada fully endorses the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) without qualification
and remains committed to its implementation in a manner consistent with the Canadian Constitution and in partnership with Indigenous peoples.
On June 21, 2021, Bill C-15, the *UNDRIP Act*, received Royal Assent, which will provide a roadmap
for Canada and Indigenous peoples to work together to fully implement UNDRIP.

British Columbia has adopted UNDRIP and the *Declaration on the Rights of Indigenous Peoples Act* (Declaration Act),
establishing UNDRIP as the framework for reconciliation in the province.

Canada, British Columbia and the W̱SÁNEĆ Chiefs of Tsartlip and Tseycum First Nations agree that UNDRIP is a foundation
for working collaboratively to implement a shared understanding of the North Saanich and South Saanich Treaties.

Statement by W̱SÁNEĆ Chiefs of Tsartlip and Tseycum First Nations

W̱SÁNEĆ oral history – passed down from generation to generation through a rigid system of witnessing and ceremony that is still practiced today – tells us that Douglas' Word (referred to by Canada as the North Saanich and South Saanich Treaties) signified a "new beginning" between our Nation and the European settlers and that they arose to settle disputes that occurred as a result of specific historical events, including: W̱SÁNEĆ efforts to stop timber extraction by employees of James Douglas near the village of ȻEL,IŁĆE (Cordova Bay), the shooting of a W̱SÁNEĆ messenger boy by a settler near Mount Tolmie, and threats W̱SÁNEĆ people had made against James Douglas and Fort Victoria in response to the above.

When our ancestors met with James Douglas in 1852, Douglas acknowledged the extent of our W̱SÁNEĆ homelands, including: the lands that our people used for all time for hunting and reef netting; the areas where we harvest food and medicines; and, the places where XÁLS (Creator) made our laws, our SḴÁLS (Sacred Teachings of Life), and our culture.

During this meeting, we were given gifts of acknowledgement, crosses were marked on paper to signify the meeting's sacredness, the W̱ENITEM (the newly arrived people) recognized W̱SÁNEĆ rights and responsibilities to the land, and we agreed that the W̱SÁNEĆ and the W̱ENITEM would live on these lands in a peaceful relationship with one another.

W̱SÁNEĆ people did not sell W̱SÁNEĆ land and therefore could not have agreed to that part of the written version of the North Saanich and South Saanich Treaties that references the surrender and transfer of land. We have sacred obligations to QENÁL (to watch over) and care for all living things, as given to us by XÁLS, and as required by W̱SÁNEĆ law.

W̱SÁNEĆ laws, rights and responsibilities come from XÁLS, not from the North Saanich and South Saanich Treaties. As such, the North Saanich and South Saanich Treaties—although recognizing the W̱SÁNEĆ rights to hunt and fish—do not define the full scope of W̱SÁNEĆ rights and W̱SÁNEĆ territory, nor do they reflect the W̱SÁNEĆ worldview.

The lack of recognition and implementation of our treaty rights on the part of the Crown, as well as the imposition of the Indian Act and other assimilationist measures, have had tremendous negative impacts on our Nation. This includes the loss of our land, our fisheries, and our ability to hunt. Further, our culture, our governance structures, our legal traditions, our SENĆOŦEN language, and our traditional economy (such as, our commercial fishery) have all suffered greatly. As a result, our ability to fulfill our sacred obligations – as given to us by to the XÁLS – to care for the land, water, and all living things has been disrupted. W̱SÁNEĆ people have survived through these assimilationist measures, and we look forward to breathing life into the Douglas Treaties by ensuring that these treaties reflect the solemn exchange of promises between our Nations.

Statement by Canada

Canada has not always recognized the North Saanich and South Saanich Treaties of 1852 as treaties.

Moreover, Canada's position on the beneficiaries of the North Saanich and South Saanich Treaties of 1852, and what it means for Canada's relationship with the First Nation beneficiaries, has long been unclear.

The Crown's intent of these agreements was to maintain peaceful relations with the Indigenous inhabitants on the Saanich Peninsula and acquire land and resources.

The different perspectives between the oral traditions of the W̱SÁNEĆ and the written record has shed light on the lack of understanding that existed between the European settlers and the W̱SÁNEĆ people when the treaties were first signed. These differences have left us with complexities we have yet to reconcile.

Furthermore, the damaging impacts on Indigenous culture, heritage and language from the imposition of the reserve system and the Indian Act regime resulted in the splintering of cultural and linguistic collectives, including the division of the W̱SÁNEĆ Nation – the original signatories of the North and South Saanich Treaties – into multiple discrete First Nations.

We know today that the imposition of these colonial structures has caused deep harm and the lack of recognition of the North Saanich and South Saanich Treaties added another layer of tension, which has prevented a true nation-to-nation relationship.

This has all contributed to, among other things, unacceptable socio-economic gaps and significant losses to the W̱SÁNEĆ peoples' way of life. These consequences have persisted from generation to generation and continue to be felt today.

Canada acknowledges it has obligations in respect of the constitutionally protected rights provided for in the North Saanich and South Saanich Treaties.

Canada is committed to advancing reconciliation with the W̱SÁNEĆ Nation. We recognize that to move forward together toward a new nation-to-nation relationship requires Canada to have a better understanding of W̱SÁNEĆ's oral history and W̱SÁNEĆ's view of the spirit and intent of the North Saanich and South Saanich Treaties.

Statement by British Columbia

British Columbia joined Confederation in 1871 according to the Terms of Union and *Constitution Act*, 1867 and has ongoing obligations to honour the constitutionally protected rights provided for in the North Saanich and South Saanich Treaties of 1852.

British Columbia has not always recognized the North Saanich and South Saanich Treaties of 1852 as treaties.

Moreover, British Columbia's position on the beneficiaries of the North Saanich and South Saanich Treaties of 1852, and what it means for Canada's relationship with the First Nation beneficiaries, has long been unclear.

British Columbia recognizes the divergent perspectives on the treaties and is building a better understanding of these views and complexities, informed by W̱SÁNEĆ oral traditions and history, and is committed to working with W̱SÁNEĆ peoples and the federal government to reconcile these perspectives.

British Columbia recognizes the role that the Province has played in colonization including impacts on lands, culture and harvesting practices. These impacts have contributed to, among other things, unacceptable socio-economic gaps and significant losses to the W̱SÁNEĆ peoples' way of life, which continue to persist from generation to generation.

British Columbia recognizes the deep harms of colonization on the W̱SÁNEĆ peoples. The lack of acknowledgment of these impacts and the lack of recognition of the North Saanich and South Saanich Treaties, have prevented a true and meaningful government-to-government relationship.

British Columbia is committed to continue to learn from, understand, and address the impacts of colonization on W̱SÁNEĆ peoples as we build a new relationship and work together to support W̱SÁNEĆ communities and families to heal.

British Columbia is committed to advancing reconciliation with the W̱SÁNEĆ Nation. We recognize that to move forward together toward a new government-to-government relationship British Columbia requires a better understanding and recognition of W̱SÁNEĆ's oral history and W̱SÁNEĆ's view of the spirit and intent of the North Saanich and South Saanich Treaties.

Joint Statement for Moving Forward

We understand that we may have differing perspectives on the scope and content of the historic North Saanich and South Saanich Treaties.
The parties to this Joint Statement, in partnership, will work toward reconciling the differing views of the Treaties
by continuing our collaborative work to arrive at and implement a shared understanding.

Canada and British Columbia are exploring new ways to achieve lasting reconciliation and renewing nation-to-nation and government-to-government relationships.
To do so, all parties to this Joint Statement are committed to the W̱SÁNEĆ principles of respect (ÁTOL[1]),
co-operation (ĆȺINEUEL[2]), partnership (HIWESTEL[3]), and the recognition and affirmation of rights.

The special treaty relationship between Canada, British Columbia and the W̱SÁNEĆ Nation, informed by W̱SÁNEĆ oral history,
is a foundation for the ongoing collaboration between the parties, as we work towards a new negotiated agreement
through our Recognition of Indigenous Rights and Self-Determination table discussions.

Honouring historic treaty relationships and upholding the honour of the Crown is critical to renewing the relationship and advancing reconciliation.

Canada, British Columbia and the W̱SÁNEĆ Chiefs of Tsartlip and Tseycum First Nations will work on efforts
to revitalize the W̱SÁNEĆ way of life now and in the future by creating opportunities for the W̱SÁNEĆ Nation to prosper.

We all have the ability to learn from the past and shape the future by acknowledging the wrongs of the past, knowing our true history,
and working collaboratively to develop new ways of living in respectful partnership.

This is a first step on the path to healing, lasting reconciliation, and renewal.

Chief Don Tom
Tsartlip First Nation
On behalf of the Tsartlip and Tseycum First Nations

Chief Tanya Jimmy
Tseycum First Nation

Minister Gary Anandasangaree
Crown-Indigenous Relations
On behalf of His Majesty the King in Right of Canada

Minister Christine Boyle
Indigenous Relations and Reconciliation
On behalf of His Majesty the King in Right of British Columbia

[1] "Mutual respect for the rights of others (with life)." The W̱SÁNEĆ concept of ÁTOL extends to all life, including water.
[2] "Working together."
[3] "To honour one another."