Memorandum of Understanding

Between
Canada,
British Columbia
and
Wet’suwet’en
As agreed on February 29, 2020.
IMMEDIATE

1. Canada and B.C. recognize that Wetsuwet'en rights and title are held by Wetsuwet'en houses under their system of governance.

2. Canada and B.C. recognize Wetsuwet'en Aboriginal rights and title throughout the Yintah.

3. Canada, B.C., and the Wetsuwet'en commit to the negotiations described below (commencing immediately).

4. B.C. commits to engage in these negotiations consistent with the Declaration on the Rights of Indigenous Peoples Act.

5. Canada and B.C. will provide the necessary resources to Wetsuwet'en for these negotiations.

6. The parties agree these negotiations are to be intensively mediated by an agreed upon mediator.

AGREEMENT TO BE NEGOTIATED OVER THE NEXT THREE MONTHS

1. Legal recognition that the Wetsuwet'en Houses are the Indigenous governing body holding the Wetsuwet'en Aboriginal rights and title in accordance with our Inuuk Nuatdien.

2. Legal recognition of Wetsuwet'en title as a legal interest in land by Canada and B.C.

   a) There will be no impact on existing rights and interests pertaining to land until jurisdiction is transferred to the Wetsuwet'en.

   b) Jurisdiction that flows from Wetsuwet'en Aboriginal rights and title will be transferred to Wetsuwet'en over time based on an agreed upon timetable (with the objective for transition of some areas within 6 months and a schedule for the remaining areas of jurisdiction thereafter).

   c) In some cases the jurisdiction that is transferred to the Wetsuwet'en will be exclusive and in some cases it will be shared with Canada or B.C.

3. The areas of jurisdiction that will need to be addressed include the following (without limitation):

   a) Child and Family Wellness (6 month timeline);

   b) Water (6 month timeline);

   c) Wetsuwet'en Nation Reunification Strategy (6 month timeline);

   d) Wildlife;

   e) Fish;

   f) Land Use Planning;

   g) Lands and Resources;

   h) Revenue Sharing, Fair and Just Compensation, Economic Component of Aboriginal Title;

   i) Informed Decision Making; and

   j) Such other areas as the Wetsuwet'en propose.

4. Title will be implemented and jurisdiction (exclusive or shared) will be transferred once specifics on how Aboriginal and Crown titles interface have been addressed – this includes the following:

   a) Transparency, accountability, and administrative fairness mechanisms including clear process and remedies to address grievances of any person, pertaining to all areas of shared and exclusive jurisdiction.

   b) Clarity on the Wetsuwet'en governance structures, systems, and laws, that will be ratified by the Wetsuwet'en and will be used to implement their title to the extent required to understand the interface between the Crown and Wetsuwet'en jurisdiction.

5. This agreement is to be ratified by Canada, B.C. and Wetsuwet'en under their respective systems of governance.

6. The agreement will be binding on Canada, B.C. and the Wetsuwet'en and all of their agencies, departments and officials as they conduct their business together as governments.

AGREEMENT TO BE NEGOTIATED OVER THE NEXT TWELVE MONTHS

1. The specifics of how Aboriginal and Crown titles interface.

2. The agreement recognizing Wetsuwet'en rights and title will be protected by Section 35 of the Constitution, 1982.
Signed on the 14th day of May 2020.

SIGNED ON BEHALF OF THE WET’SUWET’EN NATION
by the Wet’suwet’en Hereditary Chiefs

Woos (Frank Alec)  Madeek (Jeff Brown)
Knedebeas (Warner William)  Kloum Khun (Alphonse Gagron)
Hagwilnegli (Ron Mitchell)  Gisday’wa (Fred Tom)
Na’Moks (John Ridsdale)  Gooliaht Lay’oh (James Namox)
Smogelgem (Wärner Naziel)

SIGNED ON BEHALF OF HER MAJESTY THE QUEEN
IN RIGHT OF CANADA
by the Minister of
CROWN-INDIGENOUS RELATIONS
Hon. Carolyn Bennett

SIGNED ON BEHALF OF HER MAJESTY THE QUEEN
IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA
by the Minister of
INDIGENOUS RELATIONS AND RECONCILIATION
Hon. Scott Fraser

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