



LETTER OF UNDERSTANDING

Dated for reference September 10, 2014

between

XENI GWET'IN FIRST NATIONS GOVERNMENT ("XENI GWET'IN"), TSILHQOT'IN NATIONAL GOVERNMENT, on behalf of the TSILHQOT'IN NATION

and

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA ("British Columbia")

(Collectively, the "Parties")

SHARED VISION:

- A. This Letter of Understanding ("Letter") commits the Parties to strengthening their government-to-government relationship by undertaking negotiations in good faith towards a lasting reconciliation agreement between the Tsilhqot'in people and the Province of British Columbia.
- B. On June 26, 2014, the Supreme Court of Canada rendered its unanimous judgment in Tsilhqot'in Nation, recognizing Aboriginal title for the first time in Canadian history, in the homeland of the Tsilhqot'in people. This Letter establishes an initial framework in response to the Tsilhqot'in Nation judgment.
- C. The Tsilhqot'in Nation judgment offers a profound opportunity for British Columbia, the Tsilhqot'in Nation, and all First Nations, to renew and strengthen a shared vision of First Nations as true partners in the economic, political and social future of this province.
- D. The Parties wish to embrace this historic opportunity and explore new ways to effect a just and enduring reconciliation for the Tsilhqot'in people and to lead the way forward with new and innovative approaches to Crown-First Nations reconciliation.

ACKNOWLEDGMENT & RECONCILIATION

1. The Parties agree to strengthen their relationship and move forward based on recognition and respect. In this spirit, the Premier has accepted the invitation of the Tsilhqot'in Nation to:
 - a. meet with the Tsilhqot'in leadership, elders, youth and communities in Xeni Gwet'in, on Tsilhqot'in Aboriginal title lands, in Fall 2014; and
 - b. attend the 150 year commemoration of the Chilcotin War of 1864.
2. British Columbia agrees to take steps to redress, through a statement in the legislature and other means, the wrongful trial and hanging in 1864/65 of the Tsilhqot'in Chiefs, who died defending their lands, their people and their way of life. British Columbia will engage closely with the Tsilhqot'in at each stage of this process of redress.

PROCESS

3. Within 30 days, the Parties will establish a Leadership Table comprised of the Tsilhqot'in Chiefs and relevant Ministers. The Leadership Table will meet no less than twice before March 31, 2015, and thereafter as required until longer-term arrangements are agreed to by the Parties, to set goals, monitor progress and provide direction to the Working Group. The Premier will appoint a senior official to participate at the Leadership Table and report directly to the Premier.
4. Within 30 days, the Parties will establish a Working Group comprised of senior officials from the key Ministries, and designates of the Xeni Gwet'in and Tsilhqot'in Nation. The Working Group will hold regular monthly meetings and implement the direction of the Leadership Table. The Working Group will also be enabled to deal with any urgent short-term issues that arise between meetings.
5. The Leadership Table and Working Group will prepare a work plan and terms of reference to accomplish the priorities and actions identified in this Letter.

PRIORITY ISSUES

6. The Parties will work in good faith to develop detailed options to address the following priorities at the Leadership Table and through the Working Group:
 - a. transition of the Title Area to Tsilhqot'in management, benefit and control;
 - b. a process to discuss remedies for the breach of Crown duty found in Tsilhqot'in Nation;
 - c. establishing innovative interim financial arrangements, which the Parties intend to replace with enduring agreements, to share benefits from resource development in the Tsilhqot'in territory;
 - d. exploring other economic opportunities for the Tsilhqot'in communities;
 - e. addressing the health, education and socio-economic well-being of the Tsilhqot'in people;
 - f. developing a Protocol Agreement for Tsilhqot'in territory, as described below; and
 - g. other priorities as identified by the Parties.

PROTOCOL AGREEMENT

7. The Parties will make best efforts to negotiate a Protocol Agreement by March 31, 2015. The Protocol Agreement will set out a comprehensive framework for negotiations to reconcile the rights, interests and goals of the Tsilhqot'in Nation and British Columbia in Tsilhqot'in territory (including both interim and long-term measures) and commit sufficient resources to support its implementation.

FUNDING & RESOURCES

8. The Parties agree that the commitment of adequate funding and resourcing by British Columbia is essential to the success of this Letter. The Parties will determine adequate bridge funding to support the shared priorities and processes identified in this Letter, until the Protocol Agreement is concluded and longer-term funding commitments are in place.

OTHER

9. The Parties acknowledge that reconciliation requires the participation of Canada and that both Parties will work to encourage Canada's participation.
10. The Parties agree that industry has a critical role to play in achieving a new vision and the Parties will explore opportunities to engage industry.
11. This Letter does not create, amend, define, affirm, recognize, abrogate or derogate from any aboriginal rights or title of the Tsilhqot'in Nation which are recognized and affirmed by section 35 (1) of the Constitution Act, 1982.

Signed on verso.

Without Prejudice

IN WITNESS WHEREOF *the Parties hereby execute this Letter as of the date first written above.*

ON BEHALF OF THE TSILHQOT'IN NATION:

NITS'IL?IN (CHIEF) JOE ALPHONSE
Tribal Chairman – Tsilhqot'in National Government
Tl'etinqox Government Office

NITS'IL?IN PERCY GUICHON
Tsi Deldel First Nation

NITS'IL?IN ROGER WILLIAM
Vice Chairman – Tsilhqot'in National Government
Xeni Gwet'in First Nations Government

NITS'IL?IN BERNIE MACK
?Esdilagh First Nation

NITS'IL?IN FRANCIS LACEESE
Tl'esqox First Nation

NITS'IL?IN RUSSELL ROSS MYERS
Yunesit'in First Nations Government

ON BEHALF OF THE XENI GWET'IN FIRST NATIONS GOVERNMENT:

NITS'IL?IN YAZ (COUNCILOR) MARILYN BAPTISTE

NITS'IL?IN YAZ LORETTA WILLIAMS

ON BEHALF OF THE PROVINCE OF BRITISH COLUMBIA:

HON. CHRISTY CLARK
Premier

HON. JOHN RUSTAD
Minister of Aboriginal Relations and Reconciliation