

Maa-nulth Final Agreement: Ratification and Implementation

The Maa-nulth Final Agreement was negotiated by the Government of Canada, the Government of British Columbia and the Maa-nulth First Nations. The five Maa-nulth First Nations are Ucluelet First Nation, Huu-ay-aht First Nations, Toquaht Nation, Ka:yu:k't'h/Che: k'tles7et'h' First Nations, and Uchucklesaht Tribe, all located on the west coast of Vancouver Island. The Maa-nulth First Nations represent about 2,000 people. Maa-nulth means "villages along the coast" in the Nuu-chah-nulth language.

The Maa-nulth Final Agreement is among the first Final Agreements reached in the province under the British Columbia treaty process. The Final Agreement sets out each Maa-nulth First Nation's rights and benefits respecting land and resources, and self-government over their lands and resources and their citizens. The Final Agreement provides certainty for all parties with respect to ownership and management of lands and resources and the exercise of federal, provincial and Maa-nulth First Nation governmental powers and authorities.

The negotiation of a Final Agreement marks Stage Five of the six-stage British Columbia treaty process, and is the conclusion of substantive treaty negotiations. Once ratified by all parties, the Final Agreement will become a treaty through legislation. It will be a constitutionally-protected, legal agreement which creates mutually binding obligations and commitments.

RATIFICATION

By initialing the Final Agreement, the chief negotiators for Canada, British Columbia and each Maa-nulth First Nation recommend the agreement to their respective principals for ratification.

The first step in the ratification process is acceptance of the Final Agreement by the Maa-nulth First Nations. A community approval process will be initiated by each Maa-nulth First Nation. If the Maa-nulth communities ratify the Final Agreement, the Province of British Columbia will then proceed through its ratification process. A Minister from the provincial Cabinet must recommend the agreement for approval, and settlement legislation will then be introduced into the Legislative Assembly, where it will be debated.

If British Columbia ratifies the Final Agreement, the Government of Canada will proceed through its ratification process. A federal Cabinet Minister must recommend the Final Agreement and once the Final Agreement is signed by all parties, settlement legislation will be introduced in Parliament for debate. Once enacted through legislation, the Final Agreement will become a treaty and will be brought into effect on a date agreed to by the parties.

IMPLEMENTATION

During the process of negotiating the Final Agreement, the parties also negotiated an implementation plan. The implementation plan identifies each party's obligations and the activities to be undertaken to meet those obligations. Some parts of the treaty will be implemented on the day the Final Agreement comes into effect or shortly thereafter. Some parts, such as taxation provisions, will be implemented according to a predetermined schedule over a number of years. Other parts of the Final Agreement may not be implemented until a later date to be determined by the parties.

An implementation committee comprised of a representative from Canada, British Columbia and the Maa-nulth First Nations will be established on the effective date of the treaty. This committee will oversee and monitor the implementation of the treaty. ■