



# TREATY 1 NATION NEWS

Treaty 1 Nation News Vol 1, Issue 1 September 2019

## Treaty 1 Nation signs historic agreement on Kapyong



Children of Treaty 1 First Nations pose in front of their leaders at the Kapyong signing ceremony.

By James Wastasecoot  
The seven Treaty 1 First Nations signed a comprehensive settlement agreement that allows the sale of Kapyong Barracks to Treaty 1 to proceed. Following a pipe ceremony, a grand entry and speeches, the agreement was signed in the main hall of the Assiniboia Downs grandstand August 30, 2019. The agreement outlines the terms for the sale of the barracks based on an Agreement in Principle which was agreed to in April 2018.

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## How we got to the Kapyong Comprehensive Settlement Agreement

In August of 1871, after Treaty 1 document is signed at Lower Fort Garry (near Selkirk). Among other things, the government agrees to set aside land as reserve for band members on the basis of 160 acres per family of 5. In the following years, Canada undertakes a census to determine how much land is owed to each band and, eventually, a reserve is surveyed for each First Nation. In most cases, however, First Nations do not receive all of the Reserve to which they are entitled under Treaty 1. This shortfall of land amount is called an outstanding “Treaty land entitlement” or TLE.

Over 125 years later, Canada finally agrees to settle TLE owed to Treaty 1 First Nations.

Following the signing of TLE agreements, First Nations go out and find suitable lands for purchase as provided in their TLE agreements. It proves challenging to select and ac-

quire lands that are suitable, but the Treaty 1 First Nations are resilient. Long Plain First Nation is the first community to find a suitable parcel in Portage La Prairie. Long Plain First Nation then develops the land and now it houses businesses which are performing well for community members. Long Plain First Nation finds another property in the City of Winnipeg which becomes the first Urban Reserve in Winnipeg on Madison Street. It is successful and continues to grow.

In early 2001, Canada adopts a policy of “strategic disposal” of crown lands as opposed to the routine disposal of “surplus lands.” This draws the attention of the Treaty 1 Chiefs. They are concerned that this means “surplus” lands, which require the federal government to extend a “right of first refusal” to First Nations who have signed a TLE agreement, would not necessarily be respected, and once again, rights

would be eroded. The Treaty 1 Chiefs band together to raise concerns and ensure the TLE rights are preserved.

In 2004, the Kapyong Barracks, a 160-acre armed forces base on Kenaston in Winnipeg, is closed. Treaty 1 Chiefs immediately act as they saw this as a rare opportunity to advance their communities.

In December of 2007, Treaty 1 chiefs meet to review the Kapyong lands potential. They sign a political accord which asserts the Treaty 1 Nation and a governing council: Treaty 1 government. The idea is to reinforce the nation of Treaty 1 as envisioned by the leaders who signed Treaty number 1 in 1871. By working as a collective under Treaty 1, the Chiefs decide that the Treaty 1 vision could come to fruition and could create wealth and prosperity for all the participating communities.

In 2007, Canada transfers the Kapyong Barracks property to Canada Lands Corporation for development. First Nations are not informed about the decision and therefore do not get the opportunity to exercise their “right of first refusal” as provided in their TLE agreements.

Between 1994 and 2010, more First Nations sign their TLE agreements which continue to build strength for the Treaty 1 plan as set out by the Chiefs.

Treaty 1 Chiefs weigh their options regarding Canada’s decision to unilaterally transfer Kapyong lands. Treaty 1 Chiefs led by Peguis First Nation, file legal action in Federal Court seeking to “quash” (or “undo”) Canada’s decision. The First Nations also seek a declaration that Canada had a duty to consult and accommodate in good faith with Peguis and other Treaty One First Nations with

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# Message from the chairperson, Chief Dennis Meeches

The Kapyong Comprehensive Settlement Agreement which was signed on August 30, 2019 is a moment similar to the historic signing of Treaty 1 in August 1871. It holds the potential to transform our community, our Nation, from 7 disparate reserves, each working for themselves, to working together and building on the initiatives of each other, as one nation. This is our Tecumseh moment in which we are uniting our people to work as one for the future and the next generations to come. We are nation-building for the betterment of everyone.

Our First Nations are growing, both in terms of population and local economies.

Government funding is not going to meet the demands of our growing First Nations. I think I can say that a lot of leaders right across the country understand that. First Nations

really can't meet the demand for housing, employment and training in their home communities, so you're seeing a migration of First Nations people into the cities.

We've already seen and proven that urban reserves, such as the ones established in Portage La Prairie and Winnipeg (Madison), can be successful and work to the benefit of everyone, including other Canadians we do business with and with whom we are partnering in many endeavours. I sincerely believe, as my fellow Chiefs do, that Kapyong will benefit everybody and our neighbours will have nothing to fear because of the foundation that has already been laid in prior experience and the terms of the Comprehensive Settlement agreement. It'll be our job at Treaty 1 to continue to educate all our audiences and communities of that, so we have a lot



of hard work ahead of us yet. For Indigenous people, there will be greater education opportunities, the employment training opportunities that we can drive through the urban reserves, the opportunities for showcasing and getting our youth involved in the arts, sports, entertainment. We have

a lot of talented youth that are emerging in these fields and I am excited to think of what is possible.

And so, far from being afraid of what that represents, Canadians should join with us in welcoming a brighter future in Kapyong for all of us: First Nations, Manitobans, Canadians.

## Who is Treaty 1 Development Corporation?

Treaty One Development Corporation (TIDC) was incorporated in 2018 to promote and carry out community development in the context of an evolving Treaty 1 nation and the Kapyong lands in Winnipeg. The 7 member First Nations: Brokenhead Ojibway First Nation, Long Plain First Nation, Peguis First Nation,

Roseau River Anishinabe First Nation, Sagkeeng First Nation, Sandy Bay First Nation, and Swan Lake First Nation have agreed to work together to prepare and execute a master plan for the Kapyong lands.

Until governance is more fleshed out, TIDC provides:

- the administrative arm for the Treaty One government, implementing its direction and policies.
- representation on behalf of Treaty One government in



(L to R seated): Zhenyu Wu, Whelan Sutherland, Tim Daniels, (back row) Ardell Boubard, Laura Sinclair

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Treaty 1 Nation News is periodically published by Treaty 1 Nation and is delivered to members of Treaty Nations: Brokenhead Ojibway Nation, Long Plain First Nation, Sandy Bay First Nation, Peguis First Nation, Swan Lake First Nation, Sagkeeng First Nation and Roseau River Anishinabe First Nation

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# How we got to Kapyong Cont'd from pg 1

respect to the Kapyong Lands before any decision was made to dispose of the lands.

On September 30, 2009 Justice Campbell, Federal Court Trial Division, held that the November 2007 Decision (to dispose of Kapyong to Canada Lands Company) was invalid; that Canada had a legal duty to consult on its decision to dispose of surplus federal lands at Kapyong Lands and Canada did not meet that duty; and, in particular, that Canada acted contrary to law by failing to meet the mandatory legal requirement of consultation with Peguis and the other Treaty 1 First Nations. Treaty 1 Chiefs hail the decision.

The matter was appealed to the Federal Court of Appeal by Canada. The Appeal was heard in February 2011 and on May 2, 2011, the Court of Appeal allowed the appeal, stating that the Trial Judge's reasons were inadequate, and referred the matter back to the Federal Court Trial Division for re-determination.

In May of 2012 the Treaty 1 Chiefs gathered to discuss their options. The outcome is an affirmation of the nationhood envisaged by the leaders who signed Treaty 1 in August, 1871. A memorandum was signed which states the Treaty 1 Chiefs will act as a collective on Kapyong; that they will each have an equal share in, and hold in common, any lands which are to be acquired, through negotiations with Canada and the Canada Lands Corporation.

The Kapyong case is reheard in Winnipeg before the Honourable Justice Hughes in December 2012. On December 13, 2012, the Honourable Justice Hughes of the Federal Court Trial Division issued his reasons.

Justice Hughes finds that Canada conceded it had a duty to consult with the four bands: The Court holds that the duty to consult was at least in the middle of the 'consultation spectrum' and that Canada did not owe a duty to consult two of the First Nations Respondents:

Sagkeeng First Nation and Sandy Bay Ojibway First Nation as these two did not provide sufficient evidence of an unfulfilled treaty land entitlement.

The Court holds that there was a duty to consult and that Canada failed to fulfill this duty in a meaningful way and allowed the Application. The 2007 decision of Canada to sell Kapyong to Canada Lands Corporation was set aside and Canada could not sell Kapyong until it could demonstrate to the Court that it has fulfilled its duty in a meaningful way.

In 2015, Canada again appeals the Judgment of Hughes J. to the Federal Court of Appeal.

The Appeal and cross appeals brought on by Sagkeeng and Sandy Bay are heard in January 2014 and the unanimous decision is given August 14, 2015.

The Federal Court of Appeal decided:

Canada owed a duty to consult Peguis First Nation, Long Plain First Nation, Swan Lake First Nation and Roseau River Anishinabe First Nation (the "Four Respondents") and failed to meet its obligations. (The Court found that Canada owed no duty to consult with Sagkeeng First Nation and Sandy Bay Ojibway First Nation.)

The decision takes notice of the Peguis TLE stating that, among other things, that Peguis can select land anywhere in Manitoba including Federal Surplus Land; 'wherever possible' title to surplus federal land should be transferred to Peguis subject to the claims of other First Nations; and, Canada will use good faith and best efforts to fulfill the terms of the agreement and to act on a timely basis. The earlier memorandum signed by all Treaty 1 Chiefs ensured that all communities would continue to proceed as a united front with equal shares.

In the lead up to the federal election of 2015, Canada announced in Winnipeg that the Federal government will not appeal the Court of Appeal decision therefore allowing Treaty 1 communities to proceed

with the initial plan.

2018

Following leadership changes within Treaty 1 communities, finally, in August of 2018 an agreement in Principle is signed relating to Kapyong, providing a framework for negotiations. A request for proposals is issued for demolition at Kapyong and within a few months, work proceeds.

2019

On June 21, 2019, National Indigenous Peoples Day, Treaty 1 holds a celebration on the Kapyong grounds so each of the seven partner-Treaty 1 communities can erect a tipi representing each community. Both community members for the seven Treaty 1 communities and the residents of surrounding areas join together to celebrate this historic achievement. The vision for the future of the lands were proudly presented by the Treaty 1 communities and the early steps of reconciliation were on display for all to witness.

August 30, 2019

A ceremony is held at Assiniboia Downs grandstand where Treaty 1 Chiefs and the federal government, represented by Jim Carr, signed a Comprehensive Settlement Agreement on Kapyong with Canada and Canada Lands Corporation. The Agreement outlined the following terms:

Under the terms of the Comprehensive Settlement Agreement, the Department of National Defence will sell 68% of the Kapyong Barracks property to the Treaty 1 First Nations.

The remaining 32% of the former Kapyong Barracks lands will be sold through a separate agreement to the Canada Lands Company CLC Limited for redevelopment.

The transfer of the former Kapyong Barracks lands to the Treaty 1 First Nations is expected to happen once Canada and the First Nations have completed the necessary steps for the creation of reserve lands.

While timelines can vary, this is anticipated to take four to five years.

Formerly part of Canadian Forces Base Winnipeg, the Kapyong Barracks property is comprised of approximately 65 hectares of land.

The Kapyong Barracks were used by the Canadian Armed Forces until 2004, when the 2nd Battalion of the Princess Patricia's Canadian Light Infantry moved to Canadian Forces Base Shilo.

The vision of unity held by the the leaders who signed Treaty 1 in 1871 is vindicated and remains as the working model for a continuing relationship with Canada. This project will serve for future generations as a true example of what can happen when First Nations assert their rights as peoples and take charge of their development.

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## Peguis selected as Host of Rogers Hometown Hockey

Peguis has been selected as host of the popular travelling NHL Fan experience show: Rogers Hometown Hockey with Ron Maclean and Tara Sloan.

The Rogers Hometown Hockey festival will take place in Peguis First Nation on February 29 – March 1, 2020.

"We are thrilled that Rogers Hometown has selected Peguis as host," said Chief Glenn Hudson. "This is a tremendous and exciting opportunity for the community of Peguis to showcase, on a national stage, our amazing people, display our strong community spirit and share the success stories of our local hockey players."

# Done Deal! Kapyong Cor

The sale price is not yet fixed but is in the final stages, said Jim Carr, Minister of International Trade Diversification, who has worked with Treaty 1 Chiefs to make the deal happen.

Spokesperson, Chief Dennis Meeches of Long Plain, linked the signing and historical significance to Tecumseh, a Shawnee chief who tried to organize a confederation of tribes to resist white settlement in the states. Chief Meeches said: "In the spirit of Tecumseh, we acknowledge our Treaty One family for their perseverance and dedication to Kapyong. We acknowledge Canada and DND for coming to terms, and in the spirit of reconciliation, with the Treaty One government after 17 years. The promise of tomorrow is upon us."

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the Kapyong Barracks property to the Treaty One First Nations. The remaining 32% of the former Kapyong Barracks lands will be sold through a separate agreement to the Canada Lands Company CLC Limited for re-development. The transfer of the former Kapyong Barracks lands to the Treaty One First Nations is expected to happen once Canada and the First Nations have completed the necessary steps for the creation of reserve lands. While timelines can vary, this is anticipated to take four to five years.

Chief Glenn Huson, who spoke last in the lineup of speakers, said that the agreement's beneficial impact potentially goes beyond the Treaty 1 Nation. "And to us, that represents a bright, bright future for First Nations, for the City of Winnipeg, for this province, and most importantly, for this country. And that's something that's been long overdue."

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Members of the Canadian Armed Forces, MP Jim Carr, Treaty 1 Chiefs and r following the pipe ceremony at Assiniboia Downs.



Leaders raise the signed document to cheers and applause from the gathering.



Chief Glenn Hudson, Peguis First Nation

We have settled and come to an agreement on a Comprehensive Settlement Agreement on Kapyong Barracks. And for us that represents a bright, bright future for First Nations, for the City of Winnipeg, for this province and, most importantly, for this country. And that is something that has been long overdue. Looking back on our history. It's been 148 years since we've had reserve. And the first time that we've come together as a collective. Moving forward as Treaty #1, that was always the intent, to live in peace and harmony, to work together, to establish a nation of Canada but also to continue on the treaty relationship.



Chief Debbie Smith, Brokenhead Ojibway Nation

We have the opportunity to look at employment and job creation. But what means is that it'll lead to building healthy people, building healthy communities through the revitalization and repatriation of our lands, our language, our culture, our knowledge, and our way of being. It will strengthen us as First Nations people.



Chief Craig Alexander, Roseau River Anishinabe

By signing this comprehensive settlement, Treaty 1 and Canada have determined a pathway forward that will allow the transfer of our land to Treaty 1. That will provide us with the opportunity to establish a joint reserve for the Treaty 1 Nation at the former Kapyong base. With this agreement, Treaty 1 and Canada Lands Company will develop a seamless and beautiful residential and commercial area that will be appealing to visitors and residents of this province and country.



The Honourable Jim Carr, Minister of International Trade Diversification and Member of Parliament for Winnipeg South Centre

After years of negotiation and dialogue between the Crown and the Treaty One First Nations, I am pleased to have participated in today's ceremony. The transfer of this land is important for building a just and inclusive future for all Manitobans.



representatives, Treaty 1 staff take a pose



CEO, Whelan Sutherland said: "At present, our primary focus is planning. Our main priority right now is we have an RFP going out for the master plan. The master plan will determine a traffic study, best use, etc. We want to ensure that every square foot of that acreage is utilized to the best to create an economic opportunity for Treaty One nation."

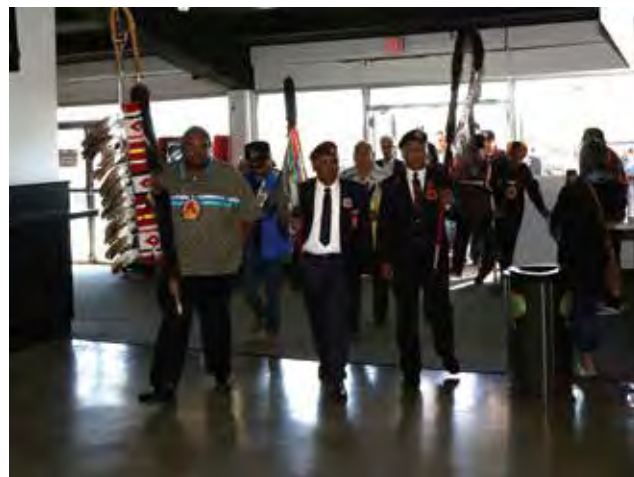
Elder Wayne Manningway took part in the pipe ceremony which laid a proper foundation for the signing ceremony and its blessing.

"For all of our communities, it's a great day," he said. "I always

think about the kids that are growing up and how this will make a big difference in their lives. It's will provide opportunities."

Formerly part of Canadian Forces Base Winnipeg, the Kapyong Barracks property is comprised of approximately 65 hectares of land. The Kapyong Barracks were used by the Canadian Armed Forces until 2004, when the 2nd Battalion of the Princess Patricia's Canadian Light Infantry moved to Canadian Forces Base Shilo. Treaty 1 First Nations are all signatories to Treaty Land Entitlement agreements which

provide, among other things, that they will have first right of refusal on Crown lands that are deemed "surplus" and put up for sale by the federal land agency, Canada Lands Company. When the Kapyong base was being decommissioned, the federal government led by Stephen Harper, moved to sell off the base without first offering it to Treaty 1 First Nations (as part of their outstanding TLE). This resulted in a 10 year struggle of expensive litigation and 3 appellate decisions before resulting in Stephen Harper giving notice the case would not be appealed to the Supreme Court.



The grand entry is led in by staff carriers.



North Eagle Drum from Long Plain in session.



Chief Dennis Meeches, Long Plain First Nation

In the spirit of Tecumseh, we acknowledge our Treaty One family for their perseverance and dedication to Kapyong. We acknowledge Canada and DND for coming to terms, and in the spirit of reconciliation, with the Treaty One Government after 17 years. The promise of tomorrow is upon us.



Chief Derrick Henderson, Sagkeeng First Nation

Today marks the event of what we've been striving for. Get this agreement signed and we can move forward, forward that path we talked about. We talked about reconciliation. This is what this is all about; working in partnerships with different levels of government. That's how we'll move forward as Anishinaabe people. It's how we'll move forward as a country and as a province. We have to work together.



Councillor Roberta Morrissette, Swan Lake First Nation

I'm a new councillor, and one of the things I grew up knowing about Kapyong from my father, Robert Daniels, and from Harvey, most likely, from attending those meetings as a young child. This is a historic moment for our people. One of the things that we need to understand is learning how to work together and to support one another. And know that we've worked our Treaty 1, where previously I used to rely on Sandy Bay and Long Plain because I was one of the Portage bands and now we have 4 others that we can rely on as far as support and encouragement to be ensure our economic development goes forward.



Chief Lance Roulette, Sandy Bay Ojibway First Nation

A lot of the times that we, as First Nations communities, become separated because of a system that isn't our own. The vision of Treay 1 is to overcome those barriers and systemic policies that divide us. We become united, not only as First Nations people, not only through Treaty 1, but also as family. We must be able to move the envelope forward by not only becoming tolerant of our partners, but also being able to show and express that love and gratitude that we have, the same way a family does. We at Sandy Bay are very, very thankful to be a part of a *sui generis* model that is only going to be improved as we go along the way.

# Treaty 1 Development Corp Cont'd from pg 2

other areas, including education, health, social, judicial, and other endeavours.

- responsible for the day to day operations of the corporation.

In addition, the staff are also responsible for carrying out and accomplishing goals and objectives set by the Board of Directors such as Business Development, Master Planning, Leasing Agreements, Negotiations, and other tasks.

The staff of TIDC are:

## Whelan Sutherland CEO

Whelan is a proud Peguis Band member who's been leading Indigenous business ventures for 15 years as a CEO, manager and entrepreneur. Since leaving the Chief Peguis Investment Corporation in 2012, he's been involved in the business end of the Treaty 1 organization and management. He is a graduate of the Asper School of Business in Winnipeg. "I look forward to working with our communities, our leaders and our part-

ners towards a brighter future for our Nation."

## Tim Daniels COO

Tim is Anishinabe from the Long Plain First Nation and has served in senior management positions for 20 years; Chief Executive Officer – Arrowhead Development Corporation, Economic Development Officer – Long Plain, Trust Administrator – Long Plain First Nation Trust. During these years, he also participated with the Treaty One Nations regarding Kapyong as a technician representing Long Plain.

In his role as Chief Operating Officer, Tim will work towards converting the lands to reserve status, creating the master plan for the lands, land governance, municipal services agreement, essentially getting the lands ready for development by working with the Treaty One Nations, Department of National Defence, Indigenous Services Canada, Canada Lands Company, the City of Winnipeg and with a technical team of

planners, architects, engineers and other professionals.

## Zhenyu Wu CFO

Zhenyu is a professional Chartered Accountant who resides in Winnipeg. He brings more than 13 years of management experience in accounting and finance to Treaty 1 Development Corporation. Before joining Treaty 1, he worked with non-profit and for-profit organizations as a senior manager. Zhenyu believes that "actions speak much louder than words." He says, "whether you're managing a business or leading a team, people pay much more attention to what you do and how hard you work versus what you say or how you say it."

## Laura Sinclair Executive Assistant

Laura, a member of Brokenhead Ojibway, is the Executive Assistant. "I am extremely honoured to have been chosen to work for such an exciting new organization with the potential

to make history for the seven bands that fall under Treaty 1. I look forward to meeting and working with all Treaty 1 bands."

## Ardell Boubard Office Manager/Administrative Assistant

Ardell is a member of Sagkeeng. As Administrative Assistant, she is excited to be part of the Treaty 1 team. "I look forward to learning, growing, and expanding our relations within our seven First Nations communities."

**Where can I get more information about Treaty 1 plans for Kapyong?**

**Please visit our website at [www.treaty1.ca](http://www.treaty1.ca) for news and updates.**

The Kapyong property development site plan. A work in progress



Treaty One Development Corporation was registered as a corporation on July 12, 2018. Directors of the corporation are the Chiefs of the seven First Nations signatory to Treaty One:

- Brokenhead Ojibway First Nation
- Long Plain First Nation
- Peguis First Nation
- Roseau River Anishinabe First Nation
- Sagkeeng First Nation
- Sandy Bay First Nation
- Swan Lake First Nation

MANDATE

- To use, manage, administer and regulate its Kapyong Lands
- To control the disposition of rights and interests in its Kapyong Lands
- To regulate the use of buildings on its Kapyong Lands
- To use, manage and administer its moneys and other assets utilized, generated and required as part of the Kapyong Lands
- To promote the general welfare of the members of the Treaty One First Nations; and
- To promote and carry out community development.

Treaty One shall become the representative government and unified voice of the seven signatory First Nations to Treaty One. As a government, Treaty One shall have a government to government relationship with Canada and other levels of government for the best interests of its citizens. Policies and political relationships, and all matters related to Treaty rights and lands will be the responsibility of the government, as led by the Chiefs.

Treaty One Development Corporation (T1DC) shall act as the administration for the Treaty One government, implementing its direction and policies. The immediate focus of T1DC shall be economic development, and specifically development of Kapyong Lands. Longer term, T1DC may be asked to act on behalf of the Treaty One Government in other areas, including education, health, social, judicial, etc.

MISSION

The mission of Treaty One Development Corporation is to advance the economic and social well-being of the citizens of Treaty One.

VISION

In five years, Treaty One will be a well-established government. Treaty One Development Corporation will be supported by sound sustainable governance, and a strategic master plan will guide long term development of Kapyong and additional lands. The majority of Kapyong lands will be developed within five years, providing ongoing income that enables distribution of dividends to member First Nations and philanthropy to celebrate our culture and heritage.



TREATY 1 SIGNATORIES



**BROKENHEAD FIRST NATION**

Brokenhead Ojibway Nation is van Anishinaabe (Saulteaux/Ojibwa) First Nation. As of May 2010, the First Nation had a registered population of 1,733 people, of which their own on-reserve population was 598. The main reserve of Brokenhead 4 is surrounded by the Rural Municipality of St. Clements, except for a small lakeshore on Lake Winnipeg.



**LONG PLAIN FIRST NATION**

A signatory to Treaty 1, 1871 (Adhesion Treaty of June 20, 1876) Long Plain First Nation is an Ojibway and Dakota community in the central plains region of Manitoba. The Long Plain population is over 4,500 and is comprised of 3 reserves of which 2 are urban. The urban reserves are situated along the city limits of Portage la Prairie and in the City of Winnipeg.



**PEGUIS FIRST NATION**

Peguis First Nation is the largest First Nation community in Manitoba, with a population of approximately 10,000 people of Ojibway and Cree descent.



**ROSEAU RIVER FIRST NATION**

Roseau River First Nation is located one hour south of Winnipeg, Manitoba just off highway 75.



**SAGKEENG FIRST NATION**

Sagkeeng is comprised of Anicinabe people who have resided at or near the Fort Alexander Indian Reserve #3 located along the Winnipeg River and Traverse Bay, since time immemorial. The ancestors of the Anicinabe people of Sagkeeng signed Treaty 1 in 1871. The Fort Alexander Indian Reserve of approximately 21,674 acres was surveyed in 1874 and has a current band membership of 7,637 people with approximately 3,352 living on reserve.



**SANDY BAY FIRST NATION**

Our Mission: Sandy Bay Ojibway First Nation exists to deliver culturally appropriate support services through respectful, accountable, transparent communication and leadership for the betterment of the community.  
Our Vision: Sandy Bay Ojibway First Nation exists to provide the membership effective efficient and culturally appropriate programs and services with committed leadership and staff.



**SWAN LAKE FIRST NATION**

Swan Lake First Nation is located in South Central Manitoba along junction Highway #23 and #34. SLFN people are known as Anishinabe people, meaning "original-peoples"; their native language is Saulteaux. Swan Lake First Nation is working towards their vision of having a healthy, prosperous and self-sufficient community.

# The making of Treaty 1 Part 1

Entering into a treaty with other groups for reasons of trade, gaining a living off the land, or establishing alliances for protection has been done by peoples all over the world since the beginning of time. And so it was with Indigenous peoples in the Americas. Indigenous peoples in the area now called Manitoba entered into such arrangements with one another, before the settling of Canada by Europeans. The treaty-making process with the Europeans was initially set down in the Royal Proclamation of 1763. There, the British crown issued instructions on how settlers were to go out and start living on the land. Only the British crown could enter into land arrangements with Indigenous nations. Settlers could then obtain land possession from the colonial authorities.

The first treaty in Manitoba was the Peguis – Selkirk Treaty of 1817 under whose terms Lord Selkirk entered into a relationship on land and annual payments with Chief Peguis and his people on the Red River to strengthen the legitimacy of his nascent colony which was facing questions about land rights by Indigenous peoples in the area.

As has occurred in other places on our planet, problems in interpretation of treaties such as the Selkirk Treaty arose soon after they were signed. The Hudson Bay said the lands referred to were ceded and surrendered to them as the rightful owner of all the entire region – never having itself entered into any arrangement with Indigenous peoples for land use. Indigenous peoples, not being familiar with the concept of human beings “owning” tracts of land, have always thought the claim absurd. What they were familiar with was sharing the land with others to enable mutual benefit and this is how they continue to interpret their treaty arrangements today.

In the 1870’s the Canadian government moved to “open up” the west for expansion and settlement. Extending the railroad to link up the province of British Columbia was crucial to that province agreeing to be a part of Canada. The government negotiators had orders to get signatures on the treaty documents by whatever means necessary. The Indigenous signatories knew change was coming and sought to negotiate terms that would allow them a means to have a livelihood in the new order. They had the Selkirk Treaty experience in their heads and settled on the concept of sharing the land and continuing a relationship for mutual benefit. The government negotiators understood the arrangement as a cession and surrender.

Canada continues to adhere to the position that the land was ceded and surrendered. Canada’s website sums up its treaty position as follows: “The historic treaties signed after 1763 provided large areas of land, occupied by First Nations, to the Crown (transferring their Aboriginal title to the Crown) in exchange for reserve lands and other benefits.”

There is hope for reconciliation and agreement on what exactly the treaties mean among the parties, perhaps to be rekindled in a revised statement in the future. In 2006, independent but “neutral” treaty commissions were set up in Manitoba and Saskatchewan to “conduct a number of activities in relation to historic treaties. This includes public education, research and facilitating discussions on treaty issues.” The terms of reference of the Manitoba Treaty Relations commission web site states: “Recognition that the Treaty relationship is dynamic and will evolve over time.”

### WHO WE ARE:

Canada Lands Company Limited is an arm's-length, self-financing federal Crown corporation, which reports to the Parliament of Canada through the Minister of Public Services and Procurement.

### WHAT WE DO:

CLC works through its subsidiaries to ensure the innovative and commercially sound reintegration of former Government of Canada properties into local communities, as well as holding, investing in and managing certain attractions, while returning the best value to Canadians.

### WHY WE DO IT:

The company's activities ensure that surplus government properties are redeveloped or managed in accordance with their optimal value, both financial and non-financial. The company works to improve the everyday lives of Canadians by providing innovative and sustainable neighbourhoods in which they can live, work and play.

### OUR PROCESS:



#### ACQUISITION

When a government department identifies a property as surplus to its needs, CLC undertakes an analysis to determine how the property can best benefit local communities and the Government of Canada.



#### CONSULTATION

CLC works closely with municipal officials to organize the most effective community consultation strategy possible.



#### PLANNING

After completing the consultation process, CLC creates a master development plan for the property.



#### PREPARATION

Once the approvals are received, CLC typically carries out site servicing.



#### COMPLETION

CLC markets and sells the property in phases to builders. The builders then carry out construction consistent with CLC's master development plan. Occasionally, CLC may undertake the construction of buildings itself, after site servicing. Certain properties that are of value to the Government of Canada are retained and CLC manages those on behalf of the government.

