

BC Aboriginal Rights Legislation and Treaty Negotiation, 1973-2007

	Treaty Making	Nisga'a	Other Cases and Actions
Canada Will Negotiate (1976) BC Will Not Negotiate	<p>Comprehensive Claims: Negotiations to Create Modern Treaties in BC recognizing large territorial areas</p> <p>Specific Claims: Negotiations to deal with specific grievances related to treaties or past infringements to lands</p>	<p>Calder Case (1973)</p> <ul style="list-style-type: none"> • affirmation of title existing before colonization • not clear if title was extinguished <p>Nisga'a and Federal Government starts to negotiate in 1976</p>	<p>Constitution Act (1982)</p> <ul style="list-style-type: none"> • aboriginal treaty making rights affirmed <p>Sparrow (1984-1990)</p> <ul style="list-style-type: none"> • aboriginal rights to modern practices are affirmed
BC Agrees to Negotiate (1990)	<p>BC Treaty Commission (start 1993)</p> <ul style="list-style-type: none"> • dozens of statements of intent • several impending treaties <ul style="list-style-type: none"> • Tsawwassen Treaty 2007 • Maa-nulth Treaty 2007 • Lheidli T'enneh Treaty Rejected 2007 	<p>Nisga'a Agreement in Principle 1996; Treaty 1999</p>	<p>Blockades</p> <ul style="list-style-type: none"> • Civil disobedience as a way to action • 1990s: Attempt to stop loss of resources before treaties settled • 2000s: Attempt to stop loss of resources regardless of treaties (eg. Tahltan) <p>Delagmuukw (1991, 1994, 1997)</p> <ul style="list-style-type: none"> • title exists and is protected by the constitution (1997) <p>William Decision (2007)</p> <ul style="list-style-type: none"> • affirms aboriginal title lands and suggests that they are not Crown Lands (interpretations pending)