

FRAMEWORK AGREEMENT  
TO  
NEGOTIATE A TREATY

This Agreement is dated September 25, 2000.

AMONG

THE DA'NAXDA'XW/AWAETLALA NATION, also known as the Da'naxda'xw First Nation, as represented by the Hereditary Chief of the Da'naxda'xw/Awaetlala Nation (the "Da'naxda'xw/Awaetlala Nation")

AND

HER MAJESTY THE QUEEN IN RIGHT OF CANADA as represented by the Minister of Indian Affairs and Northern Development ("Canada")

AND

HER MAJESTY THE QUEEN IN RIGHT OF BRITISH COLUMBIA as represented by the Minister of Aboriginal Affairs ("British Columbia")

(collectively the "Parties")

WHEREAS:

- A. The Da'naxda'xw/Awaetlala Nation assert that we are the original governing people within the Traditional Territory and that we have unceded title, rights, ownership, and the right to govern ourselves.
- B. The Da'naxda'xw/Awaetlala Nation further assert that this Framework Agreement does not preclude the Da'naxda'xw/Awaetlala Nation from protecting our asserted aboriginal title, rights and interests outside of the BCTC Process.
- C. The Parties are committed to negotiating with the intent of concluding a treaty under the BCTC Process that will establish a government to government relationship based on mutual respect, understanding and trust.
- D. The *Constitution Act, 1982* recognizes and affirms existing aboriginal and treaty rights of the aboriginal peoples of Canada, and treaty rights include rights that now exist by way of "land claims agreements" or that may be so acquired.
- E. The Winalagalis Treaty Group, of which the Da'naxda'xw/Awaetlala Nation are a participant, Canada and British Columbia have negotiated the *Procedures Agreement* and the *Openness Protocol*, both dated January 28, 1998, to govern the conduct of these negotiations.
- F. By negotiating a treaty, the Parties seek to achieve clarity with respect to the future relationship among the Parties, the jurisdiction and authority of their respective governments, and the rights, title and interest to the land and resources within the Traditional Territory.