

TITLE COMMITTEE

Facilitator – Marvin George

5 Clan reps

- Gil_seyhu – To be confirmed
- Laksilyu – Birdy Markert (Confirmed)
- Tsayu: Rep: Rob Alfred (Confirmed)
- Laksamshu: Kloum Khun (Confirmed)
- Gitdumden: Sheri Green (Confirmed)

5 clan assistants:

- Gil_seyhu – Doris Rosso (Suggested)
- Laksilyu: Louise Lacerte (Confirmed)
- Tsayu: Monica Michell (Confirmed)
- Laksamshu: Smogelgem (Confirmed)
- Gitdumden: Jen Wickham (Confirmed)

TECHNICAL WORKING GROUP

- Project Manager – Sandra Harris suggested
- Technician 1 – David Belford
- Technician 2 – Molly Wickham – (on leave – 5 weeks)
- Researcher – Smogelgem - Interim

NEGOTIATION TEAM

- 1 Negotiator. Peter Grant
- Provincial Negotiator – Murray Rankin
- Occupancy/relation to the land – Freda Huson
- NR technical – David deWit
- Recorder – Judy Walton
- .5 Legal Counsel – Karena
- Translator- Ron Austin



THE OFFICE OF THE WET'SUTWET'EN

JOB RESPONSIBILITIES

For

WET'SUWET'EN TITLE COMMITTEE

POSITION PURPOSE AND SCOPE

The Wet'suwet'en Title Committee will provide leadership representing the Wet'suwet'en Clans' interest in the recognition of Wet'suwet'en Title on Wet'suwet'en territory, in consultation with Wet'suwet'en Hereditary Chiefs. All members of the Title Committee will accurately represent and advance the aspirations of the Wet'suwet'en Clans. A Facilitator will be hired to assist the Clan Reps and Clan Assistants to inform the House Groups and Clans of negotiation efforts and progress as well as capture the interests of the Clans to direct negotiations.

MAJOR AREAS OF RESPONSIBILITY

- ❖ Provide oversight to Negotiation Team
- ❖ House Group, Clan and Community Relations
- ❖ Research and Development



House Group, Clan and Community Relations

The Wet'suwet'en Title Committee will provide accurate and consistent representation for the Wet'suwet'en, at internal events that will help advance the Wet'suwet'en Nation's goals and objectives. All events will be bilingual in English and Wet'suwet'en, as required, and translated by the interpreter.

- ❖ Organize "Smoke Feast" to inform house groups and Clans of this initiative to negotiate recognition of Wet'suwet'en Title on Wet'suwet'en Territories. Assist with communication strategies to relay the information in the best way possible.
- ❖ Receive input from House Groups and Clans to identify interests to advance the recognition of Wet'suwet'en Title.
- ❖ Attend information sessions, both in and outside of Wet'suwet'en territory, as requested, to keep House Groups Members and Clans informed of negotiations.
- ❖ Facilitate meetings to meet the timeline for a negotiated agreement.
- ❖ Review and respond to all correspondence related to negotiation process.



Reports To:

- ❖ The Title Committee Facilitator Reports Directly to the Wet'suwet'en Hereditary Chiefs. The other members of the Title Committee reports directly to the Facilitator.

Spending Authority: None

Signing Authority: None

Financial Responsibility: Annual budgets as allocated for Negotiations

Work Conditions:

- ❖ **Must have the flexibility to work outside of normal "business hours"**
- ❖ **Attend all Meetings with Hereditary Chiefs, Negotiation Team, Technical Working Groups, Clans and House Groups**
- ❖ **Irregular Work Hours as required**
- ❖ **Travel as required to attend meetings in person**



THE OFFICE OF THE WET'SUTWET'EN

JOB RESPONSIBILITIES

For

FACILITATOR - TITLE COMMITTEE

POSITION PURPOSE AND SCOPE

The Facilitator will provide leadership representing the Wet'suwet'en House Groups' and Clans' interest in the recognition of Wet'suwet'en Title on Wet'suwet'en territory, in consultation with Wet'suwet'en Hereditary Chiefs. The Facilitator of the Title Committee will accurately represent and advance the aspirations of the Wet'suwet'en Houses and Clans. The Facilitator will assist the Clan Reps and Clan Assistants to inform the House Groups and Clans of negotiation efforts and progress as well as capture the interests of the House Groups and Clans to direct negotiations.

MAJOR AREAS OF RESPONSIBILITY

- ❖ Provide oversight to Negotiation Team
- ❖ House Group, Clan and Community Relations
- ❖ Research and Development
- ❖ Communications



- ❖ Organize "Smoke Feast" to inform house groups and Clans of this initiative to negotiate recognition of Wet'suwet'en Title on Wet'suwet'en Territories. Assist with communication strategies to relay the information in the best way possible.
- ❖ Receive input from House Groups and Clans to identify interests to advance the recognition of Wet'suwet'en Title.
- ❖ Attend information sessions, both in and outside of Wet'suwet'en territory, as requested, to keep House Groups Members and Clans informed of negotiations.
- ❖ Facilitate meetings to meet the timeline for a negotiated agreement.
- ❖ Review and respond to all correspondence related to negotiation process in consultation with the Negotiation Team.

Research and Development/Communications

The Facilitator will ensure that members of the Title Committee are given the necessary information and support to conduct themselves efficiently and effectively in their respective roles related to the oversight of the negotiation process.

- ❖ Develop internal/external communication strategy. This strategy will include communication plans internally as well as with other Nations living on Wet'suwet'en territory and may be impacted by these negotiations while protecting negotiation strategies.
- ❖ Document priority decision making items from clan members. Incorporate into the development of an implementation framework and plan.
- ❖ Meet with other members of the Technical Working Groups, Negotiation Team, Wet'suwet'en Hereditary Chiefs and Executive Director on a regular basis to ensure a consistent approach and application of negotiation strategies.
- ❖ Make recommendation to enhance or divert human resources as required to meet goals and objectives within the anticipated timeline..

8.0 Witsuwit'en Decision-Making

All Wet'suwet'en members have the right and responsibility to participate in decision-making processes for clan *it'en* (business) through informal gatherings and customary processes leading to ratification in the *bahlats* (feast). House Chiefs of each House Group are responsible to lead these traditional processes with support from *habi nidizt'ic* (wing chiefs) and father clan designates where appropriate. Many governance decisions affect all Houses and territories within the Witsuwit'en, and therefore, require collective Witsuwit'en decision making--involving all thirteen houses and any external party deemed relevant by the Witsuwit'en. However, dependent on the nature of the *it'en* (business) decision-making processes vary. Further, variations in decision making between clans is common.

Three things are constant in Witsuwit'en decision making:

1. a strong emphasis on consensus,
2. the collective nature of Witsuwit'en decision making, and
3. *Bahlats* ratification.

8.1 Consensus

An inherent principle of Wet'suwet'en collective decision-making is that final decisions are made by consensus. Witsuwit'en practice consensus decision making, which is rooted in the foundational Witsuwit'en value, *Wigus* (respectful conduct in relationships). Therefore, for successful consensus decision making, all parties must be aware of and knowledgeable about the matter at hand and have maintained relationships within their house group and clan.

Consensus is achieved through strong oral communication amongst house and clan members, and within the nation. When *it'en* arises, the house group communicates the matter within the family. Once a decision is made, it is brought forth to the rest of the clan. If any disagreement arises, explanations of the decision-making process and justifications are brought forward. If required, slight adjustments may be made regarding the final decision. Once agreed upon, a clan may communicate their decision to other House Chiefs of other clans for feedback and support before proceeding through the *bahlats* process. If the *it'en* might affect the entire nation or various territories within the nation, consensus must be achieved nation-wide.

If consensus cannot be reached, the matter is directed to the appropriate dispute resolution process in which, either consensus is finally achieved, the matter is stalled, or compensation is rendered for harm or damages to the collective.

8.2 Collective Decision-Making

The Wet'suwet'en have an inherent tradition of utilizing collective decision-making processes that precede the announcement and ratification of decisions at a *Bahlqts*. These inclusive processes enable House Chiefs, *Habi ni'dizt'ic* elders and members to gather, discuss and deliberate on issues of importance within the context of overarching Wet'suwet'en laws that have regulated social, political and territorial relations since time immemorial.

8.2.2 Collective Clan Decision-Making

In matters internal to a specific House, decision-making consists of House group deliberations, including the House *Dini ze'* or *Tsakë ze'*, *Habi nidizt'ic*, advisors, and house group members. Once the House has come to consensus, the House *Dini ze'* or *Ts'akë ze'* brings the decision to the other Houses in the clan for support.

8.1.2.1 If a House *Dini ze'* or *Ts'akë ze'* feels consensus cannot be reached with the information at hand, he/she may choose to seek council from clan *Dini ze'* or *Ts'akë ze'*, the father clan, or other respected *Dini ze'* and *Ts'akë ze'*.

8.3.3 Collective Witsuwit'en Decision-Making

The Wet'suwet'en hereditary, matrilineal kinship-based social system and territorial access laws (i.e. *indiminik, nec'idilt'es*) are deeply interconnected through familial relationships and relationships to the *yin tah*, therefore impacts extending beyond immediate House Group and Clan interests require inter-house and even inter-clan decision making. All Witsuwit'en houses that might be affected and have common or overlapping interests must be included in the decision-making process. Traditional decision-making processes focus on cooperation, consultation and advice that is carefully considered from House

Chiefs of other Clans, respected Habi nidizt'ic and Father Clan or Grandfather Clan designates of House Chiefs involved.

8.1.3.1 If a Witsuwit'en House member disputes a decision being made within their house decision-making process, the individual brings the matter forward to a Dini ze' or Ts'akë ze' to voice at a meeting before the decision is brought to the feast hall. The rationale for the decision is expressed, and any other information is brought forward to move forward with the decision or alter the decision.

8.1.3.2 If the collective House Dini ze' and Ts'akë ze' (including 13 Houses) cannot reach consensus, the Dini ze' and Ts'akë ze' will resume deliberations or seek out new information to support a position. If the matter cannot reach consensus after resumed deliberations, the matter will then proceed to the appropriate dispute resolution process.

8.4 Decision-Making Processes

Ongoing communication processes serve as foundational cornerstones of the Wet'suwet'en decision-making process. Communications include the originating meetings and gatherings where discussion and deliberations occur. Some or all of the following communications may occur prior to ratification:

8.4.1 Family Meeting(s)

8.4.2 Tea Meeting(s) involving House Group members

8.4.3 Tea Meeting(s) involving all clan members

8.4.4 Tea Meeting(s) to consult and consider advice involving Father Clan designate(s)

8.4.5 Tea Meeting(s) by Dini ze' and Ts'akë ze' within the Clan, to consult and consider advice from the Dini ze or Ts'akë ze from all other House Groups and Clans.

8.4.5.1 In the event that a Tea Meeting is held involving a Father Clan designate(s) pursuant to sub-section 8.4.4, then the respective

House Group and Clan is required to host a payback Feast within a year's time of this meeting at which time Father Clan's support is announced and compensated.

8.4.5.2 Notwithstanding the Informal Decision-Making Processes set out in sub-sections 8.4.1, 8.4.2, 8.4.3, 8.4.4 and 8.4.5, it remains the prerogative of the respective House Groups and Clan how they wish to utilize the processes (e.g. may combine).

8.5 Feast Decision-Making Ratification

In the event that the House Groups and Clan make a decision to formally ratify a decision pursuant to Wet'suwet'en laws and protocol, this must be done utilizing the Feast processes culminating with an official Announcement by the respective House Chief(s) at a Clan hosted *Bahlats* to inform all Wet'suwet'en.

8.5.1 The initial announcement of *it'ën* to ensue at a *bahlats* must be formally announced at a *d'ik'a 'itan'ilh* (Smoke Feast). The announcement is made by the House *Dinī ze'* or *Ts'akē ze'*, with support by the other Houses in the clan and clan members. The time and location of the *bahlats* including those involved or hired to complete the *it'ën* are announced.

8.5.2 Once the *it'ën* is complete, a *Bahlats* (Feast) is hosted to formally complete and ratify the *it'ën* through the support of the House *Dinī ze'* or *Ts'akē ze'* as representatives of their membership.

8.6 Record of Decisions (Requires further discussion)

It is important in the context of contemporary society that a record detailing the decision-making process is maintained by the Clan Runner to satisfy a number of purposes including maintain connections with Wet'suwet'en House Group and Clan Members who reside off the *Yin tah*, but who have a responsibility to maintain connections to their homelands and Clan and House Group kinship Members. Additionally, potential disputes regarding sovereign jurisdiction on the Wet'suwet'en *Yin tah* that may result in Wet'suwet'en *Bahlats* Feast and Canadian court proceedings

compel a record of decisions to be maintained that each House Group and Clan can tailor to their interests, which may include:

- i. Traditional processes used including meeting & feast dates, locations and attendance
- ii. Nature and scope of the issues and decisions ratified
- iii. Other as defined by respective House Groups and Clans

PARKED:

1. Free, Prior and Informed Consent – United Nations Declaration on the Rights of Indigenous Peoples

Definitions

1. Citizen (1) = a native or naturalized member of a state or nation who owes allegiance to its government and is entitled to its protection
- [Member = a person...group, etc., that is part of a society, party, community, taxon, or other body]
2. Issues (1) = a point in question or a matter that is in dispute
= a point, matter, or dispute, the decision of which is of special or public importance
= a point, the decision of which determines a matter
3. Institutions (1) = a well-established and structured patter of behavior or of relationship that is accepted as a fundamental part of a culture
= any established law, custom
= any familiar long-established person, thing, or practice

- = the act of instituting or setting up, establishment: ***the institution of law***
4. Customs (1)
 - = a practice so long established that it has the force of law
 - = such practices collectively
 - = a group pattern of habitual activity usually transmitted from one generation to another
 5. Protocols (1)
 - = the customs and regulations dealing with diplomatic formality, precedence, and etiquette
 - = an agreement between states
 6. Business (1)
 - = that with which a person is principally and seriously concerned
 - = a person, partnership, or corporation engaged in commerce, manufacturing, or a service
 7. Significance (1)
 - = Importance; of consequence
 8. Matter (1)
 - = a situation, state, affair, or business
 - = Something of consequence
 - = *Law*. Statement or allegation
 9. Tenure (1)
 - = the holding or possessing of anything
 - = the holding of property
 - [Proprietary
 - = pertaining to property or ownership; belonging or controlled as property]
 10. Regulatory (1)
 - = to control or direct by a rule, principle, method, etc
 11. Inherent
 - = existing in someone or something as a permanent and inseparable element, quality, or attribute
 12. Utilize
 - = to put to use
 13. Ratify/ies/fied
 - = to confirm by expressing consent, approval, or formal sanction
 - = to give formal approval
 14. Confirmed
 - = settled, ratified
 - = to make valid or binding by some formal or legal act; sanction; ratify (e.g. to confirm a treaty)
 15. Anteceding
 - = to go before, in time, order, rank, etc.; precede
 - = an event, circumstance, etc, that happens before another

- = precursor, forerunner, ancestor
16. Sanction = authoritative permission or approval
= to authorize, approve or allow
= to ratify or confirm (e.g. to sanction a law)
17. Issues = a point in question or a matter that is in dispute, as between contending parties in an action at law
= a point, matter, or dispute, the decision of which is of special or public importance
= a point, the decision of which determines a matter
18. Processes (1&2) = a systematic series of actions directed to some end
= a series of progressive and interdependent steps by which an end is attained
= a method of doing or producing something
19. Cornerstone (2) = something that is essential, indispensable, or basic
= the chief foundation on which something is constructed or developed
20. Respective (2) = pertaining individually or severally to each of a number of persons, things, etc.; particular
21. Consider (2) = to think carefully about, especially in order to make a decision; contemplate; reflect on
= to pay attention to; regard:
22. Prerogative = an exclusive right, privilege, etc., limited to a specific person or to persons of a particular category [e.g. House Group/Clan]
23. Announcement = public or formal notice announcing something

Attachments

Collective Decision-Making Accounts

Communal Rights & Title – House Ownership

██████████-*Gisday'wa* Evidence: *Gisday'wa* (Dr. Alfred Joseph), Vol. 33, 2105, January 4, 1988

House Member Collective Decision-Making

1. *Delgamuukw-Gisday'wa* Evidence: *Gisday'wa* (Dr. Alfred Joseph), Vol. 22, 1518, June 18, 1987
2. *Delgamuukw-Gisday'wa* Evidence: *Gisday'wa* (Dr. Alfred Joseph), Vol. 34, 2194-2195, January 5, 1988
3. Daly excerpts "Our Box Was Full," pp.'s 287-289 2005
4. *Delgamuukw-Gisday'wa* Evidence: *Woos* (Roy Morris) – Cross-Examined Evidence, Vol. ?? - ??, December 5, 1988
5. Dr. Richard Daly, Expert Report for *Delgamuukw-Gisday'wa* (Exhibit ??), pp.'s 173-74

House Chiefs Within Clan & House Chiefs of Other Clans

6. *Delgamuukw-Gisday'wa* Evidence: Madeline Alfred, January 19, 1988, Vol. 43, 2774
7. *Delgamuukw-Gisday'wa* Evidence: Madeline Alfred, January 19, 1988, Vol. 43, 2782
8. *Delgamuukw-Gisday'wa* Evidence: *Kwis* (Florence Hall), Commissioned Evidence (exhibit 239), October 13-16, 1997, pp.'s 16-17