



Tsawwassen First Nation Treaty Ratification Communications Analysis

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Introduction

Tsawwassen First Nation (TFN) is the first to ratify a treaty within the BC treaty process. The TFN Final Agreement was approved by a majority of the membership. Of the 218 eligible voters, 187, or 86%, enrolled for the vote. Of those who enrolled, 180 cast a ballot with 130 voting in favour of the agreement.

The Treaty Commission believes it is important to undertake an analysis of the member communications activities leading up to the treaty ratification vote. As Tsawwassen First Nation was successful in achieving ratification, other First Nations may benefit from their knowledge and experience in conducting a treaty ratification vote.

The research objectives of this analysis are to better understand the:

- reasons why the vote was successful;
- key reasons for members' voting decisions; and
- sources of influence for those decisions.

The goal is more effective communication processes and approaches that provide First Nations' members better information for the benefit of all parties in treaty negotiations.

This report relies on information obtained through a telephone and mail survey of TFN members conducted by Mustel Group from June 4-17, 2008, and six interviews with TFN community leaders conducted by the Treaty Commission from July 7-25, 2008.

Methodology

Mustel Group, a well-respected Vancouver research firm, conducted the member survey by telephone and mail. Their research methodology is included in their report.

A Treaty Commission team comprising Communications Manager Brian Mitchell and Treaty Process/Community Information Advisor Bev Sellars conducted five in-person interviews with community leaders in Tsawwassen and a sixth interview by telephone.

Communication Process

Once the final agreement was initialled on December 8, 2006, a communication strategy and plan was undertaken by Tsawwassen First Nation with activities beginning in February 2007 and leading up to the treaty and constitution vote on July 25, 2007. Opinion was mixed on whether the time frame was too short or sufficient for treaty discussion and debate among members.

In the several months leading up to the initialling ceremony there was a lack of information about treaty negotiations for members. This lack of information and the "secrecy" in treaty negotiations was a concern for some members. Others understood the need for closed-door negotiation sessions as the parties closed in on an agreement.

A majority of TFN members voted in favour of the agreement in principle (AiP) in December 2003, an outcome repeated in the treaty vote in July 2008 – [74% and 72%] respectively. The AiP vote was an opportunity to assess member support for the treaty, identify member concerns and learn from the experience of conducting a vote.

The members had a strong, engaged and informed leader in Chief Kim Baird who actively participated in the treaty negotiations. Influential community leaders, including elders were engaged and informed during the communication process – outlined below – in the six months leading up to the treaty vote.

There was a compressed time frame for the communication process – six months – driven primarily by the desire of the negotiators for Canada and BC to conduct the treaty vote as quickly as possible after the initialling ceremony in December 2007.

The treaty team used a variety of communication tools and activities – outlined below – and there was two-way communication throughout the process. There was a focus on what was important to members. Considerable effort was made to answer any questions that arose during the process, which often included hearing from experts on various topics. The needs of off-reserve members were considered in the communication process and they were treated as a distinct audience.

Two common questions from members were: "What are we getting?" and "What are we losing?"

The treaty team made a special effort to include those members opposed to the treaty in the discussion as their input was considered valuable to the overall communication process. A critique of the treaty was prepared and a debate was held which included proponents and opponents. This allowed members an opportunity to hear about perceived advantages and disadvantages in making their decision about the treaty.

A highlight of the communication effort was a trip by TFN members to visit the Nisga'a on their treaty settlement lands where they were able to see the Nisga'a Lisims Government in action and learn about the opportunities a treaty may provide.

Communication Activities

The treaty team held a variety of member meetings, workshops and information sessions:

Community consultation meetings

The treaty team hosted community meetings approximately every two weeks to review and discuss the treaty in detail. Eleven topics were covered.

Family meetings

Family meetings were an opportunity for individual families to meet face-to-face with the treaty team to discuss the final agreement and other aspects and implications of the treaty. Topics included the constitution, membership code and importance of voting.

Off reserve meetings

Off reserve meetings were an opportunity for members to meet face-to-face with the treaty team to discuss the final agreement and other aspects and implications of the treaty. Topics included the constitution, membership code and importance of voting. Locations included Bellingham, Vernon and Seattle.

Treaty annual general meeting

This meeting was an opportunity for all members to attend information sessions and presentations and discuss treaty issues.

Treaty information fair

The fair was a casual way to learn about the treaty and included information booths, an auction, fun activities and raffles.

Youth workshop

This was an opportunity for youth to meet face-to-face with the treaty team to discuss the treaty.

Land tour

This was an opportunity for members to see the treaty settlement lands.

Certificate of Possession consultation meetings

Meetings involving legal advisors were held with each CP holder.

Constitution committee meetings

These meetings, open to members, were to develop the constitution.

Communication Tools

The communications tools used by the treaty team included:

- newsletters
- brochures
- plain language summary
- discussion papers
- bulletins
- treaty summary charts
- meeting summaries
- PowerPoint presentations
- Constitution DVD
- treaty summary DVD
- participation in voting DVD
- history of TFN treaty making DVD
- field workers

Timeline to Treaty Vote

The timeline of TFN member communications encompassed:

March 15, 2004: The agreement in principle was signed by the parties in a ceremony held in the Tsawwassen First Nation longhouse.

December 8, 2006: The final agreement was initialled by the parties at a ceremony held in the Tsawwassen First Nation longhouse.

February 2007: The draft membership code was mailed to members. Family meetings on the membership code were held. Subsequently, the final membership code was mailed to members. Constitution committee meetings were ongoing. A Community consultation meeting asked the question: "Where are we going?"

March 2007: A Community consultation meeting was held on governance. A two-day youth workshop was held. Constitution committee meetings were ongoing. Membership code meetings were held in Vernon and Bellingham. A community consultation meeting was held on the economic overview.

March 27, 2007: Members voted on the membership code.

April 2007: The constitution committee reviewed the final draft constitution. A community consultation meeting was held on fiscal and tax issues. Meetings were held in Vernon, Seattle and Bellingham. Family meetings were ongoing. A community consultation meeting was held on lands.

May 2007: Community consultation meetings were held for each of fishing and resources and a third meeting was held to provide a critique of the final agreement. Constitution meetings were ongoing including in off-reserve locations. A treaty information fair was held.

June 2007: Consultations took place over 10 days with Certificate of Possession holders. A tax workshop was held. A community consultation meeting was held on shared territories.

July 2008: A community consultation meeting was held on implementation. Family meetings continued.

July 7, 2008: The annual general meeting and land tour were held.

July 25, 2008: Voting day. Members voted on the Constitution and the Final Agreement.

Member Survey Findings

Printed material is the preferred way to receive information among TFN members no matter where they live: on reserve, Lower Mainland, Okanagan, USA or elsewhere. Printed material is most preferred in the Okanagan and elsewhere. 75% of members made use of printed information prior to voting.

Family meetings were the second most preferred way to receive information and this preference was highest among members in the USA, primarily in Washington State. (Family meetings were held in Bellingham and Seattle.)

Community meetings were the third most preferred way to receive information.

Email was the fourth most preferred way to receive information: this preference was lowest on reserve, highest in the Lower Mainland and then in other locations.

Just 3% considered the website to be a preferred source of information, primarily by members living in the Lower Mainland and in the USA.

Other findings:

- 79% of survey respondents consider printed information a source of influence
- 63% consider the family member to be a source of influence
- 51% consider the community meeting to be a source of influence
- 38% consider family meetings to be a source of influence

Top Member Reasons For Voting "Yes"

1. Best deal for the band
2. It is time to get away from the control of Indian Affairs; we should be self-reliant and self-governing
3. Jobs and economic opportunities
4. Secured land; good land deal

Top Member Reasons For Voting "No"

1. The band isn't ready or capable of managing the lands
2. Lose our tax status and benefits
3. It is a low-ball offer
4. Not getting enough land of good quality

Members Suggestions for Communications

- Strong leadership is important; a vision for the future is essential
- Influential community members should be part of any communications strategy; a small number of people have considerable influence in the community
- Enlist a variety of influential community members by age, geographic location and area of interest to be informed and engaged and then to inform other members through face-to face communications, but also in DVDs if time and resources allow
- Involve and engage members through alternative meeting strategies to generate fuller, wider discussion among members at community meetings where there has been reluctance by members to speak openly.