



HOW TREATY 8 NATIONS MANAGE LAND OWNERSHIP AND USE INFORMATION SHEET FOR COMMUNITIES

The [Indigenous Law Research Unit](http://www.uvic.ca/ilru) (ILRU), based out of the University of Victoria's Faculty of Law, is partnering with the Treaty 8 Tribal Association (T8TA) on a project to uphold Indigenous laws of land governance. We are calling this project *GroundWork: Revitalizing Indigenous Land Laws in Treaty 8*. Along with the T8TA, collaborating partners include the Saulneau, Halfway River, West Moberly, and Fort Nelson Nations. The Real Estate Foundation of BC and the McConnell Foundation are major project funders.

What are laws around land management, ownership, and use? “Land laws” include specific questions of land governance regarding access, ownership, succession, forms of public registration, disputes, authorities, trespass, and compensation. This three-year project will learn from the deep knowledge and experience that nations have in responding to these questions, developing tools and resources that can help people build on this knowledge today. The intention is to support communities to articulate, adapt, and apply their own laws to the governance of land, and to help resolve ongoing conflicts and uncertainties around land uses in Treaty 8 territories.

In February of 2020, Fort Nelson First Nation (FNFN) and ILRU co-facilitated the “Living Law: Connection to the Land through Indigenous Law” gathering. This was a great opportunity to connect with community members and project coordinators, and obtain feedback on how to move forward with the Groundwork Project. This served to narrow our research questions and make plans for future steps. A short video about the gathering can be found [here](#).

The research questions that arose from this collaboration include:

- *How should decisions around land uses be made? By whom? How should land-use conflicts be addressed?*
- *How are international agreements (like treaties) upheld?*
- *What principles guide building, maintaining, repairing, and reclaiming relationships, to land, to non-human groups, to human groups?*
- *How do public bodies (like nations) engage with other (private or individual) land users (like trapline holders)?*
- *How are laws of land governance monitored, enforced, and taught?*

The ILRU has secured funding for this project from the Real Estate Foundation of British Columbia and other sources. While we may seek additional support, the funds we have will cover all main project expenses.

We acknowledge with respect the history, customs, and culture of the Lekwangen and WSANEC people on whose unceded traditional lands our university resides.





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The project began in summer/fall 2019, and was expected to develop over three years according to the timeline below. Due to the COVID-19 pandemic, this timeline is likely to be extended. We hope to move forward with online (and hopefully in-person) focus groups throughout 2021.

- **In Year One**, the ILRU established research relationships with community partners, and began to collaboratively develop research questions, plans, and goals. Behind the scenes ILRU was engaged in preliminary background research, digging into publicly available resources and narratives.
- **In Year Two/ Three** The ILRU will engage with partner communities through online and possibly in-person focus groups with knowledge holders. This learning will be synthesized in a draft report setting out the legal principles and processes relevant to the research questions.
- **In Year Three**, the ILRU will discuss and validate these draft findings with communities, incorporating this feedback in a final report. This report will guide the development of ‘pilot models’ for applying Indigenous legal knowledge and reasoning to contemporary challenges within and between communities. These models will be collaboratively implemented, evaluated, and refined.
- **In Year Three/Four** of the project, the ILRU will develop a graphic novel and teaching guide to accessibly explore an inter-societal aspect or problem of land law. A final concluding workshop will be held in the region with all community partners.

Thank you very much for your interest in this project. If you have any questions or wish to discuss how your community can participate, please contact Simon Owen, ILRU Senior Researcher, at simono@uvic.ca or 1-250-721-6140.

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