



**Union of
British Columbia
Indian Chiefs**

Vancouver Office:
500 - 342 Water Street,
Vancouver, BC V6B 1B6
Tel: 604-684-0231, Fax: 604-684-5726
www.ubcic.bc.ca



**FIRST
NATIONS
SUMMIT**

1200 - 100 Park Royal South
West Vancouver, BC V7T 1A2
Tel: 604-926-9903, Fax: 604-926-9923
Toll Free: 1-866-990-9939
www.fns.bc.ca



**British Columbia
Assembly of
First Nations**

605 - 100 Park Royal South
West Vancouver, BC V7T 1A2
Tel: 604-922-7733
Fax: 604-922-7433
www.bcafn.ca

First Nations Leadership Council

INFORMATION BULLETIN

Feedback and inquiries on these monthly bulletins are welcome; contact information is provided in the column to the left.

Passing of Dr. Frank Calder

The FNLC was deeply saddened at the passing of Dr. Frank Calder. Dr. Calder made significant contributions to the recognition and reconciliation of Aboriginal title and rights in Canada and abroad, and was an advocate of building relationships based on mutual respect and appreciation of lands and resources.

Dr. Calder is best known for his role in demanding a just settlement of Aboriginal title in British Columbia. The 1973 Supreme Court of Canada decision – Calder v. Attorney General of BC – established that Aboriginal title continues to exist, which is the basis for modern land claims negotiations in Canada. This decision – coming after more than 130 years of denial by governments – led Canada to create a land claims policy, and also had a tremendous impact internationally in Aboriginal land claims in New Zealand, Australia, and other countries.

Among Dr. Calder's other achievements: the first status Indian admitted to the University of British Columbia; the first to be elected to the Provincial Legislature, where he served for 26 years; the first elected to Canadian Parliament, and first appointed a Minister of the Crown; the founder of the Nisga'a Tribal Council, the first established in BC; named Chief of Chiefs of the Nisga'a Nation; and recipient of a National Aboriginal Lifetime Achievement Award. Dr. Calder was also named to the Order of Canada, and earned a Doctorate of Divinity, Doctorate of Laws, and Licentiate in Theology.

Fisheries Forum

On October 4-6, 2006, the First Nations Leadership Council hosted a First Nations Fisheries Forum with

the goal of developing a BC First Nations Fisheries Action Plan.

This Action Plan has been developed, and was distributed to all First Nations on October 12, 2006. Based on feedback, a revised Plan has been developed and will be provided by the BCAFN, FNS and UBCIC at their upcoming assemblies. The FNLC will convene a follow-up session on November 29 to finalize the Plan. A joint session with government will take place in mid-December, to present and discuss the final Action Plan.

Bear Mountain Development

On November 16, members of the FNLC, Songhees First Nation and Tsartlip First Nation gathered at the site of the Bear Mountain development after discovering that – without meaningful consultation – the provincial Archaeology Branch had approved removing the roof of a sacred cave and draining a subterranean lake used for spiritual cleansing in order to determine whether the site warranted protection.

"First Nations in this province are outraged at what's happened here," said Grand Chief Stewart Phillip, "It's of paramount importance that all the parties recognize the need to resolve this, particularly the developer, otherwise we're going to have a situation develop here which is going to be just as ugly as the other confrontations across this country. There's no question about that. Sacred issues were very prevalent in the Oka standoff as they were in the Ipperwash conflict."

Hupacasath Chief Judith Sayers said this incident is indicative of "a really large cultural barrier and cultural insensitivity from the archeological branch."

The FNLC supports the Songhees and Tsartlip in their outrage over the destruction of this sacred site and

assisted in organizing a meeting on November 17 to reach an interim solution. Under the New Relationship, work must continue to institute recognition of Aboriginal title, rights and culture across government – including legislative change to ensure the protection of sacred sites.

New Relationship

The themes of all work under the New Relationship are recognition and accommodation. Priority action items are: legislation (amending existing legislation and policy, creating new “recognition” legislation, and implementing a process for First Nations involvement in legislative development); consultation and accommodation; shared decision-making; revenue-sharing; and dispute resolution. In the coming months, the FNLC will be working with First Nations and the provincial government to develop new models for consultation and accommodation.

Another New Relationship priority is revisiting the provincial government’s litigation strategy to be more respectful of, and consistent with, the New Relationship, and in particular to change its traditional “denial” approach. A joint Side Table has been established to make recommendations to improve approaches to the resolution of disputes between First Nations and the province, such as pleadings in litigation. As part of this exercise, the FNLC is also organizing a forum for senior provincial officials, to describe how historical colonial doctrines of denial (i.e. doctrine of discovery) were the genesis of existing government policy and describe why the New Relationship necessitates changes to current Crown litigation policies and practices.

Transformative Change Accord

Work is ongoing to develop the Transformative Change Accord implementation strategy. The Relationships, Education and Health sections are largely complete; preliminary meetings have been held on Housing and Infrastructure; and meetings are scheduled on

Economic Opportunities. A draft strategy for review and feedback by First Nations should be available shortly. The FNLC and provincial government have also committed to collaborative efforts to secure the active participation of the federal government in the implementation of this historic agreement.

Health

The FNLC has been working with Health Canada and BC to move forward on the Transformative Change Accord implementation strategy for health. All three are committed to developing a draft tripartite plan as soon as possible. This plan will then be the focus of a province-wide forum on First Nations health in the spring.

British Columbia will be hosting a national Aboriginal health summit on November 28, 2006. The FNLC is working with the provincial government on the planning and preparation for this event. This summit fulfills Premier Campbell’s commitments to improving Aboriginal health made at the First Ministers Meeting in November 2005.

FNLC members attended the First Nations Health Directors Forum in early November. This event provided the opportunity to engage directly with community experts to receive feedback on the draft health section of the Transformative Change Accord implementation strategy.

The provincial government recently announced that it is holding a *Conversation on Health* until the fall of 2007 – a discussion among British Columbians on how to make British Columbia healthier, and how to improve and renew the provincial health system while strengthening the Canada Health Act. The inaugural event of this conversation was a Congress on Health hosted by Premier Campbell on October 10, and attended by the FNLC. Regional forums, toll-free telephone line, email and online discussions are available to provide feedback, and the FNLC encourages all First Nations to provide input. Please see their

website at www.bcconversationonhealth.ca, phone 1-866-884-2055 or email ConversationOnHealth@victoria1.gov.bc.ca.

New Relationship Trust

(www.newrelationshiptrust.ca)
The term of the first New Relationship Trust Board of Directors expires soon and a process to replace several of the Directors has begun. Each of the member organizations of the FNLC will be appointing a new member through their respective processes. Further information will be available at the upcoming BCAFN, FNS and UBCIC Assemblies in late November and early December.

UN Declaration on the Rights of Indigenous Peoples

Following more than two decades of discussion and development, the United Nations Declaration on the Rights of Indigenous Peoples may finally be considered for adoption during the current 61st session of the UN General Assembly in New York.

Some African countries have recently proposed a “No Action Resolution”, which would result in the Declaration not being considered for adoption during this UN session.

Canada, which for years supported and participated in the drafting of the Declaration, is now actively lobbying against it.

Grand Chief Ed John and National Chief Phil Fontaine traveled to New York on November 15 to urge for the immediate adoption of this critical tool in the protection of Indigenous rights by the United Nations. More information on the Declaration is available at www.ipcaucus.net.

First Nations Forestry Council

FNFC Administration

- ? Interviews for the executive director position will be held in Vancouver on December 1.
- ? The FNFC office location has been confirmed on the 6th floor of 100 Park Royal in Vancouver, BC.

Ecosystem Stewardship Planning

- ? A work plan has been approved by the FNLC and will be funded by the mountain pine beetle transfer agreement.

Communications

- ? Presentations and information packages are being prepared for the upcoming UBCIC, BCAFN and FNS meetings.
- ? The latest newsletter will also be distributed the week of November 20, 2006.

Regional Meetings

- ? The regional meetings are complete and a final report is ready for review by the FNFC, to be distributed shortly thereafter to communities.

Initial Mountain Pine Beetle Funding

- ? Community Futures Development Corporation of the Central Interior First Nations has completed the report for the initial funding.
- ? Program development is underway for the second installment of funding.

Fuel Management

- ? The FNFC has engaged both British Columbia and Canada in order to develop community wildfire protection plans.

Commitments Document (April 19 2006)

- ? The FNFC is working closely with the Ministry of Forests & Range to ensure that the commitments from this document are followed through.
- ? BC has provided the \$8.4 million in a transfer agreement.

New Federal Funding Update

- ? There has yet to be a commitment from the federal government to commit to a meeting that would discuss First Nations priorities.

Forest & Range Opportunities Analysis

- ? A letter was issued from the FNFC to Minister Coleman outlining recommendations forthcoming of the FRO analysis outlining ways to make these agreements economically viable.
- ? A copy of the report is expected to be available at the UBCIC, FNS and BCAFN meetings.

FNLC Meeting Notes

At the recommendation of First Nations, this section of the information bulletin is to describe discussion and decisions of FNLC.

- ? Immediate priority is recognition, consultation and accommodation
- ? FNLC and BC to jointly lobby for federal engagement
- ? FNLC to continue discussions on land use planning with the provincial government
- ? Wildlife Act review and Integrated Pest Management Guidelines consultation process to be improved
- ? FNLC has received provincial legal analysis of section 4 agreements under the *Heritage Conservation Act* and will be striking a working group on this matter shortly.
- ? As follow up to a resolution passed at last year's BCAFN Assembly, a First Nations Justice Forum will be convened in the spring of 2007
- ? FNLC providing input regarding opportunities for First Nations through the new provincial Training Tax Credit Program
- ? Two video pilot projects are currently being produced to improve public awareness about First Nations and the New Relationship
- ? FNLC to explore a 6-month secondment opportunity for a First Nations individual within the Ministry of Economic Development
- ? FNLC to work with BC to develop an internship program for First Nations youth
- ? FNLC met with the First Nations Forestry Council to discuss workplanning and an update on progress
- ? In collaboration with First Nations, BC is undertaking a project to improve the collection, reliability and accessibility of data on First Nations and Aboriginal people
- ? A comprehensive study on the status of First Nations and Aboriginal housing in BC is being conducted to assist in developing the Transformative Change Accord implementation strategy

- ? FNLC met with INAC to discuss INAC's regional strategic plan
- ? Met with RCMP to discuss Crime Prevention Strategy

First Nations Technology Council

The FNTC hosted a Think Tank on Information and Communications Technology Capacity Building. The Think Tank was held to get input from First Nations educators into a program that will be delivered by the First Nations Education Steering Committee in the new fiscal year. The province has contributed \$5m and lobbying continues to secure matching funds from the federal government. The Report is available at http://www.fntc.info/skills_development.

FNTC is developing a strategy for integrated information management that will include gathering input from communities as to their information management needs and priorities.

Calendar of Events

- November 23-24:** UBCIC Chiefs' Council Meeting (Vancouver)
- November 27-28:** BCAFN Special Chiefs' Assembly (Vancouver Marriott Pinnacle Downtown)
- November 29:** FNLC Fisheries Assembly (Squamish Nation Recreation Centre)
- November 30, December 1:** FNS Meeting (Squamish Nation Recreation Centre)

The First Nations Leadership Council is comprised of the political executives of the BC Assembly of First Nations, First Nations Summit, and the Union of BC Indian Chiefs:

- ? *BC Assembly of First Nations Regional Chief A-in-chut, Shawn Atleo;*
- ? *First Nations Summit Task Group members Grand Chief Edward John, Chief Judith Sayers, Dave Porter;*
- ? *Union of BC Indian Chiefs President Stewart Phillip, Vice-President Robert Shintah; Chief Lynda Price*

The Council works together to politically represent the interests of First Nations in British Columbia and develop strategies and actions to bring about significant and substantive changes to government policy that will benefit all First Nations in British Columbia.