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First Nations Leadership Council

INFORMATION BULLETIN

Leadership Council

On March 17, 2005, the Regional Chief of the BCAFN, the Task Group of the FNS, and the political executive of the UBCIC signed the *Leadership Accord*.

The purpose of the Accord is to: affirm mutual respect; formalize a cooperative working relationship to politically represent the interests of BC First Nations and develop strategies and actions to bring about significant and substantive changes to government policy that will benefit all BC First Nations; and focus on a range of issues and initiatives of common interest or concern among BC First Nations, including consultation and accommodation, national processes, and social and economic program and service issues.

Work under the Leadership Accord is guided by the following principles:

- The Parties recognize and respect each other's respective mandate;
- The Parties will be mindful that they each represent a diversity of perspectives on issues relating to Aboriginal title, rights and interests;
- The Parties commit to work to advance the interests of First Nations in political level discussions amongst themselves and with governments;
- The Parties will represent their respective memberships in any discussions that directly involve government and industry.

Through the Accord, the Parties commit to engage in an ongoing process of dialogue through regular leadership meetings to achieve the purposes of this Accord and, where possible, develop common understandings, strategies and/or positions on identified issues of mutual concern or priority. The Parties also agree to establish working groups on identified issues

of concern or priority to advance those issues politically.

The relationship established through the *Leadership Accord* remains strong. Although some successes have been achieved (New Relationship, Transformative Change Accord, New Relationship Trust, others), much remains to be done. The mandate of the FNLC is determined only through the mandates of each of its participating organizations – the BCAFN, FNS, and UBCIC – as established via resolution of their respective memberships.

The FNLC is a political process, not a new organization. Its purpose is to generate political power through cooperation and collaboration between the existing provincial First Nations organizations. Although the FNLC works with governments to develop frameworks for issues such as shared decision-making and consultation and accommodation, these efforts are never to impede government-to-government discussions and negotiations between individual First Nations and governments.

The staff of the three participating FNLC organizations are responsible for following up on resolutions passed at their respective Chiefs' assemblies, and work together on issues where all three organizations have a mandate.

The BCAFN, FNS and UBCIC are committed to maintaining unity on matters of common concern to benefit all BC First Nations, as well as to respecting the autonomy of each organization in achieving progress on issues specific to their respective memberships.

UN Declaration on the Rights of Indigenous Peoples

On September 13, the United Nations General Assembly adopted the Declaration on the Rights of Indigenous Peoples by an

overwhelming majority of 143 in favour, 4 opposed and 11 abstentions. This Declaration, which has been in development for more than two decades, is intended to recognize the collective rights of Indigenous Peoples. Fundamental human rights which have been upheld in this Declaration include the inherent rights related to our traditional lands, territories and natural resources, our self-determination, our unqualified recognition as Peoples, our own cultures, languages and identities.

The FNLC and the AFN will be hosting a conference on November 26-27th to raise awareness about the Declaration and counter the misconceptions advanced by the Canadian government.

Federal Engagement

On August 21, 2007, the FNLC met with the Minister of Indian and Northern Affairs, Hon. Chuck Strahl and the Minister of Aboriginal Relations and Reconciliation Hon. Michael de Jong.

During the meeting, the FNLC provided an update to the new Minister on ongoing work with his predecessor, the Hon. Jim Prentice, and emphasized the need for continuity in this work. Minister de Jong supported the need for continuity, and for federal engagement through a tripartite New Relationship-type arrangement.

It was agreed that the Parties will work to develop a tripartite document, setting out commitments to improve policy (i.e. Comprehensive Claims Policy, Specific Claims Policy, Inherent Right of Self-Government Policy), process (i.e. negotiations processes), and quality of life (i.e. education, children and families, etc.) issues. A follow-up meeting has been scheduled for October 26, 2007.

New Relationship

In the New Relationship, commitments were made to a new government-to-government relationship based on respect,

recognition and accommodation of aboriginal title and rights and to reconciliation of Aboriginal and Crown titles and jurisdictions. First Nations and the Province also agreed to establish processes and institutions for shared decision-making about the land and resources and for revenue and benefit sharing. The New Relationship acknowledges that aboriginal title includes the inherent right for the *community* to make decisions as to the use of the land.

On September 20th, the FNLC and the Province of BC issued a Joint Statement on the New Relationship highlighting that the Province and FNLC are undertaking work to develop frameworks and tools to assist the Province and BC First Nations to implement the New Relationship. The FNLC and Province respect First Nations autonomy and recognize that First Nations are the holders of Aboriginal Title and Rights. The purpose of the New Relationship is to bring about policy changes and set a course forward that will be of benefit to all First Nations.

The New Relationship must not be used as an excuse not to engage with First Nations directly and the policy level discussions are not intended to impede upon or displace First Nations negotiations with the Crown. In fact, these community-level government-to-government negotiations provide valuable insights and guidance to broader discussions.

Each First Nation has the right to a government-to-government relationship with the Crown, and the authority to enter into negotiations and agreements to suit the unique circumstances of the community.

A joint FNLC-BC Recognition Working Group is tasked with the main deliverables from the New Relationship document – producing principles & mechanisms for: recognition & Honour of the Crown, consultation/accommodation, shared decision-making, revenue & benefit sharing, and other matters. This

group is currently focused on Recognition legislation as the first priority as mandated by the Chiefs by UBCIC resolution 2007-47 and FNS resolution #0907.20.

Other working groups achieving progress under the New Relationship include the Resolutions Strategy Side Table; Telling Our Stories Committee; Crown Land Allocation Framework Working Group; Aquaculture Working Group; First Nations Heritage Conservation and the Ecosystem Stewardship Planning Working Group.

For three days out of each month, the FNLC meets with provincial officials to set direction, review progress and have high-level discussion on progress under the New Relationship and other matters of common concern.

Fisheries

A key item in the BC First Nations Fisheries Action Plan is the establishment of a BC First Nations Fisheries Council. The FNLC was mandated, through resolution, to hold a province-wide meeting, open to all BC First Nations, to develop the First Nations Fisheries Council concept. This BC First Nations Fisheries Council Forum was held on May 29-30, hosted by Musqueam Nation at the Crown St. Gym. Delegates to the Forum developed a “BC First Nations Fisheries Council Concept Paper”, which was adopted by resolutions of the BCAFN, FNS and UBCIC. The FNLC has sent a call for applications to the BC First Nations Fisheries Council to all BC First Nations and will make appointments to the Council in early November.

Aquaculture Working Group

On September 5-6, the FNLC Aquaculture Working Group met with the Provincial government. The purpose of the Working Group is to work with provincial representatives to make recommendations to Cabinet on aquaculture matters in BC, in the spirit of the New Relationship and guided by the BC First Nations Fisheries Action Plan.

Housing and Infrastructure

The FNLC is working with federal and provincial governments to develop a high-level Memorandum of Understanding on Housing and Infrastructure. This MoU will commit the Parties to work collaboratively to develop interlinked on- and off-reserve housing and infrastructure strategies by Fall 2008.

Economic Development

The FNLC hosted a meeting in July to discuss BC First Nations economic development and human resource development. The meeting was attended by federal and provincial governments, First Nations representatives, and the business community. This group agreed to explore the signing of a Memorandum of Understanding to establish an Economic Development Partners Group – an advisory body on First Nations economic development. A small working group has been struck to develop this MoU and a framework for a province-wide BC First Nations Economic Development Strategy.

A draft outline of the BC First Nations Economic Development Strategy has been completed, and will be reviewed by BC First Nations at regional forums through the fall/winter. We encourage Chiefs, Councils and economic development officers to attend these important sessions in order to provide input into the development of a province-wide economic development strategy. For more information on these sessions, please contact us, or Torrine Johnson at Tel. 604-775-6279; Fax 604-775-7149; E-mail JohnsonT@inac-ainc.gc.ca

Based on the feedback from these sessions, a more comprehensive draft will be developed and reviewed by BC First Nations at an Economic Development Forum in February 2008.

Technology

Following the September Land Referral Workshop co-hosted by Carrier Sekani Tribal Council, FNTC will be working with the Integrated Land Management Branch to host a

working group on a project known as GeoBCGateway. This project is to develop a web page to provide First Nations, regardless of their technological sophistication with simplified access to government natural resource information and analysis tools. It will also provide a platform to develop e-services.

FNTC has received approval from BC Chiefs to create a Common Services Organization, whose first function will be to provide network and information and communications technology support, including ISP services and a centralized Help Desk. Further services, such as GIS, multi-media, information management could be developed as the Common Services Organizations develops.

FNTC is hosting an Information Management Forum November 26-27. The focus of the IM Forum is "Information Management Needs and Responsibilities of Self-Governing Nations: Looking through the Information Lens at First Nations Governance". FNTC expects a working group to result from this forum that will address common community information needs, including skills and human capacity, structures and processes needed to support and information management plan, data standards, storage and security.

Health

The First Nations Health Council is currently developing workplans and budgets pursuant to the *Transformative Change Accord: First Nations Health Plan* and the *Tripartite First Nations Health Plan*. Priority areas for this year include: community health plans; governance structure for First Nations health in BC; mental health and addictions (including healing residential school traumas); ehealth; and chronic disease management (including a First Nations ActNow program). Community engagement is also a key priority, and dialogue sessions will be held throughout the province in the fall.

Children and Families

At the June 2007 BCAFN AGA, the Chiefs directed the Regional Chief to pursue a province-wide assembly to discuss the development of a strategy to address First Nations jurisdictions over First Nations Children, Families and Communities.

At the September 2007 UBCIC and FNS Chiefs' assemblies, the Chiefs mandated the FNLC to convene a "FNLC Child at the Centre Chiefs' Forum" to bring together Chiefs/leaders, along with key political and technical partners, to review, discuss and finalize a First Nations Child at the Centre Action Plan, which will set out a vision, principles, key topics and actions assisting First Nations to address and advance issues related to children and families. They mandated that the Forum follow the same format as FNLC forums (i.e. information sharing, review and discussion of "Discussion Paper" prepared in advance, and finalization of Discussion Paper into an Action Plan). This Forum will be held on December 4-6, 2007. Further details will be made available soon.

Early Childhood Development

A group of individuals and organizations with an interest in Early Childhood Development (including the FNLC, First Nations Education Steering Committee, First Nations Schools Association, Aboriginal Human Resource Development Agreements, First Nations Health Council, BC Aboriginal Child Care Society and others) have been meeting to discuss ways to improve coordination and collaboration amongst themselves, to improve the lives of BC First Nations children. The group ("BC First Nations Early Childhood Development Council") has produced a Memorandum of Understanding that was approved at the June BCAFN meeting. This important issue will be further discussed at a province-wide First Nations "Child at the Centre" Forum in December.

Culture and Heritage

The existing *Heritage Conservation Act* and associated management regime does not recognize Aboriginal Title and Rights, nor does it adequately address the needs and interests of First Nations as it relates to their culture and heritage resources. A Joint Working Group on First Nations Heritage Conservation has been created to work with BC to a) make recommendations with respect to amendments to the *Heritage Conservation Act*, b) identify culture and heritage site management possibilities within the existing legislative regime and c) improve the protection and conservation of First Nations heritage sites, cultural property, ancient human remains and sacred and spiritual sites.

Forestry

The First Nations Forestry Council is achieving progress on a number of initiatives, including: Aboriginal Forest Strategy Working Group; Sappier & Gray Working Group; new First Nations Wood Products Technical Support Program; Ecosystem Stewardship Planning; Fuel Management; Mountain Pine Beetle Planning and Programs; and many others.

The First Nations Forestry Council is planning to hold a province-wide First Nations Forestry Forum in the spring to review and develop a *BC First Nations Forestry Action Plan*.

A new website for the Forestry Council will be launched in October and will include background information on all initiatives. This website can be viewed at www.fnforestrycouncil.ca.

Frank Paul Inquiry

The Solicitor General of British Columbia announced in February 2007, that an inquiry would be conducted into the death of Frank Paul, a Mikmaq male from Big Cove First Nation, who lived in the downtown eastside area of Vancouver. In December of 1998 Mr. Paul's lifeless body was found in an alleyway in the downtown eastside of Vancouver. The inquiry, which many have been calling for

over the last 9 years, will look into the roles that various institutions, including the Vancouver Police Department, Ambulance Service, Coroner's office, Crown Counsel office, and others had in the events leading up to and after the death of Mr. Paul.

The First Nations Leadership Council has been closely monitoring this situation and met with the Solicitor General and Attorney General of British Columbia on numerous occasions. The FNLC formally requested to the Attorney General that they, along with the family of Frank Paul be granted standing during the inquiry.

The FNLC applied for standing to the Inquiry commissioner and was recently notified that this standing was granted. The inquiry will begin in November 2007 and should continue until spring of 2008. The inquiry Commissioner has until no later than May 31, 2008 to provide a final report and recommendations.

FNLC Meeting Notes

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

- FNLC met with UN Special Rapporteur on Adequate Housing on Oct. 16th to present the pressing housing issues facing our communities. In the coming weeks, the FNLC will be preparing a formal written submission to the Rapporteur.
- FNLC met with Minister Coleman and Minister de Jong on Oct. 16th to determine a way to resolve FRA viability.
- FNLC met with Minister Bond and Minister Reid on Oct. 16th to discuss the upcoming "Child-at-the-Centre" Forum, ECD and Child Care Spaces.
- FNLC has developed a Memorandum of Understanding with the Representative for Children and Youth
- FNLC has developed a template Declaration / Protocol to sign with First Nations organizations

to improve coordination and collaboration on all matters

- FNLC participating in Cabinet Committee on Climate Change.
- FNLC and BC have established a new youth internship program.

Calendar of Events

- **November 21-22:** UBCIC Chiefs Council
- **November 26-27:** UN Declaration on the Rights of Indigenous Peoples Conference
- **November 28-30:** First Nations Summit meeting

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 Grand Chief Stewart Phillip, Vice-President Chief Robert Shintah; Chief Lynda Price*

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