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First Nations Leadership Council

INFORMATION BULLETIN

Introduction

All comments, feedback, and inquiries on these bulletins are welcome; contact information is provided in the column to the left. These reports are issued on the 15th day of each month.

Kelowna Accord

There was no mention of the Kelowna commitments in either the federal Throne Speech or Budget. National and regional Aboriginal organizations have been pressuring the federal government to uphold the honour of the Crown by fulfilling its obligations under the Kelowna agreement. The First Nations Leadership Council (FNLC) provided all First Nations and Tribal Councils with background information on the federal budget and its implications, and a sample letter in support of the Kelowna agreement. We encourage First Nations to express their support for the Kelowna agreement as an important first step in establishing meaningful government-to-government relationships and closing the gap in the quality of life between First Nations and other Canadians.

The provincial government has also continued to be supportive of the Kelowna commitments, as illustrated by Premier Campbell's ministerial statement in the Legislature in May. In the last week of May, the western premiers (Manitoba's Gary Doer, Saskatchewan's Lorne Calvert, Alberta's Ralph Klein, and British Columbia's Gordon Campbell) re-affirmed their commitments to the Kelowna Accord, and stressed that failure to follow through on that "extraordinary national commitment...will only make us poorer as a nation".

Assembly of First Nations National Chief Phil Fontaine and the western premiers have expressed optimism that Prime Minister Stephen Harper will follow through on commitments

different name, or with some changes. The FNLC will continue to lobby the federal government to honour its commitments under the Kelowna Accord and the Transformative Change Accord.

Transformative Change Accord

The Transformative Change Accord requires the parties to develop an implementation strategy by December 2006. The FNLC has been working with the provincial government and First Nations organizations to develop an outline for this plan, which will include action areas and indicators to gauge progress. We hope to have an early draft of this plan complete by July, which will then be improved through discussion and consultation with First Nations.

This early draft plan will help the FNLC and the province lobby the federal government to work on a tripartite basis to uphold its obligations under the Transformative Change Accord.

New Relationship

The FNLC has been meeting for one week of each month with representatives of various provincial Ministries to achieve progress under the New Relationship. Discussions between Deputy Ministers and the FNLC focus on incorporating the New Relationship into the Ministries' activities and initiatives, and establishing meaningful and regular communications between First Nations and the various Ministries of the provincial government.

Denial/Recognition Strategy

The provincial government has agreed to revisit its litigation strategy to be more respectful of, and consistent with, the New Relationship, and in particular to change its traditional "denial"

approach. The FNLC has formed a core legal group which has drafted a paper, tabled with BC, setting out suggestions for improving approaches to the resolution of disputes between First Nations and the province. A side table consisting of members of the core legal group and provincial representatives is being established to discuss the ideas set out in the paper, and will begin with topics of litigation, pleadings and admissions, and recognition of First Nations.

The FNLC is also organizing an education forum for high-level provincial representatives, to explain the doctrine of terra nullius ("empty land") and its continuing impact on current Crown policies and practices.

Consultation & Accommodation

The FNLC and provincial government representatives have begun preliminary discussions relating to consultation and accommodation, with the view to establish a provincial consultation and accommodation framework consistent with the New Relationship. These discussions are not intended to impede or hinder any consultation and accommodation discussions for any First Nations – the FNLC firmly believes that it is not responsible for negotiating on behalf of First Nations, and that each First Nation is autonomous in its negotiations.

Forest & Range Opportunities

The FNLC has working with provincial representatives to develop a mutually acceptable Forest & Range Opportunities (FRO) Agreement framework.

We are pleased to report that this work is now complete (subject to two minor editorial revisions), and the new framework will be available for use by BC First Nations communities in the very near future.

Mountain Pine Beetle

The First Nations Mountain Pine Beetle Working Group successfully

negotiated funding for First Nations communities impacted by the beetle.

Current MPB funds (already transferred to BC in 2005):

The comprehensive agreements included \$2 million toward fuel management, \$7.9 million for long term strategic planning for addressing cultural disruption, \$1 million toward the First Nations Forestry Council and \$1.3 million for the First Nations component of the Emergency Response Team. Furthermore, the Province agreed to \$4 million of contract work for First Nations in 2007/2008, an additional \$8 million for the following year as well as employment opportunities of a combined total of \$4.2 million from both the Protection Branch and Spread Control. Finally, First Nations will see an unprecedented presence in decision-making roles with regard to research; \$880,000 has been marked for research and development specifically to First Nations needs as well, space has been created for First Nations on the Forest Science Board, the Steering Committee for Bio-Industry wood and the Forests for Tomorrow initiative.

New MPB Funds (May 2nd, 2006 federal budget):

The 2006 federal budget committed \$200 million to BC to assist with the MPB epidemic. As per the First Nations-Provincial Commitments Document, First Nations will receive 20% (\$40 million) over the next two years in addition to the funding mentioned above. Natural Resource Canada has come forth most recently with an additional \$40 million dollars.

Another proposal for a further \$800 million was jointly submitted by the FNLC and the Province.

Energy Summit

Both the First Nations Summit and the Union of BC Indian Chiefs have been mandated by resolution to convene an Energy Summit to share information, and develop a BC First Nations Energy Plan. The Carrier-Sekani Tribal Council has offered to co-host this event and provide

administrative support for the planning process. The Energy Summit will be held in Prince George, with a target date of October 2006.

Children & Families

The Ministry of Children and Families (MCFD) is embarking on a process of transformative change, aided by the expertise of the new Deputy Minister Ms. Lesley du Toit and the new Assistant Deputy Minister (Aboriginal issues) Ms. Debra Foxcroft. To inform this process, two meetings were held to help develop a vision for MCFD and for services to children and families.

The first session, held June 2-3, was for Aboriginal representatives to develop their vision. This vision informed a subsequent visioning meeting held on June 5th, attended by both Aboriginal and non-Aboriginal delegates.

Negotiations

On May 30, 2006, Westbank First Nation hosted a conference on the status of lands in treaty negotiations. This event was well-attended by First Nations and federal and provincial government representatives, who came together to discuss the implications of the federal and provincial treaty negotiation mandate that, through treaties, lands will be converted from s. 91(24) lands to s.92 lands. This issue, which some First Nations see as an impediment to the resolution of final agreements, along with several other mandate barriers, has led a group of First Nations to explore the establishment of a common treaty table.

UN Draft Declaration on the Rights of Indigenous Peoples

For over twenty years, law experts, States and indigenous peoples from all parts of the world have been developing a *Declaration on the Rights of Indigenous Peoples*. This document sets out the urgent and basic human rights of indigenous peoples and societies. The draft Declaration is now complete, and is

awaiting approval by the new UN Human Rights Council.

The members of the FNLC, along with many other aboriginal and non-aboriginal organizations, have been strongly urging the Government of Canada to continue its strong supporting role for the Declaration, which appears to be wavering of late.

On June 1, 2006, the FNLC sent a template letter of support for the draft Declaration (addressed to Prime Minister Stephen Harper) to all BC First Nations and organizations. We respectfully ask you to review this document and consider sending it on behalf of your First Nation or First Nation organization.

National Aboriginal Day

In celebration of National Aboriginal Day, and in conjunction with the World Urban Forum III, a series of cultural activities and events are being planned for June 20-22, at the Vancouver Art Gallery. These events include an address by Premier Gordon Campbell on June 21, the repatriation of the Haisla G'psgolox totem pole, and many other performances.

In holding these events in honour of National Aboriginal Day, we acknowledge the financial support of the Province of British Columbia through the Ministry of Aboriginal Relations and Reconciliation.

Other Notes

- In a May 5 letter to Minister of the Environment Rona Ambrose, the FNLC raised objections to DFO's proposed amendments to the Metal Mining Effluent Regulations, which among other things, would permit two natural fish-bearing water bodies in Newfoundland to be used as tailing impoundment areas (TIAs) for a new mine project. This could set a precedent that may allow mining companies in BC to apply to have water bodies used as TIAs (such as Amazay (Duncan) Lake in northern BC). The FNLC has asked Minister

Ambrose to suspend the amendment process due to inadequate consultations with First Nations.

Calendar of Events

- **June 14-16:** First Nations Summit Meeting (Squamish Recreation Centre)
- **June 20-22:** National Aboriginal Day Celebrations (Vancouver Art Gallery)
- **June 21:** National Aboriginal Day
- **July 10:** BCAFN Annual General Meeting (Waterfront Hotel, Vancouver)
- **July 11-13:** AFN Annual General Assembly (Vancouver)