



**Union of
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INFORMATION BULLETIN

ALL CHIEFS' TASK FORCE

The All-Chiefs' Task Force is a volunteer group of First Nation leaders from across the province that was established at the August 2009 All-Chiefs' Assembly. They were created to build upon the outcomes and energy of the gathering by: raising awareness and recognition of Aboriginal title and rights at the provincial, national and international levels, as well as with the general public; and, undertaking work to better organize ourselves internally as First Nations in British Columbia.

At the All Chiefs' Assembly held on May 18-20, 2010, the Task Force reported on its efforts to date and received an extension of their mandate to November 2010 in order to work with the First Nations Leadership Council (FNLC) on documents to clarify the mandate of the FNLC.

The FNLC and ACTF are developing mandate documents for the FNLC as directed at the All-Chiefs' Assembly, and will circulate these to First Nations for review and advice/feedback in the coming weeks.

An All-Chiefs' Assembly will be held in November 2010 to provide a final report on the work of the Task Force.

FIRST NATIONS HEALTH COUNCIL

Regions make appointments to Health Council

BC First Nations have initiated a transformation of the First Nations Health Council over the past three months. The Union of BC Indian Chiefs (2010-01 & 2010-06) and First Nations Summit (#0310.03) passed resolutions directing that the First Nations Health Council be reconstituted. The 7-member

Health Council was dissolved, effective May 30th 2010, and has been replaced by a 15-member First Nations Health Council. The 15-member FNHC have a two year mandate to coordinate with and receive direction from the Regional Caucuses, oversee negotiations with government on the creation of the First Nations Health Authority, and oversee work on Health Action items.

Regional Caucuses met to consider the transition, select representatives and provide advice and guidance. The Regional Caucuses select their representatives through their own regionally determined processes. BC First Nations have selected the following people to represent them on the First Nations Health Council: Cliff Atleo (Vancouver Island), Warner Adam (North Central), Gwen Phillips (Interior), Chief Ko'waintco Michel (Interior), Chief Bernie Elkins (Interior), Grand Chief Doug Kelly – Fraser), Chief Maureen Chapman (Fraser), Chief Willie Charlie (Fraser), Charles Nelson (Vancouver Coastal), Leonard Bob (Vancouver Coastal), Ernest Armann (Vancouver Coastal), Shanna Manson Vancouver Island (Coast Salish).

Several representatives are in the process of being chosen and the process is ongoing. The inaugural meeting of the FNHC was held on June 23, 2010 at which Grand Chief Doug Kelly was named interim chair.

Tripartite Partners Initial Basis Agreement

On July 26th, 2010 the Tripartite Partners representing the Government of Canada, the BC First Nations Health Council, and the Government of BC initiated the British Columbia Tripartite First Nations Health Plan: Basis for a

Framework Agreement on Health Governance (the Basis Agreement) that will set the stage and process for negotiations to transform how BC First Nations health is managed in British Columbia.

The Basis Agreement is a non-binding political agreement that sets out broad outlines for negotiations to develop a Legal Agreement on First Nations Health Governance. The negotiations process seeks to create a BC First Nations Health Authority that will administer federal health services to First Nations in British Columbia and may lead to the development of a mandate to engage and negotiate with the Government of British Columbia and the Provincial and Regional Health Authorities.

This important initialing ceremony occurred in Vancouver following a lunch, traditional prayers and songs. Senior Tripartite Partners from Health Canada, including the Minister of Health the Honourable Leona Aglukkaq, British Columbia Assistant Deputy Minister Andrew Hazelwood (Population and Public Health – Ministry of Healthy Living and Sport), and representatives from the First Nations Health Council spoke to the agreement, as did prominent First Nations political leaders who were present to witness the historic occasion.

FIRST NATIONS ENERGY AND MINING COUNCIL AND FIRST NATIONS FORESTRY COUNCIL **Clean Energy Act**

On June 8, First Nations held a strategy session in at the Chief Mathias Centre in North Vancouver to discuss concerns surrounding the BC Clean Energy Act. The Minister of Energy, Mines, and Petroleum Resources and senior staff were invited to participate but no one attended from the provincial government. Prior to the meeting, the BC government stated it would not delay passage of the Clean Energy bill to allow for First Nations consultation and accommodation, nor were they going to accept any

amendments to the legislation as it currently stands. Their position was a great disappointment to the many First Nations and 50 Chiefs in attendance and as a result they signed a joint statement opposing the Clean Energy Act.

The greatest concern was the significant gaps between the Green Energy Task Force final report recommendations (regarding community and First Nations engagement) and the actual legislation. The vast majority of those recommendations are not contained in the legislation. An important recommendation that was accepted, the new business fund, was disappointing as it will essentially support at most a couple of viable opportunities and the revenue sharing commitment is undefined and diluted by its inclusion in the business fund.

The Minister of Energy, Mines, and Petroleum Resources and Minister of Aboriginal Relations and Reconciliation both committed to meet at a future date with the Chiefs on the concerns raised at the June 8th meeting.

Bio-energy

The FNEMC is working in partnership with the BC Bioenergy Network to identify technologies that will assist First Nations to enter into the green energy development using bioenergy technology. There are numerous technologies that range from conventional steam generation that produces heat to combined heat and power projects that can create power and heat for a community. The first step is to undertake a pilot project to assist a community that is currently using diesel to generate power and that has sufficient woody biomass in the area to feed a system to power the local community. A handbook will be created to share with other First Nations communities that are interested in converting their diesel systems to renewable biomass generators or other communities that are on grid but have frequent power outages.

Protocol with FNEMC and BC Hydro

On June 17th the FNEMC and BC Hydro signed a protocol that will focus on clean energy development opportunities. The purpose of this protocol is to work together in areas of mutual interest; in particular for action items outlined in the 2008 First Nations Energy Action Plan. The protocol also recognizes that individual and collective First Nations have a role to work directly with BC Hydro on projects that impact their traditional territories.

China Tribute Totem Pole

In 2008, representatives of the First Nations Summit (FNS) and the First Nations Energy & Mining Council (FNEMC) visited China on a trade mission. While in China, they were informed of a group of Indigenous people that lost their entire city during the May 12, 2008 Wenchuan earthquake in southwest China – these people are called the Qiang (pronounced Chiang). The city of Beichuan had been completely destroyed at 30 000 of the 300 000 Qiang people died.

The FNS and FNEMC delegates have since worked with other BC First Nations Chiefs, leaders and artisans to produce a tribute totem pole. The tribute pole was carved by First Nations artists at the Frieda Diesing School of Northwest Coast Art, a division of Northwest Community College in Terrace, BC. The totem pole is designed with an eagle and grizzly bear to symbolize our holistic connection to Mother Earth, and intended to honour the Qiang peoples – the loved ones lost in the earthquake, and those who survived. The tribute pole was produced with assistance from the Government of BC, and its transport to China was supported by the Governor General Michaëlle Jean and the Government of Canada.

First Nations representatives from British Columbia, including Grand Chief Edward John, Dan Smith, Stan Bevan and Wilfred Bennett,

travelled to China along with Canada's Governor General Michaëlle Jean and Federal Minister Jim Prentice. A traditional ceremony was held to deliver the pole, and the Beichuan government Party Secretary and the Qiang youth and elders exchanged cultural performances as the totem pole was unveiled.

The totem pole was also discussed directly with Chinese President Hu Jintao when Grand Chief Edward John met him in Ottawa on June 24th. The President showed a keen interest in this gift of friendship and healing for those that were impacted by the 2008 earthquake. On July 5th, another meeting was held between the Governor General of Canada and the Chinese President in Beijing and the Chinese President directly acknowledged Grand Chief Edward John and all First Nations from Canada for this generous gesture that helps to bring understanding between China and Canada. First Nations are considering creating a national "First Nations – China Desk" that can receive delegations from China and partner them with First Nations that are interested to do business in the natural resource sector. The "First Nations – China Desk" could also be a planning body and create strategies for the development of regular First Nations cultural and trade missions to China to build stronger relationships and to attract investment into First Nations communities.

BC FIRST NATIONS FISHERIES COUNCIL

Cohen Commission

The Cohen Commission of Inquiry into the Decline of Sockeye Salmon in the Fraser River will hold a series of public forums to provide an opportunity for community members to share information that they believe to be relevant to the mandate of the commission.

Lillooet: August 18 - Lillooet District Rec Centre (Gym) - 2:00pm

Campbell River: August 25 - Coast Discovery Inn & Marina - 6:30pm
Richmond: September 13 - Steveston-London Secondary School - 6:30pm
Victoria: September 16 - Hotel Grand Pacific - 6:30pm
New Westminster: September 20 - Inn at the Quay - 6:30pm
Prince George: September 23 - Ramada Inn - 6:30pm
Chilliwack: September 29 - Coast Chilliwack Hotel - 6:30pm
Kamloops: October 21 - Coast Canadian Hotel - 6:30pm

Further details on location and time are available on the Commission's website. All forums are open to the public; however, **participants must apply through the Commission website in order to make a presentation at these sessions.**

The Commission has also released its schedule and topics for 2010 evidentiary hearings, which will take place October 25 through mid-December (continuing in the new year). Hearings will run Mondays through Fridays 9:30am - 12:30pm and 2:00 - 4:00pm each day. Hearings are open to the public and will be held at the Federal Court at 701 West Georgia Street, 8th floor.

Fraser sockeye life cycle: October 25
Conservation, sustainability and stewardship: October 26-27
Perspectives on Aboriginal law: October 28-29
DFO organizational structure: November 1-5
Pacific Salmon Commission: November 8-9
Wild Salmon Policy: Nov 10, November 15-18
DFO habitat management and conservation: November 19; November 22-24
Harvesting: November 25-December 16

While a number of First Nations have been granted standing before the Commission, those communities that do not have standing can still participate by entering a [written](#)

[submission](#). They can also take part in the Fisheries Council's Cohen Commission discussions by participating in our bi-weekly Wednesday morning conference calls.

The Fisheries Council has posted a number of documents to the Cohen Commission page of our [website](#). Some of these documents are available to First Nations only, and require a username and password. A confidential login is available to anyone who is a member of a B.C. First Nation, or who works on behalf of a First Nation in the area of Fisheries. Please contact Aimee Arsenault at aimee@fnfisheriescouncil.ca to get your login.

More information on the Cohen Commission can be found at www.cohencommission.ca.

Aquaculture

The draft Pacific Aquaculture Regulations were released in Part 1 of the Canada Gazette on July 10, 2010. We are currently in the 60-day comment window, which closes on September 8, 2010. The regulations can be viewed at <http://www.gazette.gc.ca/rp-pr/p1/2010/2010-07-10/html/reg2-eng.html>

Comments on the regulations should be directed to Ed Porter, Team Leader, Regulatory Operations. He can be reached via email at PAR-RPA@dfo-mpo.gc.ca. The Fisheries Council would appreciate being copied on any correspondence First Nations send to DFO regarding the draft regulations in order to help us monitor the comments and coordinate follow-up. Correspondence can be emailed to Alex Gagne at alex@fnfisheriescouncil.ca. The Fisheries Council will also post correspondence related to aquaculture on our [website](#).

Please mark your calendars for the annual First Nations Fisheries

Council Assembly. The Assembly will take place in **Prince Rupert on November 2-4, 2010**. Registration forms and accommodations information will be distributed in the coming weeks. The theme of the Assembly will be "*Co-management: Developing a shared vision for the future*".

Please see the Fisheries Council's [Fish in the News](#) page for recent media coverage relating to B.C. fisheries issues of interest to B.C. First Nations. A [Bulletin Board](#) is also regularly updated on the website with information about upcoming meetings, job opportunities, and other fisheries related news.

The next bi-weekly conference calls for B.C. First Nations Fisheries Organizations and technical staff (Tier 1 – internal to First Nations only) will be held:

**Wednesday, August 11, 2010,
9:00am – 10:30am**

**Wednesday, August 25, 2010,
9:00am – 10:30am**

**Wednesday, September 8, 2010,
9:00am – 10:30am**

Please contact the Council for dial-in information and agendas. Meeting summaries are available to First Nations only, so you will need to login and password to view the meeting notes. A confidential login is available to anyone who is a member of a B.C. First Nation or who works on behalf of a First Nation in the area of Fisheries.

FIRST NATIONS TECHNOLOGY COUNCIL

CollaborACTION

FNTC is seeking 3-5 First Nations to work on a collaborative proposal to implement technology and technical skills development. The project that we're calling CollaborACTION will be a partnership between the chosen Nations, First Nations organizations (such as FNEC, FNHC and IAHLA) technology companies and government. An Expression of Interest has been

distributed to First Nations and Tribal Councils. The deadline to be part of this exciting project is September 10, 2010.

Digitization Project

FNTC is working with the Irving K. Barber Learning Centre at UBC, Heiltsuk, Namgis and Ktunaxa on a digitization project that will result in a Digitization Toolkit that can be shared. Each of the First Nations will be digitizing approximately 400 items and during the project will be consulting with Elders and other community members. Items to be developed for the Toolkit may include a generic Policy, Protocol, Item Description (metadata) Standard, etc.

Capacity Plan – Doig River Project

As part of the Capacity Plan, FNTC is working with Doig River on a project to rebuild some of their historical trails. Youth are being taught GPS and GIS technology to map the trails, traditional medicines and any contaminated sites they come across and to relocate traditional camp sites. Doig River's goal is to rebuild the traditional camps to be used as a place where their citizens can go to reconnect to the land and where tourists could go for a traditional experience. During the bushwhacking phase the youth reached a hill where reception allowed them to check their Facebook accounts - they've renamed that hill Facebook Hill!

NEW RELATIONSHIP TRUST

NRT Certificate, Diploma and Trades Bursaries

Interested and eligible BC First Nation students may apply to the NRT Certificate, Diploma and Trades Bursary Awards. Bursaries are awarded on a first come, first served basis each year. Bursaries for 2010 were made available on July 14, 2010 and will remain open until 60 bursaries of \$2,000 each are awarded. Students must be enrolled fulltime at a recognized post-secondary institution to be eligible.

Complete requirements and bursary applications can be found at www.newrelationshiptrust.ca.

Youth Entrepreneur Symposium

The Young Entrepreneurs Symposium (YES) kicks off on November 22nd with an evening of entertainment featuring Aboriginal musicians. The next three days will be highlighted by a spirited competition among teams of participants ages 19 – 30 with prizes

This Symposium will feature a diverse and inspiring mix of panelists and speakers, including a special guest Master of Ceremonies from the Aboriginal entertainment community. The week's activities will be capped by a formal gala dinner where awards from the competition will be presented.

This exciting event gives young aspiring Aboriginal entrepreneurs from across the country the opportunity to build critical business skills and make valuable connections.

As hosts, NRT, DCF and CCAB will provide accommodation and meal costs for more than 200 young people to participate in the event. If you are an Aboriginal person between the ages of 19 and 30, and are an entrepreneur or would like to be one, we encourage you to join us for this exciting and unique experience! Additional information about YES is also available online at <http://yes.nrtf.ca>.

MATRIMONIAL REAL PROPERTY

On March 31, 2010, the government introduced into the Senate Bill S-4 to regulate the division of property on reserves upon marital breakdown. The Bill is entitled *An Act respecting family homes situated on First Nations reserves and matrimonial interests or rights in or to structure and lands situated on those reserves*.

BC Regional Chief Jody Wilson-Raybould presented to the Senate Standing Committee on Human Rights on May 31, 2010, to deliver the AFN's submissions on the proposed legislation. Consistent with the mandate set out in AFN Resolution No. 26/2008, the AFN called upon the federal government to recognize and implement First Nations' jurisdiction over matrimonial real property on First Nations' lands and to do so in the context of the wider governance issues associated with matrimonial property (e.g., lands, wills and estates, family relations, divorce, etc.) and establish an alternative process and approach to addressing these complex issues.

The AFN also expressed concern over the provisional rules that will apply to the division of property until, and if, a First Nation enacts a law over matrimonial property pursuant to the delegated law making powers in the Bill.

The Bill has since completed committee review with minor amendments and we can expect it to be on the agenda in the House of Commons when it reconvenes in September.

MCIVOR

In April 2009, in *McIvor v. Canada (Registrar, Indian and Northern Affairs)*, the BC Court of Appeal ruled that *Indian Act* registration provisions – and the ability to pass on eligibility for registration – discriminate based on whether an individual traced their status through male or female ancestors.

As a result, the BCCA struck two sections of the *Indian Act* - 6(1)(a) and 6(1)(c) – and gave Parliament one year to fix the discrimination. Throughout the late summer and fall of 2009, Indian and Northern Affairs Canada (INAC) held limited engagement sessions on its proposed approach to addressing the decision of the BCCA.

On March 11, 2010, the Minister of Indian Affairs and Northern Development tabled *Bill C-3: Gender Equity in Indian Registration Act* to respond to the McIvor decision.

BCAFN Regional Chief Jody Wilson-Raybould, and UBCIC President Grand Chief Stewart Phillip presented on the Bill to the Standing Committee on Aboriginal Peoples and Northern Development during its hearings in May. Along with other witnesses, including Sharon McIvor, the submissions provided evidence supporting an end to gender discrimination in the *Indian Act* through Bill C-3 and encouraged Canada to go further and remove remaining areas of discrimination not addressed in Bill C-3. It was also made clear that the Government of Canada will need to ensure that no further financial hardship or strain be imposed on First Nations' governments or their citizens as a result of any amendments to the *Indian Act* registration provisions.

Most recently, on July 2, 2010, the BCCA gave Parliament an extension until January 31, 2011 to respond to the McIvor decision and amend the *Indian Act*. It is expected that the Bill will follow parliamentary process and proceed to 3rd Reading when the House sits in the Fall, followed by Senate review and finally to receive royal assent.

S-11

Bill S-11: *Safe Drinking Water for First Nations Act* was introduced in the Senate on May 26, 2010. First Nations agree that the crisis in drinking water must be addressed; however, the bill does not currently stand to effectively address this crisis, and stands to infringe on First Nations' water rights. Debate on whether Bill S-11 should be read a second time occurred on June 1, June 8, and was adjourned on June 15. The Bill creates regulations regarding First Nations drinking water, but has no provisions for

capacity to comply with these. Advocacy will continue on this matter when Parliament reconvenes in the fall.

C-21, REPEAL OF S.67 OF THE CANADIAN HUMAN RIGHTS ACT

Section 67 restricts the ability of people living or working in communities operating under the *Indian Act* to file complaints of discrimination if the discrimination they are complaining about is related to the *Indian Act*. The fiscal hardships associated with ensuring that communities are ready for the repeal of section 67 have not been adequately addressed, especially in the critical areas of communications, infrastructure needs, education, policy review and internal human rights mechanisms.

Legislation passed by Parliament opens the doors for discrimination complaints to be made in regard to decisions made under the *Indian Act*. *An Act to amend the Canadian Human Rights Act* S.C. 2008, c. 30, came into effect on June 18, 2008. For INAC, this took effect upon the passing of the legislation in 2008, but for First Nation governments it will take effect in June 2011.

The AFN will continue to push Canada to discharge its obligations as outlined in the legislation and ensure that First Nation communities are prepared and adequately resourced upon this provision coming into effect in June 2011.

CALENDAR OF EVENTS

- FNS Meeting: September 29-October 1, 2010 (North Vancouver)
- UBCIC Special Assembly: September 14, 2010 (Vancouver)
- UBCIC Annual General Assembly: September 15-September 17, 2010 (Vancouver)
- All-Chiefs' Assembly: November dates TBD