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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.

First Nations 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.

The first day of the Forum was spent setting the context and included presentations from the Northwest Indian Fisheries Commission, the Pacific Salmon Foundation and Fraser Basin Council, the national Assembly of First Nations, and the First Nation Panel on Fisheries.

Delegates then spent the following two days in breakout and plenary sessions, developing a vision, statements of unity, principles, and action items for the Pacific fishery (specifically in the areas of: Relationships and Reconciliation; Aquatic Resource Sharing (Allocation); Safeguarding Habitat and Responding to Threats; Aquatic Resource Management; Building Solid Economic Opportunities; and Negotiations and Litigation).

A draft Action Plan has been developed based on this discussion, and was distributed to all First Nations on October 12, 2006. The FNLC will convene a follow-up session on November 30, and a joint session with DFO in mid-December, to continue this discussion. Please review this Action Plan carefully and provide feedback via the contact information to the left.

Prime Minister's Comments on the Aboriginal Economic Fishery

The First Nations Leadership Council unanimously rejected and denounced Prime Minister Stephen Harper's comments made in Vancouver affirming his position that

the Aboriginal economic fisheries are "race-based".

"To come into our traditional territories and to openly state his racist assertions is an affront to First Nations in BC and a direct challenge to the courts" declared Chief Judith Sayers.

Chief Stewart Phillip stated "Let us be clear, there are no 'race-based' fisheries – there are Aboriginal rights-based fisheries which are judicially recognized and enshrined in the Constitution. Harper is fishing for votes by once again playing the provocative race card."

"The Harper government should honour court decisions such as Kapp, Sparrow, Gladstone, Delgamuukw, and Marshall," urged Regional Chief Shawn Atleo. "The Leadership Council challenges the Prime Minister to meet with the First Nations leaders to discuss his perspective on the state of the Aboriginal fisheries."

In the most recent decision (June 2006) the BC Court of Appeal decided in R v. Kapp that allocations for commercial purposes is not discriminatory and represents a legitimate policy decision well within the authorities in the fisheries legislation. Based on these rulings, First Nation communities have been proactively working with industry and federal government officials to develop solutions for the fishery.

Regional Chief Atleo observed "There is little support from First Nations, industry, sports, and environmental groups for yet another inquiry of the Fraser River fishery. If the Harper government is truly financially accountable, rather than spend millions of dollars on another inquiry, use those funds to sustain the fishery by enhancing fisheries management, scientific research and recovery efforts of endangered runs

such as the Cultus, Early Stuart and Sakinaw Lake sockeye.”

New Relationship

The priority action item under the New Relationship is consultation and accommodation. The FNLC will be working with BC on the full and meaningful implementation of “recognition” as to the basis of consultation and accommodation between BC First Nations and governments.

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. 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 policies and practices.

Transformative Change Accord

Work is ongoing to develop the Transformative Change Accord implementation strategy, focusing on the sections: Relationships; Education; Health; Housing and Infrastructure; and Economic Opportunities. A draft strategy for review and feedback by First Nations should be available shortly. The FNLC and provincial government have committed to collaborative efforts to secure the active participation of the federal government in the implementation of this historic agreement.

Health

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 Aboriginal health made at the First Ministers Meeting in November 2005.

FNLC members will also be attending the upcoming Health Directors Forum in November. This event provides the opportunity to receive feedback from First Nations health experts 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

The term of the first New Relationship Trust Board of Directors expires in November and a process to replace several of the Directors has begun. The Board is composed of seven individuals: one each appointed by the three FNLC organizations, two appointed by the FNLC as a whole, and two appointed by BC. Upon recommendation of the New Relationship Trust Board and the FNLC, the Ministry of Aboriginal Relations and Reconciliation will be seeking government approval for the reappointment of Dawn Farrell as a director. The other provincial appointment will be made through the BC Board Resourcing and Development Office. The Notice of Position is available at www.fin.gov.bc.ca/oop/brdo/adverts.htm

and the deadline for applications is October 27, 2006.

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 will finally be considered for adoption during the current session of the UN General Assembly in New York.

Grand Chief Ed John traveled to New York on behalf of the Assembly of First Nations to work with the Indigenous Peoples’ Caucus. He stated “This is an historic document for all Indigenous People and there is tremendous support for the adoption of the Declaration. However there is a real sense of betrayal with Canada’s complete reversal of their historic leadership position of proponent to their current position of opposition. It is fully expected the Declaration will be supported by the majority of States at the United Nations.”

“Canada’s position is not substantiated or supported by international or domestic law. Canada is going against the grain as many States are providing solid support for the Declaration. It will be a momentous moment when the Human Rights of Indigenous People is recognized at the international level,” commented Regional Chief Shawn Atleo. “We strongly urge Canada to join other States and adopt the Declaration without delay.”

Chief Stewart Phillip observed, “Since the federal election, Canada’s discriminatory actions against Indigenous People at both the national and international levels have been utterly shameful and disgraceful. As a Council member of the Human Rights Council, Canada accepted the responsibility to uphold the highest standards in the promotion and protection of Human Rights. Canada, a true defender of Human Rights? We think not!”

The Declaration was adopted by the UN Human Rights Council this past June and was recommended for

adoption by the General Assembly. Canada was one of few countries to vote against the Declaration in June and is currently lobbying against the Declaration.

Bill C-292: An Act to Implement the Kelowna Accord

Following second-reading, Paul Martin's private member's bill, C-292 – *An Act to Implement the Kelowna Accord*, passed 159 -129 in the House of Commons with support from all parties except the governing Conservatives. The Bill sets out to ensure the agreements made at the First Ministers Meeting on Aboriginal issues, held in Kelowna last November, will be honoured and implemented.

Grand Chief Edward John stated, "This is an important step taken by the House to implement the \$5.1-billion commitment to the Kelowna agreement that was reached after 18 months of negotiations. The bill provides the opportunity for implementing an achievable and affordable plan aimed at bridging the socio-economic gap between First Nations and other Canadians."

"This recent vote is extremely encouraging in our efforts to find practical and sustainable solutions to eliminate the poverty and desperation of our people," commented Regional Chief Shawn Atleo. "It is imperative that we continue this momentum and encourage all parties to support this bill when it proceeds to final reading."

Chief Stewart Phillip noted, "Final approval is fundamental for demonstrating and upholding the integrity of the Crown. Implementation of the agreement recognizes that First Nations people will no longer be relegated to the margins of society."

Bill C-292 will now be presented to the all-party Aboriginal Affairs committee before returning to the House of Commons for a final vote.

National Women's Month

October is National Women's Month, with Aboriginal women as this year's

focus. To commemorate this occasion, the FNLC and BC held an event on October 17, 2006 to honour exceptional achievements of Aboriginal women. The recipients of these awards, and the honourable mentions, in each category are as follows:

Language, Culture and the Arts

- Recipient: Sophie Thomas
- Honourable Mention: Jessie Hamilton

Family and Community

- Recipient: Gertrude Guerin
- Honourable Mention: Jackie Finnie

Health, Sports and Science

- Recipient: Rose Johnston
- Honourable Mention: Rose Bartolon

Education

- Recipient: Christa Williams
- Honourable Mention: Kim Hodgson

Public Service, Business and Entrepreneurship

- Recipient: Jean Peerless
- Honourable Mention: Geri Collins

FNLC Meeting Notes

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

- FNLC priority is new approaches for recognition, consultation and accommodation
- FNLC to lobby for federal engagement
- FNLC to continue discussions on land use planning with the provincial government
- FNLC to provide input regarding the Wildlife Act review and Integrated Pest Management Guidelines
- FNLC met with Geoff Plant, Special Advisor to the Campus 2020 initiative to provide input into the needs for First Nations post-secondary education in BC
- As follow up to a resolution passed at last year's BCAFN Assembly, the FNLC is working to convene a Justice Forum in the spring of 2007
- FNLC to make a presentation to the BC Supreme Court in

- October on the Residential Schools Agreement in Principle
- FNLC to provide input regarding opportunities for First Nations through the new provincial Training Tax Credit Program
- Two video projects to be produced to improve public awareness about First Nations and the New Relationship
- FNLC to meet with provincial officials to discuss improved opportunities for First Nations economic development
- FNLC to work with BC to develop an internship program for First Nations youth
- FNLC met with Mountain Pine Beetle Working Group to discuss federal funding for the epidemic
- FNLC met with the First Nations Forestry Council to discuss workplanning and an update on progress
- FNLC met with FNEC to discuss efforts on enabling legislation for the Education Jurisdiction Agreements

Calendar of Events

November 23-24: UBCIC Chiefs' Council Meeting (Vancouver)

November 27-28: BCAFN Meeting (Vancouver Marriott Pinnacle Downtown)

November 29-30, 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

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.