UN WORKING GROUP ON INDIGENOUS POPULATIONS
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STATEMENT BY THE OBSERVER DELEGATION OF CANADA:
"REVIEW OF DEVELOPMENTS
PERTAINING TO THE PROMOTION AND PROTECTION OF HUMAN RIGHTS
AND FUNDAMENTAL FREEDOMS OF INDIGENOUS PEOPLE"

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GOVERNMENT OF CANADA
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Thank you, Madam Chairperson.

It has been an eventful year since we last appeared before the Working Group on Indigenous Populations. Canada has welcomed a new territory into our national family. We have signed an historic agreement with the Nisga'a people of British Columbia. There has also been progress achieved with our Aboriginal partners: the Indian, Inuit and Métis peoples of Canada during the first full year of Gathering Strength — Canada's Aboriginal Action Plan.

Those of you who were here last year may remember that the Government of Canada had launched in January 1998 a new plan of action with Aboriginal people entitled: Gathering Strength. At the heart of the plan was a commitment to address the needs of Aboriginal communities by building a new relationship with Aboriginal peoples — a relationship built on partnership and cooperation.

In little over a year, there have been important developments, among them:

- The establishment of a healing process for those hurt by past policies, such as the administration of residential schools;

- Significant investments in building the partnerships necessary to support strong communities, economies, and cultures; and,
• The introduction of national and regional programs aimed at strengthening Aboriginal governance, capacity building and accountability.

Let me elaborate briefly. (Copies of the Year One Progress Report are available.)

Gathering Strength began with a Statement of Reconciliation that recognized the historic contributions of Aboriginal peoples, and acknowledged the mistakes and injustices of the past. The Aboriginal Healing Foundation was established as an Aboriginal non-profit corporation to administer and manage the $350 million healing fund. In June, the Foundation announced the first set of community-based healing initiatives to address the legacy of physical and sexual abuse at residential schools. Projects for education, counseling and trauma work have received funding.

An Agenda for Action with First Nations was developed jointly with the Assembly of First Nations (AFN) and the federal government. This Agenda sets out the First Nation approach to implementing Gathering Strength at the national, regional and community levels. An Inuit Action Plan is being developed jointly with the Inuit Tapirisat of Canada (ITC) to ensure that specific Inuit priorities are part of the decision-making process. Funding has been provided to two national Métis and off-reserve organizations, the Métis National Council (MNC) and the Congress of Aboriginal Peoples (CAP), for follow-up consultations on Gathering Strength. New
regional agendas have been signed between Aboriginal organizations and Indian and Northern Affairs Canada (INAC) in different parts of Canada.

Partnerships to support strong communities, people and economies are taking many forms:

- The AFN-Canada Joint Think Tank on Partnership, which was held in Quebec in February, brought together National and Regional Chiefs, representatives from community and regional organizations, and executives from many federal government departments to advance the mutual goals of strong communities and strong economies. A Joint Unit for Partnership Development has been established to encourage partnership planning.

- Regional economic collaboration mechanisms, such as the Ontario Economic Renewal Forum and the Corporate Circle in Saskatchewan, are providing the means to involve the private sector and various levels of government in Aboriginal economic development opportunities.

- INAC and the AFN are jointly supporting 146 education reform projects. For example, the Mi'kmaw Kina’matnewey and Nova Scotia are among the partners in Aboriginal studies and language curricula for use in First Nations and provincial schools. Special needs education is the focus of work in Quebec and
British Columbia. An Education Centre for Excellence is being established in Manitoba.

- A national Policy Coordinating Group, including the AFN and several federal departments, is developing a framework for welfare reforms. Over 145 communities are participating in welfare demonstration projects.

- The Urban Aboriginal Strategy, announced in 1998, includes several federal initiatives for employment and training, youth and justice. Recently, a Memorandum of Understanding was signed by Canada and the Province of Manitoba on an Urban Aboriginal Strategy for the city of Winnipeg. In addition, round table discussions on the urban Aboriginal issue were held in Winnipeg and Regina, which brought together representatives of governments, Aboriginal peoples and the private sector. Future round table discussions in other major Canadian cities are now in the planning stages.

- In February, the federal government announced substantial investments in Aboriginal health issues, including funding for a First Nations and Inuit community home care program and improvements to the First Nations and Inuit Health Information System to allow for better tracking of health outcomes. Additional funding has been provided for an Aboriginal Health Institute, which will permit the development of greater expertise regarding health problems facing First Nations people both on and off reserve, Inuit and Métis. An
Aboriginal Diabetes Strategy is currently under development. The Canadian Prenatal Nutrition Program and related activities to deal with fetal alcohol syndrome have been expanded.

In April 1998, the Province of Quebec released its guidelines concerning Aboriginal affairs. Entitled *Partnership, Development, Achievement*, these guidelines include a broad range of measures with the objective of attaining concrete actions to promote economic development and job creation, to increase the financial self-sufficiency of Aboriginal people, to create a political forum for discussion between the government and Aboriginal chiefs, and to put in place a fund for Aboriginal economic development. The approach also proposes that relations between the government and Aboriginal communities be based on reaching framework and sectoral agreements.

Since then, the Province of Quebec has allocated $125 million to an economic and community development fund to carry out concrete economic development projects within Aboriginal communities. Discussions were also held with all the chiefs of the Aboriginal nations in order to establish a political forum. Quebec has, as well, concluded over 30 framework and sectoral agreements with nine of the eleven Aboriginal nations of Quebec in various fields such as forestry, fiscal matters, transport and wildlife.
It is in this spirit that on October 15, 1998 the Province of Quebec signed a framework agreement and the Statement of Understanding and Mutual Respect with the Mohawk Council of Kahnawake. These agreements provide for the terms of reference of different sectoral agreements to be concluded. On March 30 of this year, ten agreements in various sectors were signed, two of which are innovative fiscal agreements as well as other agreements regarding: administration of justice; combat sports; liquor permits; transport; child care; registration of births, marriages and deaths; police services; and economic development.

Madam Chairperson,

Strengthening Aboriginal governance involves supporting responsible governments so that they can meet the needs of their citizens and develop appropriate solutions for the challenges faced by their communities. It is about placing control in local hands, so that programs and policies meet the needs of the community.

More than 80 self-government agreements are under negotiation across Canada in line with the policy of the inherent right to self-government, which has been described at the Working Group in past years. Agreements-in-principle were reached with Westbank in British Columbia and the United Anishnaabeg Councils in Ontario. In June, the negotiators for Canada, the Labrador Inuit Association and the Province of Newfoundland initialed an Agreement-in-Principle to settle the Labrador Inuit land claim and to establish Inuit self-government. A Declaration of
Intent was reached recently with Treaty 8 in Alberta to begin a treaty and self-government process. Further, the Government of Canada is involved in tripartite self-government negotiations with Métis and off-reserve Aboriginal groups as well as with the provincial governments. There are nine processes currently active, including in the western provinces where the majority of Métis and off-reserve Aboriginal people reside.

In our report to the Working Group last year, we spoke about the Nisga’a Final Agreement. This is the first modern-day treaty to be concluded in British Columbia, and the first to cover a land claim and self-government agreement in a single package. It was initialed on August 4, 1998 by all parties. And more recently, Canada signed the Nisga’a Final Agreement with the Nisga’a people and the Province of British Columbia. Federal legislation to ratify the agreement will be introduced soon. We will talk more about Nisga’a when we address the subject of indigenous people and lands.

On April 1, 1999, we witnessed one of the most exciting events to happen in our nation for many years. That day marked the birth of Nunavut, Canada’s new, third territory. Mr. John Amagoalik, who was Chief Commissioner of the Nunavut Implementation Commission and who is referred to as the "Father of Nunavut", spoke on Monday afternoon about the creation of Nunavut.
Nunavut allows us to see how Canada is willing to change the way it governs in order to reflect the values and traditions of Aboriginal peoples. It demonstrates how respect for diversity is an essential and enduring aspect of our country’s nation-building process. In our statement on indigenous peoples and lands, we will be talking more about Nunavut, joint initiatives with the AFN on land management, the passage of the *First Nations Land Management Act* and related initiatives.

Madam Chairperson, I would like to mention briefly some other developments.

Canadian courts have played an important role in developing our approaches to and understandings of Aboriginal issues. In May 1999, the Supreme Court of Canada in the *Corbiere* case ruled that a provision of the *Indian Act* restricting voting in band elections to people who are "ordinarily resident on the reserve" was contrary to the *Canadian Charter of Rights and Freedoms*. This ruling has important implications for band membership, governance and elections. Consultations will be held in the coming months on the potential statutory, policy and operational implications of the Supreme Court’s decision.

As part of our active membership on the Arctic Council, Canada hosted the first Arctic Council Ministerial Meeting at Iqaluit in September 1998. The Ministerial Declaration signed at the Meeting provides direction for the Arctic Council into the new millennium. Work on sustainable development is being advanced as an
integrated, overall framework for the work of the Arctic Council. Canada is leading the initiative on *The Future of Children and Youth of the Arctic*.

The participation of indigenous organizations in the circumpolar community as Permanent Participants at the Arctic Council has been a key to its success. The Inuit Circumpolar Conference (ICC) has been particularly helpful in advancing projects on sustainable development, including measures for effective control of persistent organic and other pollutants. I would like to note the major role of the ICC in the provision of Canadian humanitarian aid to Chukotka, Russia at the beginning of the year. The cooperation between ICC and the Russian Association of Indigenous Peoples of the North was a significant part of the success of this exercise and demonstrated how well northern Aboriginal organizations can work together to help each other.

There have been growing contacts between governments and Aboriginal organizations - in Canada and in other countries. For example, there have been stronger links between Canadian and Mexican Aboriginal groups and governments, demonstrated by the signature of a Declaration of Intent between INAC and Mexico's National Indigenous Institute (INI). As well, business contacts and trade missions between Aboriginal organizations and businesses are increasing. Canada and New Zealand co-sponsored the "Indigenous Women in Export Seminar" at Wellington, New Zealand in June 1999. This event brought together 70 indigenous
businesswomen from APEC countries to share best practices, establish trade contacts and prepare recommendations for APEC ministers of trade.

Canada has worked in partnership with Aboriginal organizations to develop further the discussion of issues related to intellectual property. For example, the World Intellectual Property Organization (WIPO) undertook a fact-finding mission to Canada in November 1998 that met with representatives of Aboriginal groups and governments across Canada. More recently, the Indigenous Women of the Americas (IWA) organized a four-day workshop in Ottawa during which indigenous women from over twenty countries participated in discussions on intellectual property rights and indigenous art designs.

In May of this year, Canada ratified the Agreement on International Humane Trapping Standards between Canada and the European Union. This Agreement not only protects the major international market for Canada's 50,000 Aboriginal fur trappers, but also establishes the world's first technical standard for measuring the humaneness of traps.

Canada has again been ranked as number one on the United Nations Development Program's Human Development Index. When similar measures are applied to Aboriginal groups in Canada, however, their ranking is substantially lower. Changes are required to narrow these gaps. Our greatest challenge is to ensure that Aboriginal people can take their rightful share in the opportunities available for all Canadians.
In conclusion, Madam Chairperson, Canada is focusing on partnership and structural reform as key elements in improving the quality of life for Aboriginal peoples through stable and accountable governments, strong and healthy communities, and active and growing economies. These partnerships must, in our view, be inclusive. I have mentioned numerous examples - and more will be mentioned in our intervention on the issue of lands - of the federal, provincial, territorial and Aboriginal partners working together. We are also seeing increased interest by the private and voluntary sector in joining these partnerships. It is in all of our collective interests to confront the issues facing our Aboriginal people. An effective solution will require a true collective effort.

Thank you.