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**UNITED NATIONS WORKING GROUP
ON INDIGENOUS POPULATIONS
NINETEENTH SESSION, JULY 23 - 27, 2001**

**STATEMENT BY THE OBSERVER DELEGATION OF CANADA:
ON THEME OF "RECENT DEVELOPMENTS"**

**DELIVERED BY JOHN SINCLAIR
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GOVERNMENT OF CANADA
GENEVA, JULY 25, 2001**

**DES NATIONS UNIES GROUPE DE TRAVAIL SUR LES POPULATIONS
AUTOCHTONES
DIX-NEUVIEME SESSION, 23 - 27, JUILLET 2001**

**ALLOCUTION DE LA DÉLÉGATION OBSERVATRICE DU CANADA
SUR LE THÈME DES PROGRÈS RÉCENTS**

**ALLOCUTION DE LA DELEGATION D'OBSERVATEURS DU CANADA
PRONONCÉE PAR JOHN SINCLAIR
SOUS-MINISTRE ADJOINT SENIOR
GENÈVE, LE 25 JUILLET 2001**

Thank you. I am pleased to join you again this year at the nineteenth session of the United Nations Working Group on Indigenous Populations (WGIP).

The following words, taken from the January 2001 Government of Canada's Speech from the Throne captures the government's commitment to Aboriginal people.

"Nowhere is the creation and sharing of opportunity more important than for Aboriginal people. Too many continue to live in poverty, without the tools they need to build a better future for themselves or their communities...

The Government is committed to strengthening its relationship with Aboriginal people. It will support First Nations communities in strengthening governance, including implementing more effective and transparent administrative practices. And it will work to ensure that basic needs are met for jobs, health, education, housing and infrastructure. This commitment will be reflected in all the Government's priorities."

Aboriginal people seek a quality of life that other Canadians take for granted. In the past I've spoken to you about the complex environment in which we address Aboriginal issues in Canada. We know that the Aboriginal population is experiencing a baby boom and that there are unresolved grievances rooted in the past dealing with residential schools, land claims and the treaty relationship. We sadly acknowledge that Aboriginal people are more likely to be recipients of social welfare, to be unemployed, to be incarcerated, to live in poverty, to face increased health risks and to commit suicide than other people in Canada.

We have spoken in the past about the legacy of physical and sexual abuse at residential schools which Canada has been trying to address in a number of ways. Last month the Prime Minister announced the creation of the Office of Indian Residential Schools Resolution of Canada. This Office, which reports directly to the Deputy Prime Minister, will focus federal efforts and coordinate negotiations between the Government of Canada and major church organizations concerning their shared responsibilities for these claims. It will also examine how to resolve claims in or outside the court system and implement the government's wider objectives of healing and reconciliation.

While acknowledging these historical challenges, the future is getting brighter. First Nations are exercising more control over programs and services. Social conditions are improving on reserves and education levels are rising. Aboriginal labour force participation is high and there has been a record level of growth in Aboriginal entrepreneurship.

The key to these incremental advancements lies in ensuring that people have the tools and the capacity to determine their futures. We have success stories which are detailed in this speech. The common thread linking these initiatives is ensuring a solid

governance base so that individuals and groups can seize the opportunities best suited to creating First Nation economies and improving the quality of life in their communities.

For many years, Canada has been engaged in negotiations of land claims and self-government arrangements with Aboriginal groups. While Canada's statement on the right to development discussed some of these arrangements, I would like to mention some progress made in the past year.

For years we have been working with the Mohawks of Kanesatake to address issues arising out of a watershed incident in the summer of 1990, Oka, Quebec. Last year, I spoke of the initialling of an agreement on land governance between the affected parties. The years of negotiation have now paid off. On June 15, 2001, the *Kanesatake Interim Land Base Governance Act* became Canadian law. This legislation establishes the constitutional status of Kanesatake lands as well as the clear legal authority for Kanesatake to manage the use and development of those lands. In addition, this *Act* sets out a framework through which Kanesatake and the Municipality of Oka can pursue a constructive dialogue on harmonization and ensure a complementary legal regime in those areas where Mohawks and non-Mohawks live side-by-side.

Years of hard work are also paying dividends in Atlantic Canada. After many years of negotiations, the *Labrador Inuit Land Claims Agreement-in-Principle (AIP)* was signed on June 25, 2001 by representatives of the Labrador Inuit Association, and the governments of Newfoundland and Labrador and Canada. We are now one step away from a Final Agreement on land claims and self-government, the first in Atlantic Canada. Such an agreement will provide Inuit with greater control over land, services, education and health, and provide more tools to operate an effective and accountable government. A final agreement will also facilitate economic development in Labrador – an area rich in renewable and non-renewable resources – by removing uncertainty regarding title to lands and resources. At the same time, a Final Agreement will help to ensure that the benefits of economic development are shared fairly between Aboriginal and non-Aboriginal people in Labrador. Self-government is a means to improve quality of life and build a better future.

In terms of Canada's commitment to negotiating modern treaties in British Columbia, Canada's western most province, further progress has been made since the signing of the Nisga'a Treaty. Two Agreements-in-Principle (AIPs) for comprehensive land claims and self-government arrangements in principal were initialled since last year. Because of these AIPs, the Sliammon First Nation and Nuuchahnulth Tribal Council are both moving toward final settlements with Canada and the province of British Columbia. The recently elected government in British Columbia is undertaking a comprehensive review of that province's approach to land claims and treaty negotiation processes. We are encouraged to learn that the Government of British Columbia is prepared to continue

negotiating and we look forward to working in partnership with them to negotiate affordable, workable treaties with First Nations.

A number of Aboriginal communities across Canada are initiating innovative approaches to governance. While some have yet to negotiate full self-government agreements, they are assuming responsibility for a range of jurisdictions, that would otherwise be held by other levels of government such as education, child and family services, policing and administration of justice. In addition, self-government agreements in the context of public government are emerging in some areas. Some noteworthy developments include:

- the Nunavik Commission, a tripartite body which was described last year, tabled its final report in March, 2001. *Amiqqaaluta - Let Us Share - Mapping the Road Toward a Government for Nunavik* examines a form of public government for Inuit and non-Inuit in northern Quebec, including the creation of a Nunavik Assembly. The recommendations, if accepted, would lead to an evolution of structures established under the *James Bay and Northern Quebec Agreement* of 1975.
- Canada/Kahnawake Relations has produced, for community consultations, a draft Umbrella Agreement and four draft AIPs dealing with lands, education, culture and language, membership, and police services. The Umbrella Agreement envisages the progressive take-up of jurisdictions in 23 other subject matters.
- Canada, Manitoba and the Sioux Valley Dakota Nation signed an AIP in March 2001, which recognizes a wide range of jurisdictions for Sioux Valley and provides for future delegation of certain jurisdictions to large regional level governments or organizations.
- an AIP was signed by Canada, Saskatchewan and the Meadow Lake First Nations which provides for a First Nations level of government and for a Meadow Lake Tribal Council level of government with certain coordinating roles and functions.
- Canada, the Government of the Northwest Territories (GNWT) and Aboriginal groups have established an Intergovernmental Forum to discuss territory-wide issues, such as economic development and the devolution of provincial-type responsibilities over lands and resources, including resource revenue sharing, consistent with land claims and the implementation of Aboriginal self-government in the NWT.

The progress to date is encouraging. Nisga'a, Nunavut, LIA, Meadow Lake Tribal council all speak to the success and possibilities of self-government. However, for many First Nations this type of self government is still some time away. Canada has grappled with how to address governance concerns in the here and now for those First

Nations still operating under the *Indian Act*. It is with this in mind that the *Communities First: First Nations Governance* initiative was launched on April 30, 2001.

For many years it has been acknowledged that the *Indian Act* is archaic legislation. It lacks provisions for matrimonial real property rights, accountability to community members, or even the fundamental issue of legal standing of a First Nations community. Of course, these are just a few issues that have been brought to our attention by First Nations individuals themselves. The First Nations Governance initiative is unique in that it attempts to consult directly with those affected – First Nation individuals – to find out what they want their local government to look like and how it will best be accountable to them.

The Minister of Indian Affairs and Northern Development has said that he would like a change in authority to shift the primary relationship between the Government of Canada and the Chief and Council to one between First Nations governments and First Nation members. This is a fundamental change which would better reflect the capabilities of First Nations operating under the *Indian Act* to create long-term stability and foster economic agendas designed by, and with, local interests. Consultations with First Nations, the first stage of this initiative, began in May of this year. The entire process of consultations, drafting and passage of legislation and regulations is expected to take two to three years.

Whether we are talking about self-government – examples of which I have just provided – public government such as that created by the Inuit of our northern territory of Nunavut or the *Communities First* initiative, the goal is to build a better quality of life in Aboriginal communities. Tackling governance issues helps to ensure that the foundations are strong. To do this, the Government has an integrated set of priorities which is building the human capital, infrastructure and governance capacity needed to support economic investments and development.

In recent years, we have come to realize that a balanced, integrated approach is needed to move forward. For example, strong governance capacities and institutions are a necessary pre-requisite for sustainable economic growth. Resolving land claims can provide for greater participation in broader territorial and national decision-making processes. Addressing relationship issues and quality of life issues in tandem provides a greater chance of success. Engaging provinces and territories along with the private sector is increasingly important to success. I would like to point to some examples.

Federal, provincial and territorial Ministers responsible for Aboriginal affairs and the leaders of the five national Aboriginal organizations met together in May 2001. They endorsed a report, *Strengthening Aboriginal Participation in the Economy*, which reviewed the challenges and barriers to Aboriginal involvement in the economy. In particular, it outlined opportunities for federal, provincial and territorial governments, Aboriginal communities, institutions and governments, and the need for private sector

involvement. All parties agreed to the recommendations for adoption of the Report, including connectivity, engaging the private sector, the development of partnerships, the continued sharing of information and best practices, and the focus on youth and women. More specifically, ministers and leaders directed officials to move forward on the immediate initiatives outlined in the report that respect the regional, political and cultural diversity, while fostering equal opportunity for all Aboriginal people.

In Canada's North, oil and gas, along with pipeline development, represent some of the greatest opportunities for resource development. In the Northwest Territories, where pipeline proposals are being actively discussed, most of the Aboriginal groups potentially affected by a pipeline have a direct say in resource management and environmental issues through settled land claims. Things like ownership of subsurface mineral rights, a share of royalty revenues, and the capital needed to be active players allow for the full participation of Aboriginal people in the development of energy resources in the Northwest Territories.

The Government of Canada is committed to the environmentally sound, sustainable development of northern energy resources and sees this as a great opportunity for Aboriginal participation in the economy. Not only jobs and royalties, but also capacity building through training and skills development will lead to self-sufficient Aboriginal communities in Canada's North.

Further details, along with the regional partnering approach to address the skilled workforce requirements in economic sectors in certain provinces and regions, were discussed in our statement on *Indigenous Peoples and Their Right to Development, including their Right to Participate in Development Affecting Them*.

While undertaking the activities I have described to you to this point, our government continues to deliver on *Gathering Strength: Canada's Aboriginal Action Plan* the Government of Canada's 1998 response to the *Royal Commission on Aboriginal Peoples*.

For example, the Aboriginal Human Resources Development Strategy (AHRDS) began in April 1999 as a five-year, \$1.6 billion commitment to expand the employment opportunities of Aboriginal people across Canada. Under the strategy, Aboriginal organizations are given the tools to design and deliver employment programs and services best suited to meet the unique needs of their communities. The strategy provides enhanced child care in First Nations and Inuit communities and addresses the special needs of Aboriginal people living in urban areas, youth and persons with disabilities. With this strategy, the Government of Canada is working with Aboriginal people to help increase their self-sufficiency, find long-term employment and build stronger communities.

Ground-breaking work has been done under the federal government's Urban Aboriginal Strategy, which endeavours to bring a sharper focus across government to the critical social and economic conditions facing some Aboriginal people in urban centres. In addition to this, the federal government is providing \$59 million over a four-year period under its Homelessness initiative to enable locally based community initiatives that better target the needs of Aboriginal people.

The Federal Interlocutor for Métis and Non-Status Indians has provided the Métis National Council with funding for the development of its *Métis Nation Agenda*. A two-pronged process is being initiated to make real progress in the short term on practical matters, and, over the longer term, to explore the concepts and aspirations of Métis on other more fundamental matters contained in the *Métis Nation Agenda*.

The Aboriginal Languages Initiative provides funding over several years to support the revitalization and maintenance of Aboriginal languages by increasing the number of speakers, expanding the areas in which Aboriginal languages are spoken in communities and facilitating intergenerational transmission of languages. Earlier this year, the Minister of Canadian Heritage announced the extension of funding for the production of television programming in Aboriginal languages. More recently, she announced support for projects on Aboriginal culture related to museums and tourism.

In previous statements, Canada has talked about innovations to address Aboriginal health problems, such as the Organization for the Advancement of Aboriginal Peoples' Health and the *Aboriginal Diabetes Initiative*. The need to reduce the incidence of fetal alcohol syndrome has been recognized with the expansion of several provincial programs and the commitment in the recent Speech from the Throne to significantly reduce the incidence of fetal alcohol syndrome in the Aboriginal population by the end of this decade.

Canada is one of the most connected countries in the world. Programs such as First Nations SchoolNet and the Community Access Program have played an important role in closing the digital divide, particularly in rural, remote, Northern and Aboriginal communities. A recent report by the National Broadband Task Force sees linking these communities to national broadband networks as a priority.

Elsewhere on the technology front, National Aboriginal organizations and the Government of Canada have worked together to create a unique internet gateway to information for and about Aboriginal people in Canada – the Aboriginal Canada Portal. Those interested in this initiative can refer to materials at the back of this room or log on to www.aboriginalcanada.gc.ca. The portal was launched in March 2001 at the Indigenous Peoples Summit of the Americas. This conference was organized by Aboriginal organizations with federal and private sector support and brought together many Aboriginal leaders and prominent Canadian and international figures both in person in Ottawa or linked from Geneva.

As many of you know, in April 2001 Canada hosted the Summit of the Americas in Quebec City. Indigenous issues were raised throughout the Summit documents, including the Declaration, the Plan of Action and the paper on Connectivity. As part of the follow-up to the Summit of the Americas, Canada has established an Institute for Connectivity in the Americas and consultations are on-going for a proposed Indigenous Peoples Partnership Program (IPPP).

On the environmental front, in May, Canada signed and was the first country to ratify the *Stockholm Convention on Persistent Organic Pollutants (POPs)*. For the past decade, the Government of Canada, the territorial governments and Aboriginal partners have worked under the Northern Contaminants Program to understand how contaminants, such as POPs from around the world find their way into northern traditional diets. The *Convention* clearly acknowledges the particular needs of Arctic Indigenous communities and the health of future generations.

In the preparations for the United Nations Special Session on Children and Youth in September, Canada has both involved young individuals and stressed the need for consideration of issues pertaining to Aboriginal children and youth. In September 2000, Canada hosted the International Conference on War-Affected Children. Information assessing the role played by children at that conference and other follow-up will be available at the back of the room. We intend to talk later in this session under the agenda item on the World Conference Against Racism (WCAR).

Finally, Canada is looking ahead to the Earth Summit 2002 for the opportunity to reflect Aboriginal views and the report on the progress made since the Earth Summit ten years on a range of sustainable development issues, including traditional knowledge, environmental decision-making, and co-management of the resources in regions such as the Arctic.

In closing, it is clear that resolving Aboriginal issues in Canada is a long journey but it is crucial to the success of our country and, more importantly, the improvement of the quality of life for Aboriginal people. With this in mind, our government encouraged all Canadians to rally behind this agenda for action. Reading again from the Speech from the Throne:

"As a country, we must be direct about the magnitude of the challenge and ambitious in our commitment to tackle the most pressing problems facing Aboriginal people. Reaching our objectives will take time, but we must not be deterred by the length of the journey or the obstacles which we may encounter along the way."

Thank you.