

THE NEW RELATIONSHIP

Progress report

This is the first New Relationship Progress Report issued jointly by the First Nations Leadership Council and the provincial government. Throughout the coming year, you can expect to see quarterly reports that will chart the course of progress.

Building a Road to a New Relationship

“Let us face it, we are all here to stay”

Justice Lamer, The Supreme Court of Canada, *Delgamuukw vs. British Columbia and Canada*, December 11, 1997

In November 2004, the Supreme Court of Canada delivered two significant rulings in the *Haida* and *Taku River Tlingit* cases. These judgments made it clear that governments have an obligation to consult with First Nations when decisions related to Crown land may impact Aboriginal rights and title.

These decisions echoed earlier judgments, including the landmark *Delgamuukw* case, in which the courts instructed governments and First Nations to reconcile these matters through negotiation, not litigation. Reconciliation involves building a positive, enduring relationship based on trust and mutual respect.



Premier Campbell, Minister Christensen and provincial government officials meet with the First Nations Leadership Council. Pictured back row left to right; Grand Chief Doug Kelly, FNS Political Executive, Lorne Brownsey, Deputy Minister, Ministry of Aboriginal Relations and Reconciliation, Chief Mike Retasket, UBCIC Executive, Chief Robert Shintah, UBCIC Executive, Premier Gordon Campbell, Dave Porter, FNS Political Executive, Tom Christensen, Minister of Aboriginal Relations and Reconciliation, Don Bain, Executive Director, UBCIC. Front row left to right; Jessica McDonald, Deputy Minister to the Premier, Grand Chief Edward John, FNS Political Executive, Chief Stewart Phillip, President, UBCIC, A-in-chut (Shawn Atleo), Regional Chief, BC AFN, Stacey Edzerza-Fox, Legal Counsel, FNS, Allen Edzerza, Special Advisor to the Premier.

In this spirit, in March 2005, senior provincial government officials and leaders from the First Nations Summit, Union of BC Indian

Chiefs, and BC Assembly of First Nations talked about how government is going to fulfill its obligation to consult and address

First Nations interests. Together, they drafted a vision for the New Relationship.

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A Vision Guides the New Relationship



Tom Christensen and Chief Stewart Phillip share a light moment while discussing the New Relationship on Voice of BC

“The Province and Aboriginal leaders are taking bold steps to address failures of the past through a New Relationship,” said Tom Christensen, Minister for Aboriginal Relations and Reconciliation. *“This relationship is guided by principles of trust, and by recognition and respect of Aboriginal rights and title.”*

Work under the New Relationship will include:

- > Establishing joint processes and institutions for shared decision-making about the lands and resources and for revenue and benefit sharing;
- > Closing the gap in quality of life between First Nations and British Columbians;
- > Creating a monitoring and evaluation process to measure the achievement of the New Relationship vision.

“The significant achievement that we have amongst First Nations here today is that for the first time in many, many, many years all First Nations in British Columbia are working together in an alliance — the Union of B.C. Chiefs, the First Nations Summit Chiefs, the BC Assembly of First Nations — so that we are working for a common and collective purpose, and that’s for the well-being for our people in our respective communities.”

Grand Chief Edward John, Special Chiefs Assembly May 2005

The First Nations Leadership Council: Putting the Vision into Action

The First Nations Leadership Council is comprised of the political executives of the First Nations Summit, the Union of BC Indian Chiefs and the BC Assembly of First Nations, and was created through a *Leadership Accord* signed on

March 25, 2005. The Council works together to 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.

Current members of the First Nations Leadership Council are: Regional Chief Shawn Atleo, of the BC Assembly of First Nations; Chief Stewart Phillip, Chief

Robert Shintah and Chief Mike Retasket of the Union of BC Indian Chiefs; and Grand Chief Doug Kelly, Dave Porter, and Grand Chief Edward John of the First Nations Summit.

First Ministers Meeting Takes the New Relationship to the National Stage

In November 2005, the Prime Minister, Premiers, Territorial leaders and leaders of the five national Aboriginal organizations attended a First Ministers’ Meeting on Aboriginal Issues (FMM) in Kelowna.

This gathering was the first in more than a decade between First Ministers and national Aboriginal Leaders.

The Prime Minister invited Premiers, Territorial Leaders and Leaders of the Assembly of First Nations, the Inuit Tapiriit Kanatami, the Métis National Council, the Native Women’s Association of Canada and the Congress

“Let us not take timid and tentative steps. Let us take bold and decisive actions to bridge the gaps that have left Aboriginal people behind for far too long. Let us seize this promising moment in our history to claim the full promise of Canada for all Canadians, Aboriginal and non-Aboriginal alike.”

Premier Gordon Campbell, addressing the First Ministers’ Meeting, November 2005.

of Aboriginal Peoples to participate.

Premier Gordon Campbell and the Westbank First Nation hosted the meeting.

In October and November 2005, Premier Campbell travelled across Canada and met with the Prime Minister, provincial Premiers, Territorial Leaders and leaders of the five National

Aboriginal Organizations to seek support and cooperation in advance of the meeting.

The main outcome of the FMM was an agreement by the participants to focus on making improvements in the lives of Aboriginal people across Canada in the areas of health, education, housing and infrastructure,

economic opportunities, and relationships and accountability. More than \$5 billion was committed to these efforts.

The Premier committed to annual meetings to take stock of the progress made in achieving the goals and objectives.

Transformative Change Accord

Another major outcome of the First Ministers’ Meeting in Kelowna in November was the signing of the *Transformative Change Accord* by representatives of the Government of British Columbia, First Nations and the Government of Canada.

The purpose of the Accord is to bring together the Government of British Columbia, First Nations and the Government of Canada to achieve the goals of closing the social and economic gap between First Nations and other British Columbians over the next 10 years, of

reconciling Aboriginal rights and title with those of the Crown, and of establishing a New Relationship based on mutual respect and recognition. The Accord was designed to build on, and complement, both the New Relationship and the *First Nations-Federal Crown Accord on the Recognition and Implementation of First Nations Governments*.

A detailed implementation strategy to achieve the goals of the *Transformative Change Accord* is in development, and will be completed by December 2006.

Creation of \$100 Million Trust

Provincial legislation has been passed (the *New Relationship Trust Act*) to create the New Relationship Trust Corporation. On March 31, 2006, the Province committed \$100 million to the Trust Corporation. Government and First Nations worked jointly to finalize the legislation for the Trust, incorporating advice from First Nations, industry, local government and others. The legislation sets out the general principles and purpose, board structure, and accountabilities of the Corporation.

This Trust is intended to assist First Nations communities to enhance their capacity to participate in the processes and activities that arise from the *New*

Relationship within B.C., through effective partnerships in land and resource consultations, advanced training and skill development, and improved social and economic well-being.

The Trust has been established as a corporation outside of government. It will have a strategic plan with measurable outcomes that will be informed by First Nations and others. It will produce annual reports, audited financial statements, and progress reports available to First Nations and the public.

On April 4, 2006, the provincial government appointed seven people to the board of the new Relationship Trust. The seven appointees are: A-in-chut (Shawn Atleo),



Premier Gordon Campbell and Aboriginal Relations and Reconciliation Minister Tom Christensen welcomed (left to right) Dave Porter of the First Nations Summit, Chief Stewart Phillip, President of the Union of BC Indian Chiefs, and Grand Chief Edward John of the First Nations Summit to the legislature for the introduction of legislation establishing the New Relationship Trust.

Regional Chief, BC AFN; Dawn Farrell, Executive Vice-President, BC Hydro; Donald Hayes, President, Hayes Forest Services Limited; Chief Nathan Matthew, Simpcw First

Nation; Chief Stewart Phillip, President, UBCIC; Dave Porter, Political Executive, First Nations Summit; Kathryn Teneese, Chief Negotiator, Ktunaxa Nation.

Revisions to Forest and Range Agreements

Forest and Range Agreements provide revenue-sharing and access to timber volume to First Nations. Making changes to these agreements — changes that better meet the government's obligation to consult and accommodate First Nations — is a high priority under the New Relationship. A revised template agreement for Forest and Range Opportunities has been developed, and final issues are being addressed.

New Relationship TIMELINE

March 17, 2005:
Leadership Accord creating the First Nations Leadership Council - an ongoing working relationship between the member organizations for the benefit of all First Nations in B.C.

March 2005:
Joint First Nation-B.C. meetings lead to the development of the *New Relationship* document.

April 15, 2005:
Union of BC Indian Chiefs Resolution #2005-01 supporting the further development and implementation of the *New Relationship* document.

May 20, 2005:
Resolution of the Special Joint Assembly of First Nations Chiefs in British Columbia supporting the further development and implementation of the *New Relationship* document.

Speech from the Throne 2006

“The New Relationship your government hopes to build is a true partnership of opportunity. It obliges us to build on Canada’s First Nations heritage as a critical advantage in nation-building. It obliges us to forge a New Relationship based on mutual respect, recognition, and Aboriginals’ constitutional rights. British Columbia is determined to lead Canada and walk the path together to lasting reconciliation.”

Speech from the Throne, February 14, 2006

The Speech from the Throne outlined the direction of the provincial government for this year, focusing on improving the quality of life for all British Columbians. It identified a number of priorities, including:

- > regionalization of Aboriginal child and family service delivery,
- > modernization of provincial curriculum to give students a better understanding of Aboriginal heritage and culture,
- > creation of new incentives to help Aboriginal students complete high school,

- > establishment of an Aboriginal internship program to provide learning opportunities in the public service,
- > recruiting of qualified Aboriginal people in the public sector,
- > providing new options for housing.

The Speech also described new courts for communities and First Nations, stating that the provincial government will work with Aboriginal leaders to examine the potential for correctional facilities that better meet Aboriginal cultural needs.



Provincial Budget Highlights

On February 21, 2006, the Hon. Carole Taylor, Minister of Finance, delivered the government’s budget.

Highlights include:

- > \$100 million to enhance the child protection system,
- > \$31 million in additional support to implement five regional Aboriginal child and family development service authorities,
- > \$17 million for computer training and to create computer access centres in First Nations communities,
- > \$30 million to support coastal First Nations conservation and economic development opportunities.

June 17, 2005:
First Nations Summit Resolution #0605.02 supporting the further development and implementation of the *New Relationship* document.

June 17, 2005:
Creation of the provincial Ministry of Aboriginal Relations and Reconciliation.

September 12, 2005:
Speech from the Throne highlights B.C.’s commitment to a New Relationship based on mutual respect and recognition.

September 14, 2005:
Provincial Budget Update announcement of a new \$100 million First Nations New Relationship Trust Fund.

Message from the Provincial Government

It is my pleasure and privilege to serve as the Minister of Aboriginal Relations and Reconciliation, particularly at a time when we are breaking ground on such a promising and profound New Relationship. The ministry brings into focus the new relationships that we are building for British Columbia.

Our overall goal is to ensure that First Nations people in your communities share in the economic and social development of this province, in line with the five great goals that we have set for British Columbia.

It is our hope that the New Relationship will result in consultation and accommodation arrangements on lands and resources that work for the benefit of First Nations and all British Columbians. It will also result in social programs that are designed to meet the needs of Aboriginal people.

The true measure of the success of this initiative will be a shift of the cultural reality of the province so the contributions of First Nations are fully recognized and valued. Clearly, this is an historic opportunity for all British Columbians, Aboriginal and non-Aboriginal.

Tom Christensen,
**Minister of Aboriginal Relations
and Reconciliation**

Message from the First Nations Leadership Council

We are honoured to represent BC First Nations, and carry out the mandate that they have given us – to work to effect changes in government policy that will benefit all First Nations in British Columbia, including moving forward in developing and implementing the New Relationship.

There have been significant changes in the past year for the political climate of B.C. First Nations. The formation of the First Nations Leadership Council signalled a new era of unity and cooperation between all B.C. First Nations; and the New Relationship document illustrates a mutual First Nations-B.C. commitment to achieve strong governments, social justice and economic self-sufficiency for First Nations.

We agree with Minister Christensen that one true measure of the success of this initiative will be a shift in the cultural reality of the province, to a cultural reality that recognizes the title and rights of B.C. First Nations, and the need for government-to-government relationships between First Nations and other governments. Another measure of success will be a shift in the social reality of the province, and eventually closing the gap in quality of life and socio-economic indicators between First Nations and other British Columbians.

We look forward to continuing to build a New Relationship, with the province of British Columbia, and with all British Columbians.

First Nations Leadership Council

BC Assembly of First Nations

A-in-chut, Shawn Atleo,
BC Regional Chief

First Nations Summit

Grand Chief Edward John,
FNS Political Executive
Grand Chief Doug Kelly,
FNS Political Executive
Dave Porter, FNS Political Executive

Union of BC Indian Chiefs

Chief Stewart Phillip, *President*
Chief Robert Shintah, *Vice President*
Chief Mike Retasket,
Secretary Treasurer

New Relationship TIMELINE (cont'd)

September 19-20, 2005: Development of the BC First Nations Mountain Pine Beetle Action Plan and creation of the BC First Nations Interim Mountain Pine Beetle Working Group (Chief David Walkem, Chief Lynda Price and Chief Leonard Thomas).

October 19, 2005: BC Assembly of First Nations resolution # 18/2005 setting out principles for the terms of reference for the New Relationship Fund.

November 24-25, 2005: First Ministers' Meeting on Aboriginal Issues and the Kelowna Accord.

Plans for the Future

First Nations Leadership Council and Province Commit to Progress on Many Fronts

Regular joint meetings

The First Nations Leadership Council and provincial Deputy Ministers agreed to dedicate one week in each of the next four months to meet and work to advance the New Relationship.

New consultation and accommodation framework

The provincial government and the First Nations Leadership Council are beginning to set out elements of a consultation and accommodation framework.

Mountain Pine Beetle

The BC First Nations Mountain Pine Beetle Interim Working Group and the Province are drafting the components and rationale for a request to Canada for mountain pine beetle



funding, to be completed within the next month. A Protocol between the Province and the First Nations Leadership Council to guide their relationship in responding to the Mountain Pine Beetle is in development.

Communications Protocol

The First Nations Leadership Council and the Province have agreed to develop a “Telling First Nations Stories” project, as part of a broader Aboriginal public awareness project, to promote awareness of the New Relationship and the significance of First Nations’ contributions to B.C.

Transformative Change Accord

The Province and the First Nations Leadership Council are identifying projects that can be immediately implemented under the *Accord* as well as developing an inclusive process for creating the implementation strategy due by December 2006.

Review of the Provincial Litigation Strategy

There are approximately 40 current court cases in B.C. involving Aboriginal title, rights and treaty rights. The Province has committed to review its approach to litigation, in particular the defences advanced by the provincial Crown to find more respectful approaches that are not premised on denial of First Nations and their rights, and that are consistent with the New Relationship.



Engaging with third parties

The Province and the First Nations Leadership Council are engaging with third parties, such as business, industry, and others.

Organizational capacity development

The First Nations Leadership Council and the Province are working on increasing the organizational capacity of the First Nations organizations to participate in work to advance the New Relationship.



November 25, 2005: *Transformative Change Accord* signed between the First Nations Leadership Council, the Province of British Columbia, and Canada.

February 14, 2006: Speech from the Throne indicating B.C.’s ongoing commitment to the *New Relationship* through a variety of efforts.

February 21, 2006: Provincial Budget Speech commits funding to children and families.

March 28, 2006: Legislation receives Royal Assent establishing the corporate entity to house the \$100 million New Relationship Trust.

“The challenge before all of us is to achieve an equitable distribution of land and resources in B.C. between First Nations people, business and industry in order that First Nations may be in a position to develop healthy and prosperous communities. The desires of First Nations peoples are no different than anyone else.”

Chief Stewart Phillip, president of the Union of B.C. Indian Chiefs,
Vancouver Sun, July 29, 2005.

FOR MORE INFORMATION:

BC Assembly of First Nations www.bcafn.ca

Union of BC Indian Chiefs www.ubcic.bc.ca

First Nations Summit www.fns.bc.ca

Government of British Columbia www.gov.bc.ca
For more information on the New Relationship, click on
“The New Relationship with Aboriginal People”

Ministry of Aboriginal Relations and Reconciliation
www.gov.bc.ca/arr

BC First Nations Interim Mountain Pine Beetle Working Group
www.fnmpb.ca

The New Relationship document
www.gov.bc.ca/popt/the_new_relationship.htm



Calendar of Events

March 31: First Citizens Forum; Morris J. Wosk Centre, Vancouver

June 7-8: UBCIC Chiefs Council meeting; Vancouver, location TBD

June: BCAFN Annual General Meeting, location TBD

June 14 – 16: First Nations Summit Meeting, Squamish Nation Recreation Centre, North Vancouver

June 21: National Aboriginal Day

July 11 – 13: National AFN Annual General Assembly, Vancouver Convention and Exhibition Centre

September 20-22: UBCIC Annual General Meeting, Vancouver, location TBD

September 27-29: First Nations Summit Meeting, Kamloops

November 27-28: BC AFN General Assembly, Vancouver, location TBD

This Progress Report is published jointly by the First Nations Leadership Council and the Ministry of Aboriginal Relations and Reconciliation



Ministry of
Aboriginal Relations
and Reconciliation