



Government  
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# SUSTAINING MOMENTUM:

## The Government of Canada's Fourth and Final Report

### in Response to the *Kelowna Accord Implementation Act*

2011-12



Canada

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## EXECUTIVE SUMMARY

This is the final report in response to the Government of Canada's obligations under the *Kelowna Accord Implementation Act*. Since 2007, the Government has taken a number of significant actions in support of Canada's Aboriginal people and communities, including:

- The Prime Minister delivering a Statement of Apology to former students of Indian residential schools in 2008 and the Government issuing a Statement of Support endorsing the *United Nations Declaration on the Rights of Indigenous Peoples* in November 2010.
- Introducing the new *Federal Framework for Aboriginal Economic Development*, as well as key investments to support its implementation.
- Ratifying and bringing into force 24 comprehensive land claims agreements and two stand-alone self-government agreements. These cover approximately 40 percent of Canada's land mass and impact 96 Aboriginal communities and more than 100,000 Aboriginal Canadians.
- Signing a Framework Agreement on First Nation Health Governance in October 2011 with British Columbia First Nations and the Government of British Columbia.
- Continuing to invest in First Nations water and wastewater infrastructure – \$3 billion between 2006-07 and 2013-14.
- Signing more than 30 tripartite agreements in the fields of education, housing, social development, health, child and family services and consultation and accommodation.
- Investing \$1.23 billion on school infrastructure to support better school environments for First Nation children.
- Leveraging \$72.5 million worth of funding targeted specifically for Urban Aboriginal Strategy community-based projects from other federal departments, provinces and municipalities and the private and not-for-profit sectors.
- Signing a Métis Nation Protocol with the Métis National Council in September 2008. The Protocol commits to making progress on a broad range of objectives, including strengthening economic development.
- Working with stakeholders, including provinces, territories and Inuit organizations, to develop the 2011 National Inuit Education Strategy.
- Jointly releasing with the Assembly of First Nations the Outcome Statement from the historic Crown-First Nations Gathering, with key priorities including education, economic development and governance.

Moving forward, Budget 2012 builds on many of these investments. In particular, and in direct response to the recommendations from the National Panel on First Nation Elementary and Secondary Education, the Government will work with willing partners to introduce a First Nation Education Act. The Government will also continue to invest in economic development for Aboriginal Canadians, and community infrastructure for First Nations communities.

## PREFACE

On June 18, 2008, the *Kelowna Accord Implementation Act* received Royal Assent. The *Act* requires that the Minister of Aboriginal Affairs and Northern Development submit annual progress reports to Parliament during a five-year period beginning with the 2007-08 fiscal year. These reports outline the actions and investments made by the Government of Canada to improve the lives of First Nations, Inuit and Métis peoples across the country.

This is the fourth and final report in response to the Government of Canada's obligations under the *Act*. Consistent with past reports, it is structured around five priority areas:

- Education
- Reconciliation, governance and self-government
- Economic development
- Empowering citizens and protecting the vulnerable, and
- Resolution of land issues.

These areas frame the Government's agenda for bringing about positive changes for Aboriginal people and communities, and for building a record of real results through concrete actions and work with willing partners.

For each of the five areas, the report presents:

- A summary of key accomplishments since reporting began under the *Act* in 2007-08
- An overview of key investments made in 2011-12, and
- Highlights of Government of Canada priorities moving forward.

The information presented in this report has been shaped from inputs received from a number of federal government departments and agencies whose actions and investments touch most directly on the five priority areas.

For additional information and an authoritative account of investments, please consult the Departmental Performance Reports, as well as the Reports on Plans and Priorities, from the various departments and agencies.

## CONTEXT

The Government of Canada has an enduring relationship with Aboriginal peoples that has been shaped over centuries. While this relationship takes root in a complex history, it is propelled forward today by progressive partnerships and meaningful investments that target real results and empower Aboriginal people and their communities to generate positive and lasting change.

It is in this spirit of renewing Crown-Aboriginal relationships that the Government of Canada has taken action over the last five years, prioritizing areas such as education and economic development that are critical to a young and rapidly growing Aboriginal population.

The Aboriginal population in Canada has experienced considerable growth over the past decades. Between 1996 and 2006, the Aboriginal population increased almost six times more than the non-Aboriginal population (47 percent compared with 8 percent). In 2006, close to 1.2 million people — representing about 4 percent of the Canadian population — identified themselves as Aboriginal. Compared to the Canadian population, the Aboriginal population is also quite young, with half less than 25 years in age.

This reality of a young and growing Aboriginal demographic is becoming increasingly important in the context of projected labour supply shortages in Canada. For example, Aboriginal people make up nearly half the population in the three territories and play a particularly important role in the economy and governance of Canada's North. Aboriginal youth who are educated and skilled will be well-positioned to take advantage of significant economic opportunities in the years and decades to come.

While the Aboriginal population continues to grow in Canada, Aboriginal community well-being remains lower than that of non-Aboriginal communities. Disparities persist in several areas including health, educational attainment and employment levels. Similarly, rates of low income and dependency on social assistance remain much higher than those of the general Canadian population.

The Government of Canada recognizes that there are barriers – including structural impediments and complex historical challenges – that contribute to these disparities and conditions. Some of these challenges were profiled in Chapter 4 of the 2011 Auditor General's Report on programs for First Nations on-reserve, and call attention to the need for systemic change over the medium and longer terms.

Nonetheless, practical and results-driven investments can and do make a difference, setting the stage for more fundamental changes in the future. It is estimated that the Government of Canada provides over \$11 billion each year for programs and services directed towards Aboriginal peoples. These programs and services are delivered through numerous federal departments and agencies,

as well as by other key partners and stakeholders. In 2011-12, these investments included approximately \$1.8 billion for education, \$275 million to support Aboriginal labour market initiatives and \$2.4 billion for health services and supports.

In addition, since 2007, the Government of Canada has been working to advance its Northern Strategy in order to ensure a prosperous future for Northerners – including Aboriginal people – and all Canadians. The Northern Strategy objectives include exercising our Arctic sovereignty, promoting social and economic development, protecting our environmental heritage, and improving and devolving Northern governance.

Additional investments have been made through Canada's Economic Action Plan. Announced in January 2009, Canada's Economic Action Plan was designed to respond to a looming global recession by providing timely, targeted and temporary stimulus spending to safeguard jobs and protect incomes, while at the same time making investments to secure Canada's long-term economic prosperity.

Although the economic downturn has affected Canada's most vulnerable citizens – including Aboriginal people – more significantly than others, Aboriginal Canadians remain uniquely positioned to help contribute to a vibrant and prosperous Canadian economy moving forward. Investments made through Canada's Economic Action Plan, in particular, have supported Aboriginal people and communities in this regard.

The Government of Canada recognizes that real results depend not only on financial investments but also on investments in innovative approaches and partnerships. Over the last five years, the Government has established lasting partnerships with key stakeholders and interested partners, including with the provincial and territorial governments, Aboriginal communities and organizations, and the private and not-for-profit sectors.

But most importantly, the Government has invested in its relationships with Aboriginal peoples. With respect to First Nations, this has been demonstrated through the Government's commitment to a Joint Action Plan with the Assembly of First Nations, announced in June 2011, as well as to a series of outcomes from the historic Crown-First Nations Gathering held in January 2012. The Outcome Statement from the Gathering focused on key areas of joint priority, including: renewing the relationship; removing barriers to First Nations governance; advancing claims resolution and treaty implementation; reforming education; and capitalizing on economic development.

The Government of Canada also signed a Métis Nation Protocol with the Métis National Council in September 2008. Under the Protocol, the Government commits to making progress on a broad range of objectives, including strengthening Métis governance, making major new investments in economic

development opportunities for Métis and undertaking measures to recognize and honour the contributions of Métis veterans.

In the context of opportunities and challenges, commitments and priorities, what follows is a summary of actions undertaken by the Government of Canada in each of the five priority areas: education; reconciliation, governance and self-government; economic development; empowering citizens and protecting the vulnerable; and resolution of land issues.

Over the course of the reporting period covered by the *Kelowna Accord Implementation Act*, the Government of Canada has prioritized an array of investments that focus on Aboriginal Canadians, their communities and the future. These investments are anchored in a vision in which Aboriginal people can fully contribute to, and benefit from, Canada's prosperity for the betterment of *all* Canadians.

## **ACTIONS TAKEN IN FIVE PRIORITY AREAS**

### **EDUCATION**

The Government of Canada recognizes that getting a good education is one of the cornerstones of success, not just for the future of Aboriginal people and their communities, but also for all Canadians.

Investments in education programs build a strong foundation for higher learning opportunities and for economic growth and prosperity. Investments in schools and infrastructure – including the renovation and construction of schools – provide for safe, stable learning environments for First Nation students attending schools on-reserve. Finally, investments in partnerships leverage interest and expertise among an array of stakeholders and build on an understanding of Aboriginal education as a shared responsibility between federal and provincial governments, Aboriginal leaders, teachers, parents and communities.

#### **Highlights from 2007-08 to 2010-11: Towards Better Education Outcomes**

##### ***Education Programs***

Since 2007, the Government of Canada has invested in a number of programs designed to improve the education outcomes of Aboriginal people. These programs span the entire learning continuum – from early childhood development, through elementary, secondary, and post-secondary education.

The Government provided supplementary funding for Aboriginal Head Start on-reserve and in urban and Northern communities in Budget 2010. Aboriginal Head Start supports early intervention strategies, addressing the developmental needs of children and their families. These programs provide opportunities for children to develop self-confidence, foster a strong desire for learning, and provide an excellent start in life.

Also key among these program investments was the 2008 launch of the Reforming First Nation Education Initiative. The initiative includes two programs – the First Nation Student Success Program (FNSSP) and the Education Partnerships Program (EPP) – which benefit First Nation students living on reserve. These programs are setting a foundation for long-term improvement in First Nations education.

The FNSSP is helping First Nation educators to plan and make improvements in three priority areas – literacy, numeracy and student retention. In 2009-10, 75 percent of First Nation band-operated schools across Canada participated, with 18 projects funded. In 2010-11, the figure increased to over 90 percent of band-operated schools with a total of 38 projects funded.



Progress was also made through the EPP which was designed to support partnership development for improved education outcomes. In 2010-11, fifteen First Nation education organizations in ten provinces and one territory received funding under this program.

Work also began on the development of an Education Information System (EIS) – a single data system to track performance, measure success and support continuous improvement. The Government has been engaging First Nations on the EIS since its inception, and is using the EIS to advance efforts to reduce the reporting burden. The project is on track for its targeted implementation date of September 2012.

Off reserve education projects focused on the development of culturally appropriate curriculum in partnership with provinces, easing student transition and improving student retention and high school graduation. These include projects through the Urban Aboriginal Strategy (UAS), a partnership initiative with provinces that is designed to improve the social and economic opportunities of Aboriginal people living in urban centres. Education was included as a key priority in nine of thirteen UAS city plans developed. Since 2007, the UAS has invested over \$5.7 million in 87 education-related projects within designated city centres.

In addition, the Government provides approximately \$300 million each year in support of First Nation and Inuit students to cover tuition and related expenses associated with attending college, university, or preparatory programs. The Government continues to explore options for making the program more effective and efficient and increasing awareness of the diverse student financial assistance mechanisms available to students.

### ***Schools and Infrastructure***

The Government of Canada has made investments to support better school environments for First Nation children. Specifically, the Government has spent \$1.23 billion on school infrastructure. Funding has been provided for 263 school projects, including 33 new schools, 26 major school renovations and/or additions, and 204 other school-related projects. These projects have been funded through the Capital Facilities and Maintenance Program (CFMP), Canada's Economic Action Plan, and the Gas Tax Fund (GTF):

- The projects funded through CFMP include the construction of three new schools, eight major renovation/addition projects, nine minor school renovations, the construction and renovation of teachers' residences in 13 communities and 11 mechanical and heating system upgrades.
- CEAP funding provided \$173.2 million over two years (from 2009-10 to 2010-11) to fund various school infrastructure projects across the country. Twelve school projects have been completed as a result of these funds.

- The GTF, as part of the Building Canada Plan, invested \$102 million to support the construction of seven school projects between 2009-10 and 2011-12. These projects are at various stages of development.

In addition to these investments in school infrastructure, the Government of Canada announced, in Budget 2010, a \$2.5 million grant for Nunavut Sivuniksavut, a college program that helps Inuit youth from Nunavut prepare for post-secondary education and career opportunities in the North. Nunavut Sivuniksavut used the funds to purchase a new school facility in Ottawa. The new facility will enable the college to double its student population, thereby increasing its contribution to improved education outcomes, employability and capacity development in the North.

### ***Partnerships***

The Government of Canada recognizes that partnerships are an essential element of First Nations education. Partnerships are designed to promote collaborative decision-making on shared priorities with a view to improve educational outcomes for First Nation students. One of the main vehicles of these partnerships, in recent years, has been through tripartite education agreements to support First Nations education reform.

Tripartite agreements reinforce education as a shared responsibility between the federal and provincial governments and First Nation leaders, and enable all stakeholders to leverage each other's knowledge and expertise in order to improve education standards and services. Between 2007-08 and 2010-11, five new tripartite agreements were signed: New Brunswick (2008); Manitoba (2009); Alberta (2010); Prince Edward Island (2010); and the Saskatoon Tribal Council (2010). These new agreements are in addition to the pre-existing tripartite partnerships signed in Nova Scotia (1997) and in British Columbia (1999).

### **2011-12: Building on Progress in Education**

Moving forward with the agenda to reform First Nations education on-reserve has been a clear priority for the Government of Canada in 2011-12. The work of the National Panel on First Nation Elementary and Secondary Education was a particular focus during much of this period.

In December 2010, the Government of Canada and the Assembly of First Nations appointed an independent National Panel on First Nation Elementary and Secondary Education to lead an engagement process and provide guidance on how to improve First Nations elementary and secondary education. The Panel, which was officially launched in June 2011, travelled across Canada, leading discussions with First Nation leaders, parents, elders, students, teachers and provincial officials, providing them with the opportunity to share their perspectives and propose ways to improve First Nations education for children

living on-reserve. Interested parties were also invited to participate in the process via online submissions that were reviewed and discussed during the engagement sessions.

On February 8, 2012, the National Panel presented its final report, *Nurturing the Learning Spirit of First Nations*, to the Minister of Aboriginal Affairs and Northern Development and the National Chief of the Assembly of First Nations. The report's recommendations include, among others, co-creating a child-centered First Nation Education Act.

The Panel's final report provides the Government with valuable feedback and recommendations on the steps that could be taken to improve educational outcomes for First Nation students living on-reserve.

Against the backdrop of the National Panel's engagement and report, the Government's efforts towards improved education programming, infrastructure and partnerships continued.

Demand for the FNSSP and EPP continued to grow. The National Selection Committee (the body that reviews proposals, provides expert advice and guidance, and makes recommendations for approval for both FNSSP and EPP projects), approved 20 new proposals (in principle) in January 2012 under the FNSSP, and nine new proposals (in principle) under the EPP.

In the North, the Government, through the Canadian Northern Economic Development Agency, announced \$27 million over five years to expand adult basic education in the territories, fulfilling a 2011 Speech from the Throne commitment to increase education and employment levels in the North, developing capacity and responding to the needs of working Northerners. Specifically, the Government is providing funding to three territorial colleges (Aurora College, Yukon College and Nunavut Arctic College). Colleges can use the funding to build capacity by hiring and training instructors, improve education materials, improve student placement tests or increase the number, frequency and locations of course offerings.

The Government also worked with provincial partners to develop school infrastructure for First Nation and students in the 2011-12 fiscal year. The Government invested approximately \$195 million for school infrastructure across the country.

It's also noteworthy that in February 2012, a new elementary school in the Cree community of Chisasibi was opened. The school serves approximately 750 students from Kindergarten to Grade 6. The Government contributed \$14 million to build the new school while the Government of Quebec provided \$4.65 million.

The Government is currently exploring options to increase efficiencies in funding new school construction. This includes streamlining procurement processes and reducing overall project costs associated with school infrastructure.

The Government of Canada also provided \$570,000 in 2011-12 to build a space for Aboriginal Head Start on reserve programming through the Red Earth First Nation Elementary School Construction Project in Saskatchewan.

On January 27, 2012, the Government of Canada, the Government of British Columbia, and the First Nation Education Steering Committee (FNESC), on behalf of British Columbia First Nations, signed a Tripartite Education Framework Agreement. The Agreement defines and formalizes the roles and responsibilities, structures and supports that need to be in place in order to ensure that First Nation students in British Columbia have access to quality, comparable education, whether the classroom is located on or off reserve. This Agreement is also supported by a new funding model that will result in First Nation schools being funded in a similar way as like-sized and situated provincial schools. This includes the addition of \$15 million annually to support British Columbia First Nations in the operation of on-reserve schools and FNESC in the delivery of second level services (as announced in Budget 2010). All First Nation schools in British Columbia will be eligible to participate in this new approach.

Finally, the Government concluded a new five-year funding agreement with respect to Mi'kmaq education in Nova Scotia. On August 18, 2011, in tandem with the renewal of the funding agreement, Paq'tnkek First Nation was formally added to the Mi'kmaq Education Agreement, making them the eleventh First Nation signatory to the agreement.

The Government of Canada is also committed to working with communities, provinces, territories and Inuit organizations to improve access to quality education for Inuit students. Since 2009, the Government of Canada has been working with Inuit education stakeholders (including provinces, territories and Inuit organizations) to develop a National Inuit Education Strategy. On June 16, 2011, the stakeholders released the strategy, *First Canadians, Canadians First*. It identifies the educational priorities of Inuit and provides a blueprint for strengthening Inuit culture and language, while improving student outcomes along the life-long learning continuum.

### **Moving Forward**

The investments made by the Government of Canada over the last five years – in education programs, school infrastructure and partnerships – have provided a solid foundation for moving forward towards improved educational outcomes for Aboriginal children and youth, particularly First Nation students living on-reserve.

The Canada-First Nations Joint Action Plan and the Outcome Statement from the Crown-First Nations Gathering further reinforce the Government's forward agenda on education reform for First Nations. This forward agenda involves working together to implement agreed-upon recommendations from the National Panel Report as quickly as practicable and to establish a process to work constructively through any areas of disagreement.

In direct response to the recommendations from the Panel on First Nation Elementary and Secondary Education, the Government of Canada is committed to work with willing partners to introduce a First Nation Education Act. The goal is to have the Act in place by September 2014. The purpose of this legislation is to establish the structures and standards to support strong and accountable education systems on reserve, setting the stage for more positive outcomes for First Nations children and youth. A commitment was also made to work to explore mechanisms to ensure stable, predictable and sustainable funding for First Nations elementary and secondary education.

Budget 2012 also announced new investments of \$275 million for First Nations education. One hundred million dollars will be used to: help ensure readiness for the new First Nations education system to be outlined in legislation; provide early literacy programming and other supports and services to First Nation schools and students; and strengthen relationships with provincial school systems. The remaining \$175 million will be used to build and renovate schools on-reserve, providing First Nation students with a better learning environment.

Finally, while all regions across Canada are now engaged in tripartite activities, the Government of Canada plans to continue working with First Nations to build on partnership opportunities and improve educational outcomes for First Nation students through education reform initiatives. Most recently, the Government of Canada, the Government of Quebec, and the First Nations Education Council signed a tripartite education Memorandum of Understanding in 2012.

## **RECONCILIATION, GOVERNANCE AND SELF-GOVERNMENT**

The Government of Canada has demonstrated a clear commitment to empowering Aboriginal people and communities by supporting reconciliation and healing for past injustices, advancing efforts towards self-government, and moving forward on the development of a suite of modern legislative tools that strengthen good governance.

### **Highlights from 2007-08 to 2010-11: Towards a Strengthened Relationship**

#### ***Supporting Reconciliation and Healing for Past Injustices***

The Government of Canada has demonstrated its commitment to reconciliation with Aboriginal peoples, acknowledging the legacy of the past and working to strengthen Crown-Aboriginal relationships based on mutual respect, friendship and support.

As part of this commitment, the 2008 Statement of Apology to former students of Indian residential schools remains a touchstone for change and represents a crucial step in the journey towards healing past injustices.

The Apology reinforces Government initiatives designed to address the legacy of Indian residential schools, including the ongoing implementation of the historic Indian Residential Schools Settlement Agreement. In particular, implementation includes the Common Experience Payment, an Independent Assessment Process, Commemoration Activities, measures to support healing, and the Truth and Reconciliation Commission.

The Truth and Reconciliation Commission has held a series of national events to bring together former students and their families, governments, leaders of national and regional organizations, church groups and members of the general public, to provide individuals and their families with the opportunity to offer testimonies to the Commission. These events also serve to raise awareness about the history of the residential schools system and the experiences of former students and their families.

At the first national event, held in Winnipeg in June 2010, the Government of Canada moved to announce its intention to repeal provisions of the *Indian Act* that provide for the establishment of Indian residential schools and for the removal of children from their homes and communities.

Funds from Budget 2010 have also been committed to ensure that necessary mental health and emotional support services continue to be provided to eligible former students and their families, and that payments to former students are made in a timely and effective manner. Specifically, the Government provided \$65.9 million over two years for Health Canada's Indian Residential Schools

Resolution Health Support Program as part of an additional \$199 million over two years to support implementation of the Indian Residential Schools Settlement Agreement.

The Government's commitment to renewed and strengthened Crown-Aboriginal relationships was also demonstrated through the 2010 Apology for Inuit High Arctic Relocation. On August 18, 2010, the Minister of Aboriginal Affairs and Northern Development, on behalf of the Government of Canada and all Canadians, issued an apology to Inuit relocatees, their families, and all Inuit, for relocating Inuit families from Inukjuak and Pond Inlet to the High Arctic, acknowledging the hardship and suffering caused by this move.

In November 2010, the Government of Canada issued a Statement of Support endorsing the *United Nations Declaration on the Rights of Indigenous Peoples*. This aspirational document sets out a number of principles that should guide harmonious and cooperative relationships between Indigenous people and States, such as reconciliation, justice, democracy, respect for human rights, non-discrimination, equality, partnership, good faith and mutual respect. Canada strongly supports these principles and believes that they are consistent with the Government's approach to working with Aboriginal peoples.

### ***Supporting Effective Governance and Self-Government***

The Government of Canada supports Aboriginal communities in the establishment of strong, effective and sustainable governance. Good governance helps communities take greater control over the decisions that affect their lives, carry out effective relationships with other governments, take advantage of economic development opportunities, improve programs and services, and enhance social and economic well-being.

A number of First Nations have achieved good governance as part of self-government agreements. Under the Government of Canada's *Approach to Implementation of the Inherent Right and the Negotiation of Aboriginal Self Government*, the Government recognizes the inherent right of self-government as an existing Aboriginal right under section 35 of the *Constitution Act, 1982*. Self-government arrangements establish a clear relationship between federal, provincial/territorial and Aboriginal laws; reduce federal responsibility for managing First Nation assets and internal affairs; and provide for more accountable Aboriginal governments.

To date, 24 comprehensive land claims agreements and two stand-alone self-government agreements have been ratified and brought into force. These agreements cover approximately 40 percent of Canada's land mass and impact 96 Aboriginal communities and more than 100,000 Aboriginal Canadians.

## **2011-12: Building on Progress in Reconciliation and Governance**

In 2011-12, the Government of Canada continued to demonstrate its commitment to reconciliation and governance, building on the momentum of earlier activities. This was most notably demonstrated through the Canada-First Nations Joint Action Plan and the Crown-First Nations Gathering which flowed from that Action Plan.

The Canada-First Nations Joint Action Plan was released by the Government of Canada and the Assembly of First Nations in June 2011. The Joint Action Plan outlines clear, attainable goals in four key areas of shared interest:

- Education
- Accountability, transparency, capacity and good governance
- Economic development, and
- Negotiation and implementation.

The Joint Action Plan also calls for open dialogue between the Crown and First Nations and raised the possibility of holding a Crown-First Nations Gathering.

It is in this context that the historic Crown-First Nations Gathering took place on January 24, 2012. The Gathering was recognized as a significant milestone in Crown-First Nations relations and demonstrated Canada's continuing commitment to reconciliation.

The Gathering was attended by his Excellency the Governor General, the Prime Minister, the Minister of Aboriginal Affairs and Northern Development, other federal Cabinet Ministers, the Chief of the Assembly of First Nations, and First Nation leaders – including approximately 170 First Nation Chiefs from across Canada. During the full-day event, participants engaged in productive, focused discussions on key issues and shared priorities relating to three main themes:

- Strengthening the relationship and enabling opportunity
- Unlocking the potential of First Nations economies, and
- Realizing the promise of First Nations peoples.

An Outcome Statement was released by the Government of Canada and the Assembly of First Nations following the Gathering. The Statement renews the mutual commitment to fulfill the Joint Action Plan but also calls for:

- ***A Renewed Relationship between Canada and First Nations:*** This includes improved accountability and financial self-sufficiency for First Nations, as well as a move toward a single, multi-year financial arrangement for First Nations with high-performing governance systems.
- ***Removing Barriers to First Nations Governance:*** This includes working together to develop solutions to remove barriers that hinder First Nations



governance (e.g., the use of existing tools and the development of new mechanisms).

- **Advancing Claims Resolution and Treaty Implementation:** This includes respecting and honouring treaty relationships and advancing approaches to find common ground on Treaty implementation as well as committing to ensure federal negotiation policies reflect the principles of recognition and affirmation mandated by Section 35 of the *Constitution Act, 1982*.
- **Education Reform:** This involves working together to implement agreed-upon recommendations as quickly as practicable and to establish a process to work constructively through any areas of disagreement.
- **Capitalizing on Economic Development:** This involves launching an economic task force as set out in the Joint Action Plan that will report back with recommendations to further unlock the economic potential of First Nations.

In order to ensure continued momentum on these areas of mutual interest, the Government of Canada and the Assembly of First Nations committed to release a progress report on the Outcome Statement of the Crown-First Nations Gathering by no later than January 24, 2013.

Alongside these milestone events, important progress was also made during the 2011-12 fiscal year in other areas supporting reconciliation and governance, namely on the Apology to former students of Indian residential schools, on the negotiation of self-government agreements and the development of legislative support for stronger First Nations governance.

Regarding initiatives designed to address the legacy of Indian residential schools, by March 31, 2012, the Government of Canada had received 104,785 Common Experience Payment applications, of which 101,571 had been resolved and \$1.6 billion was paid to former students. Similarly, at this same time, the Indian Residential Schools Adjudication Secretariat had received 25,821 Independent Assessment Process applications, of which 14,850 had been resolved and \$1.49 billion was paid in compensation.

The Minister of Aboriginal Affairs and Northern Development attended Truth and Reconciliation Commission national events in Inuvik (June 2011) and Halifax (October 2011). The Minister also announced the commemoration of the legacy of Indian residential schools through a permanent installation of stained glass artwork in the Centre Block on Parliament Hill. This will allow Parliamentarians and visitors an opportunity to learn about the history of Indian residential schools and Canada's reconciliation efforts. A panel of art experts has been established to recommend an Aboriginal artist to design the stained glass artwork.

The Government's commitment to reconciliation and governance was also demonstrated by the significant progress made on self-government negotiations, during 2011-12. In particular:

- Under the British Columbia treaty process, the Maa-nulth Final Agreement came into effect on April 1, 2011; the Yale Final Agreement was ratified by the Government of British Columbia on June 2, 2011; the Sliammon Final Agreement was initialled on October 21, 2011; and the K'ómoks Agreement-in-Principle was signed on March 24, 2012. These treaties include both land claims and self-government components.
- The Blood Tribe Self-Government Agreement and the Sioux Valley Dakota Nation Self-Government Agreement were both initialled by the negotiators and are proceeding to community ratification.
- On January 25, 2012, the Minister of Aboriginal Affairs and Northern Development and Chief Darcy Bear of the Whitecap Dakota First Nation in Saskatchewan signed a Framework Agreement to negotiate self-government for the First Nation.
- The Mi'gmaq and Wolastoqiyik (Maliseet) of New Brunswick signed the Mi'gmaq Wolastoqiyik / New Brunswick / Canada Umbrella Agreement on September 9, 2011. The Agreement sets out a commitment to conclude a framework agreement on Aboriginal and treaty rights and self-government, as well as a consultation agreement to help facilitate Crown consultations with the Mi'gmaq and Wolastoqiyik in New Brunswick.
- The Labrador Innu Agreement-in-Principle was signed in November 2011. In addition, the Mohawk of Kahnawake signed the Kahnawake/Canada Relationship Memorandum of Understanding with the Government.
- Between February 2011 and February 2012, Canada entered into new self-government financial transfer agreements with ten self-governing Yukon First Nations.
- The Shishálh Nation also entered into a new Financial Transfer Agreement with Canada during 2011-12, while celebrating the twenty-fifth anniversary of the *Sechelt Indian Band Self-Government Act* on October 8, 2011. Under the *Act*, the Shishálh Nation has established its government and has pursued opportunities spanning the Sechelt Peninsula (Sunshine Coast) in resource and economic development.

The creation of the Qalipu Mi'kmaq First Nation Band in Newfoundland was also announced on September 26, 2011. Founding members of the Band are being registered as "status Indians" under the *Indian Act*.

In addition to supporting reconciliation, encouraging good governance and negotiating self-government agreements, the Government of Canada recognizes that modernizing legislation – through creative and collaborative ways that involve consultation with the provinces and First Nations leadership and communities – can pave the way for practical and incremental change that can bring about real results.

To this end, two new acts were introduced. The first, Bill S-6, the First Nations Elections Act, was introduced in Parliament on December 6, 2011. With four year terms of office, it would foster the political stability necessary for First Nations governments to make solid business investments, carry out long term planning and build relationships, all of which would lead to increased economic development and job creation for First Nations communities. First Nations would be able to decide for themselves whether to move to holding elections under this proposed Act.

Bill C-27, the First Nations Financial Transparency Act was introduced on November 23, 2011. This bill, part of the Government's commitment in the 2011 Speech from the Throne to support democratic, transparent and accountable First Nations governments, would require that the salaries and expenses of chiefs and councilors be disclosed publicly, along with First Nations' audited consolidated financial statements.

Finally, the Government also targeted funding for First Nation community governance projects towards those that: supported Management Action Plans in challenged communities; mitigated risks related to internal governance; were priorities in governance capacity-development plans; and improved local planning capacity. The Government implemented a community-level Governance Capacity Planning Tool to support First Nation community governance projects.

### **Moving Forward**

While the Joint Action Plan and the Outcome Statement from the Crown-First Nations Gathering speak to the Government's commitment to reconciliation, embedded within these commitments are some next steps on governance.

Under the theme of accountability, transparency, capacity and good governance, the Action Plan identifies the Community Development Framework as a deliverable. The Framework is intended to shift the Government's role to be more responsive to the unique needs of communities and to make real changes in financial and administrative processes in order to contribute to more holistic, community-led initiatives.

The Government will continue to build on its progress towards reconciliation, stronger governance and the realization of meaningful self-government by:

- Supporting the ongoing work of the Truth and Reconciliation Commission, and fulfilling its obligations under the Indian Residential Schools Settlement Agreement;
- Improving accountability and financial self-sufficiency for First Nations, as well as a move toward single, multi-year financial arrangements for First

- Nations with high-performing governance systems, consistent with the Outcome Statement from the Crown-First Nations Gathering; and
- Working with First Nations to remove barriers to First Nations governance, again in a manner consistent with the outcomes from the Gathering.

## ECONOMIC DEVELOPMENT

The Government of Canada continues to work with Aboriginal Canadians and willing partners to ensure that Aboriginal people enjoy the same opportunities for employment, income and wealth creation as other Canadians.

With a young and rapidly growing population that is increasingly educated, with a significant land and resource base, and a growing business sector, Aboriginal people and communities are well positioned to contribute to and benefit from a vibrant Canadian economy. The opportunities for Aboriginal economic development have never been greater and private sector has shown an interest to work with Aboriginal businesses and communities. Aboriginal Canadians are moving towards becoming full participants in the Canadian economy, as entrepreneurs, employers and employees.

Recognizing the vast opportunities that exist for Aboriginal Canadians, over the last five years the Government of Canada has made several significant investments in support of Aboriginal economic development. Chief among these actions has been the introduction of a new federal framework with a modern, whole-of-government approach to Aboriginal economic development.

### **Highlights from 2007-08 to 2010-11: Aboriginal Economic Development**

#### ***A New Approach to Aboriginal Economic Development***

Released in June 2009, the *Federal Framework for Aboriginal Economic Development* represents a fundamental change in how the Government of Canada supports Aboriginal economic development. The Framework was developed based on a review of research on economic development, feedback from national engagement sessions and key stakeholders in the field, as well as a careful environmental scan. The Framework sets out strategic priorities to increase the participation of Aboriginal people and communities in the Canadian economy:

- **Strengthen entrepreneurship** by promoting a business-friendly economic climate on-reserve and in the North, while improving access to capital and promoting other business opportunities, including procurement;
- **Develop human capital** by investing in demand-driven labour market development;
- **Enhance the value of Aboriginal assets** through more systematic identification of economic opportunities, greater leveraging of partnerships, better management of community assets, and modernized lands management;
- **Forge new and effective partnerships** with the private sector, provinces and territories; and

Underpinning these four strategic priorities is a focus on the role of the federal government through improved collaboration.

### ***Strengthening Aboriginal Entrepreneurship***

One of the Federal Framework's strategic priorities involves strengthening Aboriginal entrepreneurship. To this end, in the 2010-11 fiscal year, the Aboriginal Business Development Program (ABDP) provided support to 436 recipients; a total of 744 Aboriginal business development projects were approved reflecting total contributions of \$42.2 million. Similarly, the Major Resource and Energy Development Initiative approved \$10.6 million in 2010-11 in order to support 19 major Aboriginal business projects in the resource and energy sectors and create two new Métis Business Investment Funds, leveraging equity capital with the private and public sectors.

In October 2010, the Government of Canada announced investments of \$1 million over the following two fiscal years, to develop and implement pilot projects that provide Aboriginal women entrepreneurs with financial literacy training, along with access to business development tools and capital, in order to help them establish and run viable and sustainable businesses. These projects help Aboriginal women address some of the main barriers currently limiting their participation in the Canadian economy.

As part of this investment, the Government is providing \$348,633 to Pauktuutit Inuit Women of Canada to lead a pilot project based in Iqaluit called the Inuit Women Business Network. Community consultations reinforced the need for the creation of such a network as a means to support Inuit business women in the range of challenges they face and to provide an opportunity for them to share lessons learned. In addition to establishing the network, the project will also result in the creation of a toolkit of resources supporting Aboriginal entrepreneurship in the North through financial literacy and business development tools; an information sharing web portal; a peer/mentorship program model; a national roundtable; and an in-depth final report and evaluation.

### ***Developing Human Capital***

Another strategic priority of the new Federal Framework involves developing Aboriginal human capital. The Government of Canada has focused investments in Aboriginal skills development and training. These are considered critical for the development of Aboriginal employees and entrepreneurs who can help foster a growing and competitive knowledge-based Canadian economy, and help meet Canada's future labour market needs.

In 2010-11, Human Resources and Skills Development Canada introduced two new initiatives to address the skills and training needs of Aboriginal Canadians:

- The Aboriginal Skills and Employment Training Strategy (ASETS) was launched on April 1, 2010 with funding of \$1.6 billion over five years. The Strategy is designed to help Aboriginal individuals prepare for, find, and keep high-demand jobs now and in the long term. All Aboriginal people, regardless of status or location, can access its programs and services. ASETS is expected to result in 14,000 to 16,500 employed Aboriginal individuals per year.
- The Skills and Partnership Fund (SPF) was also launched in 2010 with funding of \$210 million over five years. SPF is a partnership-based, opportunity-driven fund that supports projects that encourage innovation and partnerships, tests new approaches to the delivery of employment services, and addresses gaps in service delivery. SPF is expected to result in approximately 1,500 to 2,000 employed Aboriginal individuals per year.

In addition to these investments, Canada's Economic Action Plan also targeted the development of Aboriginal human capital. The Aboriginal Skills and Employment Partnership (ASEP) received an investment of \$100 million over three years ending March 31, 2012. ASEP was geared towards providing Aboriginal people with the skills and training they needed to participate in the labour force across Canada. ASEP fostered partnerships between Aboriginal organizations, the private sector and provincial and territorial governments in order to create training and employment opportunities. One of ASEP's greatest legacies is the partnerships developed that will continue as a result of the program's success. The successful elements of ASEP have been built into ASETS and SPF.

Similarly, Canada's Economic Action Plan funding provided \$75 million from 2009-11 to the Aboriginal Skills and Training Strategic Investment Fund (ASTSIF). ASTSIF supported short term, targeted projects through which Aboriginal individuals could gain the specific skills required to benefit from economic opportunities, including those generated by the federal stimulus package. Seventy-four regional projects and 12 national projects were completed by March 31, 2011.

In 2010-11, the Government also invested \$16.5 million in pre-employment and transition-to-work active measures through the Income Assistance Program. These investments are designed to increase self-reliance, improve life skills and promote greater attachment to the work force for income assistance recipients ordinarily resident on-reserve.

The Government has encouraged the development of formal partnership agreements with provinces, territories and First Nations surrounding the use of active measures. To this end, Tripartite Memoranda of Understanding were signed with Quebec (July 2010) and Saskatchewan (March 2011). In Saskatchewan, the Government invested more than \$5 million in strategic pilot

projects since 2007-08, including approximately \$3 million in 2010-11. The Government of Saskatchewan also made significant investments, including more than \$1.7 million in on-reserve skills training in 2010-11.

Finally, the new Northern Adult Basic Education Program which fulfills a 2011 Speech from the Throne commitment, aims to prepare Northern working-age adults to either enter the workforce directly, or to take vocational training before entering the workforce.

### ***Enhancing the Value of Aboriginal Assets***

Increasing the value of Aboriginal assets – especially land and resources – is a key Government of Canada priority reflected in the Federal Framework. The Government of Canada has supported First Nations in leveraging their land and resources through a variety of activities including through the provision of support for the First Nations Land Management regime, the modernization of existing legislation to eliminate regulatory gaps that act as barriers to economic development on-reserve, and additions to reserves.

The *First Nations Land Management Act* enables participating First Nations to manage reserve land, resources and environment under a land code established by the First Nation. Participating First Nations opt out of the land-related sections of the *Indian Act* and enact their own laws, taking into consideration the development, conservation, use and possession of reserve lands. More specifically, these laws enable participating communities to better pursue and seize new economic development opportunities.

In Budget 2011, the Government of Canada reallocated \$20 million to support new entrants to the First Nations Land Management (FNLM) regime. To date, over 50 First Nations are now operating or developing land codes under the FNLM regime.

The *First Nations Commercial and Industrial Development Act*, which allows the federal government to produce regulations for complex commercial and industrial development projects on-reserves, was amended in 2010 with the passage of the *First Nations Certainty of Land Title Act*. This amendment allows on-reserve commercial real estate projects to benefit from greater certainty of title. It allows First Nations to request that their on-reserve commercial real estate projects benefit from a property rights regime, including a land title system and title assurance fund, identical to the provincial regime off reserve. The certainty of land title granted by such a regime increases investor confidence, making the value of property on-reserve comparable to similar developments off reserve.

The *Indian Oil and Gas Act* was also amended in 2009 in order to address the regulatory gap that exists between on-reserve and off reserve oil and gas activities. By bringing the federal regime in line with that of the provinces, the



revised *Act* and regulations will create a more transparent and efficient regime for oil and gas operations on reserve lands, thereby encouraging industry investment and economic development in First Nations communities.

Additions to reserves offer First Nations communities significant economic opportunities for natural resource development, commercial and industrial activities, and urban reserve creation. The size and economic potential of land selections can be significant. In 2011 alone, the Government of Canada approved 37 additions to reserve, totalling approximately 258,200 acres of land.

### ***Forge New Partnerships***

The Government of Canada has also invested in various partnerships and urban and regional initiatives in support of economic development.

The Strategic Partnerships Initiative (SPI) is a key component of the new Federal Framework. SPI was launched in July 2010 as a way to increase collaboration and coordination between federal departments and programs, as well as non-federal partners and resources, on market- and demand-driven economic opportunities within key sectors of the economy. Since the launch of SPI, federal partners have completed research and analysis on five sectors – agriculture, energy, fisheries, forestry and mining.

The Initiative's funding is intended to fill gaps that cannot be addressed by existing federal government programs. For example, under SPI, the Government will have invested \$7.7 million over three years from 2010 to 2013 to help Mi'kmaq and Maliseet First Nations in Quebec and the Maritimes pursue economic opportunities in new areas of the fisheries sector.

Since 2007, the Urban Aboriginal Strategy has leveraged \$72.5 million worth of funding targeted specifically for UAS community-based projects from other federal departments, provinces and municipalities and the private and not-for-profit sectors. Beyond these investments, the UAS has had a significant impact in terms of its ability to influence partners to develop policies and programs that contribute to real-life improvements for urban Aboriginal people.

On December 16, 2009, Aboriginal Affairs and Northern Development hosted a Métis Economic Development Symposium (MEDS). The symposium brought together provincial Ministers of Aboriginal affairs and Métis leaders in Calgary to focus on economic development opportunities and initiatives for Métis people.

In April 2010, the Government contributed \$5 million to the Clarence Campeau Development Fund (which added \$1 million) to establish the new Métis Energy and Resource Program.

Finally, with respect to regional initiatives, regional development agencies have supported a variety of Aboriginal economic development projects towards stronger participation of Aboriginal people and communities in the economy. The Federal Economic Development Agency for Southern Ontario (FedDev Ontario) was launched in August 2009 by the Government of Canada in order to help drive regional economic and community development, innovation, and economic diversification. The Oneida Nation of the Thames received a \$5 million non-repayable contribution under the Southern Ontario Development Program to complete construction of a long term care facility. The facility, which was completed in January 2012, employs 79 skilled health care workers and has enabled the First Nation and surrounding communities to diversify their economic base to include sustainable health care services.

### **2011-12: Building on Progress for Aboriginal Economic Development**

In the 2011-12 fiscal year, the Government of Canada continued to target Aboriginal economic development, sustaining the momentum generated in previous years. Among these investments are the following:

- **Aboriginal Business Development Program:** \$47.5 million in contributions was made to fund 380 recipients in support of 653 Aboriginal business development projects. This funding included \$7.7 million in contribution funding, under the **Major Resource and Energy Development Initiative** which targeted 17 major Aboriginal business projects in the resource and energy sectors.
- **Métis Economic Development Symposium:** In January 21, 2011, during the Métis Economic Development Symposium (MEDS2), Ministers and Métis leaders agreed to coordinate existing efforts through a Working Group of officials in order to explore the development of a long term Métis economic development strategy.
- **Skills and Partnership Fund:** \$2.6 million was provided to the Native Council of Nova Scotia to help 100 Aboriginal individuals secure training and skills development needed to access and keep jobs in the automotive, oil and gas sectors.
- **Strategic Partnerships Initiative:** \$17 million was committed for initiatives in the five SPI sectors (i.e., agriculture, energy, fisheries, forestry, and mining).
- **Atlantic Commercial Fisheries Diversification Initiative:** Ten First Nations accessed \$2.8 million in funding (including \$2 million from SPI). These funds supported seeking expert business planning advice which led to the launch of ten new business ventures and the creation of 36 jobs in areas such as aquaculture production, fish buying, marketing, transportation, vessel repair, and ice production. Enterprise managers from more than 20 First Nations received training in financial management

and decision-making to promote more efficient and competitive management practices.

- **Procurement Strategy for Aboriginal Business:** Aboriginal Affairs and Northern Development assisted the Aboriginal procurement community to access federal government contracts through the provision of procurement readiness sessions, networking support and other assistance. In 2011-12 alone, 70 national outreach, training and networking sessions were provided, leading to 347 Aboriginal businesses becoming newly registered in the National Aboriginal Business registry.
- **Community Economic Opportunities Program:** \$27.39 million in contributions were made to fund 119 First Nation recipients with a view to support the activation of community economic assets (i.e., land, natural resources, human resources and capital). This included \$10.39 million in funding for targeted investments in community economic infrastructure, designed to provide a base on which businesses are created or enhanced. For example, \$2.67 million was provided to the Bloodvein First Nation in Manitoba to support the planning, design and construction of a two and a half kilometre access road. The access road will link the First Nation to the all-season road currently under construction by the Government of Manitoba. This investment is expected to create 30 new jobs, provide skills and training to community members and generate revenue to the First Nation through the establishment of planned businesses that are now possible as a result of the access road.

A pool of funds totalling \$3.5 million was also invested to support water, sewer and road construction for the Grey Rock Power Centre. The Centre, located near Edmundston, New Brunswick, is a \$13 million, 70-acre commercial project that will provide economic benefits to the Madawaska Maliseet First Nation and surrounding communities through construction jobs, sustainable employment opportunities, land lease and provincial tax revenues, new business development and the establishment of tenant businesses.

Recognizing the unique needs and circumstances of Aboriginal Canadians residing in the North, the Government has also targeted specific investments to promote Northern economic development. For example, Budget 2011 identified as a priority the completion of the Dempster Highway between Tuktoyaktuk and Inuvik and committed \$150 million to the initiative.

The Canadian High Arctic Research Station (CHARS), which will be built in Cambridge Bay, Nunavut, has a pan-Northern mandate. The continued participation of Northerners in the planning and construction of CHARS, and in future science and technology programming, internships and employment at the Station, will provide new skills and career experience. It is expected that through these combined efforts, employment of Northerners in a wide range of sectors from mining and energy, through natural resource and wildlife management, to

health and life sciences will be increased, including direct employment at the Station itself.

Finally, the Government of Canada has also made a number of investments to support economic activities in the North. For example, investments have been made in information and communication technology infrastructure (e.g., \$275,000 to support the K'at'l'odeeche First Nation of the Northwest Territories; and \$307,755 to support Northern Native Broadcasting Yukon in the identification, purchase and installation of equipment necessary to secure satellite signal distribution for First Nation radio programming in Yukon).

In addition, investments totaling \$500,000 have been made towards the construction of two new retail buildings (i.e., the Sanavik Co-operative in Baker Lake and the Mitiq Co-operative in Sanikiluaq) which will enable both co-operatives to take better advantage of summer sealifts and reduce overhead costs.

### **Moving Forward**

Budget 2012 builds on investments in the Federal Framework and previous Economic Action Plans. Important measures in this regard include:

- Supporting responsible resource development, announced in Budget 2012, and which affirms the Government's commitment to ensure Aboriginal consultation is consistent, accountable, meaningful and timely in decisions concerning major economic projects. Measures include the integration of Aboriginal consultations into the new environmental assessment and regulatory processes, and designation of a lead department or agency as a single Crown consultation coordinator for each major project review.
- Continuing to work with the Assembly of First Nations in a Joint Task Force on the Activation of First Nation Economies to explore ways to address barriers to economic development on-reserve and to further unlock the economic potential of First Nations people and communities;
- Putting First Nations in more direct control of their economic development by modernizing land regimes and working with interested First Nations to explore opportunities for private property ownership on-reserve; and
- Working to align the on-reserve Income Assistance Program with provincial systems to support those who can work access training so that they are better equipped for employment. The Government also announced its commitment to improve incentives in the on-reserve Income Assistance Program.

Areas of investment in support of economic development also include:

- **Investments geared towards improving the lives of Aboriginal peoples living in urban centres:** Providing \$27 million over two years to renew the Urban Aboriginal Strategy. The Strategy supports urban Aboriginal communities by promoting self-reliance and increasing economic opportunities for Aboriginal people living in urban centres.
- **Investments in the natural resources sector:** Providing \$33.5 million in 2012-13 to extend the Atlantic Integrated Commercial Fisheries Initiative and the Pacific Integrated Commercial Fisheries Initiative. The Diamond Valuation and Royalty Assessment Program will be renewed, receiving \$12.3 million over two years. Finally, Budget 2012 proposes \$54 million over two years to renew the Major Projects Management Office initiative. The initiative has helped to transform the approvals process for major natural resource projects by shortening the average review times from four years to just 22 months, and improving accountability by monitoring the performance of federal regulatory departments.

The Government of Canada will continue to work with Aboriginal peoples and communities to enable them to seize real, significant and sustainable economic opportunities across the country. Over the long term, this will result in:

- **Opportunity-ready Aboriginal communities** that have stable, efficient and predictable investment climates attractive to business and investors;
- **Viable Aboriginal businesses** that can compete in today's marketplace; and
- **A skilled Aboriginal workforce** that is able to take advantage of employment opportunities across the economy and help meet Canada's future labour market needs.

Moving forward, programs that exist to support Aboriginal economic development will be more opportunity-focused; investments will be targeted at those opportunities with the most likelihood to result in jobs and economic growth for Aboriginal people and communities.

Efforts will also be focused on increasing Aboriginal participation in major projects across Canada. In the next ten years, more than 500 major economic projects representing \$500 billion in new investments are planned across Canada. The economic potential of these projects – in terms of sustainable jobs and economic prosperity for Aboriginal and non-Aboriginal Canadians alike – is tremendous.

By shifting its focus in this way, the Government will ensure that programs align with the strategic priorities of the Federal Framework. In addition, they will complement efforts to address the underlying structural impediments to economic development – including those created by out-dated provisions of the *Indian Act* – and unlock the economic potential of Aboriginal people and communities.

## **EMPOWERING CITIZENS AND PROTECTING THE VULNERABLE**

The Government of Canada is committed to assisting those in greatest need, particularly through initiatives such as child and family services, housing, access to safe drinking water and health programs. Concrete investments in these areas ensure that vulnerable Aboriginal families can live in safer communities and with healthier conditions.

### **Highlights from 2007-08 to 2010-11: Towards the Empowerment of Citizens**

#### ***Taking Action to Protect the Vulnerable***

Since 2007, the Government has made strategic investments in a number of social services designed to protect the most vulnerable Aboriginal people, and promote their individual and family self-sufficiency, safety and security. These investments have targeted children and their families, health and well-being and community policing and protection.

In order to support children and their families, in 2007, the Government started to roll out its new Enhanced Prevention Focused Approach to funding First Nations child and family services on a jurisdiction-by-jurisdiction basis. The new approach includes working with First Nations, provinces and the Yukon territory to ensure that best practices in prevention-based services are brought to reserves and that the tool kit of culturally appropriate services is broadened, including on kinship care.

The new funding approach is now underway in six provinces – Alberta, Prince Edward Island, Quebec, Nova Scotia, Saskatchewan and Manitoba – and covers approximately 68 percent of all First Nation children ordinarily resident on-reserve across Canada. More than \$100 million in additional ongoing investments will be dedicated to the new approach starting this year.

Actions to protect vulnerable Aboriginal Canadians also include a focus on safety and security. In particular, Budget 2011 invested an additional \$30 million over two years in the First Nations Policing Program. This Program supplements existing policing services to provide First Nation and Inuit communities with a police presence that is both culturally appropriate and accountable to residents. This funding contributed to the continued support of over 1,000 officers in First Nation and Inuit communities across Canada.

Budget 2010 also provided \$25 million over five years to address the high incidence of missing and murdered Aboriginal women. This funding includes support for victims, as well as new tools for law enforcement and improvements to the justice system to better respond to such cases. A substantial portion of these funds has also been provided directly to Aboriginal communities and

organizations, and those working in partnership with them, in order to better support victim services, awareness programs and community safety.

In February 2011, the Government of Canada approved funding of \$1.89 million over three years to the Native Women's Association of Canada for a project entitled Evidence to Action II. The goal of this 36-month project is to reduce the levels of violence experienced by Aboriginal women and girls in communities across Canada. Building on previous work, the project will work to strengthen the ability of communities, governments, educators and service providers to respond to issues that relate to the root causes of violence against Aboriginal women and girls. The project builds on the previous phase, Evidence to Action I, which received \$500,000 in 2010 to develop tools and strategies to empower Aboriginal communities, as well as individual girls and women to break the cycle of violence. Evidence to Action I built on the earlier success of the Sisters in Spirit research initiative, which raised awareness of the issue and its impacts, explored the root causes and identified measures for addressing it.

### ***Investing in Communities and Community Infrastructure***

The Government of Canada provides funding to First Nations governments to support them in the delivery of clean drinking water, affordable and adequate housing, and power and connectivity, to the residents of their communities.

First Nations should expect, as do all Canadians, ***access to clean, safe, reliable drinking water*** and the effective treatment of wastewater. Concrete action is underway to support First Nation communities in improving the provision of safe drinking water. Specifically, between 2006-07 and 2013-14, the Government of Canada will have invested \$3 billion in First Nations water and wastewater infrastructure.

Since 2006, beginning with the Plan of Action for Drinking Water in First Nation Communities, the Government of Canada has been pursuing a strategy of investments in infrastructure, enforceable standards and protocols, and capacity and training in efforts to address the needs in First Nations' water and wastewater systems.

In 2008, these efforts continued with the implementation of the two-year, \$330 million First Nations Water and Wastewater Action Plan (FNWWAP). Budget 2010 extended the plan with an additional \$330 million over two years.

Between fiscal years 2006-07 and 2011-12, the Government supported 144 major on-reserve water and wastewater projects. The total invested in these projects was approximately \$757 million.

Through FNWWAP, Health Canada assists First Nations by monitoring the quality of drinking water, reviewing water and wastewater infrastructure project proposals from a public health perspective, and inspecting onsite sewage

installations. Public health awareness and education programming as related to water and wastewater are also provided to communities.

The Government also invests approximately \$10 million a year for the Circuit Rider Training Program (CRTP). The CRTP provides First Nation operators with ongoing, on-site training and mentoring regarding how to operate their drinking water and wastewater systems. Circuit Rider Trainers also help First Nations with minor issues related to the operation and maintenance of their water systems. Through initiatives such as the CRTP, the number of First Nation operators who are either certified or in-training towards certification is steadily increasing. The number of treatment system operators who achieved the first level of certification or greater increased from 35 per cent of all water system operators (392 operators) in November 2006 to 58 per cent of all water and wastewater system operators (870 operators certified to the level of their system) as of Fall 2011.

The Government of Canada is actively working with First Nations communities to increase the supply of **safe and affordable housing**. Housing is recognized as a foundation for the development of strong and healthy communities.

Annually, the Government spends approximately \$407 million in support of First Nations' housing needs on-reserve – approximately \$191 million through Aboriginal Affairs and Northern Development's (AANDC) annual housing budget, and \$216 million through the Canada Mortgage and Housing Corporation (CMHC). In addition, approximately \$143 million is spent annually by CMHC to support the housing needs of Aboriginal households off reserve.

CMHC's annual funding supports the construction of an estimated 700 new homes and the renovation of approximately 1,000 existing houses on reserve each year. CMHC also provides an ongoing subsidy to over 29,000 households living in social housing on-reserve, and invests in capacity building.

Under Canada's Economic Action Plan, the Government provided a one-time investment of \$400 million over two years to help thousands of First Nation households access more affordable, sound and suitable housing. CMHC delivered \$250 million of this amount, about half of which was used for the creation of new on-reserve housing, and the other half for the repair and renovation of existing federally assisted on-reserve social housing. The remaining \$150 million was provided by AANDC for lot servicing, renovations, new construction of high-density multi-unit dwellings and renovations to support the conversion of band-owned housing to private ownership. As a result, close to 500 First Nations communities benefited from funding targeting more than 3,200 projects.

Also under Canada's Economic Action Plan, a further \$200 million was provided for Northern housing to create and retrofit social housing in the three territories over two years. This funding was made available to the territories through



amended Affordable Housing Initiative agreements and resulted in 210 construction or renovation projects.

The First Nations Market Housing Fund was created to expand market-based housing on-reserve by providing easier access to home ownership, rental and renovation loans in First Nations communities, while respecting the communal ownership of reserve land. Since it began operation in 2008, the Fund has received more than 50 applications from First Nations and loan-backing has been approved for 20 communities through the Credit Enhancement Facility. The Fund's Capacity Development Program provides funding to build capacity within First Nations communities in support of the administration of market-based housing programs.

The Government recognizes that assisting communities with **energy and connectivity infrastructure** is essential in order to support their full participation in the Canadian economy.

To this end, Budget 2011 provided \$22 million over two years to help First Nations communities upgrade or replace fuel tank infrastructure in an effort to ensure that essential community services, such as water and wastewater treatment systems and schools and community buildings, meet new environmental safety standards. Budget 2011 also provided \$8 million over two years to promote the deployment of clean energy technologies in Aboriginal and Northern communities to reduce their reliance on non-renewable fuels over time.

Finally, in relation to connectivity, the Broadband Canada Program supports 84 projects, with investments of approximately \$122 million. The Program brings broadband access to an estimated 218,000 rural and remote households. Of the 84 projects, 13, accounting for approximately \$37 million, will target Aboriginal communities including in Nunavut (one project), British Columbia (three projects), Manitoba (two projects), Ontario (four projects), and Quebec (three projects). AANDC and Health Canada provided a further \$12.8 million in support of these 13 projects. It is estimated that these projects will result in high-speed Internet access for approximately 25,000 Aboriginal households. Of the 13 projects targeting Aboriginal and Northern communities, seven have been completed; five more will wrap up in August 2012; the final project is expected to conclude in October 2012.

### ***Investing in Aboriginal Health and Well-Being***

The Government of Canada has made significant investments in support of both better health outcomes and improved access to programs and services targeting First Nations and Inuit health.

In particular, Canada's Economic Action Plan, through Budget 2009, provided \$305 million over two years to support the Non-Insured Health Benefits program,

and the delivery of primary care nursing services in remote and isolated First Nations communities.

Canada's Economic Action Plan also provided \$135 million over two years for the construction and renovation of health facilities infrastructure on-reserve, including health centers and nursing stations. Forty major construction projects and 135 renovation projects of existing health facilities were completed in order to help ensure that First Nations continue to have access to safe and effective health facilities, which house important community-based health programs and services.

Budget 2010 provided an investment over five years (2010-15) to renew key programs in the areas of diabetes treatment and prevention, youth suicide prevention, early childhood development, increasing the participation of Aboriginal people in health careers, and closer integration of federal and provincial health services accessed by First Nations and Inuit. These programs are delivered in partnership with Aboriginal leaders and their communities and include: the Aboriginal Diabetes Initiative, the Maternal Child Health Program, the National Aboriginal Youth Suicide Prevention Strategy, the Aboriginal Health Human Resources Initiatives, and the Health Service Integration Fund. The Budget 2010 investment also provided supplemental funding in support of Aboriginal Head Start programs, on reserve and in urban and Northern communities.

In addition, in 2005 the Government provided the territories with a five-year, \$150-million targeted fund, the Territorial Health System Sustainability Initiative (THSSI), to facilitate the transformation of territorial health systems toward greater responsiveness to Northerners' needs and improved community-level access to services. Budget 2010 extended the Territorial Health System Sustainability Initiative funding by \$60 million over two years, to consolidate the progress made in the first five years of the Initiative.

### **2011-12: Building on Progress, Empowering and Protecting Citizens**

In 2011-12, the Government of Canada continued to support vulnerable Aboriginal people and their communities so that they have access to basic requirements – including water, housing and infrastructure – and can participate more fully in the Canadian economy.

Over the last year alone, 24 major projects targeting the building or upgrading of First Nations water and wastewater systems have been completed, representing investments of approximately \$173 million.

Additionally, on July 14, 2011, AANDC released the results of the National Assessment of Water and Wastewater Systems in First Nations communities. The study is the most rigorous, comprehensive and independent evaluation of

water and wastewater systems on-reserve ever undertaken by a federal government department. It provides a solid evidence base in support of more effective planning for water and wastewater systems. Moving forward, the Government will focus on the priorities identified in the report, and will work in collaboration with First Nations, Tribal Councils and First Nation technical organizations to improve water and wastewater systems.

In 2011, CMHC committed funding for the construction of more than 600 new units under the On-Reserve Non-Profit Rental Housing Program, providing much needed new rental housing on-reserve. There are now 29,600 housing units being subsidized under the program. CMHC also provided funding through its renovation programs to repair 1,015 homes on-reserve. In 2011, 90 percent of CMHC's Aboriginal housing programs were delivered through First Nations and/or Aboriginal organizations.

CMHC also continued to collaborate with Aboriginal Affairs and Northern Development, Health Canada and the Assembly of First Nations on the National Strategy to Address Mould in First Nations communities. Three guides for First Nation home occupants, builders, renovators and housing managers were created and published to develop awareness and capacity on how to identify, assess, remediate and prevent moisture and mould problems indoors. CMHC also published case studies on three First Nations that are successfully addressing mould problems in their communities (i.e., Membertou First Nation, Wikwemikong Unceded Indian Reserve, and Tarslip First Nation).

In addition, CMHC, the First Nations Market Housing Fund and AANDC supported capacity development efforts on-reserve, which is considered key to addressing housing conditions in the long term. CMHC held approximately 240 training sessions in 2011 on housing quality and housing management. Topics included indoor air quality, the prevention and remediation of mould, and training related to housing management. Support is also provided to organizations that represent First Nation housing managers, building inspectors and financial managers.

In fiscal year 2011-12, the Government also took action in the area of **health**, from health benefits and addictions, to health governance.

The Government of Canada committed an additional \$166 million to support the Non-Insured Health Benefits Program, and \$33.7 million to support the delivery of primary care nursing services in First Nations communities.

The Government also supports health and well-being through nutrition programs. On April 1, 2011, the Government launched Nutrition North Canada which replaces the Food Mail Program. Nutrition North Canada provides retail subsidies to help increase access to nutritious and perishable foods for Northerners.

It is anticipated that the program will contribute to improved access to healthy food for Northerners living in isolated communities, promoting a pattern of healthy eating. The program subsidizes perishable food products such as fruits, vegetables, bread, milk and meat. Accountability measures are in place to ensure Northerners in eligible communities benefit from the subsidy.

In addition, with the support of funding under the Government of Canada's National Anti-Drug Strategy, Health Canada, the Assembly of First Nations, and the National Native Addictions Partnership Foundation, announced the release of *Honouring Our Strengths: A Renewed Framework to Address Substance Use Issues Among First Nations People in Canada* on November 7, 2011.

*Honouring our Strengths* is a national framework to address substance use among First Nations people in Canada. The framework was built on extensive engagement with First Nations communities, and outlines a continuum of care in order to support strengthened community, regional, and national responses to substance use issues in First Nations communities. It provides guidance on an approach to community development that prioritizes mental health and well-being and relies upon community and cultural strengths of First Nations people.

The Government also worked with First Nations to improve health governance. An historic Framework Agreement on First Nation Health Governance was signed in October 2011 by British Columbia First Nations, the Government of British Columbia and the Government of Canada. The Agreement is an innovative model of First Nations health governance and enables First Nations to chart a path forward where they have greater control over their own health services and benefits. Under the Agreement, a First Nations Health Authority will work directly with the province and its Regional Health Authorities to better align health services for First Nations.

Similarly, the Government finalized a tripartite First Nations Health and Wellness Plan with the Government of Saskatchewan and Saskatchewan First Nations. The Plan emphasizes collaborative approaches to achieve better health outcomes.

The Government of Canada also invested approximately \$54 million over the past three years to improve access to community level health care and services through broadband connectivity and tele-health in First Nations communities. This work is carried out in collaboration with others, including First Nations, provincial governments and the private sector. As of December 2011, there were over 300 tele-health / video-conferencing sites at the community level, offering a wide range of services, including tele-visitation for family members, tele-education for workers and community members, tele-diabetes and tele-mental health services.

In 2011-12, the Government's **legislative agenda** included measures to protect vulnerable Aboriginal citizens, including women, Band members, and residents on-reserve.

The *Canadian Human Rights Act* was amended to ensure that First Nation individuals have the same protections of their human rights as do all other Canadians. As of June 18, 2011, any decisions or actions taken by Band councils and the federal government, under or pursuant to the *Indian Act*, are subject to the *Canadian Human Rights Act*.

The *Gender Equity in Indian Registration Act* came into force on January 31, 2011. The *Act* amends the *Indian Act* and enables eligible grandchildren of women who lost their registered Indian status as a result of marrying a non-Indian man, to become entitled to registered Indian status, in accordance with the *Indian Act*.

In the interests of better protecting First Nations women, the Government introduced the proposed Bill S-2, the *Family Homes On-Reserves and Matrimonial Interests or Rights Act*. Bill S-2 seeks to provide basic rights and protections to individuals on-reserves during the relationship, in the event of a relationship breakdown, and on the death of a spouse or common-law partner regarding the family home and other matrimonial interests or rights. The proposed legislation sets out provisions for the enactment of First Nation laws respecting on-reserve matrimonial real property, as well as provisional federal rules to fill the legislative gap.

With Bill S-2, the Government is acting to reinforce its commitment in the 2011 Speech from the Throne to ensure that people living on-reserve have similar rights and protections as other Canadians with regard to matrimonial property and interests.

On February 29, 2012, the Government introduced Bill S-8, the *Safe Drinking Water for First Nations Act*. This proposed legislation will allow the Government, in partnership with First Nations, to develop federal regulations to ensure First Nations have access to safe, clean and reliable drinking water, effective treatment of wastewater and the protection of sources of water on First Nation lands.

### **Moving Forward**

Moving forward, the Government of Canada will continue to build on investments from previous years to empower and protect Aboriginal Canadians.

With respect to **water**, Budget 2012 proposes \$330.8 million over two years to build and renovate water infrastructure on-reserve and to support the

development of a long-term strategy to improve water quality in First Nations communities.

The Government will also continue to provide federal funding for **housing** programs on-reserve to build new and rehabilitate existing housing. The Government will also work collaboratively with First Nations communities to enhance their capacity to manage housing programs and maintain housing. Similarly, the National Strategy to Address Mould in First Nations communities will continue to serve as a means to coordinate efforts and share innovative approaches to preventing or remediating the presence of mould. Home builders, property managers and residents all need to be involved in mould prevention and remediation.

Additionally, Budget 2012 announced an investment of \$11.9 million over one year for the Family Violence Prevention Program, allowing AANDC to continue to offer current programming at a total budget of \$30.4 million similar to previous years. This investment contributes to enhanced safety and security of on-reserve residents – particularly women and children.

The Government also committed to work with Aboriginal communities and organizations, and provinces and territories to improve the mental **health and well-being** of Aboriginal peoples in Canada.

Budget 2012 announced the Government's commitment to improve the incentives in the on-reserve Income Assistance Program while encouraging those who can work to access training so they are better equipped for employment.

Health Canada and AANDC are also developing Community Development Approaches to improve working relationships with Aboriginal communities by promoting community-led initiatives.

The important work of researching Aboriginal health issues will continue through the Canadian Institutes of Health Research (CIHR) and its Institute of Aboriginal Peoples' Health. Annually, CIHR spends approximately \$30 million on aboriginal health research which benefits current and future generations of Aboriginal people in Canada.

To expand the provision of primary health services to Canadians in rural and remote communities, Budget 2011 announced that the Government would forgive a portion of Canada Student Loans for new family physicians, nurses and nurse practitioners who practice in underserved rural or remote communities, including communities that provide health services to First Nations, Inuit and Métis populations.

Starting in 2012–13, family physicians who meet the program criteria, including family medical residents in training with an accredited medical school in Canada, will be eligible for federal Canada Student Loan forgiveness of up to \$8,000 per year to a maximum of \$40,000, while nurse practitioners and nurses will be eligible for Canada Student Loan forgiveness of up to \$4,000 per year to a maximum of \$20,000.

Additionally, with the transfer of three elements from Canadian Heritage to Aboriginal Affairs and Northern Development (i.e., the Aboriginal Friendship Centre Program, the Cultural Connections for Aboriginal Youth and the Young Canada Works for Aboriginal Urban Youth), the Government of Canada has signaled that it will align key federal urban Aboriginal programs, including the Urban Aboriginal Strategy, into a more integrated approach that can better support the young and growing urban Aboriginal population in Canada.

Finally, with a view to promote **connectivity**, the Government announced plans to hold spectrum auctions for the 700 MHz and 2,500 MHz spectrum bands in 2013. Regarding the 700 MHz spectrum band, the Government will be implementing specific measures to ensure that Canadians, including Aboriginal communities, living in rural Canada are able to receive the same high-quality services that are available to the rest of Canadians. Companies that have access to more than one block of the 700 MHz band, through the auction or through spectrum sharing, will be required to deploy new advanced services to 90 per cent of the population in their coverage area within five years, and 97 per cent within seven years.

## RESOLUTION OF LAND ISSUES

Strong partnerships among Aboriginal peoples, governments and the private sector are emerging as the Government continues to address outstanding land claim and treaty issues and work toward self-government. Comprehensive land claims and self-government agreements achieve the following:

- Greater certainty over rights to land and resources which contributes to a positive investment climate and creates greater potential for economic development and growth, and
- Greater control by Aboriginal peoples over the decisions that affect their lives.

Specific claims deal with the past grievances of First Nations. These grievances relate to Canada's obligations under historic treaties or the way it managed First Nation funds or assets. The Government of Canada prefers to resolve these claims by negotiating settlements with First Nations. Negotiations lead to “win-win” solutions that bring closure, benefits and certainty for all Canadians.

### **Highlights from 2007-08 to 2010-11: Towards the Resolution of Land Claims**

The Government of Canada continues to move forward with the negotiation of comprehensive and specific land claims agreements. These agreements position Aboriginal communities to seize economic opportunities and maximize economic development initiatives.

To date, 24 comprehensive land claims agreements have been ratified and brought into force. These agreements cover approximately 40 percent of Canada's land mass and impact 96 Aboriginal communities and more than 100,000 Aboriginal Canadians.

The Government also supported the implementation of land claims agreements in the North. In Budget 2010, the Government committed \$8 million over two years to support community-based environmental monitoring, reporting and baseline data collection through the Northwest Territories Cumulative Impact Monitoring Program and the Nunavut General Monitoring Program. Environmental monitoring is necessary in order to fulfill the statutory requirements and commitments made under land claim agreements with Aboriginal groups. Further, environmental monitoring supports informed decision-making with respect to land and resource development.

The Government has also taken historic steps to improve and speed up the resolution of specific claims. In 2007, the *Justice at Last: Specific Claims Action Plan* was established. The Plan launched a fundamental reform of the specific claims process, based on the principle that, where a lawful obligation is



demonstrated, claims and compensation will be negotiated to ensure a fair settlement all parties.

Specifically, *Justice At Last* outlined priority action in the following four areas:

- Creation of an independent tribunal to bring greater fairness to the process
- More transparent arrangements for financial compensation through dedicated funding for settlements
- Practical measures to ensure faster processing on smaller claims and more flexibility for extremely large claims, and
- Refocusing the work of the current Indian Specific Claims Commission to make better use of its dispute resolution services once the new tribunal is in place.

Since 2008, when the *Specific Claims Tribunal Act* came into force, the Government has cleared up a backlog of 541 claims that were bottlenecked at the assessment stage. As a result, the number of claims in negotiation has more than doubled (282 claims) and there are now more claims in negotiation than ever before.

The Government of Canada has also settled 59 claims through negotiated agreements with First Nations totalling over \$1.1 billion, since April 1, 2008.

### **2011-12: Building on Progress on Land Claims**

The Government of Canada continues to work to settle both comprehensive and specific claims. In particular, under the British Columbia treaty process:

- The Maa-nulth Final Agreement came into effect on April 1, 2011
- The Yale Final Agreement was ratified by the Government of British Columbia on June 2, 2011
- The Sliammon Final Agreement was initialled on October 21, 2011, and
- The K'ómoks Agreement-in-Principle was signed on March 24, 2012.

The Cree community of Oujé-Bougoumou signed the complementary Agreement No. 22 on November 7, 2011. The Agreement amends the James Bay and Northern Quebec Agreement to formally incorporate the Cree of Oujé-Bougoumou and will allow for greater hunting and fishing rights, as well as ownership of land.

The Government responded to a total of 144 specific claims in 2011-12. Among the 144 claims, 108 claims were not accepted for negotiation on the basis that the claims did not give rise to any outstanding lawful obligation; 26 claims were

addressed by means of file closures; and ten were settled for a total value of \$258,472,965. In addition, a total of 147 claims were accepted for negotiation.

As of March 31, 2012, the specific claims inventory included 104 claims under assessment, and 280 claims in negotiation, for a total of 384 claims.

Specifically, over the 2011-12 year, the following progress was made on specific claims resolution:

- In July 2011, the Government of Canada announced the negotiated settlement of a long-standing land claim with the Roseau River First Nation. The settlement provides the southern Manitoba First Nation with \$80 million to resolve the claim.
- In September 2011, a special ceremony was held in Wabasca, Alberta, to celebrate the conclusion of a historic land claim settlement in northern Alberta and to mark a major turning point for the Bigstone Cree Nation and the Peerless Trout First Nation. The settlement included \$259.4 million in compensation (i.e., \$231.4 million from Canada and \$28 million from the Province of Alberta). In addition, Alberta is providing up to 140,000 acres of unoccupied provincial Crown land which will become new reserve land for the First Nations. A key part of the settlement was the creation of a new Band for the communities of Peerless Lake and Trout Lake.
- In March and August 2011, the Government of Canada settled two specific claims with the Fort William First Nation that provides the north-western Ontario First Nation with approximately \$171.5 million. Ontario also contributed to the settlement of one of these claims by providing over \$5 million in compensation and the transfer of provincial Crown lands on two islands located in Lake Superior: Flatland Island and Pie Island. This land will be set apart as reserve for the Fort William First Nation.
- On November 29, 2011, Bill C-22, the *Eeyou Marine Region Land Claims Agreement Act*, received Royal Assent. On February 15, 2012, this legislation brought into force the Eeyou Marine Region Land Claims Agreement signed on July 7, 2010, by the Government of Canada, the Government of Nunavut and the Grand Council of the Crees.
- In March 2012, the Government of Canada settled two specific claims with the Pessamit First Nation that provides the Quebec First Nation with \$347,941.
- In February 2012, the Government of Canada settled the Loss of Use specific claim with the Long Plain First Nation. The settlement provides the Manitoba First Nation with \$21.3 million.

### **Moving Forward**

The Government will continue to pursue the settlement of comprehensive and specific land claims with a view to help achieve positive outcomes for all parties.

To this end, the Outcome Statement from the Crown-First Nations Gathering identified advancing claims resolution and treaty implementation as a clear priority. This includes respecting and honouring treaty relationships and advancing approaches to find common ground on Treaty implementation as well as committing to ensuring federal negotiation policies reflect the principles of recognition and affirmation mandated by Section 35 of the *Constitution Act, 1982*.

The Government is also working closely with provinces and territories to further develop effective approaches and processes to fulfill the legal duty to consult and, where appropriate, accommodate when the Crown contemplates conduct that might adversely impact potential or established Aboriginal or Treaty rights. In particular, the Government is continuing to engage with provinces, territories and Aboriginal groups to identify ways to coordinate consultation activities, share information on Aboriginal and Treaty rights, avoid duplication and identify ongoing collaboration and dialogue. In this regard, the Government is developing and negotiating tripartite consultation protocols and arrangements and bilateral Memoranda of Understanding (MOUs) (with willing provinces and territories) in order to reduce and eliminate the duplication in consultation processes and assist in strengthening effective consultations. To date, MOUs have been negotiated with Nova Scotia and Alberta, and are at various stages of approval. Similar arrangements are also being pursued in Manitoba, Saskatchewan and British Columbia.

Similarly, the Government is negotiating and finalizing cooperative arrangements with provincial and territorial Aboriginal groups in order to make consultation processes more efficient. In 2010, the Mikmaq-Nova Scotia-Canada Terms of Reference was announced. Similar arrangements will soon be finalized in New Brunswick, Prince Edward Island and Quebec.

## CONCLUSION

The Government of Canada has an enduring relationship with Aboriginal peoples based on mutual respect, friendship and support. This Government has demonstrated its commitment to this relationship in a number of significant ways, including the Prime Minister's historic Apology to former students of Indian residential schools, the creation of the Truth and Reconciliation Commission, the launch of the Specific Claims Tribunal, and the endorsement of the *United Nations Declaration on the Rights of Indigenous Peoples*, among other major milestones.

The Joint Action Plan and the Outcome Statement from the Crown-First Nations Gathering also represent important markers for further progress. They represent a guide for forward action and commit to advancing a constructive relationship with First Nations based on core principles of mutual understanding, respect, ensuring mutually acceptable outcomes and accountability.

As illustrated in this Report, the Government of Canada continues to make progress in developing and implementing a practical and results-driven approach to Aboriginal issues. The Government will continue to work with willing partners to achieve concrete results in areas including education, health and economic development. Continued progress and success depends on the willingness of all interested partners to work together to achieve better outcomes for Aboriginal children, families and communities.

The actions taken by the Government of Canada since 2007 provide the platform for continuing to build a future in which Aboriginal people and communities fully contribute to and benefit from Canada's prosperity.

## **ANNEX A**

### *Kelowna Accord Implementation Act*

On June 18, 2008, the Kelowna Accord Implementation Act received Royal Assent.

An Act to implement the Kelowna Accord

#### **Preamble**

WHEREAS Parliament recognizes that narrowing and ultimately eliminating the troubling gaps between Aboriginal and non-aboriginal Canadians that exist in the areas of education, skills development, health care, housing, access to clean water and employment, as provided for in the Kelowna Accord, are essential to improving the socio-economic conditions of aboriginal people in Canada;

AND WHEREAS the Government of Canada entered into the Kelowna Accord with the Government of Canada's provinces and territories and with Canada's aboriginal leadership, and it is incumbent upon the Government of Canada to honour its word and its commitments;

NOW, THEREFORE, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows;

#### **Short Title**

1. This Act may be cited as the *Kelowna Accord Implementation Act*.

#### **Implementation of Kelowna Accord**

2. The Government of Canada shall immediately take all measures necessary to implement the terms of the accord, known as the "Kelowna Accord", that was concluded on November 25, 2005 at Kelowna, British Columbia, by the Prime Minister of Canada, the first ministers of each of the provinces and territories of Canada and the 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 of Aboriginal People.

#### **Annual Report to Parliament**

3. At the end of the fiscal year beginning on April 1, 2007, and at the end of each of the next four fiscal years, the Minister of Indian Affairs and Northern Development shall prepare a report reviewing the progress made by the Government of Canada in fulfilling its obligations under the Kelowna Accord during that fiscal year, and shall cause the report to be laid before each House of Parliament within sixty days after the end of the fiscal year or, if that House is not then sitting, on any of the first fifteen days next thereafter that the House is sitting.