

**GUIDE TO THE PRINCIPAL  
FINDINGS AND  
RECOMMENDATIONS OF THE  
FINAL REPORT OF  
THE ROYAL COMMISSION  
ON  
ABORIGINAL PEOPLES**

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This briefing material is designed to assist readers to understand the central ideas of the Royal Commission's final report and to access those recommendations and related analysis of greatest interest to them.

It consists of the following:

- a) Notes on the historical context and current realities
- b) The essential elements of the Commission's proposals
- c) A summary of the contents of the report's five volumes.
- d) A listing of chapters that provide an overview or integrate the recommendations into a comprehensive approach.
- e) A listing of principal findings and recommendations of the report set out by theme.
- f) Expenditures by function to date

Accompanying the final report is a document, *People to People: Nation to Nation*, that highlights the report's findings and conclusions. Its five chapters follow the report's five volumes.



When reviewing specific themes, the reader will first be directed to the treatment of the theme in *People to People: Nation to Nation* in order to understand the context in which the finding/recommendation was made. Directions are then given to the pages in the final report where issues related to that theme are discussed. Finally, the principal recommendations with respect to that theme are reproduced.

This guide has been created to enable the reader to get an understanding of the Commission's position on a wide range of issues in the minimum time possible. Themes, references and recommendations have been selected to provide an understanding of only its major findings and recommendations. Much important material has been omitted, and a full understanding of the issues requires their consideration within the overall context of the chapter and the volume.

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## **A) HISTORICAL CONTEXT AND CURRENT REALITIES**

### **Historical Context**

Without consultation with those affected, Canada fundamentally altered the treaty relationships between autonomous Aboriginal peoples and the Crown at the time of Confederation with section 91(24) of the *Constitution Act (1867)* making Aboriginal people and their lands the object of unilateral federal legislation, and followed that in 1876 with the first of various versions of the *Indian Act*. These actions, over time, transformed independent Aboriginal nations into bands and individuals who were clients of a government department and wards of the state.

Canada's policy for many of the intervening years sought to undermine Aboriginal institutions and life patterns and to assimilate Aboriginal people as individuals into mainstream society.

### ***The instruments to achieve that were:***

- 1) The Indian Act
- 2) The removal of jurisdiction from traditional Aboriginal governments
- 3) The break-up of historic Aboriginal nations through the creation of "band" and "settlement" governments
- 4) Government control over who is recognized as an "Indian"
- 5) Forced attendance by several generations of Aboriginal children at residential schools
- 6) Relocation of scores of Aboriginal communities
- 7) Adoption of Aboriginal children into non-Aboriginal homes
- 8) Loss of two-thirds of the land set aside in treaties
- 9) Exclusion of Aboriginal culture from processes related to education, justice, health, and family services
- 10) Substitution of welfare for an effective economic base.



**Current Realities: a Social Crisis**

The results of the above government policies over several generations are seen in contemporary economic marginalization and social disintegration:

- 1) **Low participation in the economy:** the participation rate by Aboriginal people in the labour force (57 %) is below that of all Canadians (68%)
- 2) **High unemployment:** rates among those in the labour force rose from 15.4% in 1981 to 24.6% in 1991 despite advances in education
- 3) **Poverty:** earned income per employed Aboriginal individual in 1991 was \$14,561 compared to \$24,001 for all Canadians, and declined by \$1,000 over the decade 1981 - 1991.
- 4) **Dependency:** 46% of people on reserve live on welfare
- 5) **Low educational attainment:** 42 % of Aboriginal children complete grade 12 compared to 61% in the broader population
- 6) **High rates of incarceration:** 14% of inmates in federal penal institutions are Aboriginal rising to 49% and 72% in provincial institutions in Manitoba and Saskatchewan respectively
- 7) **Poor health:** the incidence of tuberculosis and diabetes is 17 times and three times higher among the Aboriginal population
- 8) **Income Losses:** Canada is losing \$5.8 billion annually that would be added to the GDP were Aboriginal people productively employed at rates equivalent to those in adjacent non-Aboriginal communities
- 9) **Excessive expenditures:** governments today spend 57% more on Aboriginal people than on the same number of other Canadians, largely for remedial measures and social assistance because of poverty, though part of this additional expenditure is due to higher costs of servicing isolated communities
- 10) **Cost to the economy:** the income foregone (\$5.8 billion) plus the remedial expenditures (\$1.7 billion) leads to a loss of \$7.5 billion annually.

**Current Realities: a Demographic Crisis**

- 1) The Aboriginal population is growing at twice the rate of the Canadian population.
- 2) Fifty-six percent of the current Aboriginal population is below 25 with two thirds of these being below 15 years of age.
- 3) Some 300,000 new jobs will have to be created for Aboriginal people in the next 20 years if they are to reach the 9 - 10% rate of unemployment the Canadian population has today.
- 4) Demographic pressures alone will increase the losses to the economy if present trends continue to \$11 billion a year in 2016.

## ***B) ESSENTIAL STRATEGIES FOR A NEW RELATIONSHIP***

Fundamental changes are required in the relationship between Aboriginal peoples and Canada if hope and confidence are to be restored to Aboriginal peoples and health and self-reliance are again to characterize their communities and nations. Two priorities guide these changes: the **rebalancing** of political and economic strength between Aboriginal peoples and Canada, and the **rebuilding** of skills and capacity in Aboriginal individuals, institutions and communities.

***The rebalancing of the political and economic relationship entails:***

- 1) **Restoring** the rights to self-government and to control an adequate land base,
- 2) **Recognizing** that Aboriginal cultures and values differ in many ways from the organizing principles of mainstream society
- 3) **Restructuring** institutions of governance, education, health, justice and economic development according to these distinctive values
- 4) **According** Aboriginal communities who come together as nations wide governing jurisdiction as one of three orders of government in Canada
- 5) **Supporting** Aboriginal nation governments with new fiscal arrangements and recognizing their taxation authority
- 6) **Engaging with** Aboriginal nations in the interpretation or renewal of existing treaties or the negotiation of new treaties that determine the jurisdiction of Aboriginal governments and their land and resource base
- 7) **Reallocating** land and resources to provide an adequate economic base to promote the self-reliance of individuals and the financing of Aboriginal governments

*The rebuilding of capacity in individuals and communities entails:*

- 1) **Integrating** health and social services in Aboriginal-controlled delivery institutions that see healing as the treatment of the whole person and his or her environment
- 2) **Training** 10,000 Aboriginal health professionals
- 3) **Instituting** broad programs for maternal care and early childhood education
- 3) **Accelerating** the development of Aboriginal education systems through curriculum development, **training** of large numbers of Aboriginal teachers and administrators, and **encouraging** Aboriginal control of education policy and schools on Aboriginal territory
- 4) **Expanding** Aboriginal justice services and **promoting** the evolution of distinctive Aboriginal justice systems,
- 5) **Accelerating** economic development with the design and delivery of business programs in the hands of Aboriginal institutions and the creation of a National Aboriginal Development Bank
- 6) **Developing** intensive measures with all major private and public sector employers in regions of significant Aboriginal population to provide on-the-job training
- 7) **Restructuring** social welfare to permit able bodied individuals to work or be trained thereby strengthening the economic and social infrastructure of communities

*How should this be accomplished?*

The Commission proposes:

- The federal government, in consultation with Aboriginal leadership and the provincial and territorial governments, draw up a new **Royal Proclamation** to be promulgated by the Queen and Parliament acknowledging the mistakes of the past and committing governments to the principles of a new relationship.
- This proclamation be accompanied by a commitment to submit **companion legislation** to Parliament, and where appropriate, to provincial and territorial legislatures, consisting of the following:

- o An *Aboriginal Nation Recognition and Government Act*, by which the Canadian government, following processes and criteria set out in the Act, officially recognizes legitimate Aboriginal nations and enters into new fiscal arrangements to finance their activities
- o An *Aboriginal Treaties Implementation Act*, which would establish the processes and principles by which recognized nations could renew their existing treaties, or create new ones. This Act would also establish regional Treaty Commissions to facilitate and support treaty negotiation, to be conducted by representatives of governments concerned.
- o An *Aboriginal Lands and Treaties Tribunal Act*, which would establish an independent body to decide on specific claims, ensure that treaty negotiations are conducted and financed fairly, and protect the interests of affected parties while treaties are being negotiated.
- o An *Aboriginal Parliament Act*, which would establish a body to represent Aboriginal peoples within federal governing institutions, and advise Parliament on matters affecting Aboriginal people. (A constitutional amendment, to come later, would create a House of First Peoples, to join the House of Commons and the Senate as constituting the Parliament of Canada.)
- o An *Aboriginal Relations Department Act* and an *Indian and Inuit Services Department Act*, which would create two new departments to replace the current Department of Indian and Northern Affairs, one to implement the new relationship with Aboriginal nations, and the second to administer continuing services for communities which have not yet opted for self-government.
- The governments of Canada, the provinces, territories and Aboriginal leaders meet under the auspices of a First Ministers' conference to establish a forum to negotiate a **Canada-wide framework agreement** on key elements in this agenda, notably principles to guide the redistribution of lands and resources, the scope of Aboriginal government jurisdiction, the nature of long-term fiscal arrangements and principles for the co-management of shared public lands.
- Those Aboriginal communities that wish to proceed towards nation recognition as part of one of three orders of government begin the **process of nation rebuilding**, drawing up membership codes, constitutions, designing institutions of government and seeking authority from their people to implement these.

- The **recognition of an Aboriginal nation** by the government of Canada be on the advice of the independent Lands and Treaties Tribunal. Recognition triggers agreement to the Aboriginal government's jurisdiction on its existing territory, the federal government's vacating of relevant authorities under section 91:24 of the *Constitution Act (1867)*; the removal of the *Indian Act's* jurisdiction for that nation; and additional fiscal arrangements to permit the nation to finance its expanded jurisdiction.
- Following recognition, and at a time of its choosing, the Aboriginal nation engage in **treaty negotiation processes** to renew its treaties or embark on a new treaty with the purpose of defining the nation's full governing jurisdiction and the determination of its wholly-owned territory and the territory over which it shares jurisdiction with provincial or territorial governments.
- In the immediate future, while preparations for the structural changes outlined above are underway, a wide variety of **capacity-building initiatives** need to be designed and implemented to address social, educational, health and housing needs. These need to be implemented through multi-year planning arrangements with Aboriginal institutions where design and delivery are undertaken through those institutions and in such a manner that, as the governing institutions of Aboriginal nations take shape, the latter can assume responsibility for these functions.
- The implementation strategy that the Commission proposes for both the structural change and the capacity-building measures envisages **increased investment by federal, provincial and Aboriginal governments** rising by \$1.5 billion by year five of the strategy, increasing to \$2 billion in the subsequent fifteen years. The impact of the Commission's proposals on Aboriginal people's earning power and a reduction in excessive health and social costs results in the net cost of the Commission's strategy declining significantly below the projected costs of the status quo, with the cross-over occurring between 15 and 20 years from the start of the strategy.
- The Commission believes that the measures it proposes can **reduce the social and economic gap** between Aboriginal and non-Aboriginal people by some 50% over this 20 year period, with the momentum resulting the gap being effectively eliminated in the subsequent years.

### ***C) SUMMARY OF THE REPORT***

*The Royal Commission's final report consists of five volumes:*

- Volume 1 - Looking Forward, Looking Back**
- Volume 2 - Restructuring the Relationship; Parts One and Two**
- Volume 3 - Gathering Strength**
- Volume 4 - Perspectives and Realities**
- Volume 5 - Renewal: A Twenty-Year Commitment**

In addition to the detailed Table of Contents found at the beginning of each volume, an abridged version of the Tables of Contents for the other volumes can be found in an appendix at the end of each volume. All the recommendations that feature in the various chapters of a volume are brought together and replicated in an appendix to that volume. All the recommendations of the report are reproduced in an appendix to volume 5.

#### **Overview of the Volumes**

**VOLUME 1 - LOOKING FORWARD, LOOKING BACK** in its introduction and first chapter sets out the major tasks Commissioners sought to address. It provides a background on demographics (chapter 2). It describes, through the use of vignettes, Aboriginal life prior to contact and the changing nature of the relationship between Aboriginal and non-Aboriginal people over the last five hundred years (chapters 3 to 7). It explores four episodes in the 19th and 20th centuries that demonstrate the Canadian state's attempt to control and assimilate Aboriginal peoples and the false assumptions on which these policies were built (chapters 8 to 13).

Chapter 14 is an analysis of the political nature of the relationship from the first contact to the present day. This is followed by an examination of Aboriginal cultures to assist the reader in understanding the different values and world views that survive in Aboriginal communities and their relevance to the resolution of contemporary problems (chapter 15). The final chapter in the volume enunciates principles that the Commission recommends be the basis of a renewed relationship between Aboriginal peoples and other Canadians.

<b><u>Chapters</u></b>	<b><u>Pages</u></b>
<b>PART ONE - GETTING STARTED</b>	
1. Getting Started	1
2. From Time Immemorial: A Demographic Profile	11
3. Concepts of History	31
4. Stage One: Separate Worlds	43
5. Stage Two: Contact and Co-operation	99
6. Stage Three: Displacement and Assimilation	137
7. Stage Four: Negotiation and Renewal	201
<b>PART TWO - FALSE ASSUMPTIONS AND A FAILED RELATIONSHIP</b>	
8. Introduction	247
9. The <i>Indian Act</i>	255
10. Residential Schools	333
11. Relocation of Aboriginal Communities	411
12. Veterans	545
13. Conclusions	599
<b>PART THREE - BUILDING THE FOUNDATIONS OF A RENEWED RELATIONSHIP</b>	
14. The Turning Point	607
15. Rekindling the Fire	615
16. The Principles of a Renewed Relationship	675

**VOLUME 2 - RESTRUCTURING THE RELATIONSHIP.** **PART ONE** of this volumes explores the structural factors that define the political and economic power exercised by Aboriginal peoples and Canadian governments. The introduction (chapter 1) provides an overview of the issues. This is followed by an examination of treaties: their nature and the circumstances of their negotiation, how they have been interpreted by the courts, an assessment of current approaches to dealing with treaty issues, the role treaties should play in the future of the relationship, and new policies and instruments (treaty commissions and an independent tribunal) for implementing past undertakings and entering into new treaty agreements (chapter 2).

The many aspects of Aboriginal self-government make up chapter 3. It begins with an examination of Aboriginal traditions and visions of governance. The chapter then discusses the dimensions of self-determination, the concept of Aboriginal nationhood and its defining characteristics, and the legal and constitutional basis for self-government, including the application of the Charter. It then explores models of self-government and the question of



its financing. Transition steps are then proposed along with the implications for the rebuilding of Aboriginal nations and the restructuring of the federal government to accommodate this change. A final section introduces an Aboriginal parliament as a means to better represent Aboriginal peoples in federal institutions.

<u>Chapters</u>	<u>Pages</u>
1. Introduction	1
2. Treaties	9
3. Governance	105

**Part Two** examines the allocation of lands and resources in chapter 4. It describes the significance of land to Aboriginal peoples, how they lost their land and the evolution of the law of Aboriginal title. It analyses current claims processes and contemporary legal interpretations of the law of Aboriginal title and proposes a new basis for negotiating old claims and new requirements for land and resource allocation, including the creation of an independent tribunal and provisions for interim arrangements to share resources while treaties are being negotiated. Finally it explores ways by which greater access to natural resources can assist in creating self-reliance.

Self-reliance is very much the theme of the next chapter on economic development. Tracing the history of the decline of Aboriginal economies, it discusses the levers of change from the implementation of treaty rights, approaches to business development, the creation of financial institutions, new approaches to on-the-job training and a complete reworking of social assistance regimes.

Concluding chapter 6 brings the proposed measures for political and economic change into an integrated and reinforcing package.

<u>Chapters</u>	<u>Pages</u>
4. Land and Resources	421
5. Economic Development	775
6. Conclusion	1015

**VOLUME 3 - GATHERING STRENGTH** turns to the measures required to rebuild cohesion and wholeness into Aboriginal communities and nations, proposing immediate and longer-term measures to build the capacity for self-government. It focuses first on the centrality of the family and the consequences of the disempowerment of Aboriginal women (chapter 2). It explores the dimensions of and whole health in chapter 3 and sets out a comprehensive strategy to restore it.

The volume addresses the current appalling state of housing and proposes measures to redress that within ten years (chapter 4). A framework for life-long, holistic education is proposed in chapter 5 with approaches designed for early childhood, youth, adults and elders. Chapter 6 explores the significance of heritage and the arts in sustaining and interpreting Aboriginal identity and sharing its culture. The final chapter relates social change to self-government and defines the transition needed to Aboriginal instruments and institutions.

<u>Chapters</u>	<u>Pages</u>
1. New Directions in Social Policy	1
2. The Family	9
3. Health and Healing	107
4. Housing	365
5. Education	433
6. Arts and Heritage	585
7. Conclusions	663

**VOLUME 4 - PERSPECTIVES AND REALITIES** introduces the special concerns and circumstances of Aboriginal women, elders and youth, the Métis and the particular challenges facing those who live in an urban environment and the far North. The impact of Indian policy on the status of Aboriginal women and the priorities of women relating to health, to economic and personal security, to the family and women's views of the relationship between healing and governance are the principal themes of chapter 2. The importance of elders in ensuring an integration of present and past, the nature of traditional knowledge and the role elders could play in many aspects of modern Aboriginal society from education to justice are explored (chapter 3). With 56% of Aboriginal people being under 25, the diverse concerns of youth are examined in chapter 4 and a range of initiatives are proposed to equip them for a more productive and participative role in their societies and in Canadian society as a whole.

The particular concerns of Canada's Métis people, both those who identify as the Métis Nation with roots in the Red River settlement and other communities of mixed Aboriginal and European heritage who have come to call themselves Métis, are the subject of chapter 5. The origins and early history of Métis peoples, their treatment under the laws of Canada, their aspirations as an Aboriginal people, proposals relating to their future political structures, land bases and access to Aboriginal rights are examined. Important annexes on the sources of Métis rights form part of this chapter.

The circumstances of the many Aboriginal peoples who live across Canada's Far North are examined in chapter 6 with particular emphasis on the challenges of the economic sustainability of isolated communities, the problems of environmental degradation and the

evolution of new political structures. Finally, the concerns of Aboriginal people living in urban settings are explored in the volume's last chapter. Questions of identity, the jurisdictional conflicts between federal and provincial governments over the funding of off-reserve programs, the challenge of delivering culturally appropriate services, the particular problems faced by Aboriginal women and the nature of urban-based Aboriginal government are examined in detail.

<b><u>Chapters</u></b>	<b><u>Pages</u></b>
1. Introduction	1
2. Women's Perspectives	7
3. Elders' Perspectives	107
4. The Search for Belonging: Perspectives of Youth	147
5. Métis Perspectives	199
6. The North	387
7. Urban Perspectives	519

**VOLUME 5 - RENEWAL: A TWENTY-YEAR COMMITMENT** integrates the previous analysis and recommendations into a comprehensive and multi-year strategy to reform the foundations of the relationship. Chapter 1 articulates this strategy combining major structural changes in political and economic institutions with approaches to rebuild the health, education, employment and cultural base of Aboriginal communities.

The next chapter explores current expenditures of federal and provincial governments on Aboriginal peoples, identifies the losses to the Canadian economy from the marginalization of Aboriginal people and forecasts what those losses will be in the future if present trends continue. Chapter 3 then sets out the budgetary cost of the Commission's proposals, establishes an expenditure framework to take advantage of the natural synergy that change can produce, estimates the economic and financial impact of these proposals on the Canadian economy as a whole and on the finances of governments in particular and assesses the likelihood of realizing these gains.

The volume continues with an assessment of the current state of public understanding about Aboriginal peoples and their place in Canadian society and proposes a wide range of measures to enhance public education around these issues. The final chapter considers the nature of constitutional change that is appropriate, when Canadians are once again prepared to contemplate such change, to reflect the rightful place of Aboriginal peoples in the Canadian federation and to protect their rights.

<b><u>Chapters</u></b>	<b><u>Pages</u></b>
1. Laying the Foundations of a Renewed Relationship	1
2. Economic Disparities, Government Expenditures and the Cost of the Status Quo	23
3. The Commission's Strategy as a Good Investment	55
4. Public Education: Building Awareness and Understanding	91
5. Constitutional Amendment: The Ultimate Challenge	117

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## ***D) OVERVIEW AND INTEGRATIVE CHAPTERS***

Certain chapters provide an overview of the respective volumes or the report as a whole or integrate the analysis and recommendations into a comprehensive strategy. These are worth examining to understand how the many initiatives in the report fit together. These sections are noted below.

### **VOLUME ONE: LOOKING FORWARD, LOOKING BACK**

#### **Chapter 1: Getting Started: pp. 1 - 6**

The principal themes and objectives for the report as a whole.

#### **Chapter 8: False Assumptions and a Failed Relationship: p. 247 - 253**

The assumptions and policies that informed state action aimed at displacement and assimilation.

#### **Chapter 14: The Turning Point: pp. 607 - 613**

An overview of the evolution from autonomous peoples relating to Canada through treaties to clients of a department governed by the *Indian Act*.

#### **Chapter 16: The Principles of a Renewed Relationship: pp. 675 - 696**

Examination of a new basis for coexistence and cooperation between Aboriginal peoples and other Canadians.

### **VOLUME TWO: RESTRUCTURING THE RELATIONSHIP**

#### **Chapter 1: Introduction: pp. 1 - 8**

How each of the four themes of this volume - treaties, governance, lands and economics - relate to each other and to an overall approach to renewal.

#### **Chapter 6: Conclusion: pp. 1015 - 1024**

Integration of the major structural initiatives developed in this volume into an implementation plan to rebalance the political and economic aspects of the relationship.

**VOLUME THREE: GATHERING STRENGTH****Chapter 1: New Directions in Social Policy: pp. 1 - 7**

Overview of the volume and its links to issues in previous volume.

**Chapter 7: Conclusions: pp. 663 - 669**

Implementing social policy change while political structures evolve.

**VOLUME FOUR: PERSPECTIVES AND REALITIES****Chapter 1: Introduction: pp. 1 - 6**

Overview of the volume.

**VOLUME FIVE: RENEWAL, A TWENTY-YEAR COMMITMENT****Chapter 1: Laying the Foundation of a Renewed Relationship: pp. 1 - 20**

Integrating the Commission's recommendations into a comprehensive 20-year strategy.

**Chapter 3: The Commission's Strategy as a Good Investment: pp. 55 - 82**

The cost of the recommendations and the timing of the related investment.

*E) PRINCIPAL FINDINGS AND  
RECOMMENDATIONS*

# THE INDIAN ACT

## (Volume 1, Chapter 9)

See *People to People: Nation to Nation*, pages 4 to 18 to understand the Commission's view of the historical context that led to the Indian Act and other assimilationist policies.

### MAIN ISSUES

- |  |   |                          |
|--|---|--------------------------|
| <div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center; margin-bottom: 10px;">1</div> | ORIGINS OF THE INDIAN ACT                                       | pp. 263-281 <sup>1</sup> |
| <div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center; margin-bottom: 10px;">2</div> | EMERGENCE OF OPPRESSIVE<br>MEASURES UNDER THE <i>INDIAN ACT</i> | pp. 281-307              |
| <div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center; margin-bottom: 10px;">3</div> | POST-WAR INDIAN POLICY REFORM                                   | pp. 307-319              |

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<sup>1</sup> Page numbers refer to the discussion of issues the appropriate volume(s) of the final report and to the location of recommendations. A reprint of all the report's recommendations can be found in Volume 5, Appendix A.



# RESIDENTIAL SCHOOLS

## (Volume 1, Chapter 10)

See *People to People: Nation to Nation*, pages 4 to 18 to understand the Commission's view of the historical context that led to the creation of residential schools.

### MAIN ISSUES AND RECOMMENDATIONS

- |          |   |                          |
|----------|---|--------------------------|
| <b>1</b> | THE ORIGIN AND POLICIES<br>OF RESIDENTIAL SCHOOLS | pp. 333-353 <sup>2</sup> |
| <b>2</b> | ADMINISTRATIVE AND FINANCIAL<br>REALITIES         | pp. 353-365              |
| <b>3</b> | EVIDENCE OF ABUSE                                 | pp. 365-376              |
| <b>4</b> | ACCOUNTABILITY                                    | pp. 376-382              |
| <b>5</b> | THE NEED FOR A PUBLIC INQUIRY                     | pp. 382-385              |

#### RECOMMENDATION 1.10.1

Under Part 1 of the *Public Inquiries Act*, the government of Canada establish a public inquiry instructed to:

- (a) investigate and document the origins and effects of residential school policies and practices respecting all Aboriginal peoples, with particular attention to the nature and extent of effects on subsequent generations of individuals and families, and on communities and Aboriginal societies;
- (b) conduct public hearings across the country with sufficient funding to enable the testimony of affected persons to be heard;

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<sup>2</sup> Page numbers refer to the discussion of issues the appropriate volume(s) of the final report and to the location of recommendations. A reprint of all the report's recommendations can be found in Volume 5, Appendix A.

- (c) commission research and analysis of the breadth of the effects of these policies and practices;
- (d) investigate the record of residential schools with a view to the identification of abuse and what action, if any, is considered appropriate; and
- (e) recommend remedial action by governments and the responsible churches deemed necessary by the inquiry to relieve conditions created by the residential school experience, including as appropriate,
  - apologies by those responsible;
  - compensation of communities to design and administer programs that help the healing process and rebuild their community life; and
  - funding for treatment of affected individuals and their families.

p.385

# RELOCATION OF ABORIGINAL COMMUNITIES

## (Volume 1, Chapter 11)

See *People to People: Nation to Nation*, pages 4 to 18 to understand the Commission's view of the historical context that led to the relocation of Aboriginal communities.

### MAIN ISSUES AND RECOMMENDATIONS

1	WHY RELOCATIONS TOOK PLACE	pp. 414-416 <sup>3</sup>
2	THE MI'KMAQ OF NOVA SCOTIA	pp. 417-422
3	THE INUIT OF HEBRON, LABRADOR	pp. 422-430
4	THE SAYISI DENE OF MANITOBA	pp. 430-439
5	THE YUKON FIRST NATIONS	pp. 439-443
6	THE GWA'SALA AND 'NAKWAXDA'XW OF BRITISH COLUMBIA	pp. 443-448
7	THE MUSHUA INNU OF LABRADOR	pp. 448-454
8	THE BAFFIN ISLAND INUIT	pp. 454-459

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<sup>3</sup> Page numbers refer to the discussion of issues the appropriate volume(s) of the final report and to the location of recommendations. A reprint of all the report's recommendations can be found in Volume 5, Appendix A.

9	OTHER INUIT RELOCATIONS	pp. 459-465
10	THE SAUGEEN OF ONTARIO	pp. 467-468
11	THE SONGHEES OF VANCOUVER ISLAND	pp. 468-472
12	THE MÉTIS OF STE. MADELEINE, MANITOBA	pp. 472-475
13	THE CHESLATTA T'EN OF BRITISH COLUMBIA	pp. 475-482
14	THE CHEMAWAWIN CREE OF MANITOBA	pp. 482-490
15	ANALYSIS OF THE EFFECTS OF RELOCATIONS	pp. 490-505
16	RESPONSIBILITY FOR RELOCATIONS	pp. 505-513
17	PROPOSALS FOR REFORM	pp. 513-520

*RECOMMENDATION 1.11.1*

Governments acknowledge that where the relocation of Aboriginal communities did not conform to the criteria set out in Recommendation 1.11.2, such relocations constituted a violation of their members' human rights. p. 521

*RECOMMENDATION 1.11.2*

Parliament amend the *Canadian Human Rights Act* to authorize the Canadian Human Rights Commission to inquire into, hold hearings on, and make recommendations on relocations of Aboriginal peoples to decide whether:

- (a) the federal government had proper authority to proceed with the relocations;

- (b) relocatees gave their free and informed consent to the relocations;
  - (c) the relocations were well planned and carried out;
  - (d) promises made to those who were relocated were kept;
  - (e) relocation was humane and in keeping with Canada's international commitments and obligations; and,
  - (f) government actions conformed to its fiduciary obligation to Aboriginal peoples.
- p. 521

*RECOMMENDATION 1.11.3*

The Canadian Human Rights Commission be authorized to conduct inquiries into relocations, including those that occurred before the Commission's creation in 1978, and that with respect to the latter relocations, its mandate expire 15 years after coming into force.

p. 521

*RECOMMENDATION 1.11.7*

The Canadian Human Rights Commission be given the authority to recommend a range of remedies to redress the negative effects of relocations, including

- provision for essential social infrastructure or services or special community initiatives;
  - provisions for relocatees to return to and re-establish in the home community;
  - provision for visiting between separated families;
  - funding of additional services, for example, to assist the readjustment of returnees, or all persons still adversely affected by the relocations;
  - settlement of individual claims for compensation for, among other things, unpaid work done or services rendered during relocation and personal property lost or left behind; and,
  - costs, including future costs, incurred by relocatees or their representatives in attempting to resolve their complaints.
- p. 522

*RECOMMENDATION 1.11.11*

The Canadian Human Rights Commission be authorized to apply to an appropriate tribunal to obtain any appropriate measure against the Government of Canada, or to demand in favour of the Aboriginal community or communities in question any measure of redress it considers appropriate at the time, where:

- (a) the parties will not agree to mediation or arbitration of the dispute; or,
  - (b) proposals of the Commission have not been carried out within an allotted time to its satisfaction; and,
  - (c) application to a tribunal or demand in favour of a community is with the consent of concerned communities.
- p. 522

# VETERANS

(Volume 1, Chapter 12)

## *MAIN ISSUES AND RECOMMENDATIONS*

<b>1</b>	FIRST WORLD WAR EXPERIENCE	pp. 549-554 <sup>4</sup>
<b>2</b>	SECOND WORLD WAR EXPERIENCE	pp. 556-570
<b>3</b>	ACCESS TO VETERANS' BENEFITS	pp. 571-574
<b>4</b>	TREATMENT UNDER THE <i>VETERANS' LANDS ACT</i>	pp. 574-581
<b>5</b>	POST-WAR YEARS AND THE KOREAN WAR	pp. 581-586

### *RECOMMENDATION 1.12.1*

The Government of Canada:

Acknowledge, on behalf of the people of Canada, the contribution of Aboriginal people within the Canadian Armed Forces during the wars of this century (the First World War, the Second World War and Korea) by:

- (a) giving a higher profile to Aboriginal veterans at national Remembrance Day Services;
- (b) funding the erection of war memorials in Aboriginal communities; and
- (c) funding the ongoing work of Aboriginal veterans' organizations.

p. 591

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<sup>4</sup> Page numbers refer to the discussion of issues the appropriate volume(s) of the final report and to the location of recommendations. A reprint of all the report's recommendations can be found in Volume 5, Appendix A.

*RECOMMENDATION 1.12.2*

Agree to Aboriginal veterans' requests for an ombudsman to work with the departments of veterans affairs and Indian affairs and northern development and national and provincial veterans' organizations to resolve longstanding disputes concerning

- Aboriginal veterans' access to and just receipt of veterans benefits; and
- the legality and fairness of the sales, leases and appropriations of Indian lands for purposes related to the war effort and for distribution to returning veterans of the two world wars.

p. 591

# THE POLITICAL RELATIONSHIP BETWEEN ABORIGINAL PEOPLES AND CANADA

(Volume 1, Chapters 14 and 16)

See *People to People: Nation to Nation*, pages 18 to 21, for a summary of the principles that should form the basis of a new relationship.

## MAIN ISSUES AND RECOMMENDATIONS

- |  |                                      |                          |
|--|--------------------------------------|--------------------------|
| <div style="border: 1px solid black; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center; margin-bottom: 10px;">1</div> | THE CORE OF THE CONFLICT             | pp. 607-612 <sup>5</sup> |
| <div style="border: 1px solid black; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center; margin-bottom: 10px;">2</div> | PRINCIPLES FOR A NEW<br>RELATIONSHIP | pp. 677-691              |
| <div style="border: 1px solid black; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center; margin-bottom: 10px;">3</div> | MAINTAINING THE RELATIONSHIP         | pp. 691-697              |

### RECOMMENDATION 1.16.2

Federal, provincial and territorial governments further the process of renewal by

- (a) acknowledging that concepts such as *terra nullius* and the doctrine of discovery are factually, legally and morally wrong;
  - (b) declaring that such concepts no longer form part of law making or policy development by Canadian governments;
  - (c) declaring that such concepts will not be the basis of arguments presented to the courts;
  - (d) committing themselves to renewal of the federation through consensual means to overcome the historical legacy of these concepts which are impediments to Aboriginal people assuming their rightful place in the Canadian federation; and
  - (e) including a declaration to these ends in the above new Royal Proclamation and its companion legislation.
- p. 696

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<sup>5</sup> Page numbers refer to the discussion of issues the appropriate volume(s) of the final report and to the location of recommendations. A reprint of all the report's recommendations can be found in Volume 5, Appendix A.



# THE ROLE OF TREATIES

## (Volume 2 Chapter 2)

See *People to People: Nation to Nation*, pages 46 to 52, for an overview of the Commission's views on treaties.

### MAIN ISSUES AND RECOMMENDATIONS

- |          |  |                        |
|----------|--|------------------------|
| <b>1</b> | HISTORICAL INDIAN TREATIES                                     | map p. 12 <sup>6</sup> |
| <b>2</b> | ATTRIBUTES OF THE TREATIES                                     | pp. 18-21              |
| <b>3</b> | COURT DECISIONS DEFINING THE<br>TREATY RELATIONSHIP            | pp. 22-36              |
| <b>4</b> | IMPLEMENTING THE SPIRIT AND<br>INTENT OF TREATIES              | pp. 41-42              |
| <b>5</b> | THE FIDUCIARY RELATIONSHIP                                     | pp. 42-44              |
| <b>6</b> | DID HISTORICAL TREATIES EXTINGUISH<br>ABORIGINAL LAND RIGHTS ? | pp. 44-49              |
| <b>7</b> | PROPOSALS TO ADDRESS<br>TREATY ISSUES FROM 1985 TO PRESENT     | pp. 54-57              |

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<sup>6</sup> Page numbers refer to the discussion of issues the appropriate volume(s) of the final report and to the location of recommendations. A reprint of all the report's recommendations can be found in Volume 5, Appendix A.

<b>8</b>	<b>ESTABLISHING NEW TREATY-MAKING PROCESSES</b>	pp. 58-64
<b>9</b>	<b>TREATY LEGISLATION</b>	pp. 66-68

*RECOMMENDATION 2.2.8*

The federal government introduce companion treaty legislation in Parliament that:

- (a) provides for the implementation of existing treaty rights, including the treaty rights to hunt, fish and trap.
- (b) affirms liberal rules of interpretation for historical treaties, having regard to
  - (i) the context of treaty negotiations;
  - (ii) the spirit and intent of each treaty; and
  - (iii) the special relationship between the treaty parties.
- (c) makes oral and secondary evidence admissible in the courts when making determinations with respect to historical treaty rights.
- (d) recognizes and affirms the land rights and jurisdiction of Aboriginal nations as essential components of the treaty processes;
- (e) declares the commitment of the Parliament and government of Canada to the implementation and renewal of each treaty in accordance with the spirit and intent of the treaty and the relationship embodied in it;
- (f) commits the government of Canada to treaty processes that clarify, implement and, where the parties agree, amend the terms of treaties to give effect to the spirit and intent of each treaty and the relationship embodied in it.
- (g) commits the government of Canada to a process of treaty-making with
  - (i) Aboriginal nations that do not yet have a treaty with the Crown; and
  - (ii) treaty nations whose treaty does not purport to address land and resource issues.
- (h) commits the government of Canada to treaty processes based on and guided by the nation-to-nation structure of the new relationship, implying:
  - (i) all parties demonstrating a spirit of openness, a clear political will and commitment to fair, balanced and equitable negotiations; and
  - (ii) no party controlling access to the scope of, or the funding for the negotiating processes; and
- (i) authorizes the establishment, in consultation with treaty nations, of the institutions this Commission recommends as necessary to fulfil the treaty processes.

p. 68

## ISSUES TO BE DECIDED IN TREATY NEGOTIATIONS

pp. 72-80

### *RECOMMENDATION 2.2.11*

The following matters be open for discussion in the treaty implementation and renewal and treaty-making processes:

- governance, including justice systems, long-term financial arrangements including fiscal transfers, and other intergovernmental arrangements;
- lands and resources;
- economic rights, including treaty annuities and hunting, fishing and trapping rights;
- issues included in specific treaties (e.g. education, health and taxation); and
- other issues relevant to treaty relationships identified by either treaty party.

p.80

# SELF-GOVERNMENT

## (Volume 2, Chapter 3)

See *People to People: Nation to Nation*, pages 23 to 32, for an overview of the Commission's views on self-government.

### MAIN ISSUES AND RECOMMENDATIONS

1

#### ABORIGINAL PERSPECTIVES AND TRADITIONS OF GOVERNANCE

pp. 108-138<sup>7</sup>

2

#### SELF-DETERMINATION AND SELF-GOVERNMENT

pp. 165-176

#### RECOMMENDATION 2.3.4

All governments in Canada recognize that the inherent right of Aboriginal self government has the following characteristics:

- a. It is an existing Aboriginal and treaty right that is recognized and affirmed in section 35(1) of the Constitution Act, 1982.
- b. Its origins lie within Aboriginal peoples and nations as political and cultural entities.
- c. It arises from the sovereign and independent status of Aboriginal peoples and nations before and at the time of European contact and from the fact Aboriginal peoples were in possession of their own territories, political systems and customary laws at that time.
- d. The inherent right of self government has a substantial degree of immunity from federal and provincial legislative acts, except where, in the case of federal legislation, it can be justified under a strict constitutional standard. p.224

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<sup>7</sup> Page numbers refer to the discussion of issues the appropriate volume(s) of the final report and to the location of recommendations. A reprint of all the report's recommendations can be found in Volume 5, Appendix A.

## 3

THE NATION AS THE  
UNIT OF GOVERNANCE

pp. 177-184, 234-236

*RECOMMENDATION 2.3.3*

The federal government put in place a neutral and transparent process for the identifying Aboriginal groups entitled to exercise the right of self-determination as nations, a process that uses the following specific attributes of nationhood:

- a. The nation has a collective sense of national identity that is evinced in a common history, language, culture, traditions, political consciousness, laws, governmental structures, spirituality, ancestry and homeland.
- b. The nation is of sufficient size and capacity to enable it to assume and exercise powers and responsibilities flowing from the right of self-determination in an effective manner.
- c. The nation constitutes the majority of the permanent population of a certain territory or collection of territories, and, in the future, operates from a defined territorial base.

p. 184

## 4

JURISDICTIONAL SCOPE OF  
SELF-GOVERNMENT

pp. 213-225

*RECOMMENDATION 2.3.5*

All governments in Canada recognize that the sphere of the inherent right of Aboriginal self-government:

- a. encompasses all matters relating to the good government and welfare of Aboriginal people and their territories.
- b. is divided into two areas as follows:
  - core areas of jurisdiction, which include all matters that are of vital concern for the life and welfare of a particular Aboriginal people, its culture and identity, do not have a major impact on adjacent jurisdictions, and are not otherwise the object of transcendent federal or provincial concern; and
  - peripheral areas of jurisdiction, which make up the remainder.

p.225

*RECOMMENDATION 2.3.6*

All governments in Canada recognize that:

- a. in the core areas of jurisdiction, as a matter of principle, Aboriginal peoples have the capacity to implement their inherent right of self government by self starting initiatives without the need for agreements with the federal and provincial governments, although it would be highly advisable that they

negotiate agreements with other governments in the interests of reciprocal recognition and avoiding litigation; and

- b. In peripheral areas of jurisdiction, agreements should be negotiated with other governments to implement and particularize the inherent right as appropriate to the context and subject matter being negotiated. p.225

<b>5</b>	RACE AND SELF-GOVERNMENT	pp. 176-177
<b>6</b>	LEGAL BASIS FOR THE INHERENT RIGHT OF SELF-GOVERNMENT	pp. 184-193
<b>7</b>	CONSTITUTIONAL EVOLUTION AND SELF-GOVERNMENT	pp. 193-213
<b>8</b>	APPLICABILITY OF THE <i>CANADIAN CHARTER OF RIGHTS AND FREEDOMS</i>	pp. 226-234
<b>9</b>	CITIZENSHIP IN ABORIGINAL NATIONS	pp. 237-240

#### RECOMMENDATION 2.3.8

The government of Canada recognize Aboriginal people in Canada as enjoying a unique form of dual citizenship, that is, as citizens of an Aboriginal nation and citizens of Canada.

p. 239

#### RECOMMENDATION 2.3.10

Aboriginal nations, in exercising the right to determine citizenship, and in establishing rules and processes for this purpose, adopt citizenship criteria that

- are consistent with section 35(4) of the Constitution Act, 1982;
- reflect Aboriginal nations as political and cultural entities rather than as racial groups, and therefore do not make blood quantum a general prerequisite for citizenship determination; and
- may include elements such as self identification, community or nation acceptance, cultural and linguistic knowledge, marriage, adoption, residency, birthplace, descent and ancestry as one among a number of different ways to establish citizenship.

p. 240

## 10 ABORIGINAL GOVERNMENT AS ONE OF THREE ORDERS OF GOVERNMENT

pp. 240-244

### RECOMMENDATION 2.3.12

All governments in Canada recognize that:

- section 35 of the *Constitution Act* provides the basis for an Aboriginal order of government that co-exists within the framework of Canada along with the federal and provincial orders of government; and that
- each order of government operates within its own distinct sovereign sphere, as defined by the Canadian constitution, and exercises authority within spheres of jurisdiction having both overlapping and exclusive components. p. 244

## 11 MODELS OF SELF-GOVERNMENT:

- ABORIGINAL NATION MODEL pp. 250-265
- PUBLIC GOVERNMENT MODEL pp. 265-272
- COMMUNITY OF INTEREST MODEL pp. 272-278

### RECOMMENDATION 2.3.15

When Aboriginal people establish governments that reflect either a nation or public government approach, the laws of these governments be recognized as applicable to all residents within the territorial jurisdictions of the government unless otherwise provided by that government. p. 279

## 12 FINANCING ABORIGINAL GOVERNMENT

pp. 280-310

### RECOMMENDATION 2.3.19

Financial arrangements provide greater fiscal autonomy for Aboriginal governments by increasing access to independent own-sources of revenues through a fair and just redistribution of lands and resources for Aboriginal peoples, and through the recognition of the right of Aboriginal governments to develop their own systems of taxation. p. 292

## 13 TAXATION

pp. 289-293

### RECOMMENDATION 2.3.20

Aboriginal citizens living on their territory pay personal income tax to their Aboriginal governments; for Aboriginal citizens living off the territory, taxes continue to be paid to the

federal and relevant provincial government; for non-Aboriginal residents on Aboriginal lands, several options exist:

- a. all personal income taxes could be paid to the Aboriginal government, provided that the level of taxation applied does not create a tax haven for non-Aboriginal people; or
- b. all personal income taxes could be paid to the Aboriginal government, with any difference between the Aboriginal personal income tax and the combined federal and provincial personal income tax going to the federal government (in effect, providing tax abatements for taxes paid to Aboriginal governments); or
- c. provincial personal income tax could go to the Aboriginal government and the federal personal income tax to be federal government in circumstances where the Aboriginal government decides to adopt the existing federal/provincial tax rate.

p. 293

#### RECOMMENDATION 2.3.21

Aboriginal governments reimburse provincial governments for services the latter continue to provide, thereby foregoing the requirement for provincial taxes to be paid by their residents.

p.293

### **14** REBUILDING AND RECOGNIZING ABORIGINAL NATIONS

pp. 314-321, 327-348

#### RECOMMENDATION 2.3.27

The Parliament of Canada enact an Aboriginal Nations Recognition and Government Act to:

- a. establish the process whereby the Government of Canada would formally recognize the accession of an Aboriginal group or groups to nation status and its assumption of authority as an Aboriginal government to exercise its inherent self-governing jurisdiction;
- b. establish criteria for the recognition of Aboriginal nations including:
  - i) evidence among the communities concerned of common ties of language, history, culture and of willingness to associate coupled with sufficient size to support the exercise of a broad, self-governing mandate;
  - ii) evidence that a fair and open process of obtaining the agreement of its citizens and member communities to embark on a nation recognition process;
  - iii) completion of a citizenship code that is consistent with international norms of human rights and with the *Canadian Charter of Rights and Freedoms*;
  - iv) evidence that an impartial appeal process had been established by the nation to hear disputes over individuals' eligibility for citizenship;



- v) evidence that a fundamental law or constitution has been drawn up through wide consultation with its citizens;
- vi) evidence that all citizens of the nation were permitted, through a fair means of expressing their opinion to ratify the proposed constitution;
- c. authorize the creation of recognition panels under the aegis of the Aboriginal Lands and Treaties Tribunal to advise the government of Canada whether a group meets recognition criteria;
- d. enable the federal government to vacate its legislative authority under section 91(24) with respect to core powers deemed needed by Aboriginal nations and to specify which additional areas of federal jurisdiction the Parliament of Canada is prepared to acknowledge as being core powers to be exercised by Aboriginal governments; and
- e. provide enhanced financial resources to enable Aboriginal nations to exercise expanded governing powers for its increased population base in the period between recognition and the conclusion or reaffirmation of comprehensive treaties.

p. 322

*RECOMMENDATION 2.3.29*

Aboriginal peoples develop and implement their own strategies for rebuilding Aboriginal nations and reclaiming Aboriginal nationhood. These strategies may

- 1. include cultural revitalization and healing processes;
- 2. include political processes for building consensus on the basic composition of the Aboriginal nation and its political structures; and
- 3. are undertaken by individual communities, and by groups of communities who may share Aboriginal nationhood.

p. 330

15

## A FRAMEWORK TO NEGOTIATE RECOGNITION AND TREATIES

pp. 321-324

*RECOMMENDATION 2.3.28*

The Government of Canada convene a meeting of premiers, territorial leaders and national Aboriginal leaders to create a forum charged with drawing up a Canada-wide framework agreement. The purpose of this Agreement would be to establish common principles and directions to guide the negotiation of treaties with recognized Aboriginal nations. This forum should have a mandate to conclude agreements on:

- a. the areas of jurisdiction to be exercisable by Aboriginal nations and the application of the doctrines of paramountcy in the case of concurrent jurisdiction;
- b. fiscal arrangements to finance the operations of Aboriginal governments and the provision of services to their citizens;

- c. principles to govern the allocation of lands and resources to Aboriginal nations and for the exercise of co-jurisdiction on lands shared with other governments
- d. principles to guide the negotiation of agreements for interim relief to govern the development of territories subject to claims, prior to the conclusion of treaties; and
- e. an interim agreement to set out those core powers that Canadian governments are prepared to acknowledge Aboriginal nations can exercise once they are recognized but before the renegotiation of treaties.

p. 324

# LANDS AND RESOURCES

## (Volume 2, Chapter 4)

See *People to People: Nation to Nation*, pages 32 to 36, for an overview of the Commission's views on lands and resources.

### MAIN ISSUES AND RECOMMENDATIONS

- |          |  |                          |
|----------|--|--------------------------|
| <b>1</b> | SIGNIFICANCE OF LAND<br>TO ABORIGINAL PEOPLES              | pp. 448-464 <sup>8</sup> |
| <b>2</b> | HOW THE LAND WAS LOST                                      | pp. 464-485              |
| <b>3</b> | HOW ACCESS TO RESOURCES<br>WAS LIMITED                     | pp. 485-519              |
| <b>4</b> | THE CONTEMPORARY LAW<br>OF ABORIGINAL TITLE                | pp. 557-568              |
| <b>5</b> | A NEW APPROACH TO THE<br>ALLOCATION OF LANDS AND RESOURCES | pp. 568-                 |

#### RECOMMENDATION 2.4.1

Federal policy and all treaty related processes (treaty making, implementation and renewal) conform to these general principles:

- (a) Aboriginal title is a real interest in land that contemplates a range of rights with respect to land and resources.
- (b) Aboriginal title is recognized and affirmed by s. 35(1) of the *Constitution Act, 1982*.
- (c) the Crown has a special fiduciary obligation to protect the interests of Aboriginal people including Aboriginal title.

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<sup>8</sup> Page numbers refer to the discussion of issues the appropriate volume(s) of the final report and to the location of recommendations. A reprint of all the report's recommendations can be found in Volume 5, Appendix A.

- (d) the Crown has an obligation to protect rights concerning land and resource rights that underlie Aboriginal economies and the cultural and spiritual life of Aboriginal peoples.
- (e) the Crown has an obligation to reconcile the interests of the public with Aboriginal title.
- (f) land and resource issues will be included in negotiations for self-government.
- (g) Aboriginal rights, including rights of self-government, recognized by an agreement are 'treaty rights' within the meaning of s. 35(1) of the *Constitution Act, 1982*.
- (h) negotiations between the parties are premised on reaching agreements that recognize an inherent right of self-government.
- (i) blanket extinguishment of Aboriginal land rights will not be sought in exchange for other rights or benefits contained in an agreement.
- (j) Partial extinguishment of Aboriginal land rights will not be a precondition for negotiations, and will only be agreed to by the parties after a careful and exhaustive analysis of other options and the existence of clear, unpressured consent by the Aboriginal party.
- (k) agreements will be subject to periodic review and renewal.
- (l) agreements will contain dispute resolution mechanisms tailored to the circumstances of the parties.
- (m) agreements will provide for intergovernmental agreements to harmonize the exercise of federal, provincial, territorial, and Aboriginal governmental powers without unduly limiting any.

p.573

6

## GUIDELINES TO DETERMINE LAND ALLOCATION

p.575-578

### RECOMMENDATION 2.4.5

Negotiations on the amount and quality of additional lands, and access to resources, be guided by the

- (a) size of the territory that the Aboriginal nation traditionally occupied, controlled, enjoyed, and used;
- (b) nature and type of renewable and non-renewable resources, including water, that the Aboriginal nation traditionally had access to and used;
- (c) current and projected Aboriginal population;
- (d) current and projected economic needs of that population;
- (e) current and projected cultural needs of that population;
- (f) amount of reserve or settlement land now held by the Aboriginal nation;
- (g) productivity and value of the land and resources and the likely level of return from exploitation for a given purpose;

- (h) amount of Crown land available in the treaty area; and
- (i) nature and extent of third-party interests.

*RECOMMENDATION 2.4.6*

In land selection negotiations, federal, provincial and territorial governments follow these principles:

- (a) No unnecessary or arbitrary limits on lands for selection, such as,
  - (i) the exclusion of coastlines, shorelines, beds of water (including marine areas), potential hydro-electric power sites, or resource rich areas;
  - (ii) arbitrary limits on size, shape or contiguity of lands; or
  - (iii) arbitrary limits on the ability of the Aboriginal nation to purchase land in order to expand its territory.
- (b) Additional lands will be provided from existing Crown lands within the territory in question.
- (c) Where parties are seeking to renew a historic treaty, land selection not be limited by existing treaty boundaries (for example, the metes and bounds descriptions contained in the post-Confederation numbered treaties).
- (d) Provincial or territorial borders not constrain selection negotiations.
- (e) Where Crown lands are not available in sufficient quantity, financial resources be provided to enable land to be purchased from willing third parties.



## CREATING CATEGORIES OF LAND TO CLARIFY OWNERSHIP, JURISDICTION

pp. 578-582

*RECOMMENDATION 2.4.10*

Negotiations aim to describe the territory in question in terms of three categories of land. Using these three categories will help identify, as thoroughly and precisely as possible, the rights of each of the parties with respect to lands, resources, and governance.

*RECOMMENDATION 2.4.11*

With respect to Category I lands,

- (a) The Aboriginal nation has full rights of ownership and primary jurisdiction in relation to lands and renewable and non-renewable resources, including water, in accordance with the traditions of land tenure and governance of the nation in question
- (b) Category I lands comprise any existing reserve and settlement lands currently held by the Aboriginal nation, as well as additional lands necessary to foster economic, cultural self-reliance and political autonomy selected in accordance with the factors listed in Recommendation 2.4.5. p.581

*RECOMMENDATION 2.4.12*

With respect to Category II lands,

- (a) Category II lands would form a portion of the traditional territory of the Aboriginal nation, that portion being determined by the degree to which Category I lands foster Aboriginal self-reliance.
- (b) A number of Aboriginal and Crown rights with respect to land and resources would be recognized by the agreement, and rights of governance and jurisdiction could be shared among the parties.

p.581

*RECOMMENDATION 2.4.13*

With respect to Category III lands, a complete set of Crown rights with respect to land and governance would be recognized by the agreement, subject to residual Aboriginal rights of access to historic and sacred sites and hunting, fishing, and trapping grounds, participation in national and civic ceremonies and events, and symbolic representation in certain institutions.

p. 581

*RECOMMENDATION 2.4.14*

Aboriginal nations exercise legislative authority as follows:

- (a) Primary and paramount legislative authority on Category I lands.
- (b) Shared legislative authority on Category II lands; and
- (c) Limited, negotiated authority exercisable in respect of citizens of the nation living on Category III lands and elsewhere and in respect of access to historic and sacred sites, participation in national and civic ceremonies and events, and symbolic representation in certain institutions.

p.582

8

## PROTECTING THIRD PARTY RIGHTS AND INTERESTS

pp. 582-587

*RECOMMENDATION 2.4.15*

As a general principle, lands currently held at common law in fee simple or that in Quebec are owned not be converted into Category I lands, unless purchased from willing sellers.

p.583

9

## INTERIM STEPS TO EXPAND FIRST NATIONS' LAND BASE PRIOR TO TREATY NEGOTIATIONS

pp. 620-631

*RECOMMENDATION 2.4.27*

If reserve or community lands were expropriated by or surrendered to the Crown for some public purpose and the original purpose no longer exists, the lands be dealt with as follows:

- (a) the land revert to the First Nations communities in question;
- (b) if the expropriation was for the benefit of a third party (e.g. a railway), the First Nations communities have the right of first refusal on such lands;

- (c) any costs of acquisition of these lands be negotiated between the Crown and the First Nation, depending on the compensation given the First Nation community when the land was first acquired;
- (d) if the land was held by the Crown, the costs associated with cleanup or environmental monitoring be borne by the government department or agency that controlled the lands;
- (e) if the land was held by a third party, the costs associated with cleanup or environmental monitoring be borne jointly by the Crown and the third party;
- (f) if an Aboriginal community does not wish the return of expropriated lands because of environmental damage or other reasons, they receive other lands in compensation or financial compensation equivalent to fair market value;
- (g) the content of such compensation package be determined by negotiation or, failing that, by the Aboriginal Lands and Treaties Tribunal. p.630

**10****INTERIM MEASURES TO IMPROVE  
ACCESS TO FORESTRY RESOURCES**

pp. 631-642

*RECOMMENDATION 2.4.50*

The following steps be taken with respect to Aboriginal access to forest resources on Crown lands:

- (a) the federal government work with the provinces, the territories and Aboriginal communities to improve Aboriginal access to forest resources on Crown lands;
- (b) the federal government, as part of its obligation to protect Aboriginal traditional activities on provincial Crown lands, actively promote Aboriginal involvement in provincial forest management and planning; as with the model forest program, this would include bearing part of the costs;
- (c) the federal government, in keeping with the goal of Aboriginal nation-building, give continuing financial and logistical support to Aboriginal peoples' regional and national forest resources associations;
- (d) the provinces encourage their large timber licensees to provide for forest management partnerships with Aboriginal firms within the traditional territories of Aboriginal communities;
- (e) the provinces encourage partnerships or joint ventures between Aboriginal forest operating companies and other firms which already possess wood processing facilities;
- (f) the provinces give Aboriginal people the right of first refusal on unallocated Crown timber close to reserves or Aboriginal communities;
- (g) the provinces, to promote greater harmony with generally less-intensive Aboriginal forest management practices and traditional land-use activities, show greater flexibility in their timber management policies and guidelines; this

- might include reducing annual allowable cut requirements and experimenting with lower harvesting rates, smaller logging areas and longer maintenance of areas left unlogged;
- (h) provincial and territorial governments make provision for a special role for Aboriginal governments in reviewing forest management and operating plans within their traditional territories; and
  - (i) provincial and territorial governments make Aboriginal land-use studies a requirement of all forest management plans. p.642

**11**

#### INTERIM MEASURES TO IMPROVE ACCESS TO MINERAL RESOURCES

pp. 642-646

##### *RECOMMENDATION 2.4.51*

In keeping with its fiduciary obligation to Aboriginal peoples, the federal government renegotiate existing agreements with the provinces (for examples, the 1924 agreement with Ontario and the 1930 Natural Resource Transfer Agreements in the prairie provinces) to ensure that First Nations obtain the full beneficial interest in minerals, oil and natural gas located on reserves. p.643

##### *RECOMMENDATION 2.5.54*

The provinces require companies, as part of their operating licence, to develop Aboriginal land use plans to

- (a) protect traditional harvesting and other areas (e.g. sacred sites); and
- (b) compensate those adversely affected by mining or drilling (e.g. Aboriginal hunters, trappers, and fishers). p.646

**12**

#### INTERIM MEASURES TO IMPROVE ACCESS TO FISHERY RESOURCES

pp. 650-656

##### *RECOMMENDATION 2.4.62*

The principles enunciated in the *Sparrow* decision of the Supreme Court of Canada be implemented as follows:

- (a) provincial and territorial governments ensure that their regulatory and management regimes acknowledge the priority of Aboriginal subsistence harvesting;
- (b) for the purposes of the *Sparrow* priorities, the definition of "conservation" not be established by government officials, but be negotiated with Aboriginal governments and incorporate respect for traditional ecological knowledge and Aboriginal principles of resource management; and



- (c) the subsistence needs of non-Aboriginal people living in remote regions of Canada (that is, long standing residents of remote areas, not transients) be ranked next in the *Sparrow* order of priority after those of Aboriginal people - and ahead of all commercial or recreational fish and wildlife harvesting.

p. 652

*RECOMMENDATION 2.4.65*

Canada and the provinces apply the priorities set out in the *Sparrow* decision to Aboriginal commercial fisheries so that these fisheries in times of scarcity

- (a) have greater priority than non-Aboriginal commercial interests and sport fishing; and
- (b) remain ranked below conservation and Aboriginal (and, in remote areas, non-Aboriginal) domestic food fishing.

p. 655

**13**

### INTERIM MEASURES TO ENHANCE ACCESS TO HUNTING AND TRAPPING

pp. 656-658, 660-661

*RECOMMENDATION 2.4.70*

Provincial and territorial governments take the following action with respect to hunting:

- (a) acknowledge that treaty harvesting rights apply throughout the entire area covered by treaty, even if that area includes more than one province or territory.
- (b) leave it to Aboriginal governments to work out the kinds of reciprocal arrangements necessary for Aboriginal harvesting across treaty boundaries.
- (c) introduce specific big game quotas or seasons for local non-Aboriginal residents in the mid and far North.

p. 658

**14**

### INTERIM MEASURES TO IMPROVE INVOLVEMENT WITH TOURISM

pp. 658

*RECOMMENDATION 2.4.71*

Provincial and territorial governments take the following action with respect to outfitting:

- (a) increase their allocation of tourist outfitters' licenses or leases to Aboriginal people, for example,
  - (i) by including exclusive allocations in certain geographical areas as Ontario now does north of the 50th parallel;
  - (ii) by giving priority of access for a defined period to all new licenses; and
  - (iii) by giving the right of first refusal on licenses or leases which are being given up.
- (b) not impose one particular style of outfitting business (such as lodge-based fly-in hunting and fishing) as the only model; and

- (c) encourage Aboriginal people to develop outfitting businesses based on their own cultural values. p.659

**15****INTERIM MEASURES TO IMPROVE  
ACCESS TO WATER RESOURCES**

pp. 661-665

*RECOMMENDATION 2.4.74*

Unless already dealt with in a comprehensive land claims agreement, revenues from commercial water developments (hydro-electric dams and commercial irrigation projects) that already exist and operate within the traditional land use areas of Aboriginal communities be directed to the communities affected as follows:

- (a) they receive a continuous portion of the revenues derived from the development for the life of the project.
- (b) the amount of revenues be the subject of negotiations between the Aboriginal community(ies) and either the hydro-electric utility or province. p.664

*RECOMMENDATION 2.4.75*

If potential hydro-electric development sites exist within the traditional territory of an Aboriginal community(ies), that community should have the right of first refusal to acquire the water rights for hydro development. p.665

# LAND CLAIMS POLICIES AND PROCESSES

## (Volume 2, Chapters 2 and 4)

See *People to People: Nation to Nation*, pages 36 to 38, for an overview of the Commission's views on land claims policies and procedures.

### MAIN ISSUES AND RECOMMENDATIONS

#### **1** INADEQUACIES OF CURRENT CLAIMS PROCESSES

pp. 533-544<sup>9</sup>

#### **2** NEW TREATY PROCESS TO REPLACE CURRENT PROCEDURES

pp. 58-69

#### *RECOMMENDATION 2.2.6*

That the federal government establish a process for making new treaties to replace the existing comprehensive claims policy, based on the following principles:

- (a) The blanket extinguishment of Aboriginal land rights is not an option.
- (b) Recognition of rights of governance is an integral component of new treaty relationships.
- (c) The treaty-making process is available to all Aboriginal nations, including Indian, Inuit and Métis nations.
- (d) Treaty nations that are parties to peace and friendship treaties that did not purport to address land and resource issues have access to the treaty-making process to complete their treaty relationships with the Crown.

p. 64

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<sup>9</sup> Page numbers refer to the discussion of issues the appropriate volume(s) of the final report and to the location of recommendations. A reprint of all the report's recommendations can be found in Volume 5, Appendix A.

34

## INSTITUTIONS TO SUPERVISE TREATY NEGOTIATIONS

pp. 89-94

### *RECOMMENDATION 2.2.15*

That the governments of Canada and relevant provinces, territories and Aboriginal and treaty nations establish treaty commissions as permanent, independent and neutral bodies to facilitate and oversee negotiations in the treaty processes. p. 92

### *RECOMMENDATION 2.2.16*

That the following be the essential features of treaty commissions:

- Commissioners be appointed in equal numbers from lists prepared by the parties, with an independent chair being selected by those appointees.
- Commissions have permanent administrative and research staff, with full independence from government and from the Aboriginal and treaty nations.
- The staff of the commissions act as a secretariat for the treaty processes.
- The services of the commissions go beyond simple facilitation. Where the parties require specialized fact finding of a technical nature, the Commission to have the power to hire the necessary experts.
- Commission to monitor and guide the conduct of the parties in the treaty process to ensure that fair and proper standards of conduct and negotiation are maintained.
- Commission to conduct inquiries and provide research, analysis and recommendations on issues in dispute in relation to historical and future treaties, as requested jointly by the parties.
- Commissions to supervise and facilitate cost sharing by the parties.
- Commissions to provide mediation services to the parties as jointly requested.
- Commissions to provide remedies for abuses of process.
- Commissions to provide binding or non-binding arbitration of particular matters and other dispute resolution services at the request of the parties, consistent with the political nature of the treaty process. p. 92

45

## AN ABORIGINAL LANDS AND TREATIES TRIBUNAL

pp. 591-613

### *RECOMMENDATION 2.4.29*

Federal companion legislation to the royal proclamation provide for the establishment of an independent administrative tribunal, to be called the Aboriginal Lands and Treaties Tribunal. 592

*RECOMMENDATION 2.4.32*

The tribunal be established by federal statute operative in two areas:

- (a) settlement of specific claims, including those that are removed by the Aboriginal party from the broader treaty making, implementation and renewal processes; and
- (b) treaty making, implementation and renewal processes. p. 602

*RECOMMENDATION 2.4.33*

In respect of specific claims, the tribunal's jurisdiction include

- (a) reviewing the adequacy of federal funding provided to claimants;
- (b) monitoring the good faith of the bargaining process and making binding orders on those in breach; and
- (c) adjudicating claims, or parts of claims, referred to it by Aboriginal claimants and providing an appropriate remedy where called for. p. 602

*RECOMMENDATION 2.4.34*

In respect of the longer-term treaty making, implementation and renewal processes, the tribunal's jurisdiction include

- (a) reviewing the adequacy of federal funding to Aboriginal parties;
- (b) supervising the negotiation, implementation, and conclusion of interim relief agreements, imposing interim relief agreements in the event of a breach of the duty to bargain in good faith, and granting interim relief pending successful negotiations of a new or renewed treaty, with respect to federal lands and on provincial lands where provincial powers have been so delegated;
- (c) arbitrating any issues referred to it by the parties by mutual consent;
- (d) monitoring the good faith of the bargaining process;
- (e) adjudicating, on request of an Aboriginal party, questions of any Aboriginal or treaty rights that are related to the negotiations and justiciable in a court of law;
- (f) investigating a complaint of non-compliance with a treaty undertaking, adjudicating the dispute and award an appropriate remedy when so empowered by the treaty parties; and
- (g) recommending to the federal government, through panels established specifically for the purpose, whether a group asserting the right of self-governance should be recognized as an Aboriginal nation. p. 603

**5****INTERIM RELIEF AGREEMENTS  
DURING TREATY NEGOTIATIONS**

pp. 587-589

# ECONOMIC DEVELOPMENT

## (Volume 2, Chapters 5)

See the highlights document, *People to People: Nation to Nation*, pages 38 to 46 for an overview of the Commission's views on economic development.

### MAIN ISSUES AND RECOMMENDATIONS

- |   |   |                           |
|---|---|---------------------------|
| <div style="border: 1px solid black; padding: 2px; display: inline-block; width: 20px; text-align: center;">1</div> | CHARACTERISTICS OF CONTEMPORARY<br>ABORIGINAL ECONOMIES | pp. 800-825 <sup>10</sup> |
| <div style="border: 1px solid black; padding: 2px; display: inline-block; width: 20px; text-align: center;">2</div> | CONTROL OF DECISION-MAKING<br>AND DEVELOPMENT           | pp. 833-841               |

#### RECOMMENDATION 2.5.1

Federal, provincial and territorial governments enter into long-term economic development agreements with Aboriginal nations, or institutions representing several nations, to provide multi-year funding to support economic development. p. 840

#### RECOMMENDATION 2.5.2

Economic development agreements have the following characteristics:

- (a) the goals and principles for Aboriginal economic development be agreed upon by the parties;
- (b) resources from all government agencies and departments with an economic development-related mandate to be channelled through the agreement;
- (c) policies and instruments to achieve the goals to be designed by the Aboriginal party;
- (d) development activities include, but not necessarily be limited to, training, economic planning, provision of business services, equity funding and loans and loan guarantees;
- (e) performance under the agreement be monitored every two years against agreed criteria; and

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<sup>10</sup> Page numbers refer to the discussion of issues the appropriate volume(s) of the final report and to the location of recommendations. A reprint of all the report's recommendations can be found in Volume 5, Appendix A.

- (f) funds available for each agreement be determined on the basis of need, capacity to utilize the resources and progress of the Aboriginal entity towards self-reliance. p. 840

**3****CREATING EFFECTIVE DEVELOPMENT INSTITUTIONS**

pp. 841-848

*RECOMMENDATION 2.5.4*

Aboriginal nations give high priority to establishing and developing economic institutions that

- reflect the nation's underlying values;
- are designed to be accountable to the nation; and
- are protected from inappropriate political interference. p. 848

**4****THE CENTRALITY OF LAND AND RESOURCES TO DEVELOPMENT**

pp. 849-867

*RECOMMENDATION 2.5.13*

Aboriginal governments, with the financial and technical support of federal, provincial and territorial governments, undertake to strengthen their capacity to manage and develop lands and resources. This requires in particular

- (a) establishing or strengthening, as appropriate, Aboriginal institutions for the management and development of Aboriginal lands and resources;
- (b) identifying the knowledge and skills requirements needed to staff such institutions;
- (c) undertaking urgent measures in education, training and work experience to prepare Aboriginal personnel in these areas;
- (d) enlisting communities in dedicated efforts to support and sustain their people in acquiring the necessary education, training and work experience; and
- (e) seconding personnel from other governments and agencies so that these institutions can exercise their mandates.

**5****THE CHALLENGES OF BUSINESS DEVELOPMENT**

pp. 880-906

**6****FINANCING ABORIGINAL BUSINESS**

pp. 906-931

*RECOMMENDATION 2.5.25*

Federal and Aboriginal governments ensure that programs to provide equity to Aboriginal entrepreneurs

- continue for at least 10 more years;
- have sufficient resources to operate at a level of business formation equivalent to the highest rate experienced in the last decade; and
- allow for a growth rate of a minimum 5 per cent a year from that level.

p. 915



## DEVELOPING ABORIGINAL FINANCIAL INSTITUTIONS

pp. 916-931

*RECOMMENDATION 2.5.30*

The government strengthen the network of Aboriginal capital corporations (ACCS) through measures such as

- providing operating subsidies to well-managed ACCS to acknowledge their developmental role;
- enabling ACCS to administer Canada Mortgage and Housing Corporation and DIAND housing funds; and
- providing interest rate subsidies and loan guarantees on capital ACCS raise from the private sector.

p. 919

*RECOMMENDATION 2.5.32*

Federal and provincial governments assist in the formation of Aboriginal venture capital corporations by extending tax credits to investors in such corporations. These corporations should have a status similar to labour-sponsored venture capital corporations and should be subject to the same stringent performance requirements. Tax credits should be available to the extent that Aboriginal venture capital corporations invest in projects that benefit Aboriginal people.

p. 921

*RECOMMENDATION 2.5.33*

A National Aboriginal Development Bank be established, staffed and controlled by Aboriginal people, with capacity to

- provide equity and loan financing, and technical assistance to large-scale Aboriginal business projects;
- offer development bonds and similar vehicles to raise capital from private individuals and corporation for Aboriginal economic development, with such investments being eligible for tax credits.

p. 923



**8****THE NATURE OF THE EMPLOYMENT PROBLEM**

pp. 931-942

**9****ACCESSING REAL, SUSTAINABLE JOBS**

pp. 942-946

*RECOMMENDATION 2.5.36*

Federal and provincial governments fund a major ten year initiative for employment development and training that is

- aimed at preparing Aboriginal people for much greater participation in emerging employment opportunities;
- sponsored by Aboriginal nations or regionally based Aboriginal institutions;
- developed in collaboration with public and private sector employers and educational and training institutions; and
- mandatory for public sector employers.

p. 945

*RECOMMENDATION 2.5.37*

This initiative include

- identification of future employment growth by sector;
- classroom and on-the-job training for emerging employment opportunities;
- term employment with participating employers; and
- permanent employment based on merit.

p. 946

**10****MAKING EMPLOYMENT EQUITY EFFECTIVE**

pp. 946-948

**11****EFFECTIVE EDUCATION  
FOR EMPLOYMENT**

pp. 958-970

*RECOMMENDATION 2.5.46*

To rebuild Aboriginal economies, all governments pay particular attention to:

- the importance not only of enrolment in education and training programs but of retention and graduation;
- strengthening the teaching of mathematics and the sciences at the elementary and secondary level;
- improving access to and completion of mathematics and science-based programs at the post-secondary level; and
- making appropriate programs of study available in fields that are relevant to the economic development of Aboriginal communities (for example, business

management, economic development and the management of lands and resources).

p. 970

**12****TRANSFORMING THE WELFARE SYSTEM**

pp. 970-993

*RECOMMENDATION 2.5.48*

Governments providing financial support for social assistance encourage and support proposals from Aboriginal nations and communities to make innovative use of social assistance funds for employment and social development purposes and that Aboriginal nations and communities have the opportunity

- (a) to pursue personal development, training and employment under an individual entitlement approach, and
- (b) to pursue the improvement of community infrastructure and social and economic development under a community entitlement approach.

p. 993

*RECOMMENDATION 2.5.49*

In their active use of social assistance and other income support funds, Aboriginal nations and their communities not be restricted to promoting participation in the wage economy but also be encouraged to support continued participation in the traditional-mixed economy through income support for hunters and fishermen and other projects aimed at improving community life.

p. 993

# AN ABORIGINAL PARLIAMENT

## (Volume 2 Chapter 3)

### ***MAIN ISSUES AND RECOMMENDATIONS***

**1**

#### CREATING AN ABORIGINAL PARLIAMENT

pp. 374-382<sup>11</sup>

##### *RECOMMENDATION 2.3.51*

The federal government, following extensive consultations with Aboriginal peoples, establish an Aboriginal parliament whose main function would be to provide advice to the House of Commons and the Senate on legislation and constitutional matters relating to Aboriginal peoples.

p. 379

##### *RECOMMENDATION 2.3.52*

The Aboriginal parliament be developed in the following manner:

- (a) the federal government, in partnership with representatives of national Aboriginal peoples' organizations, first establish a consultation process to develop an Aboriginal parliament; major decisions respecting the design, structure and functions of the Aboriginal parliament would rest with the Aboriginal peoples' representatives.
- (b) following agreement among the parties, legislation be introduced in the Parliament of Canada before the next federal election, pursuant to section 91(24) of the *Constitution Act, 1867*, to create an Aboriginal parliament.

p. 379

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<sup>11</sup> Page numbers refer to the discussion of issues the appropriate volume(s) of the final report and to the location of recommendations. A reprint of all the report's recommendations can be found in Volume 5, Appendix A.

# RESTRUCTURING FEDERAL DEPARTMENTS

## (Volume 2 Chapter 3)

### MAIN ISSUES AND RECOMMENDATIONS

1

#### RESTRUCTURING FEDERAL DEPARTMENTS

pp. 353-374<sup>12</sup>

##### RECOMMENDATION 2.3.45

The government of Canada present legislation to abolish the Department of Indian and Northern Affairs and to replace it by two new departments: a Department of Aboriginal Relations and a Department of Indian and Inuit Services.

p. 373

##### RECOMMENDATION 2.3.46

The Prime Minister appoint in a new senior cabinet position a minister of Aboriginal relations, to be responsible for

- guiding all federal actions associated with fully developing and implementing the new federal-Aboriginal relationship, which forms the core of this Commission's recommendations;
- allocating funds from the federal government's total Aboriginal expenditures across the government; and
- the activity of the chief Crown negotiator responsible for the negotiation of treaties, claims and self-government accords.

p. 373

##### RECOMMENDATION 2.3.47

The Prime Minister appoint a new minister of Indian and Inuit services to

- act under the fiscal and policy guidance of the minister of Aboriginal relations;
- be responsible for delivery of the government's remaining obligations to status Indians and reserve communities under the *Indian Act* as well as to Inuit.

p. 373

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<sup>12</sup> Page numbers refer to the discussion of issues the appropriate volume(s) of the final report and to the location of recommendations. A reprint of all the report's recommendations can be found in Volume 5, Appendix A.

# THE FAMILY AND THE COMMUNITY

## (Volume 3, Chapter 2)

See *People to People: Nation to Nation*, pages 62 to 68, for an overview of the Commission's views on the impact on the family and its relation to Aboriginal communities.

### MAIN ISSUES AND RECOMMENDATIONS

1

#### THE ROLE OF FAMILY IN ABORIGINAL SOCIETY

pp. 9-23<sup>13</sup>

2

#### CHILD CARE AND CHILD WELFARE REFORM

pp. 29-53

#### RECOMMENDATION 3.2.3

Aboriginal, provincial, territorial and federal governments promptly reach agreements on the authority of Aboriginal nations and their communities for child welfare, and its relation to provincial, territorial and federal laws respecting child welfare. p.53

#### RECOMMENDATION 3.2.5

Until community of Interest governments are established in urban and non-reserve areas, voluntary agencies endorsed by substantial numbers of Aboriginal people resident in the areas be authorized under provincial or territorial law to act in the field of child welfare

- (a) where numbers warrant; and
- (b) with levels of funding comparable to those of agencies providing comparable services to the general population and sufficient to meet the service needs of Aboriginal people. p. 53

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<sup>13</sup> Page numbers refer to the discussion of issues in Volume 2, Chapters 2 and 4, of the final report and to the location of recommendations.

## 3

## COMBATTING FAMILY VIOLENCE

pp. 54-86

*RECOMMENDATION 3.2.6*

Aboriginal leaders take a firm public stance in support of the right to freedom from violence of all members in the community, but particularly of women, children, elders, persons with disabilities and who may be vulnerable, as well as in support of a policy of zero tolerance of actions that violate the physical or emotional security of Aboriginal persons. p.77

*RECOMMENDATION 3.2.8*

The full and equal participation of women be ensured in decision-making bodies responsible for ensuring people's physical and emotional security, including justice committees and boards of directors of healing centres and lodges. p.80

*RECOMMENDATION 3.2.9*

Aboriginal leaders and agencies serving vulnerable people encourage communities, with the full participation of women, to formulate, promote and enforce community codes of behaviour that reflect ethical standards endorsed by the community and that state and reinforce the responsibility of all citizens to create and maintain safe communities and neighbourhoods. p.83

## 4

## USE OF CUSTOMARY LAW

pp. 86-90

## 5

PROPERTY LAW AND  
MARRIAGE BREAKDOWN

pp. 90-92

## 6

## CIVIL LAW AND THE FAMILY

pp. 92-94

*RECOMMENDATION 3.2.11*

Federal, provincial and territorial governments acknowledge the validity of Aboriginal customary law in areas of family law, such as marriage, divorce, child custody and adoption, and amend their legislation accordingly. p.95

*RECOMMENDATION 3.2.13*

With a view to self-starting initiatives in the family law area or to self-government, Aboriginal nations or communities establish committees, with women as full participants, to study issues such as

- (a) the interests of family members in family assets;
- (b) the division of family assets on marriage breakdown;

- (c) factors to be considered in relation to the best interests of the child, as the principle is applicable to Aboriginal custody and adoption;
- (d) rights of inheritance pertaining to wills, estates or intestacy; and
- (e) obligations of spousal and child support.

p.95

# HEALTH AND HEALING

## (Volume 3, Chapter 3)

See *People to People: Nation to Nation*, pages 68 to 78, for an overview of the Commission's views on health and healing.

### MAIN ISSUES AND RECOMMENDATIONS

- |          |  |                           |
|----------|--|---------------------------|
| <b>1</b> | INCIDENCE OF ILL HEALTH<br>AMONG ABORIGINAL PEOPLES      | pp. 111-201 <sup>14</sup> |
|          | A) PHYSICAL HEALTH                                       | PP.125 - 152              |
|          | B) SOCIAL AND EMOTIONAL HEALTH                           | PP.152 - 166              |
|          | C) COMMUNITY HEALTH                                      | PP.166 - 198              |
| <b>2</b> | ABORIGINAL PERSPECTIVES ON<br>HEALTH AND HEALING         | pp. 201-215               |
| <b>3</b> | DETERMINANTS OF HEALTH                                   | pp. 215-220               |
| <b>4</b> | CONVERGENCE BETWEEN ABORIGINAL<br>AND MAINSTREAM HEALING | pp. 220-229               |
| <b>5</b> | AN ABORIGINAL HEALTH<br>AND HEALING STRATEGY             | pp. 230-293               |

#### RECOMMENDATION 3.3.5

Governments and organizations collaborate in carrying out a comprehensive action plan on Aboriginal health and social conditions, consisting of the following components:

- (a) development of a system of Aboriginal healing centres and healing lodges under Aboriginal control as the prime units of holistic and culture-based health and wellness services;

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<sup>14</sup> Page numbers refer to the discussion of issues in Volume 2, Chapters 2 and 4, of the final report and to the location of recommendations.



- (b) development of Aboriginal human resources compatible with the new system, its values and assumptions;
- (c) full and active support of mainstream health and social service authorities and providers in meeting the health and healing goals of Aboriginal people; and
- (d) implementation of an Aboriginal community infrastructure development program to address the most immediate health threats in Aboriginal communities, including the provision of clean water, basic sanitation facilities, and safe housing. p.234

**6****CREATING INTEGRATED  
HEALING CENTRES**

pp. 235-246

*RECOMMENDATION 3.3.6*

Federal, provincial and territorial governments collaborate with Aboriginal nations, organizations or communities, as appropriate, to

- (a) develop a system of healing centres to provide direct services, referral and access to specialist services;
- (b) develop a network of healing lodges to provide residential services oriented to family and community healing;
- (c) develop and operate healing centres and lodges under Aboriginal control;
- (d) mandate healing centres and lodges to provide integrated health and social services in culturally appropriate forms; and
- (e) make the service network available to First Nations, Inuit and Métis communities in rural and urban settings on an equitable basis. p.246

**7****TRANSFORMING OFF-RESERVE HEALTH SERVICES**

pp. 247-257

**8****TRAINING 10,000 ABORIGINAL  
HEALTH PROFESSIONALS**

pp. 260-289

*RECOMMENDATION 3.3.14*

Federal, provincial and territorial governments commit themselves to providing the necessary funding, consistent with their jurisdictional responsibilities

- (a) to implement a co-ordinated and comprehensive human resource development strategy;
- (b) to train 10,000 Aboriginal professionals over a 10-year period in health and social services, including medicine, nursing, mental health, psychology, social work, dentistry, nutrition, addictions, gerontology, public health, community

- development, planning, health administration, and other priority areas identified by Aboriginal people;
- (c) to support program development in educational institutions providing professional training, with preference given to Aboriginal institutions;
  - (d) to ensure that student support through post-secondary educational assistance, scholarships, paid leave and other means is adequate to achieve the target.

p.269

**9****TRADITIONAL HEALING AND HEALERS**

pp. 290-293

*RECOMMENDATION 3.3.21*

Governments, health authorities and traditional practitioners co-operate to protect and extend the practices of traditional health and healing and explore their application to contemporary Aboriginal health and healing problems.

p.291

**10****IMPLICATIONS FOR MAINSTREAM  
HEALTH INSTITUTIONS**

pp. 294-314

*RECOMMENDATION 3.3.25*

Governments responsible for funding and professional bodies responsible for accrediting non-Aboriginal institutions and agencies engaged in the delivery of Aboriginal health and social services

- (1) establish as a criterion for continuing funding and accreditation the preparation and implementation of goals and standards for services to Aboriginal people; and
- (2) require that Aboriginal people, communities, and nations affected by such services be fully involved in the development, implementation, and evaluation of such goals and standards of practice.

p.313

# HOUSING

## (Volume 3, Chapter 4)

See *People to People: Nation to Nation*, pages 78 to 81, for an overview of the Commission's views on housing.

### MAIN ISSUES AND RECOMMENDATIONS

1

#### ABORIGINAL HOUSING CONDITIONS

pp. 366-371<sup>15</sup>

2

#### IS THERE AN ABORIGINAL RIGHT TO HOUSING

pp. 373-378

##### RECOMMENDATION 3.4.1

Federal and provincial governments address Aboriginal housing and community services on the basis of the following policy principles:

- Governments have an obligation to ensure that Aboriginal people have adequate shelter, water and sanitation services;
- Governments have a responsibility to restore an economic base to Aboriginal people that enables them to meet their needs;
- Aboriginal people, individually and collectively, are responsible for meeting their housing needs according to their ability to pay or contribute in kind;
- Governments must supplement the resources available to Aboriginal people so that their housing needs are fully met;
- Aboriginal nations should assume authority over all housing matters as a core area of self-government jurisdiction;
- Acute risks to health and safety should be treated as an emergency and targeted for immediate action.

p.378

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<sup>15</sup> Page numbers refer to the discussion of issues in Volume 2, Chapters 2 and 4, of the final report and to the location of recommendations.

*RECOMMENDATION 3.4.3*

The Government of Canada make resources available over the next ten years to ensure that housing for Aboriginal people on reserve is fully adequate in quantity and quality, and engage the governments of the provinces and territories to reach the same goal in rural and northern communities and in urban areas. p. 378

**3** ANTIQUATED WATER AND  
SEWER SYSTEMS pp. 379-383

**4** CURRENT FEDERAL HOUSING  
PROGRAMS ON-RESERVE pp. 384-389

**5** SOLUTIONS TO THE HOUSING  
CRISIS ON RESERVE pp. 389-401

*RECOMMENDATION 3.4.7*

The Government of Canada complement the resources supplied by First Nation people in a two-to-one ratio or as necessary to achieve adequate housing in ten years, by:

- providing capital subsidies and committing to loan subsidies for construction of new homes and renovations;
- providing funds for property insurance and regular maintenance for home occupants receiving social assistance or with low earned incomes;
- paying rental subsidies for those receiving social assistance or with low earned incomes, in amounts that are equitable compared to off-reserve programs
- offering financial incentives for private home ownership. p.402

*RECOMMENDATION 3.4.8*

First Nation governments and people make every effort to marshal more resources for housing and community services, through financial contributions from residents in the form of maintenance fees, rents, or mortgage payments, and contributions in kind like sweat equity and local materials. p.402

*RECOMMENDATION 3.4.9*

First Nation governments assume jurisdiction over housing at the earliest opportunity, enact clear laws regarding housing tenure, and pursue the freedom to adjust other programs such as social assistance with a view to marshalling more resources for housing. p.402

**6****SOLUTIONS OFF RESERVE**

pp. 403-412

*RECOMMENDATION 3.4.14*

The Government of Canada engage the provincial and territorial governments in a strategy to meet the housing needs of Aboriginal people living in non-reserve communities by:

- reinstating and increasing funding for new social housing and mortgage subsidies under the Aboriginal off-reserve programs of CMHC;
- providing greater autonomy and flexibility to Aboriginal organizations delivering the program in rural areas and to urban social housing corporations;
- providing rental subsidies as a cost-effective option where rental markets exist.

**7****COSTS OF PROVIDING ADEQUATE  
HOUSING IN TEN YEARS**

pp. 413-415

**8****ECONOMIC SPINOFFS OF HOUSING PROGRAMS**

pp. 415-419

# EDUCATION

## (Volume 3, Chapter 5)

See *People to People: Nation to Nation*, pages 82 to 88, for an overview of the Commission's views on education.

### MAIN ISSUES AND RECOMMENDATIONS

1

#### WHY FUNDAMENTAL CHANGE IS NEEDED

pp. 442-444<sup>16</sup>

##### RECOMMENDATION 3.5.2

Federal, provincial and territorial governments collaborate with Aboriginal governments, organizations or education authorities, as appropriate, to support the development of Aboriginally controlled education systems by

- (a) introducing, adapting or ensuring flexible application of legislation to facilitate self-starting initiatives by Aboriginal nations and their communities in the field of education;
- (b) mandating voluntary organizations that are endorsed by substantial numbers of Aboriginal people to act in the field of education in urban and non-reserve areas where numbers warrant until such time as Aboriginal governments are established; and
- (c) providing funding commensurate with the responsibilities assumed by Aboriginal nations and their communities, or voluntary organizations, given the requirements of institutional and program development, costs of serving small or dispersed communities, and special needs accruing from past failures of education services.

p.444

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<sup>16</sup> Page numbers refer to the discussion of issues in Volume 2, Chapters 2 and 4, of the final report and to the location of recommendations.

*RECOMMENDATION 3.5.6*

Aboriginal language education be assigned priority in Aboriginal, provincial and territorial education systems, to complement and support language preservation efforts in the local community through

- (a) first-or second-language instruction or immersion programs where parents desire it and numbers warrant;
- (b) recognition of Aboriginal language competence for second-language academic credit whether competence is acquired through classroom or out-of-school instruction;
- (c) involving elders and fluent Aboriginal speakers in programs to enhance Aboriginal language acquisition and fluency;
- (d) developing instructional materials; and
- (e) encouraging and rewarding language teaching as a career path and language research in lexical elaboration, structural analysis and cultural contexts as professional and academic specializations.

p.468

*RECOMMENDATION 3.5.9*

Provincial and territorial ministries require school boards serving Aboriginal students to implement a comprehensive Aboriginal education strategy, developed with Aboriginal parents, elders and educators, including

- (a) goals and objectives to be accomplished during the International Decade of Indigenous Peoples;
- (b) hiring of Aboriginal teachers at the elementary and secondary school level, with negotiated target levels, to teach in all areas of school programs, not just Aboriginal programs;
- (c) hiring of Aboriginal people in administrative and leadership positions
- (d) hiring of Aboriginal support workers, such as counsellors, community liaison workers, psychologists and speech therapists;
- (e) curriculum, in all subject areas, that includes the perspectives, traditions, beliefs and world view of Aboriginal peoples;
- (f) involvement of Aboriginal elders in teaching Aboriginal and non-Aboriginal students;
- (g) language classes in Aboriginal languages, as determined by the Aboriginal community;
- (h) family and community involvement mechanisms;
- (i) education programs that combat stereotypes, racism, prejudice and biases;
- (j) accountability indicators tied to board or district funding; and

- (k) public reports of results by the end of the International Decade of Indigenous Peoples in the year 2004. p.474

**3****EDUCATION FOR YOUTH**

pp. 475-490

*RECOMMENDATION 3.5.11*

High school programs be extended to communities, using cost-effective options agreed upon by parents and families, including

- (a) complete school facilities for local high school delivery;
- (b) regional high schools in Aboriginal communities;
- (c) culturally appropriate, interactive distance education; and
- (d) seasonal institutes.

p.487

**4****CRITICAL NEED FOR MORE  
ABORIGINAL TEACHERS**

pp. 490-500

*RECOMMENDATION 3.5.14*

Federal, provincial and territorial governments expand financial support to post-secondary institutions for existing and new Aboriginal teacher education programs, contingent upon:

- (a) evidence of Aboriginal support for the program;
- (b) Aboriginal participation in the governance of the program;
- (c) the incorporation of Aboriginal content and pedagogy into the program; and
- (d) periodic evaluations indicate that the quality of teacher education conforms to standards of excellence expected by Aboriginal people.

p.493

*RECOMMENDATION 3.5.18*

Provinces and territories require that teacher education programs

- (a) in pre-service training leading to certification include at least one component on teaching Aboriginal subject matter to all students, both Aboriginal or non-Aboriginal;
- (b) develop options for pre-service training and professional development of teachers, focused on teaching Aboriginal students and addressing Aboriginal education issues; and
- (c) collaborate with Aboriginal organizations or community representatives in developing Aboriginal-specific components of their programs.

p.499



## 5

## ADULT EDUCATION PROGRAMS

pp. 499-525

*RECOMMENDATION 3.5.22*

A scholarship fund be established for Métis and other Aboriginal students who do not have access to financial support for post-secondary education under present policies, with

- (a) lead financial support provided by federal and provincial governments and additional contributions from corporate and individual donors;
- (b) a planning committee to be established immediately,
  - (i) composed of Métis and other Aboriginal representatives, students, federal and provincial representatives in balanced numbers;
  - (ii) given a maximum two-year mandate; and
  - (iii) charged with determining the appropriate vehicle, level of capitalization, program criteria and administrative structure for initiation and administration of the fund; and
- (c) provisions for evaluating demand on the fund, its adequacy and its impact on participation and completion rates of Métis and other Aboriginal students in post-secondary studies.

p.510

*RECOMMENDATION 3.5.26*

Federal, provincial and territorial governments collaborate with Aboriginal governments and organizations to establish and support Aboriginally-controlled post-secondary educational institutions controlled by Aboriginal people, with negotiated allocation of responsibility for

- (a) core and program funding commensurate with the services they are expected to provide and comparable to the funding provided to provincial or territorial institutions delivering similar services;
- (b) planning, capital and start-up costs of new colleges and institutes;
- (c) improvement of facilities for community learning centres (CLC's) as required for new functions and development of new facilities where numbers warrant and the community establishes this as a priority; and
- (d) fulfilment of obligations pursuant to treaties and modern agreements with respect to education.

p. 522

## 6

## AN ABORIGINAL PEOPLES' UNIVERSITY

pp. 530-539

*RECOMMENDATION 3.5.32*

A university under Aboriginal control, which could be called the Aboriginal Peoples' International University, with the capacity to function in all provinces and territories, be established to promote traditional knowledge, to pursue applied research in support of

Aboriginal self-government, and to disseminate information essential to achieving broad  
Aboriginal development goals.

p.533

7

## EDUCATION FOR SELF-GOVERNMENT

pp. 540-560

*RECOMMENDATION 3.5.39*

The federal government make funds available to First Nation and Inuit governments and organizations to support incentives to encourage students to complete bachelor's and master's level studies and professional training in areas of priority to self-government, including such measures as:

- (a) employee release time for concurrent work and study;
- (b) paid leave to pursue full-time study;
- (c) scholarships in studies related to self-government;
- (d) top-up of educational assistance for family needs including exceptional housing costs; and
- (e) student loans which are forgivable on completion of a set period of employment in the service of self-government.

p.554

# ABORIGINAL HERITAGE

## (Volume 3, Chapter 6)

See *People to People: Nation to Nation*, pages 88 to 96, for an overview of the Commission's views on Aboriginal heritage issues.

### MAIN ISSUES AND RECOMMENDATIONS

1

#### CRITICAL IMPORTANCE OF LANGUAGE

pp. 602-620<sup>17</sup>

##### RECOMMENDATION 3.6.10

The federal government make a commitment to endow an Aboriginal Languages Foundation for the purpose of supporting Aboriginal initiatives in the conservation, revitalization and documentation of Aboriginal languages, the foundation to be

- (a) capitalized by an annual federal grant of \$10 million for five years, beginning in 1997;
- (b) eligible to receive charitable contributions, to be matched by the federal government in a ratio of two dollars for each dollar contributed;
- (c) established for the support of language initiatives undertaken or endorsed by Aboriginal nations and their communities;
- (d) developed by a federally funded planning body, with a majority of First Nation, Inuit and Métis representatives and a two-year mandate; and
- (e) directed in its operation by a board having a majority of First Nation, Inuit and Métis members.

p.620

2

#### ABORIGINAL COVERAGE IN THE PRESS AND BROADCAST MEDIA

pp. 620-640

##### RECOMMENDATION 3.6.12

The Canadian Radio-Television and Telecommunications Commission include in licence conditions for public and commercial broadcasters, in regions with significant Aboriginal population concentrations, requirements for fair representation and distribution of Aboriginal programming, including Aboriginal language requirements.

p.634

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<sup>17</sup> Page numbers refer to the discussion of issues in Volume 2, Chapters 2 and 4, of the final report and to the location of recommendations.

*RECOMMENDATION 3.6.15*

Governments, including Aboriginal governments, recognize the critical role that independent Aboriginal print and broadcast media have in the pursuit of Aboriginal self-determination and self-government, and that they support freedom of expression through

- (a) policies on open access to information; and
- (b) dedicated funding at arm's length from political bodies.

p.636

**3****THE ROLE OF PUBLISHING,  
VISUAL AND PERFORMING ARTS**

pp. 640-645

*RECOMMENDATION 3.6.19*

Federal, provincial, territorial and Aboriginal governments cooperate to establish and fund an Aboriginal Arts Council, with a minimum 20-year life span and an annual budget equivalent to five per cent of the Canada Council budget, to foster the revitalization and development of Aboriginal arts and literature:

p.644

*RECOMMENDATION 3.6.20*

Governments, public agencies and private organizations that provide support for the visual and performing arts, in co-operation with Aboriginal artists and performers, review all aspects of their programs to ensure that:

- (a) criteria for grants and awards are relevant to Aboriginal arts and artists; and
- (b) Aboriginal people and perspectives are adequately represented on decision-making bodies, juries, advisory committees and staff.

p.644

## WOMENS RIGHTS AND THE *INDIAN ACT*

(Volume 4, Chapter 2)

See *People to People: Nation to Nation*, pages 100 to 102, for an overview of the Commission's views on women's rights and the *Indian Act*.

### MAIN ISSUES

- |          |   |                         |
|----------|---|-------------------------|
| <b>1</b> | TREATMENT OF WOMEN UNDER<br><i>THE INDIAN ACT</i> | pp. 21-33 <sup>18</sup> |
| <b>2</b> | THE IMPACT OF BILL C-31                           | pp. 33-43               |
| <b>3</b> | THE IMPACT OF BAND MEMBERSHIP CODES               | pp. 43-50               |
| <b>4</b> | THE RIGHT TO OWN LAND ON RESERVES                 | pp. 50-53               |

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<sup>18</sup> Page numbers refer to the discussion of issues the appropriate volume(s) of the final report and to the location of recommendations. A reprint of all the report's recommendations can be found in Volume 5, Appendix A.

# WOMEN'S CONCERNS ABOUT SOCIAL ISSUES AND GOVERNANCE

(Volume 4, Chapter 2, Volume 3, Chapter ?)

See *People to People: Nation to Nation*, pages 102 to 103, for an overview of the Commission's views on land claims policies and procedures.

## MAIN ISSUES AND RECOMMENDATIONS

- 1** THE ROLE OF WOMEN IN  
HEALTH AND HEALING pp. 53-62<sup>19</sup>

### RECOMMENDATION 4.2.2

Aboriginal governments and organizations provide for the full and fair participation of Aboriginal women in the governing bodies of all Aboriginal health and healing institutions.

p.60

- 2** WOMEN AND VIOLENCE IN THE COMMUNITIES pp. 62-68

- 3** WOMEN'S PERSPECTIVES ON SELF-GOVERNMENT pp. 71-83

### RECOMMENDATION 4.2.1

The government of Canada provide funding to Aboriginal womens' organizations, including urban-based groups, to:

- a. improve their research capacity and facilitate their participation in all stages of discussion leading to the design and development of self-government processes;
- b. enable them to participate fully in all aspects of nation building, including developing criteria for citizenship and related appeal processes. p 53

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<sup>19</sup> Page numbers refer to the discussion of issues in Volume 2, Chapters 2 and 4, of the final report and to the location of recommendations.

<b>4</b>	WOMEN'S CONCERNS ABOUT FAMILY	pp. 83-91
<b>5</b>	MAKING A LIVING	pp. 91-94

# THE ROLE OF ELDERS IN CONTEMPORARY SOCIETY

## (Volume 4, Chapter 3)

See *People to People: Nation to Nation*, pages 103 to 106, for an overview of the Commission's views on the role of Elders in contemporary society.

### MAIN ISSUES AND RECOMMENDATIONS

1	CULTURE, LANGUAGES AND VALUES	pp. 123-126 <sup>20</sup>
2	EDUCATION	pp. 126-129
3	JUSTICE	pp. 129-130
4	GOVERNANCE	pp. 130-132
5	HEALTH, HEALING AND SOCIAL ISSUES	pp. 132-137
6	LANDS AND RESOURCES	pp. 137-141

#### RECOMMENDATION 4.3.1

Aboriginal, federal, provincial and territorial governments acknowledge the essential role of Elders and the traditional knowledge that they have to contribute in rebuilding Aboriginal nations and reconstructing institutions to support Aboriginal self-determination and well-being. This acknowledgement should be expressed in practice by

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<sup>20</sup> Page numbers refer to the discussion of issues the appropriate volume(s) of the final report and to the location of recommendations. A reprint of all the report's recommendations can be found in Volume 5, Appendix A.



- (a) involving Elders in conceptualizing, planning and monitoring nation-building activities and institutional development;
- (b) ensuring that the knowledge of both male and female Elders, as appropriate, is engaged in such activities;
- (c) compensating Elders in a manner that conforms to cultural practices and recognizes of their expertise and contribution;
- (d) supporting gatherings and networks of Elders to share knowledge and experience with each other and to explore applications of traditional knowledge to contemporary issues;and
- (e) modifying regulations in non-Aboriginal institutions that have the effect of excluding the participation of Elders on the basis of age. p.118

*RECOMMENDATION 4.3.3*

The federal, provincial and territorial governments

- (a) recognize Aboriginal people's right of access to public lands for the purpose of gathering traditional herbs, plants and other traditional medicines where the exercise of the right is not incompatible with existing use; and
- (b) consult with Aboriginal governments on guidelines to govern the implementation of this right. p. 134

# CONCERNS OF YOUTH

## (Volume 4, Chapter 4)

See *People to People: Nation to Nation*, pages 106 to 108, for an overview of the Commission's views on youth.

### MAIN ISSUES AND RECOMMENDATIONS

**1** DEMOGRAPHIC PROFILE pp. 149-151<sup>21</sup>

**2** CULTURAL IDENTITY AND  
SPIRITUAL HEALTH pp. 154-161

#### RECOMMENDATION 4.4.2

Federal, provincial and territorial governments provide funding for community initiatives to establish Aboriginal Youth Camps that would:

- (a) pursue cultural activities linking youth with Elders through the development of ceremonial and traditional skills and knowledge;
  - (b) promote a healthy lifestyle (counselling, fitness and nutrition); and
  - (c) encourage positive social interaction between Aboriginal and non-Aboriginal youth.
- p.160

**3** EFFECTIVE EDUCATION pp. 161-170

**4** SPORT AND RECREATION pp. 170-178

#### RECOMMENDATION 4.4.4

The proposed Aboriginal sports and recreation advisory council promote programs and initiatives that are:

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<sup>21</sup> Page numbers refer to the discussion of issues the appropriate volume(s) of the final report and to the location of recommendations. A reprint of all the report's recommendations can be found in Volume 5, Appendix A.

- a) community-driven, based on needs identified by the community, programming developed or modified by the community to meet the community's needs;
- b) sustainable, as opposed to one-time tournaments or events;
- c) capacity builders aimed at providing instruction in recreation programming, leadership development and coaching skills. p. 177



## ECONOMIC AND POLITICAL PARTICIPATION

pp. 180-186



## PRIORITIES FOR ACTION

pp. 187-194

### *RECOMMENDATION 4.4.8*

Key program areas for a Canada-wide Aboriginal youth policy be education, justice, health and healing, sport and recreation, and support programs for urban Aboriginal youth.

- (a) Education in the broadest sense must be a priority, with greater efforts to develop a culturally appropriate curriculum that reinforces the value of Aboriginal culture. Transformative education — which uses students' personal experiences as a springboard for deeper analysis and understanding of the world around them — should be considered in developing initiatives in education
- (b) The justice and corrections system has a substantial impact on youth. New programs should be developed and existing programs modified to focus on reintegrating youth into the community through approaches that reflect Aboriginal culture.
- (c) Health and healing must reflect the needs of Aboriginal youth, particularly in the areas of counselling and support.
- (d) Sports and recreation must be treated as an integral part of Aboriginal youth policy. Increased resources for facilities and programming are needed, as are trained people to coordinate sports and recreation programs for Aboriginal youth. Also, the sports community — athletes and fans — must be seen as a way to build and strengthen relationships among Aboriginal and non-Aboriginal people.
- (e) Aboriginal youth in urban areas need innovative programs to help them bridge the traditional and urban worlds and support their choices about where and how to live. p.190

*RECOMMENDATION 4.4.10*

The federal government provide funding for a biennial conference of Aboriginal youth delegates and invited representatives from government and non-government organizations, the purpose of which would be to:

- (a) review progress over the preceeding 24 months on goals established under the Canada-wide Aboriginal youth policy; and
- (b) set priorities for new policies and programs where such a need is identified by delegates.

p.193

# THE MÉTIS

## (Volume 4, Chapter 5)

See *People to People: Nation to Nation*, pages 108 to 111, for an overview of the Commission's views on the Métis.

### MAIN ISSUES AND RECOMMENDATIONS

- 1

 CONFLICTING CLAIMS TO  
MÉTIS IDENTITY pp. 200-208<sup>22</sup>
  
- 2

 COVERAGE UNDER SECTION 35  
AND SECTION 91(24) OF THE  
CONSTITUTION pp. 208-210
  
- RECOMMENDATION 4.5.3*  
The Government of Canada either:

  - (a) acknowledge that s.91(24) of the *Constitution Act, 1867*, applies to Métis, and base its legislation, policies and programs on that recognition; or
  - (b) collaborate with other appropriate provincial governments, and with the Métis representatives, in the formulation and enactment of a constitutional amendment specifying that s.91(24) applies to Métis.

If it is unwilling to take either of those steps, the Government of Canada make a constitutional reference to the Supreme Court of Canada, asking that Court to decide whether s.91(24) of the *Constitution Act, 1867* applies to Métis.

p. 210
  
- 3

 CURRENT ECONOMIC AND SOCIAL  
CONDITIONS OF THE MÉTIS pp. 210-220

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<sup>22</sup> Page numbers refer to the discussion of issues the appropriate volume(s) of the final report and to the location of recommendations. A reprint of all the report's recommendations can be found in Volume 5, Appendix A.

4

## HISTORY OF THE MÉTIS NATION

pp. 220-234

5

MÉTIS EDUCATION, CULTURE  
AND LANGUAGE

pp. 237-244

*RECOMMENDATION 4.5.6*

When implementing the recommendations made in Volume 3, all governments and relevant agencies bear in mind the distinct circumstances of Métis culture and languages.

Governments and private authorities and agencies should collaborate with authorized Métis representatives on measures to preserve, cultivate and study elements of Métis culture including the following:

- (a) Aboriginal Languages: to encourage and assist Métis people to learn and use the Aboriginal languages with which their Métis ancestors were historically associated.
- (b) Michif Language: to implement with Métis collaboration and public funding, special measures to save Michif from extinction and to encourage and assist Michif research and instruction.
- (c) research and publications about métis history and culture: to provide financial support for research and publications to disseminate information about Métis Nation history and culture by means of print, radio, television, film, theatre and other modes of expression.
- (iv) *Historic Sites*. One or more major Métis cultural/historical centres be established at a historically significant site or sites, such as Batoche, and/or the Forks in Winnipeg, to be owned and operated by appropriate Métis representatives.
- (iv) *Repatriation of Artifacts*. Major Métis artifacts be repatriated from their present locations in public and private collections to such centres, or to other appropriate Métis-regulated locations, for preservation, study and display. p.244

6

## A LAND BASE FOR THE MÉTIS

pp. 244-249

*RECOMMENDATION 4.5.7*

The governments of Canada and the relevant provinces and territories be prepared to make available, through negotiations with each recognized nation of Métis people, land bases sufficient in number, size, location and quality to permit the fulfilment of the nation's legitimate social, cultural, political and economic aspirations.

p.249

**RECOMMENDATION 4.5.8**

The governments of Manitoba, Saskatchewan and Alberta:

- (a) recognize immediately that the right under the *Constitution Act, 1930* of "Indians" of those provinces to hunt, trap and fish for food in all seasons on unoccupied Crown land and other land to which they have a right of access applies to all Métis persons in those provinces.
- (b) consult with leaders of the Métis Nation when determining who qualifies as a Métis person for that purpose.
  - Non-status Indians residing in the Prairie Provinces should have the same right, after proving their Aboriginal ancestry by some prescribed and fair method.
  - Aboriginal persons residing outside the Prairie Provinces ought to have the same right, unless it has been extinguished by a legally binding extinguishment measure, and it ought to be extended, where appropriate, to public waters.

p.251

7

**SELF-GOVERNMENT FOR THE MÉTIS**

pp. 252-253

**RECOMMENDATION 4.5.10**

The governments of Canada and of relevant provinces and territories:

- (a) be prepared to negotiate immediately with appropriate Métis representatives (as well as, where appropriate, other Aboriginal governments) on the manner in which Métis self-government will be recognized by and integrated with such other governments, and assisted to become financially self-sufficient.
- (b) pursue independently and swiftly those aspects of self-government that are not dependent upon land base considerations, although it will be appropriate for part of these negotiations to take place in the context of negotiations concerning the nation's land base.

p.253

8

**THE OTHER MÉTIS:**

LABRADOR

pp. 255-257

THE MARITIMES

pp. 257-258

QUÉBEC

pp. 258-259

ONTARIO

pp. 259-262

- |  |   |             |
|--|---|-------------|
| <div data-bbox="215 275 285 342" style="border: 1px solid black; padding: 2px; display: inline-block; width: 30px; text-align: center;">9</div>  | LEGAL ANALYSIS OF THE GENERAL<br>SOURCES OF MÉTIS RIGHTS        | pp. 271-313 |
| <div data-bbox="215 401 285 468" style="border: 1px solid black; padding: 2px; display: inline-block; width: 30px; text-align: center;">10</div> | LEGAL ANALYSIS OF THE SPECIAL<br>SOURCES OF MÉTIS NATION RIGHTS | pp. 320-331 |
| <div data-bbox="215 527 285 594" style="border: 1px solid black; padding: 2px; display: inline-block; width: 30px; text-align: center;">11</div> | LEGAL ANALYSIS OF MÉTIS NATION<br>LAND AND RESOURCE RIGHTS      | pp. 333-371 |



## THE NORTH

### (Volume 4, Chapter 6)

See *People to People: Nation to Nation*, pages 111 to 116, for an overview of the Commission's views on northern issues.

#### MAIN ISSUES AND RECOMMENDATIONS

- |  |  |                           |
|--|--|---------------------------|
| <div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center; margin: 5px 0;">1</div> | THE ENVIRONMENTAL CHALLENGE                    | pp. 446-460 <sup>23</sup> |
| <div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center; margin: 5px 0;">2</div> | THE CHALLENGE OF MAKING A LIVING               | pp. 460-474               |
| <div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center; margin: 5px 0;">3</div> | ALTERNATIVE APPROACHES<br>TO SOCIAL ASSISTANCE | pp. 474-481               |

#### *RECOMMENDATION 4.6.12*

Federal and territorial governments establish a task force with strong Aboriginal representation to review all social assistance and income supplement programs across the territorial North with the goal of restructuring these programs to make them effective instruments in promoting a mixed economy and sustain viable, largely self-reliant communities.

#### *RECOMMENDATION 4.6.14*

Employment insurance and social assistance legislation be amended to take into account the specific differences in employment patterns, the high cost of living, the administrative delays

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<sup>23</sup> Page numbers refer to the discussion of issues the appropriate volume(s) of the final report and to the location of recommendations. A reprint of all the report's recommendations can be found in Volume 5, Appendix A.

that result from great distances between communities and other factors unique to the northern economy.

p.481

#### **4** DEVELOPING THE WAGE SECTOR

pp. 482-488

##### *RECOMMENDATION 4.6.15*

Aboriginal, federal, provincial and territorial governments encourage innovative means of delivering skilled management support — including operations, financial and marketing expertise — to small enterprises through Aboriginal economic development corporations.

p.487

##### *RECOMMENDATION 4.6.16*

Faculties of agriculture, forestry and business administration in Canadian universities, in collaboration with the proposed Aboriginal Peoples International University, develop a northern research program focused on the creation of employment and business opportunities through the use of the renewable resources sector, the exportation of traditional foods and food products, and the development of expertise to manage these resources at sustainable levels.

p.488

#### **5** EFFECTIVE EDUCATIONAL AND TRAINING APPROACHES

pp. 488-497

##### *RECOMMENDATION 4.6.17*

All governments hiring personnel for northern and remote communities take into account skills acquired through life experience and the demonstrated capacity to develop new skills along with, and at times in place of, formal educational credentials.

p.492

##### *RECOMMENDATION 4.6.18*

Government employment policies accommodate the demands of traditional economic activities by increasing opportunities for job-sharing, periodic leave and shift work.

p.493

##### *RECOMMENDATION 4.6.19*

Governments provide stable multi-year funding to northern educational institutions that have the capacity to deliver the education and training needed for self-government and a diversified economy.

p.494

##### *RECOMMENDATION 4.6.20*

The education and training of Aboriginal adults and young people form an integral part of all plans for institutional development in the North.

## URBAN ISSUES

### (Volume 4 Chapter 7)

See *People to People: Nation to Nation*, pages 116 to 119, for an overview of the Commission's views on urban issues.

#### MAIN ISSUES AND RECOMMENDATIONS

1

#### THE CHALLENGES TO CULTURAL IDENTITY

pp. 521-537<sup>24</sup>

##### RECOMMENDATION 4.7.1

Aboriginal cultural identity be supported and enhanced in urban areas by:

- (a) Aboriginal, municipal, territorial, provincial and federal governments initiating programs to increase the opportunities to promote Aboriginal culture in urban communities, including means to increase access to Aboriginal elders;
- (b) municipal governments and institutions and Aboriginal elders co-operating to find ways of facilitating Aboriginal spiritual practices in the urban environment;
- (c) all governments cooperating to set aside land in urban areas dedicated to Aboriginal cultural and spiritual needs.

p.537

2

#### EFFECTIVE SERVICE DELIVERY

pp. 553-561

##### RECOMMENDATION 4.7.6

Federal, provincial and territorial governments ensure that existing and new Aboriginal service institutions have a stable and secure funding base by

- (a) contribution and grant agreements with Aboriginal service institutions for periods of at least five years; and
- (b) adjusting funding for existing and new Aboriginal and non-Aboriginal agencies to reflect actual services provided and caseloads.

p.557

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<sup>24</sup> Page numbers refer to the discussion of issues the appropriate volume(s) of the final report and to the location of recommendations. A reprint of all the report's recommendations can be found in Volume 5, Appendix A.

*RECOMMENDATION 4.7.7*

Aboriginal people and organizations be directly involved in the design, development, delivery and evaluation of all services provided to Aboriginal clients by non-Aboriginal agencies.

p.558

**3** THE ROLE OF FRIENDSHIP  
CENTRES

pp. 564-569

**4** THE SPECIAL CIRCUMSTANCES  
OF WOMEN IN URBAN  
CENTRES

pp. 570-579

**5** URBAN DEMOGRAPHICS

pp. 601-612

# ***JURISDICTIONAL CONFLICT OVER OFF-RESERVE PROGRAMS***

***(Volume 4, Chapter 7)***

*See People to People: Nation to Nation*, pages 119 to 120, for an overview of the Commission's views on jurisdictional questions.

## ***MAIN ISSUES AND RECOMMENDATIONS***

- |   |  |                           |
|---|--|---------------------------|
| <div style="border: 1px solid black; padding: 2px; display: inline-block; width: 20px; text-align: center;">1</div> | FEDERAL-PROVINCIAL<br>AGREEMENTS AND FISCAL<br>OFF-LOADING | pp. 542-548 <sup>25</sup> |
| <div style="border: 1px solid black; padding: 2px; display: inline-block; width: 20px; text-align: center;">2</div> | RATIONALE FOR PROVINCIAL<br>ROLE                           | pp. 548-551               |
| <div style="border: 1px solid black; padding: 2px; display: inline-block; width: 20px; text-align: center;">3</div> | THE COMMISISON PROPOSAL                                    | pp. 547-548               |

### ***RECOMMENDATION 4.7.2***

The federal government be responsible for:

- (a) the costs associated with developing, implementing and operating Aboriginal self-government initiatives on and off a land base through program funding and fiscal arrangements;
- (b) programs, services and treaty entitlements for Aboriginal people living on reserves or extended Aboriginal territories;
- (c) treaty entitlements or agreed social programs such as financial assistance for post-secondary education and uninsured health benefits for Indian people living off-reserve, to the extent that these exceed the programs or services provided to other residents by the province or territory in which they reside; and

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<sup>25</sup> Page numbers refer to the discussion of issues the appropriate volume(s) of the final report and to the location of recommendations. A reprint of all the report's recommendations can be found in Volume 5, Appendix A.

- (d) the cost of services for Métis people agreed to in treaty negotiations, once they have achieved self-government and a land base, including additional payments to Métis people living off their land base to cover benefits agreed to by treaty where those exceed benefits normally available to other provincial residents. p.551

*RECOMMENDATION 4.7.3*

Provincial and territorial governments be responsible for

- (a) providing and financing the programs and services that are available to residents in general, to all Aboriginal people residing in the province or territory, except those resident on reserve, in Inuit communities or on extended Aboriginal territory; and
- (b) providing programs and services for Aboriginal people that are culturally appropriate where numbers warrant. p.552

# GOVERNANCE IN URBAN AREAS

## (Volume 4, Chapter 7)

See *People to People: Nation to Nation*, pages 120 to 123, for an overview of the Commission's views on urban issues.

### MAIN ISSUES AND RECOMMENDATIONS

#### 1 CHANGES IN MAINSTREAM INSTITUTIONS

pp. 581-584<sup>26</sup>

#### 2 ABORIGINAL COMMUNITY OF INTEREST GOVERNMENT

pp. 584-587

#### RECOMMENDATION 4.7.22

Where urban Aboriginal residents wish to pursue self government based on an urban community of interest, whether involved in multiple government functions or acting through a single institution:

- (a) municipal, provincial, territorial and federal governments foster and support community building, including, where appropriate, developing the community of interest's governance initiative; and
- (b) municipal, provincial, territorial and federal governments participate in negotiations to establish urban community of interest governments and assist them in operating institutions and services for members of the community of interest's.

p.587

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<sup>26</sup> Page numbers refer to the discussion of issues the appropriate volume(s) of the final report and to the location of recommendations. A reprint of all the report's recommendations can be found in Volume 5, Appendix A.



## NATION-BASED APPROACHES TO GOVERNANCE

pp. 588-599

### *RECOMMENDATION 4.7.23*

Nation based urban governance initiatives be pursued by nations when they have sufficient capacity to assume governance responsibility for, and effectively meet the needs and interests of urban Aboriginal citizens.

p. 599



## IMPLEMENTING A TWENTY-YEAR STRATEGY

(Volume 5, Chapter 1)

See *People to People: Nation to Nation*, pages 125 to 136, and page 145 for an overview of the Commission's views on an integrated strategy to implement the recommendations.

### MAIN ISSUES AND RECOMMENDATIONS

1

#### AN OVERVIEW OF THE STRATEGY

pp. 1-17<sup>27</sup>

##### RECOMMENDATION 5.1.1.

First Ministers, territorial leaders and leaders of the national Aboriginal organizations meet within six months of the release of the report to

- (a) review its principal recommendations;
- (b) begin consultations on the drafting and enactment of a Royal Proclamation redefining the nature of the relationship between Aboriginal nations and Canadian governments; and
- (c) establish a forum to create a Canada-Wide Framework Agreement.

2

#### A MONITORING AGENCY

pp. 17-20

##### RECOMMENDATION 5.1.2

The government of Canada introduce legislation to establish an Aboriginal Peoples Review Commission that is independent of government, reports to Parliament and is headed by an Aboriginal chief commissioner.

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<sup>27</sup> Page numbers refer to the discussion of issues the appropriate volume(s) of the final report and to the location of recommendations. A reprint of all of the report's recommendations can be found in Volume 5, Appendix A.

*RECOMMENDATION 5.1.3*

The Aboriginal Peoples Review Commission regularly monitor progress being made

- (a) by governments to honour and implement existing treaties;
- (b) in achieving self-government and providing an adequate lands and resource base for Aboriginal peoples;
- (c) in improving the social and economic well-being of Aboriginal people; and
- (d) in honouring governments' commitments and implementing the recommendations of the Royal Commission on Aboriginal Peoples.

# COST OF THE STATUS QUO

## (Volume 5, Chapter 2)

See *People to People: Nation to Nation*, pages 136 to 140, for an overview of the Commission's views on land claims policies and procedures.

### MAIN ISSUES

- |          |   |                         |
|----------|---|-------------------------|
| <b>1</b> | THE COST OF INCOME LOSS<br>AND FORGONE PRODUCTION | pp. 24-33 <sup>28</sup> |
| <b>2</b> | CURRENT EXPENDITURES BY<br>ALL GOVERNMENTS        | pp. 33-42               |
| <b>3</b> | THE EXTENT OF DEPENDENCY                          | pp. 42-46               |
| <b>4</b> | DEMOGRAPHIC IMPACT ON<br>FUTURE COSTS             | pp. 47-49               |

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<sup>28</sup> Page numbers refer to the discussion of issues the appropriate volume(s) of the final report and to the location of recommendations. A reprint of all of the report's recommendations can be found in Volume 5, Appendix A.

# COMMISSION'S STRATEGY AS A GOOD INVESTMENT

## (Volume 5, Chapter 3)

See *People to People: Nation to Nation*, pages 140 to 143, for an overview of the Commission's views on the costs of the Commission's strategy.

### MAIN ISSUES

- |          |   |                         |
|----------|---|-------------------------|
| <b>1</b> | FINANCING FUNDAMENTAL CHANGE                        | pp. 55-63 <sup>29</sup> |
| <b>2</b> | THE COST OF THE STRUCTURAL CHANGES                  | pp. 64-67               |
| <b>3</b> | THE COST OF DEVELOPING SOCIAL AND ECONOMIC CAPACITY | pp. 67-74               |
| <b>4</b> | GAINS BEYOND 20 YEARS                               | pp. 74-76               |
| <b>5</b> | DISTRIBUTION OF COSTS AND GAINS AMONG GOVERNMENTS   | pp. 76-79               |
| <b>6</b> | THE PAGE OF PROGRESS                                | pp. 81-83               |

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<sup>29</sup> Page numbers refer to the discussion of issues the appropriate volume(s) of the final report and to the location of recommendations. A reprint of all of the report's recommendations can be found in Volume 5, Appendix A.

# PUBLIC EDUCATION

## (Volume 5, Chapter 4)

See *People to People: Nation to Nation*, page 144, for an overview of the Commission's views on issues related to public education.

### MAIN ISSUES AND RECOMMENDATIONS

1

#### CREATING DIALOGUE

pp. 91-96<sup>30</sup>

2

#### ACTIONS BY STOCKHOLDERS

Religious institutions	p. 97
Municipalities	p. 97
Educational institutions	p. 98
Labour unions	p. 99
Professional organizations	p. 100
Aboriginal organizations	p. 101
The media	p. 103

3

#### THE ROLE OF SYMBOLS AND OCCASIONS

pp. 106-109

#### RECOMMENDATION 5.4.10

Canadian governments recognize Aboriginal people's contribution to Canada through much greater use of Aboriginal place names, languages, ceremonies and exhibits and by honouring Aboriginal meeting places and historic sites.

4

#### ROLE FOR GOVERNMENTS

pp. 109-112

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<sup>30</sup> Page numbers refer to the discussion of issues the appropriate volume(s) of the final report and to the location of recommendations. A reprint of all of the report's recommendations can be found in Volume 5, Appendix A.

*RECOMMENDATION 5.4.13*

The CD-ROM version of the Commission's final report, research studies and public hearings be distributed by the government of Canada free of charge to every Canadian high school, college and university library.

*RECOMMENDATION 5.4.14*

A task force be established by a coalition of interested organizations and funded in part by the federal government to promote understanding and wide public discussion of the findings and recommendations of the Royal Commission on Aboriginal Peoples for at least the first year following publication of this report.

# CONSTITUTIONAL CHANGE

## (Volume 5, Chapter 5)

See *People to People: Nation to Nation*, page 129, for an overview of the Commission's views on constitutional change.

### MAIN ISSUES AND RECOMMENDATIONS

1

#### FUTURE AMENDMENTS TO ACCOMMODATE ABORIGINAL CONCERNS

pp. 125-134<sup>31</sup>

##### RECOMMENDATION 5.5.1

Representatives of Aboriginal peoples be included in all planning and preparations for any future constitutional conference convened by the government of Canada.

##### RECOMMENDATION 5.5.2

A role of Aboriginal peoples and their governments in the amending process, including a veto for Aboriginal people on changes to sections 25, 35, 35.1 of the *Constitutional Act, 1982* and section 91(24) of the *Constitution Act, 1867*, be one matter for consideration at any future conference.

##### RECOMMENDATION 5.5.3

Other matters of concern to Aboriginal peoples, including, in particular, explicit recognition of the inherent right of self-government, treaty making and implementation, the inclusion of Métis people in section 91(24), entrenchment of the *Alberta Metis Settlements Act*, and alterations to section 91(24) to reflect the broad self-governing jurisdiction of Aboriginal nations, form part of the constitutional agenda.

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<sup>31</sup> Page numbers refer to the discussion of issues the appropriate volume(s) of the final report and to the location of recommendations. A reprint of all of the report's recommendations can be found in Volume 5, Appendix A.

# HOW THE COMMISSION OPERATED

(Volume 5, Appendices c, d, e, f, g and h)

## *MAIN ISSUES*

1	THE CONSULTATIONS	pp. 297-300 <sup>32</sup>
2	THE RESEARCH PROGRAM	pp. 300-302
3	INTERIM REPORTS	pp. 302-303
4	THE POLICY PROCESS	pp. 303-304
5	STAFFING THE COMMISSION	pp. 304-305
6	LIST OF RESEARCH STUDIES	pp. 306-324
7	ETHICAL GUIDELINES FOR RESEARCH	pp. 325-328
8	RESEARCH ADVISORY COMMITTEE MEMBERS	p. 329
9	COMMISSION PUBLICATIONS	pp. 330-332

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<sup>32</sup> Page numbers refer to the discussion of issues the appropriate volume(s) of the final report and to the location of recommendations. A reprint of all of the report's recommendations can be found in Volume 5, Appendix A.



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LIST OF COMMISSIONERS AND STAFF

pp. 333-337

**F) EXPENDITURES BY FUNCTION  
TO DATE**

## EXPENDITURES BY FUNCTION TO DATE

	TOTAL 1996-97	%
Co-chairs and Commissioners	3,853,236	7.52
Executive Director & Secretariat	3,610,674	7.05
Policy	4,405,016	8.60
Public Participation	6,004,790	11.72
Research	16,476,387	32.17
Communications	3,482,959	6.80
Administration	9,300,709	18.16
Intervenor Participation	435,819	0.85
Publications	3,641,142	7.13
<b>TOTAL OPERATING COSTS</b>	<b>51,220,732</b>	<b>100.00</b>