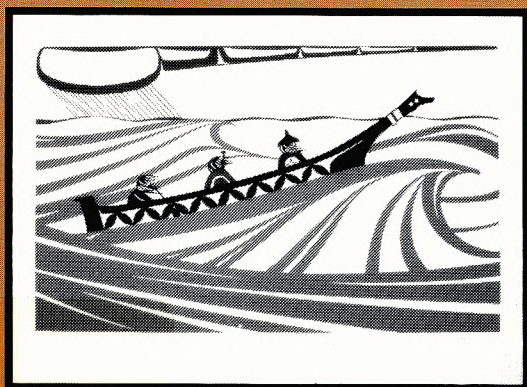
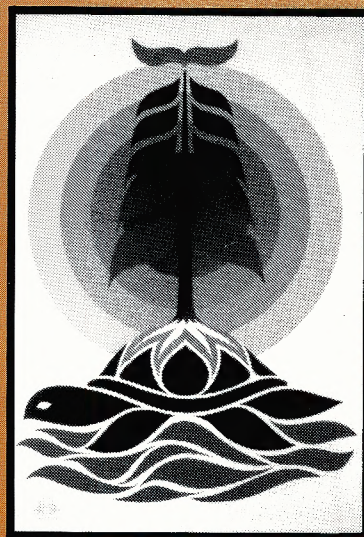
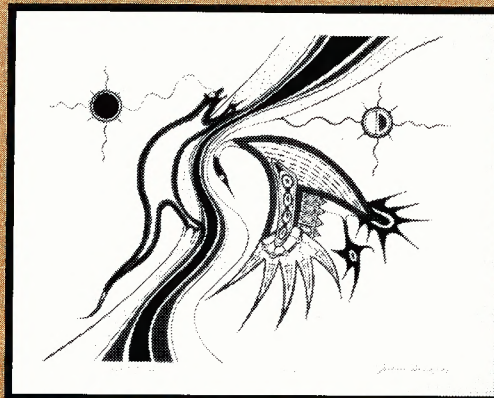


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Affairs Canada

Affaires indiennes  
et du Nord Canada



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**Evaluation of the  
Self-Government Negotiations Process**

**Summary Report**

Canada



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## About the Illustrations

### The Westcoasters

*(Bottom)*

The Indians who now live along the west coast of Canada are direct descendants of skillful mariners who navigated the open ocean of the North Pacific in hand-hewn cedar canoes long before the arrival of the European. To attain their livelihood these people daily braved the perils of an area frequently referred to as the "Graveyard of the Pacific." The "Westcoasters" is a graphic visual tribute to the courageous and indomitable spirit of the west coast people.

### Creation

*(Middle)*

To use the artist's words "... meaningful traditions are governed by the works of the Creator, and are believed to be sacred. It is from nature that the Native peoples adopt symbolism." Thus the "Creation" became the first of his Iroquois paintings. It is a work that portrays in physical symbols a vision of ancient Iroquoian spiritual concepts: the Turtle Island — the Earth, the Great Tree of Peace — Brotherhood and Unity, the Guardian Eagle — the Creator's watch-care, and the Sun — our Elder Brother.

### The Goose and the Mink

*(Top right)*

The Northern Goose and Mink serve as a vivid portrayal symbolizing the unending and universal struggle between good and evil, the forces of life and death. In both the animate and the inanimate creation — in the prey and in its predator and in the variations between the lightened and the darkened suns — we see an emphasis on the continuing conflict between these forces and the pathway of division between them.

## and the Artists ...

### Roy Henry Vickers

Roy Vickers is a Coast Tsimshian who spent his early youth at Kitkatla, an ancient Indian village on an Island at the mouth of the Skeena River, British Columbia. Later his family settled in the Victoria area. While there, in art classes at school he was unable to relate to the European painters and the "great masters" and turned instead to the art of his Tsimshian heritage; it was here that he found himself.

It wasn't long before his artwork showed considerable promise and he was admitted to the Gitanmax School of Northwest Coast Indian Art at Ksan in Hazelton, B.C. In two years of intense study at Gitanmax, Roy matured into a highly skilled artist with a marked ability to sensitively blend traditionalist and contemporary forms. (Roy's other talents include University lecturing and television acting.) His carvings and paintings may be found in major public and private collections in Canada, the United States and Japan.

### Arnold Jacobs

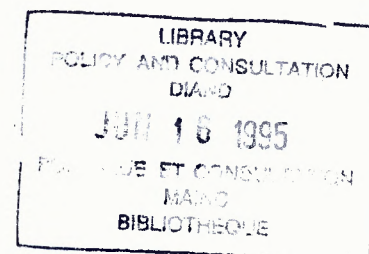
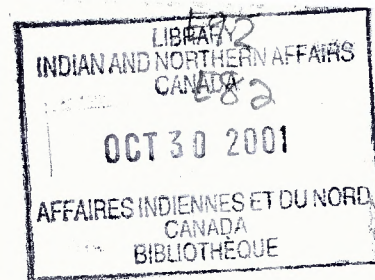
Arnold Jacobs is a Six Nations' Iroquois artist who is emerging as a visual interpreter and historian of the rich culture of his people. After studying in the Special Arts Program at Toronto's Central Technical School, Arnold went on to develop his distinctive techniques through thirteen years of experience in the commercial arts field. His works have brought him international recognition.

Central to Arnold's creative expression are symbols of the earth and sky — such as the waters, the four winds, thunder and the sun. For him these supporters of life are also spiritual forces that should inspire within us true thankfulness to the Creator.

### Jackson Beardy

Jackson Beardy was born as the fifth son of a family of 13 in the isolated Indian community of Island Lake, about 600 kilometres north of Winnipeg, Manitoba. Deprived of his home and language at the age of 7, he spent 12 disorienting and traumatic years in residential school life. Thus Jackson's early manhood found him in the struggle to reconcile the two worlds of white and Indian society. It was at this time that he returned north in a quest to again learn the ways and teachings of his people.

Later, unrecognized and being unaware of any other Indian artists in Canada, he began to pioneer his own art form — one portraying traditional legends and nature in uniquely colourful, creative and symbolic images. In time his paintings have found their place in established collections throughout North America and Europe. His recent death in December of 1984 was lamented as a great loss to Canada.



**Evaluation Directorate  
Indian and Northern Affairs Canada**

**January 1991**

**Evaluation of the  
Self-Government Negotiations Process**

**Summary Report**

**Prepared by**  
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January 16, 1991

1.4.1 SB

MEMBERS OF THE DEPARTMENTAL AUDIT  
AND EVALUATION COMMITTEE

Re: Evaluation of the Self-Government Negotiations Process

Attached for your comments is the evaluation report for the above-mentioned process.

The evaluation assessed the Self-Government Negotiations (SGN) process in terms of the extent to which the objectives of the program have been met, the extent to which anticipated results have been achieved, and the extent to which the program is still relevant.

It was found that the objectives both general and operational of SGN have been met although there are some impediments outside the SGN process which need to be addressed in the future.

In terms of effectiveness, the process has been found to be working. For instance, the process has been adjusted by the regions to reflect the particular needs of the bands in their respective regions. It has been found that improvements could be made on the entry point for submitting proposals, the communication within DIAND regarding SGN matters, and on the roles and responsibilities of the various intervenors at each step of the SGN process.

The evaluation found that the impacts of the SGN process have been beneficial in creating a higher level of understanding of self-government, and that Bands/Communities have modified their management structures to accommodate greater responsibility and autonomy. As well, the process increased Bands/Communities' understanding of program content and delivery mechanisms, and their ability to consult DIAND on program modifications.

.../2



The report recommends that the objectives of SGN should be clearly defined and stated to ensure a better understanding by Native organizations. Along these same lines, it recommends modifying the name of the program to clarify the intent of the government. This recommendation has already been implemented by the program.

Information material should be simplified and disseminated to Bands/Communities for better comprehension. As well a communication strategy should be developed to improve information dissemination between H.Q. and regions. With respect to responsibilities and authorities, each step of the process should be clearly stated and translated into a team leadership format. It further recommends that the process for proposal assessment should be standardized and applied systematically. Also, special intensive information and discussion sessions should be held within two months of the election of newly elected councils.

*Marie-France D'Auray-Boult*  
Marie-France D'Auray-Boult  
Director  
Evaluation Directorate  
Room 1950

Attachment



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## EXECUTIVE SUMMARY

### 1. Purpose of the report

The report provides findings and recommendations of the evaluation of the Self-Government Negotiations process. It includes a description of the two programs, the methodology used, and the evaluation's findings.

### 2. Purpose of the evaluation

Indian and Northern Affairs has undertaken to submit to Treasury Board an evaluation of the success of the two programs of the Self-Government Negotiations process. The evaluation focused on the extent to which the objectives of the program have been met, the extent to which the anticipated results have been achieved, and the extent to which the program is still relevant.

### 2. Methodology

The evaluation was conducted by the Evaluation Directorate with the help of a consultant. In total, 50 bands were interviewed and in-depth case studies were conducted with four Bands/Communities.

Interviews were also conducted with 30 departmental representatives including SGN headquarters senior management, SGN negotiators, regional directors general, and regional SGN staff. As well, extensive file reviews were done in three regions and at Headquarters.

### 3. Program Activities and Objectives

The major activities of the process involve the Planning and Development of Community Based Self-Government and Self-Government Negotiations. Authority was given to implement the community self-government process with eligible Indian communities commencing in 1986-87.

The operational objectives of the process include assisting communities in the development of self-government proposals and terms of reference for substantive negotiations, covering the costs associated with substantive negotiations, and implementing self-government arrangements. The general objectives of the process include the development of new arrangements for community self-government that go beyond the present limits of the Indian Act.



#### **4. Findings and Recommendations**

The evaluation found that both the general and operational objectives of SGN have been met; although, there are some impediments outside the SGN process which need to be addressed.

The process was also found to be effective. One example of this is the community specific nature of the process in that it has been adjusted by the regions to reflect the particular needs of the bands in their respective regions.

The short-term impacts of SGN were found to be beneficial in creating a higher level of understanding of self-government. Some of the short-term impacts found were increased understanding of self-government, increased understanding of DIAND programs and their delivery mechanisms, and modifications to Bands/Communities' management structures to accommodate greater responsibility and autonomy.

It was found that improvements could be made at the entry point for submitting proposals. The report also recommends that the process for proposal assessment should be standardized and applied systematically.

With respect to roles and responsibilities of the various intervenors at each step of the SGN process, the evaluation found that improvements could be made. It is recommended that the responsibilities within each step of the process be clarified and translated into a team leadership format.

As well, a communication strategy should be developed to improve information dissemination between H.Q. and the regions. As well, special intensive information and discussion sessions should be held within two months of the election of newly elected councils.

It is recommended that the objectives of SGN be more clearly defined to ensure a better understanding by Native organizations. Towards this end, it is recommended that the name of the process be modified to clarify the intent of the government. This recommendation has already been implemented by the program.



## SOMMAIRE

### **1. But du rapport**

Le présent rapport fournit les résultats et les recommandations qui font suite à l'évaluation du processus utilisé par le secteur des Négociations de l'autonomie gouvernementale (NAG). Il comprend la description des deux programmes, la méthodologie utilisée et les constatations de l'évaluation.

### **2. But de l'évaluation**

Le ministère des Affaires indiennes et du Nord canadien a procédé à l'évaluation du degré de réussite du processus utilisé par les deux programmes du secteur des Négociations de l'autonomie gouvernementale qui sera présentée tel que promis au Conseil du Trésor. L'évaluation a surtout tenté de déterminer dans quelle mesure les objectifs du programme ont été atteints, dans quelle mesure les résultats escomptés ont été obtenus et si les programmes sont encore appropriés.

### **3. Méthode utilisée**

L'évaluation a été effectuée par la Direction de l'évaluation avec la collaboration d'un expert-conseil. Au total, 50 bandes ont été consultées, et des études de cas approfondies ont été menées avec quatre bandes et communautés.

Des entrevues ont également eu lieu auprès de 30 représentants du Ministère, y compris la haute direction de la NAG de l'administration centrale, les négociateurs de la NAG, les directeurs généraux régionaux et le personnel régional de la NAG. Un examen approfondi des dossiers a aussi été effectué dans trois régions et à l'administration centrale.

### **4. Activités et objectifs des programmes**

Les principales activités comprennent la planification et la mise en oeuvre de l'autonomie gouvernementale au niveau local et les négociations de l'autonomie gouvernementale. L'autorisation a été donnée de mettre en oeuvre le processus de la NAG avec les communautés indiennes qui y étaient admissibles; le processus a débuté en 1986-1987. Le processus a pour objectif opérationnel d'aider les communautés à élaborer des propositions d'autonomie gouvernementale ainsi que les termes de référence liés à des négociations indépendantes, ce qui couvre les coûts liés aux négociations indépendantes et à la mise en oeuvre des ententes d'autonomie gouvernementale. Les objectifs généraux du processus comprennent la mise en place de nouvelles ententes d'autonomie gouvernementale des communautés qui vont au-delà des limites de l'actuelle Loi sur les Indiens.



## **5. Résultats et recommandations**

L'évaluation a permis de constater que les objectifs généraux et opérationnels de la NAG ont été atteints même s'il existe à l'extérieur du processus de la NAG des difficultés qui doivent être aplanies.

Le processus a été jugé efficace. Un exemple de son efficacité est qu'il met l'accent sur la nature spécifique des communautés. Ainsi, le processus a été rajusté par les régions afin de tenir compte des besoins particuliers des bandes selon les régions.

On a conclu que les répercussions à court terme du processus de la NAG étaient bénéfiques car la compréhension du concept de l'autonomie gouvernementale était meilleure. Parmi les répercussions à court terme, on note, outre une meilleure compréhension du concept de l'autonomie gouvernementale, une meilleure compréhension des programmes du Ministère et des mécanismes d'application ainsi qu'une réorganisation des structures administratives des bandes et des communautés afin d'obtenir une responsabilité et une autonomie accrues.

On a conclu que des améliorations pouvaient être apportées à l'étape de la soumission des propositions. Le rapport recommande également que le processus d'évaluation des propositions soit normalisé et appliqué de façon systématique.

En ce qui a trait aux rôles et aux responsabilités des divers intervenants durant le processus de la NAG, l'évaluation a permis de constater qu'il y avait place à l'amélioration. On recommande que les responsabilités dans chacune des étapes du processus soient clarifiées et adaptées au niveau de l'équipe.

Une stratégie de communications devrait être élaborée afin d'améliorer le transfert d'informations entre l'administration centrale et les régions. En outre, des sessions spéciales et intensives d'information et de discussions devraient avoir lieu au cours des deux mois suivant l'élection des nouveaux conseils.

On recommande que les objectifs de la NAG soient définis plus clairement afin que les organismes autochtones en aient une meilleure compréhension. À cette fin, il est recommandé que le titre du processus soit modifié afin de clarifier l'intention du gouvernement. Cette recommandation a déjà été mise en oeuvre par le programme.



## **1. INTRODUCTION**

### **1.1 Purpose of the report**

This report provides findings and recommendations of the evaluation of the Self-Government Negotiations (SGN) process, which consists of two programs: (1) the contribution program for the Planning and Development of Community Based Self-Government, and (2) the funding program for Self-Government Negotiations. Supporting documentation is presented in the text and in appendices. The report includes a brief description of the two programs, the methodology used for the evaluation, the findings on the results achieved by the process, a description of the process with its strengths and weaknesses, and recommendations for improvement.

### **1.2 Purpose of the evaluation**

Indian and Northern Affairs has undertaken to submit to Treasury Board an evaluation of the success of the two programs of the Self-Government Negotiations process. The terms of reference, as described in the Annex 1 of this report, were approved by the Departmental Audit and Evaluation Committee in April 1989.

The evaluation focuses on four main issues:

- . a description and a review of the process;
- . the extent to which the objectives of the programs have been met;
- . the extent to which the anticipated results have been achieved; and
- . the extent to which the programs are still relevant, whether there is a need to continue them and, if so, in what form.

### **1.3 SGN process: Background**

In October 1983, the Special Committee on Indian Self-Government submitted its report (the Penner report) recommending that a new relationship be established between the federal government and Indian communities. According to the Committee, the prerequisite for this new relationship is constitutional recognition of Indian rights to self-government. In the meantime, it was recommended that steps be taken to introduce legislation that would lead to the maximum possible degree of self-government immediately.



On November 7, 1985 Cabinet authorized the development of new arrangements for community self-government that go beyond the present limits of the Indian Act. The process leading to community self-government arrangements involves the development of specific community self-government proposals and their subsequent negotiation. On May 14, 1987 technical authorities for the implementation of the Planning and Development stage of the process were approved by Treasury Board. The second stage, the Self-Government Negotiations, was approved by Treasury Board on June 26, 1987. Terms and conditions for the management of the contribution agreements are contained in Memorandums of Understanding (MoU) between the Minister and the Treasury Board. Authority was given to implement the community self-government process with eligible Indian communities commencing in 1986-1987.

Contributions for the Planning and Development of Community Based Self-Government assist communities in developing self-government proposals and terms of reference for substantive negotiations. Contributions funding Self-Government Negotiations cover the costs associated with substantive negotiations and implementation of self-government arrangements.

The intended objective of Self-Government Negotiations is to establish a new relationship between the federal government and Indian communities, which is based on increased community control and self-reliance. Both the development stage and substantive negotiations stage of the self-government negotiations process contain specific objectives toward this end. Annex 2 of this report presents a more detailed description of the process.

As stated in the MoU of May 14, 1987, the intended objectives of the contributions for the **Planning and Development of Community Based Self-Government** are:

- a) to increase policy consultation on aspects of self-government;
- b) to assist Indian communities in developing their own approaches to self-government through the provision of funding for workshops, conferences, educational and background materials relevant to the development of self-government proposals; and
- c) to assist recipients in the preparation of terms of reference for substantive negotiations.

As stated in the MoU of June 26, 1987 the intended objectives of the program funding for **Self-Government Negotiations** are:

- a) to reach agreement on practical arrangements for self-government in Indian communities;
- b) to cover the costs associated with the participation of Indian communities in the negotiation of self-government arrangements; and
- c) to develop legislation, or other self-government arrangements or authorities, which reflects the diverse needs, traditions and culture of Indian peoples.

## 2. METHODOLOGY

The evaluation was conducted by the Evaluation Directorate with the help of a consultant. The evaluation studied the situation as of December 1989.

Of the 75 Bands/Communities selected for interview, 50 were interviewed, while 25 declined our invitation to participate or were not available. The Bands/Communities chosen for the survey were selected randomly from among all Bands/Communities across Canada. The sample was stratified to reflect the various stages of the SGN process (7 stages, including those not participating).

In-depth case studies were conducted with four of the Bands/Communities that had been in the process for the longest period of time.

Interviews were conducted with SGN Headquarters senior management, SGN negotiators, regional directors general and regional SGN staff. Extensive file reviews were done in British Columbia, Manitoba, Ontario and Québec and at Headquarters. In total, approximately 30 departmental representatives were interviewed for this evaluation.

Results of interviews, file reviews and case studies are presented in detail in appendices I to VI which are available under a separate cover.



### 3. FINDINGS AND RECOMMENDATIONS

This section presents findings and recommendations on the results achieved and the strengths and weaknesses of the process.

#### 3.1 Findings

##### 3.1.1 Results achieved

The results achieved through the SGN process are divided into four categories: the impacts, the evolution of Bands Communities' participation into the process, the objectives and relevance of the SGN process, and the effectiveness of the process.

##### 3.1.1.1 Impacts

**Knowledge of self-government arrangements:** The evaluation found that the SGN process has had a positive impact on the level of understanding by Bands/Communities of the Self-Government process and parameters as proposed by DIAND.

All Bands/Communities find that the SGN process has increased their knowledge of Self-Government arrangements. There is a clear statement that workshops play a major role in that process. Although perceptions may differ on what Self-Government is, the interactive nature of the process leads to a better and common understanding of Self-Government arrangements as permitted by the policy.

It was stated by departmental representatives that the scope and objectives of Communities' proposals are very different and reflect varied perceptions of and approaches to self-government. Many Communities do not yet fully understand the objectives of Self-Government arrangements, but the process has had a positive impact on their level of understanding.

**Policy consultation:** The evaluation found that the SGN process increases policy consultation between Bands/Communities and the Department. In other words, the process increased Bands/Communities' understanding

of program content and delivery mechanisms, and their ability to consult DIAND on program modifications. For Communities that are far enough advanced in the process, the evaluation found that policy consultation is extensive.

Because Self-Government arrangements lead to greater responsibility for Bands/Communities with respect to program delivery, Bands/Communities are forced to examine in detail program content, program delivery mechanisms and ways of modifying programs to serve their needs according to their customs. This involves increased consultation between Bands/Communities and DIAND representatives. It was found that the SGN process is flexible enough to meet the need for increased policy consultation.

**Community management and autonomy:** The evaluation found that Bands/Communities that are far enough along in the process (after preparatory work is done) have modified their management structures or plan to do so to accommodate greater responsibility and autonomy.

The SGN process has had a positive impact in raising awareness and educating Bands/Communities to make decisions regarding their future. For Bands that are far enough along in the process it has resulted in a formalized community consultation process.

Departmental representatives stated that the distinguishing features of communities successful in SGN are strong leadership, high motivation, demonstrated financial responsibility, confidence, willingness to take risks and a solid economic base.

It is recognized that achieving autonomy is a long process and one that has to evolve smoothly if it is to achieve its objectives.



**Accountability:** The evaluation found that the accountability of community managers to the Minister has not changed as a result of the SGN process. However, accountability to community members has increased, as has the awareness of those members regarding community managers' accountability.

There was evidence that accountability to the Minister has not been altered. Departmental representatives felt that existing accountability mechanisms within the process are satisfactory. However, the appropriateness of the Minister being accountable for a transfer between Bands/Communities and the Federal Government once self-government agreements are in place was questioned. The case studies indicated clearly that community managers have become more accountable to their members. Mechanisms for policy review and general consultation to gauge community opinion have been implemented or reinforced through the SGN process.

Moreover, it was found that the SGN process has increased community members' awareness of band managers' accountability. Through the consultation process, band members became more aware of the powers, constraints, and limits on their managers as well as the shifting accountability relationship from band managers/DIAND to band managers/band members.

Chart 1 provides a summary of the major impacts of the SGN process as found by the evaluation.

### **3.1.1.2 Evolution of participation in the SGN process**

**Number of proposals:** Between March 1988 and December 1989, the number of proposals in the SGN process increased from 36 to 71. During the same period, 7 proposals reached the substantive negotiations stage.

## CHART 1

### SELECTED IMPACTS OF THE SGN PROCESS

- Greater commonality of views on Department's position on Self-Government.
- More policy consultation between Bands/Communities and DIAND, leading to better understanding of programs and how they are administered.
- SGN process educates and empowers communities to make decisions about their future.
- Enhanced responsiveness on the part of community managers with respect to members' demands.
- Sensitization to the need to identify policy priorities and carry out long-term planning.
- Greater accountability of community managers to community members.
- Greater awareness among community members of the accountability of community managers to them.

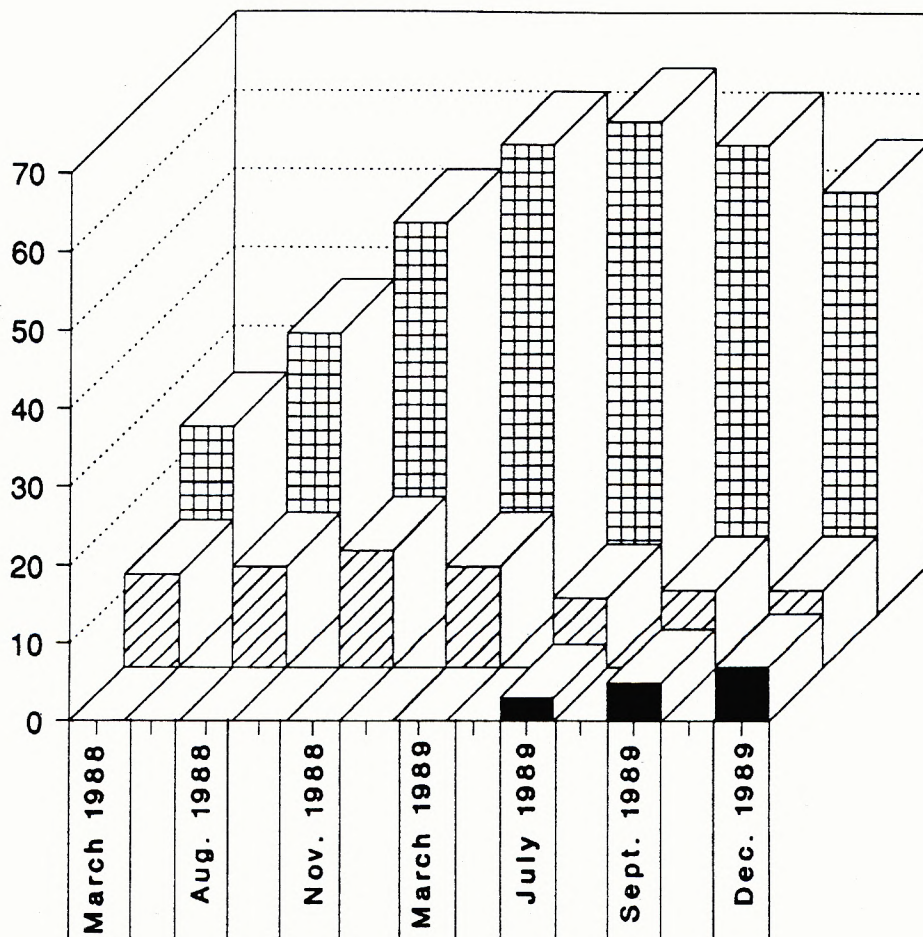


# CHART 2

## Number of Proposals in the Self-Government Process March 1988 to December 1989

SUBSTANTIVE
  FRAMEWORK
  DEVELOPMENTAL

NUMBER OF PROPOSALS



DEVELOPMENT	24	36	50	60	63	60	54
FRAMEWORK	12	13	15	13	9	10	10
SUBSTANTIVE	0	0	0	0	3	5	7

The level of interest from Bands/Communities in Self-Government has been sustained since the implementation of the SGN process. Because the process is community-driven, there is no pre-established timeframe for reaching a final agreement. As a result, it is not possible to assess the success of the process in terms of the number of finalized agreements.

**Level of interest from Bands/Communities not participating in the process:** The evaluation found that most Bands/Communities not participating in the SGN process plan to do so in the future.

As shown in Chart 3, a majority of Bands not already in the process (52%) plan to enter into the process in the future while 35% don't know and 13% are not yet interested. Table 1 presents the reasons for not participating. From these results, we can conclude that a majority know about the program but have other priorities for the moment or wish to become better informed before getting involved.

Notwithstanding these results, it is clear that there will be an increased demand for participation in the future.

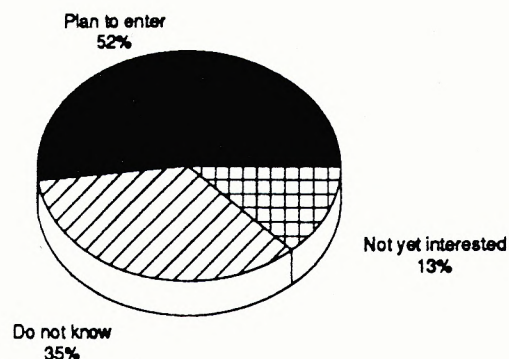
### **3.1.1.3 Objectives and relevance of the SGN process**

**Relevance:** The evaluation found that both programs of the SGN process are relevant but could be improved and better results achieved if expected outcomes for each stage in the process were communicated better and stated more simply. Also, it was found that the name of the process creates confusion because it does not correspond to Indian organizations' concept of self-government.

The two programs of the SGN process meet their intended objectives in an appropriate manner. However, the expected outcomes of each step are sometimes unclear, resulting in delays and frustration. The process could be strengthened by defining more precisely just what is expected after each step.



**CHART 3**  
Level of interest in the SGN process  
for those Bands not yet participating



**TABLE 1**  
REASONS FOR NOT PARTICIPATING IN THE SGN PROCESS

• WORKING ON OTHER PRIORITIES	19.0%
• NO SPECIFIC REASONS	19.0%
• NOT YET PREPARED	16.0%
• OBJECT TO POLICY	16.0%
• STUDYING POLICY	13.0%
• UNSURE OF IMPLICATIONS	10.0%
• WANT MORE INFORMATION	6.0%
• WOULD LIKE TO ENTER	3.0%

Moreover, because the name of the process is creating confusion, a qualifier such as "local" or "administrative" should be added to ensure a better relationship between the content of the process and its name. It would also help communities discuss the concept with greater clarity since it would better reflect the implications and potential impact of the process.

**Operational objectives:** The evaluation found that the operational objectives of the SGN process have been met.

The operational objectives of both the Planning and Development of Community Based Self-Government program and the Self-Government Negotiations program have been met so that each step of the process has produced its intended impacts. In many cases, however, the results could be improved by modifying the tools used (information kit, management assessment tool). This will be discussed in Section 3.1.4 of this report.

**General objectives:** The evaluation found that the general objectives of the two programs, as specified on page 2 of this report, have been met but at a slow pace.

There are major impediments outside the process that preclude the achievement of its general objectives in terms of the number of Self-Government arrangements signed. The scarcity of final Agreements is related to critical issues such as land base, political process and inadequate mechanisms for provincial involvement. Some of these issues cannot be resolved through the SGN process and must be dealt with through other channels. From the perspective of Indians, Self-Government involves resolving constitutional matters, land claims, etc. To reduce frustration and free the process from the effects of these major impediments, recommendations will be made to clarify the SGN process in light of what it is designed for, what it allows and what it does not allow. Renaming the process would also contribute to this clarification.



#### 3.1.1.4 Effectiveness of the process

This section presents findings and recommendations for the overall SGN process. Specific observations on each step of the process are presented in section 3.2 of this report.

**Effectiveness of the process:** The evaluation found that the process is working effectively and that all steps are necessary.

Although it was mentioned that some of the steps could be eliminated, the evaluation found that it is more a question of clarifying the expected outcomes of the steps than eliminating them.

More than 50% of DIAND representatives agreed that the process is flexible enough to provide effective responses to communities' needs (see Chart 4).

On the Bands/Communities side, the process is viewed as cumbersome and slow, although they are generally satisfied with it because it is community-driven.

**Variation between regions:** The evaluation found that the SGN process varies from region to region. This may be a strength, given the flexible nature of Self-Government arrangements. However, file reviews have shown that information disseminated to Bands/Communities and criteria used to assess proposals are not uniform and sometimes lack clarity.

It was found that regions have adapted the process to fit the needs of the bands they are dealing with and to accommodate the pace at which they want to proceed. This is particularly apparent during the first two phases of the process: consultation and preparatory work and preliminary assessment. However, Indian representatives noted inconsistencies between sources of information and expressed difficulty in understanding the criteria used to assess proposals.

CHART 4  
Flexibility of the process according  
to DIAND representatives

Is the process flexible  
enough to provide effective  
response to communities' needs?

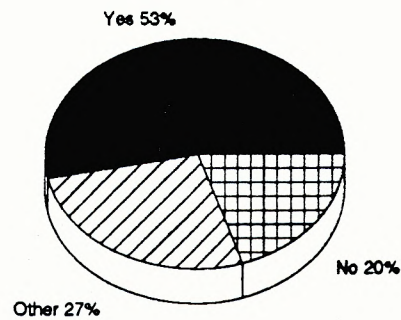


TABLE 2  
Definition of responsibilities

Are the responsibilities of band, region & H.Q. clearly outlined?	Yes	No	Other
• For workshops	33.3%	66.7%	-
• Community identification of SGN goals	80.0%	20.0%	-
• Substantive negotiations	80.0%	13.3%	6.7%



**Entry points into the SGN process:** The evaluation found that regional managers would like to see the process for submitting proposals better defined.

Concerns were expressed that proposals enter the system differently. Some proposals come to the regions, some to Headquarters, and others are submitted to the Minister. This is a source of frustration for those responsible for making the first assessment and beginning the negotiations. Moreover, it creates unnecessary delays since the entry point for the process is the region; proposals directed elsewhere have to go back there to be assessed.

**Regional versus national responsibilities:** The evaluation found that roles and responsibilities for each step are not always clearly understood. This communication problem creates confusion within the Department as well as at the community level.

Departmental and Band/Community representatives raised the point that there is no clear line of demarcation in the respective roles and responsibilities of H.Q. and the regions. This ambiguity can cause delays given too many intervenors in the process. Communities appear to believe that H.Q. can reverse a regional decision. As a result, they prefer to negotiate directly with headquarters representatives.

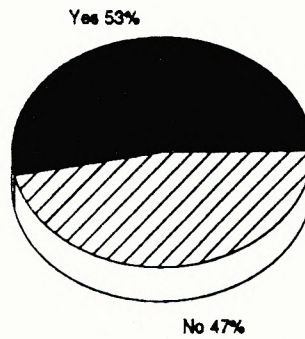
It was also stated that the lines of authority between H.Q. and the regions could be made more flexible. Charts 5 and 6 highlight these findings. However, the evaluation found that the interdepartmental nature of some steps of the SGN process, such as negotiating health services, requires H.Q. involvement.

**Communication within DIAND:** The evaluation found that there is a lack of communication within DIAND regarding SGN matters.

As SGN deals with most departmental programs, it seems logical that program representatives have to be involved at some point in the process. What was reported as a lack of communication within DIAND was in fact attributable

CHART 5  
Areas of Authority/Responsibility  
between H.Q. and Regions

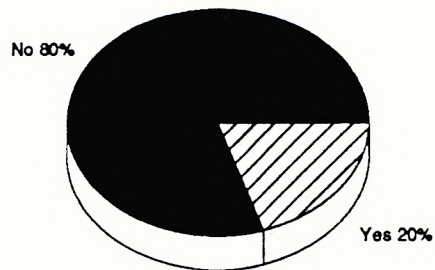
Are the respective  
authority/responsibilities of  
the Regions and H.Q. clearly defined?



---

CHART 6  
Knowledge of DIAND staff on SGN matters  
as perceived by SGN staff

In your opinion, are  
DIAND staff knowledgeable  
about SGN?





to a lack of information and knowledge about self-government matters within the Department (Charts 5 and 6). The same difficulties arose when Alternative Funding Arrangements were implemented. As shown in Chart 6, SGN representatives believe that departmental staff are not knowledgeable about the SGN process.

At the same time, they believe that lines of communication between the regions and Headquarters are not clearly defined (Chart 7).

**Pace of the process:** The evaluation found that Bands/Communities want more control over the pace of the process; at the present pace they feel pressured by the Department. Bands stated that the process is lengthy and that it takes time to inform the members of the community. They feel that the Department is pressuring them to sign agreements. However, it was found that this concern relates to funding; Bands feel pressured after they have spent the funds allocated for a specific step but are still not ready to go further in the process for various reasons. At that point, the Department is looking for tangible outcomes and will not always provide funds to continue until results are achieved.

**Resources:** The evaluation found that support to Bands/Communities during the process should be clarified.

Resource limitations make it difficult for SGN representatives to design appropriate tools to measure and assess the performance and progress of Bands within the process. As well, decisions about the level of entitlement to funding at a specific step of the process may appear arbitrary to the Bands. As the process is community-driven, determination of a funding ceiling is difficult and Bands often do not understand the basis on which such decisions are made.

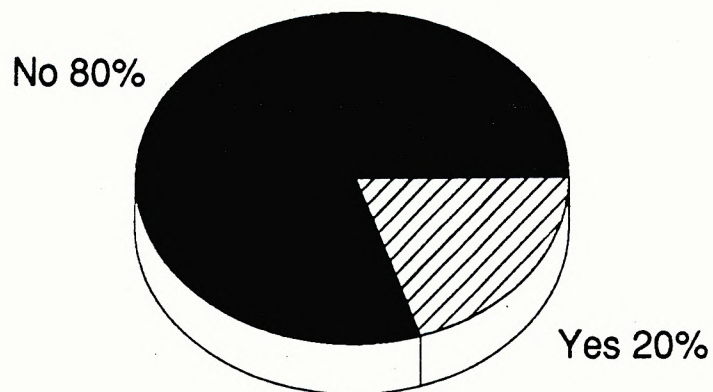
### **3.1.2 Strengths and weaknesses of the process**

A mapping of strengths and weaknesses is presented in Chart 8.

# CHART 7

## Lines of Communication between regions and H.Q.

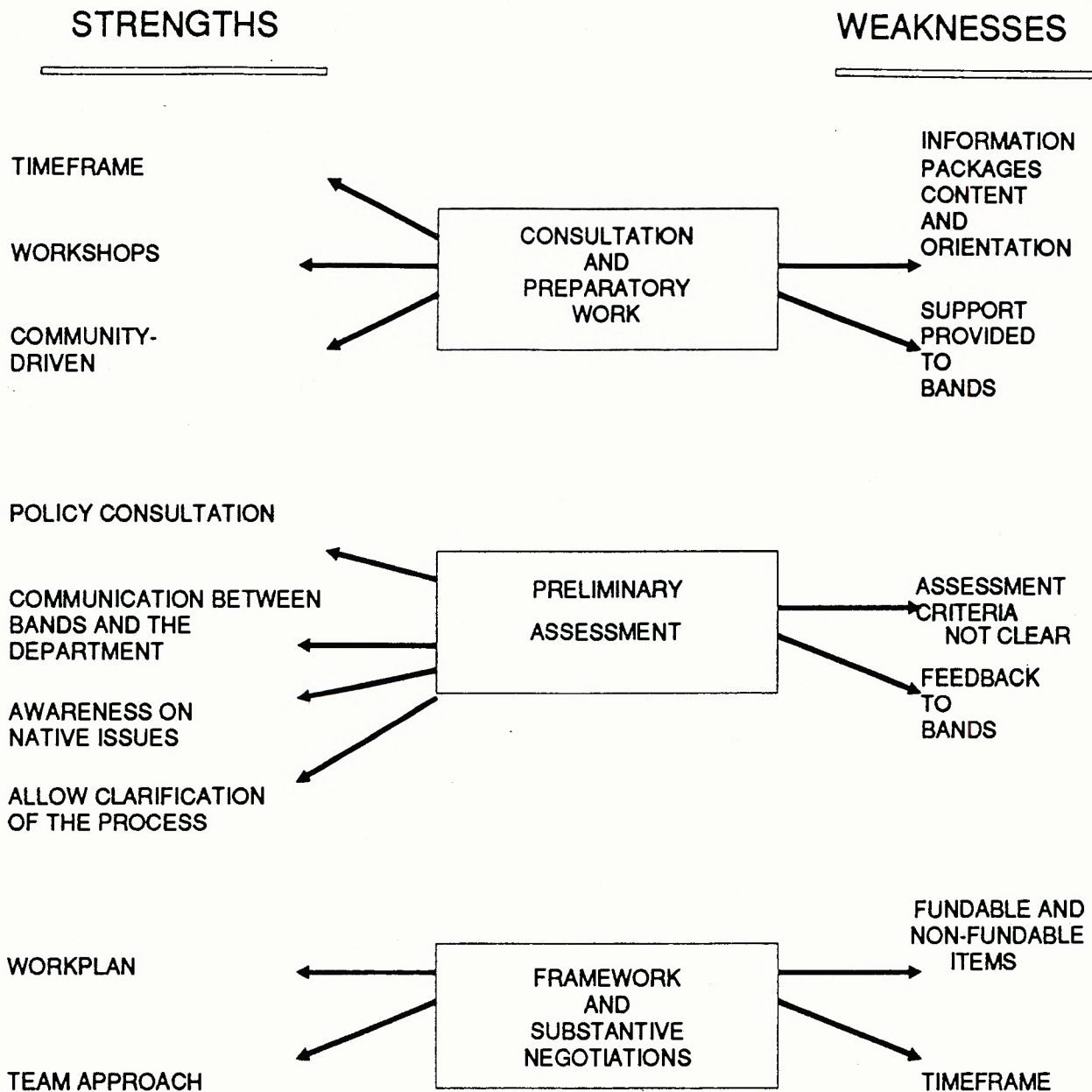
Are there clear lines of communication between the region and H.Q.?





## CHART 8

### MAPPING OF STRENGTHS AND WEAKNESSES OF THE PROCESS



### 3.1.2.1 Community consultation and Preparatory work

**Strengths:** The evaluation found three strengths: the time allocated to go through the consultation and preparatory work; the workshops; and the fact that the process is community-driven.

Workshops were found to be an effective source of information for Bands/Communities as well as a forum for discussion. Also, the fact that the process is community-driven provides an opportunity for Band leaders to set the pace of the process as they see fit. As well, flexibility in the schedule for this step provides an opportunity to resolve as many issues as possible with community members before going deeper into the process; it thus provides a stronger basis on which to continue the process.

**Weaknesses:** The evaluation found that Community Consultation and Preparatory Work could be improved in several respects: the content of information packages, Band/Community orientation sessions, and the support available before and after the workshops.

Information packages were considered too technical, complex and legalistic; in addition, they were oriented to Departmental requirements rather than community needs. Information packages are used by Bands/Communities to understand the SGN process and as a tool to disseminate information to their members. Package contents must therefore be clear and simple if they are to be effective.

Bands found that the financial and technical support available before and after the workshops was not clearly defined and sometimes inadequate to meet their needs. This may be related to variations in the process from one region to another and its decentralized (community-driven) nature.

### 3.1.2.2 Preliminary assessment

**Strengths:** The evaluation found strengths in four areas of the preliminary assessment step: policy consultation; communication between Bands/Communities and the Department; awareness of DIAND personnel on Native issues; and clarification of the SGN policy.



It was found that the preliminary assessment step is a major communication vehicle for both the Department and the Bands. The latter become better informed and more knowledgeable about the details of DIAND programs and the SGN process. On the departmental side, the preliminary assessment allows DIAND representatives to increase their knowledge of Native issues. Also, it was found that this step allows Bands to identify potential problem areas and deficiencies to be corrected in their organizations.

**Weaknesses:** The evaluation found that concerns were expressed in two areas of the Preliminary Assessment step: assessment criteria and feedback to Indian Communities.

The major concern expressed by Bands/Communities was lack of clarity in the criteria used to assess their proposals. It was found that criteria vary between regions and are not applied systematically, although two-thirds of the DIAND representatives interviewed claimed that Bands/Tribal Councils are assessed on the same basis. There is no common tool, however, for assessing proposals. This affects the turnaround time necessary before Bands receive a reply about their proposals.

According to DIAND representatives, the assessment criteria could be improved. Chart 9 illustrates these findings.

### **3.1.2.3 Framework and substantive negotiations**

It was recognized by departmental and Band/Community representatives that both parties are on a learning curve because of their limited experience with these two steps.

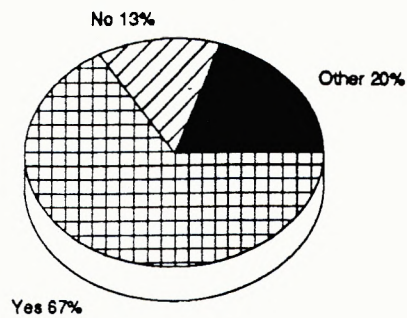
**Strengths:** The evaluation found two major strengths: the setting up of a workplan and the team approach.

It was found that the workplan provides clear direction for the work that needs to be done and the process to be followed. Bands stated that it is a useful tool.

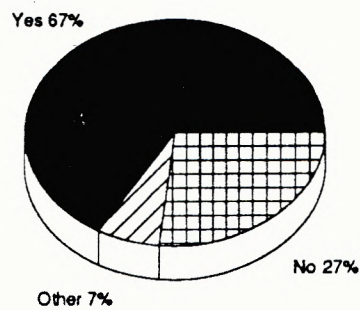
As well, the team approach proved effective. It increased communication between the Bands and the Department and created good working relationships among the parties.

## CHART 9 Assessment Criteria

Are Bands/Tribal Councils  
all assessed on the same basis?



Do you think that the criteria  
could be improved?



**Weaknesses:** It was found that clarification is needed regarding fundable and non-fundable items at this stage of the process. Also, the timeframe is crucial to the success of these steps and could become a weakness if certain factors are not taken into consideration.

According to Bands/Communities, financial arrangements should be dealt with before they enter into an Agreement In Principle. There is a fear that items determined to be fundable might be set aside to be dealt with later during the discussions on financial arrangements, potentially set aside again to be dealt with during implementation, and perhaps never resolved.

It was found that the schedule is a crucial factor for Bands/Communities in reaching an agreement. According to Bands/Communities, this stage has to be flexible enough to allow them sufficient time to study the Agreement In Principle as well as to provide an opportunity for extensive research and consultation at the Community level. The closer a band is to the final stage, the stronger the support sought and needed from the community members. Building this support takes time, a factor that must be recognized in setting the pace of the process.

Newly elected councils need time to study and understand the issues. Some thought that the process should pause temporarily or slow down to allow newly elected councillors time to become more aware of the issues.

## **3.2 Recommendations**

### **3.2.1 Rationale and objectives of the program**

It is recommended that:

- The two components of the process be continued.
- A qualifier be added to the name of the process to clarify the intent of the government with respect to the content and limitations of the process.
- The objectives of the two components be clearly defined and stated to ensure a better understanding by Indian organizations.



### **3.2.2 Information and communication**

It is recommended that:

- . Information materials distributed to Bands/Communities be simplified to make their contents more readily understandable and to improve their usefulness for the community consultation process.
- . A communication strategy be developed to improve the dissemination of information between H.Q. and regions. This strategy could include the development of a newsletter or other communication vehicles as well as information sessions.

### **3.2.3 Responsibilities and authorities**

It is recommended that:

- . Roles and responsibilities at each step of the process be clearly stated and translated into a team leadership format during the process. Observers would ensure continuity in the flow of discussion and information.
- . Teams be created upon receipt of each application in that specific people from the community and the Department would be responsible for working together on proposal development and execution.

### **3.2.4 Process**

It is recommended that:

- . The method of assessing proposals be standardized and applied systematically. The assessment tool developed for Alternative Funding Arrangements could be enhanced to reflect SGN needs and used to assess proposals. The development of this assessment would imply that
  - assessment criteria be clearly explained to applicants at the beginning of the process;
  - assessment be done through a team approach;

- . outcomes of each step be clearly defined and stated to applicants and tied to resources allocated;
- . emphasis be put on planning where resources (funds, time and support) would be made available to applicants; and
- . the timeframe for the process be determined during the planning phase by the applicants.

### 3.2.5 General

It is recommended that:

- . Special intensive information and discussion sessions be held with newly elected councils within two months of an election. These sessions would be aimed at reviewing progress to date, clarifying the community's status in the SGN process, and seeking a renewed commitment of the community to the process. Withdrawal might also be an option at this stage.
- . A clear statement be made to Bands/Communities that applications must be submitted to the Regional Director's office in order to expedite the process and avoid unnecessary delays.

**Annex 1**  
**Terms of Reference**



## TERMS OF REFERENCE

### Evaluation of:

- A - Contributions for the Planning and Development of Community Self-Government; and
- B - Funding for Self-Government Negotiations.

Background: The Self-Government Negotiations Branch (SGNB) is responsible for the development and negotiation of self-government proposals for Indian communities across Canada.

Development work consists of two steps: community consultation and preparatory work, and framework negotiations. As of January 1989, there were 48 proposals involving 147 bands in developmental activities; there were 16 proposals involving 58 bands in framework negotiations.

The objective of this stage is the signing of a framework agreement. \$1.2 million was allocated to this activity in 1987-88. These funds are managed through the contribution program for the planning and development of community-based self-government.

The objective of the **substantive negotiation stage** is to negotiate a community specific self-government agreement, including details of an implementation process. The budget for this second stage was set at \$4.0 million for each of the three fiscal years 1987-88, 1988-89 and 1989-90.

In both cases, the contributions are made in accordance with terms and conditions as determined by the Treasury Board authority.

Need: DIAND requires an evaluation of SGNB activities before the end of December 1989. The results of the evaluation will be incorporated into a Cabinet submission on the extension of the negotiation funding program.

Scope: The study will look at the results of funding provided for the planning and development of community self-government and for self-government negotiations.



**Issues:**

The evaluation will address the four following issues:

- A description and a review of the process;
- The extent to which the objectives of the program have been met;
- The extent to which the anticipated results have been achieved;
- The extent to which the program is still relevant, whether there is a need to continue it and if so, in what form.

**Approach:**

The evaluation will be conducted in house with the help of consultants.

A file review and interviews will be undertaken at Headquarters by the Evaluation Directorate. Consultants will be hired for the file review and interviews in three regions. Also, three case studies will be carried out on the three oldest contribution arrangements in Canada. All regional managers will be interviewed by telephone.

**Cost Estimate:** The work will require 100 person-days from Evaluation Directorate and \$75,000 for consultants.

ORIGINAL SIGNÉ PAR  
ORIGINAL SIGNED BY  
Marc Lafrenière

APR 24 1989

Assistant Deputy Minister  
Self-Government

Date

March 31, 1989  
CONTRIBU.1 SB (51/4)

**Annex 2**  
**SGN Profile**



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## 1. SELF-GOVERNMENT NEGOTIATIONS PROFILE

### 1.1 Background

In October 1983, the Special Committee on Indian Self-Government submitted its report (the Penner report) which recommended that a new relationship be established between the federal government and Indian communities. According to the Committee, the prerequisite for this new relationship is the constitutional recognition of Indian rights to self-government. In the meantime, it was recommended that steps be taken to introduce legislation that would lead to the maximum possible degree of self-government immediately.

On November 7, 1985 Cabinet authorized the development of new arrangements for community self-government which involve arrangements beyond the present limits of the Indian Act. The process which leads to community self-government arrangements involves the development of specific community self-government proposals and their subsequent negotiation. On May 14, 1987 technical authorities for the implementation of the Planning and Development stage of the process were approved by Treasury Board. The second stage, which involves Self-Government Negotiations, was approved by Treasury Board on June 26, 1987. Authority was given to implement the community self-government process with eligible Indian communities commencing in 1986-1987.

Contributions for the Planning and Development of Community Based Self-Government assist communities in developing self-government proposals and terms of reference for substantive negotiations. Contributions for the funding of Self-Government Negotiations cover the costs associated with substantive negotiations and implementation of self-government arrangements.

The types of allowable expenditures are flexible and will be specified in the contribution agreements for each respective stage. These may include:

- professional services, including negotiators;
- research and preparation;
- administration, including interpretation and translation; and,
- consultation, including travel.

Community self-government is optional. Only those proposals that require new arrangements beyond the present limits of the Indian Act are referred to community negotiations. Communities are free to develop their own Indian government models within the broad

parameters of existing constitutional principles and government practices. The scope of subject matters for negotiations are broad. However, the inclusion of certain items is considered to be essential. Table 1 shows the subject matters that must be dealt with in community self-government negotiations.

## 1.2 Objectives

The intended objective of Self-Government Negotiations is to establish a new relationship between the federal government and Indian communities, which is based on increased community control and self-reliance. Both the development stage and substantive negotiations stage of the self government negotiations process contain specific objectives toward this end.

As stated in the MoU of May 14, 1987, the intended objectives of the contributions for the **Planning and Development of Community Based Self-Government** are:

- a) to increase policy consultation on aspects of self-government;
- b) to assist Indian communities in developing their own approaches to self-government through the provision of funding for workshops, conferences, educational and background materials relevant to the development of self-government proposals; and
- c) to assist recipients in the preparation of terms of reference for substantive negotiations.

As stated in the MoU of June 26, 1987 the intended objectives of the program funding for **Self-Government Negotiations** are:

- a) to reach agreement on practical arrangements for self-government in Indian communities;
- b) to cover the costs associated with the participation of Indian communities in the negotiation of self-government arrangements; and
- c) to develop legislation, or other self-government arrangements or authorities, which reflects the diverse needs, traditions and cultures of Indian peoples.



Table 1

# SUBJECT MATTERS FOR INCLUSION IN SELF-GOVERNMENT NEGOTIATIONS

SUBJECT MATTER	REQUIREMENTS
1. Legal Structure and Capacity	<ul style="list-style-type: none"> <li>• how the community proposes to become a legal entity</li> <li>• legal capacity of the new entity and means to exercise its powers</li> </ul>
2. Structure/Procedures of Government	<ul style="list-style-type: none"> <li>• proposed Institutions and their functions and responsibilities</li> <li>• accountability provisions between government and its membership</li> <li>• procedures for selecting and removing leaders</li> <li>• amending procedures</li> </ul>
3. Membership	<ul style="list-style-type: none"> <li>• rules and procedures for identifying membership</li> </ul>
4. Management of Lands & Resources	<ul style="list-style-type: none"> <li>• administrative mechanisms, rules and procedures for land management and ownership</li> </ul>
5. Financial Arrangements	<ul style="list-style-type: none"> <li>• delineation of financial powers</li> <li>• agreement on funding arrangements</li> <li>• financial accountability mechanisms</li> </ul>
6. Indian Act Application	<ul style="list-style-type: none"> <li>• Act will continue to apply except where it is inconsistent with self-government arrangements</li> <li>• Act will apply for determining which members of the community are Indians</li> </ul>
7. Implementation Plan	<ul style="list-style-type: none"> <li>• A plan for implementing agreement will be prepared</li> </ul>

These objectives are accomplished through a set of activities leading to community-specific self-government agreements as well as an implementation plan and related financial arrangements.

### **1.3 Activities**

There are two stages of activities related to the negotiation of a community based self-government agreement. The first stage of the process, the Planning and Development of Community Based Self-Government, is related to the development work of the initial framework agreement. This framework agreement provides the basis for the second stage of the process, Self-Government Negotiations, which involves both substantive negotiations and an implementation plan.

Charts 1 and 2 give more information on the two main activities of the process and their associated sub-activities, the work involved, and the objectives of each step.

#### **1.3.1 Planning and Development of Community Based Self-Government**

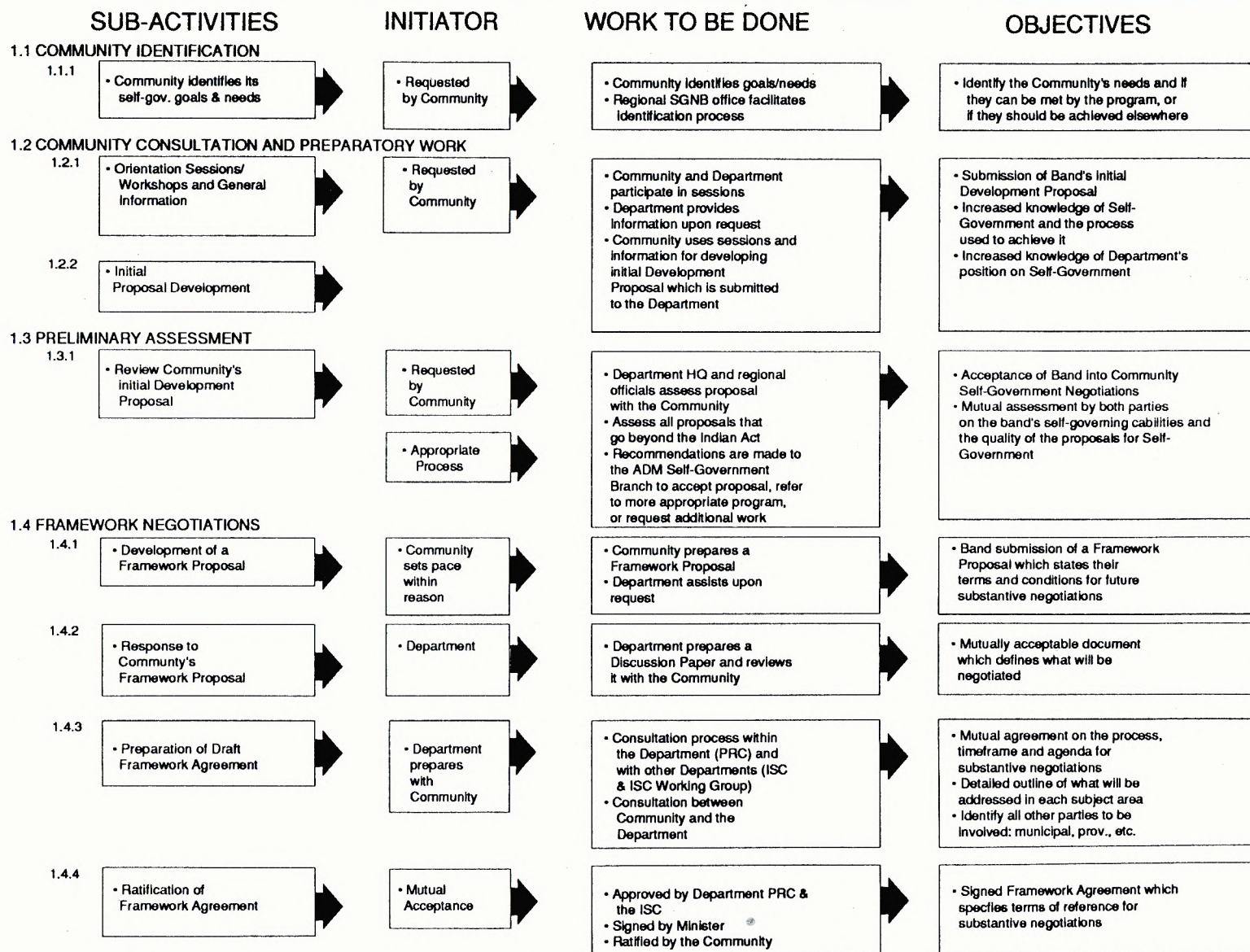
This phase of the SGN process is a shared responsibility between Indian communities and the Department. The process is a community-initiated approach with clear lines of communication between the Department, the community, and its membership. Prior to beginning the lengthy process, the community first identifies its self-government goals and needs: what it is that they want to do and whether it can be done elsewhere. It is the role of the regional office of SGNB to facilitate this identification of goals and needs.

There are three major sub-activities in the Planning and Development of Community Based Self-Government phase: community consultation and preparatory work, preliminary assessment, and framework negotiations.

##### **1.3.1.1 Community Consultation and Preparatory Work**

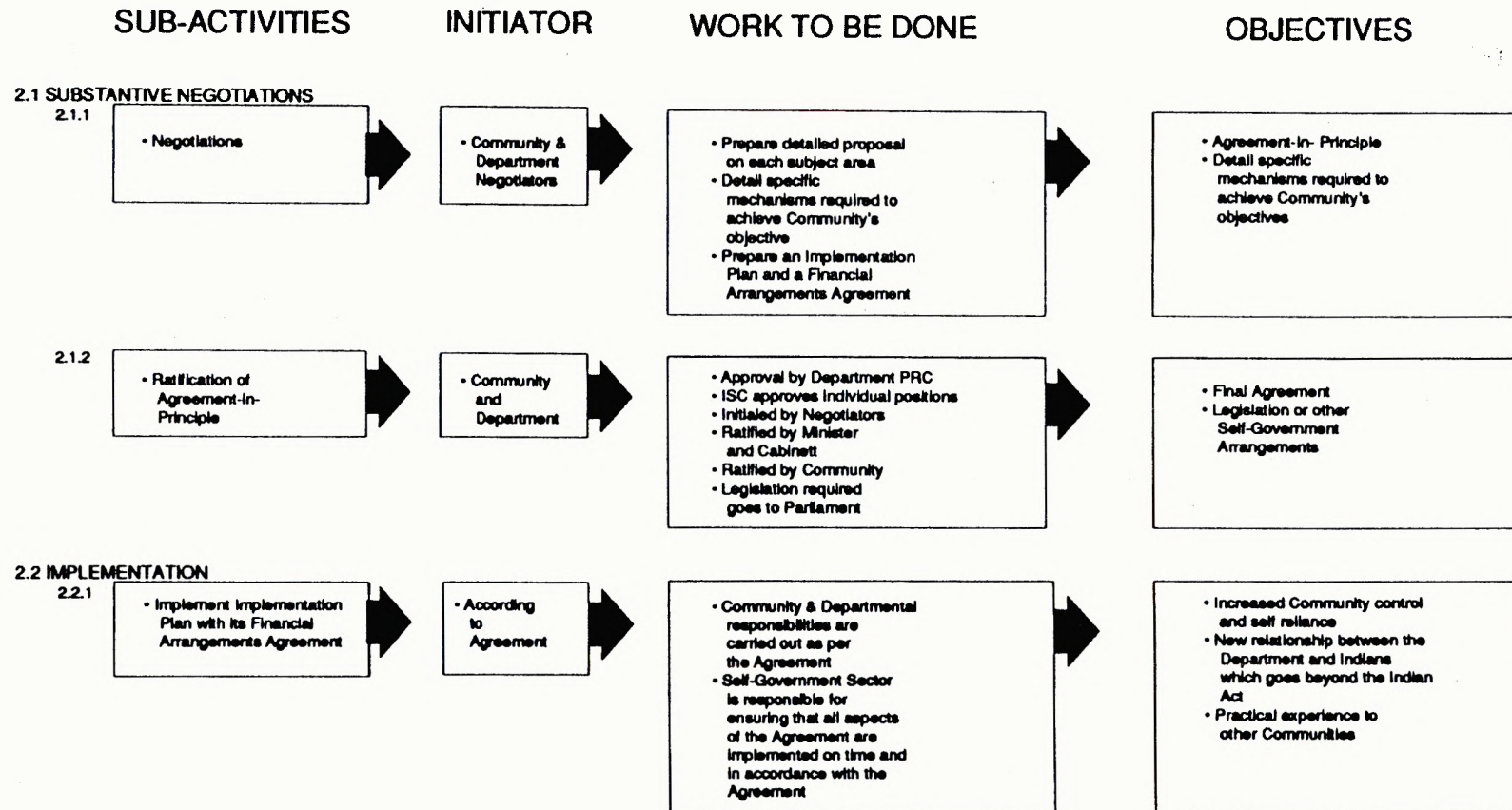
At this stage, general information, including an information kit on Indian Self-Government Community Negotiations, is provided to Indian communities upon request. Should the community express continued interest in the process, two other activities (orientation workshops and the writing of an initial development proposal) may occur at this stage.

# PLANNING & DEVELOPMENT OF COMMUNITY BASED SELF-GOVERNMENT





## STAGE #2 SELF-GOVERNMENT NEGOTIATIONS



Orientation workshops may be held at the community's request. During these workshops, staff from the Community Negotiations Directorate present the government's policy on self-government and the various options which are available to the community.

The community may subsequently undertake the writing of an initial development proposal. The purpose of this step is to assist communities in setting out their overall goals and aspirations in the area of self-government. It must, at minimum, be accompanied by a band council resolution to indicate support for the proposal and for entering the process. If sufficiently developed, this initial development proposal may constitute a framework submission.

### **1.3.1.2 Preliminary Assessment**

If the initial development proposal is for new arrangements beyond the present limits of the Indian Act, it is referred to the Community Negotiations Directorate. As stated in the MoU of May 14, 1987, the selection of initial development proposals for entering the process is based on the following main criteria:

- a) demonstrated community support for the initiative at various stages of the process;
- b) the negotiation of schedules and financial and operating plans for completing each phase of the process;
- c) the level of detail provided on community objectives and the ability to define, negotiate and manage the authorities being sought;
- d) the compatibility of the proposed new authorities with the general guidelines for self-government established by Cabinet in November, 1985;
- e) the practicality, feasibility, and cost requirements of the proposal;
- f) the degree to which authorities currently available under the Indian Act have been assumed and are exercised;
- g) the degree to which administrative responsibilities have been assumed and are exercised;
- h) the community's record of financial management; and

- i) the practical experience which new self-government arrangements, based on the proposal, could provide for other communities in comparable circumstances.

This information on the selection criteria for entry of proposals into the community negotiations process and for development funding, is jointly assessed by Headquarters Community Negotiations Directorate staff and regional officials in consultation with the community. Following these consultations, a recommendation on how to respond to the initial proposal is made to the ADM, Self-Government Negotiations Branch (SGNB). Options include:

- recommending additional development work;
- finding that the initial proposal is outside the general mandate for self-government and referring the proposal (in whole or in part) to other more suitable Departmental processes; or
- proceeding with the development of a framework proposal for community-based negotiations.

#### **1.3.1.3 Framework Negotiations**

Once the preparatory work is done, and the community is accepted into the Community Negotiations Process, the next step in the development work phase is framework negotiations. This step consists of the development of a framework proposal and response in the form of a discussion paper, with the purpose of signing a draft framework agreement.

Within reason, the timing and pace of framework negotiations is determined by the community. A framework proposal is prepared by the community and is submitted to Department officials who will assist the community upon request. A framework proposal is the terms and conditions of future negotiations and should contain the following:

- an itemization of the authorities desired beyond the Indian Act;
- the proposed modifications to its governing structures and the new legislative arrangements sought to enable these changes;
- a workplan and budget for substantive negotiations; and
- the ratification process for any agreements.

Once completed, framework proposals are reviewed by the Self-Government Negotiations Branch at Headquarters and regional officials in consultation with the community.



A discussion paper, which provides a preliminary response to the community's framework proposal, is then prepared by the Department. The discussion paper is reviewed in detail with the community and adjusted accordingly. The objective is to arrive at a mutually acceptable document which defines as clearly as possible what will be negotiated. Once general agreement has been reached on the discussion paper, a draft framework agreement for substantive negotiations is prepared. The discussion paper is attached as part of the framework agreement. This framework agreement includes:

- the agenda for negotiations;
- an outline of what will be addressed in each subject area as stated in the discussion paper;
- the process priority and time frame for negotiations;
- an identification of all parties required for negotiations (which may include other federal government departments and provincial governments);
- evidence of community support of the agreement; and
- the community's budget for future negotiations.

When the draft framework agreement is finalized, it is sent to the Program Review Committee (PRC), and the Working Group of the Inter Departmental Steering Committee (ISC-WG) for approval. If approved, it is then signed by the Minister of Indian Affairs. This represents a commitment to enter into negotiations on the part of the federal government. The community will also be expected to seek and secure a mandate from its members, through a referendum or any other method which provides evidence of a majority electorate support.

### **1.3.2 Self-Government Negotiations Stage**

The Self-Government Negotiations stage is divided into two sub-activities: substantive negotiations and implementation.

#### **1.3.2.1 Substantive Negotiations**

The basis for substantive negotiations is the draft framework agreement. The negotiating team for the substantive negotiations consists of representatives of the Department (and representatives of other departments depending on the subject of negotiations) and representatives of the community. Substantive Negotiations result in an Agreement-in-Principle. This agreement details the responsibilities required of both parties, and includes an implementation plan and a financial arrangements agreement.

Final acceptance of the Agreement-in-Principle is conditional upon formal ratification by the community and the federal Cabinet. A referendum under the Indian Act, or some other mutually agreed upon ratification process, will be required to indicate community support.

#### **1.3.2.2 Implementation**

After formal ratification, the Agreement-in-Principle is signed by representatives of the community and the Minister of Indian Affairs and Northern Development. Any legislation required to give the agreement effect will proceed through the normal legislative process in Parliament.

Implementation will take place according to the provisions of the implementation plan which contains a plan and schedule for enacting the new authorities and an agreement on subsequent financial arrangements within the negotiated terms and conditions. The Self-Government Negotiations Branch is responsible for ensuring that all aspects of the new arrangements are implemented on time, and in accordance with the agreement.

For more information on the self-government negotiations process, see Chart 3.

### **1.4 Funding Procedures**

Funding for development and substantive negotiations, will take the form of contribution agreements for each respective stage. In both cases, the contributions are made in accordance with the terms and conditions as determined by the Treasury Board Authority. The criteria for funding, funding levels, methods of payment, and accountability conditions are to be consistent for the contribution agreements of each stage.

The recipient's financial and operating plan, which is submitted to the Department and attached as a schedule to the contribution agreement, is the basis for determining funding eligibility. The criteria for funding are paragraphs (a) to (f) as listed in Section 2.3.1.2 of this report.

The level of funding is based on the following main criteria:

- the complexity of the proposal and the degree to which other parties' involvement is required;
- the population of the community and the number of bands involved;

CHART #3 SELF-GOVERNMENT NEGOTIATIONS PROCESS

1. PLANNING & DEVELOPMENT OF COMMUNITY BASED SELF-GOVERNMENT

A) Consultation & Preparatory Work

Band identifies Self-Government goals & needs

Workshop:  
• SGNB assists Indian Community in planning SGA

Initial Proposal Development:  
• Community develops plans for self-government

Assessment:  
• SGNB regional and HQ staff review Dev. Proposal with IC

Recommendations are made to ADM SGNB

Additional dev. work

Refused entry

Referred to others

Accepted into SGN

B) Preliminary Assessment

C) Framework Negotiations

Framework Proposal:  
• Community develops terms of reference for Negotiations  
• assisted by SGNB

Discussion Paper:  
• SGNB's preliminary response to Community's Framework Proposal is reviewed with Community

Draft Framework Agreement:  
• Mutually agreed upon terms for Negotiations  
• DIAND PRC and ISC-Working Group input & approval

Signed by Minister

Ratified by IC

Substantive Negotiations:  
• detailed proposals on all subject matters are prepared and negotiated

Agreement-In-Principle:  
• on SGA; Implementation Plan; & Financial Arrangements  
• input and approval by PRC & ISC-Working Group

Signed by Minister

Ratified by IC

Implementation:  
• legislation or other arrangements are implemented

LEGEND

SGNB: Self-Government Branch  
IC: Indian Community  
SGA: Self-Government Arrangements

2. SELF-GOVERNMENT NEGOTIATIONS

A) Substantive Negotiations

B) Implementation



- the geographical area and remoteness of the community; and
- the availability of funding.

Communities in the Planning and Development of Community Based Self-Government are provided a limited amount of funding. However, it is expected, and is often the case, that most communities will have expended their own resources. All funding is non-renewable.

Contributions for Self-Government Negotiations may be up to \$500,000 to any one recipient in a single year. Agreements will cover a period not exceeding twelve months, but can cover more than one fiscal year. Payments may be made once every three months, with a maximum of 90% of the funding provided as the initial cash advance.

Accountability procedures consist of reporting and auditing. A financial report and a progress report must be submitted to the Minister on a quarterly basis. Recipients must also provide the Minister with audited financial statements by the recipient's fiscal year-end. Independent auditors may be appointed at the Minister's discretion.

### **1.5 Resources**

On May 14, 1987, Treasury Board approved \$1.2 million for contributions for the Planning and Development of Community Based Self-Government under Vote 15, Grants and Contributions.

The budget for the second stage, Self-Government Negotiations, was approved by Treasury Board on June 26, 1987. This was set at \$4.0 million for each of the three fiscal years 1987-88, 1988-89 and 1989-90 under Vote 15, Grants and Contributions, Indian and Inuit Affairs Program.

### **1.6 Recipients**

Recipients of funding for the Planning and Development of Community Based Self-Government, and for Self-Government Negotiations, are Indian bands and Inuit settlements, tribal councils, district councils, and other Indian and Inuit organizations, including band corporations.

### **1.7 Impacts**

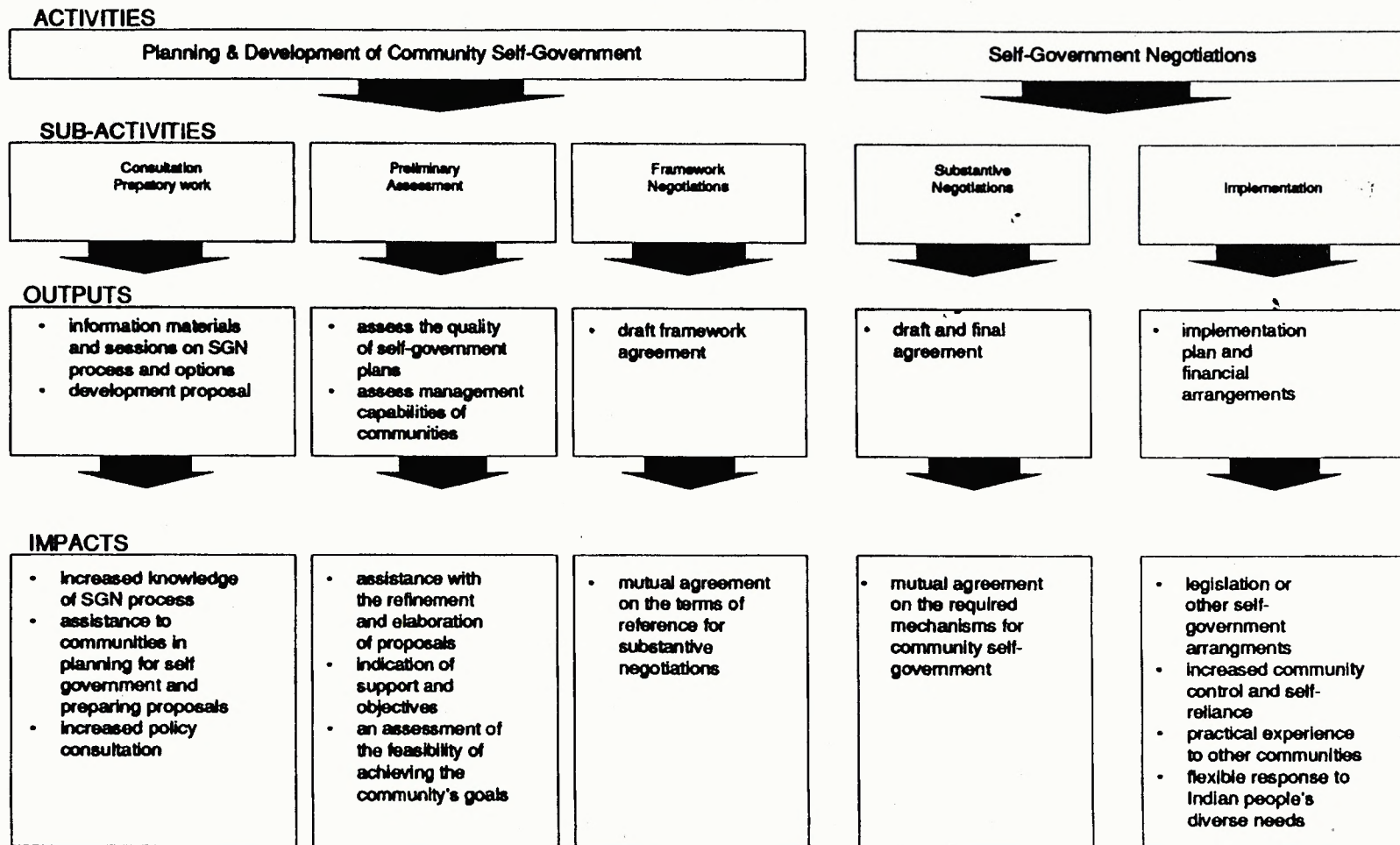
The major impacts of SGN are the following:

- increased consultation so that Indian peoples' diverse needs are met;

- assistance to Indian communities in developing their own approaches to self-government;
- legislation, or other arrangements, providing for local community self-government;
- increased community control and self-reliance; and
- facilitate an understanding of Indian self-government which may facilitate constitutional discussions.

Chart 4 presents the logic model of SGN with its activities, sub-activities, outputs, and impacts.

**CHART #4**  
**LOGIC MODEL**



SELF-GOVERNMENT NEGOTIATIONS EVALUATION



## Notes sur les œuvres

### Les habitants de la Côte Ouest

(Photo en bas à gauche)

Les Indiens qui demeurent présentement le long de la Côte Ouest du Canada sont de la même descendance d'habiles marins qui ont navigué sur l'océan du Nord Pacifique, bien avant l'arrivée des Européens, dans des canots taillés à la main. Afin d'assurer leur subsistance, ces habitants affrontaient quotidiennement les risques d'une région fréquemment appelée le "cimetière marin du Pacifique". Le "Westcoasters" est un hommage visuel pittoresque à la volonté indomptable et courageuse des habitants de la Côte Ouest.

## et sur les artistes ...

### Roy Henry Vickers

Roy Henry Vickers, un Tsimshian de la Côte, a passé son enfance à Kitkatla, un ancien village Indien situé sur une île à l'embouchure de la rivière Skeena en Colombie-Britannique. Plus tard, sa famille s'installa dans la région de Victoria où il suivit des classes d'art. Il ne pouvait pas comprendre les peintres européens et les "grands maîtres". Ainsi donc, il se tourna vers l'art de son patrimoine Tsimshian et c'est ici qu'il découvrit sa créativité.

Dans peu de temps, ses œuvres d'art donnèrent de grandes espérances et il fut admis à l'institution "Gitanmax School or Northwest Coast Indian Art" à Ksan, Hazelton en Colombie-Britannique. Suite à deux années d'études sérieuses à Gitanmax, Roy a évolué en un artiste de forte compétence et possédant une aptitude prononcée à sensiblement marier les formes contemporaines et traditionnelles. (Roy est aussi un talentueux conférencier à l'Université et acteur de télévision.) Ses sculptures et peintures font partie des grandes collections publiques et privées au Canada, aux États-Unis et au Japon.

### Creation

(Photo du milieu)

Si nous utilisons les paroles de cet artiste "... les créations significatives sont guidées par les œuvres du Créateur et sont considérées sacrées. C'est de la nature que les peuples autochtones adoptent le symbolisme." Ainsi, la "Création" devint la première de ses peintures Iroquoises. C'est un œuvre qui décrit en symboles physiques une vision d'anciens concepts spirituels Iroquois : l'Île Tortue — la Terre, le Grand Arbre de la Paix — Fraternité et Unité, l'Aigle Gardien — le Gardiennage du Créateur, et le Soleil — notre Frère Aîné.

### Arnold Jacobs

Arnold Jacobs est un artiste Iroquois des Six Nations qui se révèle en tant qu'interprète et historien de la culture abondante de son peuple. Suite à ses études en art spécialisé à l'école Central Technical de Toronto, Arnold continua de développer ses techniques distinctes au cours de treize ans d'expérience dans le domaine de l'art commercial. Ses travaux sont reconnus au niveau international.

L'expression créative d'Arnold est centrée sur les symboles de la terre et du ciel — tels que les eaux, les quatre vents, le tonnerre et le soleil. Pour lui, ces éléments et phénomènes vitaux sont aussi des forces spirituelles qui devraient nous inspirer une juste reconnaissance au Créateur.

#### \*Traduction:

"... meaningful traditions are governed by the works of the Creator, and are believed to be sacred. It is from nature that the Native peoples adopt symbolism."

### "The Goose and the Mink"

(Photo en haut à droite)

L'oie et la martre du Nord offrent une représentation vive symbolisant la lutte interminable et universelle entre le bien et le mal, les forces de la vie et de la mort.

Nous voyons dans la création animée et inanimée — dans celle de la proie et du prédateur ainsi que dans les variations entre les soleils éclairci et obscurci — une accentuation du conflit continuuel entre ces forces et le sentier qui les divise.

### Jackson Beardy

Jackson Beardy est le cinquième fils d'une famille de 13 dans la communauté indienne isolée d'Island Lake quelques 600 kilomètres au nord de Winnipeg au Manitoba.

À l'âge de 7 ans, il fut privé de son chez-lui et de son langage et passa douze années désorientées et traumatisantes dans un pensionnat. Jackson a donc vécu son adolescence à lutter pour se réconcilier avec les deux mondes des indiens et des blancs. C'est à ce temps-là qu'il partit vers le Nord en vue de réapprendre les usages et les préceptes de son peuple.

Plus tard, méconnu et ne connaissant aucun autre artiste Indien au Canada, il développa une forme d'art particulière décrivant les légendes traditionnelles et la nature en images créatives, symboliques et d'une coloration unique. Avec le temps, ses peintures ont pris place parmi les collections reconnues à travers l'Amérique du Nord et l'Europe. Sa mort récente en décembre 1984 fut une perte déplorable pour le Canada.