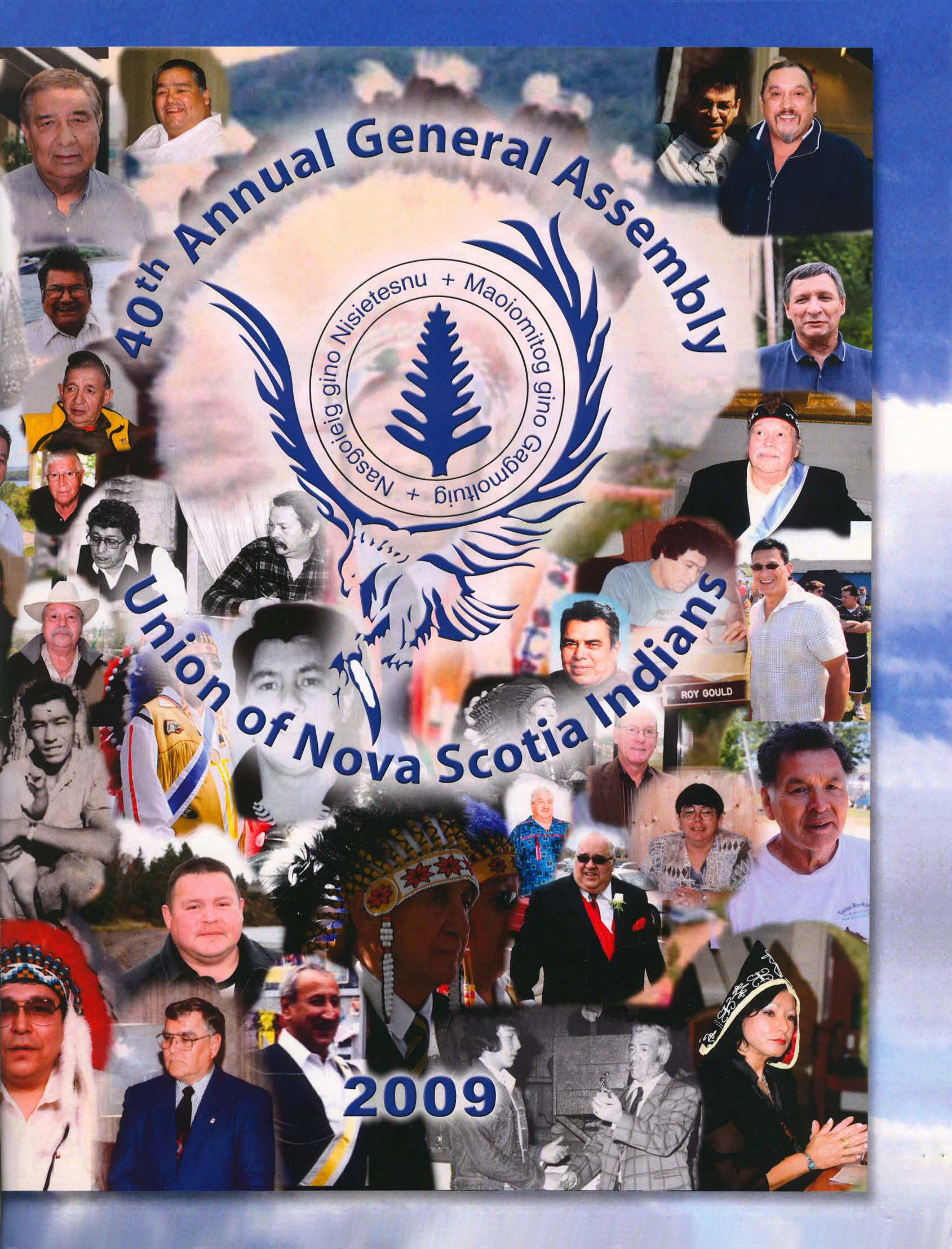


# 40th Annual General Assembly



# Union of Nova Scotia Indians

2009







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# Executive Director's Message

## Joe B. Marshall

Happy 40th anniversary everyone. Yup it's been forty years since the UNSI opened its doors. A lot has happened and the Union had a hand in much of that happening. Beginning as a lobby group for all the First Nation communities in Nova Scotia, then serving as advocate concerning Land Claims (Specific and Comprehensive), the UNSI has evolved into a political representative organization.

The road has not been smooth. For both the organization and individuals involved. But through good times and bad UNSI has survived. We have suffered losses in court and some victories, very significant victories. Political and legal victories that have shown the world that UNSI is a tenacious force to be reckoned with. We have even survived a breakup by some First Nations.

This has only been made possible by the growth of the individuals who serve as Board of Directors. During their terms they evolved with the organization. They took responsibility for the Union, they assumed ownership. When the Union constitution was amended in 1997 to eliminate the Executive positions, they became the executive, sharing the representing role. I think we can say they took ownership of their organization.

We cannot forget the staff. The staff who implement the UNSI's programs and projects are to be commended as well. Much of what we do is based on an "honor system", in other words we do not need to be looking over the shoulders of our staff. They do not get paid for extra hours and days worked. For our staff and the work they do, we are proud.

Financially, everyone stays within their budgets annually. This year's surplus in the UNSI budget is the fourth in a row. We have recovered from the court battles of the 1980's and 90's. We are now planning the next step for UNSI which means that we will evolve again. What we evolve into will be determined by the Board.. There has been concern that UNSI and CMM in fact all the Mi'kmaq organizations should play a role in the current negotiation and rebuilding process. The Assembly of Nova Mi'kmaq Chiefs has committed to a stronger and more unified and effective government in Nova Scotia. The Mi'kmaq organizations have trained and knowledgeable with experience in specific fields. These people can easily make up the core of Mi'kmaq institutions of government. There just needs to be coordination and planning. I have confidence that we as Mi'kmaq can do this.

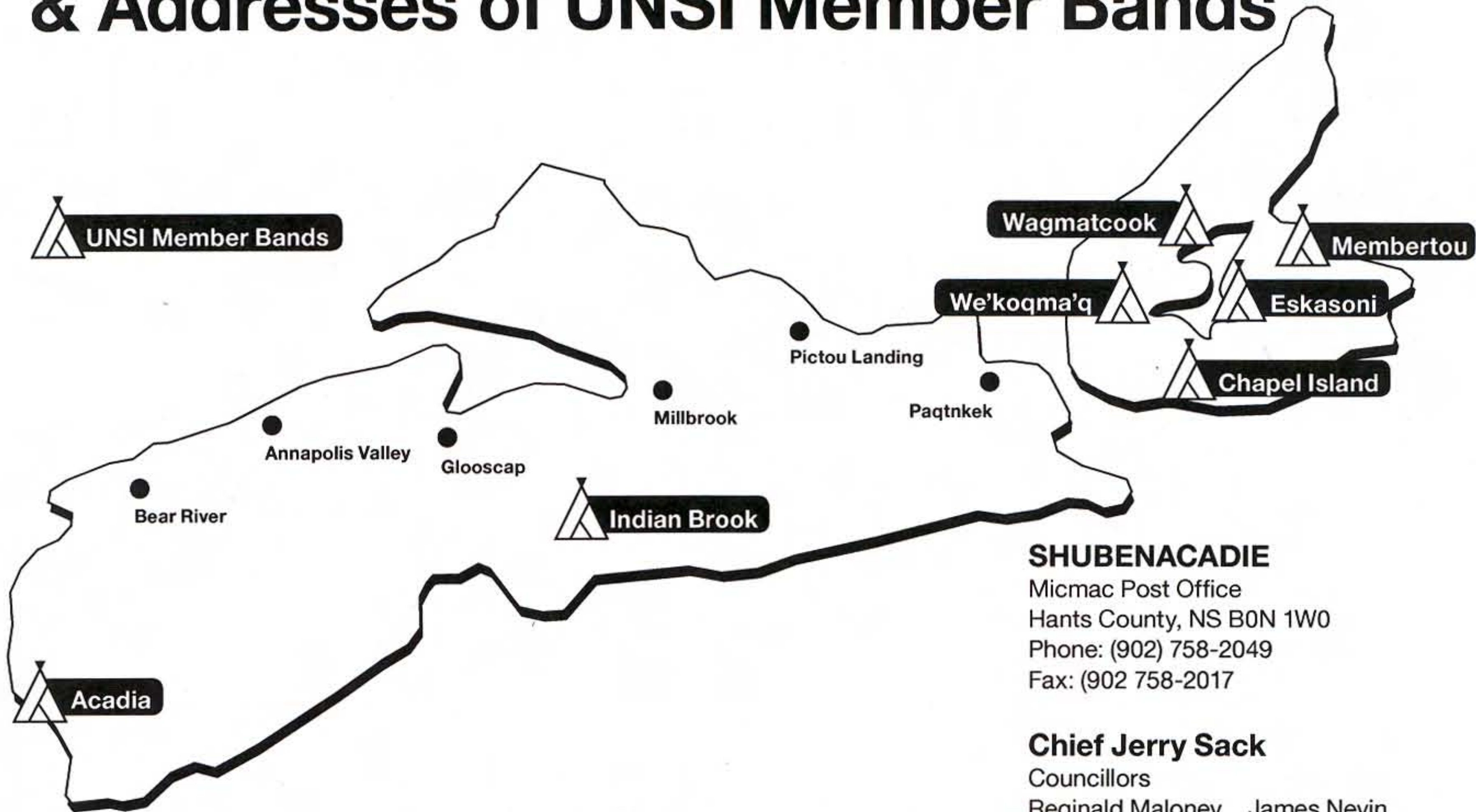
So, once again let us celebrate our Treaties and accomplishments. See you at the Assembly. We are back at the Lord Nelson Hotel, where it all began in 1969.

Executive Director  
Joe B. Marshall, L.L.B.





# Map of NS Bands & Addresses of UNSI Member Bands



**ACADIA**  
RR#4 Box 5914 C  
Yarmouth, NS B5A 4A8  
Phone: (902) 742-8854  
Fax: (902) 742-8854

**Chief Deborah Robinson**  
Councillors  
Darlene Coulton     Michael Paul  
Tom Pictou             Todd Labrador  
Debra Wentzell       Charmaine Stevens  
Edwin Benham        Andrew Francis

**CHAPEL ISLAND**  
1204 Highway 4,  
Box 538  
RR 1 St Peter's, NS B0E 3B0  
Phone: (902) 535-3317  
Fax: (902) 535-3004

**Chief Kenneth Basque**  
Councillors  
James Marshall     Lindsay Marshal  
Russell Marshal     Helen Doyle  
Basil Johnson  
Sandra Basque-Johnson

**ESKASONI**  
63 Mini Mall Dr.  
PO Box 7040  
Eskasoni, NS B1W 1A1  
Phone: (902) 379-2800  
Fax: (902) 379-2172

**Chief Charles Dennis**  
Councillors  
John Frank Toney     Dereck Johnson  
Virick Fancis         Bertram Bernard  
Leroy Denny           Athanasius Sylliboy  
Lindsay Paul           Mary Lou Gould  
Eldon Gould           Charles B. Young  
Chris Stevens

**MEMBERTOU**  
111 Membertou Street  
Membertou, NS B1S 2M9  
Phone: (902) 564-6466  
Fax: (902) 539-6649

**Chief Terrance Paul**  
Councillors  
Alex Christmas       Johanna LaPorte  
Lee Gould             Allister Matthews  
David Marshall       Dean Christmas  
Anthony (Ike) Paul     Darrell Bernard  
Lawrence Paul Jr.     Robin Googoo  
Dan Christmas

**SHUBENACADIE**  
Micmac Post Office  
Hants County, NS B0N 1W0  
Phone: (902) 758-2049  
Fax: (902) 758-2017

**Chief Jerry Sack**  
Councillors  
Reginald Maloney     James Nevin  
Ian Knockwood       Michael Sack  
Debbie Thieboux       Ryan Julian  
Thomas J. Howe       Rufus Copage  
Ronnie Augustine     Jerry M Sack  
Colleen Knockwood  
Alexander MacDonald

**WAGMATCOOK**  
PO Box 30001  
Wagmatcook, NS B0E 2N0  
Phone: (902) 295-2598  
Fax: (902) 295-3398

**Chief Lester Peck**  
Councillors  
Norman Bernard     Thomas Peck  
Daniel Googoo        Roger Peck  
Michael Basque  
Richard Francis Pierro Sr.

**WE'KOMA'Q**  
PO Box 149  
Whycocomagh, NS B0E 3M0  
Phone: (902) 756-2337  
Fax: (902) 756-2393

**Chief Morley Googoo**  
Manuel Googoo       Andrew Michael  
Jason Bernard        Anthony Phillips  
Robert Gould          Cyrus Bernard  
Stanford Phillips     Katy Michael





# Board of Directors



**Chief Debbie Robinson**  
Acadia



**Chief Lester Peck**  
Wagmatcook



**Chief Charles Dennis**  
Eskasoni



**Chief Terry Paul**  
Membertou



**Chief Jerry Sack**  
Indian Brook



**Grand Chief Ben Sylliboy**  
Mi'kmaq Grand Council



**Chief Kenneth Basque**  
Chapel Island



**District Chief Reg Maloney**  
UNSI



**Chief Morley Googoo**  
We'koqma'q





# Introduction

The Union of Nova Scotia Indians is a tribal council which was incorporated under the Nova Scotia's Societies Act on July 3, 1970.

The organization was formed to provide a unified political voice for the Mi'kmaw people of the province in the face of a proposed federal government policy to assimilate Canada's First Nations people into mainstream society. The 1969 White Paper was widely viewed by the First Nations' leadership as the government's deliberate attempt to introduce a policy of cultural and political genocide.

Faced with the prospect of extinction, a group of Mi'kmaw leaders formed the Union of Nova Scotia Indians to provide political leadership for the Mi'kmaq Nation residing in Nova Scotia.

The Union of Nova Scotia Indians operates under its original terms of the Memorandum of Association that was registered in 1970 and its present By-Law which was adopted on July 16, 1992.

The objectives of the Union of Nova Scotia Indians are as follows:

- To promote the welfare and well-being of the Indians of Nova Scotia;
- To improve the economic and social conditions of the Indians of Nova Scotia;
- To promote the rights of Indian people, to inform Indians of their rights and to assist Indians of Nova Scotia in the enforcement of their rights;
- To promote discussion of Indian problems;
- To seek to promote a better understanding between Indians and other people;
- To initiate and carry out programs for the advancement of Indian people;
- To cooperate with governmental and private agencies for the promoting of the interests of Indian people;
- To do all such things as are incidental or conducive to the attainment of the above objects.

## Membership

Membership of the Union of Nova Scotia Indians is defined in our By-Law as any Mi'kmaw person who is registered as an Indian pursuant to the provisions of the Indian Act whose name appears on a band list.

The Union of Nova Scotia Indians hosts a general meeting with its membership each year, usually during the month of July. During the annual general assembly, annual reports -

including the audited financial statements - are presented and discussed with the membership.

## Board of Directors

The board of directors for the Union of Nova Scotia Indians is comprised of the chiefs of all Nova Scotia's Mi'kmaw communities affiliated with the association. Presently, 7 of the 13 First Nation communities are associated with the Union of Nova Scotia Indians. The populations within these communities represent approximately 70% of the registered Indian population in Nova Scotia.

The present board of directors consist of the following chiefs:

- Chief Deborah Robinson - Acadia
- Chief Kenneth Basque - Chapel Island
- Chief Charles Dennis - Eskasoni
- Chief Terry Paul - Membertou
- Chief Jerry Sack - Shubenacadie
- Chief Lester Peck - Wagmatcook
- Chief Morley Googoo - We'koqma'q
- District Chief Reg Maloney

Grand Chief Ben Sylliboy of the Mi'kmaq Grand Council is an honorary member of the board of directors. Our By-Law also allows for the inclusion of additional, non-voting representatives to the board from larger First Nation communities such as Eskasoni and Shubenacadie. The board of directors usually meet four times each year.

## Executive Committee

The Executive Committee of the Union of Nova Scotia Indians was formed during the 1997 annual general assembly held in We'koqma'q. The Executive Committee, comprised of five members appointed by the board of directors, replaces the former elected executive of a president, two vice-presidents and secretary-treasurer. The Executive Committee, which meets monthly, is responsible for carrying out the duties assigned by the board of directors.

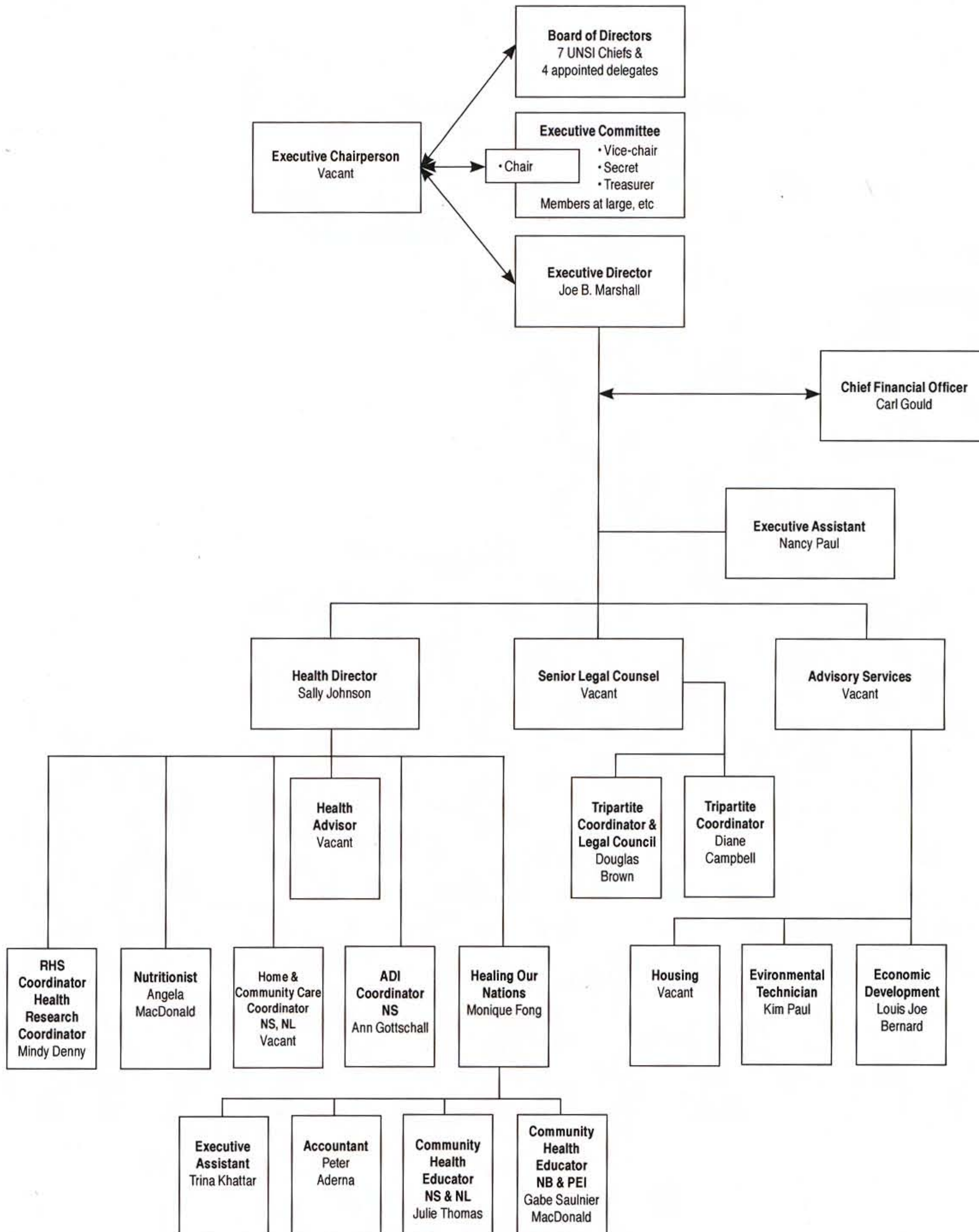
The Executive Committee is comprised of the following people:

- District Chief Reg Maloney, UNSI;
- Chief Deborah Robinson, Acadia;
- Joseph B. Marshall, UNSI, Executive Director;
- Carl Gould, CFO, UNSI.
- Chief Morley Googoo, We'koqma'q





# Organizational Chart Union of Nova Scotia Indians







# Aboriginal Diabetes Initiative

## Ann Gottschall, RN BScN MN

As Diabetes Community Consultant for the Union of Nova Scotia Indians, I have been working on joint activities with the other Diabetes Consultants in the Atlantic Region. These activities are directed toward meeting the goals and objectives of the Aboriginal Diabetes Initiative Program. Some of these activities include: Review and update of Aboriginal Diabetes Initiative work plan, coordinating our Atlantic Aboriginal Diabetes Initiative Education Workshop for health staff and the selection of topics and writing of articles for MM Newsletters, ordering of promotional materials for ADI program. Also the coordination and delivery of the "Diabetes Self-Management Journey" open to all Atlantic Communities to send community members with diabetes.

Throughout the year I have been involved with Health Directors, Community Health Staff including Community Diabetes Prevention Workers in some communities and Recreation and Education Staff in addressing diabetes in communities. Some UNSI communities have Community Diabetes Working Groups which have given communities control over how they want to address Diabetes in their Community. I help with the coordination of these meetings at the community's request, and participate in the meetings along with other community members and multidisciplinary groups .

This year was an exciting and productive year with the expansion of the Formalized School Walking Program for Diabetes Month (November). This program involved grade 5 and grade 6 (new this year) from all UNSI Schools tracking their steps during the day with a pedometer and competing for the title of the most steps walked during the month of November. The grade 5 or 6 class with the most steps received a trophy. All classes submitting their steps received a healthy snack provided by their Health Center. This program was very successful with increase in steps this year over last year and increased participation among classes in the various communities

This year seen the expansion of the Gestational Diabetes presentation to include near delivery care and jointly presenting this with DHA staff. This was done very successful in Chapel Island First Nation and it is hoped we can offer in other communities. This session included information on diabetes prevention and managing Gestational Diabetes and was open to all women of child bearing age

I have participated in the offering and/or coordinating of various community activities. These activities are for children/youth, adult community members and education staff. Also the coordinating of programs and information directed at enhancing health staffs availability to current information and resources in the diabetes/healthy lifestyle areas. The Community presentations have focused on increasing self-management through knowledge of Diabetes and

Hypertension, Diabetes and Kidney Disease, Diabetes and the expectant Mother, Diabetes and Exercise. "Staying Healthy with Diabetes -What you Need to Know", Diabetes & Foot Care, Stress and Laughter and Blood Glucose Screening Clinics.

New this year was the joint presentation by ADI DCC with DHA staff on Gestational Diabetes and Near Delivery Care

Other presentations/activities were directed at children in grade Primary to grade 6; these children learn about ways to prevent diabetes by participating in Diabetes Awareness and Prevention activities such as Fat & Sugar displays of Fast Foods, Pop, Chips, and Chocolate Bars; Fat & Sugar Guessing Game, Healthy Lifestyle Game, Colouring & Activity Sheets, Puppet Show on Healthy eating and culturally appropriate story book, Celebrations DVD on diabetes and its prevention, Label Detective and Classroom based Physical Activity Posters for encouraging children to be physically active. Children in the younger grades who had classmates with Diabetes were given age appropriate information about diabetes. Various methods were used to evaluate the success of programs offered such as pre/post test and presentation evaluation and the use of games to evaluate knowledge of diabetes...

Linkages with outside agencies were formed to link communities with outside resources. Some of these linkages were with Heart & Stroke Foundation, Kidney Foundation, National Aboriginal Diabetes Association, Canadian Diabetes Association, District Health Authority Diabetes Education Centres and Maternal Child Units, Provincial Healthy Eating & Physical Activity Committees and St FX University, IWK Diabetes Center, PHRU Dalhousie University.

Future initiatives will focus on continuing to implement Screening for Risk Factors for Diabetes in Children and Youth in other interested communities, and the development of programs to address community specific risk factors among children. The continuation of the School Walking Program during November and piloting the inclusion of a support person for the student into this program. It is hope that this will also foster community involvement into this program. Also, I will be assisting communities in offering "Healthy Living Programs", and Community Sessions on Diabetes, implementing the joint presentation with other DHA staff on Gestational Diabetes and Near Delivery Care in interested communities and implementing adult screening clinics. I will be continuing with school education sessions and education for communities on diabetes and its prevention. Health Staff education will occur through the Annual ADI Workshop and the annual Telehealth session with Dr Zwicker.

If you should have any questions please do not hesitate to call Ann Gottschall at **(902)-863-8455**.





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# Environment

## Kim Paul



### **First Nation Watershed Management Tool**

The Centre of Indigenous Environmental Resources, Winnipeg, Manitoba, received funding for the First Nation Watershed Management Tool Project from Royal Bank of Canada's Blue Water Project Fund. CEIR was selected as one of 16 recipients among 206 applicants across North America to support programs that help protect watersheds and ensure access to clean drinking water.

The Union of Nova Scotia Indians and Unama'ki Institute of Natural Resources provided support letters for the Project along with two other First Nations communities in British Columbia and Alberta. As project partners, the UNSI will be the representative to share experiences in our watershed protection efforts in developing the Tool.

### **Eskasoni Source Watershed Protection Committee**

The Eskasoni community presently obtains its potable water from a groundwater well located off Spencer's Lane in Eskasoni. The groundwater is predicted to be found within a fault system parallel to the mountain scarp with a horizontal linear flow to the well. ("Spencer Lane Groundwater Supply Investigation", Nolan, Davis & Associates, May 14, 1990)

The Chief and Council of the Eskasoni First Nation, recognizing the importance of source water protection, passed a Band Council Resolution on February 28, 2008, supporting the formation of a Source Water Protection committee. The UNSI had met with the Eskasoni Band Office staff to discuss the formation of a committee to ensure a Protection Plan be developed for the community. The UNSI has been identified by the Source Water Protection Committee as the appropriate lead on

the Committee for the development of this SWPP. The Source Water Protection Committee will act as a project review committee and provide expert advice and support to the project lead.

### **HOUSING, PUBLIC WORKS & INFRASTRUCTURE**

Completed Housing Site Assessments for Indian Brook, Chapel Island, Wagmatcook and Waycobah. The Environmental Assessments for lot development are required for all new housing. Attended meetings on behalf of the UNSI as a member of Atlantic Policy Congress's "The Atlantic First Nation Housing & Infrastructure Network's Regional Technical Committee".

### **Bras d'Or Lakes Biosphere Reserve**

UNESCO's describes biosphere reserves as "areas of terrestrial and coastal ecosystems promoting solutions to reconcile the conservation of biodiversity with its sustainable use. They are internationally recognized, nominated by national governments and remain under sovereign jurisdiction of the states where they are located." They are intended to achieve three basic functions: conservation, sustainable development, and logistic support for research and education. Today, there are now 529 BR sites in 105 countries. Fourteen of those are in Canada.

The nomination document has the support of the Unama'ki Chiefs & Communities, Cape Breton Regional Municipality, & Richmond County. Inverness & Victoria Counties support for the nomination document has been pending in this process.





## **Brian Hillier, CA, CFP**

To the Members of the Union of Nova Scotia Indians:

The 2009 financial statements for the Union of Nova Scotia Indians reported a surplus for the fourth consecutive year. The net consolidated income for the year ended March 31, 2009 was \$17,347 resulting in a surplus for \$85,843. The Union's cash flow for the year was strong resulting in cash on hand and zero bank liability at year end.

Management is to be applauded for its continued effort to provide the mandated services to its members while maintaining financially responsible policies to ensure the stability of the organization is not threatened.

The financial position of the Union reflects the significant strides the organization has made in the past number of years providing a viable environment in which to fulfil its mandate to provide political leadership to the Mi'kmaq nation of Nova Scotia.

As revenues continue to increase the Union's recognition of the importance of sound financial policies will hold it in good stead in its facilitation and delivery of programs.

We would like to take this opportunity to congratulate the Union of Nova Scotia on its 40th anniversary and extend our best wishes for the continuation of its efforts to improve and promote members interests.

Best regards,

Brian Hillier, CA, CFP





# Chief Financial Officer

## Carl Gould, CFO

### Union of Nova Scotia Indians Consolidated Statement of Financial Position March 31, 2009

	2008	2009
<b>ASSETS</b>		
<b>CURRENT ASSETS</b>		
Cash	\$ 328,636	\$
Accounts Receivable (note 2)	202,800	286,496
Prepaid	7,058	
	<u>\$ 538,494</u>	<u>\$ 286,496</u>
<b>LIABILITIES &amp; EQUITY</b>		
<b>CURRENT LIABILITIES</b>		
Bank Indebtedness	\$	\$ 5,466
Accounts Payable and Accruals	240,998	135,000
Pension Payable	6,653	
Wages Payable		19,538
Deferred Revenue (note 3)	205,000	58,000
	<u>\$ 452,651</u>	<u>218,004</u>
<b>NET ASSETS</b>		
Unrestricted	<u>85,843</u>	<u>68,492</u>
	<u>\$ 538,494</u>	<u>\$ 286,496</u>

APPROVED BY:

Executive Director - Joe B. Marshall

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Chief Financial Officer - Carl Gould

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**Union of Nova Scotia Indians  
Consolidated Statement of Changes in Net Assets  
March 31, 2007**

	<u>2009</u>	<u>2008</u>
Unrestricted Net Assets, beginning of year	\$ 68,492	\$ 104,212
Excess (Deficiency) of revenue over expenditure	<u>17,351</u>	<u>(35,720)</u>
Unrestricted Net Assets, end of year	<u><u>\$ 85,843</u></u>	<u><u>\$ 68,492</u></u>





# First Nations and Inuit Home and Community Care Program

**Michele Landry, BScN, RN**



The First Nations and Inuit Home and Community Care Program (FNIHCCP) has been in place for more than nine years, successfully meeting the Home Care needs of First Nation community members. Provincial partnerships with

the NS Dept. of Health Continuing Care Branch remain a focus at present with the Aboriginal Health Transition Fund Partnership project for Discharge Planning now nearing a two year completion date. Communities in the Atlantic Region continue to provide Full Service Delivery within this program's mandate and are the completing monthly data requirements as set out by Health Canada –FNIH Atlantic Region.

## **First Nations Home and Community Care Program 'Overview'**

As the First Nations and Inuit Home and Community Care program matures, it continues to have the client as the center of our work. Excellent services are being provided by Home Care staff in communities with leadership support. There are many aspects involved in the delivery of Home Care services to clients. The FNIHCC program utilizes a guiding framework in order to achieve a national standard of care that strives to be similar to provincial counterparts. Our Home Care clients are benefiting from this program in many ways. The service has also been a support to families who often provide most of the client care. Without Home Care services, some individuals may have difficulty remaining in their own homes. The program is intended to link closely with other services in the community to minimize any duplication. The Home Care program adapts to the changing health needs of a client through an assessment process completed by a Registered Nurse in the community. This is one of nine 'Essential Elements' of our Home Care programs' framework.

Other elements include- Case management and coordination; home care nursing; home support; respite care; linkages to other services; data collection and some medical supplies and equipment. As the program continues to evolve, communities may choose to add 'supportive' elements- or options such as adult day care; meal or exercise programs; palliative care support;

health promotion activities; traditional medicine support; transportation etc.- as feasible with present funding levels. The program is flexible in order to adapt to the changing needs of the community, within the program framework.

## **2008-2009 Highlights- First Nations Home Care Program NS, NL & LB\*:**

All communities have been submitting monthly Home Care data using the eSDRT to meet reporting requirements and have received training support for this. Educational workshops took place to support community Home Care staff such as changes to the eSDRT this year. Various Regional HCC working groups moved many issues forward. Several conferences were attended which promoted HCC awareness and planning. There were meetings with provincial partners in both home and hospital care and educational institutions; pilot studies with Home Care interests; and capacity building through many national and district linkages. A number of local training resources are accessible to communities for HCC related topics throughout the year. Awareness about the Home Care program took place at a number of venues. The First Nations Falls Pocket Planner for Falls Assessment in the home was available to Home Care clients as a second year project- to promote this aspect of injury prevention and it continues to be well received. Pandemic flu Emergency Preparedness HCC resource kits were distributed as available, to promote education among Home Care clients and families by HCC staff in communities. Coordinated HCC equipment orders and resource distribution to NS, NL. Poster presenter at national CHCA conference in NB.

## **Planning Activities for the Home and Community Care Program include:**

- Local workshops for HCC staff throughout year.
- Participation in Provincial AHTF working group; various national HCC focus groups; HCC Nursing Practice Advisor national working group.
- INAC partnerships for HCC training; HCC regular working group sessions in communities on best





practices and educational opportunities for the program.

- Telehealth topics for HCC which will be quarterly as a regular part of Home Care support; Falls Prevention coalition projects in NS First Nations [liaison]; District Health Authority linkages to assist in identifying community needs.
- RN workshop for HCNs and CHNs in Oct. 2009 [FNIH].
- Participation with the NIHB and HCC interests; eSDRT Change Review group; Chronic Disease Management group; AFN HCC Partners [liaison]; FNIHB HCC National work
- Provide eSDRT support to communities.

### **Home and Community Care Program Evaluation Update:**

Evaluation of the FNIHCC program is being completed by National office. The three parts are: Community, Regional and National. It is from this information

gathering that an increase in resources to build this program is anticipated. At present funding levels, communities have been able to meet the basic essential service elements (as noted above), however, many would like to develop Second Level services- for which increased resources will be necessary. Access to long-term care in communities is one of many issues identified as a gap through this evaluation process.

We look forward to a productive year ahead with progress and partnerships in all areas of the First Nations and Inuit Home and Community Care program. For further information, please call **(902)564-5283** or email : **homecare@unsi.ns.ca**.

Submitted by: Michele Landry RN BScN MPH

## **Healing Our Nations Atlantic First Nations AIDS Network Monique Fong**

First, I would like to take this opportunity to address the late Maliseet Elder Raymond Tremblay. Raymond had been on the Board of Directors since 1993 and had provided direction, guidance, humor, wisdom and genuinely cared about how HIV/AIDS was going to affect our people. He was always there to make us smile or give us a pat on back or a warm hug, when we needed it. The staff and Board of Directors of HON will miss him dearly and are honored to have been mentored by such a respected Elder, individuals and friend.

Healing Our Nations is committed to providing HIV/AIDS education and prevention services. With HIV/AIDS cases rising and spreading faster in Aboriginal communities, we must take note of what makes us at risk in the first place. We know that HIV/AIDS is has a strong cultural stigma and it links to the rising drug use make it

a difficult and sometimes overwhelming problem to solve. This is why it is so important for us to be known and to provide culturally appropriate confidential services to the communities throughout the region.

In a recent Public Health Agency of Canada article it notes that 'Despite their [Aboriginal people] relatively small population, aboriginals accounted for almost one-quarter of Canada's reported AIDS cases in 2006 for which ethnicity was known, double the rate six years earlier, according to the Public Health Agency of Canada.

Here are more interesting facts provided by the Public Health Agency of Canada;

Intravenous drug use, especially among women, is the cause of more than half the infections with the human immunodeficiency virus (HIV),





which leads to AIDS. Canadian non-aboriginal infections are mostly linked to unsafe sex.

Aboriginals with HIV infections also tend to be younger than other infected Canadians and more often women.

Healing Our Nations has witnessed a 50% increase of calls regarding HIV testing, counseling and location of testing sites.

Healing Our Nations staff continues to deliver education sessions and represent Healing Our Nations on provincial, regional and national committees. The number of workshops facilitated in the Atlantic region exceeds 60 in various communities, correctional facilities and Friendship Centres. In the past year, Healing Our Nations has broadened its scope to include Hepatitis C, Sexually Transmitted Infections and women's issues in our skills building programming.

Last year, Healing Our Nations was honored by the City of Halifax. Mayor Peter Kelly presented Healing Our Nations with proclamation commemorating December 1st as World AIDS Day and December 1st to the 5th as Aboriginal AIDS Awareness Week. The staff and guests were honored by Grand Chief Ben Sylliboy who provided the opening prayer for the ceremony. It was a very rainy day, but that did not dampen the spirits of guests who attended this important gathering.

Every year, HON hosts an Aboriginal Person Living with HIV/AIDS (APHAs) retreat. This retreat provides an opportunity for APHAs in the Atlantic Region to network and learn from each other. This year's retreat was family focused; HON provided the opportunity for family members to attend the retreat. Family members were defined by the APHAs themselves and we did have some in attendance. It is HON's belief that it is important that families who are affected by a loved one who has HIV/AIDS to recognize that they can access support from our organization. The support may be a referral to a counselor/doctor, information regarding treatment, and/or Elder support if the APHA chooses or wants to access traditional medicine.

Healing Our Nations continues to host the Atlantic Aboriginal HIV/AIDS Circle in partnership with the Labrador HIV/AIDS project based in Happy Valley/Goose Bay, NL. We will be continuing to work together to strengthen our regional response to HIV/AIDS issues, training opportunities and to share resources. This year's focus was finalizing our Terms of Reference and starting to develop a strategic plan.

In early spring, HON partnered with the Dalhousie School of Nursing in organizing a day long focus group that involved people from all over Atlantic Canada. There were approximately 60 people involved and from that a preliminary report was generated and circulated to the conference participants for feedback. Dr. Audrey Steenbeck of the Dalhousie School of Nursing and HON hosted the gathering.

Healing Our Nations regularly receives and supervises placement students from the Dalhousie School of Social Work, Dalhousie Law School and Dalhousie School of Nursing. This year we had 2 social work students, 2 law students and 2 nursing students. One highlight of the placement students in the past year was one that came from Nigeria, Africa and had direct personal experience with HIV/AIDS. In the coming year, HON will be supervising students from these institutions and the University of New Brunswick. HON has found that having placement students is very beneficial to the agency and the students themselves.

We still are a long way from having our people who are living with the virus or who are affected by the virus in coming forward for care, treatment and support, and with your commitment and understanding, Healing Our Nations will continue to advocate and support the Mi'kmaq & Maliseet people living in the Atlantic Region.

We strongly encourage community members to get tested for HIV, Sexually Transmitted Diseases and Hepatitis ABC, so they can get the proper treatment, care and support.





## Board of Directors

Co-Chair Sally Johnson, Union of Nova Scotia Indians, NS  
Co-Chair James "Rok" Paul, St. Mary's First Nation, APHA member, NB  
Grand Chief Ben Sylliboy, Grand Chief, Mi'kmaq Nation  
Elder, vacant (Union of New Brunswick Indians)  
Joe Denny, Atlantic Treatment Directors, NS  
Nelson Solomon, Union of New Brunswick Indians, NB  
Frederick Gray, Pabineau First Nation, APHA member, NB  
Christine Harlow-Potter, APC  
Vivian House, Miawpukek (Conne River) First Nation, NL  
Matilda Ramjattan, Confederacy of PEI Mi'kmaq Mawiw, vacant, NB  
Janet Pothier, Confederacy of Mainland Mi'kmaq

## Healing Our Nations staff:

Executive Director – Monique Fong  
Executive Assistant & APHA Coordinator – Trina Khattar  
Bookkeeper – Peter Adema  
Community Health Educators  
NS/NF – Julie Thomas  
NB/PE – Gabe Saulnier

## Health Sally Johnson



Being recognized as a Health Technician by the Assembly of First Nations I am on several committees which encompasses in being knowledgeable of the issues and concerns of First Nation's communities. I am the

UNSI representative for the Health Tripartite Commitments in Nova Scotia.

I am still involved in the Regional Health Survey and it has proven to be a vital resource for Health Staff in Nova Scotia. The RHS is concluding the research at the community level and the regional report should be available in the fall/winter for distribution. We as a First Nation Organization had request from MCPE1 to include the communities as part of the Regional Health Survey. The provinces that are included in the RHS are Nova Scotia (13 communities), Newfoundland (1 community), and Prince Edward Island (2 communities).

I attend the Mi'kmaq Health Research Group at the School of Social Work at Dalhousie to provide input and other related duties as it pertains to health. They also act as advisors for the Regional Health Survey and develop research proposals and other programs dealing with health.

The disabled of our First Nation communities is increasing whether it is because of complications of diabetes, birth defects, or due to age (i.e. seniors). They are the most vulnerable of our population and they need the recognition and assistance that is a given right. Just remember this we are all getting older and how do we want to be looked after when we get to this stage.





# Nutritionist

## Angela MacDonald, Professional Dietitian / Certified Diabetes Educator



I am please to continue my role as the Union of Nova Scotia Indians Nutritionist. This report highlights common nutritional activity from April 2008 to March 2009. Coordination of community visits are made possible through regular contact with health center staff. Partnerships

have helped to identify the unique nutritional needs throughout each of the 13 First Nation communities. The fiscal year began with an evaluation to reflect on the past year of services and to identify current nutritional goals. To help update and prioritize changing needs in each community monthly contact is kept by phone, e-mail and fax. A monthly newsletter was developed to share nutritional information as well as topics presented each month for each community. The newsletter has generated an increased interest for nutritional services.

Nutrition activities focus on education, health promotion and prevention. Identified awareness is raised by offering informal group presentations, workshops, booth/poster displays and cooking classes. Each session tries to incorporate culturally appropriate resource material and the importance of traditional practices. Delivery of service is organized to target identified risk groups. In the event of poor health center attendance day cares, schools, community halls, youth centers and workplaces have become successful places to offer nutritional information. Education and training of local aboriginal staff are also available; however, scheduling training time has been difficult given the current workload of health center staff.

The requests for community visits continue to grow given the rise of diabetes, obesity and heart related complications in each community. Eskasoni, Wagmatcook and We'koqma'q are fortunate to have dietitian services within the community. Other communities report limited dietitian services. Common requests for nutritional services include prevention and treatment guidelines for type 2 diabetes, lowering blood pressure and blood cholesterol levels as well as help with weight loss. Given the rise in childhood obesity youth prevention activities are commonly requested from day care, school and health center staff. A large percentage of time is spent on prenatal nutrition

programs. Prenatal workshops are tailored to address the growing population of women being diagnosed with gestational diabetes and diabetes in pregnancy.

The importance of family based workshops are stressed at each session, however, adult men remain a difficult audience to attract. Many presentations have shifted from guideline reviews to hands on cooking classes. Funding for these classes was made possible from an approved proposal from Health Canada to access food security funding. Dollars for the cooking classes are limited and funds must be applied for annually. Proposal funding was used to offer 13 cooking classes to all interested communities. Classes were targeted to specific age groups and helped draw new faces to community events. Participants were able to prepare, portion and sample healthy budget friendly recipes. To help promote traditional food practices elders were invited to many of the sessions to share traditional recipes. Four cents, soups and stews were common recipes shared by elders. Weight loss classes were also in high demand from many communities. Classes were offered over a series of sessions and focused on making healthy lifestyle goals rather than focusing on scale weight. Topics ranged from portion control, label reading, establishing healthy grocery shopping lists, smart choices for eating out and staying motivated with lifestyle changes.

I currently am a member of the Membertou Diabetes Working Group which brings health care staff and community members together to plan annual diabetes events. I also sit on the Assembly of First Nations Food Security Working Group to help highlight local food security issues.

If you would like a specific list for all nutritional activity that has occurred in your community please do not hesitate to contact me at **(902) 577-0575** or e-mail **amacdonald@unsi.ns.ca**.





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## Economic Development

### Louis Joe Bernard, EDA

Brief Overview of Impact Benefits Agreement discussions with EnCana over the past year, Started with draft MOU structure and content to develop IBA as suggested. MOU discussions with EnCana began on About July 23, 2008- Initial meeting with project G.M. was not very productive. According to EnCana there was no room for consideration or discussion of any funds to be provided from EnCana as part of an IBA. On October 20 we had a second meeting with EnCana. At this meeting we raised challenges that prevent the Mi'kmaq from benefitting from the business and other opportunities associated with the "project"- No reaction from EnCana. Nov-Dec-2008-Province of N.S. become involved in Encanna MOU discussions as shown in their letter ( available upon request) dated December 12, 2008-Jim Gogan begins to assist. On January 16, 2009 we had our third meeting with EnCana. how they can assist us address some of the gaps preventing us from benefitting from the opportunities associated with the "project". In the last couple of months work has been done towards a possible application under the 0.5% fund for the Mi'kmaq – (The latest working draft is available upon request) On May 7th, 2009, Board of Directors, UNSI passed a motion to accept vibe creative group of Sydney, N.S. to design and develop UNSI website. We are in the process of interviewing the staff for their respective departments. The Atlantic Aboriginal Economic Development Network ( AAEDN) has focus their attention towards sub-committees on the 4 Goals of the Regional Economy Rebuilding Strategy, the Lands and Resource Development Committee sub-committees, which Cheryl Knockwood (APC) is the lead The National Aboriginal Lands Managers Association Level two-technical training was approved for funding from INAC for \$ 100,000.00. We are hoping for the first module to begin October 5 to October 9th, 2009. The course consists of 6 modules and hope that all bands find suitable candidates to take this course to work towards full certification. (Electronic copies) are available. The six modules are expected to be delivered at Membertou TCC before April 2010. The

sub-comm. Is in the process of gathering tools for land governance by developing a user friendly tool kit. ( more information available on APC web-site.) A community based project Impacts study was commissioned to help RPMAC assess the results of the 149 recommended projects for the period 2002 to 2008 and to assist in planning for the future. ( more info. avail. upon request).





# M&NP Scholarship

Our proud PSS and 2008 Grad x11 students, who were the proud receiptent of the M&NP AAA awards at the Marriott Hotel in Halifax, August 27, 2009. Elaine Googoo (Wagmatcook) and Sara Doucette (Membertou) were one of the receiptents of the Post Secondary Scholarship (PSS) from Martimes and Northeast Pipelines Scholarship Program, at total of \$20,500.00 was awarded to these 22 deserving students. It was a difficult choice to choose from these wonderful students.



Elaine Googoo with her mother (Alexandria), Steve Rankin and Stone Bear



Sarah Doucette with her mother Marie and Daughter

Dear Professor Raufflet,

Here are my responses pertaining to Wednesday's session:

## 1. Identify the five main messages from yesterday's session on partnering

The five main messages I learned from Wednesday's session on partnering include:

1. The importance of partnering when trying to attain a common goal among different stakeholders.
2. The importance of clear communication between all parties to a partnership.
3. The importance of equal treatment of the needs and concerns of all stakeholders to a partnership.
4. The importance of all stakeholders in a partnership pulling in the same direction.
5. The importance of considering all cross-cultural norms and implications in a partnership.

## 2. What did you learn yesterday that will change your perceptions of

### First nations

The degree of abuse and difficulties that First Nations have experienced in schools. Although I previously understood the difficulties First Nations have faced, Wednesday's session helped me understand the root causes of the negative perception that some First Nations carry towards Canadian educational institutions. In turn, this would better help another party to a partnership deal with those issues and help First Nations to cope with these unfortunate experiences.

### Cross-sectoral partnerships

I learned that private and public enterprises can be very successful in forming partnerships as long as the goals and agenda are laid out clearly. I am not sure I had previously known of an example in which the government can be used as a third party





so effectively in helping reconcile the needs and wants between a group of people and a sizeable private company.

### **The role of trust in partnerships**

During Wednesday's session I learned that trust is perhaps the most essential element in partnerships. If there is no trust, none of the stakeholders are prepared to put themselves on the line. However, if trust exists, 'weaknesses' and concerns can be better communicated to the other party, thereby forming the foundation of a solid partnership.

All in all, I thought Wednesday's session was very interesting and very well put together!

Dear all,

Thank you for your participation in yesterday's session on partnering. As a way to thank our guests for their participation in yesterday's session, I would like to e-mail them some feedback on what you learnt from the experience. I would appreciate if you could take some minutes to answer these questions - I will compile your answers, which will be anonymized.

#### **1. Identify the five main messages from yesterday's session on partnering.**

1. It is important to work with local communities and have an open dialogue with them in order to identify precisely their needs and what they can bring to the company.
2. Be open to modify one's criteria to fit those needs, or do the necessary work needed for the community to meet these criteria. In other words, align the hiring criteria with the reality and needs of the local communities
3. The perceived image of company is not necessarily the one we think. Michelin did not seem to be aware of their secretive image, which did not inspire a feeling of trust.
4. Involve all parties (federal, local, employees, executives) in order to get everyone's input.
5. Be as transparent as possible regarding your intentions, in order to gain trust from the different parties.

#### **2. What did you learn yesterday that will change your perceptions of**

#### **First nations**

While I knew that First nations suffered during their history with colonizers, I did not know that they were still suffering from exclusion and racism in schools today.

#### **Cross-sectoral partnerships**

Cross-sectoral partnerships are difficult in the way that one has to clearly explain the reasons for hiring criteria, provide the necessary education to meet these criteria and adjust them to fit the reality.

#### **The role of trust in partnerships**

Trust is essential to the very outcome of the partnership. Without trust, it is impossible to establish a win-win partnership, which is necessary for a long-term relationship.

Dear Emmanuel,

Here are my main takeaways:

#### **1. Identify the five main messages from yesterday's session on partnering.**

- a. That partnerships can be necessary (and become a legitimate mechanism) to have a sustainable business
- b. How important is to question the basic assumption in order to find out logic opportunities (like finding workforce in the closest community)
- c. People are key to develop but especially to move forward any partnership
- d. To have a long lasting relationship there must be a win-win situation and also bring all the stakeholders to the table
- e. Set milestones and create a success story lead to next challenges and continuous improvement

#### **2. What did you learn yesterday that will change your perceptions of**

- First nations: that are open to make deals and be flexible as long as external counterpart also show flexibility and respect about their culture and history. That are willing to work hard if they have opportunities.
- Cross - sectoral partnerships: That trust is especially key for communities to start discussing any relationship. That most of the success is due to the personal relationship (people). That honesty and transparency are key to have an efficient focus and avoid further





- surprises that lead to disappointments.
- The role of trust in partnerships: it is key and must be built with real action (do what you were committed to do) and not with only good intentions.

Dear Mr. Raufflet,

Here are my answers:

### **1. Identify the five main messages from yesterday's session on partnering.**

- 1) If you don't have a vision, you won't have your goals. If you don't know your goals, you'll never know how to get there and how far you are.
- 2) Find good partners increase your chance of success by 50%.
- 3) It is critical to identify all the stakeholders in partnering.
- 4) The sustainability of the partnership requires continuous contribution and payoff to each partner.
- 5) The 5 skills (envisioning, critical thinking and reflection, systemic thinking, building partnerships, fostering participatory decision-making) for sustainable development are well reflected in this case!

### **2. What did you learn yesterday that will change your perceptions of**

#### **First nations**

The gap between how much they want to change and how little and slow they can make it happen by themselves.

#### **Cross-sectoral partnerships**

Needs somebody to take the lead and initiative. One of the key success factors is to make sure the underrepresented is well represented in the decision making process of the partnership.

#### **The role of trust in partnerships**

Probably trust is the most important element and foundation to build up the partnerships. But you have to earn it - who you represent for and what you want or promise to contribute will not automatically make you trustworthy. Who you are as a person and how much you are willing to listen and embrace the differences decides how much trust you can get.

Thank you very much for offering us such an opportunity to meet those guests!

### **My pleasure:**

#### **1. Identify the five main messages from yesterday's session on partnering.**

- Involve all relevant stakeholders
- Build trust
- Some obstacles can indeed be surmounted by straightforward cooperation, honest efforts and simply talking to each other to find win-win solutions
- Don't let anybody tell you a problem is unsolvable
- Training and education (like with the supervisors at the off-site session) can indeed help open minds

#### **2. What did you learn yesterday that will change your perceptions of**

##### **First nations**

- Strong willingness to participate in "mainstream" society
- Different realities
- Despite looking a lot like the rest of mainstream society, especially when compared to ethnic groups like blacks or religious Muslims or Jews, they still suffered a lot of discrimination

##### **Cross-sectoral partnerships**

- This reinforced my belief that cross-sectoral partnerships are not only quite possible to forge but also absolutely necessary to create real change.

##### **The role of trust in partnerships**

- This reinforced my belief that partnerships can only be forged when you humanize "the other", and actually sit down and get to know him or her before even trying to find common ground on other issues.





Prof. Raufflet,

As requested, here is my feedback to our last session on partnering.

### **Feedback on what I learnt from the experience**

I. Identify the five main messages from yesterday's session on partnering.

1. Business goals and profitability in particular are not always achieved at the expense of social goals. Michelin's top management valued Jim's initiative and supported it based on a long-term vision focused on value creation.
2. Both business and the Aboriginal community are open for feedback and advice, seeking to improve upon their current collaborative process. They openly appreciate the interest we show and share information, and in this way, they contribute to the dissemination of best partnering practices across the country.
3. A comprehensive approach involving all Aboriginal organizations and both levels of the government facilitated the understanding of the root cause of the difficulties the Aboriginals faced in the recruitment process. For the majority of the population, it is not obvious why formal education and "established norms" do not work well in this context. Understanding well the situation goes a long way towards solving it.
4. A company seeking to implement social change should look both inside and outside of its traditional boundaries. Not only should they seek training and wider dissemination of info on job opportunities for the potential Aboriginal employees, but also ensure that support is provided once the new employee steps through the door: assign a mentor, familiarize existing employees with differences in culture, habits and ways of expression, thus acting to reduce discrimination.
5. The road to success in a multi-organizational project such as this is not a straight line but rather a zig-zag which accounts for vested interests which are often not aligned in practice. Getting a good employee through the door seems a great simple goal but outside factors such as a history of mistrust and discrimination, inadequacies of the educational system and maybe fear based on ignorance create major challenges. Clearly Michelin realized the situation but

did not back off. This proves a strong belief in the value of this approach to the company. Strengthening the business case around this approach and sharing it with other companies could successfully promote the use of such partnerships on a wider scale.

II. What did you learn yesterday that will change your perceptions of

#### **First nations**

- they have faced very difficult times in the past and now badly need encouragement and role-models for success within the "whites' society"
- they are open to learn about being successful within our society
- they are interested to earn a decent living through hard work
- they do not seek a handout
- they do not hide behind past discrimination to excuse themselves from making efforts to succeed in the present

#### **Cross-sectoral partnerships**

- they can work without undue time wasting and quarelling
- top management of a major profitable multi-national corporation believes in them
- facilitate a deeper understanding of cultural and educational differences
- can create trust where none existed

#### **The role of trust in partnerhips**

- essential but hard to achieve
- "taking your heart out and putting it on the table" takes time and proof of commitment
- patience, honesty and commitment are key ingredients for generating trust

Merci,

#### **1. Identify the five main messages from yesterday's session on partnering.**

- Learning and listening is the best way to start to build trust
- Problems aren't solved in a day (Just like Rome)
- There will be issues that come up but will have to be dealt with in a mature manner (without finger pointing)
- History plays a bigger part than most people realize





- Communication, communication,  
communication followed by action

## **2. What did you learn yesterday that will change your perceptions of**

### **First nations**

I learned that programs designed for first nations in the past have been what most organizers thought were good for them treated them very poorly and abusively. They have a different way of learning and doing work based on their history and the way that the government and people have treated them

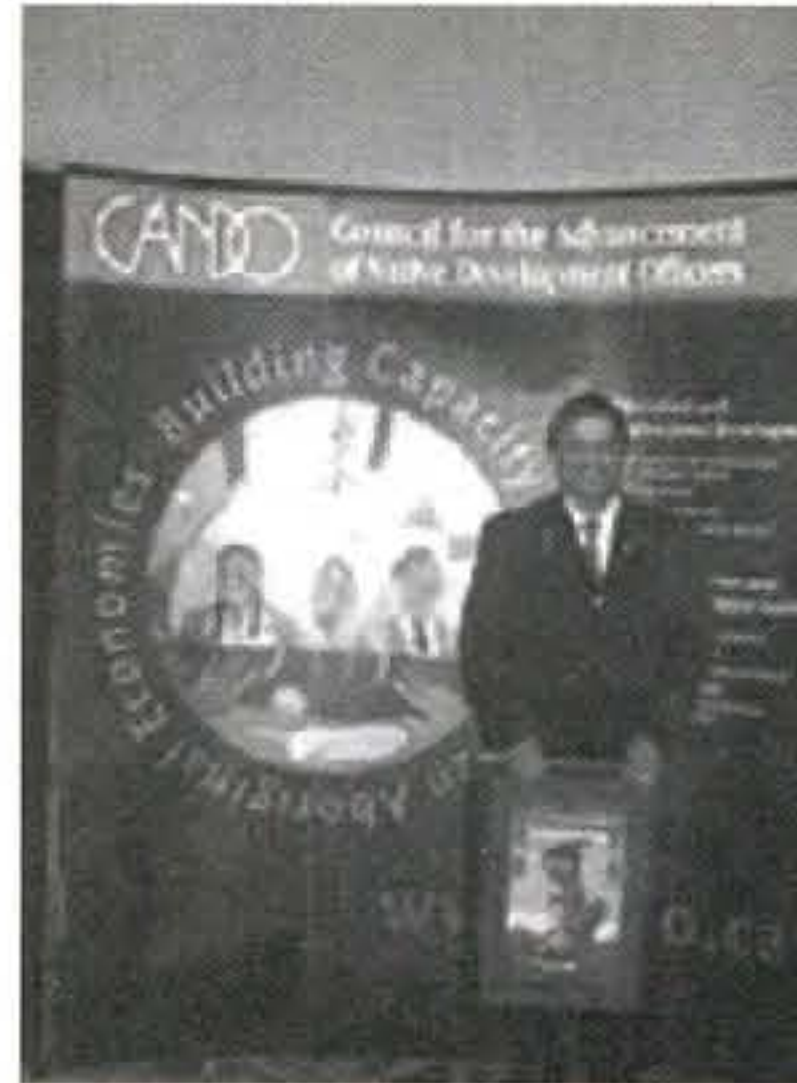
### **Cross-sectoral partnerships**

Are possible to have benefits for everyone if all the players intentions are truthful and honest throughout

### **The role of trust in partnerships**

If trust doesn't exist people will not fight for the partnership as much as if it was their own.

I received an 2008 Economic Development Award from the Council for the Advancement of Native Development Officers (CANDO) October 2008 at Cando Conference Montreal, Canada.



# First Nations Regional Longitudinal Health Survey

## **Mindy Denny**

The First Nations Regional Longitudinal Health Survey [RHS] is a national research initiative developed by and for First Nations people. Its purpose serves to identify the health status of individuals living on reserves within 10 regions across Canada. In 4 year intervals the RHS will collect valuable data throughout a number of separate phases. It is guided by the principles of Ownership, Control, Access and Possession of First Nations data. Furthermore, FNRLHS is fostered by the First Nations Information Governance Committee and administered through the Union of Nova Scotia Indians, for the Nova Scotia region.

As we know, many First Nation communities across Canada encounter difficulties with access

to health care and good health promoting programs, and so the RHS was created to further identify where and what services are needed to close the gap between First Nations health and the health status of other Canadian people, living off reserves. The goal of the RHS is to influence policy change and the development of programs that will meet the needs of First Nation people. These goals are likely to come to fruition as a result of the statistics the RHS will reveal. The survey results can be used by First Nation communities as evidence to substantiate the need for better health care programs when applying for grants and program funds. As written in the independent Harvard University Report on Aboriginal Research initiatives, "Compared to, other national surveys of indigenous people from around the world, the 2002/2003 RHS





was unique in First Nations ownership of the research process, its explicit incorporation of First Nations values into the research design and in the intensive collaborative engagement of First Nations people and their representatives at each stage of the research process”; and what this means is that the RHS data is valid and irrefutable.

#### **The Survey:**

The survey theme addresses the main determinants of health specific to First Nations people. The survey tool is designed for elders, adults, youth and children. The survey looks at various determinants such as smoking, housing, income, education, employment, languages, diabetes, residential schools, etc. The following 16 First Nation communities in the Nova Scotia region participate in the RHS – Abegweit, Acadia, Annapolis Valley, Bear River, Chapel Island, Eskasoni, Glooscap, Lennox Island, Miawpukek, Membertou, Millbrook, Paq’tenek, Pictou Landing, Shubenacadie, Waycobah and Wagmatcook. Currently, RHS Nova Scotia is in phase II of its data collection and is 95% complete and to date, data collection is complete in 11 of 16 First Nation Communities within the Nova Scotia Region.

#### **Highlights:**

This past year, researchers from 16 First Nation communities within the Nova Scotia region were selected to train for the FNRLHS. They gathered on two occasions in Halifax for two days and returned to their communities to begin data collection. Currently, in 5 First Nation communities Data Warriors are actively collecting data however; it is projected that by late September, 2009, data collection will be complete. On other occasions, the Program Manager has visited many First Nation communities within the Nova Scotia Region to facilitate training and collect RHS data. The FNRLHS Nova Scotia was invited to Calgary Alberta for the Assembly of First Nations Annual General Assembly and was allotted a booth at the AFN trade show so to promote the RHS.

#### **Up Coming Activities:**

This fall [2009], data collection will be complete. The National RHS Team will then release the data to the RHS Program Manager for further analysis and interpretation. The Population Health

Research team at Dalhousie University, under the direction of the Mi’kmaq Health Advisor, the RHS Program Manager, the RHS Advisory Committee and the First Nations Information Governance Committee will create tables and interpret the data in a final report. The expected date for the RHS report dissemination is projected for early fall of 2010. At this time the RHS Program Manager will deliver the reports to the communities and present the research findings.

**For further information please contact me at my office or by email**

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## Legal Advisors Douglas Brown

The UNSI Board of Directors have decided to legally test both our hunting and fishing rights in two separate court challenges. Both cases have their factual elements originating in Cape Breton. In one case, fishing charges have been laid against two residents of the Waycobah First Nation in relation to their food fishing activity on the Middle River. The second case involves two residents of the Eskasoni First nation charged with a Wildlife Act offence in relation to their food hunting at night in the Cape Breton Highlands.

### Food Hunting Case

In the night hunting case, at stake is the right of the Mi'kmaq to hunt "with the assistance of a light." The facts involve two Eskasoni residents who shot (and nearly killed (L.O.L.) a moose decoy deployed by the Department of Natural Resources in the Cape Breton Highlands. They were both charged with violating section 68 of the Nova Scotia Wildlife Act. The trial has been plodding slowly through the provincial court system and is being heard by Judge David Ryan at Sydney. Thus far, a pre-trial application for an early dispensation of the case was presented last August and then ruled upon in May. In the Application, essentially the defence asked that Judge Ryan rule (prior to the trial being heard first) that a recent Supreme Court of Canada case (called R. v. Morris) applied to the facts of this case and therefore he ought to declare the charges be dismissed. Evidence given by the accused during the pre-trial application was agreed to form part of the evidence of the trial proper. Judge Ryan ruled that he would need to hear all of the evidence before he could make such a ruling and therefore the trial would proceed.

Testimonial evidence in the trial has consisted of the following: for the defence, both the accused, (Aaron Paul and Charles Francis) and Historian Dr. William Wicken; for the Crown, Officers (3) of the Department of Natural Resources, DNR Policy makers John Mombourquette (Enforcement), Daniel Eidt (Crown Lands Resource Management), Anthony Nette (Wildlife Management), Andrew Hanam (Crown Lands Forester), and Cattle Rancher Byron Fraser. Scheduled to give further evidence (in November) for the Crown is Archaeologist Dr. Von Gernet and Historian Dr. Stephen Patterson.

The reason that the UNSI agreed to litigate was in order to attempt to overturn the current Nova Scotia Court of Appeal decision that has gone unchallenged since 2002. The 2002 NSCA decision (R. v. Bernard) is inconsistent with the Supreme Court of Canada [2006] decision (R. v. Morris), where, in a similar Aboriginal night hunting case in British Columbia, the highest Court ruled that Aboriginal food hunters may hunt at night and also may use a light to assist such hunting.

### Food Fishing Case

The second case involves fishing for food in the Middle River at a time when non-native fishermen were permitted a recreational "hook and release" fishery. Although charges were laid in October, 2007, the trial has not yet begun. Crown and defence are attempting to come to an agreement of facts so that the court can be more focused on the broader legal issues that are brought into focus. Some issues that will arise in this case include:

What impacts do Aboriginal Fishing Strategy Agreements (and the accompanying Communal Licences) signed and accepted by First Nation Bands have on the Constitutional Aboriginal right of the Mi'kmaq (Band members) to fish for food?

What authority does a Band Chief have (in the context of agreeing to accept a Communal Licence) over matters of Aboriginal rights exercised off-reserve by his or her band members?

Whether the recreational non-native "hook and release" fishery ought to have been prevented in light of the fact that Mi'kmaq food fishing (under the Communal Licence issued to the Waycobah Band) was not permitted for reasons of conservation (the Salmon stocks are low in that River)? And the related issue of consultation – Why wasn't the Band informed of the existence of the non-native hook and release fishery on the Middle River?





## Tripartite Liaison Officer Update

### Diana (Dee) Campbell

As usual, the Tripartite Forum has had a busy year. The UNSI Board of Directors have supported many new initiatives this past year, and despite some initial challenges, much progress has been made in advancing the agenda to support the priorities of our communities. I have continued meeting with the Chiefs and Councils and have taken their input and direction to the Mi'kmaq representatives on the various Tripartite Committees and to the Steering Committee.

We are pleased to report that Malagawatch is now a workplan item for the Culture and Heritage Working Committee. Much work is required to stabilize this important historical site and we hope that the spirit of collaboration continues to move the work forward. We are also pleased to report that the Social Working Committee is meeting in the fall of 2009 with staff of Mawita'mk, who run Ni'kinen in We'koqma'q. It is our hope that this will be the start of discussions on expanding on-reserve institutional care services for Mi'kmaq people with disabilities.

The UNSI Board continues to support the Social Data Network Deployment Plan which has involved Membertou First Nation and is expected to involve an additional UNSI community in the pilot phase of the project. Finally, the UNSI Board takes an active role in ongoing discussions on the future of

the Tripartite Forum to ensure that the needs of our communities continue to be met.

I will continue to attend as many sessions of the seven Tripartite Committees as possible to ensure that UNSI priorities are reflected in workplans, so if you need to talk to me, or need any assistance at all, please feel free to call me.





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# Union of Nova Scotia Indians

## Major Accomplishments

### **1. Recognition of Mi'kmaq Aboriginal and Treaty Rights**

- Isaac case, 1975, NSSCAD
- Simon case, 1985, SCC
- Treaty Day, 1986
- Hunting Agreements, 1989-90
- Moose harvesters case, 1990, NSPC
- Denny, Paul, Sylliboy, 1990, NSSCAD
- Fishing agreements, 1992
- Mi'kmaq Treaty Day, 1994
- Marshall - 1999
- Middle Shoal - 1998
- M.N.E.P. Federal Court of Appeal - 1999
- Crown Lands Easement Case Currently ongoing
- N.S. Loggers - Currently ongoing
- Joshua Bernard Case won on appeal, NBAD, 2003

### **2. Recognition of Taxation Rights**

- Negotiation of tax exemption, mid 1970s
- Albert Julian case, 1988, NSSC
- Elizabeth Stevens case, NSPC
- Goods and Services Tax cases, on-going
- Tax negotiations, ongoing
- NS pays Gasoline Tax rebate to Mi'kmaq - 2002

### **3. Development of Mi'kmaq Aboriginal Land Claim**

- 1976 Aboriginal Title Position Paper
- Aboriginal Title Negotiations - on-going
- Chief sign Umbrella Agreement with Feds & Prov - 2002
- Mi'kmaq Negotiators Appointed, 2003

### **4. Development of Specific Land Claim**

- Conducted initial research, 1970s-80s
- Established Treaty and Aboriginal Rights Research Centre, 1992

### **5. Involvement in Constitutional Amendment Process**

- First Ministers' Conferences, 1980-87
- Charlottetown Accord, 1992-94

### **6. Involvement in the Royal Commission of the Donald Marshall Jr. Prosecution**

- Hearings and Consultations, 1987-90
- Mi'kmaq - Nova Scotia - Canada Tripartite Forum, 1991 - present

### **7. Development of Programs and Services**

- Community Development - Nova Scotia Bands
- Language and Culture - Mi'kmaq Association of Cultural Studies
- Alcohol and Drug - NADACA
- Health - Union of Nova Scotia Indians and bands
- Children Services - Mi'kmaq Family and Children Services
- Small Business - Ulnooweg Development Corporation
- Land Claims Research - Treaty and Aboriginal Rights Research Centre
- Education - MK
- Policing - Unama'ki Tribal Police
- Fish and Wildlife - MF&WC
- Justice - Mi'kmaq Justice Institute
- Environment - Union of Nova Scotia Indians
- Mi'kmaq History 1994
- Mi'kmaq - Nova Scotia - Canada Tripartite Forum





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# Union of Nova Scotia Indians

## Staff Directory

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### Healing Our Nations, Atlantic First Nations AIDS Network

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