

BRITISH COLUMBIA ASSEMBLY OF FIRST NATIONS



REGIONAL CHIEF'S QUARTERLY REPORT

March 2011

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PART ONE: *BUILDING ON OUR SUCCESS* – IMPLEMENTING THE PLAN

Our focus at the British Columbia Assembly of First Nations (BCAFN) continues with implementation of the *Building on OUR Success* platform. Our Action Plan is moving forward to empower, connect and support our Nations as we strategize and work together to achieve our goals of self-determination within our individual communities. The four key and interrelated areas of the Action Plan are:

1. **Strong and Appropriate Governance** in order to take advantage of our opportunities in implementing our Aboriginal title and rights, including treaty rights, and grow our economies by providing stable and sound governance that is transparent and accountable to our Citizens;
2. **Fair Land and Resource Settlements** to ensure our peoples and our governments have access to the resources required to support our societies including both our traditional and modern economies;
3. **Improved Education** to ensure our Citizens are able to make informed decisions about change as well as participate in our growing economies and our governments; and,
4. **Individual Health** to address the colonial health legacies to ensure our Citizens are strong and can actually benefit from and enjoy their title and rights.

Building on our priorities and developing a strategy to move beyond the *Indian Act* and create healthier and stronger communities, we are actively engaging in a number of initiatives and looking for partnerships and support. We are in an exciting period of Nation building or Nation re-building and it has started from the ground up.

1. Strong and Appropriate Governance



“Strong and appropriate governance is necessary if our Nations are to reach our full potential and maximize our opportunities. This is a prerequisite to sustainable and long-term economic development.” *Building on OUR Success*

BCAFN Governance Toolkit: To help support the building of strong and appropriate governance in accordance with our *Building on OUR Success* Action Plan, the BCAFN is developing a “Governance Toolkit” that will be practical and relevant drawing on the experiences of First Nations and best practices in governance. The Toolkit is currently in draft form and being

reviewed and piloted. The Toolkit is a resource guide to assist a Nation to navigate the journey of governance.

The Toolkit is in two parts. The first part is a community self-assessment. The self-assessment can be undertaken regardless of (a) where your Nation is in terms of developing your institutions of governance, (b) the legal authority for your governance, and (c) irrespective of what jurisdictions your government may be exercising. The self-assessment has two modules. The first module looks at your governing body (i.e. your Chief and Council) and the second covers your administration.

The second part of the toolkit is a comprehensive Governance Report. This resource guide is being developed to assist your Nation in navigating the journey beyond governance under the *Indian Act* that considers: (1) the history of First Nations' governance & the development of options to advance First Nations' governance; (2) the core structure of First Nations' Government and its institutions (including Constitution development); (3) the powers (or jurisdictions) of the of First Nation government; and, (4) resources available to First Nations to help develop their 'exit' strategies from the *Indian Act*.

In developing the Toolkit we have been travelling and will continue to travel throughout the Province conducting community dialogue sessions to seek important feedback to further shape the Toolkit. We have also begun to pilot the two self-assessment modules with interested communities to test both the content and the logistics of the self-assessment and to obtain feedback from participating First Nations as they actually use the guide and complete the surveys. It is our intention to work with all interested communities who wish to undertake their own self-assessment.

With respect to the Governance Report, the second part of the tool, later in March we will be conducting a series of Peer Reviews with groups of governance experts that have not been directly involved in the development of the Report and who will review the report for accuracy and any omissions. The Peer Review sessions will include First Nation academics, political leaders, professionals and other First Nations representatives.

We are also looking to continue to build partnerships with other organizations and bodies that have an interest in collaborating with the BCAFN, such as the Aboriginal Financial Officers Association, the BC Treaty Commission and the First Nations' Councils that have been established by the Chiefs through the BCAFN, the First Nations Summit, and the Union of BC Indian Chiefs.

The BCAFN will be launching the Toolkit at a *Building on OUR Success – Strong and Appropriate Governance Special Chiefs' Assembly* on May 12-13, 2011 at the Westin Wall Centre in Richmond. The Toolkit will be provided in hard copy to all BC First Nations, free of charge, and it will also be available through our website along with all referenced documents of interest, precedents and success stories.

I am very excited about the progress of the Governance Toolkit and its potential to assist interested First Nations in developing their own critical path to self-determination.

Assembly of First Nations: Portfolio Responsibility – First Nation Governments and Nation Building & the 2010 Special Chiefs’ Assembly, Gatineau, QB: In addition to our work in the region to advance strong and appropriate governance, I continue to participate in national governance related activities as the co-chair of the national AFN’s First Nations’ Governance portfolio.

The AFN held our Special Chiefs’ Assembly on December 14-16, 2010 in Gatineau, Quebec. The topic of this Assembly was *“Building on our Successes: Moving from Endorsement to Action”*. The objectives of this Assembly were to:

- Maximize opportunities for exchange, dialogue and the development of consensus on fundamental issues and common interests reflective of First Nations – Crown Relations;
- Be informed of, and contribute to, the development and implementation of key strategies to move forward from the endorsement of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) to specific action plans; and
- Provide mandate and direction through designated caucus sessions and the resolutions process.

There was an excellent showing of Chiefs and proxies from British Columbia and our Regional Caucus Sessions were well attended. The Tsilhqot’in National Government gave a moving and powerful presentation on their successful fight to protect Teztan Biny (Fish Lake). Our representation at the Assembly and great presentations by BC Chiefs proves, once again, that British Columbia First Nations continue to be at the forefront of title and rights, governance and implementation issues across Canada.

A total of 40 resolutions were passed at the Special Chiefs’ Assembly and are now available on the AFN website, which can be found at (www.afn.ca/index.php/en/resolutions).

As a follow up to the Fall National Planning and Dialogue Forum, held on November 8-9, 2010 in Montreal, Quebec, the AFN will be holding a spring 2011 National Planning and Dialogue Forum in Vancouver on March 7-8, 2011 at the Westin Bayshore. Once again the central topic is governance; in particular *“Strengthening Our Nations: Advancing Capacity for First Nations Governments & Economies”*. I encourage you all to attend to weigh-in on this important discussion and to contribute towards our collective plan moving forward.

The importance of focusing on Nation building and strong governance was also the theme this year of the annual Aboriginal Financial Officers Association conference held in Vancouver on February 16-17, 2010. I was very pleased to have been asked to open the conference and participate on a panel on establishing a civil service. Copies of my remarks at the AFOA can be found on our BCAFN website.

While Nation building or re-building continues to be our collective focus, the government of Canada continues to introduce legislation that, if passed, will affect aspects of First Nations' governance. At the AFN we will continue to advocate our Nation building agenda in committee as various bills make their way through Parliament. We will look to have these bills amended, passed or defeated as the situation requires and in accordance with direction from the Chiefs.

The following are updates on proposed pieces of legislation that may be of interest. The first two are led by the government while the balance are private Members' bills which, in some cases, we support and others not and which generally have less chance of becoming law than government sponsored Bills.

C-3: *Gender Equity in Indian Registration Act*: Proclaimed into force on January 31, 2011, Bill C-3 makes amendments to the *Indian Act* and entitles eligible grand-children of women who lost Indian Status, as a result of marrying a non-Indian man, to be registered under the *Indian Act* as a Status Indian. Information on registration and related forms can be found here on the internet at <http://www.ainc-inac.gc.ca/br/is/bll/rpb/index-eng.asp>, by telephone (to request an application package): 1-800-567-9604, or in person at any INAC Regional office or Service Canada Centre.

With this increase in entitlement, our Nations will see an influx of new band members. I will continue to advocate for increased funding so that programs and services on reserve can continue to be effective notwithstanding an increase in population served. While this Act further determines entitlement to Indian Status, it is important to differentiate between status and citizenship. We must continue to assert our inherent right to determine our own citizenship. This right is acknowledged in Article 33 of UNDRIP and is integral to moving through the colonial door and beyond the *Indian Act*.

On the direction of the Chiefs and parallel to the implementation of this Act, the AFN and Canada are developing an exploratory process to consider membership and Citizenship, issues central to Nation building, as distinct from the determination of status or membership under the *Indian Act*. Our engagement and the principles for an Exploratory Process on First Nations Citizenship are guided by resolution 17-2010. The engagement will be comprised of three main activities – A Virtual Roundtable on First Nation Citizenship; Information Sharing and submissions from First Nations; and, a National Policy Forum on First Nation Citizenship.

I spoke to this Bill on our behalf before both the House and Senate Committees.

S-4: *Matrimonial Real Property Act*: This Bill is currently at report stage in the House of Commons. The proposed Bill sets out federal provisions for how family homes and interests will be dealt with in the event of marriage breakdown on-reserve. This will subject First Nations to legislative law-making requirements and intrudes on inherent jurisdiction. The legislation relies on provincial courts for remedy but we are concerned that many will not have access to justice due to financial barriers or remoteness of many communities. The Bill also does not encompass extra-legislative supports necessary such as housing and domestic violence

prevention programs. This has been identified for review by the House Standing Committee on Aboriginal Peoples and Northern Development once it goes through second reading in the House.

I spoke to this Bill on behalf of the Assembly of First Nations at the Senate Committee hearings.

S-11: *Safe Drinking Water for First Nations Act*: This Bill was introduced in the Senate on May 26, 2010 to create regulations regarding First Nations' drinking water but does not provide means to increase First Nations' structural capacity to fulfill the obligations under these proposed regulations. Undeniably, safe drinking water is a priority in our communities; however these federal regulations will create First Nation jurisdiction (that is developed inconsistent with section 35 of the Constitution) and create responsibility and accountability to individual First Nations without providing the resources for building the capacity to comply with these regulations. Under this proposed Act, First Nations will be penalized if they do not meet the standards set out in the proposed regulations. In its current form, Bill S-11 does not fulfill its basic function, which is to ensure clean drinking water for our Nations. The Bill infringes on our inherent right to govern ourselves and I continue to work in partnership with the FNLC and the National AFN on opposing Bill S-11 in its current form and maintaining that this proposed legislation needs to be amended extensively, acknowledging First Nations' jurisdictional rights over water and providing for resources to communities to ensure clean drinking water on reserve. Bill S-11 has been referred to Senate Committee on Aboriginal Peoples for study at second reading and the Committee began hearing witnesses on February 2, 2011. The Committee continues to hear witnesses, including witnesses from the FNLC and the AFN.

C-503: *Act to amend the Department of Justice Act and make consequential amendments to another Act (aboriginal or treaty rights)*: This Bill was introduced on March 29, 2010 and seeks to amend the *Department of Justice Act* and the *Statutory Instruments Act* to require, before bills and regulations are presented, that they be examined to determine whether they abrogate or derogate from existing aboriginal or treaty rights as recognized in section 35 of the Constitution Act, 1982. This Bill has not progressed past first reading.

C-575: *First Nations Financial Transparency Act*: Introduced on October 1, 2010, Bill C-575 would require that salary, travel, honoraria and all expenses paid to First Nations' Chiefs and Councillors through Federal funds be published. In such event that these amounts are not disclosed, the Act would empower the Minister of Indian and Northern Affairs to provide this information. The AFN is working to counter underlying myths associated with this Bill and support the development of true accountability mechanisms. Disclosure of salaries etc. is but one aspect of financial accountability that our Nations are developing as part of strong and appropriate governance in accordance with our own laws. National Chief Atleo has spoken with MP Kelly Block and suggested that a working group be established to ensure informed dialogue with First Nations on accountability. This Bill has gone through first reading. The Bill is currently being debated at second reading; its first hour of debates took place on November 25, 2010 and debates resumed on February 28, 2011.

C-580: An Act to amend the Criminal Code, the Firearms Act and the Contraventions Act (long guns): Introduced on October 8, 2010, the Bill would amend the Criminal Code to remove the first time offence of possession of a firearm other than a prohibited firearm or a restricted firearm without having registered that firearm under the Criminal Code. It clarifies that firearm possession proceedings under that Act do not abrogate or derogate from any existing rights of the aboriginal peoples of Canada. Also, the Bill would designate use of a Status card, when accompanied by a firearms license, as sufficient identification for a registration certificate.

C-465: An Act respecting a National Hunting, Trapping and Fishing Heritage Day: This would designate the 23rd day of September in each and every year as “National Hunting, Trapping and Fishing Heritage Day”. The main amendment of interest being “Whereas the Aboriginal peoples of Canada have practiced and been sustained by traditional hunting, trapping and fishing activities for food and for ceremonial and commercial purposes since time immemorial;” was reported back to Parliament on October 20, 2010 by the House Standing Committee on Canadian Heritage. The Bill was introduced on March 3, 2010 and has just completed committee review.

2. Fair Lands and Resources

Strong & Appropriate
Governance


Fair Lands &
Resources


Improved
Education


Individual
Health


“Settlement of the land question remains fundamental to the overall success of our Nations in BC. Without adequate access to land and resources our Nations will never reach our full potential. In addition to sustaining our traditional practices, access to land and access to resources provides our capital – our equity – and therefore our ability to build our economies and support our government.” *Building on OUR Success*

BC First Nations’ Task Force: An All Chiefs’ Assembly was hosted by the BCAFN on November 30 – December 1, 2010. The First Nations’ Task Force (FNTF) presented the completed Terms of Reference and an accountability framework for the First Nations’ Leadership Council (FNLC), and other provincial Councils and bodies.

The FNTF’s recommendations were considered by BC First Nations and endorsed, in-principle, at the All Chiefs’ Assembly. The next step is to draft and vote on Resolutions endorsing the FNTF’s recommendations and the FNLC Terms of Reference and Accountability Framework, at each of the respective FNLC Assemblies. We will be doing this at our BCAFN AGA on June 7th 2011.

The endorsement and renewed support for the First Nations’ Leadership Council was celebrated at the All Chiefs’ Assembly through ceremony where members were blanketed as

they danced to the drums and singing of the Kwakwaka'wakw Nation dancers. This was particularly significant to me as the drummers and singers were from my own Nation.

The final report of the FNTF will be released shortly. Discussions on implementing the FNTF's recommendations have already begun and our team is working towards strategic planning and communication processes between the FNLC, FN organizations, FN Working Groups and most importantly our First Nation communities. Through regular All Chiefs' gatherings, our Chiefs and leaders will be able to discuss and take unified action on key issues that face all First Nations in BC notwithstanding political affiliations.

Proper Title Holder: One of the challenges to accomplishing broad success in implementing rights and title is addressing the question of 'proper title holder'. That is, which Nation (or Nations) is the proper title holder and can therefore enter into agreements with the Crown and third parties? In the past, the legal question was more about whether there was Aboriginal title. Today, given we have established there is Aboriginal title; the practical question is "who is the proper Aboriginal title holder?" In BC we are continuing to explore ways to support our Nations in resolving proper title holder issues and conflicts among ourselves. There are already a number of protocol arrangements between and among communities and First Nations and we can look to build upon this success.

This is an area that we all need to address more systematically and is becoming an increasingly bigger issue as our rights crystallize and opportunities for revenue sharing, benefits agreements and other arrangements for our Nations present themselves.

Natural Resources and Alternative Energy: I attended the 8th Annual BC Natural Resources Forum "*New Partnerships, New Markets*" on January 13-14, 2011 in Prince George. I addressed the Forum on January 13th to speak about partnerships as our Nations walk through the "post-colonial door" to re-establish our governance and access to our lands and resources. At this Forum the audience was primarily industry and this allowed me the opportunity to speak frankly to them about the appropriate way to do business in First Nations' territories in British Columbia. It was also a great opportunity to share our success stories where First Nations are partners and also to highlight where there are still major issues to face particularly with respect to major proposed development such as the Gateway project and site C. A copy of my remarks can be found on the BCAFN website.

On February 18, 2011, I was asked to speak at the Alternative Energy for BC First Nation's Gathering in Vancouver. This Gathering was co-hosted by my community of We Wai Kai. I was pleased to be able to speak about the opportunities for our Nations in the evolving alternative energy sector, and about developing a *Roadmap to Success*. This audience at this Gathering was a mixture of government, industry and First Nations.

I will continue to speak to industry about the importance of acknowledging and working with First Nations' governments prior to, and at every stage of, any project taking place in British

Columbia. Industry as well as government may know that our rights and title need to be respected and our interests accommodate; however, we need to continue to remind them and show how, where projects are supported by our people, we can be valuable partners. We also need to share our successes. These partnerships can be forged directly, without using the province as an intermediary, and can be successful where both the company and the First Nation prosper.

Heritage Conservation: The *First Nations Heritage Conservation Action Plan* (the “Action Plan”) for BC First Nations is a draft document which has been prepared to facilitate discussion and draw together feedback from technicians and community representatives involved in heritage conservation management. The final Action Plan, once approved, will be used to inform the work of the Joint Working Group on First Nations’ Heritage Conservation (JWGFNHC).

On February 22 – 23, 2011, I had the privilege of speaking at the First Nations’ Heritage Forum. This Forum was co-hosted by JWGFNHC and Nesika Culture and Heritage Society. The Forum provided an opportunity for First Nations in BC to discuss issues concerning the identification and protection of our cultural, spiritual and heritage sites and objects.

The draft Action Plan was sent to First Nations’ communities for review and initial feedback prior to this Forum. Discussions at the Forum helped to further develop the Action Plan for the JWGFNHC who are working to change and strengthen provincial legislation and protection of First Nations heritage.

After the Action Plan is finalized and approved, taking into account the submissions and discussions at the Forum, an electronic copy of the Action Plan will be made available to First Nations communities.

DFO Pacific Halibut Fishery: On February 15, 2011, Gail Shea, Minister of Fisheries and Oceans, issued a public statement regarding the Pacific halibut fishery. The Minister’s statement focused on the challenges of allocation of the Pacific halibut fishery between commercial fishermen and recreational harvesters. To rectify these challenges, Minister Shea set out a new sharing formula for 2011 to replace the one that has been in place since 2003. Missing from Minister Shea’s statement was any reference to Aboriginal priority and the Aboriginal right to fish.

The FNLC sent out a joint press release stating that it is imperative that Minister Shea recognize and acknowledge the reality that any allocation of priorities after valid conservation measures have been met must be given to the Aboriginal fishery. This is an established legal principle and to make an allocation decision regarding the Pacific Halibut fishery without honouring the priorities set out by the Supreme Court of Canada, and the principles as stated in UNDRIP, shows an obvious disregard for the laws of this country and, most importantly, for the inherent rights of First Nations. The FNLC has requested an immediate meeting with Minister Shea to express our concern over the exclusion of the Aboriginal fisheries of Pacific Halibut.

BC Water Act Modernization: First Nations view water of utmost importance and of high cultural and economic value. In 2009, the government of British Columbia announced that they would be reviewing and modernizing the *Water Act*. This is being referred to as the Water Act Modernization (WAM) process. In Fall 2010, the Ministry of Environment released a Report On Engagement which stated that there was support, overall, for the principles and goals of WAM.

First Nations maintain that the WAM process does not meet the standards set in the *New Relationship* nor constitute meaningful consultation. These submissions maintained that further, continued dialogue is required. On December 17, 2010, the Ministry of Environment released the *Policy Proposal on BC's New Water Sustainability Act*. The Ministry of Environment sent a copy of this proposal to all Chiefs and Councillors. The Ministry is soliciting input through the *Living Water Smart* blog (<http://blog.gov.bc.ca/livingwatersmart>). The deadline has been extended to March 14, 2011. It is expected that the *Water Sustainability Act* will be introduced in the legislature in 2012. Representatives of the FNLC met with Minister Coell to talk about the WAM process on February 25, 2011.

AFN Chiefs' Committee on Claims (Specific Claims and Additions to Reserves): The Chiefs' Committee on Claims (CCoC) is currently addressing the following initiatives:

- 1) Discussions with respect to claims processing and funding;
- 2) Discussions about the provision of mediation services;
- 3) Engagement with the Specific Claims Tribunal of Canada;
- 4) Confirming a framework for the 5-year review; and
- 5) Scoping relating to claims excluded by the monetary cap or other provisions of the legislation.

Specific Claims: In my previous Quarterly Report, I noted that the Specific Claims Tribunal was very receptive to the AFN's comments on its Draft Rules of Procedure. It was thought that the final Rules of Procedure would be in place by the end of 2010. This has yet to be announced, but it is expected that the final Rules of Procedure will be in place shortly. It is still anticipated that the registry will be open for formal filing of claims by March 31, 2011.

Specific Claims over \$150M: The AFN and the CCoC continue to support First Nations with claims over \$150 million. These claimants do not have access to the Specifics Claims Tribunal and, therefore, can have significant difficulties in advancing their claims in a manner that treats them fairly and impartially. The House Standing Committee on Aboriginal Affairs and Northern Development is set to hear from witnesses on a study involving Specific Claims over \$150M in March and April 2011. I will be appearing before Committee on April 12, 2011 on behalf of the Assembly of First Nations.

Additions to Reserve (ATR): As I mentioned in my previous Report, a detailed joint work plan on Additions to Reserve (ATR) policy reform is being developed for consideration by the Minister of Indian Affairs and the National Chief. Extensive discussion on this will take place through the next fiscal year and this will include confirmation of a revised Interim Policy on

ATR on the part of Canada as well as extensive research and engagement with First Nations regionally on the part of the AFN. The AFN has been holding Regional Dialogue Forums across the country on this important issue [Regina, Sask. – March 9, 2011, Moncton, NB – March 24, 2011, Toronto, ON – March 31, 2011]. A date for the Dialogue Forum in BC has not been determined yet. Please keep checking the “Events” page on our new website as we will be posting the information there.

3. Improved Education

Strong & Appropriate
Governance

Fair Lands &
Resources

Improved
Education

Individual
Health

“To make the most of opportunities resulting from fair land and resource settlements and true self-determination we need well educated and well trained citizens.” Building on OUR Success

BCAFN Education: Education is the key national priority of the AFN and we are working with the National Chief in his efforts to promote the education agenda in British Columbia and across Canada.

Following from the confirmation of Chiefs at the Special Chiefs’ Assembly in December 2009 – the AFN has established a clear national mandate on the priority of education. At the AFN AGA in 2010, resolution 12-2010 was passed providing direction to the National Chief and national office to pursue engagement with the Federal Government and to “commit to supporting communities in the development of regional First Nation education policies that inform and strengthen the First Nation Control of First Nation Education national education policy.”

National Panel on First Nations K-12 Education (AFN Initiative): On October 28, 2010 the National Chief met with the Prime Minister to confirm the AFN’s interest in advancing priority effort on First Nation education. In a follow-up conversation with the INAC Minister, the Minister indicated a potential willingness to enter into a national process to examine First Nation education. INAC and the AFN have agreed to jointly create a Panel of Experts to make recommendations on the development of options to improve elementary and secondary education outcomes for First Nation children who live on-reserve.

The National Chief stressed that the regions and Chiefs’ Committee on Education must be directly engaged and that First Nations must have direct and varied ways to engage in this process. Regional diversity must be respected. The need to be able to report directly to the Chiefs in Assembly at AGA 2011 was emphasized. The Minister confirmed, on December 9, 2010, that the report coming out of this Panel of Experts would be a joint report and that

there would be regional sessions and varied ways in which First Nations would be directly engaged.

The Panel will hold one national and eight regional roundtable sessions. The AFN has highlighted the consideration of new national legislation as a primary focus of the Panel. The panellists will be educators, have practical experience and proven results in education innovation and success. A draft Terms of Reference have been developed and it is expected that the panel will be announced by mid-March with formal activities beginning in early April.

Efforts are continuing to advance our Nations' jurisdiction over education and to secure the necessary financial resources to make the necessary investment in education that is required to meet our goals to improve the level of education of our children.

First Nations Education Steering Committee: The FNEESC addresses a range of education significant issues and initiatives related to education on behalf of First Nations in BC. These include but are not limited to:

INAC's Announcement of an additional \$30 million for FN K-12 Education in BC: In December 2010, INAC announced that an additional \$30 million in funding will be available to support First Nations K-12 on-reserve education in BC. Attached to this funding, Canada has determined a "new approach to supporting First Nations operated schools in BC," including three options for schools in BC. Any new options need to be considered from the perspective of Nation building as well as from the perspective of current program and service delivery on behalf of other governments. Canada's options are:

- 1) First Nations could continue to receive funding under the current model
- 2) First Nations could access improved funding under tripartite education agreements designed to formalize the relationship between First Nations, Canada, and BC, resulting in "better alignment of programs, standards, and services with provincial systems."
- 3) First Nations could choose to draw down jurisdiction, with a new caveat that Canada's policy on Own Source Revenue (OSR) must now apply to the jurisdiction funding agreements.

INAC's Newly Announced FN Education Performance Management Strategy (EPMS) and Education Information System (EIS): In January, 2011, INAC released a paper that describes an EPMS for INAC education programs. The EPMS represents a comprehensive approach to First Nations education measurement, reporting and accountability. INAC's Education Information System is, we are told, a response to Treasury Board requirements. The requirements are that all ministries have a performance measurement strategy in place to assess the outcomes of their various departments and the programs run by those departments.

The BCAFN is being informed by FNEC on the developments in these areas. These initiatives, as with all the others, need to be considered from the perspective of evolving First Nations' governance over our own education and should not run counterproductive to our long-term intentions. FNEC has been engaged in meetings with INAC officials to try to clarify these new initiatives and address the issue of OSR and imposed EPMS and EIS. Due to FNEC's hard work, progress is being made in these talks and I will provide a further update in my next Quarterly Report.

AFN Virtual Summit for First Nation Students on Post-secondary Education: On January 27th, 2011, the AFN hosted a *Virtual Summit for First Nations Students on Post-Secondary Education*. The National Chief joined First Nations students from across the country to talk about post-secondary education. This on-line discussion, hosted by Vancouver Island University, saw over 400 First Nations students discuss their post-secondary experiences for the purpose of providing recommendations on how to enhance opportunities for student success.

The questions posed to students were:

- 1) What do you require to successfully complete your post-secondary education?
- 2) What is your greatest challenge in accessing post-secondary education?
- 3) What is in place to help your success? What is taking place at your post-secondary institute to assist you? What is in place at your community?
- 4) What are your challenges and opportunities in accessing funding?
- 5) Connecting to communities is often cited as being important to First Nations learners. What are the ways in which you maintain this connection?
- 6) What will make things better for you?

The Virtual Summit was a great success! This discussion will inform our AFN work on post-secondary education with the overall goal of increasing First Nation post-secondary education graduation rates.

C-599: First Nations Education Funding Plan Act: This Bill, which was introduced December 1, 2010, requires the creation of a Funding Plan for First Nations education, developed in consultation with First Nations, to include the following elements:

- 1) The measures to be taken to ensure predictable, adequate and long-term funding of First Nations primary and secondary education;
- 2) The measures needed to facilitate universal access to post-secondary education for First Nations students;
- 3) The measures to be taken to ensure that educational infrastructures meet provincial construction standards for educational establishments, including with respect to the facilities and space required;
- 4) The objectives to be met in terms of First Nations enrolment rates; and
- 5) The terms and conditions for allocating funding to the First Nations.

This Bill is still in first reading.

4. Individual Health

Strong & Appropriate
Governance


Fair Lands &
Resources


Improved
Education


Individual
Health


“In order to take advantage of our very real opportunities arising from the settlement of land claims and self-determination we need strong families and healthy citizens.” *Building on OUR Success*

Children and Families: On January 27, 2011, the BC Representative for Children and Youth, Mary Ellen Turpel-Lafond, released her report *Fragile Lives, Fragmented Systems: Strengthening Supports for Vulnerable Infants* (the “Report”). This Report looks into the lives of 21 infants who died before the age of two years old between June 1, 2007 and May 1, 2009. All of these infants’ families were involved with the Ministry of Children and Family Development (MCFD) and all of these deaths occurred under similar circumstances. Many of these families struggled with circumstances like serious poverty, inadequate housing and fragmented systems that failed to provide the support these families needed and failed to identify and respond to the often obvious risks. Fifteen of the 21 infants were Aboriginal – further demonstrating the enduring and oppressive poverty and vulnerability that Aboriginal families continue to face in British Columbia.

The BCAFN, along with the rest of the FNLC, entered into a Memorandum of Understanding with the BC Representative for Children and Youth on January 23, 2008 which establishes a joint dialogue and advocacy process regarding First Nations children and youth. We support the work of Ms. Turpel-Lafond and the FNLC are working collectively to ensure that the issues raised in the Report are addressed and the recommendations are implemented. The Report recommends that in addition to promoting education and information about safe sleeping, the significant underlying conditions of infant vulnerability require attention. These underlying conditions include poverty, intergenerational trauma, history of abuse, and mental health issues. We have called on the provincial government to meet with us regarding poverty reduction planning and concrete changes to policy and legislation to ensure the safety and well-being of First Nations’ children.

Murdered and Missing Women: On February 14th, I once again, with many of our leaders, participated in the Women’s Memorial March through the Downtown Eastside of Vancouver to remember, honour and seek justice for the many murdered and missing women across Canada. This year was the 20th anniversary of the Memorial March.

The Missing Women Commission of Inquiry (the “Inquiry”) is accepting applications for standing as a participant. The BCAFN, in conjunction with the AFN, has signed a Letter of Understanding with the FNLC, the Carrier-Sekani Tribal Council, and the Native Courtworkers and Counseling

Association of BC to work collaboratively for the purpose of advancing shared principles with a view to focusing our participation and advancing our common goals in this Inquiry.

The purpose of seeking standing is to ensure that:

- 1) The voices of those murdered and missing women, who form the subject of the Inquiry, must be recognized first and foremost and be heard in a respectful, dignified and responsible way in these proceedings;
- 2) The families of those missing and murdered women, that are the subject of this Inquiry, must also be treated equally with respect and dignity; and,
- 3) The Commission will be fully independent and will sufficiently cover all of the issues which lead to systemic and ongoing marginalization of, and racism against, Aboriginal peoples and in particular Aboriginal women.

It is important to ensure that this Inquiry is an inclusive one where First Nations voices are heard and respected.

IndigenACTION: BCAFN has strongly endorsed the work of IndigenACTION and other efforts underway in our region to bring awareness to the importance of individual health. Launched in July 2010, IndigenACTION is an initiative that aims to enhance support for Indigenous athletes and promote health, fitness and wellness in First Nation communities. The Ambassador for this program is Olympian Waneek Horn-Miller.

On December 1, 2010 at the All-Chiefs' Assembly, Joshua Gottfreidson, BCAFN Male Youth Representative and co-chair of the National Youth Council, spoke to the BC Chiefs about IndigenACTION and the importance of healthy living and activity for our youth. In support of the healthy sports and activities initiative, Gwaans, All Chiefs' Task Force Chair, offered a Gwey'aa Song where the Chiefs donated \$1,400.00 to support IndigenACTION. Josh thanked the participants and stated that he will "take these words of support and give them life".

IndigenACTION will be hosting roundtables in regions across the country. These roundtables will bring together targeted participants, including elders, youth, representatives from sports organizations, and representatives from government, to explore what is working and what can be improved upon in sport, fitness and recreation programming. We were hopeful to have the inaugural roundtable in British Columbia but due to resourcing challenges the roundtable in BC had to be postponed to later this spring.

Federal Legislation related to health issues: There are a number of Bills which address a number of health related issues that do not specifically address First Nation's jurisdiction but could have an impact on program and service delivery to our people.

C-249: An Act to ensure that appropriate health care services are provided to First Nations children in a timely manner: This Bill was introduced in the previous session of Parliament. It seeks to implement "Jordan's Principle" to provide that health care services that have

been provided to a First Nations child whose ordinary residence is on a reserve, will be provided in a timely manner.

C-304: An Act to ensure secure, adequate, accessible and affordable housing for Canadians:

This Bill requires the Minister responsible for Canada Mortgage and Housing Corporation (CMHC) to consult with Provincial Territorial ministers responsible for municipal affairs and housing, and with representatives of municipalities, Aboriginal communities, non-profit and private sector housing providers and civil society organizations in order to establish a national affordable housing strategy. The Bill was reviewed by the Human Resources committee and reported back to parliament on March 24, 2010. Debates on this Bill at the report stage and began third reading on October 20, 2010. On November 24, 2010 the Bill was referred back to committee for consideration of an amendment.

C-593: An Act respecting a National Strategy for Suicide Prevention: This Bill, introduced November 5, 2010, requires Canada to develop a national strategy for suicide prevention in consultation with Ministers responsible for the delivery of health services in each province and territory and national representative organizations of the First Nations, Inuit and Métis people.

C-358: An Act to provide a compensation plan for First Nations veterans comparable to the one offered to other war veterans: This Bill requires the preparation and presentation to Parliament of a compensation plan to give First Nation veterans' equitable treatment and recognition. This is to include the offer of a land grant equivalent to that given to other veterans, compensation for the delay in providing equal treatment, the foundation of a scholarship in honour of First Nations veterans and a formal apology from the Government of Canada to First Nations. This will also require an appropriate war memorial on or near Parliament Hill.

PART TWO: Other Related Activities

“Quality of Life” Table: The Quality of Life Table met on December 14, 2010 in Ottawa and was attended by the FNLC and representatives from INAC. As set out in previous Quarterly Reports, the objective of the Quality of Life Table is to provide a forum for strategic-level discussions of issues of concern to First Nations, First Nations' organizations and INAC in the BC Region. At this meeting, it was decided that FNLC staff and INAC staff would meet to discuss and draft a Draft Terms of Reference for the Quality of Life Table. The staff has met and the Draft Terms of Reference continue to be developed. It is important to point out that the purpose of this Table is for high level talks and information sharing. Any important decisions that need to be made will come back to our individual Chiefs for your discussion and approval.

A subsequent meeting was scheduled for February but had to be postponed due to unforeseen circumstances. The FNLC will coordinate with INAC BC Region staff to reschedule another meeting of the Quality of Life Table sometime in Spring 2011.

First Nations Youth Council of BC: The BCAFN continues to work with the First Nations Youth Council of BC (FNYCBC) to support them in their efforts to connect with First Nations' youth in BC. The FNYCBC is undergoing the process of creating a separate society under the provincial *Society Act*. In January, the FNYCBC organized and hosted a strategic planning session with youth from across the province, including our BCAFN male and female youth representatives: Joshua Gottfriedson and Toni Williams. The purpose of this session was to develop a plan going forward to connect with both youth in BC as well as Elders and "adult allies", and to help develop their society's Constitution and By-laws. Efforts are also underway to develop a Memorandum of Understanding between FNYCBC and BCAFN.

The FNYCBC continues to work with the Unified Aboriginal Youth Collective (UAYC) and is working towards becoming a signatory to their collective Memorandum of Understanding which seeks to encourage, strengthen and demonstrate unity between First Nation and Metis youth in BC.

On March 21st, 2011, I will be heading up to Prince Rupert to attend the upcoming 9th Annual Aboriginal Youth Conference – *Gathering Our Voices*. I am pleased to have been invited and I am looking forward to witnessing, first hand, the great work that our youth are doing.

Gitxsan Women's Day / International Mother Language Day: February 21, 2011 is a worldwide observance to promote awareness of linguistic and cultural diversity and multilingualism. I was honoured to participate with the Gitxsan Women in their annual celebration of the Hl'daxgyethl Haanak, 10 years strong, this year in Kispiox, BC. This event was very well attended with hundreds of Gitxsan women coming together to celebrate their unity and culture.

I was asked to speak at this important event and witnessed the honouring of some amazing Gitxsan women. One of the fun highlights of the day was the "red hat contest". The participants went to great lengths and effort to purchase and create some of the most outrageous and beautiful red hats that I have ever seen.

PART THREE: BC Assembly of First Nations' Operations

Information Sharing / Webpage: The BCAFN is proud to have officially launched our new website [www.bcafn.ca] on December 3rd 2010. We are committed to information sharing among First Nations regarding our successes, lessons and various federal, provincial, industry/corporate and First Nations' initiatives.

The new website is designed to implement the *Building on OUR Success* Action Plan and also contains designated pages for each First Nation in British Columbia. My hope is that each First Nation will upload their information onto their webpage and tell their story and share their

successes. We ask that you take some time to review your First Nation's Profile and we encourage you to provide us with any feedback.

The webpage is also going to be the host for our Governance Toolkit and Resource Guide.

Please take a moment to go to our new website and have a look around. It is constantly updated and changing. Our "Daily News" is updated daily and we maintain a detailed calendar of events. Feel free to provide us with feedback and/or information that you would like to contribute and have posted or linked.

BCAFN Staff: We would like to welcome Stephanie Martin to the BCAFN she will be taking over the positions of Finance Clerk and Executive Assistant, and would like to thank Erin Shevchuk for her hard work and wish her all the best in her future endeavours.

Director of Operations	Courtney Daws	courtney.daws@bcfn.ca
Policy Analyst	Angie Derrickson	angie.derrickson@bcfn.ca
Executive Assistant	Stephanie Martin	executive.assistant@bcfn.ca
Receptionist	Cheryl Wadhams	reception@bcfn.ca
Finance Clerk	Stephanie Martin	finance@bcfn.ca

NOTICES

Notice #1:

ASSEMBLY OF FIRST NATIONS
Spring 2011 - National Planning & Dialogue Forum
Strengthening Our Nations: Advancing Capacity for First Nation
Governments & Economies

March 7-8, 2011
Westin Bayshore, Vancouver BC

Objective(s):

- (1) to provide First Nations' experiences and share lessons learned and innovative practices in advancing First Nations' jurisdiction and economic development;
- (2) to enhance ideas on elements of a board national work plan advancing First Nation governance and Nation-building including the organizational structure of the AFN; and,
- (3) to develop and foster dialogue on tangible action items to transform current relationships and support capacity for First Nation governments and economies.

Plenary Sessions:

- (1) Transforming the Relationship between First Nations & the Crown – Moving beyond the Indian Act, (2) Dialogue with National First Nations Organizations – Accountability, Outreach and Service, (3) Citizenship as Catalyst for Nation Building, (4) Supporting Safe and Secure First Nations' Communities, and (5) Reflections on Current Processes and Implementing First Nations' Jurisdiction.

Fundraising Reception for First Nations' Rights Fund:

~ March 7, 2011 - 6:30 – 9:30pm, Westin Bayshore – Bayshore Grand Salon D/E

~ Tickets: \$25.00

~ To include performances by the Kwakwaka'wakw Traditional Singers and Dancers & Mohawk singer/songwriter, Murray Porter.

Please see www.afn.ca for more information.

Notice #2:

BRITISH COLUMBIA ASSEMBLY OF FIRST NATIONS

Special Chiefs' Assembly

Building on OUR Success – Strong and Appropriate Governance

May 12-13, 2011

Westin Wall Centre, Richmond BC

Official launch of the BCAFN Governance Toolkit

~Reasonable expenses will be paid for BC Chiefs (or Chief's Proxy) to attend~

Save the Date - More information to follow...

Notice #3:

BRITISH COLUMBIA ASSEMBLY OF FIRST NATIONS

8th Annual General Meeting (AGM)

In keeping with its Society Constitution and Bylaws, the BC Assembly of First Nations (BCAFN) is giving notice to its membership notice of the upcoming BCAFN 8th Annual AGM

Date: June 7, 2011 – Vancouver, BC

Save the Date - More information to follow...

Notice #4:

ASSEMBLY OF FIRST NATIONS

32nd Annual General Assembly (AGA)

Moncton, New Brunswick

July 12-14, 2011

Hosted by the NB/PEI Region

Save the Date – More information to follow...

Up to date information can be accessed on our website: www.bcafn.ca.