

VOLUME 4 Perspectives and Realities

Appendix A: Summary of Recommendations in Volume 4

Chapter 2 Women's Perspectives

The Commission recommends that

4.2.1

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

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

4.2.2

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

4.2.3

Aboriginal governments and planning bodies with a mandate to develop new structures for human services undertake, in collaboration with women's organizations, an inventory of existing services, organizations and networks with a view to building on existing strengths and ensuring continuity of effort.

Chapter 3 Elders' Perspectives

The Commission recommends that

4.3.1

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

- (a) involving Elders in conceptualizing, planning and monitoring nation-building activities and institutional development;

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

4.3.2

Aboriginal Elders be involved in the formulation and implementation of policies for the preservation and protection of sacred sites. In co-management situations, Elders should be board members.

4.3.3

Federal, provincial and territorial governments

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

Chapter 4 The Search for Belonging: Perspectives of Youth

The Commission recommends that

4.4.1

Youth centres be established on reserves and in communities, including urban communities, where there is a significant Aboriginal population. Where cultural centres exist they should develop a specific youth component, including cultural and recreational programs.

4.4.2

Federal, provincial and territorial governments provide funding for community initiatives to establish Aboriginal youth camps that would

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

4.4.3

The federal government, through the Minister of State for Fitness and Amateur Sport, establish and fund an Aboriginal sports and recreation advisory council to advise — in consultation with regional, provincial and territorial sports and recreation organizations — federal, provincial, territorial and Aboriginal governments on how best to meet the sports and recreation needs of Aboriginal people (including those living in urban areas).

4.4.4

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

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

4.4.5

A meeting of ministers responsible for sports and recreation be convened within one year of the publication of this report to discuss the form and structure of the proposed Aboriginal sports and recreation advisory council, and that Aboriginal youth and Aboriginal experts in the field — recreation and sports programmers, co-ordinators, administrators and researchers — be invited to take part in this discussion.

4.4.6

Co-operative home construction, based on the Habitat for Humanity model, be initiated in Aboriginal communities to provide housing, employment and construction skills for Aboriginal youth.

4.4.7

Federal, provincial and territorial governments develop and adopt, through the leadership of the Ministry of State for Youth, and in close consultation with Aboriginal youth and their representative organizations, a comprehensive Canada-wide policy framework to guide initiatives and programs directed to Aboriginal youth.

4.4.8

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

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

4.4.9

All governments pursue the following goals in developing and implementing a Canada-wide Aboriginal youth policy: youth participation at all levels, leadership development, economic development and cultural rebirth, youth involvement in nation building, and cultural and spiritual development.

4.4.10

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

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

Chapter 5 Métis Perspectives

The Commission recommends that

4.5.1

Political negotiation on a nation-to-nation or analogous basis be the primary method of resolving Métis issues.

4.5.2

Every person who

- (a) identifies himself or herself as Métis, and
- (b) is accepted as such by the nation of Métis people with which that person wishes to be associated, on the basis of criteria and procedures determined by that nation, be recognized as a member of that nation for purposes of nation-to-nation negotiations and as Métis for that purpose.

4.5.3

The government of Canada either

- (a) acknowledge that section 91(24) of the Constitution Act, 1867 applies to Métis people and base its legislation, policies and programs on that recognition; or
- (b) collaborate with appropriate provincial governments and with Métis representatives in the formulation and enactment of a constitutional amendment specifying that section 91(24) applies to Métis people. If it is unwilling to take either of these steps, the government of Canada make a constitutional reference to the Supreme Court of Canada, asking that court to decide whether section 91(24) of the Constitution Act, 1867 applies to Métis people.

4.5.4

The substance of the constitutional amendments relating to the Metis Settlements of Alberta, referred to in section 55 of the Charlottetown Accord and contained in sections 12 and 23 of the Draft Legal Text of 9 October 1992, be enacted as soon as possible by joint action of the Parliament and government of Canada and the legislature and government of Alberta.

4.5.5

When implementing this Commission's recommendations on education affecting Aboriginal persons, great care be exercised to ensure the preservation and propagation of distinct Métis cultures. Measures to achieve that goal might include, where appropriate,

- (a) consultation with Métis elders when educational programs are being planned;
- (b) establishment of and public funding support of separate Métis schools where numbers warrant;
- (c) assisted access to post-secondary education for Métis persons;
- (d) creation of a college or faculty of Métis studies and professorships, scholarships and programs of Métis studies; and
- (e) provision of residential facilities in post-secondary educational institutions that will be congenial to Métis students.

4.5.6

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

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

- (a) Aboriginal languages: to encourage and assist Métis people to learn and use the Aboriginal languages with which their Métis ancestors were historically associated;
- (b) Michif language: to implement, with Métis collaboration and public funding, special measures to save Michif from extinction and to encourage and assist Michif research and instruction;
- (c) research and publications about Métis history and culture: to provide financial support for research and publications to disseminate information about Métis Nation history and culture by means of print, radio, television, film, theatre and other modes of expression;
- (d) historical sites: to establish major Métis cultural history centres at historically significant sites such as Batoche and the Forks in Winnipeg, to be owned and operated by Métis representatives; and
- (e) repatriation of artifacts: to repatriate major Métis artifacts from public and private collections to appropriate Métis-run locations.

4.5.7

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

4.5.8

The governments of Manitoba, Saskatchewan and Alberta

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

4.5.9

Federal, provincial and territorial governments

- (a) be prepared to enter into temporary land use agreements with Métis nations while land claims negotiations are pending or continuing; and
- (b) be prepared, where appropriate, to consider longer-term land use agreements with Métis nations, perhaps in association with other interests, Aboriginal or private.

4.5.10

The governments of Canada and of relevant provinces and territories

- (a) be prepared to negotiate immediately with appropriate Métis representatives (as well as, where appropriate, other Aboriginal governments) on the manner in which Métis self-government will be recognized by and integrated with other governments and assisted to become financially self-sufficient; and

(b) pursue independently and swiftly those aspects of self-government that are not dependent upon land base considerations, although it will be appropriate for part of these negotiations to take place in the context of negotiations concerning the nation's land base.

Chapter 6 The North

The Commission recommends that

4.6.1

Dene of Denendeh (Northwest Territories) be given the opportunity to come to future negotiations on new political arrangements in Denendeh as a nation.

4.6.2

A treaty commission be established at the request of Dene communities seeking a treaty process.

4.6.3

The treaty commission's deliberations be the means by which the governing authorities for Dene are determined within the new western territory in addition to the framework of public government for that territory as a whole.

4.6.4

Those charged with developing institutions for Denendeh recognize the leading role Aboriginal nation government will play across the territory and design a form of territorial government that exercises lead responsibility in relatively few areas and plays a co-ordinating role with other governments' activities where appropriate.

4.6.5

Communities that want to participate in a treaty implementation process rather than regional land claims be given the same range of flexibility in terms of subject matter and quantity of land as if they were participating in a land claims process.

4.6.6

In Nunavut and in the remaining part of the Northwest Territories, future arrangements allocate clear responsibilities between Aboriginal nation governments and territorial institutions and be kept simple and focused, given the high cost of government across a widely dispersed population.

4.6.7

Public education materials be developed in co-operation with Aboriginal communications groups to explain the institutional changes taking place in Nunavut and the remaining part of the Northwest Territories.

4.6.8

The government of Canada recognize the contribution of Aboriginal traditional knowledge to environmental stewardship and support its development.

4.6.9

The government of Canada make provisions for the participation of Aboriginal governments and organizations in future international agreements concerning environmental stewardship.

4.6.10

The federal department of health continue the close monitoring of contamination of northern country food by atmospheric and other pollution and, given the importance of these foods to northern people, communicate the results of this work quickly and effectively to users of these renewable northern resources.

4.6.11

All governments in Canada support the development of co-management regimes along the lines of those already established in the North.

4.6.12

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

4.6.13

Based on the work of the task force recommended in 4.6.12 and recognizing the fundamental changes under way in the structure and administration of social assistance programs across Canada, territorial governments take the initiative, in consultation with federal and provincial governments, to create a northern social policy framework with sufficient flexibility to allow existing levels of social assistance spending to be used to fund community work creation and provide income supplements related to community employment or traditional production and harvesting.

4.6.14

Employment insurance and social assistance legislation be amended to take into account the specific differences in employment patterns, the high cost of living, the administrative delays that result from great distances between communities, and other factors unique to the northern economy.

4.6.15

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

4.6.16

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

4.6.17

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

4.6.18

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

4.6.19

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

4.6.20

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

4.6.21

Governments provide continuing support for the development of institutes that gather and research traditional knowledge and apply it to contemporary issues.

4.6.22

Traditional knowledge be incorporated in all appropriate institutions, including cultural and research institutes, regulatory boards and the education and training system.

Chapter 7 Urban Perspectives

The Commission recommends that

4.7.1

Aboriginal cultural identity be supported and enhanced in urban areas by

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

4.7.2

The federal government be responsible for

- (a) the costs associated with developing, implementing and operating Aboriginal self-government initiatives on and off a land base through program funding and fiscal arrangements;
- (b) programs, services and treaty entitlements for Aboriginal people living on reserves or extended Aboriginal territories;
- (c) treaty entitlements or agreed upon social programs such as financial assistance for post-secondary education and uninsured health benefits for Indian people living off-reserve, to the extent that these exceed the programs or services provided to other residents by the province or territory in which they reside; and
- (d) the cost of services for Métis people agreed to in treaty negotiations, once they have achieved self-government and a land base, including additional payments to Métis people living off their land base to cover benefits agreed to by treaty where those exceed benefits normally available to other provincial residents.

4.7.3

Provincial and territorial governments be responsible for

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

4.7.4

The cost of affirmative action programs and services to address economic and social disadvantage affecting urban Aboriginal people be shared by the federal, provincial and territorial governments on the basis of a formula basis that reflects provincial/territorial fiscal capacity.

4.7.5

Provincial, territorial and municipal governments give priority to making the existing Aboriginal service delivery system more comprehensive as the most effective means of meeting the immediate needs of urban Aboriginal people.

4.7.6

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

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

4.7.7

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

4.7.8

Staff of non-Aboriginal service agencies directly involved in Aboriginal service delivery be given cross-cultural training delivered by Aboriginal people and organizations and that government funding agreements reflect this obligation.

4.7.9

Services to Aboriginal people in urban areas generally be delivered without regard to legal or treaty status.

4.7.10

Government policies on service delivery take into account the history and tradition of separate institutional development for Métis and treaty people in Manitoba, Saskatchewan and Alberta as well as local cultural, political and economic conditions.

4.7.11

Aboriginal governments and organizations accord higher priority to youth programming, particularly leadership development, sport and recreation.

4.7.12

Municipal, provincial, territorial and federal governments support, fund and actively provide services and programs for urban Aboriginal youth.

4.7.13

Aboriginal youth be closely involved in the design, development and delivery of youth services.

4.7.14

The federal government provide funding for a national organization to represent and speak on behalf of Aboriginal people with disabilities.

4.7.15

The federal government devolve the administration of the National Aboriginal Friendship Centre program to the National Association of Friendship Centres.

4.7.16

The federal government establish and fund a national urban Aboriginal cultural education program designed for Aboriginal and non-Aboriginal people in large urban centres across Canada, to be generally administered by friendship centres.

4.7.17

Aboriginal women give Aboriginal and non-Aboriginal service agencies direction and guidance in formulating policy and developing services that may be used by Aboriginal

women and children and participate fully in the delivery of programs and services established specifically to meet the needs of urban Aboriginal women.

4.7.18

In addition to cross-cultural training, non-Aboriginal individuals and organizations whose work or responsibilities directly affect urban Aboriginal women's lives receive comprehensive information and education on the situation of urban Aboriginal women.

4.7.19

Positions be designated for Aboriginal representatives on local boards and commissions responsible for services and the boards of institutions in which Aboriginal people have a significant interest.

4.7.20

Municipal councils and school boards in municipalities with a large Aboriginal population establish Aboriginal affairs committees to provide advice and guidance on Aboriginal issues.

4.7.21

Municipal, provincial, territorial and federal governments seek opportunities for co-management arrangements that would involve Aboriginal people in establishing, managing and operating urban institutions, programs and services in which they have an interest.

4.7.22

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

(a) municipal, provincial and federal governments foster and support community building, including, where appropriate, developing the community of interest's governance initiative; and

(b) municipal, provincial and federal governments participate in negotiations to establish urban community of interest governments and assist them in operating institutions and services for members of the community of interest.

4.7.23

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

4.7.24

The urban citizens of Aboriginal nations be fully consulted and participate in decisions concerning urban governance initiatives pursued by nations.

4.7.25

Aboriginal nations ensure that their urban citizens' needs and interests are recognized and that mechanisms are instituted to ensure they are represented in the political structures and decision-making processes of the nation.

4.7.26

Federal, provincial, territorial and municipal governments give full support to Aboriginal nations when they develop and implement urban governance initiatives.