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Government of Canada Progress Report (2006 - 2012)

With Strong Resolve: Advancing our Relationship with First Nations Peoples and Communities



Canada

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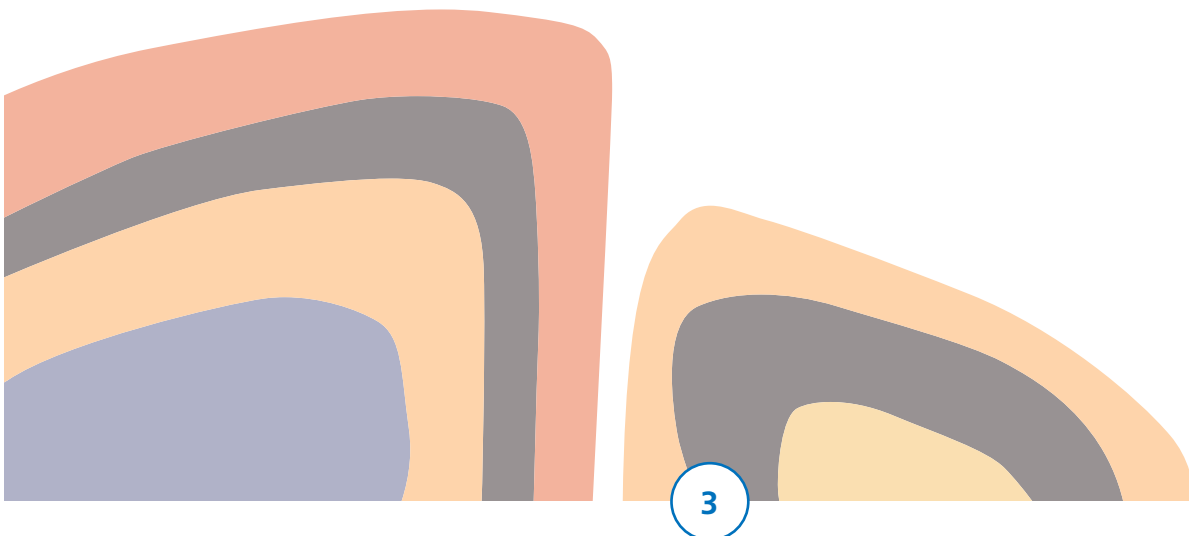
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“In addition to their remarkable art and culture, which continue to be an integral part of Canadian identity, Aboriginal peoples make enormous contributions to this country every day in all areas of endeavor. Our Government is committed to working with Aboriginal communities, as well as provinces and territories, to provide Aboriginal people with the education and tools they need to reach their full potential and achieve a higher quality of life for their families.”

Prime Minister Stephen Harper, National Aboriginal Day 2011

“The original treaties signed between First Nations and Canada speak to partnership and sharing. This is our shared heritage... Resetting the relationship requires us to come together, as our ancestors did in the past, to talk about how to work together to move forward.”

National Chief Shawn A-in-chut Atleo, October 2011



Introduction

The goal of this report is to set out Government of Canada initiatives, investments and activities affecting First Nations peoples in Canada. It does not cover the Government's actions with respect to Métis, Inuit and non-status peoples.

The longstanding presence of First Nations, Inuit and Métis peoples, their cultures, traditions and values, are fundamental to the history of our country. Our ability to build on the lessons of history – both positive and negative – and to meet the opportunities and challenges of today will shape our future.

The Government of Canada recognizes that its relationship with the Aboriginal peoples of Canada is unique and that it has an important role to play in helping to ensure that communities are healthy, vibrant and self-reliant. That is why the Government of Canada has established a practical and results-driven framework for action on Aboriginal issues with a mutually reinforcing focus on:

- Education
- Reconciliation, governance and self-government
- Economic development
- Empowerment and protecting the vulnerable
- Resolution of land issues

The Government of Canada provides over \$10 billion each year for programs and services directed to Aboriginal people, delivered through 34 federal departments and agencies. The actions taken by this Government since 2006 provide a strong platform to help build a better Canada for Aboriginal people and communities, for today and for the future.

Moving forward, the Government of Canada remains committed to continuing to build a relationship that empowers Aboriginal people and communities and that achieves meaningful results for Aboriginal communities and for the country as a whole.



Education



Recognizing that getting a good education is one of the cornerstones of success, this Government is committed to improving the quality and effectiveness of education for First Nations students.

Education as the cornerstone to success

In 2008, the Government of Canada started laying the foundation for structural reform in education. This involved the launch of two new programs – the *First Nation Student Success Program* and the *Education Partnerships Program* – building blocks that are helping to put in place the key school-based initiatives common to all high-performing schools.

The *First Nation Student Success Program* supports educators on-reserve in their efforts to improve student results. To date, over 90 percent of students in band-operated schools across the country are benefitting from this program.

The *Education Partnerships Program* brings together partners from the Government of Canada, First Nation regional organizations and provincial ministries of education to promote collaborative efforts towards improving the success of First Nations elementary and secondary students who attend First Nation and provincial schools.

In 2009-10, 76% of First Nation band-operated schools participated in the First Nation Student Success Program (with 18 projects) In 2010-11, 16 more proposals received funding under the First Nation Student Success Program, bringing the number of band-operated schools participating in the program to 90%.

In 2009-10, 3 tripartite agreements (covering 46% of eligible First Nation communities) were supported by the Education Partnerships Program. In 2011-12, 7 tripartite education agreements (covering 58% of eligible First Nation communities) were in place and supported by the Education Partnerships Program.

The Government of Canada has also provided 5 years of enhanced funding for both the Aboriginal Head Start On-Reserve Program and the Aboriginal Head Start in Urban and Northern Communities Program. These programs provide opportunities to develop self-confidence, foster a greater desire for learning, and provide an excellent start for Aboriginal children in their journey towards becoming successful young people.

Each year, the Government of Canada also provides approximately \$300 million in funding to help First Nation and Inuit students cover tuition and related expenses associated with attending college, university, or preparatory programs.

Partnerships for better education outcomes

Cooperative and collaborative efforts among governments and First Nations are essential aspects of First Nations Education reform. In order to foster and deepen these relationships, tripartite education agreements have been established and implemented with a number of provinces and First Nations. These agreements have created mechanisms for tripartite collaboration and decision making on shared priorities and concerns. In an effort to improve education outcomes for First Nations learners, tripartite partnerships also leverage provincial knowledge and expertise on improving education standards and services.

Since 2008, five new tripartite education agreements have been signed between the Government of Canada, provincial governments and First Nations in New Brunswick, Manitoba, Alberta, and Prince Edward Island, including a sub-regional agreement in Saskatchewan with the Saskatoon Tribal Council. These agreements are in addition to the long-standing tripartite partnership arrangements already in place in British Columbia (2006) and Nova Scotia (1997).

In December 2010, the Government of Canada signalled its continuing commitment to education reform through partnerships when it announced additional investments would be made available to First Nations in British Columbia. Investments were targeted to BC First Nations on the basis of the advanced state of their partnership and the commitment of parties to formalize a system that ensures the ability of students to transition between school systems without academic penalty. The Government of Canada, the Government of British Columbia, and the First Nations Education Steering Committee have recently finalized a new Tripartite Education Framework Agreement for this initiative.

Building a solid foundation for the next generation

On June 21, 2011, the Government of Canada and the Assembly of First Nations jointly launched the work of the National Panel on First Nation Elementary and Secondary Education. The Panel has crisscrossed the country, consulting with First Nation communities, regional and national First Nations organizations, provincial governments and the private sector on how best to improve elementary and secondary education for First Nation boys and girls on-reserve.

This important step builds on the Government of Canada's commitment made in Budget 2010, to work with First Nations, along with other partners, to strengthen and improve First Nations education. The Government of Canada is looking forward to reviewing the upcoming report of the National Panel and to working with the Assembly of First Nations and other First Nation leaders on potential ways to further pursue education reforms.

Investing in schools

This Government has made significant investments to ensure that children have better places to learn. Between April 2006 and April 2011, the Government has invested approximately \$1.2 billion in school infrastructure projects.

This includes the completion of 248 school projects; ongoing construction of at least 20 schools in communities across the country; and, 64 minor repairs which include teacher housing, construction or design projects. This is in addition to investments made through Canada's Economic Action Plan and the Gas Tax Fund.

Reconciliation, Governance and Self-Government



The Government of Canada is committed to empowering Aboriginal people and communities, to building a new relationship based on reconciliation and healing for past injustices, and to strengthening Aboriginal governance and self-government. The 2008 Statement of Apology to former students of Indian Residential Schools remains a touchstone towards building this new relationship.

The Government of Canada remains committed to the timely implementation of the Indian Residential Schools Settlement Agreement and working with the Indian Residential Schools Truth and Reconciliation Commission to ensure that it fulfills its very important mandate.

As part of this effort, the Truth and Reconciliation Commission is holding a series of National Events to bring together former students and their families, government, leaders of national and regional organizations, church groups and members of the general public, to provide former students and their families with the opportunity to provide their testimonies to the Commission. These events also serve to raise awareness about the history of the residential schools system, the experiences of former students and their families, and the ongoing legacy.

At the first National Event, held in Winnipeg in June of 2010, the Government of Canada announced its intention to repeal provisions of the *Indian Act* that provide the authority to establish Indian Residential Schools and remove children from their homes and communities.

Budget 2010 committed an additional \$199 million over two years to the Indian Residential Schools Settlement Agreement to ensure that necessary mental health and emotional support services continue to be provided to former students and their families, and that payments to former students are made in a timely and effective manner. These additional funds included \$65.9 million over two years for Health Canada's Indian Residential Schools Resolution Health Support Program.

Building momentum for a new relationship

On November 12, 2010, the Government of Canada issued a Statement of Support endorsing the United Nations Declaration on the Rights of Indigenous People. This aspirational document sets out a number of principles for harmonious and cooperative relationships between Indigenous peoples and States, such as reconciliation, justice, democracy, respect for human rights, non discrimination, equality, partnership, good faith and mutual respect. Canada strongly supports these principles and believes that they are consistent with the Government's approach to working with Aboriginal peoples.

In August 2011, Canada, as represented by the Minister of Aboriginal Affairs and Northern Development, and First Nations, as represented by the Assembly of First Nations National Chief, agreed to a joint action plan to improve the long-term prosperity for First Nations people and all Canadians.

The Joint Action Plan is based on common goals and shared principles. On these bases, we have identified shared priority areas for action and commit to work together in making concrete and practical progress which will benefit First Nations and all citizens through:

- Improving relationships and strong partnerships between Canada and First Nations respectful of Aboriginal and Treaty rights as recognized and affirmed in the *Constitution Act, 1982*
- Building effective, appropriate, transparent and fully accountable governance structures
- Empowering the success of individuals through access to education and opportunity
- Enabling strong, sustainable, and self-sufficient communities
- Creating conditions to accelerate economic development opportunities and maximize benefits for all Canadians
- Respecting the role of First Nations' culture and language in our history and future

Supporting effective Governance

Canada has recognized that the right to self-government is an Aboriginal right within the meaning of section 35 of the *Constitution Act, 1982*. Canada's approach to self-government favours the negotiation of practical arrangements for Aboriginal peoples and communities.

Currently, there are a number of diverse arrangements in place with First Nations, including 18 self-government agreements that involve 32 Aboriginal communities and one education sectoral agreement involving eleven First Nations (*Mik'maq Education Act*). Sixteen of these self-government agreements are integrated within a land claims agreement involving a total of 30 communities.

Two agreements are "stand-alone" self-government agreements that involve two communities. In addition, there are 91 self-government negotiation tables, of which 67 are involved in comprehensive land claims, and 24 are in stand-alone self-government negotiations.

Canada is also participating in four sectoral self-government negotiations with the Blood Tribe on governance and child and family services; with the Nishnawbe Aski Nation and Union of Ontario Indians on governance and education; and with the First Nations Education Steering Committee in British Columbia on education jurisdiction for 13 communities.

Modernizing legislation

In 2010, the Government of Canada, together with the Atlantic Policy Congress of First Nation Chiefs and the Assembly of Manitoba Chiefs, undertook a national engagement effort to explore options for a more modern and accountable electoral process for First Nations in Canada. On December 6, 2011, the First Nations Elections Act was introduced into Parliament.

This proposed legislation will support the political stability necessary for First Nations governments to make solid business investments, carry out long-term planning and build relationships, all of which will lead to increased economic development and job creation for First Nations communities.

On November 23, 2011, the proposed First Nations Financial Transparency Act was introduced into Parliament. This bill, part of the Government's commitment in the 2011 Speech from the Throne to support democratic, transparent and accountable First Nation governments, will require the salaries and expenses of chiefs and councilors to be disclosed publically, along with First Nations' audited consolidated financial statements.

Economic Development



The Government of Canada continues to work with Aboriginal Canadians and willing partners to ensure that Aboriginal people enjoy the same opportunities for employment, income and wealth creation as other Canadians.

Although the economic downturn did affect Canada's most vulnerable citizens – including Aboriginal peoples – more strongly than others, with a young and fast-growing population, a significant land and resource base, and a growing business sector, Aboriginal Canadians are well-positioned to help contribute to a vibrant and prosperous Canadian economy.

A new approach to Aboriginal Economic Development

In June 2009, the Federal Framework for Aboriginal Economic Development was established, focusing the federal government's actions – from programs to legislation to partnerships – to increase the participation of First Nations, Inuit and Métis people in the Canadian economy, and to improve economic outcomes for Aboriginal peoples in all parts of the country.

The Framework is supported by an annual investment of \$50 million in new investments to enable First Nation access to and control of reserve lands, to improve access to capital of Aboriginal entrepreneurs, to enhance procurement opportunities for Aboriginal businesses, and to support strategic partnerships in key sectors.

Investing in people, investing for the future

Increasing Aboriginal participation in the Canadian labour market, and the economy more generally, is an important and effective way to address the challenging socio-economic conditions facing many Aboriginal people, especially young Aboriginal people.

Launched on April 1, 2010, the Aboriginal Skills and Employment Training Strategy (ASETS) supports a network of over 80 Aboriginal organizations, with more than 400 points of service, that develop and deliver programs and services to help Aboriginal clients prepare for, obtain, and maintain meaningful employment. It is expected that over the next five years, ASETS will result in approximately 14,000-16,000 jobs per year.

The Government of Canada recognizes the importance of ensuring that economic development strategies and programs meet the needs of both First Nations women and men.

This is why in October 2010 the Government announced an investment of \$1 million towards pilot projects that will provide Aboriginal women entrepreneurs with financial literacy training along with access to business development tools and capital to help them establish and run viable, sustainable businesses.

Launched in July, 2010, the Skills and Partnership Fund supports projects that test new approaches to service delivery, develop new partnerships, and pilot innovations that provide skills training to clients facing multiple barriers to employment. To date, more than \$53 million has been provided to support 38 projects under the Skills and Partnership Fund.

In 2007, the government expanded the Aboriginal Skills and Employment Partnership by \$105 million and extended it to March 31, 2012. Under Canada's Economic Action plan, the Government invested an additional \$100 million (through to March 2012) in the Partnership. To date, the initiative has established more than 500 formalized partnerships which are expected to place more than 27,600 individuals in training and over 11,400 Aboriginal people in long-term skilled jobs.

Supporting effective transitions

The Government of Canada recognizes that more can be done to ensure First Nations peoples on reserve have an equal chance to enter the labour market. This includes ensuring they have what is needed – be it education, skills, knowledge or incentives – to make the best decisions for themselves and their families.

That is why the Government has taken steps, in partnership with the Government of Saskatchewan and First Nations leaders in that province, to develop and implement new approaches to enable individuals who receive income assistance to transition to the labour market through the use of active measures, including training and skills development.

Meeting the needs of Canada's urban Aboriginal population

There are large and vibrant Aboriginal populations in many of Canada's urban centers. The Government of Canada established the Urban Aboriginal Strategy to improve the economic participation of urban Aboriginal people and help make federal programs more accessible and seamless, while at the same time improving alignment with provincial policies and programs for urban Aboriginal people.

The Strategy is operational in 13 designated cities - Vancouver, Prince George, Lethbridge, Calgary, Edmonton, Prince Albert, Saskatoon, Regina, Thompson, Winnipeg, Toronto, Thunder Bay, and Ottawa - and is active in Montreal and Halifax.

The Government of Canada also provides support for the Aboriginal Friendship Centre Program. Friendship Centres deliver a wide range of culturally appropriate programs and services directed at improving the lives of urban Aboriginal people and strengthening their cultural identity.

Empowering Citizens & Protecting the Vulnerable



The Government of Canada is committed to assisting those in greatest need through initiatives such as child and family services, improved housing, access to safe drinking water and health programs.

Taking action to protect the vulnerable

This Government has made a series of investments since Budget 2006, totalling over \$100 million annually and ongoing to enhance a prevention-based approach to child welfare. To date, these investments have been made in six jurisdictions, reaching 68 percent of on-reserve First Nations boys and girls and their families.

The Government of Canada has also invested \$10 million in concrete actions to address the disturbing problem of missing and murdered Aboriginal women, including new tools for law enforcement and improvements to the justice system so that it can better respond to cases. A substantial portion of these funds are also being provided directly to Aboriginal communities and organizations, and those working in partnership with them, to support better victims' services, awareness programs, and community safety

Investing in communities and community infrastructure

Canada's Economic Action Plan provided significant new funding to help provide safer communities and to improve the conditions that help community members lead healthy and productive lives. Nearly 500 First Nations communities across Canada benefitted from the Government's \$400 million investment to support the construction of new on-reserve housing, renovate existing social-housing units and for other complementary housing activities.

The Government of Canada believes that First Nations should expect, as do all Canadians, safe, clean drinking water and the effective treatment of wastewater. Concrete action is underway to support First Nation communities in improving the provision of safe drinking water. Between 2006-07 and 2012-13, the Government of Canada will have invested approximately \$2.5 billion in First Nations water and wastewater infrastructure. These investments have been made through Aboriginal Affairs and Northern Development Canada's Capital Facilities and Maintenance Program, the First Nations Water and Wastewater Action Plan, and Canada's Economic Action Plan.

On July 14, 2011, Aboriginal Affairs and Northern Development Canada released the results of the National Assessment of Water and Wastewater Systems in First Nation Communities. This study is the most rigorous, comprehensive and independent evaluation of water and wastewater systems on reserve ever undertaken by a federal government.

This assessment is also an unprecedented reference tool that will inform future Government of Canada water initiatives, while supporting future planning for water and wastewater systems in First Nations communities. The results of the assessment will support on-going work to ensure that First Nation communities have access to safe, clean drinking water.

In an effort to protect public health, all First Nations community sites now have access to a trained Community-Based Water Monitor or an Environmental Health Officer to sample and test the quality of drinking water. As a result, drinking water advisories are being resolved more quickly than ever before.

Finally, Budget 2011 provided \$22 million over two years to help First Nations upgrade or replace their fuel tank infrastructure in an effort to ensure that the fuel tanks that power their essential community services, such as water and waste water treatment systems, schools and community buildings, are safe, and that they meet new environmental safety standards.

Investing in Health and Well-Being

In October 2011, the Government of Canada, British Columbia First Nations, and the Government of British Columbia signed the Tripartite Framework Agreement on First Nation Health Governance. This legally-binding agreement sets out the commitment to establish a First Nations Health Authority and for federal funding and responsibilities for First Nations health program design and delivery to be transferred to the new Authority. The First Nations Health Authority will work also with regional health authorities in the province and with the Government of British Columbia to ensure a greater role for First Nations in their health services, and the integration of those services within the provincial health system. This initiative brings an innovative governance model to First Nations health in Canada.

Canada's Economic Action Plan provided \$135 million over two years for the construction and renovation of health facilities infrastructure on reserve, including health centers and nursing stations. Forty major construction projects and numerous minor renovation projects to existing health facilities were completed to help ensure that First Nations continue to have access to safe and effective health facilities, which house important community-based health programs and services.

The Government of Canada continues to support the implementation of Jordan's Principle with Provinces and First Nations thereby ensuring necessary care for First Nation children is not delayed or disrupted by jurisdictional disputes. In 2011, a tripartite agreement on the implementation of Jordan's Principle was reached in New Brunswick, while a bilateral agreement was reached in British Columbia. Engagement with other provinces continues so that the needs of First Nation children will continue to be put first.

Between 2010-11 and 2014-15, the Government of Canada will invest \$730 million in a range of Aboriginal health programs, including the Maternal Child Health Program, the Aboriginal Diabetes Initiative, and the Health Services Integration Fund in order to improve health outcomes and increase capacity in First Nations and Inuit communities to address key health risks.

The Health Services Integration Fund will build on the lessons learned and partnerships established during the five year implementation of the Aboriginal Health Transition Fund to continue efforts to improve access to health services for First Nations and Inuit. It will provide the opportunity to explore ways to advance the integration of health systems and services delivered or funded by the federal government with those delivered by provincial and territorial governments.

Advancing legislation in support of a new relationship with First Nations

In May 2010, the Government introduced enabling legislation – Bill S-11, an Act respecting the safety of drinking water on First Nation lands – which will enable the Government, in partnership with First Nations, to develop federal regulations for drinking water that is comparable to provincial and territorial regulations. Although examination of the bill by the Standing Senate Committee on Aboriginal Peoples ended when a federal election was called on March 26, 2011, the Government has committed to introducing similar legislation in Parliament to ensure that First Nations communities have the same health and safety protections for drinking water as other Canadians.

On June 29, 2010, Royal Assent was given to Bill C-24, the *First Nations Certainty of Land Title Act*. The Act permits the registration of on-reserve commercial real estate development in a system that replicates the provincial land titles or registry system. This will help make the value of on-reserve properties, including housing, stores, offices and other buildings, comparable to equivalent properties on off-reserve land.

On December 15, 2010 Royal Assent was given to Bill C-3, the *Gender Equity in Indian Registration Act*. This Act enables eligible grandchildren of women who lost their registered Indian status as a result of marrying non-Indian men to become entitled to registered Indian status, in accordance with the *Indian Act*.

In June of 2011, an historic piece of legislation came into force, which ensures First Nations people have the same protection of their human rights as other Canadians. As a result, any decisions made or actions taken by band councils or the federal government, made under or pursuant to the *Indian Act*, will be subject to the *Canadian Human Rights Act*.

On September 28, 2011 the federal government introduced Bill S-2, the Family Homes on Reserves and Matrimonial Interests or Rights Act into the Senate. The proposed legislation would remedy a long-standing legislative gap regarding on-reserve matrimonial real property rights and interests to ensure that people living on reserve have similar rights and protections as other Canadians.

Resolution of Land Issues



Lands and natural resources are among the most valuable assets held by First Nations and their sustainable use is critical for economic development, building partnerships with other governments and the private sector, and for maintaining strong relationships with neighbouring communities.

The *First Nations Land Management Act* provides interested First Nations with self-governance over their lands and the revenue derived from their use. Since the *Act* received Royal Assent in 1999, more than 30 First Nations are now operating under their own land codes, three are developing land codes, and more than 70 have formally expressed an interest to opt into the regime. In the June, 2011 Speech from the Throne, the Government of Canada committed to open the door to greater economic development by providing new investments in the *First Nations Land Management Act*.

In 2010, the Government of Canada approved 39 additions to reserve, totaling approximately 140,000 acres of land. Treaty Land Entitlement land selections such as these offer First Nations communities significant economic opportunity related to natural resource development, commercial and industrial development, and urban reserve creation.

In 2009, the Government of Canada amended the *Indian Oil and Gas Act* to eliminate the regulatory gap between on-reserve and off-reserve oil and gas activities, creating a more transparent and efficient regime on reserve, and encouraging greater industry investment and economic development.

Amendments to the *First Nations Commercial Industrial Development Act*, completed in 2010, allow First Nations to ask that on-reserve commercial real estate projects benefit from a property rights regime, including a land title system and title assurance fund, identical to off-reserve provincial regimes.

Establishing certainty through land claim and self-government agreements

The federal government continues to support the negotiation and implementation of land claims agreements. These agreements position communities to seize economic opportunities, and maximize economic development initiatives. Settling claims also represents an important step towards establishing a new, productive government-to-government relationship with Aboriginal peoples and communities.

To date, 23 comprehensive land claim agreements and 2 self-government agreements have been ratified and brought into force. These agreements cover approximately 40 percent of Canada's land mass, impact 96 Aboriginal communities and more than 100,000 First Nation members.

Moving forward on Specific Claims

The Government of Canada has taken historic steps to improve and expedite the resolution of specific claims. In 2007, the *Justice at Last: Specific Claims Action Plan* was established, which launched a fundamental reform of the specific claims process, based on the principle that, where a lawful obligation is demonstrated, claims will be negotiated, and compensation will be provided, ensuring that a negotiated settlement is fair for all parties.

The Government has also established the *Specific Claims Tribunal Act* and put in place practical measures to ensure faster processing of claims. Since 2007, approximately 70 specific claims have been settled through negotiated agreements with First Nations totaling, \$1.03 billion.

Conclusion

Canada has an enduring relationship with Aboriginal peoples based on mutual respect, friendship and support. Under this Government, there has been a shift in Canada's relationship with all Aboriginal peoples, exemplified by the Prime Minister's historic apology to former students of Indian Residential Schools, the creation of the Truth and Reconciliation Commission, the launch of the Specific Claims Tribunal, and the endorsement of the United Nations Declaration on the Rights of Indigenous Peoples.

Moving forward, this Government will continue to build on the ties of friendship and respect established with Aboriginal Canadians, and to help them achieve their full potential as healthy and productive members of the Canadian economy and society, for the betterment of all.