WINDIGO FIRST NATIONS COUNCIL

SUBMISSION TO THE ROYAL COMMISSION ON ABORIGINAL PEOPLES

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Sioux Lookout, Ontario

TABLE OF CONTENTS

A.	Section A:	RCOAP Analysis of Community Consultations
B.	Section B:	Proposal for Regional Governance
C.	Section C:	Briefing Paper for RCOAP (Previously Submitted)
D.	Appendix A:	Self-Government Questionnaires
E.	Appendix B:	Results from Self-Government Questionnaires

INTRODUCTION

Windigo First Nations Council appreciates the opportunity to make this submission to the Royal Commission on Aboriginal Peoples. We feel this Commission is part of buiding a new relationship between First Nations and non-Native communities. The implementation of self-government will be gradual with the co-operation of all people, Native and non-Native. This submission will hopefully provide some guiding objectives upon which the Commissioners will be able to make their recommendations in order to improve the daily lives of First Nations people wherever they chose to live.

This submission is about self-government and is based on the following:

1) The philosophy and statement of principles held by Windigo First Nations Council. Windgo First Nations Council will continue to work towards the goals it established for itself when it first started out. We will continue to strive to provide stable and effective leadership that strengthens all aspects of life in our communities.

2) Input from a cross-section of people living in Windigo First Nations Council member communities. Windigo First Nations Council has always felt it is important to represent the thoughts and ideas of First Nations people at the community level. Ultimately they will choose the direction for themselves and work towards creating positive and culturally appropriate changes in their everyday lives.

PURPOSE

There are many issues facing Windigo First Nations today and the purpose of this submission is to try and focus on fifteen specific areas of scope that will provide the Commissison with our communities' thoughts and ideas about implementing self-government. We will attempt to discuss these issues with respect to the four touchstones for change that were established after round two of the public consultations conducted by the Royal Commission on Aboriginal Peoples.

Windigo First Nations Council will take a holistic approach to the issues facing our people today. The four touchstones for change: the new relationship, self-determination, self-sufficiency and healing must be approached in a similar holistic manner. It is difficult discussing self-government without mention of the treaties, and similarly, it is difficult discussing self-determination without broaching the subject of healing. These issues are all deeply interdependent and those who are committed to fundamental change will realize a holistic approach is necessary for Windigo First Nations.

Windigo First Nations Council will attempt to discuss several issues of importance as they relate to regional self-government, treaty rights, Windigo First Nations' ties to the land and the status of Indian and Northern Affairs Canada. These issues, as well as related issues, have all been discussed at the community level. This submission is based on the premiss that Windigo First Nations would have greater self-sufficiency today had the Nishnawbe interpretation of the treaty been honoured according to its original spirit and intent.

HISTORY

In the mid-1970's the communities of Muskrat Dam, Bearskin Lake, Sachigo Lake and Weagamow Lake formed a coalition in order to co-ordinate activities for the development of a winter road; they eventually formed the Windigo Lake Transportation Company. The Windigo Project Development Area was formed in 1979 to take on other projects and services that would provide benefits to those communities.

In 1983 the Windigo Tribal Council was incorporated as a legal entity with the same four communities as founding members. The major purpose of the Tribal Council was to take over development services under the federal government's general devolution policy. By 1989 Windigo had also taken over the provision of Indian and Northern Affairs Canada advisory services to its member communities.

The purposes for which the Tribal Council was established are:

1. to promote economic and community development and initiate and manage projects to improve the social, cultural, economic, educational, recreational and spiritual life of its members;

2. to provide assistance to Bands and Band Councils in administration and program development;

3. to provide liaison and consultation with other agencies, organizations and government departments around these issues.

New Slate Falls, Cat Lake and Osnaburgh joined the Tribal Council in the early 1980's, and New Saugeen joined in 1985. Muskrat Dam left the Council in 1988.

Bearskin Lake, Sachigo Lake, Weagamow Lake, New Slate Falls, Cat Lake and New Saugeen are the six current members of what is now known as the Windigo First Nations Council.

All of the Windigo communities are situated in remote locations north of Sioux Lookout with the exception of New Saugeen which can be reached by road. The remaining five are accessible by air only. Bearskin Lake, Sachigo Lake and Weagamow Lake are the only communities with winter roads.

The actual populations of its member communities are approximately as follows:

Bearskin Lake.....375
Sachigo Lake.....400
Weagamow Lake.....600
New Slate Falls.....125
Cat Lake.....450
New Saugeen.....89

Windigo First Nations Council has grown substantially from an original staff of eight to a current staff of 35 in 1993. The services provided today by the Council include a wide range of community support services, the resource development impact program and the development of special projects.

Through the leadership of six Chiefs, the Windigo Council takes its direction from the communities it is mandated to serve. The Council uses a holistic planning approach in responding to the needs of its communities. This approach is based on developing all aspects of community life: social, cultural, spiritual and political.

WINDIGO FIRST NATIONS COUNCIL'S MISSION STATEMENT

The main function of the Council is to develop programs and services that respond to the needs of the Band members within these six communities. Another key function of the organization is to negotiate with the federal and provincial governments on various aspects of First Nations jurisdiction and control, based on, and without compromising, the treaty and aboriginal rights positions held by the Chiefs and Elders within the communities.

In responding to these needs, the Council employs a strategy with two main elements addressing:

1. day-to-day development issues of concern to member communities (such as housing and infrastructure development, business and employment development, health and social well-being);

2. the political development of member communities.

In particular, the Council is empowered to assist member First Nations and individuals as they move towards self-government and will:

- lobby and negotiate for community-based initiatives;
- co-ordinate research and provide planning assistance;
- design, develop, co-ordinate and advise member First Nations on programs and services to meet their needs;
- provide political representation as required;
- provide an information and support network;
- inform member First Nations of its activities.

WINDIGO FIRST NATIONS COUNCIL'S STATEMENT OF PRINCIPLES

The Windigo Chiefs have agreed that the following principles will guide the direction, policy and programs of the First Nations Council:

1. Windigo First Nations have an inherent right to self-government.

2. The Chief and Council are the legitimate governing authorities within each First Nation.

3. The solution to First Nations problems lie within the First Nations themselves.

4. Each First Nation is unique and distinct.

5. The Windigo Council will act in the best interests of its member First Nations.

6. The Windigo Council respects the right of each individual to strive to meet his or her potential.

7. In the execution of their mandate and duties, the Council's leadership and staff shall conduct themselves in a professional manner.

THE UNIQUE NEEDS OF WINDIGO COMMUNITIES

Each Windigo community is unique therefore each community's needs must be considered in order for self-government to be successful. All six Windigo First Nations communities are situated in northern Ontario. We have shared the land

in Nishnawbe-Aski Nation for many years and have lived in our traditional ways by hunting, trapping and fishing. Our communities are covered by the James Bay Treaty #9 and its adhesions. As stated earlier all of our communities with the exception one are accessible by air only. It is only within the last 20 years that airstrips have been built in our communities to provide regular transportation linkages and greater access to goods and services. The community of New Slate Falls, however, has no airstrip and can only be reached by float/ski planes. Sioux Lookout is the main service centre for our communities and that is also where our First Nations Council office is located. Because our communities remain quite isolated they constantly deal with problems which many other communities in Nishnawbe-Aski Nation experience such as the difficulties involved in accessing sufficient services, dealing with the extremely high cost of living and few economic opportunities.

There is and will be extensive consultations with the communities about their ideals and principles on which self-government is to be based. Self-government will be a process which aims to support community-based initiatives as well as educating the Canadian government about areas where its services are lacking. The goal of First Nations government is self-reliance and self-sufficiency both in socio-economic and political terms.

METHODOLOGY

In order to cover the scope of subjects agreed to in the Program's Terms and Conditions Windigo First Nations Council conducted community consultations about self-government in each of the six communities.

Prior to these community visits the Chiefs were briefed about the upcoming visits and were asked for their input concerning how the interviews should be conducted. The questionnaire was composed using many of the questions provided in the Royal Commission on Aboriginal Peoples' Discussion Paper 1, "Framing the Issues" with input as well from the Windigo Chiefs.

Initially, Windigo First Nations Council distributed newsletters to all of its member communities telling people about the Royal Commission on Aboriginal Peoples. The newsletter included background about the Royal Commission, the importance to all Canadians and First Nations peoples as well as its terms of reference. Within each category questions to ponder were included and it was pointed out that the Royal Commission's Third Round was seeking solutions in order to clear the way towards self-government for First Nations. Lastly, the newsletter notified community members of Windigo Council's upcoming community consultation process. Posters were also flown up north to be posted in Band offices and community halls.

Each community provided an assistant to guide Windigo employees in the communities as surveys were conducted in various households. Translation was always available and most interviews were conducted in Ojibway or Oji-Cree (a combination of both dialects). A short, written information package was also provided when the interviews took place.

A total of 121 interviews were completed in all six Windigo First Nation member communities during July and August of 1993. Windigo First Nations Council concluded with a sample size of 5% from each community and attempted to interview a wide cross-section of individuals including both male and female, youth, adults, older people and Elders.

Our 5% sample is not a true random sample. Some community members chose not to participate in answering questions for the Royal Commission on Aboriginal Peoples. Some commented they are tired of being studied and not hearing feedback or seeing change as a result of concrete and realistic recommendations. This factor, in turn, affected Windigo First Nations Council's ability to complete its submission within the original time-frame given.

The population figures are approximate numbers of registered Band members actually living in the community at the time Windigo First Nations Council conducted the community consultations. The fact that often 30% - 50% of the population is under the age of 18 must also be considered.

There were two different questionnaires utilized in order to obtain as much information from community members as possible. Both questionnaires covered similar areas/topics of discussion. See Appendix A for samples of both questionnaires. The main body of our submission is based upon the responses of the following people in each Windigo community:

New Slate Falls

A total of 12 questionnaires were completed. This figure represents 9.6% of the community's population. The questionnaires were completed by:

- 1 male youth
- 6 adult women & 3 adult men
- 1 older/elder woman & 1 older/elder man.

New Saugeen

A total of 11 questionnaires were completed. This figure represents 12% of the community's population. The questionnaires were completed by:

- 1 female youth
- 4 adult women & 3 adult men
- 1 older/elder woman & 2 older/elder men.

Bearskin Lake

A total of 23 questionnaires were completed. This figure represents 3.5% of the community's population. The questionnaires were completed by:

- 5 female youth
- 3 adult women & 2 adult men
- 5 older/elder women & 8 older/elder men

Cat Lake

A total of 24 questionnaires were completed. This figure represents 5% of the community's population. The questionnaire was completed by:

- 1 male youth
- 5 adult women & 7 adult men
- 1 older/Elder women & 5 older/Elder men
- no age or gender breakdown is available about the remaining 5 who filled out the questionnaires in this community.

Round Lake

A total of 30 questionnaires were completed. This figure represents 5% of the community's population. The questionnaires were completed by the following:

- 1 male youth & 1 female youth
- 6 adult women & 5 adult men
- 2 older/Elder women & 15 older/Elder men

Sachigo Lake

A total of 21 questionnaires were completed. This figure represents 5.25% of the community's population. The questionnaires were completed by the following:

- 1 female youth
- 11 adult men
- 4 older/Elder women & 5 older/Elder men

RESULTS & ANALYSIS OF THE SELF-GOVERNMENT QUESTIONNAIRES

The results of the questionnaires have been organized by areas of scope therefore the order of questions will appear differently from the order in the actual questionnaires.

AREAS OF SCOPE:

1. **RASCISM**
2. **SELF-GOVERNMENT**
3. **LANDS & RESOURCES**
4. **CITIZENSHIP**
5. **TREATY RIGHTS**
6. **RIGHTS OF OFF-RESERVE FIRST NATIONS PEOPLE**
7. **SPECIAL DIFFICULTIES OF FIRST NATIONS PEOPLE LIVING IN THE NORTH**
8. **INAC & THE INDIAN ACT**
9. **SOCIAL ISSUES**
10. **EMPLOYMENT**
11. **PRESERVATION OF FIRST NATIONS CULTURE (LANGUAGE & TRADITIONS)**
12. **ROLE OF THE ELDERS**
13. **THE ROLE OF WOMEN IN FIRST NATIONS COMMUNITIES**
14. **SUICIDE**
15. **EDUCATION**

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1. RASCISM

The results of respondent interviews indicate that rascism continues to be a problem for Windigo First Nations community members. 35% of the respondents feel Canadians in general do not realize how much work needs to be done to heal the relationship between Aboriginal and non-Aboriginal people. 25% feel Canadians do realize much work needs to be done to heal the relationship between Aboriginal and non-aboriginal peoples.

Many of the respondents indicated there is great ignorance of each other's culture and way of life. These two different cultures continue to live, for the most part, in relative isolation from each other. One respondent stated she does not have a lot

of contact with non-Native people and from what she knows she does not think Canadians are willing to broach the subject of rascism.

When asked if Canadians are willing to address long-term systematic rascism and rascist attitudes 23% felt that generally Canadians are willing to put their efforts into resolving these issues, however, many of the respondents did not clearly answer the question and a number had doubts about whether both parties would be willing to work together at eliminating this problem.

36% clearly agreed education is the key in eliminating mistaken assumptions and negative stereotypes about First Nations people. This education includes cross-cultural workshops, working together to share skills and knowledge, as well as teaching a First Nations perspective on history in schools.

It is clear much work needs to be done in this area. A race relations committee has been set up in Sioux Lookout and continues to deal with issues which affect those living in town but the concerns of those First Nations peoples living in the north continue with little or no voice. One of the Osnaburgh/Windigo Tribal Council Justice Review Committee's recommendations stated.

> "Insufficient attention has been paid to the fact that the First Nations people are the only permanent residents in the far north of Ontario. As such, they should be represented in federal and provincial ridings where First Nations form the majority, in addition to whatever arrangements are developed for self-government. In this way, the permanent residents would have a unique voice in federal, provincial and self-government bodies - all of which are sadly lacking at the present time." (1991)

Do Canadians in general realize that much work needs to be done to heal the relationship between Aboriginal and non-Aboriginal peoples?

There was a total of 57 responses to the first part of this 2-part question. The following is a break-down of the first question:

35% (20)	-	said no. Canadians do not realize how much work needs to be done to heal the relationship between Aboriginal and non-Aboriginal peoples.
25% (14)	-	stated yes. They clearly felt that Canadians do realize much work needs to be done to heal the relationship between Aboriginal and non-Aboriginal people.
25% (14)	-	did not answer the questions clearly, however, made comments about the topic of rascism.

16% (9)	-	stated they did not know whether or not Canadians realize that much work needs to done to heal the relationship between Aboriginal and non-Aboriginal peoples for various reasons.

Are they willing to address the systematic rascism and rascist attitudes that have prevailed towards First Nations since colonial times?

There was a total of 60 responses to the second part of this two-part question.

23% (14)	-	of the respondents stated that they feel Canadians are willing to address the systematic rascism and rascist attitudes that have prevailed towards First Nations since colonial times.
23% (14)	-	made comments about rascism but did not clearly answer the questions given.
17% (10)	-	of the respondents stated there is a need for education and a need to work together to resolve problems of rascism.
17% (10)	-	either did not answer the question or stated they did not know.
13% (8)	-	had doubts about whether or not both parties would be willing to work on this problem.
7% (4)	-	of the respondents clearly stated they felt Canadians are not willing to address the problem.

What actions can be taken to eliminate the mistaken assumptions and negative stereotypes that many non-Native Canadians harbour about First Nations people?

There was a total of 39 responses to this question.

36% (14)	-	of the respondents stated education is the key in eliminating negative stereotypes about First Nations people.
20% (8)	-	of the respondents did not answer the question directly but made comments of varying opinions about negative stereotypes.
15% (6)	-	of the respondents felt First Nations peoples must take it upon themselves to provide a positive image of their people to the rest of Canadians. They said if they stood proud this would prove the stereotypes wrong.
10% (4)	-	of the respondents stated they did not know what to do about eliminating negative stereotypes.
7% (3)	-	of the respondents said First Nations people could dispel negative stereotypes by adapting to the rest of Canadian society.
3% (1)	-	of the respondents said all people should work together to rid society of negative stereotypes.

3% (1)	-	of the respondents felt job creation would help to eliminate negative stereotypes.
3% (1)	-	feel it is the governments' responsibility to deal with this issue.
3% (1)	-	feel the Creator (God) will help all people deal with this problem.

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2. SELF-GOVERNMENT

42% of the respondents said self-government would work according to Nishnawbe ways and traditions. Many stated various forms which self-government should take and at the same time people questioned the time-frame involved in such a take-over. Overall, respondents do see self-government as a positive step but they feel education and training are needed.

A majority of respondents said traditional ways of decision-making would be incorporated into First Nations government. Womens' concerns would be dealt with in different ways depending on the community. Some First Nations envision women as equal partners in government and other respondents suggested women should hold advisory positions with the Elders. 55% of respondents agreed that First Nations government would be accountable to the people living in their communities. 41% stated First Nations self-government should be organized to cover treaty areas.

Financing for self-government would come from a number of sources including transfer payments from the government, monies made from resource development agreements and new business ventures. 42% agreed existing federal and territorial agreements would provide a useful model from which to start. 56% understood that taxation of First Nations would have to occur if they want their communities to be self-sustaining and self-sufficient. The 33% who said no to taxation stated this practice would infringe on their treaty rights and relieve the federal government of its feduciary obligations.

79% of the respondents said First Nations would have authority over non-Native people living within their territory. 93% indicated First Nations' rights, interest and title and their traditional and contemporary lands should be formally recognized in Canadian law.

What forms will First Nations government take?

There were 41 responses to the first part of this three-part question.

42% (17)	-	of the respondents said self-government would work according to Nishnawbe ways and traditions. Many stated various forms which self-government could take but within the same response many questioned whether or not First Nations were really ready for self-government. There were comments made which showed reluctance for various reasons. Lack of faith in their leadership being one of them. Overall, however, respondents do see self-government as a positive step but they feel education and training are needed.
32% (13)	-	of the respondents did not answer the question directly.
7% (3)	-	of the respondents said the Elders will provide guidelines for a self-government framework and will play advisory roles.
7% (3)	-	of the respondents stated self-government will work according to elected representatives.
7% (3)	-	of the respondents did not answer the question directly, however, made relevant comments about self-government. One response stated some communites are ready for self-government and some are not while another comment suggested that Chief and Council should live on reserve.
2% (1)	-	stated self-government will work with advisory committees where everyone is represented.
2% (1)	-	said self-government should work according to Nishnawbe traditions and incorporate this form of government with existing levels of the Canadian government.
2% (1)	-	said they didn't know what form self-government would take.

Will traditional ways of decision-making be incorporated into First Nations government?

There was a total of 42 responses to the second part of this three-part question.

52% (22)	-	of the respondents did not directly answer this question, however, 40% of respondents in the previous question did say First Nations self-government would take on some kind of traditional form and traditional decision-making is a part of Nishnawbe ways.
40% (17)	-	of the respondents directly said yes to traditional forms of decision-making within self-government.
5% (2)	-	of the respondents clearly said no to traditional forms of decision-making.

2% (1)	-	respondent simply stated their belief that decision-making should be according to the needs of the community.

How will First Nations womens' concerns for adequate representation be addressed?

There was a total of 41 responses to the third part of this three-part question.

42% (18)	-	stated women should be represented as equals in First Nations government.
29% (12)	-	of the respondents did not answer the question.
12% (5)	-	of the respondents said womens' roles in self-government should be like that of an Elder where they would fulfill advisory and support roles.
10% (4)	-	simply stated women should be involved but did not say how.
5% (2)	-	made comments which did not directly answer the question. eg. "I don't know what the women want".

How will Aboriginal self-government lead to political and economic self-sufficiency?

Very few of the respondents answered this question directly whereas many made comments about the need for education and training. Many of the respondents stated that they felt First Nations are not ready for self-government if judged upon past economic development ventures. Those who answered the question directly discussed how self-government will lead to political and economic self-sufficiency because First Nations will finally have a voice.

There was a total of 60 responses to this question.

35% (21)	-	believe the road to self-government will lead to economic and political self-sufficiency due to the training and education that First Nations will receive along the way.
18% (11)	-	of the respondents simply stated they felt First Nations were not prepared for self-government at this point in time although they wholly support the concept.
17% (10)	-	did not answer the question but made comments about self-government both positive and negative in nature.
10% (6)	-	of the respondents stated they did not know for various reasons.
10% (6)	-	of the respondents feel that First Nations self-government will lead to economic and political self-sufficiency because we will have a voice and control over our own destiny.

7% (4)	-	believe First Nations self-government will lead to political and economic self-sufficiency because of First Nations traditions and identity.
3% (2)	-	of the respondents believe self-government will lead to economic and political self-sufficiency by controlling their economic development as well as their lands and resources.

What steps should be taken now by First Nations' communities to prepare for operating their own governments?

Overwhelmingly respondents said they want training and education at the community level. First Nations should secure all their current benefits and take over programs and services. Some felt that this take-over should be directed by the community leadership and others felt it was important to deal with social problems prior to taking over programs and services as well as new business ventures.

There was a total of 44 responses to this question.

57% (25)	-	of the respondents stated education and training as the priority for First Nations in preparing for self-government.
14% (6)	-	of the respondents felt First Nations communities should prepare for self-government in the community at the community level.
	eg.	"The first step to self-government starts at home. Parents should educate themselves regarding the history of their traditional governments. Parents should ensure their children finish their education, both their cultural education as well as the white society's education. Parents have to motivate and assist their children to have and obtain goals in life".
11% (5)	-	of the respondents stated their own leadership as being responsible for preparing First Nations communities for self-government.
5% (2)	-	of the respondents suggested First Nations secure all their current benefits as a start to self-government.
5% (2)	-	suggested First Nations become involved in new business ventures in order to prepare for First Nations self-government.
5% (2)	-	said they didn't know.
2% (1)	-	mentioned social problems must be dealt with prior to self-government.
2% (1)	-	respondent stated First Nations must find dollars in order to sustain self-government.

To whom would First Nations be accountable, and for what?

The majority of the respondents said that First Nations governments should be accountable to the people at the community level. Those respondents who did answer what First Nations government should be accountable for said all programs and services should be within their control.

There was a total of 60 responses to this question.

55% (33)	-	of the respondents said First Nations government should be accountable to the people.
13% (8)	-	of the respondents felt First Nations governments should be accountable to the federal government.
10% (6)	-	of the respondents said First Nations government should be accountable to whoever funds First Nations government.
5% (3)	-	stated First Nations government should be accountable to the people and the federal government.
3% (2)	-	felt First Nations government should be accountable to Nishnawbe-Aski Nation.
3% (2)	-	of the respondents stated First Nations self-government should be accountable to the Elders and the people.
3% (2)	-	made comments about self-government but did not not answer the question directly.
2% (1)	-	said First Nations self-government should be accountable to the Elders and the Chiefs.
2% (1)	-	said First Nations government should be accountable to Windigo First Nations Council.
2% (1)	-	said First Nations self-government should be accountable to the federal government and gradually the control should be with First Nations people themselves.
2% (1)	-	said they did not know.

Would some First Nations governments be regional in scope? Would some be at the level of First Nations? Would some be organized to cover treaty areas?

There was a total of 32 responses to this question.

41% (13)	-	organized according to treaty area.
25% (8)	-	organized according to First Nations/community level.
9% (3)	-	organized according to regional level.
9% (3)	-	made comments but did not answer the question directly.
6% (2)	-	organized according to national level.
6% (2)	-	organized according to provincial level.
3% (1)	-	said they were not sure.

How will Aboriginal governments be financed? Do existing federal/territorial agreements provide a useful model? Will Aboriginal governments tax their own citizens?

Most respondents did not answer the first part of the question but many had opinions about whether or not First Nations should tax themselves with the implementation of self-government. Many respondents felt self-government should be financed according to existing models. There is some division over the issue of taxation overall. Respondents who stated "no" to taxation felt it infringed on their treaty rights.

There was 45 responses to this question about taxation.

56% (25)	-	yes to taxation.
33% (15)	-	no to taxation.
11% (5)	-	were undecided about the issue of taxation.

38 respondents made suggestions about how First Nations government should be financed.

42% (16)	-	stated existing federal/territorial agreements would provide a useful model.
32% (12)	-	felt the government still has a feduciary responsibility to First Nations people and they should continue to provide financing whether it be through transfer payments or grants.
18% (7)	-	said resource development should provide First Nations with monies to finance their own government.
8% (3)	-	felt First Nations could finance their own government through new business ventures.

Would First Nations governments have authority over non-Native people living within their territory?

There was a total of 42 responses to this question.

79% (33)	-	stated yes.
21% (9)	-	said they were not sure if First Nations would have authority over non-Native people living within their territory.

None of the respondents directly said no to this question.

Should First Nations' rights, interest and title and their traditional and contemporary lands be recognized formally in Canadian law?

There was a total of 46 responses to this question.

93% (43)	-	stated yes.
4% (2)	-	stated they did not understand the question.
2% (1)	-	stated they did not have an answer.

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3. LANDS & RESOURCES

Respondents were very clear when they stated self-government will require additional lands and resources. The respenses indicate that is the only way First Nations will be able to become self-sustaining. Additional lands will also allow First Nations to make the choice between living in a traditional or a wage economy. Only half of the respondents, however, feel Canadians are willing to ensure access and control to lands and resources.

There were few clear suggestions when respondents were asked about resolving disputes over the interpretation of the treaties. One quarter of the respondents feel something positive can be accomplished in time. 24% did not answer the question directly but made relevant comments. 17% said there is no way to resolve disputes concerning the treaties. Many of the respondents had questions about the treaties indicating education is wanted and needed about the history of the treaties. When asked about how governments can be brought to honour the many unfulfilled treaty obligations 42% of respondents said First Nations should begin a process of negotiations with the Canadian government.

Will self-government require more lands and resources under the control of First Nations? If so, do you think Canadians are willing to ensure Aboriginal people are able to achieve this?

There was a total of 65 responses to the first part of this two-part question.

95% (62)	-	said First Nations will require more lands and resources under self-government.
3% (2)	-	said they did not understand the question.
2% (1)	-	felt the land First Nations have now is "O.K."

There was a total of 60 responses to the second part of this two-part question.

50% (30)	-	said they felt Canadians would ensure First nations are able to acquire more lands and resources.
27% (16)	-	said they felt Canadians would not be willing to give up the control of additional lands and resources.
20% (12)	-	said they were not sure how Canadians would respond.
3% (2)	-	said they did not understand the question.

Can we find a way of resolving disputes over the interpretation of the treaties that meets the concerns of both First Nations and the Canadian governments?

There was a total of 63 responses to this question.

25% (16)	-	said they felt there is a way of resolving disputes over the interpretation of the treaties.
24% (15)	-	did not answer the question directly but made comments about the treaties.
17% (11)	-	felt there is no way to resolve disputes over interpretation of the treaties.
13% (8)	-	said they were not sure.
11% (7)	-	felt some sort of mediation is needed to resolve interpretation of the treaties.
10% (6)	-	said they did not understand the question.

How can governments be brought to honour the many treaty obligations, such as treaty and land entitlements, that remain unfulfilled?

There was a total of 48 responses to this question.

42% (20)	-	said First Nations should negotiate with the Canadian government.
13% (6)	-	felt by training First Nations people first, they could then negotiate with the government.
13% (6)	-	said it will take court/legal action.
13% (6)	-	felt it will be achieved by civil disobedience.
6% (3)	-	felt a mediation board should be set up.
6% (3)	-	stated they did not know how to accomplish such a task.
4% (3)	-	said they did not understand.
2% (1)	-	said to leave things as they are.

4. CITIZENSHIP

The respondents' definitions of citizenship encompass a number of points including a spiritual bond with the land, being born and raised on the land and practicing a traditional lifestyle on the land. 64% of the respondents said they should have dual citizenship with their First Nations citizenship. 25% stated they need one citizenship, a First Nations citizenship.

What is your definition of belonging to the land you live on?

There was a total of 58 responses to this question.

40% (23)	-	said belonging to the land is a spiritual bond for First Nations people.
21% (12)	-	said belonging to the land is defined by where you are born and raised.
16% (9)	-	stated their definition of belonging to the land is defined by where you hunt, trap and fish.
9% (5)	-	said belonging to the land means is defined by who was living there first.
7% (4)	-	did not answer the question directly but made comments.
7% (4)	-	said they did not know.
2% (1)	-	said it was their reserve lands.

Would First Nations people have citizenship in their First Nation in addition to their Canadian citizenship?

There was a total of 59 responses to this question.

64% (38)	-	said yes, they would have a kind of dual citizenship.
25% (15)	-	stated they wanted First Nations citizenship only.
8% (5)	-	said they were not sure.
2% (1)	-	did not answer the question directly but made a comment.

5. TREATY RIGHTS

53% of the respondents said self-government should strengthen treaty rights. Again, as in the section on lands and resources the responses indicate much education is needed in the area of treaties.

What is the relationship between treaties and self-government? In what ways can we ensure that self-government enhances the fulfilment of treaty obligations?

None of the respondents really answered the second question but many had opinions about the relationship between treaties and self-government.

There was a total of 36 responses to this question.

53% (19)	-	said self-government should support or strengthen treaty rights.
25% (9)	-	did not answer the question directly.
11% (4)	-	said they did not know.
8% (3)	-	said they did not understand.
3% (1)	-	said the relationship between treaty rights and self-government is separate.

6. RIGHTS OF OFF-RESERVE FIRST NATIONS PEOPLE

91% of the respondents stated clearly that treaty rights should be portable wherever a First Nations person decides to live or travel.

Should treaty rights be portable, capable of being exercised by individuals residing off-reserve?

There was a total of 44 responses to this question.

91% (40)	-	said yes, First Nations' treaty rights should be portable.
7% (3)	-	said no, their treaty rights should not carried off reserve.
2% (1)	-	did not answer the question directly.

7. SPECIAL DIFFICULTIES OF FIRST NATIONS PEOPLE LIVING IN THE NORTH

It is only within the past 20 years that Windigo communities have built airstrips. Despite the increased availability of goods and services there is a high price to pay for convenience. Some people who were interviewed spoke about cultural confusion when material goods became available. The cost of air transportation is very high and the only other modes of transportation is boat or snowmachine.

Our communities lack clean drinking water, proper housing and adequate sewage disposal. The costs involved with shipping building materials by air is unrealistic. The only alternative is to wait for the season's winter roads to be built and even then not all communities have these linkages.

First Nations are seeking business development grants to establish airlines and viable businesses for their communities. With this business development there must be a reasonable land base in order for First Nations to remain viable in the future.

All of the communities have medical clinics, however, doctor and dentist visits are never frequent enough and are often absent during emergency situations. As a result community members are flown away from their homes and families to secure proper medical attention.

People who live in oppressive living conditions sink into a cycle of depression, poverty and powerlessness. In turn these conditions manifest themself through higher rates of family violence, suicide, substance abuse and alcoholism. First Nations have established their own treatment centres and will continue to build their own treatment centres so there can be holistic family support and aftercare. First Nations will continue to work towards providing community-based and culturally appropriate methods of prevention and treatment.

8. INAC & THE INDIAN ACT

42% of the respondents feel the Indian Act should be amended and revised by First Nations according to their needs. However, an almost equal number of respondents stated they did not understand the Indian Act, its history or

implications. Some respondents expressed great concern about what would happen if there was no Indian Act.

Many of the respondents requested more information about the Indian Act and its history.

What role, if any, should the Indian Act play in First Nations government? What arrangements should be put in place during the transition from Band Councils under the Indian Act to First Nations self-government?

There was a total of 36 responses to the first part of this question. None of the respondents directly answered the second part of the question.

42% (15)	-	said the Indian Act should be revised by First Nations according to their needs.
39% (14)	-	said they did not know or they did not understand enough about the Indian Act to answer the question.
11% (4)	-	said to get rid of the Indian act.
6% (2)	-	said keep the Indian Act.
3% (1)	-	did not answer the question directly.

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9. SOCIAL ISSUES

40% of the respondents stated social ills must be dealt with before positive economic development can occur. 25% said the approach to healing and economic development must be approached holistically. 35% did not answer the question directly but made comments about social problems in their communities. Healing will occur in the communities with the support of the community itself. Education was also recommended for counselling, parenting skills, solvent abuse, alcoholism, spouse abuse, etc.

When asked what is preventing the application of holistic community health strategies there was an array of responses including lack of services, conflicting cultres lack of parenting skills, poor leadership, poor housing, unemployment, etc.

To what extent must social problems be resolved before economic development can proceed?

There was a total of 52 responses to this question.

40% (21)	-	said social problems must be dealt with before First Nations can successfully proceed with economic development.
35% (18)	-	did not answer the question directly but made comments about social ills.
25% (13)	-	felt the approach to social problems and economic development must be holistic in manner.

How can the efforts of First Nations people to achieve individual and community healing be recognized, supported and extended more broadly?

Most respondents called for general community support in order to achieve healing. This could be accomplished by many different means.

There was a total of 37 responses to this question.

59% (22)	-	said individual and community healing could be achieved with community support. This includes all community members as well as Chief and Council, self-help groups, etc.
11% (4)	-	said healing could be achieved with education from Elders, counselling, workshops, etc.
8% (3)	-	said better parenting skills would achieve healing.
8% (3)	-	said the revival of a traditional lifestyle would help to achieve community healing.
5% (2)	-	said more funding would help the healing process.
3% (1)	-	felt positive spiritual health would assist with the healing process.
3% (1)	-	said policing would help.
3% (1)	-	said they did not know what could be done.

What is preventing the application of holistic community health strategies to deal with poverty, poor nutrition, inadequate housing and low morale in First Nations communities? How can the fragmentation of human services be remedied?

There was a total of 56 responses to the first part of this two-part question. There were no clear responses given to the second part of this question.

20% (11)	-	said poor services are preventing the application of holistic community health strategies.

18% (10)	-	said it is because of conflicting cultures.
17% (10)	-	commented but did not answer the question directly.
14% (8)	-	felt it is due to a lack of parenting skills.
14% (8)	-	said it is being prevented because of poor leadership.
7% (4)	-	said it is due to a lack of funding.
4% (2)	-	said it is due to pooor housing.
2% (1)	-	felt it is because there are no jobs.
2% (1)	-	said they did not know.
2% (1)	-	said it is because there is no First Nations strategy.

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10. EMPLOYMENT

46% of respondents stated young people will have to leave their communities in order to get good jobs. 25% said there are jobs in the communities and 22% believe self-government will bring more employment opportunities.

Respondents said it is up to parents and leadership to come up with a strategy for young people seeking employment in their communities. There were requests for more funding and exploration into new technologies.

Will First Nations young people, even with a good education, face a choice of unemployment in their communities or moving to cities for employment opportunities?

There was a total of 56 responses to this question.

46% (30)	-	said they feel young people will have to move to the cities for employment.
25% (16)	-	said there are jobs in the communities and the youth should stay in their home communities.
22% (14)	-	said they think self-government will bring employment opportunities to their communities and then the youth will have a choice.
8% (5)	-	made comments but did not answer the question directly.

What planning needs to be done now for First Nations young people who will be seeking meaningful employment, and who should do it?

Very few of the respondents had ideas about what type of planning should be done for young people seeking meaningful employment. Those who did respond feel it is up to the leaders and parents in the community to accomplish this for young people.

There was a total of 39 responses to this question.

64% (25)	-	said education would help young people seeking meaningful employment.
13% (5)	-	did not answer directly but made comments.
8% (3)	-	said they did not know .
8% (3)	-	said more funding would help youth.
3% (1)	-	said employment strategy planning needs to be done.
3% (1)	-	felt research into new technologies would assist young people seeking meaningful employment.
3% (1)	-	said business planning needed to be completed for youth.

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11. PRESERVATION OF FIRST NATIONS CULTURE (LANGUAGE & TRADITION)

A majority of respondents stated that wildlife can support those numbers of First Nations wishing to live a traditional lifestyle and 13% said there should be quotas. One quarter of the respondents don't believe there is enough wildlife to sustain those wishing to live a traditional lifestyle.

When discussing how a strong sense of First Nations identity can be maintained in a changing environment most respondents said cultural education and a revival of cultural traditions.

Can wildlife in the north support the numbers of First Nations people wishing to live a traditional lifestyle?

There was a total of 45 responses to this question.

53% (24)	-	said yes, they feel wildlife in the north can support those wishing to live a traditional lifestyle.

24% (11)	-	said no, wildlife cannot support those wanting to live a traditional lifestyle.
13% (6)	-	said yes, but there should be quotas placed on the amount of wildlife killed.
4% (2)	-	said maybe.
4% (2)	-	did not answer directly but made comments.

How can a strong sense of identity be maintained in a changing environment?

There was a total of 57 responses to this question.

44% (25)	-	said a strong sense of identity can be maintained by a revival of cultural traditions.
37% (21)	-	felt education (cultural and otherwise) would help maintain a strong sense of identity.
9% (5)	-	said a balance is needed between cultural teachings and contemporary times.
3% (2)	-	said they feel their identity will change.
2% (1)	-	said they felt economic development and strong leadership will help to maintain a strong sense of identity.
2% (1)	-	felt a strong child-parent bond would help.
2% (1)	-	made a comment but did not answer the question directly.
2% (1)	-	said they did not know.

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12. ROLE OF THE ELDERS

The topic of Elders came up in two areas of the questionnaire. They were discussed within the context of self-government and education.

With the implementation of self-government Elders will play advisory roles and direct the communties with their wisdom. The Elders will also be teachers in the classroom and in traditional settings. Their role is very important in keeping the First Nations culture alive. 87% of the respondents see their Elders as teachers.

See #15 Education
See question: How can formal and informal education processes involve Elders and help to pass on to youth the wisdom of oral First Nations culture?

Also, see section: Analysis of Self-Government Questionnaires

13. THE ROLE OF WOMEN IN FIRST NATIONS COMMUNITIES

There was one question asked about the role of women in First Nations. See section #2: Self-government. The question is. "How will First Nations women's concerns for adequate representation be addressed?

42% of the respondents stated women should be represented as equals in First Nations self-government. 12% see women filling advisory and support roles as the Elders do.

14. SUICIDE

The First Nations communities in northwestern Ontario have the highest suicide rate in the country. The problems of First Nations young people are of great concern to our people. We have held conferences and healing circles in an attempt to understand the pressures that bring some of our young people to consider ending their lives. The young people, the Elders, the parents and the leaders of the communities have a great deal to say about First Nations young people.

A Youth Forum has established to travel throughout Nishnawbe-Aski Nation to listen to their concerns, ideas and problems; to create a forum for the youth to communicate their concerns in a trusting and supportive environment; to document presentations which will identify needs and concerns which will be presented to Chiefs, community leaders and government representatives; and to provide a safe environment for people to disclose in private. The final report will be presented to the Chiefs and Elders of Nishnawbe-Aski Nation for formal ratification by the Nishnawbe-Aski leadership. Nishnawbe-Aski Nation will be responsible for ensuring that the recommendations from the report are utilized and implemented. The Youth Forum is scheduled to begin its travels in October of 1993.

15. EDUCATION

When discussing education with the respondents it was very clear that young people must have opportunities. It is up to the youth to make choices for themselves about whether they want to participate in a traditional or wage economy. The opportunities should be offered in their home communities or in schools such as Pelican Falls where they are taught culturally relevant material and where they have the support needed when they leave their homes. Pelican Falls high school First Nations school. The majority of the respondents also believe all students, Native and non-Native, should learn First Nations history and culture from a First Nations perspective. More funding is needed to enable students to work towards higher levels of education.

All respondents agreed it was up to parents to provide support, love and encouragement to children attending school. Parents should stress the importance of an education and the need to attend classes regularly. Leadership should be responsible for lobbying for better educational services, facilities and increased funding.

Over 50% of the respondents agreed there should be some co-ordination between First Nations and provincial school systems and 24% said First Nations education should be completely separate from provincial guidelines.

74% of respondents believe the contribution of First Nations has not been fairly represented in Canadian society and First Nations should have input into school curriculums to set the record straight.

How can an education system be designed and controlled by First Nations that will prepare youth for participation in either the traditional or wage economy?

Few respondents answered the question directly. More often the responses stated that the education curriculum should be controlled by First Nations. Three of Windigo First Nations Council's communities have their own education authority and the others have some local control but they must tie into the provincial system at the high school level. There is also one community that does not have its own school. The children of New Saugeen First Nation attend a provincially-controlled school. With First Nations control of their education youth will decide for themselves whether they would like to participate in a traditional or wage economy. The important point that stood out in the responses to this question is that youth should have the choice.

There was a total of 59 responses to this question.

47% (28)	-	said the education system should be designed so that it gives youth the choice to participate in either the wage or traditional economy.
29% (17)	-	did not answer the question directly but made comments about First Nations education.
12% (7)	-	stated First Nations education should be provided at the community level.
8% (5)	-	responded by stating youth will be prepared for a traditional or wage economy by learning First Nations cultural teachings and traditions.
3% (2)	-	said they did not know how youth could prepare for participation in either the traditional or wage economy.

What place should First Nations culture, language and history have in the education of all Canadian students? How should the bias and ommissions in school texts be corrected?

Most of the respondents did not directly answer the question, however, they made their opinions about education very clear by their comments. First Nations control of education is already implemented in 3 out of 6 Windigo communities. It is only a matter of time before the remaining communities do likewise. There was also unanimous support for teaching First Nations history, culture and traditions to First Nations as well as other Canadians. First Nations feel the rest of society would understand them better if they were taught a First Nations perspective of history. All the previous errors and omissions in school texts should be revised by First Nations peoples.

There was a total of 33 responses to this question.

94% (31)	-	stated education about First Nations history and culture from a First Nations perspective should be taught to all Canadians.
6% (2)	-	did not answer the question directly but provided comments about the subject.

What action is required to ensure that First Nations youth pursue and obtain technical and professional levels of education?
How can parents instill high aspirations in their children? What is the responsibility of communities and those in leadership positions? What adaptations in education systems are necessary? Most important, how do First Nations envision their future and how do they propose to prepare themselves for the responsibilities ahead of them with the implementation of self-government?

The responses for the above questions have been broken down separately. There were 39 responses total to the above block of questions about education but not all respondents answered each part of the question.

What action is required to ensure that First Nations youth pursue and obtain technical and professional levels of education?

There were 29 responses total to the first part of this five-part question.

38% (11)	-	feel financial assistance will ensure First Nations youth will be able to obtain technical and professional levels of education.
31% (9)	-	said the action required to ensure that First Nations youth pursue and obtain technical and professional levels of education is through First Nations control of their education in First Nations schools.
21% (6)	-	said First Nations youth must pursue the same standard of education that non-Native students receive.
3% (1)	-	stated these levels of education will be obtained if youth are taught First Nations traditions first and academics after.
3% (1)	-	stated youth must build up their self-esteem and motivation.
3% (1)	-	stated youth must familiarize themselves with new technologies.

How can parents instill high aspirations in their children?

There were 16 responses total to this question.

All respondents (100%) stated the need for parents to provide encouragement, love and support. Parents should ensure children attend school and they should instill the importance of receiving an education.

What is the responsibility of communities and those in leadership positions?

There were 14 responses total to this question.

Generally the respondents had very similar ideas about what those in leadership roles should provide for educating young people in their communities. They should provide support and try to instill pride in youth. Leadership should be responsible for lobbying for better educational services, better funding assistance and ensuring adequate facilities are available for students. One respondent also suggested the leadership explore solutions to the problem of truancy.

What adaptations in education systems are necessary?

There were 4 responses total to this question.

Three respondents suggested First Nations schools in First Nations communities are necessary. Changes also have to be made to ensure higher retention during schooling.

Most important, how do First Nations youth envision their future and how do they propose to prepare themselves for the responsibilities ahead of them with the implementation of self-government?

There were 4 responses total to this question.

One respondent suggested young people should have training to prepare themselves for self-government. Two respondents stated they felt the youth had no vision for the future and self-government. The fourth respondent said they did not know how the youth felt about their future.

How can formal and informal education processes involve Elders and help to pass on to youth the wisdom of oral First Nations culture?

The overwhelming response was that Elders should teach both in the classroom and outdoors in a traditional setting.

There was a total of 34 responses to this question.

38% (13)	-	of the respondents felt Elders should have a role teaching in the classroom on a regular basis.
26% (9)	-	of the respondents felt the Elders should teach cultural ways in the classroom and in traditional settings.
15% (5)	-	of the respondents stated that Elders should teach the wisdom of oral First Nations culture.
8% (3)	-	made comments that the Elders should teach the wisdom of oral First Nations culture in a traditional setting.
8% (3)	-	said they did not know.
3% (1)	-	made comments about their Elders but did not answer the question directly.

To what extent do First Nations education systems need to be co-ordinated with provincial and territorial systems? What measures should be taken to ensure responsiveness to First Nations priorities in provincial and territorial institutions?

There were 34 responses to the first question but no one clearly responded to the second part of this question except to say that someone should ensure responsiveness to First Nations priorities in provincial and territorial institutions.

35% (12)	-	of the respondents felt that there should be co-ordination between First Nations and provincial/territorial education systems.
24% (8)	-	of the respondents felt First Nations education systems should be completely separate from provincial/territorial institutions.
21% (7)	-	of the respondents feel there should be some co-ordination between both educational systems.
15% (5)	-	said they did not know.
6% (2)	-	made comments but did not answer the question directly.

Do the Canadian elementary and secondary school systems fairly represent the contribution of First Nations to Canadian society? If not, what actions should be taken and by whom?

The majority of respondents said the contribution of First Nations peoples has not been fairly represented in Canadian society. First Nations should have input into the school curriculums to correct the misrepresentation.

There was a total of 27 responses to this question.

74% (20)	-	of the respondents stated no, the contribution of First Nations to Canadian society has not been represented fairly.
15% (4)	-	said they did not know.
7% (2)	-	said yes.
4% (1)	-	made a comment but did not clearly answer the question.

CONCLUSION

Throughout community consultations in Windigo First Nations member communities the people, for the most part, support the concept of self-government. Windigo First Nations communities envision a positive future for their communities with the eventual implemetation of self-government. It is a priority to access more information, education and training along the road to governing their own affairs. The respondents have indicated that they see this process as a gradual one.

With the take-over of various programs and services they will receive the education and administrative training necessary to answer to the unique needs of their communities and make decisions at the community level as opposed to having decisions made for them from the outside.

The contents of this document contains the voices of Windigo First Nations. Community members indicated they want to secure all the current benefits they are entitled to. To do otherwise would infringe and take away from their treaty rights.

Windigo First Nations are presently creating and practicing their own forms of government according to the unique needs of their people. We feel that this is the first step of a long journey. The governments of Canada and Ontario must accommodate our form of government which ultimately is our way of life. We will continue to strive to keep our culture and traditions alive and well in a contemporary context.

PROPOSAL FOR REGIONAL GOVERNANCE

IN THE WINDIGO FIRST NATIONS AREA

SUBMITTED TO:

GOVERNMENT OF ONTARIO
GOVERNMENT OF CANADA

SUBMITTED BY:

WINDIGO CHIEFS COUNCIL
DECEMBER 17, 1992

PROPOSAL FOR REGIONAL GOVERNANCE IN THE WINDIGO FIRST NATIONS AREA

Introduction

Regional Governance in the Windigo area can be approached from the perspective of identifying what we currently have, the status of our communities in relation to the programs and services that they presently deliver and those programs and services delivered to them by outside agencies. Carrying the same vein of thought we can review the programs and services administered by the Tribal Council and again those services delivered for them.

Carrying this context further the First Nations and the Tribal Council can review those services currently administered by both levels of government that they wish to assume the administration of. Other authorities that can be considered are native entities that have been established by the Chiefs such as your education, social service and economic development agencies and how Windigo will or should be interacting with these bodies. Politically, the question of how Windigo will work with the Nishnawbe-Aski Nation in the area of self government will also have to be examined.

To deal with the concept of regional governance in the Windigo Tribal area it must understood that self government has political connotations, however the necessity to deal with day to day business needs to be dealt with also. Therefore the proposal being put forward goes towards the issue of addressing the politics of native people in the Windigo area as well as attempting to deal with socio-economic development as it occurs in the Windigo Tribal area.

The Indian people of the Windigo Tribal Council area have special rights as aboriginal people. It is the responsibility of the elected leadership of the Windigo Tribal area to enhance and protect these special rights. It is also the responsibility of the elected leadership to address the living conditions of their people and to attempt to improve those living conditions, which are at best third world conditions. In addressing and attempting to improve these conditions the leadership must be cognizant not to compromise the special rights their people have.

As aboriginal people the citizens of the Windigo area enjoy rights pertaining to aboriginal, treaty and the constitution. Aboriginal rights are those rights associated with being the First Peoples of this country. Treaty rights are those rights contained in Treaty # 9. Rights which spell out the obligations of the Government of Canada with respect to socio - economic assistance and the protection of native hunting, trapping, fishing and gathering. Constitutional rights are those rights that are contained in the Constitution Act of 1982.

Specifically section 35.1 which recognizes the existing aboriginal rights of aboriginal people in this country. The Government of Canada by virtue of the British North America Act, section 91:24, has legislative responsibility to the Indians and Indian Lands, this particular piece of legislation is known as the Indian Act. Through this Act the Indian Affairs and Northern Canada has administered and transferred programs and services to the First Nations. Through this Act INAC has accessed funds from Treasury Board to address and to attempt the improvement of the living conditions of Indian people of this country.

Furthermore, case law, specifically, the Guerin decision of November 1984, has determined that the Government of Canada has a fiduciary responsibility to the Indian people of this country. Fiduciary implies that Canada holds the lands of the Indian people in trust.

Other case law, specifically Sparrow in a court decision of May 1990, determines that the Indian people of Canada after health, safety and conservation have first access and use to the fishery resource as long as it is for purposes of sustenance and ceremonial practice.

The leadership of the Windigo Tribal Council must protect and enhance the rights their people enjoy as a result of case law, treaty and constitutional decisions.

Keeping these facts in mind the leadership of the Windigo Tribal Council must also deal with improving the living conditions of their people, it is with this dual intent that this proposal is being put forward.

The elected leadership of the Windigo Tribal Council must continue to address the political and legal processes at their disposal to deal with the issue of treaty, aboriginal and constitutional rights of their people. They must also have a forum to address the issue of improving the living conditions of their people in their communities without compromising their political aspirations and pursuits.

The politically elected officials, the Chiefs and Councillors, should and must continue to pursue political and legal avenues to resolve the plight of Windigo area citizens. As such a political structure separate and apart from the administration and management structure needs to be examined and developed. Outlined, as appendix 1, in the proposal is a draft of such a structure. The administration and management board will deal with all aspects of administering and managing programs and services on behalf of the Windigo First Nations.

This board would be accountable to the elected First Nations leadership. The Windigo First Nations Administration and Management Board would negotiate to take over and assume current governmental programs and services administered by various Provincial and Federal agencies without jeopardizing and compromising political positions taken by the Windigo First Nations leadership.

Furthermore the board would be in position to buy into Federal and Provincial legislation with the intention of creating Indian specific legislation and amendments as an objective.

Identification of Sectoral Approach

The general categorization of programs and services and others can be tentatively identified in the following manner.

1.0] Social Services:

- what are the programs associated with social services, the funding agencies.

- the service deliverers and the interaction by the various elements dealing with social services with the Windigo Tribal Council and the Windigo First Nations?

1.1] Education:

- identification of services delivered by the First Nations.
- funding arrangements with both levels of government.
- services delivered by the Province of Ontario and the Government of Canada.
- services delivered by the Provincial Board of Education.
- services delivered by the Northern Nishnawbe Education Council.
- services administered by the Windigo Education Authority.
- Current initiatives by the First Nations and the Tribal Council in the field of education takeover and control by the First Nations and the Tribal Council.

1.2] Health:

- identification of services delivered by the First Nations.
- funding arrangements by both levels of governments.
- services being handled by the Provincial and Federal Governments.
- services delivered by health boards or authorities both native and non-native.
- services administered by the Tribal Council.
- Current initiatives by the First Nations and the Tribal Council in the area of health transfer and takeover of health services by First Nations.
- Status of the Aboriginal Health Authority and the amalgamation negotiations.

1.3] Child Welfare:

- identification of services provided by First Nations and the Tribal Council.
- funding arrangements with both levels of government.
- services handled by both levels of government.
- services delivered by native and non-native authorities.
- Current status of takeover and transfer of child welfare services by native people.

1.4] Welfare:

- the administration of the program by the First Nations and the funding arrangement between the Province of Ontario and the Government of Canada specifically the 1965 Welfare Agreement.

1.5] Old Age Assistance:

- the administration of the program by the Province of Ontario and its relative interest to the First Nations in terms of Old Age Homes and Elderly Care.

1.6] Day Care:

- the service delivery of this program and the funding arrangement of both levels of government.
- First Nations' interest in the area of child care.

1.7] Other social programs that may not fall within the general categories that are listed above.

2.0] Justice and Law Enforcement:

- review of justice and law enforcement programs in the Windigo Tribal area.
- identification of the administrators and deliverers of the programs.
- Funding arrangements between First Nations and both levels of government.
- Native and non-native authorities administering programs in the area of justice and their relationship with the Windigo First Nations.

2.1] Indian Policing Agreement:

- review of the agreement between the First Nations of Ontario with Canada and Ontario.
- identification of policing positions in the Windigo area.
- identification of relationship with all policing services for the people of the Windigo area.

2.2] Windigo/Osnaburgh Justice Report:

- review of the report and the current status of the report in relation to justice and its administration in the Windigo area.

2.3] NAN MOU Policing Negotiations:

- review status of the negotiations in relation to the administration of justice and policing in the Windigo area.

2.4] Nishnawbe Aski Legal Services:

- review of the services and programs offered by the agency to the residents of the Windigo area as well as review of the work and projects that are being undertaken by the board and its potential impact on the people of the Windigo First Nations. Review of NAN Legal Services relationship with the Windigo First Nations vis a vis regional governance in the Windigo area.

2.5] Government Statutes and Legislation:

- identification and review of all pertinent Provincial and Federal legislation and statutes with relation to justice and policing and its application to the residents of the Windigo First Nations area.

2.6] Other Services:

- identification of other programs and services in the area of justice and policing that affect the people of the Windigo Tribal area.

3.0] Economic, Business and Resource Development:

- identification of programs and services in the area of economic and business development administered by the First Nations and the Tribal Council, review of the same programs and services.
- identification and review of programs and services administered by other agencies, native and non-native.
- identification and review of programs and services offered and delivered by both levels of government.
- review of relationship with policies and programs delivered by all outside agencies in relation to Windigo regional governance.

3.1] Federal Policies and Programs:

- identification of existing policies and programs in the Federal Government specifically for native economic, business and resource development in the INAC and CAEDS departments, the application of these programs and their impact on the people of the Windigo area and review of their policies and the implications of those policies on the people of the Windigo communities vis a vis control and governance.

3.2] Provincial Policies and Programs:

- identification and review of provincial economic, business and resource development programs and policies that affect and may affect the people of the Windigo First Nations, interaction of said agencies with respect to regional governance aspirations.

3.3] Nishnawbe Aski Development Fund:

- review of programs and services offered and delivered by the NADF to the people of the Windigo area, funding arrangement with both levels of government and review of NADF mandate and policies in relation to regional governance for the Windigo area.

4.0] Employment and Training:

- identification and review of all employment and training programs and services relevant to the Windigo area.
- identification of programs and services presently administered by the First Nations and the Windigo Tribal Council, review of the said programs.
- identification and review of all government, provincial and federal, programs and services delivered by both levels of government.
- identification and review of all native and non native agencies delivering employment and training services.
- review of all programs in relation to Windigo regional governance.

4.1] Federal Policies and Programs:

- identification of and review of all Federal policies and programs on job creation and employment that is applicable to the native people and especially to the Windigo people.

4.2] Provincial Programs and Policies:

- identification and review of all Provincial policies and programs that are or could be accessed by native people and review of their applicability to the Windigo area.

4.3] Sioux Lookout Area Management Board:

- review of the programs and services offered by the SLAM Board to the Windigo citizens, the funding arrangement to the Board by the Federal Government and the implications of this particular program and policy with relation to regional governance for the Windigo First Nations.

4.4] Other programs whether governmental or private should be reviewed and examined as to their applicability for and to the citizens of the Windigo area.

5.0] Capital and Infrastructure:

- identification and review of all capital and infrastructure programs administered by Windigo First Nations and the Tribal Council.

- identification and review of all programs and services administered by both levels of government that could be applicable to the First Nations of the Windigo Tribal area.
- Identification and review of all programs and services offered to native people through native and non native organizations.

5.1] Provincial Programs and Policies:

- identification and review of all provincial programs in the area of capital and infrastructure that may be applicable to the people of the Windigo First Nations.

5.2] Federal Programs and Policies:

- identification and review of all Federal programs and services in the area of capital and infrastructure that is and may be applicable to the people of the Windigo First Nations. notable agencies that retain interest in housing and infrastructure are the INAC and Department of Public Works.

5.3] Native and Non Native Agencies:

- identification and review of all native and non native agencies delivering programs and services in the area of housing and infrastructure that may implicate the First Nations of the Windigo Tribal area. an example may be the Chiefs of Ontario Housing Inspection Unit and their endeavour in the area of housing.

6.0] Lands and Resources:

- identification and review of all programs and services in the area of lands and resources that impact the peoples of the Windigo First Nations whether they be First Nations and/or Tribal Council administered, Provincial and/or Federal Government administered or other native and non native agencies, this particular section will require examination of relevant legislation, provincially and federally, that impacts the Windigo First Nations people.

6.1] Provincial Programs and Policies:

- identification and review of all programs and services in the area of lands and resources that impact the First Nations of the Windigo Tribal area.
- identification and review of statutes, legislation and relevant Acts that implicate the lands and resources of the Windigo First Nations.

6.2] Federal Programs and Policies:

- identification and review of all programs and services in the area of lands and resources that impact the Windigo First Nations.
- identification and review of all pertinent Federal legislations, statutes and regulations that impact or may impact the Windigo First Nations lands and resources.

6.3] Musselwhite Planning Board:

- review of the Musselwhite Planning Board agreement and its applicability to the rest of the Windigo First Nation traditional lands.

6.4] Other Programs and Services:

- identification and review of any native or non native bodies, authorities and boards that may impact the lands and resources of the Windigo First Nations.

Sectoral Principles and Statements

FRAMEWORK FOR THE WINDIGO CHIEFS COUNCIL LANDS AND RESOURCES SECTOR:

Principles

- to protect the lands and resources of the Windigo First Nations and their people.
- to control the administration and management of lands and resources of the Windigo Tribal Council traditional territories.
- to ensure sound conservation and environmental management of all Windigo Tribal lands and resources.
- to uphold the treaty obligations contained in Treaty #9.
- people of the Windigo First Nations have an inherent right to govern their lands.
- each First Nation in the Windigo Tribal area must have an adequate land base to sustain their social and economic needs.
- access to traditional waterways and routes must be retained by the people of the Windigo First Nations.

Preamble

In order to facilitate the orderly fashion of administering and managing lands pertinent to the First Nations of the Windigo Tribal area, it will be necessary to create boards and authorities with power and decision making resting at the community level as well as at the Tribal Council level. Certainly mediation or dispute resolution may have to be dealt with at a level above the First Nations.

To address the issue of lands and their disposition it is recommended that the Windigo First Nations review the concept of land categorization.

LAND CATEGORIZATION

First Nations Lands

- the First Nations must have land under their exclusive jurisdiction.
- this land may be the current land base referred to as reserves, however it should be understood that some of the land bases are inadequate (ie. Cat Lake), furthermore it should be understood that the land base should reflect increasing population demanding space requirements for social and economic needs.
- formula for the growing populace and their needs must be developed (a clause in Treaty # 9 states land for every family of five).
- these category of lands will be the first category.
- the first category lands will be under the exclusive control, administratively and management wise, of the Windigo First Nations.

First Nations Traditional Lands

- the First Nations traditional lands will be the second category of lands.
- these lands will reflect lands that have been traditionally used by the members of the Windigo First Nations.
- lands used traditionally for trapping, hunting, fishing, gathering and cultural pursuits will fall within this category.
- identification of boundaries will need to be facilitated through traditional land use mapping of traditional harvesters.
- traditional territories will accommodate priority use of the First Nations with respect to traditional use of lands and resources.
- there may be joint management of lands and resources by First Nations and the Government of Ontario in the second category lands.
- First Nations will have priority use of lands and resources for social and economic development.

All Other Lands

- all other lands will be third category lands.
- third category lands will constitute all other lands that fall outside of the traditional lands.
- lands and resources that fall within this category will be administered and managed jointly between the Windigo First Nations and the Government of Ontario.
- development within these lands must have the participation and involvement of the Windigo First Nation members.
- the participation and involvement may constitute review and approval of proposed projects as well as the opportunity to participate as equal partners in any resource development activities.

Management of Lands and Resources in the Windigo First Nations Area

- the administration and management of lands, wildlife and resources in the Windigo Tribal area will be coordinated through the creation of boards,one encompassing fish and wildlife management and one for lands and resources management.

Lands and Resources Boards

- lands and resources boards will be created at the First Nation and Tribal Council levels.
- their responsibilities will include but not be limited to;
- the administration and management of lands and resources of category 1 and 2 lands.
- the joint administration and management of category 2, where appropriate, and category 3 lands with the Province of Ontario.

First Nations Lands and Resources Boards

- the First Nations lands and resources boards will be different in composition and operation depending upon the location and geography of the boards.

Composition of First Nations Lands and Resources Boards

- the First Nations boards will be composed of First Nations' members.

- where appropriate, after review by the affected First Nations, Ontario appointed members may be members of the board.

Responsibilities of First Nations Lands and Resources Boards

- the First Nation boards will determine the boundaries of First Nation traditional territories and where disputes arise with respect to boundaries of First Nation traditional territories disputes will be resolved through traditional dispute resolution mechanisms.

- all First Nation boards will deal exclusively with the administration and management of category 1 lands.

- the First Nation boards will prepare land and resource use guidelines and planning for category 1 lands.

- the First Nation board will be responsible for environmental protection and assessment of any proposed activity within category 1 lands.

- the First Nation board will be responsible for the development of environmental protection and assessment guidelines and standards for category 1 lands.

- the First Nation board will be responsible for the access and use of traditional waterways within category 1 lands.

- the First Nation board will make recommendations and be accountable to their First Nation leadership for the administration and management of category 1 lands.

- the First Nation boards will administer and manage category 2 lands with Ontario where appropriate.

- the First Nation/Ontario (where appropriate) boards will prepare land and resource use guidelines and planning for category 2 lands.

- the First Nation/Ontario (where appropriate) boards will be responsible for environmental protection and assessment of any proposed activity within category 2 lands.

- the First Nation/Ontario (where appropriate) boards will be responsible for the development of environmental protection and assessment guidelines and standards and for category 2 lands.

- the First Nation/Ontario (where appropriate) boards will priorize the access and traditional use of waterways by First Nation citizens.

- the First Nation/Ontario (where appropriate) boards will make recommendations and be accountable to appropriate First Nation leadership and the Minister responsible for the Ontario Gov't.

Tribal Council Lands and Resources Board

- the Windigo Tribal Council Lands and Resources Board will be a joint administrative and management board of the Windigo Chiefs Council and the Province of Ontario.

Composition of the Windigo Tribal Council Lands and Resources Board

- the composition of the board will be a joint representation of Windigo and Ontario representatives with a majority of Windigo First Nations representatives.

Responsibilities of the Windigo Tribal Council Lands and Resources Board

- the administration and management of category 3 lands.

- the protection and enhancement of traditional activities and treaty rights with respect to hunting, gathering, fishing and trapping.

- development of proper environmental protection and assessment guidelines and standards incorporating traditional and treaty activities.

- proper environmental protection and assessment of proposed activities within category 3 lands.

- efficient review and response to proposed resource development activities on category 3 lands.

- priorization and protection of access and traditional use by First Nation members of waterways.

- development of proper and efficient mechanisms for environmental protection, assessment and review of resource development activities taking into account traditional activities and treaty rights on hunting, fishing, trapping and gathering.

- the Windigo Tribal Council Lands and Resources Board will make recommendations and be accountable to the Chiefs Council and the Provincial Minister responsible.

Fish and Wildlife Management Boards

- fish and wildlife management boards will be created at the First Nation and Tribal Council levels to deal with;

- the administration and management of fish and wildlife resources within category 1 and category 2 lands.

- the joint administration and management of fish and wildlife in category 3 lands with Ontario and where appropriate category 2 lands.

First Nation Fish and Wildlife Management Boards

- like the Lands and Resources boards the First Nation Fish and Wildlife Management boards will be different in operation and composition depending upon their geographic location and situation.

Composition of the First Nation Fish and Wildlife Management Boards

- First Nation Fish and Wildlife Management Boards will be composed entirely of First Nation members.

- where appropriate members may be appointed by the Province of Ontario, after review by the affected First Nations, to sit on the First Nation Fish and Wildlife Management Boards.

Responsibilities of the First Nation Fish and Wildlife Management Boards

- First Nation boards will be responsible exclusively for the administration and management of fish and wildlife resources within category 1 lands.

- First Nation boards will develop guidelines and regulations for the harvest and traditional use of fish and wildlife resources.

- First Nation boards will adhere to traditional and contemporary conservation measures in the development of practices for harvesting fish and wildlife resources.

The First Nation boards will develop policies and procedures for the allocations and formulas for the harvest of fish and wildlife resources within category 1 lands.

- First Nation boards will make recommendations and be accountable to the First Nation leadership in their administration and management of fish and wildlife within category 1 lands.

- First Nation/Ontario (where appropriate) boards will be responsible for the administration and management of fish and wildlife resources within category 2 lands.

- First Nation/Ontario (where appropriate) boards will develop traditional and contemporary conservation measures and guidelines for sustainable harvesting of fish and wildlife within category 2 lands.

- First Nation/Ontario (where appropriate) boards will develop policies and procedures for the allocations and formulas, with native sustenance as a priority, for the harvest of fish and wildlife.

- First Nation/Ontario (where appropriate) will make recommendations and be accountable to the appropriate First Nation leadership and the Provincial Minister responsible with respect to the administration and management of category 2 lands.

Windigo Tribal Council Fish and Wildlife Management Board

- the Windigo Tribal Council Fish and Wildlife Management Board will be responsible for the administration and management of fish and wildlife within category 3 lands.

Composition of Windigo Tribal Council Fish and Wildlife Management Board

- the composition of the board will be a joint representation of Ontario and Windigo representatives with Windigo having the majority representation.

Responsibilities of the Windigo Tribal Council Fish and Wildlife Management Board

- the Windigo Tribal Council Fish and Wildlife Management Board will be responsible for the administration and management of fish and wildlife within category 3 lands.

- the Windigo Tribal Council Fish and Wildlife Management Board will develop guidelines and procedures consistent with traditional and contemporary conservation protection for the harvest of fish and wildlife within category 3 lands.

- the Windigo Tribal Council Fish and Wildlife Management Board will develop formulas for allocation of fish and wildlife resources priorizing native sustenance harvest within category 3 lands.

- the Windigo Tribal Council Fish and Wildlife Management Board will make recommendations and be accountable to the Windigo Chiefs Council and the Provincial Minister responsible.

Dispute Resolution

Where there is dispute between First Nations within the Windigo Chiefs Council area with respect to the boundaries of the First Nations' traditional territories, the internal process for dispute resolution will be approached in the following manner;

1) The First Nations involved will use the wisdom and guidance of their elders in an attempt to resolve whatever differences may exist. Consensus of all

parties is recommended as a satisfactory conclusion to the dispute resolution.

2) If there is failure to achieve consensus between First Nations, then the elders and the leadership of the Windigo Chiefs Council will attempt to resolve the differences that exist between the First Nations. Again consensus of all parties to the dispute resolution is the recommended conclusion.

3) Should there be failure to reach consensus to the dispute within the Windigo Chiefs Council forum, then an outside mediator will be recommended. The mediator may a respected elder or native leader in the Nishnawbe-Aski Nation first and if not the Windigo Chiefs Council may recommend someone outside of the Nishnawbe-Aski Nation. If there is failure to reach consensus of all parties concerned at this stage, then the recommendations of the mediator will be binding on all parties concerned.

Where there is dispute in traditional territories with First Nations from other tribal councils or Chiefs councils, the Windigo Chiefs Council and the affected First Nation(s), Tribal Council or Chiefs Council will agree to a dispute resolution process.

SOCIAL SERVICES

Statement of Principles:

- to improve the quality of life of the people of the Windigo Chiefs Council area.
- to ensure proper and efficient delivery of social services to the people of the Windigo Chiefs Council area.
- to plan the takeover and control of social services programs and services by the people of the Windigo Chiefs Council area.
- to ensure proper training for the takeover of social services by and for the people of the Windigo Chiefs Council area.
- to ensure that programs and services are culturally appropriate for the people of the Windigo Chiefs Council area.

- to protect the rights and well being of the people of the Windigo Chiefs Council area.

Preamble

To plan for the assumption or control of programs and services in the field of social services the Windigo Chiefs Council will need to create a technical committee of staff in the Chiefs Council office to begin the task of compiling the data and information for the Chiefs Council on all programs and services relevant to social services. This committee should be coordinated by a person responsible for development of the administration and management takeover of programs and services by the Chiefs Council. Monthly progress reports and recommendations should be forwarded to the Chiefs at their meetings to ensure communication, accountability and direction to all facets of the work. Staff from each program relevant to social services should make time available to prepare the framework for the takeover and control of programs and services in the area of social services by the Windigo First Nations and the Windigo Chiefs Council.

Programs and Services

The major programs and services in the area of social services are health, education and child welfare. Secondary services are welfare, old age assistance, day care and child care and others involving disability and long term care.

Administration and Management Board

As outlined in the discussion paper this board would be responsible for the takeover and control of all programs and services presently delivered to the constituents of the Windigo First Nations. They would plan and strategize for the processes whereby the Chiefs Council may take over all social service programs and services presently delivered by government agencies, and if desired, the board may negotiate to control those programs presently delivered by other agencies other than government.

Social Services Technical Committee

This committee would be working with the Administration and Management Board in the development of the plans and processes for the takeover and control

of all social service programs the Chiefs and Councils wish to assume control of. As technicians they would assume the responsibility of putting together working documents and proposals for the negotiations to take over and control programs and services in the field of social services. Child welfare may be a responsibility that the Chiefs Council may wish to have retained by Tikinagan unless the thinking is otherwise.

Composition of Technical Committee

The technical committee would be composed of the program directors of health, education and someone familiar with welfare and assistance programs. The Executive Director, in the absence of a coordinator, may coordinate the work and tasks of this committee. The Chiefs Council may wish to have Tikinagan participate in some capacity to improve communication and program delivery in the area of child welfare.

Responsibilities of the Technical Committee

- inventory First Nations' and Chiefs Council's programs and services presently delivered.
- identify programs and services delivered by governments and other agencies.
- identify First Nations' desired areas for takeover and control.
- prepare discussion paper and proposal for program and service takeover at First Nation and Chiefs Council levels.
- preparation of negotiation papers and participation in the negotiation process as technicians for the Chiefs Council.
- accountability to the administration and management board.

JUSTICE AND LAW ENFORCEMENT

Statement of Principles:

- to ensure fair and just treatment of the Windigo Chiefs Council people in the area of justice and policing.
- to protect the rights of the Windigo First Nations people in the administration of justice and policing.
- to develop culturally appropriate, and revive traditional, practices of justice and law enforcement.
- to plan and develop processes for the takeover and control of programs in the field of justice and law enforcement.
- to promote and ensure the efficient delivery of justice and policing administration in the Windigo Chiefs Council area.

Preamble

Justice and law in the Windigo Chiefs Council area should be approached from the perspective of law enforcement and the administration of the court system. However the coordination of the service and program takeover should take place in the same manner as other sectors of the Chiefs Council approach. There will be a need to develop justice committees at the First Nation level and an overall coordinating committee at the Chiefs Council level. The committees will be responsible to identify the current status of justice and law enforcement in the Windigo Chiefs Council area and to develop the processes for control by First Nations people.

Programs and Services

The major programs and services delivered by governments and other agencies in the areas of justice and law enforcement are the court system, policing, legal services and after care such as probation services.

Justice and Law Enforcement Committees

To complement the concept of Policing Committees that presently exist at the community level it will be necessary to examine the function and responsibilities of First Nations' committees to reflect the present policing committees' mandate to include the idea of legal services, the court system and aftercare. To assist the First Nations Committees in meeting this objective, it will be necessary to provide technical advice and expertise. This expertise, hopefully, could be provided at the Windigo Chiefs Council level, if not, the Chiefs Council will have to find the necessary human and financial resources to achieve this objective. A Windigo Chiefs Council technical committee will be necessary to oversee the research, compilation of data and development of proposals.

FIRST NATION JUSTICE COMMITTEES

Composition

These committees may be the present policing committees and they will of course be composed entirely of First Nation representatives and/or whom the First Nation leadership wishes to sit on this committee.

Responsibilities

- to identify the policing needs of their First Nation.
- to develop a policing program reflecting traditional and contemporary policing practices.
- to advise and enhance legal aid services to the First Nation residents.
- to develop a court and justice system that will reflect traditional and contemporary practices.
- to develop an after-care program that will be traditional and culturally appropriate.

WINDIGO CHIEFS COUNCIL TECHNICAL COMMITTEE

Composition

If the Chiefs Council has a staff person(s) working on justice issues, the Council should make the staff available to work on the justice aspect of Windigo First Nations Governance. Legal people will be required to assist with the development of concepts that will be proposed to fashion the concepts into workable and feasible processes in the First Nations communities and one that will be acceptable to both levels of government. The Chiefs Council should be in a position to recruit assistance in the areas of legal aid and after-care either through existing institutions or contracts with experts.

Responsibilities

- to compile information on status of law enforcement and justice systems in the First Nations communities.
- to assist in the identification of First Nation aspirations in the field of justice and law enforcement control.
- to assist with the development of First Nation committees.
- to identify any First Nation/Government agreements on justice and law enforcement that may be applicable to the Windigo First Nations.
- to assist and to develop proposals and concepts for First Nation and Chiefs Council control of justice and law enforcement systems.
- to assist and research in the development of culturally appropriate and traditional justice and policing systems.

ECONOMIC, BUSINESS AND RESOURCE DEVELOPMENT

Principles

- to ensure the economic well being of the First Nations and their constituents in the area of economic, business and resource development.

- to stimulate the economy of the First Nations and their people.
- to ensure for proper and efficient delivery of business, economic and resource development programs and services to the people of the Windigo Chiefs Council.
- to ensure sound environmental practices in the area of major resource development activities.
- to plan and control business, economic and resource development activities in the communities and lands of the Windigo Chiefs Council.
- to encourage and participate as partners in controlled major economic, business and resource development activities.

Preamble

Indian and Northern Affairs Canada is slowly moving away from funding Indian specific business, economic and resource development activities. Programs and services previously provided by the department are now being administered through new arrangements. There is movement to encourage the creation of economic and business development corporations at the First Nation level. If such initiatives are in place in the Windigo Chiefs Council area, it may be appropriate to work with the existing institutions at the community level. Should there be no such initiatives, it will again be necessary for the First Nations to create committees at the First Nation level to work specifically with economic, business and resource development. The Chiefs Council will need to complement these committees by having a resource or technical committee at the Chiefs Council level.

Programs and Services

Indian and Northern Affairs Canada still administers a small portion of funding dealing with economic, resource and business development however the majority of aboriginal funding dealing with economic, business and resource development is administered through the Canadian Aboriginal Economic Development Strategy program. Provincially, the only source of funds to aboriginal people available is through what the individual line ministries may be prepared to fund within their criteria.

Economic, Business and Resource Development Committees

The formation of such committees at the community level dealing specifically with regional governance may be sensitive since economic and business development does not mesh well with politics. However the need to create such committees or institutions is necessary in order to deal effectively with economic, business and resource development. A resource/technical committee at the Chiefs Council level will be required to assist in the development of approaches and concepts for regional governance in the area of economic, business and resource development.

FIRST NATION ECONOMIC DEVELOPMENT COMMITTEES

Composition

These committees will be composed entirely of First Nation representatives and/or those other representatives the First Nation may deem advisable. Arrangements through resource development agreements or joint ventures may require the participation of third party members on certain committees.

First Nation Committee Responsibilities

- to determine the current situation with respect to economic, business and resource development in their communities.
- to develop the administration, management and operations of an economic, business and resource development committee at the First Nation level.
- to identify, promote and enhance sound economic, business and resource development opportunities at the First Nation level.
- to identify all funding opportunities for potential entrepreneurs and projects in economic, business and resource development.

WINDIGO CHIEFS COUNCIL TECHNICAL COMMITTEE

Composition

Staff from the Windigo Chiefs Council departments of economic, business and resource development should make their time available with the tasks that will be necessary to develop concepts and proposals for the realization of assuming more control of economic, business and resource development at the First Nation and Chiefs Council levels. Where necessary contractual help will be secured for outside expertise and assistance where staff may be unable to assist.

Responsibilities

- identify the current status of economic, business and resource development at the First Nation and Chiefs Council levels.
- identify existing government programs relevant to economic, business and resource development.
- develop concepts and proposals for First Nation and Chiefs Council control of all aspects of economic, business and resource development.
- compile relevant data and information relating to First Nation agreements with governments on economic, business and resource development.
- secure any self government arrangements involving economic, business and resource development.

EMPLOYMENT AND JOB TRAINING

Principles

- to create proper job training and employment programs for the citizens of the Windigo Chiefs Council area.
- to advocate and ensure that job and employment training programs are culturally appropriate.

- to plan and develop Windigo based training programs controlled and administered by the Windigo First Nations and their institutions.

- to ensure that employment and training programs are proper and efficient.

Preamble

The need to create committees at the community level with respect to training and job creation may not be necessary and may best be linked to other committees since taking and assuming programs from existing delivery agents will require training. So the issue of job training and employment may be best dealt with by other community committees. However the technical and resource aspect of this program will be necessary at the Chiefs Council level, but again the need for a committee at the Chiefs Council level may not be justified. The staff person dealing with training and employment should be in a position to assist with the development of concepts and proposals for more control of programs and services at the First Nation and Chiefs Council levels. If there is additional assistance required in this sector the Chiefs Council should be prepared to acquire the necessary human and financial resources to achieve given objectives.

Objectives

- the council must identify all relevant programs and services relevant to training and employment.

- all data and information must be secured and planned in the eventuality of First Nation and Chiefs Council control of more programs and services.

- the council should work with the First Nations in providing adequate resources for training of First Nation members as First Nations' assume more control of programs and services.

- any First Nation/Government agreement incorporating job and employment training should be secured.

CAPITAL AND INFRASTRUCTURE

Principles

- to advocate and develop proper capital and infrastructure for the communities of the Windigo Chiefs Council area.
- to promote and lobby for proper capital facilities and infrastructure for the Windigo First Nations.
- to develop plans for First Nations and/or their institutions to control major capital projects.
- to ensure efficient and proper delivery of capital and infrastructure programs and services to the communities and people of the Windigo Chiefs Council area.
- to develop mechanisms and institutions that will effectively administer and manage all aspects of capital and infrastructure.
- another principle which may be applicable under the circumstances may be the necessity of promoting environmentally safe capital projects.

Preamble

The First Nations or the majority of them have housing committees whose present role is to ensure proper planning and completion of the First Nation's housing program. It may be advisable to incorporate the various aspects of capital and infrastructure requirements to such existing bodies. Another component of the committee may involve the need for community planning. The Chiefs Council has the technical unit which has or is assuming many aspects of capital and infrastructure. With this expertise the Chiefs Council may be in a proactive position to assume more control of other programs and services existing with both levels of government.

Programs and Services

Indian and Northern Affairs as well the Department of Public Works retains their hold and right to deal with major capital projects. In many cases First Nations

have been relegated to bystanders in the development of capital projects and their implementation. The provincial government does not or has very little involvement in the area of First Nations capital and infrastructure projects.

Capital and Infrastructure Committees

Committees at the First Nation and Chiefs Council levels will be required for the planning and development of processes for the control of capital, community planning and infrastructure by First Nations and the Chiefs Council.

FIRST NATION CAPITAL COMMITTEE

Composition

The composition of the First Nation Capital Committees would be to the discretion of the First Nations. Housing committee members currently are composed of First Nation members.

Responsibilities of First Nation Capital Committee

- identification of plans with respect to capital and infrastructure development.
- identification of needs and assessment for capital and infrastructure.
- development of plans and processes for the administrative and management control of capital and infrastructure by First Nations.

WINDIGO CHIEFS COUNCIL CAPITAL COMMITTEE

Composition

The Windigo Chiefs Council has a technical unit with staff who should identify the necessary time to assist in the development of concepts and proposals for assuming control of capital and infrastructure programs and services at the First Nation and Chiefs Council levels.

Responsibilities

- identify the status of capital and infrastructure development at the First Nation level as well as the status of proposed projects.

- determine the status of control by First Nations with respect to capital and infrastructure projects.

- identify administrative and management processes and functions still retained by outside interests.

- preparation of concepts and proposals for the takeover and control of all capital and infrastructure programs and services by First Nations and the Windigo Chiefs Council.

Financing for Windigo Regional Governance

The Windigo Chiefs Council is prepared to examine various aspects of financing their regional government. Financial arrangements including the sharing of Federal and Provincial income taxes and sales taxes. In the case of taxing of Windigo First Nations constituents, the First Nations are willing to review the applicability and acceptance of such a tax, providing of course such a tax and its revenues was for the only purpose of financing the Windigo Regional Government.

Revenue resource sharing such as royalties, stumpage fees and taxation of resource development activities would need to be reviewed.

Other sources of revenue generation such as block funding, equalization payments, transfer payments, indirect taxation, fines, levies and others not mentioned would need to be examined.

APPENDIX 1

WINDIGO FIRST NATIONS DRAFT CONSTITUTION

Structure

First Nations Assembly:

- First Nations Chiefs (elected)
- First Nations Councillors (elected)
- First Nations Elders (appointed)
- First Nations Youth (appointed)

Meetings

- Annual Assemblies
- Emergency Meetings (Assemblies to deal with constitutional matters such as elections).

Executive Council

- elected Chiefs and appointed Tribal Chiefs Chairman.

Voting

- At the annual assemblies the First Nations leadership may vote on resolutions.
- voting will be based on numbers of elected officials for each First Nation.
- voting shall be conducted by consensus.
- Elders and youth as advisors may vote as permitted by the First Nations leadership.

Financing of Assemblies

- Funding of First Nations Assemblies shall be a First Nations/Tribal Council arrangement.

Executive Council Responsibilities

- provide leadership for the tribal council.
- provide direction to all facets of the tribal council through the chairman and staff where appropriate.
- develop political policy and procedures for the tribal council.
- review and monitor tribal council political activities.
- appoint the tribal chair-man and review performance on a regular basis.
- may be responsible for portfolio(s) as assigned by the First Nations Assembly.

Tribal Chairman Responsibilities

- implementing policy directives of the Executive Chiefs Council.
- administering and managing the day to day operations of the tribal council staff and operations.
- implementing the personnel and administrative policy.
- reporting to the Executive Council and the First Nations Assembly.
- advising the First Nations of policy directives and initiatives by both levels of government.

Council of Elders

- appointed by each First Nation
- provide advice and guidance to the First Nations leadership and Tribal Chairman.
- provide spiritual leadership and direction to the First Nations and leadership of First Nation.

- may hold annual assemblies of Windigo First Nations Elders to deal with First Nations spiritual issues.

Qualifications

- an elder is deemed an elder by virtue of his age which will be sixty five.
- a younger person may be classified an elder based on his wisdom and spiritual understanding.

Youth Council

- appointed by each First Nation.
- advisory to the Executive Council and the Windigo First Nations Leadership Assembly as well as to the Chairman.
- advisor on the aspirations and wishes of the youth of the Windigo area.

Qualifications

- a youth may be a young person who is a teenager and not older than twenty five.
- a youth may preferably be single however under exceptional circumstances, he or she may be married.

Principles

1. The Nishnawbe of the Windigo Tribal area are one with the land.
2. Protect the treaty and aboriginal rights of the Windigo Tribal area people.
3. Advocate and promote the treaty and aboriginal rights of the people of the Windigo Tribal area.
4. Promote and advocate the social economic well-being of the people of the Windigo Tribal area.
5. Protect the traditional and cultural practices and well being of the people of the Windigo Tribal area.
6. Conserve and protect the lands and resources of the Windigo Tribal area.

Sectoral Statement of Principles:

Social Services:

- to improve the quality of life for the people of the Windigo Tribal Council area.
- to ensure proper and efficient delivery of social services to the people of the Windigo Tribal Council area.
- to plan the takeover and control of social services programs and services by the people of the Windigo Tribal Council area.
- to ensure proper training for takeover of social services by and for the people of the Windigo Tribal Council area.
- to ensure that programs and services are culturally appropriate for the people of the Windigo Tribal Council area.
- to protect the rights and well being of the people of the Windigo Tribal Council area.

Justice and Law Enforcement:

- to ensure fair and just treatment of the Windigo Tribal Council people in the area of justice and policing.
- to protect the rights of the Windigo First Nations people in the administration of justice and policing.
- to develop culturally appropriate and revive traditional practices of justice and law enforcement.
- to plan and develop processes for takeover and control of programs in the field of justice and law enforcement.
- to promote and ensure the efficient delivery of justice and policing administration in the Windigo Tribal area.

Economic, Business and Resource Development:

- to ensure the economic well being of the First Nations and their constituents in the area of economic, business and resource development.
- to stimulate the economy of the First Nations and their people.
- to ensure for proper and efficient delivery of business, economic and resource development programs and services to the Windigo Tribal area peoples.
- to ensure sound environmental practices in the area of major resource development activities.
- to plan and control business, economic and resource development activities in the Windigo Tribal communities and lands.
- to encourage and participate as partners in controlled major economic, business and resource development activities.

Employment and Job Training:

- to create proper job training and employment programs for the citizens of the Windigo Tribal area.
- to advocate and ensure that job and employment training programs are culturally appropriate.
- to plan and develop Windigo based training programs controlled and administered by the Windigo First Nations and their institutions.
- to ensure that employment and training programs are proper and efficient.

Capital and Infrastructure:

- to advocate and develop proper capital and infrastructure for the communities of the Windigo Tribal area.
- to promote and lobby for proper capital facilities and infrastructure for the Windigo First Nations.
- to develop plans for First Nations and/or their institutions to control major capital projects.

- to ensure efficient and proper delivery of capital and infrastructure programs and services to the Windigo Tribal First Nations and people.

- to develop mechanisms and institutions that will effectively administer and manage all aspects of capital and infrastructure.

Lands and Resources:

- to protect the lands and resources of the Windigo First Nations and their people.
- to control the administration and management of lands and resources of the Windigo Tribal Council traditional territories.
- to ensure sound conservation and environmental management of all Windigo Tribal lands and resources.
- to uphold the treaty obligations contained in Treaty # 9.

Concept for a Windigo Tribal Area Administration and Management Board:

Composition:

Each First Nation may appoint one member, a member of the First Nation to represent them on the Board. The Windigo Chiefs may instruct their Chairman

to be a member of standing or ex-officio in status to sit on the board to maintain consistency with respect to tribal council affairs.

Duration:

The appointed member may stay on the board as a member for a period of two years.
The Tribal Chairman may stay on the board for his tenure as Chairman of the Windigo Tribal Chiefs Council.

Removal:

Each individual First Nation may remove and change their board member through a band council resolution supported by the majority of the First Nations leadership.

Executive Council:

The Board Members may elect or appoint from amongst themselves an Executive Council composed of Chairman, Co-Chairman and Secretary-Treasurer. Their term of office may be for a period of two years.

Accountability:

The Board will be accountable to the elected leadership of the Windigo First Nations, preferably the Chiefs Executive Council. Regular written reports will be submitted to the Chiefs as well as reporting on activities at regular Chiefs meetings and the Annual Windigo First Nations Leadership Assembly.

Programs and Services:

The Executive Director will ensure staff reporting and accountability to the Board and secretarial support for Board meetings.

Administration and Management Board Functions:

- Appointment by the Executive Council of a Windigo Tribal Area Administration/Management Board.

- The Executive Director will be responsible along with tribal Council staff to

assist the Administration/Management Board implement programs and services.

- Administration/Management Board will be accountable and report to the Executive Council through the Executive Director.

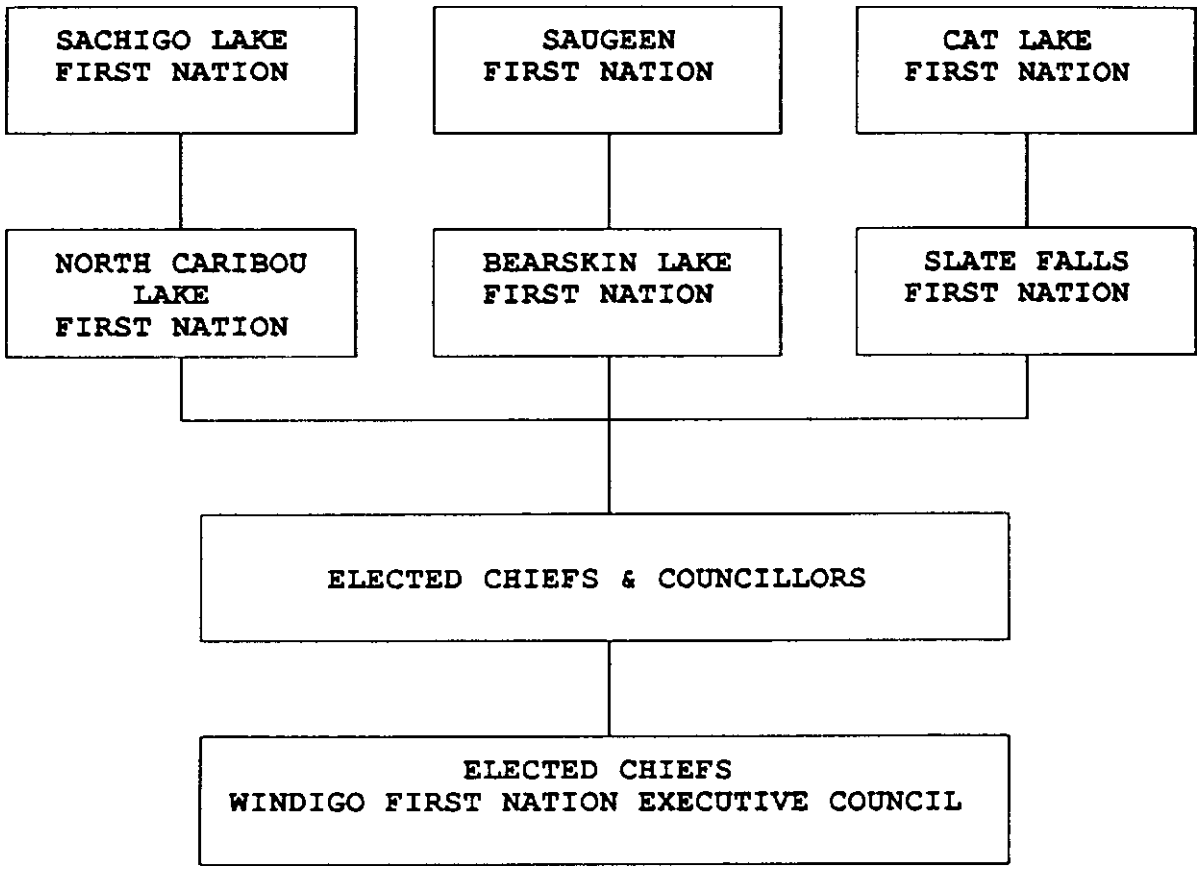
- Administration/Management Board will be responsible to overall the administration and management of Windigo Tribal Area programs and services.

- Administration/Management Board will develop and guide policy for the administration and management of tribal council programs and services.

- The Executive Director and staff of the tribal council will implement the policies and directives of the Windigo Area Administration/Management matters.

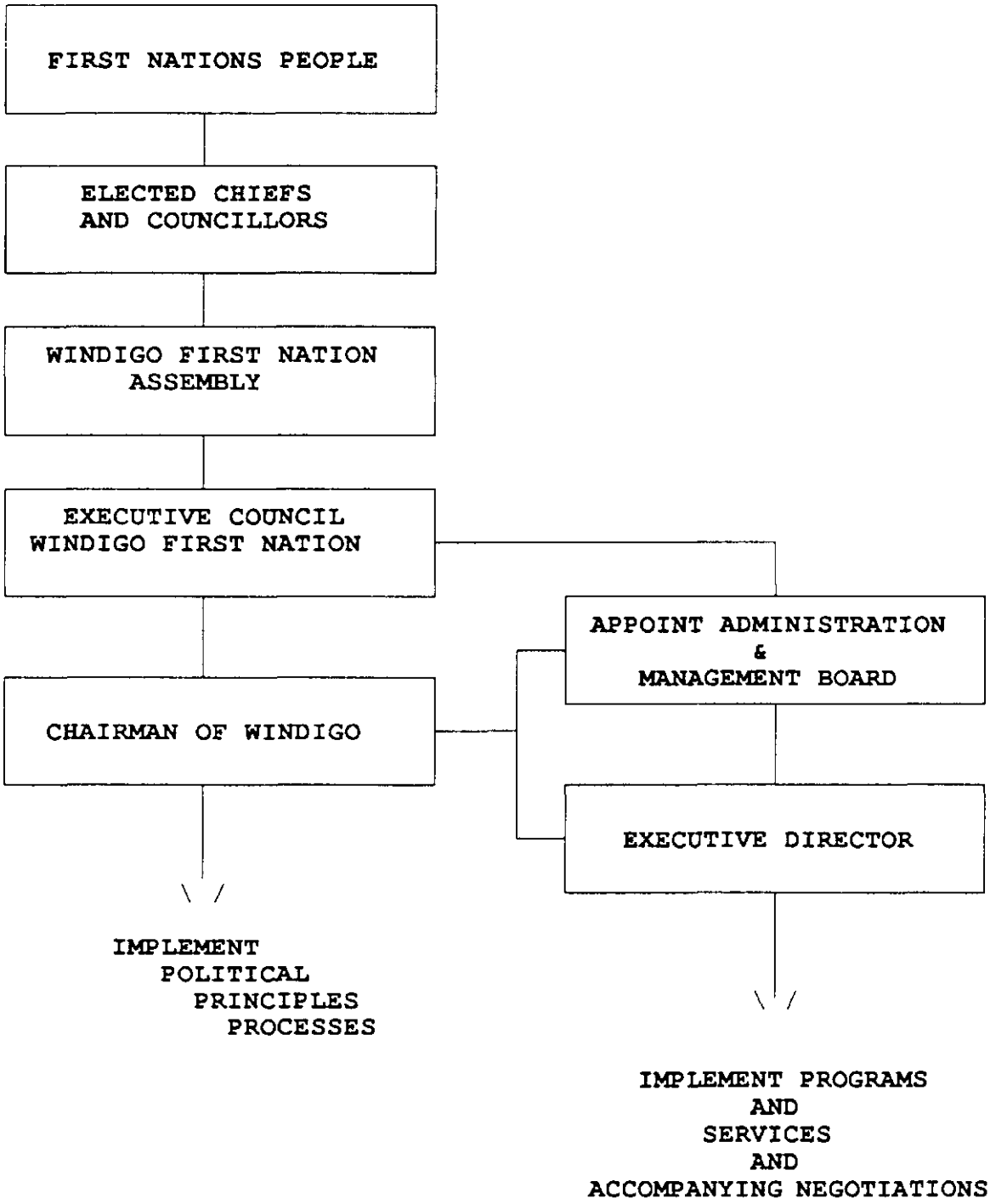
- The Chairman of the Windigo Chiefs Council may be a board member of the Administration/Management Board.

POLITICAL STRUCTURE



- Pursue the concepts of self-government and political protection of rights through legal and political processes.
- Implement principles of treaty, aboriginal and constitutional rights.
- promotion and protection of those rights.

ADMINISTRATION & MANAGEMENT STRUCTURE



APPENDIX 2

Budget for phase 1 of Windigo Regional Governance.

Phase 1 would entail the orientation of the Windigo leadership and the Windigo Administration and Management Board on the six sectors of the proposal as outlined. Processes for ensuing discussions and negotiations, if necessary, on a sector by sector approach would be examined and developed with appropriate agencies, both government and non - government. The financing of negotiations with both levels of government will have to be a separate budget depending upon the nature of the discussions and negotiations. Once the orientation and workshops are completed the Windigo leadership and the Administrative and Management Board will be in a better position to determine the structure and time frames for negotiations for the six sectors as outlined in the proposal.

Staff will be compiling data and statistics as outlined in the proposal on all sectors with the assistance of resources of First Nations' and Chiefs Council staff. Where requested the cooperation and assistance of provincial and federal government staff in the research and information gathering stages may be called upon.

Staffing Requirements;

Chief Coordinator/Negotiator	- $ 60,000
Assistant Coordinator/Negotiator	- 45,000
Secretary	- 30,000
Salary Total	- 135,000
$135,000 plus 10% benefits -	13,500
	= $148,500

Six orientation sessions and workshops for the Windigo Administration and Management Board at **$10,000** per session/workshop equals **$60,000**.

Two orientation sessions and workshops for the leadership of the Windigo Chiefs Council at $10,000 a session/workshop equals $20,000.

Technical and legal assistance on all six sectors at $60,000.

Total Budgetary requirements for phase 1

Salaries	- $148,500
Orientation/Workshops	80,000
Technical and legal assistance	- 60,000
Total	288,500
10% Administration	- 28,850
Grand Total	- 317,050

WINDIGO FIRST NATIONS COUNCIL

BRIEFING PAPER FOR THE

ROYAL COMMISSION ON ABORIGINAL PEOPLES

SPETEMBER 1993

SIOUX LOOKOUT, ONTARIO

INTRODUCTION

Windigo First Nations Council appreciates the opportunity to make this submission to the Royal Commission on Aboriginal Peoples' third round of public hearings. We feel these public consultations are part of building a new relationship between First Nations and non-Native communities. The implementation of self-government will be gradual with the co-operation of all people, Native and non-Native. This submission will hopefully provide some guiding objectives upon which the Commissioners will be able to make their recommendations in order to improve the daily lives of people living in Windigo First Nations and all First Nations.

PURPOSE

There are many issues facing Windigo First Nations today but the purpose of this submission is to try and focus on a few specific issues that will suggest a clear pathway towards implementing self-government. We will attempt to discuss these issues with respect to the four touchstones for change that were established after round two of the Royal Commission's public consultations.

Windigo First Nations Council will take a holistic approach to the issues facing their people today. The four touchstones for change, the new relationship, self-determination, self-sufficiency and healing must be approached in a similar holistic manner. It is difficult discussing self-government without mention of the Treaties, and similarly, it is difficult discussing self-determination without broaching the subject of healing. These issues are all deeply interdependent and those who are committed to fundamental change will realize a holistic approach is necessary for Windigo First Nations.

Windigo First Nations will focus on issues of regional self-government, Treaty Rights, Windigo First Nations citizenship, and the status of Indian and Northern Affairs Canada. This submission is based on the premiss that Windigo First Nations would have greater self-sufficiency today had the Nishnawbe interpretation of the Treaties been honoured according to their original spirit and intent.

HISTORY

Windigo First Nations Council represents six (6) communities in north western Ontario. They are Bearskin Lake First Nation, Sachigo Lake First Nation, North Caribou Lake First Nation, Cat Lake First Nation, New Saugeen First Nation and New Slate Falls First Nation.

Through the leadership of six (6) Chiefs, the Windigo Council takes its direction from the communities it is mandated to serve. The Council uses a holistic planning approach in responding to the needs of its communities. This approach is based on developing all aspects of community life: social, economic, cultural, spiritual, and political.

SELF-GOVERNMENT

When European people arrived in North America there were already many different groups of First Nations who lived intimately with the land, who had their own governmental systems and their own citizenship. We had a higher quality of life then. When the Europeans wanted to treaty, First Nations people believed this was another nation-to-nation Agreement where they would define terms of peaceful co-existence. First Nations never saw these Treaties as meaning the loss of their sovereignty.

Despite the failure of the Charlottetown Accord the inherent right of self-government for First Nations was explored in a commentary by the Commission and affirmed, in principle, on August 28, 1992, by the Special Joint Committee of the Senate and House of Commons on a Renewed Canada. Windigo First Nations will continue to build a solid foundation for governance in anticipation of legislation eventually acknowledging and including our traditional ways.

The Chief and Council are the legitimate governing authorities within their First Nation and the solutions to their problems lie within the First Nations themselves. Once our peoples can control their own lives by making their own decisions they will be able to grow, develop, prosper, and most importantly, heal.

Each Windigo First Nation is unique and distinct according to its geography, history, tradition and leadership. Because of the cultural diversity within the Windigo area there will be no simple formula for negotiations. Windigo First Nations Council is prepared to negotiate, however, the Governments of Ontario and Canada must exhibit the political will and a commitment to provide adequate funding for these negotiations.

The goal of self-government is to provide self-reliance and self-sufficiency both in socio-economic and political terms.

PROVISIONS FOR NEGOTIATING WINDIGO REGIONAL SELF-GOVERNMENT

Self-government should reflect the arrangements that existed when The James Bay Treaty No. 9 was signed in 1905, its adhesions of 1929 and 1930, and the Grand Council Treaty Number 3. There should be wide consultation on the ideals and principles on which self-government is to be based.

One process by which self-government can be approached is through the transfer of programs and services to each of the Windigo First Nations. Self-government is an issue of jurisdictional arrangements between all levels of government.

The elected leadership of Windigo First Nations Council must continue to address the political and legal processes at their disposal in order to deal with Treaty Rights, Aboriginal Rights and Constitutional Rights. They must also have a forum to address improving the living conditions of their people without compromising their political positions.

A political structure needs to be separate from an administration and management structure. The political body would continue to pursue political and legal avenues to resolve the plight of Windigo First Nations people. The administration and management structure would deal with all aspects of administering and managing programs and services and would be accountable to the elected Windigo First Nations leadership.

The administration and management board would negotiate the take-over and management of current government programs and services without jeopardizing or compromising political positions taken by Windigo First Nations leadership. The administration and management board would assume responsibility for all social services, justice and law enforcement, economic and business development, employment opportunities and training, capital projects and infrastructure, and lands and resources. The structure and content of programs and services would be completely controlled and directed by the principles of the Windigo First Nations Constitution.

TREATIES

At the beginning of this submission it was stated that Windigo First Nations would be witness to more progressive and positive changes in their communities if their Treaty rights were fulfilled by the Crown as interpreted by First Nations. However, we are all aware that the Treaties were virtually imposed on First Nations people, they were written in english, their meanings different from the Nishnawbe interpretation, therefore not fulfilled accordingly.

The Treaties were supposed to respect the independence and the right of self-determination of First Nations people. First Nations negotiated on a nation-to-nation basis, with terms relating to peace and friendship, trade relations, as well as providing for the sharing of land. Self-government should reflect the arrangements that existed when the Treaties were signed.

The First Nations way of life, including the traditional activities of fishing, hunting, trapping and gathering were supposed to be protected but the policies of the Governments of Ontario and Canada have continued over the years to break the original Agreements by going ahead with development projects on our traditional lands without consulting Windigo First Nations. First Nations have had to defend their right to negotiate co-management agreements that should be recognized through the Treaties.

First Nations should be compensated for the loss of their assets and rights. They have lost the of use of their land base and the right to extract its resources. The Treaties had committed the Crown to guarantee hunting and trapping rights, make payments and meet certain social needs, in perpetuity. These terms are fully protected by the Canadian Constitution, whether they are the result of the past, present or future Agreements. First Nations Rights, according to the Treaties, must be recognized in a contemporary context.

CO-MANAGEMENT OF LANDS AND RESOURCES

When Windigo First Nations people signed the Treaties they understood that non-Native people would settle in the areas they lived in too, but First Nations believed they could continue to survive on the same land and continue living the way they always had.

Windigo First Nations feel there is a sufficient amount of lands and resources to share as was agreed to in the original Treaties. We are tired of the situation where development occurs without request for our input about the resources that are being extracted, let alone where the employees are coming from, or what the future holds for such developments. In the past these developments have led to social disruptions because of an out-of-town workforce, pollution and disturbances to hunting, fishing and trapping grounds.

The Memorandum of Understanding was signed in 1986 by the Nishnawbe-Aski Nation, the Government of Canada and the Province of Ontario. Windigo First Nations are members of Nishnawbe-Aski Nation. Within this process there is a draft Agreement on Lands, Resources and the Environment. This is a positive step in the right direction for issues concerning jurisdiction. In order for Windigo First Nations to be self-sufficient we will require a large enough land base and resources that will allow our people to move forward in the areas of tourism, fisheries, mining and forestry. Control over traditional lands and our resources should be negotiated under joint management boards. These and other forms of economic development will support the administration of local First Nations governments.

When Windigo First Nations have controls over personal and collective resources we will not have to live in impoverished conditions. This partnership will allow Windigo First Nations to maintain social, cultural,and economic institutions.

CITIZENSHIP

Citizenship for First Nations people lies within our own interpretation. Our citizenship is based on our ties with the land. We believe the Creator meant us to live with the land, to care for the land and to respect all things in it and on it.

Windigo First Nations Council will draw up their own Charter of Rights and Freedoms and the Governments of Ontario and Canada will have no role in its development or ratification. Windigo First Nations will be governed by our own First Nations Assembly which will consist of elected First Nations Chiefs, elected First Nations Councillors and appointed Youth and Elders.

INDIAN AND NORTHERN AFFAIRS CANADA

In 1876 the Indian Act was passed without any input by First Nations. First Nations did not even have a part in electing the politicians who legislated the Indian Act because they could not vote federally until 1960. First Nations people have lived in an extremely rascist, dictatorial and colonial situation and still today Indian and Northern Affairs Canada continues to control many aspects of our lives. The Indian Act needs to be revised and an alternative form of legislative responsibility should continue.

The future relationship between First Nations and Indian and Northern Affairs Canada for now should be based on bilateral negotiations as opposed to the unilateral decision-making processes of the past. The Indian Act has a legislative responsibility to First Nations people and First Nations traditional lands. Furthermore, the Guerin decision of November 1984 has confirmed the Government of Canada's fiduciary responsibility to the First Nations people of this country.

CONCLUSION

Windigo First Nations are presently creating and practicing our own forms of government according to the unique needs of our people. We feel, however, that this is the first step of a long journey. The Governments of Ontario and Canada must accommodate our form of government which ultimately is our way of life. We will continue to strive to keep our culture and traditions alive and well in a contemporary context.

> "Our recovery cannot exclude the white culture. We have to return to our traditions, but we can't just return to the past. We have to adapt, to embrace something new. Of the many meanings of the turtle, after all, one derives from the simple fact that the turtle lives both in the water and on the land...The trick is to use both worlds to create a better society."
>
> Robert Mason Lee's interview with Ovide Mecredi in March, 1993

APPENDIX A

Self-Government Questionnaires

1.

SELF-GOVERNMENT QUESTIONNAIRE FOR COMMUNITY CONSULTATIONS

M.O.U. (MEMORANDUM OF UNDERSTANDING) & R.C.O.A.P. (ROYAL COMMISSION ON ABORIGINAL PEOPLE)

Instructions: Please respond and/or comment to the following statements and questions.

If there is not enough space provided please feel free to write on the back of the page.

We, at Windigo First Nations Council, appreciate your ideas, thoughts and viewpoints. They will be an integral part of our written submission to the Royal Commission and Nishnawbe-Aski Nation.

A. SELF-GOVERNMENT

First Nations people want to become autonomous and self-sufficient. First Nations also want more and better programs and services from federal and provincial governments, as do most Canadians.

1. How will Aboriginal self-government lead to political and economic self-sufficiency?

_____

_____

_____

_____

2. To whom would First Nations governments be accountable, and for what?

3. How will aboriginal governments be financed? Do exisiting federal/territorial financing agreements provide a useful model? Will Aboriginal governments tax their own citizens?

4. What programs and services will continue to be offered to First Nations by federal and provincial governments?

B. TREATIES, LANDS & RESOURCES, ECONOMY

Treaties are sacred and living agreements, to be honoured in spirit and intent, and to be interpreted in light of today's realities. Governments are concerned for certainty and finality in land agreements.

5. Will self-government require more lands and resources under the control of First Nations? If so, do you think Canadians are willing to ensure Aboriginal people are able to achieve this?

6. Can we find a way of resolving disputes over the interpretation of treaties that meets the concerns of both First Nations and the Canadian governments?

7. How can governments be brought to honour the many treaty obligations, such as treaty and land entitlements, that remain unfulfilled?

C. SOCIO/CULTURAL AFFAIRS

First Nations people wish to retain their identity, language and culture, and many wish to continue living on the land. First Nations people also want to compete in the wage economy and in the international marketplace.

8. How can a strong sense of identity be maintained in a changing environment?

9. To what extent must social problems be resolved before economic development can proceed?

10. Do Canadians in general realize that much work needs to be done to heal the relationship between Aboriginal and non-Aboriginal peoples? Are they willing to address the systematic rascism and rascist attitudes that have prevailed towards First Nations since colonial times?

11. What is preventing the application of holistic community health strategies to deal with poverty, poor nutrition, inadequate housing and low morale in First Nations communities? How can the fragmentation of human services be remedied?

D. EDUCATION

12. How can an education system be designed and controlled by First Nations that will prepare youth for participation in either the traditional or wage economy?

13. Will First Nations young people, even with a good education, face a choice of unemployment in their communities or moving to cities for employment opportunities?

14. What planning needs to be done now for First Nations young people who will be seeking meaningful employment. and who should do it?

_____

_____

_____

_____

E. CITIZENSHIP

15. What is your definition of belonging to the land you live on?

_____

_____

_____

_____

16. Would First Nations people have citizenship in their First Nation in addition to their Canadian citizenship?

_____

_____

_____

_____

2.

SELF-GOVERNMENT QUESTIONNAIRE FOR COMMUNITY CONSULTATIONS

M.O.U. (MEMORANDUM OF UNDERSTANDING) & R.C.O.A.P. (ROYAL COMMISSION ON ABORIGINAL PEOPLE)

Instructions: Please respond and/or comment to the following statements and questions.

If there is not enough space provided please feel free to write on the back of the page.

We, at Windigo First Nations Council, appreciate your ideas, thoughts and viewpoints. They will be an integral part of our written submission to the Royal Commission and Nishnawbe-Aski Nation.

A. SELF-GOVERNMENT

First Nations people want to become more autonomous and self-sufficient. First Nations also want more and better programs and services from federal and provincial governments, as do most Canadians.

1. What forms will First Nations government take? What role will the Elders play? Will traditional ways of decision-making be incorporated into First Nations government? How will First Nations womens' concerns for adequate representation be addressed?

_____

_____

_____

_____

2. What steps should be taken now by First Nations communities to prepare for operating their own governments?

3. Would some First Nations governments be regional in scope? Would some be at the level of First Nations? Would some be organized to cover treaty areas?

4. Would First Nations governments have authority over non-Native people living within their territory?

B. TREATIES, LANDS & RESOURCES, ECONOMY

Treaties are sacred and living agreements, to be honoured in spirit and intent, and to be interpreted in light of today's realities. Governments are concerned for certainty and finality in land agreements.

5. What is the relationship between treaties and self-government? In what ways can we ensure that self-government enhances the fulfilment of treaty obligations?

6. Should treaty rights be portable, capable of being exercised by individuals residing off-reserve?

7. Can wildlife in the North support the numbers of First Nations peoples wishing to live a traditional lifestyle?

8. Should First Nations peoples' right, interest and title in their traditional and contemporary lands be recognized formally in Canadian law?

C. SOCIO-CULTURAL AFFAIRS

First Nations wish to retain their identity, language and culture, and many wish to continue living on the land. First Nations people also want to compete in the wage economy and in the international marketplace.

9. How can the efforts of First Nations people to achieve individual and community healing be recognized, supported and extended more broadly?

10. What actions can be taken to eliminate the mistaken assumptions and negative stereotypes that many non-Native Canadians harbour about First Nations people?

11. What place should First Nations cultures, languages and history have in the education of all Canadian students? How should the bias and omissions in school texts be corrected?

D. EDUCATION

12. What action is required to ensure that First Nations youth pursue and obtain technical and professional levels of education? How can parents instill high aspirations in their children? What is the responsibility of communities and those in leadership positions? What adaptations in education systems are necessary? Most important, how do First Nation youth envision their future and how do they propose to prepare themselves for the responsibilities ahead of them with the implementation of self-government?

13. How can formal and informal education processes involve Elders and help to pass on to youth the wisdom of oral First Nations culture?

14. To what extent do First Nations education systems need to be co-ordinated with provincial and territorial systems? What measures should be takien to ensure responsiveness to First Nations priorities in provincial and territorial institutions?

15. Do the Canadian elementary and secondary school systems fairly represent the contribution of First Nations to Canadian society? If not, what actions should be taken and by whom?

E. THE INDIAN ACT

16. What role, if any, should the Indian Act play in First Nations government? What arrangements should be put in place during the transition from band councils under the Indian Act to First Nations self-government?

APPENDIX B

Results from Self-Government Questionnaires

WINDIGO FIRST NATIONS COUNCIL

RESULTS FROM SELF-GOVERNMENT QUESTIONNAIRES

COMMUNITY CONSULTATIONS COMPLETED IN JULY & AUGUST 1993

AREAS OF SCOPE:

1. RASCISM
2. SELF-GOVERNMENT
3. LANDS & RESOURCES
4. CITIZENSHIP
5. TREATY RIGHTS
6. RIGHTS OF OFF-RESERVE FIRST NATIONS PEOPLE
7. SPECIAL DIFFICULTIES OF FIRST NATIONS PEOPLE LIVING IN THE NORTH
8. INAC & THE INDIAN ACT
9. SOCIAL ISSUES
10. EMPLOYMENT
11. PRESERVATION OF FIRST NATIONS CULTURE (LANGUAGE & TRADITIONS)
12. ROLE OF THE ELDERS
13. THE ROLE OF WOMEN IN FIRST NATIONS COMMUNITIES
14. SUICIDE
15. EDUCATION

1. RACISM

The responses in this survey attempt to explore the historical relationships between First Nations peoples and federal and provincial governments since the signing of a treaty in 1905 & 1929, and analysis of the lack of implementation of the treaty, the effects on member First Nations citizens, the unusual relationship with the Province with regard to Treaty Number Nine with a view to future relationships between Aboriginal and non-Aboriginal governments.

Do Canadians in general realize that much work needs to be done to heal the relationship between Aboriginal and non-Aboriginal peoples? Are they willing to address the systematic racism and racist attitudes that have prevailed towards First Nations since colonial times?

Yes. Yes. (x4)

Some Canadians realize this, I can't really respond whether they would address to correct the problem. I sense they are attempting. (x2)

Yes a lot of Canadians realize much work is needed to heal the relationship and both parties have to address their attitudes.

At first, I think they did not realize. Now that they know that Native people are more educated, I think they realize.

Some may realize, if both parties, Native and non-Native, were to address and work on the issue of racism it may be corrected and dealt with.

Some non-Native people realize the problem. They should work to correct this problem.

They should realize that there is a lot of work to be done but it could be helped with better education about each others' culture, etc.

We are different races of people. We have different beliefs and principles, different values and different lifestyles. If non-Natives realize this they might attempt to correct this. This question should be put to non-Native people for them to answer this problem.

Yes they do but they will not admit it. However, we as Native people need to develop a strategy to correct this.

Yes. I certainly hope they realize because it is us who are the custodians of this land, they are merely the grunts. They are the dominating society.

We see the racism in non-Native people and their efforts to stamp out our way of life so theirs may flourish. The non-Native person may not know this but we have to believe they do. We don't know if non-Native people would work on issues of racism. Maybe they would if they were made known of these facts. A person knows what is in his/her heart, surely they would know their own feelings.

Don't think so, because non-Native people don't understand Native people. If they understood, yes they would address the problem.

No, but many non-Aboriginal communities have lately set up anti-racism committees and these have to be encouraged strongly by First Nations.

No, not intentionally. Yes, maybe. (x2)

No. Yes. (x2)

No. No.

No, I don't think so! If they knew they would. Need to look at spiritual aspect of Native/non-Native relations.

No, they don't realize, don't think they're willing to change. Live life with racism as the norm.

No, they are not educated enough of the living history of the country not the historical writing of historians paid by government for opinion.

I don't think Canadians really know but we should all take time to heal this one big problem. (x3)

I think a minority of non-Natives know but the majority does not, they think more about themselves. Again most people are selfish in nature and a minority will do anything to rectify the wrong doings of their ancestors.

Don't think that non-Native people realize that they have racist attitudes and they support this attitude. If pressured, non-Native people may address racist attitudes.

No, I don't know if they realize or if they would work to correct it. They are attempting to discourage our way of life. This can't happen.

I don't know if Canadians realize the situation, probably really don't know.

I don't have a lot of contact with non-Native people but from what I know I don't think so.

Most Canadians don't realize much needs to be done. Don't know if they're willing to address racism.

I doubt it, but they need our lands/resources so they listen only to the extent that they don't lose too much from their side.

The needs to get along with other races and cultures, we must be sensitive to their background and heritage. These problems will not be resolved.

Other Canadians need to understand that Native culture is different from theirs.

There is much racism. If all people got along more together as the same people, not because of the colour of their skin.

The Canadians in general should be educated why these things are happening to Native people.

As usual an ignorance of each other, there must be open-mindedness, we as a people must come to an understanding. Natives are helpful and understanding as opposed to non-Native people. It is a two-way street.

Racism needs acknowledgement and forgiveness by both parties before it can be resolved.

Matter of getting out and doing our own initiatives. We must get rid of INAC. Natives have to start doing things on our own terms. We are capable of handling our own affairs.

Non-Native people have racist attitudes towards Native people.
Non-Native people with religious and spiritual values know what to do to correct these racist attitudes.

Racism is beginning to be a big problem. (x2)

Native people have always said to their children, do not practice what they do to you or else if you do you are no better than they are. You are the same as they are. Be different.

I can't see it changing because there will always be people like that anyways.

Non-Native people have been known to show racism towards Natives. Personally I've experienced racism from non-Natives, verbally, but I usually talk back instead of shrinking away and feeling put down.

Canadians do not realize the damages they have done. The social problems we are facing now should clearly tell what they have done to us.

I don't know. (x8)

What actions can be taken to eliminate the mistaken assumptions and negative stereotypes that many non-Native Canadians harbour about First Nations people?

We as Indian people are good guides in the bush - non-Natives don't know their direction. Both Native and non-Native have expertise and should build on and extrapolate to gain.

By coming together and showing non-Native Canadians that we are a proud nation and to sober up our communities by creating jobs, getting them to finish school and to go only to better jobs.

All individuals should make efforts to change their image.

As we are facing today's world, we see a lot of Natives getting involved in non-Native politics and social activities, non-Natives will adapt to Natives running social and cultural affairs.

We as Native people are always looking for assistance - we must change this image.

Explain that First Nations people were here first and that white man and First Nations people have made agreements and also should make literatures to explain that not all Indians are drunks, lazy but some of us want to achieve what white man does, that some people really want to be successful.

Natives have to try and fit in the non-Native society both political and social ways of life.

Cross-cultural workshops, sharing of information. (x3)

To work closely with them.

Start with educating white people about ways of First Nations. (x2)

Tell and teach non-Natives about who we really are and we have the right to do what we do.

The action that can be taken is to tell the non-Native people we are sharing the land and that is why we're getting some things free.

Positive media - Native people must present positive role models of themselves. (x2)

To educate non-Native Canadians in Sioux Lookout or Pickle Lake that this is not true. Government assistance have changed image, such as Kenora within past ten years - more funding for assisting First Nations people with problems in major centres - promote successes. Northern First Nations want mainly traditional life; hunting, trapping, camping, fishing. Southern First Nations want traditional life - different - drumming, smoking, shaking tent - they both agreed to traditional life but had different meaning - no distinction at first.

Students should be taught First Nations' history.

Non-Native people need to know the history of Native people and that as a people, Natives are capable of performing the same functions in today's world as non-Native people.

Non-Native people need to learn about Natives' contribution to the economy, social affairs and other issues.

Do it by one person at a time, because you can't change everyone's assumptions at one shot.

Through media.

Movies showing racism.

Job creation to show First Nations industriousness, not dependent on welfare.

It is difficult because it is a normal fact for Native people to have racist attitudes to Native people. Our answer lies with God to provide a solution. Government needs to become involved to address racism and racist attitudes.

We again need to rely on the Creator for assistance to deal with racism in our society.

In this day and age this shouldn't be happening. We should all be equal.

Can't really answer. cite example of non-Native people who stereotype because of Indian development such as the powerline to New Saugeen. Saugeen benefits.

Don't know but I've seen Natives can do the same job or better than non-Natives and Natives have been given responsible positions as a result.

Programs requested by First Nations should be more readily accepted by the governments.

Don't really know except for Native people to ignore non-Native people.

Can't change the attitude, it will always be there.

I don't know. It can't be changed.

Some Canadians don't realize as well as some Natives. Most racism comes from non-Aboriginal people. Hard to say if non-Natives are willing to address racism but Natives might.

I don't know. (x4)

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2. SELF-GOVERNMENT

What forms will First Nations government take? Will traditional ways of decision-making be incorporated into First Nations government? How will First Nations womens' concerns for adequate representation be addressed?

Elders will play a significant role in the new self-government. They will withhold traditional openings and negotiations between the people of the government. In order for our government to run as smoothly as it did before Christopher Columbus our traditional ways of decision-making must be incorporated into First Nations government. The form our gov't should/must take is a national system. Since we are trying to steer clear of the Canadian Parliamentary system we should have a national system. A national system would be better for us as we can make decisions for all Natives of Turtle Island. A parliamentary system would split us as one nation.

Self-government should happen according to Nishnawbe ways. Yes, we should use traditional ways of decision-making.

Use traditional models/practices. Elders should play advisory and supportive role to Chief and Council. Incorporate traditional decision-making. Women should also play advisory/supportive role like elders.

Elders-advisory experience. Womens' role would also be advising, traditional practices in decision-making. First Nations government should be traditional - people should elect Chief and Council.

Elders role would be to use their knowledge/advisory/directions. Women-advisory, give direction, play leadership role. Traditional ways will be used/are being used.

First Nations government should have different bodies of advisory groups in certain portfolios. Elders should serve as advisors. Yes, traditional ways should be incorporated such as hunting, etc. I don't know what the women want.

First Nations government should not just be assimilation into the mainstream of society. Elders would make decisions regarding leadership and its structure. Leadership would make daily decisions based on community needs and concerns.

Elders and women should be represented. Chief and Council should remain on the reserve.

First Nations government will consist of all First Nations people on or off reserves and will also have decision-making bodies. Elders should have a limited role and decision-making in traditional ways can be accepted to some extent, and women's concerns can also be addressed regardless of culture or race as long as they are labelled status indians.

Native people can be self-governing with the proper education but must examine carefully the implications especially for the future. We must have thorough knowledge of the administration and management of governance. Elders provide wisdom, support, experience as advisors. Women would be supportive in activities of First Nations governance. Use of traditional decision-making should be included.

Elders should provide guidelines and advisory role in native self-government.

Self-government should work in conjunction with federal and provincial governments. Elders would practice traditional ways and lead electoral procedures, spiritual teachings. Womens' role is to teach young female youth to provide assistance and support in elders' forum. Traditional decision-making needs to be incorporated.

First Nations government - based on Indian beliefs/practices. Elders - wisdom, advice, support - know life and past - women - same as elder traditional ways should be incorporated into today's system. Follow spiritual beliefs and practice god given rights.

Everyone should be involved in the government. Elders should be a part of self-government. The traditional way of decision-making should be incorporated. Everyone in agreement. If one decides for the community conflicts will tear the community apart. First Nations womens' concerns should be represented. Today, around here not all women are considered equal. Elders think women should stay at home and raise a family.

Set up its own governing guidelines or laws. They should make important decision-making with the Chief and Council. Traditional ways should be incorporated into First Nations government. We should all have equal decision-making powers.

If it is the will of First Nations citizens to pursue self-government then let it be so. Native people need educated people to understand concepts of self-government. Elders have wisdom/experience. Women can provide any expertise/contribute anything to First Nations government with proper training and teaching.

First Nations government should be regional. Elders should be consulted on traditional ways. First Nations womens' concerns should have their representation.

I think Natives are interested in land and their traditional way of living. I think that's going to be their first target. Youth should be made aware of what steps are being taken by First Nations people so that they can be prepared whats ahead of them. As for women its going to take love to get self-government because they want treaty fare.

Self-government will take time, maybe 10 years time everything will go smooth if we take self-government. Education and finance wise. Elders will make decisions about major plans. Womens' concerns to be a big factor in self-government.

Have an advisory committee including women, men, traditional elders and youth for decision-making. Have equality towards everyone.

Elders should have some say. youth too. but we can't forget women. Hopefully it will not be male dominated.

Women should be represented in First Nations government. Elders should play a role. Womens' rights should have same rights as men. Women's rights to equal employment. Bill C-31 provisions should remain.

Elders should be involved. Women should be involved in politics and also in public service-equal opportunity.

First Nations people have to work together especially the elected leaders. Elders should be more involved in decision-making. The women's concerns should be heard by the leaders and members.

Elders' role - to assist/consult with workers and leadership with decision-making. All First Nations should be consulted on all levels of government decision-making. The leadership needs to address all First Nations concerns, be it womens' or childrens' concerns. Women should be included on committees and represent other women.

Elect representatives for First Nations government.

Elections for representatives - middle age person to do advisory - no traditional ways of decision-making - womens' concerns for representation should be addressed. More information awareness is required in the communities.

First Nations to manage their resources eg. timber - lumbering sufficient - start developing - fishing licenses for own use - The elders should be involved in the decision-making process and providing encouragement. First Nations womens' concerns should not be overlooked. Parliament but each community should have offices.

Elections to determine representatives.

Representatives to be elected - has to be Native. Knowledgeable Elders should be involved in the process to provide advice. Women should be involved. Self-government is hard to understand - an individual should be appointed to perform awareness workshops in communities. It should not be rushed. (x2)

I don't think the Native people are ready to go into self-government especially young people unless they utilize elders as their advisors to give direction. Women are very important in our society because we are the caregivers and have a lot of knowledge.

I agree with my wife. I don't think we are ready for self-government especially if our leadership is not making any headway. All people should be involved in decision-making. Certain women in the community would represent other women

Would say from personal experience - cannot run programs locally - will Natives be able to run government? - Womens' concerns should be included.

Elders should play a role. Women's rights should be guaranteed. Not ready for self-government.

We are not ready for self-government therefore Canada should continue to support and assist as until we are promised in treaties. Elders would provide advice on tradition and culture of the past to leadership. Women may become our leaders, and are in cases, so they should play an advisory and support role in First Nations governments. Traditional decision-making can prove to be detrimental whereby one or small groups of individuals can hold back the majority.

We are not prepared in our community for self-government. Womens' roles would be to support and assist. Traditional ways of decision-making should be practised. We need to review, examine and revive old ways.

Some communities are ready for self-government and some are not.

Little understanding of it, its hard for remote communities to achieve. I don't understand what it means or the process, benefit the younger generation, not enough educated people.

It would be nice to achieve self-government. Leaders would be the people to know what steps to do.

If the elders or women know how to contribute they should be involved. Some don't know what self-government is.

Don't understand.

How will Aboriginal self-government lead to political and economic self-sufficiency?

By changing the existing organizational structure of NAN, AFN, Chiefs of Ontario, etc. If NAN to have ridings, AFN delegates to be elected by communities, accountability is there as opposed to no accountability now. In this format all head chiefs in NAN and AFN would be responsible directly to people and their needs.

Politically you can have a say and be heard. Economically, you can have a say on how you can use the money.

Strong leaders to act on First Nations behalf. Create employment for younger generation.

Aboriginals have their own needs and demands, with consensus with other aboriginal they will be able to identify what structures will be set up. Aboriginal self-government system will understand what we really need, as long as they connect at the community level.

First of all the leaders will have to be of one mind, not fending for themselves all the time (most of the time). The people will have to stand by the decisions of the leaders. We need to be strong as a group then we can proceed with the mandate of achieving self-gov't.

Self-gov't allows people to control their own lifestyles instead of being dictated to by outside forces which may be negative for them.

Find jobs for people. First Nations to work together co-operatively. Large scale development.

The money needs to be re-circulated at the community level as much as possible.

Self-gov't is the control and management of all affairs within the boundaries of our reserves. Countries have jurisdiction over certain lands, so it should be with Indian gov't. We should have jurisdiction over reserve lands, control of the lands.

If the Native person is knowledgable and has the financial backing it will work. The Native person must carry his own work.

By negotiating for its resources and implementing new strategies for revenue.

Aboriginal people may not be capable of administering their own programs. Training would be required of Native people to carry own programs.

First of all. Native people have to be educated or re-educated with the political and social aspects in dealing with gov't matters. (x2)

We need more people to be educated. (x2)

We need educated people.

Education would have to be a priority.

We will achieve self-gov't only if our people, especially youth, are prepared and educated. Self-gov't is not immediately possible unless/until we are prepared for it.

Education would be important if aboriginal want self-gov't.

Aboriginal to get well-educated prior to self-gov't (university).

To get educated and know about how to properly control things.

If they are able to know how then it would be possible.

By organizing the group to have better understanding about Ab. self-gov't.

It all depends on the leadership. As it stands we are not ready for self-gov't because our reserve has had status for only 2 years and we're just getting used to it. We need more training in administration.

No comment. Not ready for self-gov't. No economy.

Are we ready? I don't think so because each community has wanted to start on its own. We have to start and stand together so we can get the best deals for the future generations. We can't afford to bungle up. (x2)

Don't know. If self-gov't doesn't work, what then?

I don't want self-gov't. I don't understand the process. I don't trust Natives to run the proposed gov't.

Aboriginal self-gov't will not be able to work. Dishonesty and corruption is the main reason why we have problems in financing, not that our people are educated. There are no equal rights now among all people - elders are excluded.

Do not agree that we should totally take over as self-gov't.

Find out first what it is and how it will affect us.

Based on our experiences in our community difficulty in relating to self-gov't for our First Nations. We are always dependent on financial assistance. Native people have to begin to exercise their own financial independence and not rely on gov't. There are no educated people in our community and there has been no demonstration of self-gov't capabilities due to failed economic development ventures. There are many opportunities that we have not capitalized upon.

In our community with respect to our church we took over our church, now the church is non-functioning. Appear that Native-controlled institutions don't work. Could not see that Native people could be self-governing. Financial matters should be carried by gov'ts. First Nations not capable of administering. However,we cannot allow non-Native people to come into our part of the country. Native initiatives and self-administration have a high failure rate.

My understanding is that Native people would manage everything on reserve but not off-reserve. Understand that reserve land base could be increased with increased population. Feel Native people are not capable of forming their own gov't. Cannot ? however if the Native people were to be assisted by non-Native people it may be possible. Analogy to non-expertises of Native people in technical aspects of producing goods such as bullets and ?s.

Don't have the present capability for self-gov't. We have problems with the administration of present annual funding.

Our community helped in a couple of economic development ventures. These initiatives stopped/stagnated. To achieve self-gov't we would have to get educated and trained to carry own affairs. Road access communities have advantage over remote communities in economic development. (x2)

No, not in the north. Native people do not have the consistency to carry own affairs. We have difficulty in managing and administering our own affairs. Cannot advocate self-gov't for our community.

Aboriginal self-gov't is an equal partnership in confederation under the Constitution of 1982. The terms and references should coincide with existing treaties and claims be recognized by all levels of gov't until resolved by the courts.

For one thing the people will have more to say and be listened to.

By going by the rules of our late ancestors and elders because back then things were O.K.

By appointing leadership by Elders.

Will require land but should work with other govt temporarily to familiarize management.

Aboriginal self-gov't will have to find out what the needs of each community are and take advantage of programs currently being offered by the Canadian gov't.

Need capital to finance programs. Need transitional period. Change attitudes of First Nations people. Educate First Nations people on self-gov't. Who is going to provide the money? Take advantage of resources - sawmill, gardening.

Aboriginal self gov't can only be achieved through retainment of the true Indian identity. We have or becoming too assimilated.

Self-gov't can be attained only by holding on to/retaining our Indian identity - not imitating non-Native traditions.

Native people are capable of administering and governing themselves if there is will by non-Native govt for them to Indian governance was a reality however now non-Native gov't is prevalent, this must be reversed.

I'm not too familiar with Aboriginal self-gov't. The only thing I would like to see, if all First Nations are recognized as self-gov't is not to blame federal and provincial gov't for inheriting their own problems.

I don't know. (x2)

First of all, do First Nations know what self-gov't is? First Nations will have to form as one body and form a committee or president of all First Nations. Financially, the federal and provincial govt have to have a role for first 10 years or more.

They would not be appointed as is the old system. The Aboriginal people would have to work for and learn self-sufficiency.

Hopefully.

Difficult situation under federal, Ontario govt.

Don't know. (x2)

Do not think it is possible.

Uncertain. Have never thought about self-gov't for us.

What steps should be taken now by First Nations' communities to prepare for operating their own governments?

Training and education workshops.

Awareness programs, workshops addressing all the native/community issues. Make our people know what's happening out there. (x2)

Resource workers should educate community members. Utilize First Nations who have the expertise.

Youth should be trained to take over important tasks/positions. Older people should also be oriented/taught about self-gov't. Investigate self-sufficient activities like growing your own food (gardening).

More education is required not just for youth but Elders as well.

Trained themselves more, work more together with other people, get more educated.

To make the communities aware of self-gov't. First of all and build on that.

We would need the proper resource people within the community. The first step would have to be taken from the local point of view. We would need the peoples' help.

Training for First Nations. Better education for youth in different fields.

Youth should be taught the professions needed to operate own govt - training should be provided to upgrade.

Try to understand the impact of the transition and be trained and educated.

They have to educate community members and youth and plan ahead so they can run their own self-gov't.

First they need to educate themselves and understand self-gov't and most of all they need to change with flow and adapt with the change.

More education and work more in unity.

More education for youth. Training for middle age people. Social problems corrected.

Prepare your own policies. Better training and education.

Gradually. Regulations set for self-gov't. People who run gov't should understand the process.

Better education. (x2)

Education for youth - training for Band members - practical work and bureaucracy.

Educate our youth and teach our youth about self-gov't.

Communities should prepare by getting their young people educated so that they would be able to run programs and services. Bands also need to be financially sound.

We need training/teaching to administer/manage all their own affairs based on their beliefs/principles.

Begin by creating self-sufficient enterprises - Grow your own vegetables through gardening. People should learn to share whatever resources they may have. Economic and social development ventures need to be started.

They should be taught how to start their own businesses and keep them running properly. Also someone should explain to the younger and old what self-gov't is all about.

Secure all benefits Native people are currently entitled to.

Take our time - take over institutions (education, health) one at a time. Prepare human and financial resources to take over functions.

Elect people of the community who are responsible and will make sure all duties are carried to its fullest. Have the community organize a system which they think will help their wants and needs get listened to and heard and acted upon.

Begin to administer their own affairs, carry own programs, move away from non-Native influences. Need to train our young and all our people in various professions.

Workers or Band Councils should decide what programs or how to do it.

The leaders should tell individuals how to prepare for development and self-gov't. Ways must determine how to manage capital without interference from INAC, etc. perhaps a body like WFNC.

This should be decided by the Chiefs of Ontario.

First Nations should not push for self-gov't rather Canada as the trustee govt should inform First Nations if and when they are ready/capable of self-gov't.

More responsibility/curtail alcoholism. Learn to develop pride in being active. Develop training programs for Native people to take over programs and services.

Learn to work together. Have a better school system for the children. Make the community a better place to live in (for the youth).

The first step to self-gov't starts at home. Parents should educate themselves regarding the history of their traditional govt. Parents should ensure their children finish their education, both their cultural education as well as the white society's education. Parents have to motivate and assist their children to have and obtain goals in life.

Seek ways to generate finances to generate govt. We need to develop community strategy, support and approval by the whole community.

They should start talking to community members of how they think self-gov't should work or ask the people how they want to form a gov't to be run.

First you would have to know where and how to get the money to operate.

Long-range forecast ahead of time to set as to what or how they will handle their gov't.

People must start their own initiatives without waiting for gov't assistance. Cannot wait for gov't grants/funding for our own initiatives.

Don't know.

Don't know. Others should know who are knowledgeable.

To whom would First Nations governments be accountable, and for what?

grassroots level - consultation and getting input from populace in general. It is the people who put the officials at gov't level. Use democratic system.

To the people, most of the work related issues except personal matters.

Community members only. They are responsible for their well-being. First Nations gov't should be accountable to the people in the community. (x8)

To the membership about how the monies are spent.

To the general membership. (x2)

They should be responsible for the people. The First Nations gov't should talk for the people and say what they have to say for them. (x2)

The First Nations gov't would be accountable to the people for land management and resource development.

First Nations govt will have to be accountable to their own people which was the system in place before the non-Aboriginal gov't ever existed.

First Nations govt should be accountable to their own people for services.

Accountable to First Nations. (x12)

The govt would be accountable to their peers (the people). Report on the peoples' needs and their work. Report to other institutions of Native leadership if required (tribal councils).

I guess a level of authority would have to be established then proceed from there. I think the people should be involved to some extent.

To all Native people. Financial accountability to the body distributing the money.

Look after their own reserves, building and maintaining housing and looking after their finances.

They should only be accountable to the people and the federal gov't.

Accountable to the Elders, report to the Grand Chief on activities.

The First Nations of Windigo of Tribal Council in Treaty #9 area also governance of Aboriginal peoples across Canada, etc.

The First Nations gov't would be accountable to the Grand Chief of NAN and/or the Chief of the community. The Grand Chief would do the negotiations with Canadian gov't.

Nishnawbe-Aski Nation - funding.

Accountable to the gov't of Canada and slowly to its people.

Federal gov't (at first) and Chief until we get the hang of it. Let's get more educated lawyers.

Need somebody that First Nations can be accountable to federally.

To be accountable to the gov't of Canada. (x5)

Accountable to the gov't of Canada and First Nations gov't. (x2)

Ontario gov't taking over responsibility of federal govt, the federal gov't should retain that responsibility therefore Indian gov't would be responsible to Canada.

First Nations govt would be accountable to gov't funding agencies. (x6)

For me, the First Nations gov't should be responsible to the elders, mostly, but the people too.

The First Nations govt should go by the elders so most of the young people can understand.

School - education - some form until they're capable of running themselves - NAN to set up body.

Non-First Nations or First Nations people should look after affairs of First Nations - whoever is knowledgeable.

Don't know.

Would some First Nations' governments be regional in scope? Would some be at the level of First Nations? Would some be organized to cover treaty areas?

The govt would start in treaty areas to provincial, on to national.

All areas should be covered regionally/locally. Treaty areas should be covered.

First Nations gov't should cover all treaty areas. Where all the communities share the land for hunting, etc. (x3)

First Nations gov't should be regional in scope. Yes, some should be at the level of First Nations. Some should be organized to cover treaty areas.

First Nations should be in one union alone as in regional scope to make the foundation stronger, the only thing or way that would be at the Band level would be social matters involving the one reserve alone, sure they would have to cover treaty areas.(x5)

First Nations gov't should be regional in scope. Because if they only look for themselves it would never work. If all other First Nations look out for each other things would work out. Yes they should cover the treaty areas. It would be better because there is more things out there than in a reserve.

No, I think they should be at the level of First Nations but would need an organized gov't to cover treaty areas.

Should be regional and should also cover treaty areas.

First Nations gov't should be regional in scope. The head office (parliament) should be central to the member communities.

Yes, at the community level. (x3)

Each community would have their own gov't. They would be individual because every community is different.

Don't really know-haven't given much thought-at First Nations level would agree. Haven't given much thought to treaty area Indian gov't.

Jurisdiction should extend through the reserve lands ? to traditional areas.

I think it would be best to have the First Nations gov't at the regional scope. This would cover the trapping, hunting and other traditional areas.

First Nations gov't would have to a regional scope. Yes, some would be at First Nations level. Yes, it would be organized to cover all treaty areas.

There should be widespread support of Native gov't at the national level.

Wouldn't it be for all Natives in Canada? Broken down provincially.

National gov't.

Yes, the present model of the gov't should be followed except that leaders get direction from the people.

Would boundaries exist (provincial, treaty, etc.)? Indian people had their own boundaries based on traditional hunting areas, trading areas, etc. Political, economical, social and cultural activities would dictate the organizational structure of First Nations gov't.

Looking for straight Canada - First Nations self-gov't relationship with no middle level administration or gov't management.

Difficult to answer the question with such different levels of gov't.

Right now we have too many Nations it should run as a whole.

Not agree for individual communities - some not.

I don't understand.

How will Aboriginal governments be financed? Do existing federal/territorial financing agreements provide a useful model? Will Aboriginal governments tax their own citizens?

Aboriginal govt should be able to finance their own affairs through taxation. Royalties and taxing may be possible as financing of elected gov't.

Try to find new ways of getting money even if it means taxing we have to become self-sufficient. Stop relying on gov't for money.

Resource development agreement/ventures. Starting business ventures and taxation of businesses. See First Nations citizens paying taxes for use of Indian govt. Review fiscal agreements between Canada/Ontario.

Financed through transfer payments. Yes to taxation.

Well, Native people should pay for rent and taxes because other people (races) have to do these things so why should we be given everything for free. Natives have to start being responsible for their communities and families instead of the gov't paying for all their expenses. (x2)

First Nations govt will finance themselves in some areas as education and training programs for they have to develop finance systems, existing agreements are still a useful model, First Nations have to tax their own people.

Resource development and tax our own people so that we would be self-sufficient.

Find their own funding through resources.

Need to work on financing. Yes, we could use existing models. Yes, only if the people could use their own tax dollar.

Indian people to work co-operatively on how they could raise their own finances. Yes, existing models could be used. Yes Aboriginal gov't may tax their own citizens.

Request gov't funding however need to seek finances from people. Yes, federal/provincial agreements could provide useful models. If taxation was beneficial to Aboriginal people yes and were prepared to use those dollars.

Fiscal agreements with non-Native govt. Existing federal/provincial agreements could be useful models Aboriginal govt could tax their citizens providing tax dollars went to Aboriginal people.

Be financed as existing federal/territorial financing agreements.

Aboriginal gov't would have to be financed on its own.

By the abundance of its natural, human and other resources. Our gov't will not survive without taxes.

I don't know how they will be financed. Yes, because federal/territorial agreements provide a better services for the remote communities. If the First Nations sign an inherent right to self-gov't the First Nations should tax their own people because we have to increase our yearly budget.

Support our gov't from lands and resources - raise funds. Yes, existing agreements provide a useful model. Yes, they should tax them.

A little bit from different sources including existing sources and royalties from economic development. Yes, financial agreement have in place provide a useful model. Yes, they would have to tax their own citizens.

Financing from federal and provincial funding until First Nations can devise their own system (existing systems should be followed). Yes to taxation.

No idea, we could take from existing models, don't know about individual taxation, would pay taxes if had to.

Don't really know, Canada through the Indian Act states Native people will become self-governing and it is our belief through treaty promise in exchange for own land Canada would provide everything including funding.

First Nations gov't will be financed by the federal and provincial gov't for some time 10 years maybe. Yes, it is a useful model. Yes, so Aboriginal govt can get some money back.

Yes, we need to create our own tax systems for First Nations. We still need our treaty rights and benefits.

We might have to tax our own people and federal and territorial financing agreements.

They should form their own level of gov't so they can manage their own money. Also they don't provide a useful model because the gov't tells the Bands how to spend their money. They should tax their own people so the money could circulate so the Bands could sustain themselves.

Aboriginal people would use more land resources and taxes on Aboriginal people to finance their own communities.

Through the federal and prov. gov't initially. Yes to taxation.

Some form of tax would be utilized. Federal fiduciary responsibility would always be there.

Economic development - tourism, etc., federal financial agreements should provide a good model. Do not tax own citizens. (x2)

Land, resources. Adopt some models they use but ensure extensive ? is conducted at community level. No, Aboriginal people shouldn't be taxed. Enter a comprehensive arrangement with both levels of gov't for land co-operation for use of land, retroactive from colonial era.

The existing funding sources should be retained. Yes, the models are useful. No taxation. People have to decide if they want self-gov't.

I don't know. I think we should try to keep what we have now. Our people should not have to pay tax.

Don't know how First Nations gov't should be financed but I don't think we should be taxed.

Taxing our own people would not be right. Other people that want to come here for the summer should be taxed and pay rent.

Cannot tax its own people to finance Aboriginal gov't.

Funding from gov't and gradually become self-sufficient.

I think it should stay the way it is, but the money the gov't gives us is not enough that is needed to get the job done. They shouldn't tell us how to spend the money.

Aboriginal govt should be financed in the same form as is now. The Aboriginal govt will not tax their own citizens but can tax non-citizens.

Aboriginal govt will be financed through DIAND. Aboriginal people should not be taxed. I feel Aboriginal govt should look at Family Incomes per family.

Wherever present finances come from (treaty promises). Yes, existing agreements would prove useful models. There should be no taxation of Indian people.

I think that the federal gov't should still be obligated to finance a majority of our programs as well as the provincial gov't. I also believe the people should not be taxed to a certain degree but it would be like hitting our head on a brick wall because the people have become so dependent on the monies they receive.

Aboriginal govt will be financed through the existing govt since they get their money from our land.

From the taxes of non-Native residents of Canada. Wasn't that the idea in the first place, they took over the best lands!

Existing govt that are in place. (x4)

Gov't would provide financing. Govt tax citizens don't know if Native people would be agreeable to tax. Don't understand however how we would become self-sufficient if we don't raise own finances.

Gov't assistance. Could review and use existing models. Native citizens would not pay tax only if it was shown to be an intelligent alternative.

Treaty shall remain - financing. Yes existing federal financing agreements provide a useful model. Aboriginal gov't should tax their own people as a last resort.

We should be able to finance our own affairs but how can we tax our own people if we have no jobs?

A new system would have to be devised because the present legislation only hinders the Native culture and revitalization.

Aboriginal gov't should be a part of the federal taxation system (federal transfer system) with free access to use all land or other assets for the benefit of the people.

More studies should be done of how it should be financed or each Aboriginal gov't should study their own so it would meet their needs. Federal financing agreements provide useful models but don't really meet the requirements of each Aboriginal gov't. Yes to taxation if it involves self-gov't. How will it be operational if there is no funding?

Aboriginal gov't - finances - not able to be accountable.

It would hard for Aboriginal govt to finance themselves. We on the reserve do not get much in that we should be taxed.

By strong leaders and well-educated people.

Would First Nations governments have authority over non-Native people living within their territory?

Non-Natives would have to abide by the new First Nations gov't laws. (x27)

Yes, the First Nations govt should have authority over the non-Native people living within their territory. For example, they should be paying rent and other things. They can't build unless asked by the First Nations gov't.

Yes, First Nations govt should have control over non-Native people living within their territory, because non-Natives tend to get away with things that other non-Natives can't when they are living on a reserve.

Yes. If we don't non-Native people will start telling us what to do and also pull us away from our point of view what we are trying to achieve

Definitely. If non-Native and even Native people come into my traditional territory, I want to have authority over them.

Yes, if Indian people as a whole agreed to Indian policy and law, that policy would apply to non-Natives on Indian lands and jurisdiction.

Yes, Indian gov't should have authority over non-Native people within reserve territory. We should have authority over non-Native people within territory. In 1949 trapline systems set up, we were informed to look after those lands and to report on non-Native intrusion.

To some extent to at least respect our wishes in the community or by/laws.(x2)

Not sure. First Nations govt should have authority over their own territories.

I don't know.

Would need closer examination. Native people should have authority, but that authority may be limited to certain areas. (x2)

Presently, we have limited authority over reserve lands with virtually no authority on off reserve lands. We can only demonstrate our authority to off-reserve by showing our activities and occupation of those lands through use and habitation.

First Nations don't believe in owning land (ie. traplines) - we only use it. Non-Native people may use our resources. Balance in sharing use of lands and resources.

Yes, non-Native people would be welcomed if they can make positive contribution to the First Nations community.

What programs and services will continue to be offered to First Nations by federal and provincial governments?

Well, if Native people want self-gov't that bad, they should be given the whole responsibility the federal and provincial gov't do for us.

All programs should be taken over by First Nations - including forest prevention centre - penal system for up north.

First Nations should take over all programs - go over existing acts and revised them for own use. (x3)

Gradual take-over of all programs and services, but not a total take-over all at once. (x6)

Medical. (x19)
Education. (x14)
Social assistance. (x10)
Housing. (x8)
Incentive programs. (x6)
Social services. (x4)
Old age. (x2)
Corrections. (x2)
Policing. (x2)
Unemployment. (x2)
Training programs. (x2)
Religion.
Water and sewer projects.

All programs guaranteed to all citizens of this country including those under treaty or court decision.

They should keep on funding the Natives for everything such as student education, running water, etc. (x2)

Treaty promises should be continually offered. (x6)

Canada should continue to provide fiscal payments, health care, food supplies, fish markets. All sources of program and service delivery. Lands and resources to be protected by Canada.

Gov't promised to look after Native people therefore gov't obligated to fulfill treaty promises.

Federal financing should be continued or to continue to flow from Canada.

Gov't could provide financial resourcing however with current financial situation this may be difficult.

Continue to assist with financial obligations. (x2)

Give Indian people financing to administer, use the expertise of govt to administer for areas where First Nations may not have expertise.

Funding services - capital.

There's no governance role played by provincial and aboriginal nations.

That limited programs and services to be carried by Native self-gov't.

I don't know. (x6)

Should First Nations' rights, interest and title in their traditional and contemporary lands be recognized formally in Canadian law?

Yes. (x34)

Yes, its our heritage for countless generations and should remain so.

Yes, it should be recognized in Canadian law. All the traditional lands should be recognized. (x2)

Yes, First Nations people had access to land before we had these laws and First Nations didn't need any permit to build campsites.

Yes, it should. First Nations interest for too long have been denied and abused. It should receive its rightful recognition.

God-given (inherent) right of the Native people should be protected in the Constitution.

Yes, but First Nations should not have to be accountable to the Canadian gov't.

Yes, afterall this was Turtle Island before white man named it Canada.

God owns controls everything. God's laws prevail - if we want to include those rights in man-made laws so be it.

I don't know.

I don't understand. (x2)

3. LANDS & RESOURCES

The issue of land claims from the viewpoint of the treaty, management agreements which may flow from self-government agreements, and land needed for the survival, development and growth of member First Nations.

Will self-government require more lands and resources under the control of First Nations? If so, do you think Canadians are willing to ensure Aboriginal people are able to achieve this?

Yes. Yes. (x8)

Self-gov't will require more lands and resources. I think Canadians will ensure that we achieve this say 5 to 10 years after we have adopted self-gov't.

We have always wanted more land for resources. Yes, I believe Canadians are sympathetic to our needs.

Yes, but it would take some convincing. Non-Native people need to be educated. (x2)

Yes, if we have self-gov't non-Native people should be agreeable to First Nations land extensions.

Yes, present reserve lands not sufficient. If requested and rationalized, Canadians would give more land.

Yes, our population is increasing. Non-Native people should be willing. We will require more land/increased due to population and demand.

Yes, Canadians should grant more land to Native people since it is Indian land.

Like any community in Canada First Nations should be allowed to govern their land and resources according to their needs.

Yes, I think we will need more lands because our reserves are too small. Most people hunt and trap outside of the reserve anyway.

Yes, we will require more land. If reserve lands all utilized, Native people could use resources off reserve for their purpose, but to pay for resources this is what we were told, but feel if we need more land, we should be given more land since this is our land.

We need more lands and resources. I don't know. (x11)

There is a definite need for more lands and resources however pessimistic that Canadians would be willing. (x4)

Absolutely! I think the Canadians think that Aboriginal people have already been indulged in respect to treaty and land rights.

Yes, I don't think Canadians will be willing to ensure that Aboriginal people achieve this because all land has been identified by the Crown for use of Canadians/corporations have bought land for their own uses. Southern First Nations will have a hard time.

Yes, would require more lands and resources to make self-gov't work and sustain themselves. Non-Native (some) oppose self-sufficiency -need to demonstrate as a Native people we want our own gov't. Need to push for our own belief.

Our reserve lands are too small to survive on, yes we would require more land and resources for self-gov't. Canadians would not agree however this is our land and we must convince people we need more land.

Yes, I don't think Canadians really understand. (x2)

Yes. Maybe not.

Self-gov't requires more lands and resources but I don't think Canadians would allow not unless we get on their asses for a long time.

Yes. No. (x17)

Yes. No, because they won't want to give up any land, even if its Crown, to reserves.

Only understand that Native people can access more land if their population increases.

Yes. No, they have money to start up businesses where Native people don't.

I don't understand this question. (x2)

The land we have is O.K.

Can we find a way of resolving disputes over the interpretation of treaties that meets the concerns of both First Nations and the Canadian governments?

Yes. (x9)

Yes, by closely examining the treaties. (x2)

Yes, to elect Aboriginal peoples to Canadian govt (expert witness to clarify any disagreement).

Yes, there can be a way if Natives can guarantee non-violence to non-Native Canadians.

By both respecting each other.

There has to be a way otherwise there will be more strife.

Yes, we can find a way to resolve disputes without compromises - Natives have always found ways to live off the land but not ways to transfer ways to harvest economies - Natives did not understand treaties - unfulfilled until several decades later.

No, can't see any dispute resolution. (x3)

No, I don't think so because the Canadian gov't is looking to the fine print of the documents to eliminate their responsibility to their obligations. We have to fight fire with fire.

No, can't see resolution, Native people were here first.

No! When treaties were first signed, they were signing for future generations, not present generation. It seems we're only looking at today's generations and not for the future.

No. We'll always have different interpretations.

No, not at the moment, but there has to be a way.

No, but we can do it not to depend on white flag Ontario, federal gov't , but aboriginal treaties, etc.

NO. First Nations will always dispute over the interpretation of treaties as vice versa with the Canadian govt. All parties think they're right.

We can only believe in the promises made to us and strive for those beliefs. Can't see how we can resolve.

More consultations with Native people to ensure this problem does not continue.

A way should be investigated to resolve disputes.

Needs mediation to resolve dispute. Panel of neutral people. Both sides need goodwill to bargain.

Education of treaty rights to non-Natives is essential.

Follow the contents of original treaty and live up to promises. All leaders meet to review and agree to contents.

We must deal with disputes diplomatically, not on a confrontational attitude. Approach issues from a negotiated approach based on belief of spiritual support from the Creator.

Our people agree to treaties in friendship and trust, today we realize differently. We must push for our aspirations, we can't give up or give in. We must have spiritual beliefs in our hopes and objectives.

Treaties of yesterday are very questionable. Are they valid? Did our people understand the English language? I think not. We should find documents to show this time in our history. The loss of lands and resources due to questionable treaty-making processes.

The benefits of the treaties are one-sided in favour of the gov't (federal) or queen. They limit resource acquisition by aboriginal peoples.

All Indians were able to do is fight for their rights.

A televised confrontation of the two sides shown nationwide or even internationally. Drastic measures such as the Oka standoff could bear little results and only conjure up more negativity towards Natives.

Try to reassure them that the Natives were forced to sign the treaties and didn't understand what was going on.

Prayer. Once again, we have to stand together and get our act together (all nations).

Interpretations will never cease. "treaty" would be a word that could be explored and confirmed as to its true meaning.

Go back and use the Royal Proclamation?

Native people were to use this land with land set aside to live on while govt were to assist with Native people and their affairs/lives. Seek spirituality, guidance and support.

Elders entered into treaties to protect our traditions and culture. Meetings should be convened to attempt understanding of all parties to resolve disputes.

There may be a spiritual solution/understanding to the dispute.

Treaty-making process very questionable one yet the resolving of such disputes is a difficult one.

Native people must live their obligations to the treaty. Need to review laws applying to Indian people such as restrictions of the use of alcohol. We aren't supposed to use alcohol/we shouldn't use it.

We have the understanding of our treaty, we should abide by those terms of our understanding.

If the Native point of view was followed we would have no disputes. Treaty promises were not fulfilled for many years after treaty signing. This occurred only after Chiefs lobbied.

I don't know. (x8)

I don't know about treaties. (x2)

How can governments be brought to honour the many treaty obligations, such as treaty and land entitlements, that remain unfulfilled?

Negotiate with Canada. (x5)

We must constantly remind the gov't of their obligations. Govt use the interpretations to their advantage, we can do likewise and continue to remind them of their obligation. Use the treaty promises to our advantage. (x10)

Federal and provincial govt should realize that the First Nations communities are becoming over-crowded and that should entitle us to land for our childrens' future.

More talks between both parties, until both parties can come to an agreement.

We have honourably been seeking ways and means by due process of gov't laws and regulations for years now, maybe we need to start setting up time frames for our efforts.

Bring gov't officials to see the communities such as Cat Lake - They will see what resources are available in the small parcels of land we live in.

We need to revive old documentation that spells out detailed treaty making processes.

Through legal pressures and court cases. (x2)

Through court action and international non-partisan parties.

Through court action.

I think First Nations should sue the gov't for not fulfilling the treaty rights.

The rest of the world must see our views, legal is also an option.

The gov't should be made accountable through an advisory board to ensure that the treaties and their entitlements are being met sufficiently. So far the honouring of the treaties is below adequate.

We need a mediation body to ensure obligations are being met.

Difficult to negotiate - we need a new process.

We need to use trained Aboriginal in law and policies with the leadership behind them to point out what is our entitlements and so forth.

Aboriginal people must occupy their land and we must seek self-sufficiency as an alternative to gov't dependency.

Through education and awareness.

All Native people should work hard together and not stop until they are heard.

Never give up. Be a pest about it. They'll realize that they have to give in if they want us to get off their backs.

To voice our concerns we need seats in the House of Commons.

Take the land and use the resources also, get the fishing camps off peoples' traplines.

Protest and demonstrations. (x3)

Civil disobedience.

Since every Aboriginal gov't has tried to make the gov't honour the treaty obligations but still remain unfulfilled this would mean violence or war just to make the govt fulfil the treaty obligations.

Let the treaty stand as is.

I don't understand the treaties. (x2)

I don't know.(x3)

Why can't the govt abolish the treaties and use the Proclamation that was signed in 1763 instead, as the treaties were a way of getting around the terms of the Proclamation.

It would be difficult to make gov't keep its promises because I don't think the people understood much English when they signed the treaty.

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4. CITIZENSHIP

Member First Nations' perspective on the definition of citizenship for Aboriginal people.

What is your definition of belonging to the land you live on?

You have to feel connected to the land and respect what was given to you by the Creator. Nowadays young generation don't have the skill or knowledge on how to build a fire.

I am part of it. I do not own it but it breeds me, feeds me, shelters me from the cold.

Given by the grace of Creator as mother nature.

The Native people are meant to guard and protect the land (mother earth) from harm and waste.

Creator put me on this land and I own the land - I work the land for my subsistence. (x3)

God given. (x2)

The land is the root and defines the people who live on it.

Land, culture,language, traditions, spirituality, stomping grounds, survival. I see it as life, without it, I don't think there would be no point of saying I'm a Native.

All land as my life, we were always here, its part of us. Cannot imagine another life without the land.

Belonging to the land entails have control over your designation and livelihood.

The Creator gave us the land to live on, sustain ourselves, we believe that, this is our land not just the reserve boundaries.

Native people were given this land so they could live and sustain themselves from it. Non-Native people exploit. God gave us the right to harvest from this land.

The whole land - we should be able to live off the land - no boundaries - exist with this understanding.

Not restricted to reserve lands, it is our god-given (inherent) right to live and sustain our lives from the land. (x3)

The land is mine.

Not only within reserve boundaries it is the whole land, the whole country.

It is a land of freedom. You are free to do whatever you want.

Freedom to do what you want.

Hunting, fishing, trapping on traditional lands. (x2)

Being free to hunt and fish whenever I feel like it.

Living off the areas resources whether ricing, trapping, hunting, and fishing. (x3)

Relates to trapping area and area of land he lives/sustains himself from.

Traditional territory of harvesting area (trapping, hunting, fishing).

I live here - good for hunting with no license for seasonal hunting. I live off the land most of the time.

The place where you were born and raised for most of your life. (x9)

A Native born and you belong to that land. You practice your traditional way of life.

I am a Band member and a Canadian citizen because I was born here in Canada.

I was placed here as long as I live.

We the Native people will the first ones to live in this land therefore we should gain some control over it.

There is no other country we can return to if we are asked/forced to. But other nationalities can like French. This is our land.

"Aboriginal" - being the first on this land (North America).

The definition is that we as First Nations peoples are indigenous to the land we are living on. (x2)

Reserve land - land that was reserved for Native peoples.

Honestly, I never heard of such a question but I'm glad there is land.

We are proud of the land we live on.

I feel restricted to living on this land. I feel Aboriginal people should have more freedom to chose where they want to live. That they don't have to lose their treaty rights in towns, cities....

When the treaty was signed. Natives were given the opportunity to live and eat from the land as harvesting it. And yet the gov't spoils our land.

Don't know. (x4)

Would First Nations people have citizenship in their First Nation in addition to their Canadian citizenship?

Yes. (x35)

Yes, if you can get additional land.

First Nations people have dual citizenship with dual responsibilities to the citizenship held.

If people have self-gov't they would not necessarily need to be citizens of Canada, but we believe we should have Canadian citizenship.

No, only First Nations citizenship. (x6)

Each reserve would have citizenship.

We are the "first" people. We the only true Canadians or First Nations citizens born and bred in this great land.

NO, we were here in Canada first before these European bums came to our land.

A Native person first, land is important to me. I citizen of our own nation. We should also be able to cross the border if we want to.

I am Indian first, but all people are equal, we have our own culture, we shall honour and respect.

Why would we need dual citizenship? First Nations first. Why would I need to be a Canadian citizen?

No. I don't think it would matter because there are some people between Native and other.

First Nations should be distinct and recognized as a people. (x3)

Native people have own citizenship. We are only Canadian citizens on paper.

Why not just call ourselves First Nations Canadian citizens.

This would be determined by the leadership.

Everyone should be Canadian citizens but First Nations citizenship may entertain bigotry. But on the other hand it will create a sense of strong identity if First Nations citizenship was available.

Being an Aboriginal is first and foremost. Being a Canadian citizen is after the fact.

Good question. I've always liked being a Canadian. Go to the states on July 1st and you'll realize how proud you are to be a Canadian.

I don't know.

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5. TREATY RIGHTS

Existing problems with treaties, discussion of the correction of the current situation and new rules that might be applied to future treaties.

What is the relationship between treaties and self-government? In what ways can we ensure that self-government enhances the fulfilment of treaty obligations?

Self-gov't should support the provisions of the treaty - Chiefs should be responsible to ensure self-gov't enhances treaty obligations. (x5)

Treaty obligations today are being taken for granted by Natives and viewed in that context. treaty obligations become gov't handouts, this undermines the road to self-gov't. If natives understood the spirit and intent of the treaty as understood by the signatories we would be using and taking advantage of these obligations to re-build our self-gov't. We would also be enforcing the treaty as we understand them and not as the gov't understands them.

Treaties are being interpreted by the gov't into a different way. Self-gov't should be set up to strengthen the terms and spirit of the treaty. The educated and the people who have experience working with govt should be involved to ensure self-gov't enhances treaty obligations. (x2)

Treaties should be kept - self-gov't should not interfere with its terms. All efforts should be taken to continue negotiations.

Treaties are important for financing purposes. Self-gov't requires more land for self-sufficiency. However development should not involve negative environmental impacts.

Don't our relationship between treaty and self-gov't. One idea governing ourselves while the other relies on gov't promises to look after us. Treaty promises can be part of self-gov't arrangements only if agreed to by the federal gov't.

They should be combined. The gov't should fulfil the treaty to the Indians. Don't take away treaties when self-gov't occurs.

Both are one.

Relationship between treaties and self-gov't will not affect each other. Self-gov't will pursue in meeting the commitments of treaty agreements.

Keep the treaty. Self-gov't to improve treaty in some terms - land, etc.

Self-gov't should enhance the terms of the treaty. Don't know.

The relationship is it tells us that it (lands, resources) are ours. To fulfil treaty obligations, they must follow out what is said and written. (x2)

Treaty promises/Treaty Indians should not pay for services - Indian people own land and resources. Treaty promises should be incorporated into the self-gov't arrangements.(x2)

Don't really understand the relationship between the two approaches. Examine the two closely along with the Indian Act and prepare our direction carefully - we must reinforce our rights as Indian people not jeopardize them.

Indian Self-gov't and treaty promises. I don't know/can't see the relationship. Treaty promises gov't look after us. Self-gov't - we look after ourselves.

There are differences between treaties and self-gov't. If its possible treaty promises should be reinforced. We need again properly educated people to make this possible.

It should fulfil their basic rights.

Between treaties and self-gov't, they should be treated as one. Treaty as understood by our people was to live in harmony with outside people.

At first people didn't full understand what the treaty was for. The gov't should continue to provide Old Age Pensions and other benefits we are entitled to.

Treaty promises are being broken/questioned, today self-gov't is a different, can't have a relationship. Don't know the ways but treaty promises should reinforce in new self-gov't agreements. (x2)

Not sure. There is very little. Re-negotiate our treaty to our lands.

Promises made by the gov't shouldn't be allowed to be broken.

My understanding of the treaty was that it was a sharing arrangement at least that's what I have been told, we never gave up our land.

Can't answer to relationship between treaty/self-gov't. Civil disobedience start breaking rules.

It should be positive, isn't that part of the reason why we want self-gov't.

I don't know. (x2)

I don't understand.

6. RIGHTS OF OFF-RESERVE FIRST NATIONS PEOPLE

The constitutional legal position of off-reserve Aboriginal people.

Should treaty rights be portable, capable of being exercised by individuals residing off-reserve?

Yes. (x38)

Treaty rights should be given to all natives on or off reserve. They should represent all natives as a whole.

Yes, as long as they are in Canada because we are dealing with the same gov't (federal).

No. (x3)

Difficult to picture whether the practice of treaty rights would be appropriate in the large urban centres.

7. SPECIAL DIFFICULTIES OF FIRST NATIONS PEOPLE LIVING IN THE NORTH

There were no specific questions included in either questionnaire for this area of study. Windigo First Nations member communities are all, but one, situated in remote locations. Throughout this document there are many references to the special difficulties of First Nations people living in the north.

See section 7 in the Analysis of Self-Government Questionnaires.

8. I.N.A.C. & THE INDIAN ACT

The involvement of Indian and Northern Affairs Canada, the benefits and liabilities of the Indian Act and the possible ramifications of the removal of Indian and Northern Affairs Canada and the Indian Act.

What role, if any, should the Indian Act play in First Nations government? What arrangements should be put in place during the transition from Band Councils under the Indian Act to First Nations self-government?

The Indian Act should be updated to meet our peoples' needs. Our people should have a say as to what they want in the Indian Act.

The Indian Act should still be in play in First Nations gov't, and the Indian Act should be amended and revised during the transition period.

Indian act should be amended to better suit situations in First Nations gov't. Arrangement should be put in place during the transition. *Note* - First Nations should be devised for a monetary system or funding for First Nations gov't - money should circulate within First Nations communities and not go out. We can't phone up the govt for handouts if we require assistance.

Some sections of the Indian Act are acceptable and beneficial to Native people. These we could include into First Nations gov't set-up. (x6)

Keep some of the terms. (x2)

The Indian Act should be amended to our new gov't. As I was adopted into a non-Native family and I am Native. Have all Natives recognized. Because my grandfather was eligible for status and he died before registering, me and my mother cannot apply for status because the Indian Act says we can't. The Indian act does not see us as Native. My colour of my skin and what I am say I'm Native and others see me as Native. The Indian Act does not.

Improve the Indian Act. There maybe some good points in the Indian Act that should be kept. Most of it is bad. First Nation should be able to make the community needs.

Yes, the Indian Act will have role in First Nations govt and some arrangements will take place during the transition.

Indian Act not devised by First Nations. There will be some conflict -change some terms in the Indian Act.

The Indian Act should not play in First Nations gov't. Something else should be in place.

Indian Act should not play any role. Programs, whether existing or new should be transferred to First Nations with adequate training and funding. No programs should be introduced to First Nations gov't that would erode the inherent rights of First Nations.

I think the Indian Act should be abolished. We should adapt some of it as we make our transition to self-gov't.

The Indian Act to my understanding has been hinderance to most First Nations. Other forms of an arrangement should be in place.

The Indian act should play more of a role in First Nations gov't. (x2)

Leave the Indian Act as it is.

Indian Act should be utilized to benefit the people.

Educate people to prepare themselves for self-gov't.

I'm not too familiar with the Indian Act. I would like to know more about it.

Don't know the Indian Act, however, if there was Indian gov't it may be appropriate to keep the Indian Act in place. (x2)

Don't know the Indian Act. Can't comment. (x7)

I don't know - If something has worked previously, it should be kept.

I don't know.

I fear a lot of people talk about it but I do not know what it is.

I can't answer the question.

9. SOCIAL ISSUES

Our communities continue to struggle to overcome the effects of poverty and disruption of the social fabric of our society. Suicide in the native communities of Northwestern Ontario is at epidemic proportions. Violence in the homes is an ongoing concern as is the abuse of alcohol and drugs. We have begun the process of recovery. However, determining the causes and, from this knowledge creating plans for survival and recovery will take a very long time. We have a great deal to say about social problems, from systems to survivors.

To what extent must social problems be resolved before economic development can proceed?

Social problems should be resolved individually, not collectively, before we proceed to economic development.

Social problems need to be resolved before economic development can proceed. (x14)

Social problems have to be resolved before they start, if it can be helped.

Self-worth and self-esteem must be restored first.

Social problems need to be resolved before economic development can proceed. Youngsters need to be motivated, they need training and counselling. (x3)

Alcohol leads to many problems, feel that social problems need to be resolved before economic development can occur.

Deal with community issues holistically. (x9)

Social problems can be resolved through economic development. Counselling (professional) for preparation.

Dual approach. Work on the social problems that hurt our community as a priority, spirituality needs to be worked on. Need to retain traditional teaching of parenting/family affairs.

Economic development would be a good tool to use in controlling social problems but first economic development must be set up for each community.

If economic development is successful it is very important that social problems are anticipated and ways be devised to stop abuse of misspending.

Can't approach them together. Must be separate but I don't know which one we should work on first.

A lot of work needs to be done - Elders to be hired by agencies (Windigo) to instruct youth to appreciate their life - especially suicidals.

Focus on the younger generation, especially suicide.

A lot of work needs to be done to resolve social problems.

Economic development ventures are important. Of course we do have social problems - we must stop the source of our problems with alcohol/drug abuse - stop the flow. Substance abuse needs attention. Dual approach. We must ? peoples' lives and correct the social problems. Peoples lives are more important, we must continue to address and correct this problem. Laws must be changed to protect the offended, not the offender, laws need to be examined relating to marital arrangements and the protection of marriage.

Band economic development ventures fail because of the ownership concept of all - individual entrepreneur work better. Social problems need to be addressed as well. Need strong family units.

It's difficult to say, appearances are that social problems will be resolved through gov't assistance but this is not so.

Before anything is achieved, the First Nations people have to know what exactly is going on- how the process of self-gov't is going to evolve.

First of all, Natives should start their traditions again and the same go by everyone else does down south.

Communication is the key. Slowly people will open up. Residential schools taught us to be quiet and slowly this will change.

Social problems should be dealt with when the need arrives not when its ready to explode.

Mutual understanding through knowledge of each other's socio-economic background and history, not preconceived idea or perceptions.

More Native people should get better educated and set examples for younger people to strive for better lives on the reserves. (x2)

To try and get the community involvement and support. Have programs to train them about the problems and how to prevent them.

Everyone was unprepared for the impact it would have when they first sent out young for education but we need to get back to communicating with our young people.

I think if people want to succeed they will.

There will always be social problems. We must get away from the Welfare system. We don't get anything by doing this. We need to help our people in a different way, set up alternative social programs.

I don't know.

I don't understand this question.

How can the efforts of First Nations people to achieve individual and community healing be recognized, supported and extended more broadly?

Our identity, language and culture should be taught at our children's birth and especially in the schools. Communities should work together at their healing and as well work with other communities to better ourselves.

40% - traditional lifestyle - others don't care very few here are helping themselves - no work here or hunt here - bring programs in the community - Elders and Council should approve counselling programs - funding for programs.

Provide more workshops to First Nations people to achieve community healing that would be recognized. Needs support from Elders or the community members.

Education for youth.

Community members have to continue practising their culture and traditional ways of living and teach their youth.

The Native people themselves must help each other first through the revival of traditional practices.

Community healing measures should be done in the community - by-laws should be enforced more diligently - programs to be developed by the community.

Everybody has to be involved and work together to find solutions to the community problems. Elders/parent deny community problems.

To keep on speaking out about all of the dysfunctional lifestyles that we grew up with and how to change it to a positive lifestyle.

Community-based set up in the community to be recognized by outside agencies.

First Nations-based healing in our own communities. Should be able to stay in the community, therefore gov't should give the resources to build treatment centres and the like.

I think we should heal as individuals and as a community and move forward to self-gov't at the same time myself for individual healing I usually speak to Ministers, etc. The community (mostly youth) don't listen to anything.

Let the communities deal with their problems first before bringing in outside people.

Listen to what each individual has to say. Support them as much as possible. (x2)

We can have social gatherings, listen to people talk about themselves and try and help them.

Yes, they should be supported financially and emotionally by all the people.

To broadcast locally throughout TV or radio and newsletter.

By-laws. Make their own in reserves.

I think we should get the people motivated and steered in the positive way to volunteer. We need more people to sacrifice their time and availability.

Stronger communities assist weaker communities. Share positive experiences, solutions, etc. Native people need to learn to work with white communities as well.

First Nations should show their efforts more and also Chief and Council should lobby for support.

Jobs should be available to instill self-reliance - start with makeshift projects as training and also meaningful role in community development projects.

Native people need to act physically to begin the healing process, words are nice but they are just words. We need to see action at the community level.

Alcoholism plays a major part in our social problems, both Native people and gov't should tackle alcohol and the problems it causes.

There should be no alcohol in Native communities or to Native people. Need to work on the child at an early age to create Native awareness.

As far as gas sniffing is concerned, I don't really have any solutions to this question. Our people need to be more responsible and disciplined with their children.

Lost a son on May 20 we as parents must keep a healthy and loving environment for our children. Must always keep watch over our children. We as a community must get along together for a healthy environment to develop. We as parents must not protect our children from their mistakes but rather teach them and correct those mistakes.

Parents need to take responsibility lead to community plan then we can approach gov't for further assistance.

Give them more money to provide employment to the young people. Native people should support each other lend a helping hand to each other. Elders should talk to the young people teach them not to put them down. Treat everyone equal.

Non-Natives don't know Natives' social problems, but more funding should be allocated.

We must place our trust in spirituality and the Creator. Need to encourage spirituality in our young and our people.

Different forms of policing - have peace-keepers - training for social workers does not always work - workers work on regulated time - Peacekeepers can be called up anytime.

I don't know. (x3)

Don't really have the solution, it is rather difficult to provide an answer because I would have implemented the solution today.

What is preventing the application of holistic community health strategies to deal with poverty, poor nutrition, inadequate housing and low morale in First Nations communities? How can the fragmentation of human services be remedied?

The social and economic isolation by poorly educate people in Canada and health and education system which deny the application of traditional practices.

Gov't forces, foreign policies to Native where doesn't help the Natives.

The community is struggling with two cultures at the same time.

The conflicting of values in two different societies.

We are taking too much of what white man has to offer eg.T.V., music. This has influence on our young people.

That people have a strong identity of who they are and what they can do.

Indian people suffer because we have lost Indian teachings and Indian ways, these teachings and practices are not conveyed by social service deliverers. Need to have workshops/development of social service deliverers to address social services needs. All social service deliverers need to meet monthly to plan strategy.

There are laws that contradict Native teachings (ie. discipline). Accusations of child abuse may result due to disciplinary actions. There must be co-ordinated approach of spiritual and political leaders with social service deliverers to address all the health issues.

When problems first surface they are ignored until they become major problems. Need to tackle root of problems, not problems. Alcohol leads to many problems. Services are institutionalized individually, need to develop a community social service approach by Native people.

Non-Native resources provided for us must be used wisely. Native people must work on the issues themselves.

Don't understand why there is fragmentation. Chief and Council should direct human services in community.

Leaders not working with youth including elders and spiritual leaders.

It is true that the less fortunate are not sometimes helped - Poor attitudes by leaders - no co-ordination for services - no support for individuals who are innovative.

Lack of strong leadership - lack of good management skills - people in general do not listen to the workers - meeting with resource workers to show that they work together - reports or evaluations - find out their weaknesses for correction or training - meet with elders for advice.

Chief/Council too much bias. Their position gives them the feeling that they are lone rangers. Reduce or discipline Band Council or establish regional advocacy mechanism.

Again a lot of people are out doing their own thing and working to put bread on the table. The people as a whole will have to recognize the problem and deal with it.

Plain laziness-raised to depend on the gov't too much. The Elders should work with the workers of the Band youth/Windigo and have more input than before.

First Nations are not confident enough to deal with their problems. They should lobby the gov't for adequate housing. Work and meet together to resolve common problems. Chief and Council should be management.

Instead of holistic community approach the health of many people are based on curing only the illness not at the well-being of the whole person ill health - problems, situations, conditions must be solved.

The gov't should treat everyone the same, starting a service or have a governing board on Human Relations committee.

The prices, transportation good housing are problems that should be treated for carefully even if it takes time.

High unemployment, with a high number of people on welfare contributes to poor nutrition inadequate housing causes overcrowding.

Too much dependence on white man way of doing things. They have never come to do an in-depth study on health problems on the reserves. Let's speak out and get things done especially housing.

Individual communities must have their own strategies utilizing the fragments of general human services available.

Not enough work and effort at community level. Not enough capital works for infrastructure. Store bought foods not all liked by everyone even if nutritious.

Make everything more integrated. ? needs to be in place, more money to address these issues, more facilities, focus on prevention.

There is no trust/understanding between service deliverers. Need to improve communication and relationship between service deliverers through meeting and working out of one building.

The social workers/deliverers do not have the capability to carry out their work. Follow strict guidelines of their job descriptions. We should draft the job descriptions of social deliverers, take direction from the community, not from the outside. Internal First Nations policies should be followed by social workers not their gov't employers policies.

We encourage community efforts to deal with social issues. Failure to communicate/work together leads to ? efforts and fragmentation. Service deliverers do not listen to community members requests/direction. Peoples advice should be followed and adhered to, we know our community needs.

There was no communication between our staff previously, now that has improved - we are attempting to network/communicate/understand each other. There is so much division of roles and responsibilities - we must use social assistance holistically.

All the services provided to Native people are inferior in standard and quality therefore our community and people reflect this. We need to improve all aspects of our living environment including/especially infrastructure of the community.

Non-Native people pay for their services through taxation, because Natives get assistance from Canada, tax free, our assistance is viewed as last money, white taxation produces money for the gov't.

The service deliverers follow the policies and regulations of their gov't departments. To improve this the service deliverers must follow the direction of the Chief and Council.

More nurses and CHRs needed - inadequate funding for housing.

Lack of employment in the communities, water systems, better housing and more job opportunities.

The people are not taking advantage of the services available.

Not enough housing funding allocated to each Band.

Need better housing.

Parents and elders have a lack of moral values. Lack of understanding. Lack of parental skills. (x2)

Lack of parental skills and abuse of substances. (x4)

Lack of parenting skills and lack of role models in the communities.

That elders and parents teach what they believe to the young people. Parenting skills to be available to parents.

Community needs to set up social strategy for holistic approach to services. Native people need to take charge.

They need a lot more funding to do it all in one stage. With funding the way it is there is no other choice, but to do things little by little.

Not enough support from the Ontario, federal govt, etc.

Limited gov't funds. By further ?negotiations? on treaty rights.

No money.

There should be more jobs available. No one should be on welfare they should work to get the money. Most people take advantage of it.

Don't know why, taught to be professionals individually. Don't know how to deal with fragmentation.

Does it matter? What if some of the people are like that.

I don't know why! This is my first knowledge of this. (x2)

I don't understand. I guess all people should try to work together. (x2)

10. EMPLOYMENT

Will First Nations young people, even with a good education, face a choice of unemployment in their communities or moving to cities for employment opportunities.

Don't know if Band would have resources to pay for people with good education.

There are no jobs in our community. Children with an education will have to go to the city for jobs. (x18)

We don't have the capacity here for well-educated youth in our communities. Our youth come home to unemployment. (x2)

We don't have high paying jobs like in the south.

We lack proper employment opportunities therefore lose our young to the south. (x2)

Our community is not ready to deal with people who have a formal education.

Young people will have to move to the city because there will be even fewer jobs on reserves and by the look of things, less money in the future, so less jobs. (x3)

There is a 75% chance of young people not getting a job even though they have finished high school or university.

If I had a choice of a job in the city I'd take it. I wouldn't want to stay in the community.

I'd rather see our youth returning to our community. (x8)

Young educated people need to seek ways to generate income/employment on reserve.

I think there are lots of jobs in the community, especially in the winter. I work with a lot of young men on winter roads year-round.

People with a good education can find work in the community.

There are a lot of opportunities in the north. A person needs to make it happen not wait for it to happen or exist.

No, youth should remain in the community. Communities would be empty if employment was seeked in other communities - If other employment such as mining is available he should seek employment as long as he is not totally moving out.

Self-gov't should correct this - there will be more employment once Bands take over more programs and services. (x6)

First Nations should be doing it now while the govt are funding various programs such as nursing, drafting, engineering, doctors, teachers, etc. Funding has to be secured. Young people should be requested by the Aboriginal gov't of the community of what would be available for the student, what should be pursued.

Plans on guidelines should be developed to address human resource reserve needs for Band employees.

Need to develop community job/ employment strategy. Economic development corporation needs to develop such strategy. (x4)

Communities should plan for employment and job opportunities for our educated. Need to develop plans for self-gov't/administration by Native people.

We could plan for major resource development projects (eg. mines) and maybe factories to produce goods to ensure employment for our young.

It will take time, even if Native people do work in cities they are still contributing to Native well-being. The reserves will take time.

Natives face unemployment on reserves and off-reserves as well.

Some of our young return to work in our community, some choose to stay south which is O.K.

Yes, education does that, it offers more choices as long as an individual is happy with their choice. I think Native people will continue to accept seasonal employment, give them an opportunity to live off the land too! Also, only way to move and work in urban areas is because of Native organizations.

Even with a good education now they are faced with the choice. It is essential to have these people as leaders in our community.

Racism might be a problem if young people go to the cities for jobs.

The choice is up to each person about where and how they want to live.

Well for some of the people I don't think it would matter. Some people would get jobs so they can support family.

What planning needs to be done now for First Nations young people who will be seeking meaningful employment, and who should do it?

That young people get well-educated to carry various jobs. Responsibility should be with the parents. (x4)

Planning for a new community will lead to new employment opportunities. Need to develop employment strategy through Band Council for their people. Chiefs, Tribal Councils, and regional PTOs should be planning for this. Educated Native youth need to work for their communities. Need Native professionals in all fields of work.

That moral standards be taught now and encourage or promote importance of education.

Promote education as an important part of life.

We should start reaching out for new technologies and implement them at the community level.

More planning of business would help a lot in the future. When there is more growth of people and young people who have lots of education.

Chief and Council should be seeking employment opportunities for educated youth. (x13)

If the people could agree to a strategy and support their Council to pursue the strategy, it is possible to employ our future youth. We need our youth to work for their people.

The fundamental laws of free enterprise must be established by the political leaders of all First Nations.

A strong support group.

Tribal Councils and the reserves need more money to create jobs on reserve. (x3)

If the educators and leadership work together and see the potential in our youth we can plan together as a who want to do what 5 to 10 years down the road but the mentality of most people is now.

I think the person should help themselves because who knows there might not always be someone out there to help them.

The parents, elders, church leaders, school officials need to start planning now.

We should do it ourselves, they are our young people. We've already had too much white-oriented education. They have to be taught how to survive within the two cultures.

If self-gov't is to be, we would need these educated people to work for their own people.

See some definite need for some sort of plan but don't know who would do it.

Planning should be both in provincial and municipal levels to pin point required skills and education to the skill and local economies.

Some of the students want jobs so they can get away from home for awhile.

The First Nations of Aboriginal people across Canada band together, etc.

I don't know. (x2)

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11. PRESERVATION OF FIRST NATION CULTURE (LANGUAGE & TRADITION)

Our Elders clearly feel that preservation of the culture is an essential duty. If we allow our cultural traditions to disappear who are we? Preservation of language and traditions must be supported at the local and regional level.

Can wildlife in the north support the numbers of First Nations people wishing to live a traditional lifestyle.

Yes. (x11)

If the white man weren't around, wildlife would be able to support all Natives wanting to live a traditional lifestyle.

Yes, wildlife has always been a traditional lifestyle for Native people. (x2)

Yes, presently with the minimal number of people practising traditional lifestyles

Yes, but not if they sell wildlife to non-Native Canadians.

Yes, as an elder and young person I have survived on wildlife.

Yes, it is possible if pollution and other activities don't kill them off first. You can't eat ? ducks around here as they have poisons (PCBs). This makes it impossible for Natives to abandon a wage economy.

Yes, people can still live that lifestyle but working is important too.

Yes, if I wanted to live like that I think I could go by what resources the land provided.

Yes, Natives are taught when they kill game the creator will replace - if they don't use game for subsistence the animals will disappear.

I guess so.

No, I don't think there is enough wildlife in the north to support the First Nations people but if they wish to live a traditional lifestyle, give them that right of freedom. (x2)

Yes, any meats/fish should not be taken for granted. Only kill wildlife as needed.

Yes, but we should have quotas about how many moose we should kill and number of fish to catch, etc.

Yes, but conservation methods should be practised to ensure continuance of wildlife. (x2)

Yes, with planned harvesting and reproduction of wildlife. (x2)

Yes, but limits should be placed on First Nations if the Chief thinks so. Should also be able to hunt outside their treaty area freely.

No. (x5)

No, there is not enough wildlife because of pollution, water dams, etc. Times have changed.

No, I don't think the people could survive if they wanted to live a traditional lifestyle.

No, because more wildlife is destroyed while they migrate south through pollution and oil spills. Even some Native people overhunt and needlessly destroy wildlife.

In the past it was possible, but today I can't believe that there is enough wildlife to sustain our community.

No, they can't live off the land any more due to problems that are rising. Re: trapping.

Today, it would not be possible. There may be enough wildlife however the capabilities of our present day hunter may not make this possible.

There may be enough wildlife. It depends on the hunting tools of the people.

I don't really know because I think the ? of hunting and trapping may have been lost by the people.

Wildlife is scarce now because of environmental damage by non-Natives.

How can a strong sense of identity be maintained in a changing environment?

Native people must fully retain their identity by practice.

Continue living on the land but should not expect Band offices to finance their housing, etc. infrastructure on their traditional lands.

Still maintain a traditional lifestyle including language. (x2)

Revitalizing our traditional and cultural activities - awareness programs. (x2)

Encourage youth and middle-aged to continue living traditional ways so don't lose gifts from the Creator.

Speak our language at work and at home. Practice our traditions. (x2)

Culture should be taught by elders. (x5)

Pass culture and traditions to next generation. (x2)

We have embarked on a path of assimilation, our young today do not live the Native lifestyle. We lost our young to the educational system. Will be difficult to take back our Native lifestyle. We must return to Native living by experiencing our right to traditional harvesting and work ethics of Native people. Our wildlife and its capacity may be a problem. We must stop listening to non-Native teaching. Our children must not leave our communities to go to school. We must increase the grade levels in our schools, so we retain our young at home.

Lose our identity/Native lifestyle through education. Language lost. Gov't uses education to take control of lives and land of Native people. We must retain our Native lifestyle to hold on to our lands and resources. (x3)

We have a God-given right to be Native, we must continue to practice our Native traditions. Non-Native laws/practices have taken precedence over Native laws/practices. This must be reversed.

If we adopt non-Native values we will lose our Native identity, young people must be taught to refrain. We accept without question too many non-Native teachings. There are no Native teachings. Pride comes with work, we must teach our young to work, there is now too much recreation. We were once taught to survive early in life, these teachings must continue.

Will be difficult to retain, we have lost ways of our traditions and we have become assimilated. Recreational activities occupy the time of our youth, time has to be given for cultural activities. Money has become too important.

We need to try really hard to keep our own language and culture. Women need to look after cooking, skinning, etc. Men need to teach the boys how to hunt, etc.

We have kept in touch with our land, in fact nobody wants to leave/move to urban areas for education/jobs. Continue with that.

Through the existing multicultural departments and gov't programs which already exist. This can also be enhanced through educational programs at all levels.

By teaching the young people about their culture and customs. Elders should encourage traditional ways to still be used and followed. It should be in the school curriculum. (x15)

Community history should be taught in schools. More accurate that the current history books. Maintain cultural traditions, values and activities.

It is hard. The younger generation are being raised in an easier lifestyle. Have to depend on elders or leaders to keep our heritage alive. Remind them of who they are.

Education systems must be set up. Geared towards all peoples of First Nations.

Education - increase grade levels in community - to at least grade 10 and teach Native survival skills in school.

As a people we survived on traditional harvesting. We are returning to the drum. Need to address educational curriculum to have Native component. Native education is the key - languages, culture and traditional teaching.

To be cultural in tune with the changes in gov't legislation. To have a strong sense of direction and determination if self-governing.

Well, I guess by going by the laws we have even after self-gov't.

The Native people should recognize and realize that our culture has changed or is changing and accept these changes, but keep our language, beliefs, customs, traditions in tact.

If we believe in ourself we are Aboriginal people. We should keep our identity and still compete in the marketplace. (x2)

We must retain strong parental/children ties - we lose our young to non-Native educational system - need to address this.

Start in our own communities, families into economic development initiatives - strong leadership to promote a sense of identity.

Lots of people have jobs now and not many people engage in traditional activities. Our identity will change.

We lost our children to the educational system, the teaching learned in those institutions led to the loss of Indian identity.

Environment and technology will always change but not us Natives.

Uncertain.

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12. THE ROLE OF ELDERS

See Scope #2 **Self-Government: What role will the elders play?**

See Scope #15. **Education and the Role of Elders: How can formal and informal education processes involve Elders and help to pass on to youth the wisdom of oral FN culture?**

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13. THE ROLE OF WOMEN IN FIRST NATIONS COMMUNITIES

The women in Northwestern Ontario are very active and motivated. They have crucial issues which will be addressed at the community and First Nations level. They share concerns with women throughout the province and the country.

See Analysis of Self-Government Questionnaires

From Section #2: **Self-government: How will First Nations womens' concerns for adequate representation be addressed?**

Women have been given high roles in the longhouse for decision-making. Women should be kept in their place as they have been throughout our history in the longhouse traditions.

Women should be included in committees and represent other women.

Women's concerns should be heard by the leaders and members.

Women are very important in our society because we are the caregivers and have a lot of knowledge.

Certain women in the community should represent other women.

Have equality towards everyone.

Yes, women should work in gov't offices.

Womens' role should be advising/ support like the elders role.

Women should play leadership roles and give advice and direction.

We can't forget women. Hopefully self-gov't won't be male dominated.

I don't know what the women want.

Women should be represented in First Nations self-gov't. Women should have the same rights as men. Women should have the right to equal employment.

If women know how to contribute they should be involved.

Women should be involved in, politics and also in public life - equal opportunity.

Women's rights should be guaranteed. Women's concerns for representation should be addressed.

Women may become our leaders, and are, in cases, so they should play as advisory and supportive role in First Nations govt.

Women should be supportive in activities of First Nations gov't.

Womens' role to teach young females to provide assistance and support in Elders forum.

Womens' role should be the same as the elders.

14. SUICIDE

As has been mentioned in previous sections, the Native communities in Northwestern Ontario have the highest suicide rate in the country. The problems of Aboriginal young people are of great concern to our people. We have held conferences and healing circles in an attempt to understand the pressures that bring some of our young people to consider ending their lives. The young people, the Elders, the parents and the leaders of the communities have a great deal to say about Aboriginal young people.

See Analysis of Self-Government Questionnaires. There were no specific questions in this area.

15. EDUCATION

How can an education system be designed and controlled by First Nations that will prepare youth for participation in either the traditional or wage economy?

Residential students never had a choice in the past. Now that residential school is over parents let children make their own choices. They will chose themselves whether or not they want to participate in traditional activities or the wage economy.

Yes, wage economy training would be more useful but youth must really decide for themselves.

Well they have to be informed of what is going on instead of text books all the time. I think the leadership should take some initiative in getting some information into the schools for the youth to catch the vision.

It should be designed to improve the Indian way of life.

Indian people should control their education system. Have our own teachers, people design curriculum to respond to our way of life. (x2)

We need people to teach both standards, people who have experienced both sets of living environments. First Nations need to take over education. (x2)

Should not send our youth to the south. We should educate our young at the community level according to our standards.

Start at first day of school in their culture. Native high schools should happen more like Pelican Falls high school. It is hard for young people to go somewhere foreign.

Pelican school is a good start as the students feel more at home, when they are sent out to strange homes they are not comfortable and don't concentrate on their studies.

Education is a key to address our problems so we could be self-sufficient. We should design our own education system (life skills component for parents).

With proper assistance and expertise the First Nations would be able to design First Nations controlled educational systems.

More schools should be built on reserves.

Leaders, parents and Elders all should help to design the education curriculum.

Native people should control education and what is taught to his young. Youth would benefit from this Native teaching.

First Nations should design their education system by having and mixing their traditional activities in language, syllabics, culture and spirituality. (x2)

Native as a second language. Learn better role models. Native teachers who speak the language as well as long-term occupancy.

To teach more traditional teachings and understand through legends and sacred ceremonies. (x2)

Give them a lot of history of their own people. Also prepare them to be leaders and spokesman for their people.

School now has those programs - traditional harvesting is good. In the future Native teacher can be available and run programs - including syllabics, handicrafts, sewing.

A child must know himself, his parents, his community first before he/she is allowed to study about other people, other societies.

Co-exist with traditional/wage economy.

Youth should be taught both I think, they are both important.

Native people should learn the education system that incorporates both Native and non-Native curriculum. Youth need to learn of the Native livelihood/lifestyle even after school.

Education should be on-going - 9 months for regular schooling - 3 months - traditional - minds focused on learning.

Include traditional ways.

Greater involvement of the Elders and chiefs in teaching outside and inside the education system of non-Native communities.

Youth should know all the things there is to know. When they are in school.

The First Nations should teach about both cultures (Native & non-Native). (x3)

To work together. Uphold the adhesion education First Nations set.

Half of the year would be for hunting/trapping depending on the season and the rest of the year would be dedicated to wage economy.

Get the Elders' input in designing the education system.

A First Nations education system should adopt a system whereby students have periodic breaks such as elementary and high school, high school and university and college. A year or two in between allows them to decide which line of life they want to follow (traditional or otherwise).

This community has some control but more work has to be done. Natives should not be allowed to run education themselves.

Set up committees in different areas to provide advice - the youth have to be prepared for either.

Native culture needs to be included in our education. (x11)

We have to start the education process at early childhood and the parents have to grasp and comprehend the education process and how Aboriginal people have to blend to the dominating society and retain our identity at the same time.

Teach them present school curriculum along with spiritual/biblical teachings. We have Native teachers, this is good. We must teach the Indian languages in schools.

The Native people must agree to this concept and they must approve of it.

You cannot find Native traditions in large urban centres therefore this learning can only take place in remote environment. With urban setting, teaching for wage economy in the proper setting.

System must be developed that is effective - some has to be done but no one is willing to dedicate to it so it dies.

There is nothing I can say about this. What good is it going to do if there is a system designed and controlled by First Nations?

I don't know. (x2)

What place should First Nations cultures, languages and history have in the education of all Canadian students? How should the bias and omissions in school texts be corrected?

First Nations history, from a First Nations perspective, should be included in school curriculum from kindergarten to high school. (x14)

First Nations language, culture and history should be taught to First Nations students. It would be appropriate also for our non-native neighbours to know us. It would be advisable to include First Nations culture, language and history in textbooks.

First Nations history should be a mandatory history subject all on its own. (x2)

First Nations culture , languages and history should be made understood by teachers and taught to all Canadian students that First Nations people can change regardless of the past history and cultures.

In Canadian history, First Nations people should be taught in a positive way, that we were the first people of this land instead it is taught in a negative way. A Native should have a say in writing the history books.

I don't agree that Native children learn only the white man's school system. Native cultures, languages and history should be included in all school systems. (x9)

Once again, more cross-cultural workshops.

I should think that the young should learn about their past generations to have more respect for their types of people.

The schools should have Native language courses (subjects) and Native history courses.

It should be in curriculum and taught to Canadian students. Change the books ourselves and teach our children our history and teachings. Indian people should have their own education system.

Yes, we should have our point of view included in the school texts. Have more positive point of view towards Indian people.

A translated (syllabics) textbook should be included in the school curriculum. (x6)

New interpretations of historical events should be written according to different First Nations.

School texts should take a Native viewpoint.

History, true history, especially true Canadian history will not be accepted into the Canadian education system at the drop of a hat. It will take a lot of publicity, public relations, media, etc and native people have to sit as trustees and Board of Directors alongside the Canadians within the Canadian educational system before consideration is even given to us for a place in the Canadian education system.

First Nations traditions, culture, history and language should be a part of education curriculum. Yesterday's standards of educating young today may be viewed as borderline abuse, yet I use and have expertise because of those teachings. Standards have evolved and changed too much to the detriment of Native youths.

What action is required to ensure that First Nations youth pursue and obtain technical and professional levels of education? How can parents instill high aspirations in their children? What is the responsibility of communities and those in leadership positions? What adaptations in education systems are necessary? Most important, how do First Nations youth envision their future and how do they propose to prepare themselves for the responsibilities ahead of them with the implementation of self-government?

Should have Native-run schools. Parents should keeping them their kids that education is very important today. Community leaders should proper support and help for the students that are going to school. Bring schools closer to home. Youths today don't really want to go far away from home. First Nations should provide training while they are young and while they are willing to work.

Have our own high schools. Once complete high will be old enough to leave home. Parents support and love their children. Community and leadership should ? the needs of their students.

Many Native students don't feel comfortable attending school outside their community. Integrate high school and elementary school in the community.

Financial (proper) assistance to Native students may be required. Parents ensure children go to school however truancy should be explored ? the schools. Council and community ensure comfort of students such as proper transportation.

Parents encourage kids to go to school. Leaders to ensure adequate facilities are available. Higher funding levels for middle-aged people who wish to move their families for continued education. Some youth are capable of getting better education.

In order for most youths to finish high school they need help for them to understand. They also need money for them to make it through the year.

Adaptations have to be made to fit First Nations self-gov't. To include language and culture - Teachers and people running education programs should be sensitive and trained for this. Native high school close to communities have traditional training, spirituality. Parents should provide encouragement and guidance. (x2)

There are so many parents that are now just existing and this presents a very poor role model for the children. Parents need to have goals themselves. Parents need to discipline and encourage their children to pursue their goals. Communities should have goals as a community. Leaders must involve youth in community activities.

Teach our young in the community. Parents need to encourage responsibility and espouse virtues of a good education. Leadership needs to listen and ceremonial functions to show pride to students going to school.

Parents support their children to be interested in school. The leaders should lobby for better education services. No, the youth do not envision any future for themselves.

Parents to encourage children. Leadership should provide guidance on jobs (education) required. The youth do not envision themselves preparing for self-gov't.

The first step is to teach youth traditional ways and then academics later. Parents should encourage children. Leadership to counsel parents to ensure to complete their schooling. Leadership to inform community on possible requirements for the future.

Parents should encourage children to obtain better education. Changes should be made in the educational system to accommodate better retention. The youth should be informed what education and positions would be available.

Start promoting ideas to youth. Parents realize there is a change and tell children to continue education. Leaders should assist parents - and also lobby for local high school - oversee course relevancy.

Adults should always let the children know how important their future is and that they make a difference for the reserve and all First Nations people.

I don't think parents give positive feedback to their children about education and keep on encouraging instead of interesting and demanding.

No action is taken. Some parents don't encourage their children to continue their education.

The action that is required is to get higher education. The parents can encourage us to keep going to school.

Youth need a boost in self-esteem and motivation which should have been learned and encouraged from birth.

Parents can only provide support through financial and moral assistance. Don't really know other methods of encouraging academic achievement.

I feel bad when my daughter quit school. We as parents tried and encouraged her to continue her education. The leadership don't have any responsibility. Want high school in the community, teach youths about their culture, beliefs, etc.

Chief should be involved in encouraging youth. Parents can only try to encourage their children.

First Nations youth need encouragement from their leaders. Native culture should be adapted into the school curriculum.

You must have Native leaders educate younger people. Leadership in the community should advise youth about what education is required.

Education is important. Elders back then did not respect education. Elders should be told of the importance of education. Chief and Council and parents should lead the way in ensuring youth are prepared. I don't know how youth envision the future.

First Nations youth should be encourage to take the same level of education as non-Natives. The leadership should take a leadership role. (x5)

Youth need to be gathered at the community level to be taught life skills and other areas of importance to youth. Community leadership needs to play major role in this.

To talk to youth that education is very important. That through education they can be anything they want instead of depending on gov't handouts.

Computer education should be a priority. Use of electronic media should be emphasized. More information on self-gov't is required to be taught to First Nations youth at an early age. Teach history and legends including history of other nations. You learn other things such as music.

Education is a priority for our people. We need to teach our youth we need education to survive, both cultures Native and non-Native.

I don't know.

The young people should just keep going to continue their education.

The source of success in any professional field and realizing that their education can only be instilled in the hearts and minds of any young. They must accept that there is a purpose and an end result to their education.

We should have more knowledge taught to us with respect to Indian Act, MOU, RCOAP, etc.

How can formal and informal education processes involve Elders and help to pass on to youth the wisdom of oral First Nations culture?

Elders should teach traditional and cultural ways and rites not only in the classroom but outside as well. Teach traditional practices of harvest (animals, wood, food, etc.). (x5)

Cultural workshops - Elder/youth have to get together more often - not just once a year! Traditional gatherings, feasts - a great way. (x2)

The Elders should teach outside the community; actual situations are better teaching process - this way they learn better. The Elders do not really practice the original traditional way of life.

Some Elders are knowledgeable and should be retained to teach youth. Some Elders have gone to school in other parts of Canada and would bring wisdom from other places as well.

Have Elders teach in the school and in classes. Not just one day a year but twice a week. Also, Elders should speak more in the longhouse about traditional ways.

Elders could teach in the schools. (x9)

Elders - relate past experiences in the school system and the healing processes required - advise to avoid social problems, etc. To act out role models. - to identify and relate to students where First Nations are now and where they are heading.

Elders have contributed but some are not willing - Have an Elder as a regular teacher, syllabics, etc.

Elders should be utilized and recognized as teachers in the classroom. For example, they would have their own traditional classes for the youth.

Youth should be taught in traditional ways by Elders in traditional settings. (x3)

Oral way of teaching is important and it should be used and not all people are good in reading and writing.

Elders should keep showing the culture we once had. (x2)

Giving advice to my grandchildren and my next door neighbour's children.

Elders should be more involved than they are now.

Our Elders in the community don't teach our youth. (x2)

Dictionary should be made available.

I don't know.

To what extent do First Nations education systems need to be co-ordinated with provincial and territorial systems? What measures should be taken to ensure responsiveness to First Nations priorities in provincial and territorial institutions?

Integrate Native/non-Native education systems.

Should be combined and take the best of both systems. (x2)

Need the various educational institutions and govt to work together. Start off on your own and do it. Lead by example.

First Nations education system should gradually be worked to the fullest extent into the provincial system. Native people have to sit as trustees and Directors in provincial systems in order to make changes and decisions.

First Nations should work jointly with govt to co-ordinate education systems.

Meet with white colleges and universities. Our students have to be prepared to meet their standards - to be able to fit in.

First Nations education systems should be co-ordinated in a way, which promotes/advertises more awareness throughout the country.

Co-ordinated at Ministerial level and agreements on curriculum. There should be definite respect and understanding of Indian teaching on curriculum.

Options should be provided to non-Native students in terms of incorporating culture, language and history in their curriculum. There should be a balance of modern and traditional teaching.

Need to develop parallel English/Native curriculum that will compliment each other. Non-Native institutions and govt would have to respond positively to Native curriculum. (x2)

Some co-ordination is necessary. Persons responsible should set up measures to ensure priorities are answered to.

Yes, to some extent co-ordination is needed. First Nations should investigate ways to ensure responsiveness to First Nations priorities.

We must priorize and ensure that Native curriculum is taught at First Nations level carries over to larger learning centres.

Some systems should still be retained. The leaders should be negotiating for special courses in colleges and universities. (x4)

They should have individual schools. Don't need to be co-ordinated with provincial system.

If Native people wish to pursue development of Indian educational systems seek gov't assistance, however, there should be no control by govt.

If self-gov't happens we should break all ties with the provincial education system. Each community should be prepared exactly what they require before bringing their requests for consideration.

First Nations independence should guarantee exclusion from provincial interference. Negotiations and lobbying should be intensified to respond to First Nations priorities.

High schools and universities should be to the extent of co-ordination by First Nations. First Nations gov't should be responsible by making or taking over provincial institution.

They should have their own systems. So it can be easier for them.

Separate schools for Natives and non-Natives. I like the idea of having a separate high school for Natives. eg. Pelican Falls Native high school.

There should be one educational institution in each treaty area near First Nations communities.

Have trips to reserves for educating our own people. Let non-Native children see our reserves. Have Elders speak to non-Natives about our culture and traditions.

Presently, teaching youth our culture and traditions stops when they leave the community. To extend this teaching the govt must be responsive and supportive to continue that teaching when our young leave the community.

I don't know. (x5)

Do the Canadian elementary and secondary school systems fairly represent the contribution of First Nations to Canadian society? If not, what actions should be taken and by whom?

No they do not. Native leaders should work with the Board of Education to ensure that First Nations people are represented fairly in the educational system.

No, Native people should work to correct this.

Not at all. Local area and district Native Education Authorities should pressure leadership and politicians to make the necessary changes in the education system.

No, change curriculum and books. Boycott schools if not agreeable to it. Native people themselves take a lead role.

To correct the lack of Native teaching/curriculum in the education system we need to have Native Elders teaching in the school system.

No, they should have more Native things being taught at school. The school board should do more things about it. (x3)

No. By the gov't.

No, there should be a Commission or a body set up to investigate and make corrections or re-write school books. (x2)

No, I don't think so. Our people have felt second place. Our students need to feel more confident.

No. (x3)

No, I don't think its fair about what is being said about First Nations.

No, Canadian elementary/secondary schools have no idea about the First Nations people. Especially those that live in the city.

I don't know first hand. I would assume there isn't. It would be difficult to take action to include Indian curriculum in foreign centres.

No, their contribution should be taught in elementary and secondary school systems.

No. Need to incorporate Native teachings, practices, culture, language into curriculum.

Measure must be taken to correct the misunderstanding.

I don't know. (x4)

Yes they learn a lot through non-Native school systems. This is only good if a student chooses to work in non-Native society.

Yes, but school systems should try more to elaborate and define the role of First Nations and what they stand for.

P8100-50W7

West Region Tribal Council

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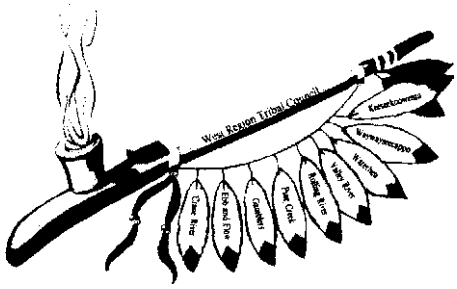

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REPORT TO

THE ROYAL COMMISSION

ON

ABORIGINAL PEOPLES

WEST REGION TRIBAL COUNCIL

SEPTEMBER 1993

West Region Tribal Council

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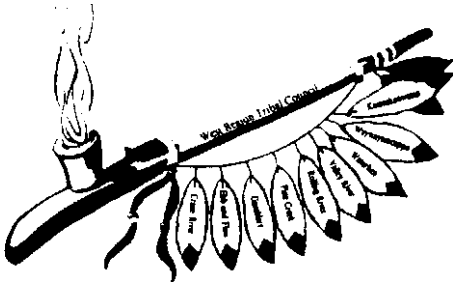

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ROYAL COMMISSION ON ABORIGINAL PEOPLES

WEST REGION TRIBAL COUNCIL

Introduction:

The West Region Tribal Council is comprised of eight (8) First Nations signatory to Treaty #2, 1871 and Treaty #4, 1874 respectively. The purpose of the Tribal Council is to provide technical advisory services to the member First Nations and their membership that would enhance control by each First Nations government. The Tribal Council further emphasis local control and facilitates the transfer of responsibility from various non-native governmental departments to the respective First Nation.

West Region Tribal Council's eight (8) First Nations have total population of 5,983 as of January 1992. These figures vary depending on Bill C-31 applicants. Total area covered by the First Nations in West Region is 80,388.76 acres. Some First Nations still have outstanding Treaty Land Entitlement settlements that have been ongoing since 1980 or earlier. All First Nations are accessible by all weather roads.

West Region eight (8) First Nations are as follows;

Treaty #2	Treaty #4
Crane River	Rolling River
Ebb & Flow	Pine Creek
Keeseekoowenin	Valley River
Waterhen	Gamblers

Royal Commission - Process

The Chiefs of West Region Tribal Council recognize the importance and the task that the commissioners have undertaken on behalf of First Nations in Canada. Although our report does not cover all aspects, issues, considerations and impediments that our membership face on a daily basis, it does comment on key components that requires a positive resolution in favour or our First Nations.

Throughout the public hearings and round table process, presentations, solutions and recommendations that were made reflect the situations that a majority of First Nations endure. However, the uniqueness, the culture and traditions of each First Nations to self-determination and self-government has to be respected. Furthermore, our Chiefs stress the importance of our Treaties, understanding the original spirit and intent of those Treaties in relation to our sovereignty, our nationhood, our right to self government and the right to determine our future.

First Nations have overcome insurmountable obstacles to achieve the respect and distinction as the original peoples of this great land. First Nations have gained the support of the Canadian public to advance our interest with the Canadian Constitution.

In closing, the tasks of the Royal Commission and our role as First Nations will unending. The recommendations that have been documented to date require action by all three levels of government, First nations. Federal, and the Provincial Governments. Rest assured that First Nations will do their part to ensure that justice is sought.

On behalf of the First Nations of West Region Tribal Council, we applaud the work of the commissioners and the staff of the commission for the excellent material provided to date.

If you require further clarification or information, feel free to contact my office at your convenience.

Thank You.
Megwetch.

Rod Young
Executive Director
West Region Tribal Council

West Region Tribal Council

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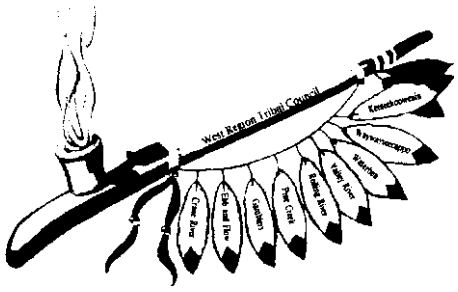

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REPORT TO THE ROYAL COMMISSION ON ABORIGINAL PEOPLES

WEST REGION TRIBAL COUNCIL **AUGUST 1993**

CONTENTS

INTRODUCTION

JUSTICE

EDUCATION

HEALTH / SOCIAL DEVELOPMENT

NATURAL RESOURCES

BAND CUSTOM

FIRST NATIONS

JUSTICE

PREPARED BY

ROYCE WILSON

JUSTICE

With the continued development of First Nations, the reality of First Nations exercising their inherent right to assume control towards a parallel justice system is inevitable.

The First Nations of West Region Tribal Council state that the Treaty process did not extinguish our inherent right to self-government. Through this right, First Nations have always exercised various systems of Customary Law prior to the Treaty making process.

ABORIGINAL JUSTICE INQUIRY

With the collective effort of all First Nations in Manitoba, the Provincial Government initiated an inquiry into the justice system and its failure to adequately address the needs of First Nation citizens. The current justice system is overly represented in courts, jails and other aspects of the justice system by Aboriginal people. Various forms of federal and provincial legislation have also infringed on the rights of First Nations peoples.

In summary, the inquiry recommended that the federal and provincial governments recognize the right of aboriginal people to establish their own justice system as part of their inherent right to self-government. The system would be consistent with the traditions, cultural values and languages of First Nations.

The establishment of a fully functional Aboriginal justice system that would include but not be limited to the following:

- a policing service
- a prosecution branch
- a legal aid system
- court systems
- probation service
- fine collection and maintenance enforcement
- correction systems
- parole systems

The Inquiry also made recommendations to the following: Land rights, Natural Resources, The Indian Act, Charter of Rights and Freedoms, Child Welfare, etc...

It was strongly recommended that the provincial government should not proceed in amending current legislation without the full consent or participation of Aboriginal peoples. It was also noted that the federal government has a fiduciary obligation to respond to the recommendations from the inquiry. To date, the West Region Tribal Council has not seen documentation to that effect with the exception of the Aboriginal Policing Directorate and its criteria.

In light of all the developments to improve the justice system for Aboriginal peoples, the First Nations of West Region Tribal Council have seen very little progress. The provincial government has responded by initiating certain recommendations of the inquiry to their own agenda with very little input of First Nations. The commitment to adequately respond to the inquiry does not suit the needs of First nations peoples. Furthermore, the chiefs demand that the federal government take an active role in both pressuring the provincial government and to pursue the recommendations as put forth by the inquiry.

Finally, many studies have been undertaken by different sectors of the provincial and federal governments on Aboriginal peoples and their living conditions. Those studies put forth positive recommendations for Aboriginal peoples with very minimal implementation by the governments.

ROYAL COMMISSION ON ABORIGINAL PEOPLES NATIONAL ROUND TABLE ON JUSTICE

Although the First Nations of West Region Tribal Council are under time constraints, the report published by the commission represents a general scope of Aboriginal people and their historic relationship with the Justice System. It is quite evident that the inequitable treatment of Aboriginal people in justice is that of a national crisis.

WEST REGION TRIBAL COUNCIL

To date, the Chiefs of West Region are concerned with the lack of action and cooperation of both the federal and provincial governments. The First Nations through the Tribal Council have pursued various initiatives as contained within

the Justice Inquiry. However, the responses from the governmental departments were not favourable to the expectations of the First Nations. The Chiefs of WRTC fully believe that, "Jurisdiction without adequate resources is a recipe for failure."

To provide a brief outline of services that are directly associated with First Nation communities.

Policing: With the eight (8) First Nations that are affiliated with W.R.T.C., there are three (3) First Nations that have the services of Band Constables. The relationship of those services are often confused and lack cooperation with the local R.C.M.P. detachments. Since the Aboriginal Justice Inquiry, the relationship between the R.C.M.P. detachment. Since the Aboriginal Justice Inquiry, the relationship between the R.C.M.P. and First Nations governments have improved somewhat.

The W.R.T.C. on behalf of the First Nations, submitted a proposal to develop a policing service parallel to that of the R.C.M.P. The service would focus more on a community oriented approach considering the cultural uniqueness of the First Nations. Through our meetings with the Solicitor Generals office, we were informed that the province is reluctant to review any initiatives for policing services.

Probations: Three (3) of our First Nations were successful in having a vacant position staffed with one of their First Nation members. The individual will work directly with those communities and their membership.

Through this effort, the unique cultural status of First Nations with enable the Probation Officer to access and make adequate recommendations that First Nations endure on a daily basis.

Other that the aforementioned services, Canada's Courts, Justice System, have policies and actions that were and are well intentioned, however, they are not appropriate. Fundamental differences in cultures and a self legislated legal authority makes Canada's attempt to help First Nations, pernicious. Furthermore, Canada's highest court has recognized the Nationhood of First Nations, and the related principle of non-interference which is consistent with a Nation to Nation relationship. Unfortunately, Canadian Government policy makers and politicians have not.

FIRST NATIONS EDUCATION

PREPARED BY

MARGARET MCKAY
BETTY ABIGOSIS
CATHERINE GREEN

FIRST NATIONS VISION ON EDUCATION IS BEST STATED BY ISLAND LAKES PHILOSOPHY OF EDUCATION:

EDUCATION IS THE PREPARATION AND ADAPTATION FOR A MEANINGFUL LIFE IN A CHANGING WORLD. IN ISLAND LAKE, EDUCATION MUST BE ROOTED IN THE TRADITIONS AND CULTURE OF THE NATIVE PEOPLE. THIS MEANS IT MUST TEACH RESPECT AND ENCOMPASS OUR LANGUAGE, OUR HISTORY, OUR LAND AND ALL OUR RESOURCES, INCLUDING ELDERS AND NATURE. IT MUST BE HOLISTIC AND REALISTIC IN THAT IT RELATES NOT ONLY TO ACADEMIC DEVELOPMENT BUT TO OUR SPIRITUAL, EMOTIONAL, PSYCHOLOGICAL AND PHYSICAL GROWTH. EDUCATION MUST ADDRESS NOT ONLY THE NEEDS OF OUR YOUNG PEOPLE BUT IT MUST BE BENEFICIAL TO THE NEEDS OF OUR ADULTS, OUR ELDERS AND MOST IMPORTANT OF ALL, OUR GENERATIONS YET UNBORN.

TO ENSURE THE FUTURE OF OUR IDEAL EDUCATION, THE DIRECTION MUST COME FROM WITHIN OUR COMMUNITIES. THIS CAN ONLY BE ACHIEVED THROUGH COMMITMENT, FLEXIBILITY OF THINKING, COOPERATION, ENERGY, TRUST AND RESPONSIBILITY.

INTRODUCTION

EDUCATE: To bring up, give intellectual and moral training to a person, provide schooling for a person, to train a physical or mental faculty.

EDUCATION: Educating, being educated, systematic instruction, development of character and/or mental powers.

According to the Oxford dictionary, these definitions describe the nature and purpose of an education. For 5 million years, the Indigenous Peoples of North America have lived and developed a civilization geared for survival in harmony with their environment. The traditions and techniques, like any another civilization, have survived due to their success through the process of evolution. They are the living reality based on survival. Education and training of the young is an integral and essential part of this civilization ensuring the survival of the species, the community and the culture.

CULTURE: Rearing and production of a species; improvement by mental or physical training; intellectual development; particular form, stage or type of intellectual development or civilization.

Just over 500 years ago, the European civilizations made contact with the Indigenous civilizations of the Americas. These foreigners learned how to survive in what they perceived as a wild, hostile and uncivilized world. These perceptions lead to a series of judgements and attitudes formed by the Europeans resulting in the invasion, genocide, injustice and enslavement of the Indigenous or First Nations People. It is the legacy of this perception which created the situations and issues we must deal with today. At this point in time, we, the children of both the Europeans and the First Nations People, must work toward a positive resolution of the injustices and develop productive solutions to the situation which was created and has evolved over the past 500 years.

Upon arrival in this strange "untamed" world, the survival of the Europeans depended on the education provided by the Indigenous civilizations. They learned how to cure themselves through the medical knowledge of these "Indians". They also learned how to hunt, fish, build shelters, make warm and appropriate clothing from animals. Through the generosity of their hosts, who provided the appropriate education, their survival and success was ensured. The creation of a new race, a mix of Europeans and First Nations People was soon to follow. As more Europeans immigrated, massive tracks of land were appropriated and the "Indians" were pushed aside and imprisoned on small parcels of land called reserves.

The impact of this invasion was devastating for the First Nations as they were no longer able to maintain their civilization as survival was based on an intimate understanding, knowledge and respect of the environment which involved following the seasonal nature and migration of natural resources including hunting, fishing, harvesting of natural crops such as fruits and berries, rice, root crops and grains. The education and spiritual development, an integral part of this culture, was threatened.

Deemed as uncivilized, barbaric and evil, the governments formed by the Europeans decided that it was best to educate and civilize these "Savages." Policies developed and actions made toward this goal were done in the best interest of the "Indians", but more realistically in the best interest of themselves.

Education and assimilation of the First Nations became a strategy, a policy and a brutal force implemented and enforced by the Indian Agents assigned to each Nation and later by the Provincial Governments as they were formed. The traditional education of the First Nations was not understood and therefore was not respected or valued. Furthermore the practice of traditions, language and spirituality was considered illegal and those caught doing so were punished despite the Treaties which stated that the "Indian" were not to be molested or harmed by agents of the Crown or by neighbouring settlers.

All education systems and schools, throughout the World, regardless of race and culture, are designed for the purpose of educating the young and preparing them for their roles as adults in their society. Their objectives, programs and methods of teaching along with their facilities have the culture, language and traditions as their foundation.

Why then should the First Nations be denied the same inherent right as another civilization in the World simply because an immigrating ethnic group made an arbitrary value judgement that the culture of their hosts was not appropriate due to their own arrogance and lack of understanding?

For First Nations, Traditional Education is the integration of personal knowledge and skills with every day life. Based on kindness and respect, it is the foundation for building meaningful and productive lives. Education for First Nations Citizens must be improved and appropriate in order to empower these individuals to take control and responsibility for their own destiny.

BACKGROUND

TREATY RIGHT TO EDUCATION

The Dominion of Canada officially recognized the Province of Manitoba in 1870, but had not begun the treaty process with First Nations until 1871, in which the first of these treaties were signed. The Treaty process continued throughout the years, some as late as 1910. Therefore, the Dominion of Canada had already claimed ownership to First Nations lands, without consultation of the land's First Peoples.

It was the intent of the Dominion of Canada to claim ownership and all benefits of the land, originally owned by First Nations, by offering the first inhabitants a treaty which was negotiated under duress, intimidation and obvious language barriers. This act of disillusion was not only intentional, but was advantageous to the government of the Dominion of Canada which was intended to extinguish First Nations's title to the land and it's resources. Throughout the treaty signing process, it is a fact that the major obstacle which faced First Nations negotiations was the language barrier. The treaties were written in a legal Victorian style, which was not only difficult to understand, but has proven to be impossible to translate into First Nations languages.

Despite the insight and skill exhibited by the First Nation negotiators, it is clear that the natives were not in an equal bargaining position with the Government. The First Nation negotiators which were illiterate to the writings of the Europeans, and did not understand the European educational system. At the time of the treaty negotiations, when the issue of an Education was discussed the First Nations signatories understood education in a holistic or lifelong process. They also understood the future need of First Nations people to acquire the process of the European education system, while maintaining the unique lifelong learning educational system which was inherited throughout the generations.

Therefore, it is understood by First Nations that the Treaty Right to Education is not limited to a time frame of the grades Nursery to 12, but also encompasses the Treaty Right to Post Secondary Education.

THE RESIDENTIAL SCHOOL ERA

The Residential School Era evolved approximately about 1907, and was dissolved around 1980 in which the last residential school was closed in Manitoba.

The Seventy years in which this educational era was implemented, not only did it cause pain and grief to all members of the family, but also abused the children physically, mentally, emotionally, and sexually, while depriving them of an adequate and secure educational environment.

First Nations children, accustomed to the love of the close knit family of Native People, were forced to attend an uncaring, unloving educational institution, which did not allow these emotions to be experienced. The children who were referred to as "le savage" or Savages, were humiliated, demoralized and stripped of all dignity and self worth.

It was the intention of the government to "civilize" the natives, by attempting to force the most vulnerable of our society, the young into a culture, religion and an educational system which was foreign and structured according to European standards, values and priorities. This act of assimilation prohibited the First Nation children to practice their right to their cultural beliefs and traditions. Instead of considering the rights of First Nations as a unique and distinct society, the

Government began the assimilation process by ripping the children from their homes to live and believe in a system totally unlike their own.

Until recently, the pain and anxiety incurred during this era was not addressed. The ultimate demoralization of the persecution and deplorable acts performed in these institutions has had a dramatic effect upon First Nations Peoples and is still is being inherited by First Nations children today.

The prohibition of Native Languages in these schools has resulted in a near extinction of traditional languages amongst the youth and the First Nations Communities. Many of the students placed in these schools were beaten and tortured if they spoke their own languages leaving them with no means of linguistic communication as they did not speak or understand the European languages enforced by the institutions. These children, now parents and grandparents, suffered significant mental anguish creating a barrier and inhibiting the teaching of their original language to their children and grandchildren.

FEDERALLY CONTROLLED SCHOOLS

Up until the 1950's government policy provided education for First Nations people mainly through delegation of that responsibility to various Christian religious organizations. From 1890 onwards, this had led to the development of residential schools. "Indian Education" remained almost exclusively in the domain of the Roman Catholic and Protestant denominations until the passing of the BNA Act in 1867,. With the passing of the BNA Act, Government involvement in Indian Education increased somewhat. However, not until 1892 was financial support of any consequence provided by the Federal Government.

Indian and Northern Affairs Canada (hereafter referred to as I.N.A.C.) entered into formal contractual arrangements, now known as joint school agreements, with school boards and Provincial Departments of Education for the education of Indian children. "The first agreement involved the cost-sharing of school accommodation which was entered into in 1949 between the Department and the Province of Manitoba on behalf of the South Indian Lake Band" (Indian Education Paper, Ottawa 1982, p.7). From then on, the movement steadily grew until 1979, when I.N.A.C. entered into 683 such agreements providing for the accommodation of

48,757 First Nations children in provincial schools. Provincial curricula were introduced into Federal schools and the level of services should have enabled the smooth transfer of children to provincial jurisdictions, however, the transfers were not smooth for First Nations children. There were minimal increases in parental involvement in education following Government encouragement of the formation of School Committees. In 1963, I.N.A.C. made provision for the organizing and minimal funding of these committees. "By 1971, there were 215 such Committees in existence with greatly increased areas of responsibility." (Indian Education Paper, Ottawa 1982, p.7)

The Hawthorne Report of 1967 provided an in-depth analysis of the political, economic, and educational problems of First Nations Peoples. The report recommended that First Nations Students should be integrated with the rest of the main stream school population. It was believed that decentralization of the federally operated schools would increase efficiency and allow for increased First Nations involvement. It was considered that Provincial systems were able to offer better programs and a wider range of educational opportunities. Above all, it was thought that the economic and social assimilation of First Nation Peoples could be brought about by this means.

In June 1969, a Government White Paper proposed the elimination of all constitutional and legislative bases of discrimination against First Nations Peoples. It addressed the question of education by advocating that all education services be provided by Provincial agencies. The key fact is that the government was not really playing the game of participatory democracy at all, it was playing the game of power treating First Nations as conquered peoples who must be assimilated, despite the fact that in some large geographical areas, Indian people were the overwhelming majority. In fact, the First Nation viewed this decision as a tactic that would eventually eliminate Treaty Rights for all First Nations Peoples. Introduction of the "White Paper" convinced First Nations People of the need to take control of their own education system.

LOCAL CONTROL OF EDUCATION

The National Indian Brotherhood presented a position paper in 1972 entitled "Indian Control for Indian Education." In this statement, Indians reclaimed the right to direct the education of their children by invoking the principles of parental responsibility and local control of education.
Early in 1973, the Federal Government indicated its acceptance of the principles embodied in the paper as the basis for future development in First Nations Education. The agreement did not change the legal context within which educational services are offered to Indians; it did however lead to the adopting of administrative procedures based on the principles concerned.

The past practice of using school committees as advisory bodies, with limited influence, gave way to local education authorities. Establishment of these authorities enabled First Nations control of funds and decision making power. The Federal Government transferred the authority and the funds allotted to First Nations Education and the Bands then determined the relationship that should exist between the Band Council and the Education Authority.

The decentralized nature of I.N.A.C.'s administration caused substantial differences in implementation and consequent inconsistencies in program development. Obstacles to the development of education systems exist in both legislation and government regulations, with funding levels frequently being the most contentious issue between I.N.A.C. and the education authorities. This is a bureaucratic tactic to "divide and conquer" First Nations Peoples. Aboriginal People wanted local "control" of Indian Education. They wanted the ability to decide on their children's future and to ensure that the future chosen would enable their children to become self-sufficient, productive and contributing members of society. The decentralized system only transferred the administration from I.N.A.C. to the Education Authorities, thus limiting First Nations decision-making powers and control.

EDUCATION - TODAY

The educational process to which First Nation People are subjected today remains open to criticism. It remains inadequate to meet the needs of First Nations People. Our children are subject to school programs designed for the majority urban, middle-class society. Particular needs are not being met. This arises in part, from the fact that, only too often, the standard curricula and materials prepared for all schools in the Province are being used. More serious, is the fact that many of the teachers are of middle-class backgrounds bringing with them their values which they impose on their students. They are not experienced or knowledgeable in cross-cultural situations and are, therefore, not alert to adapting curricula to better meet the needs of First Nations children.

There are other weaknesses in the administration of educational programs for First Nations People including:

Absence of a clearly defined educational objective.

Failure to provide a meaningful educational program.

Lack of qualified teaching personnel. Simple academic qualification is not sufficient.

Absence of parental involvement in determining the school programs.

Failure to integrate culturally relevant programs that would precipitate "holistic learning."

The facilities on reserves are medieval in atmosphere.

The Federal Government has agreed, along with the First Nations, to supervise and maintain an Education Framework Agreement to address these weaknesses. This agreement, signed by the Assembly of Manitoba Chiefs, stipulated that education be based upon the needs of the First Nation Communities. However, this option still leaves First Nations subject to some Federal "control" and involvement.

The most favourable path for First Nation Peoples to follow would be to expand First Nation Jurisdiction. This expansion can be done through constitutional amendment, Federal Legislation or through the Courts. Today, the political climate in Canada is somewhat hopeful for the First Nations and certainly one that is more likely than any other time in the history of the relations between First Nations and the Canadian Government.

Constitutional amendment would require that the Inherent Right of First Nations Government be recognized. The amendment could go further so as to provide a Federal resourcing obligation for Education. However, the legal basis of First Nations jurisdiction over Education would be attained through the constitutional recognition of First Nations Government itself. This recognition would automatically invoke the necessary financial resources to implement Education.

Although the First Nations of Manitoba have "prima facie" control over Education, there is insufficient control to enable First Nations Students to attain a level of education comparable to the level of education of students in Provincial schools. Furthermore, there is no recognition in the educational system for the differences between the two cultures. Since time the European educational system has influenced First Nations, it has done so in complete disregard for First Nations culture, beliefs and traditional educational practices. After review of the results of European (Now Canadian) education on First Nations, one can only agree with the First Nations position that who else better understands the needs and requirements of First Nation Education then the First Nations Peoples themselves.

CONTEXT

Over the past several centuries, First Nations People have had very little or no control and input into the content and quality of the education of their children. They were forced from their homes, language base, culture and environments and placed in institutions where, without orientation and preparation, they were expected to understand and perform as children in the dominant culture. Young people, subjected to institutions, often suffered from intense culture shock in addition to the new pressures of performance and conformation to foreign values and artificial standards of evaluation. Failure to do so was viewed and judged as intellectual inferiority and social delinquency. Labelled as such, most First Nations students emerged from institutions with a significant and debilitating handicap preventing them from developing themselves as successful and productive members of society. They emerged either by graduating or dropping out as underconfident and underachieving individuals. This type of handicap is unproductive, expensive, detrimental and debilitating to us all.

The impact of assimilation has created a situation where First Nations Citizens are caught between two worlds. They struggle to understand their language, their history and their values in a contemporary context. In order to build successful, productive and creative lives, it is essential that First Nations students have the opportunity and ability to make sense of their past, their present and their prospective futures. Historically, education programs of the dominant culture have alienated individuals, created confusion had no relevance to current living conditions and provided minimal opportunities for gainful, productive and appropriate employment.

Today, educational institutes and programs need to be able to bridge the gap between traditional values and lifestyles and the contemporary living context. For First Nations students the integration of traditional values and contemporary education is essential.

There is a significant and desperate need for improvements in education for First Nations students. The goal of education is to provide knowledge, skills, confidence and values enabling students to lead successful lives and make positive contributions to their communities and to society as a whole.

Education programs must address the needs, abilities and interests of the students and prepare students for decision making, problem solving and critical thinking. An effective learning environment fosters intellectual and personal growth promoting mutual respect and democratic principals. They need to know their own heritage and to heal from the damages done through the enforced education such as residential schools, to learn in environments conducive to productive learning rather than in environments that alienate them and threaten their self-esteem.

During the impressionable years as adolescents, young people develop a personal identity and a sense of purpose in life. At this time, they prepare for further education, work and begin to emerge into the world of adult roles and responsibilities.

However, for many First Nations Students, this is not the reality. Often frustrated and alienated in mainstream institutions, they dropout and are robbed of this opportunity for exploration and development of knowledge, skills and a positive self-esteem. In stead, they migrate to the cities seeking opportunities and excitement. Homeless and penniless, they squander their youth in pursuit of an escape from reality through drugs and alcohol.

Our greatest asset and resource is our youth. The aim of education is to inspire and awaken the spirit within, stimulate active and healthy participation in the world with pride, self-determination and motivation; to provide the confidence and skills required to participate and become successful and productive people. Our youth is today, tomorrow and the future.

INHERENT RIGHT TO EDUCATION

The Original inhabitants of this land, now know as Canada, once flourished in a life-style and culture which offered a stabilized and lifelong educational system, unlike any other . Before the arrival of the Europeans, the Original Peoples based their education system on a lifelong process inherited through the generations, with each generation obtaining the right to this educational process. The cultural value of this system did not limit the learning process to a time frame, but was taught each day of one's life, until that life was over.

Each and every First Nation citizen held, by the law of Creation the right to a lifelong learning system as practiced by all generations before them, up to the beginning of time. This lifelong learning system was practiced throughout the seven phases of one's life.

1. The first phase of the traditional Educational process beginning with birth. With the first day of an infant's life, the learning process began and continued throughout that life until that life was complete.

2. The second phase of learning began with the pre-school to elementary age. In this stage, the child developed knowledge rapidly, learning and understanding the teachings quickly.

3. The third phase, was the wondering stage, where the child began contemplating the teachings taught integrating a perspective of life. This wondering period occurred approximately in the Junior High to High School level.

4. The fourth phase, was known as the "truth" age, which developed from the High School age on to the age of Post-Secondary entry level. the truth era focused on the reality of life and how one should deal with all circumstances of life.

5. The fifth phase was the planning stage, where the individual began to plan for the future of his/her life, similar to students attending a post-Secondary Institution.

6. The sixth phase, began with parenthood, where the parent became a teacher. Teaching the young all the experiences and teachings given to them.

7. The seventh and final phase as the "grown-up" stage, where the education process focused on a career orientated life, encompassing all the skills needed for survival. In this stage, the circle of the education process is complete and ends with one's life while being passed on and continuing with the birth and education of another child.

Native people today, still hold ownership to the Inherent Right to Education as given to them since Creation. The learning system, practiced throughout the cycle of one's life, instilled the values, morals, and survival skills similar to and labelled as the educational system of First Nations. First Nations Education was a holistic and integrated education, developed and refined over 5 million years, was taught and carried throughout an entire life cycle.

EDUCATION RECOMMENDATIONS

Through discussions and gatherings with educators, elders and former students, the following recommendations express the desire of First Nations Communities with respect to the Treaties with respect to education as an inherent right.

FUNDING

1. Preserve existing Treaty Rights to access to education.

2. First Nations Bands are under funded for schools. Funding is not at the same level as for other Provincial schools therefore they do not have the same resources and cannot offer the same programs. Band school facilities are too small. Funding for operations and maintenance is not at par with the Province. Funding discrepancies must be addressed in order to create equality in educational resources.

3. Bands should deal directly with Treasury Board instead of funding going through Indian and Northern Affairs. Elimination of excess and unnecessary administration would result in greater financial resources for education of First Nations Students.

4. Funding arrangements should be more in line with the needs of the community. Presently Bands cannot hire properly qualified teaching staff to provide good quality education to our youth due to I.N.A.C.'s limitation on funds based on formula. Funding arrangements must be reviewed and redesigned for better and more appropriate value for education dollars.

5. All First Nations should have Education Directors for a Band's Education Authority and should be funded directly and automatically to the Band for local control.

INFANT/PRIMARY - PRESCHOOL EDUCATION

6. Traditionally based Daycare and Pre-school facilities should be developed and implemented where small children learn their language and teaching from the elders in their community.

CHILD-ADOLESCENT - ELEMENTARY-SECONDARY EDUCATION

7. The implementation and integration of First Nations traditional teachings, language and values in the education of our youth. Perhaps a return to a holistic and community integrated system based on the seven phases of life rather than the European based, Provincial and Federal system of grades. These phases could offer levels of education corresponding and superceeding those of Provincial and

Federal systems. First Nations Communities should consider developing their own curricula which includes teaching Native values and traditions.

8. Educators must understand the traditions and values themselves before they can teach the young. Negative attitudes towards traditional teachings stems from the experiences of our educators and parents in residential schools. The community has to learn. Parents must learn along with the children. Traditional education should be offered to parents and teachers and become a requirement for all educators in First Nations schools and institutions.

9. The school system as a whole, school divisions the public and ourselves must be educated about First Nations traditions and values. The curricula should be designed by elders.

10. Students must not only learn in the classroom, but the must also be taken out side to learn about nature to learn about the world in which we live.

11. Students should do things in groups as opposed to individually to learn co-operation and tolerance. "Keep the Circle Strong"

12. Age should not be a factor. Parents should be encouraged to enroll and join in the classrooms. Teaching and learning and environments would change if parents were learning along side their children.

13. Expenditures for conferences and workshops should be used for learning and attending traditional teachings, gatherings, ceremonies and events. These experiences could be brought back to the schools and shared with the students. Students should attend gatherings and ceremonies as an integral part of their education.

14. Organized extra-curricular activities in sports should be arranged. Currently no such activity exists.

YOUTH/ADULT - POST SECONDARY EDUCATION

15. Preserve existing Treaty Rights to access to post secondary education.

16. Promote and integrate traditional education with contemporary curricula. First Nations students need access to cultural education as well as contemporary programs in order to pursue career development. Provide appropriate, relevant and quality education for First Nations Peoples.

17. Develop and establish community based post secondary programs. Integrate post secondary educational facilities in First Nations Communities.

18. Develop a Native owned and operated post secondary institution should be established whether it be regional, provincial or national. It should be community based. Education should come to the communities, it is our fundamental right.

19. Universities and colleges only teaches the mind. The Native elders Teachings are holistic. Holistic teaching must take place before we can implement the university or college. We have to heal our people. First Nations Post Secondary Institutions should be design and developed with a cultural foundation including curricula, programs, service and facilities.

20. Integrate traditional, academic and technical programs.

21. Provide flexibility and reciprocity with other facilities within the Confederate Institute, other post secondary institutions and international institutions. Students should be able to transfer from and to other institutions with full recognition of their courses and qualifications.

22. Offer co-op programs and work study opportunities, providing opportunities to gain experience in their chosen fields during the course of their education.

23. Management and leadership courses should be arranged for Chief and Councils newly elected with no experience in the field of politics and operation and administration of programs by bands.

24. Investigate funding for basic literacy. The government is funding basic literacy programs. This should be addressed as soon as possible. Basic literacy funding could be used to open the classroom up to parents. Evening courses could be arranged with the same curricula.

25. Funding guidelines imposed by the Government after 1989 capped funding which restricts the students in courses they can choose. This situation is unacceptable and must be addressed. First Nations Bands should be supporting and First Nations individual regardless of these guidelines. Students should be supported and encouraged to stay in school where ever they are. Current guidelines are limiting, discouraging and hurting First Nations People.

FIRST NATIONS

HEALTH CARE

PREPARED BY

GLORIA CAMERON

INTRODUCTION

The Royal Commission on Aboriginal Peoples gave opportunity for the First Nation people of the West Region Tribal Council (WRTC) of Dauphin, Manitoba to participate in the Royal Commission process. The meeting hosted by the West Region Tribal Council (WRTC) gave rise for the people of the First Nation communities to gather as a Nation to discuss comprehensive issues effecting their past, present, and future livelihood. Opportunity availed for the people(s) to practice their Freedom of Speech.

An important area of concern to the First Nation people of the West Region Tribal Council communities, was their health care. First Nation people(s) are striving towards achieving high quality health care. We, the First Nations are aware, that in order for a Nation to survive, a Nation must be healthy. An unhealthy Nation will serve no purpose to this wonderful country now called Canada. Therefore, the First Nation people of Canada must continue to exercise their rights to the preservation, protection and maintenance of their physical, mental and spiritual well-being. Should the original people (humans) of this land become very unhealthy, then the plant life, animal life and the land itself will thus become unhealthy. All creation of life must be preserved, protected and maintained for continued survival. People and government(s) must take dual action to ensure that the survival process occurs in partnership, respect and dignity.

HISTORICAL BACKGROUND OF FIRST NATION HEALTH

Prior to the arrival of the visitors to our country, the First Nation people lived in harmony with one another. There was sharing of the natural resources, medicines, food and land which was provided by the Great Creator for First Nation usage. This is the era in which the First Nation people practiced their inherent rights for survival. During this inherent right era, there was plenty of food, water, air and land was preserved, protected and maintained by the First Nation people in conjunction with the guidance given by the Great Creator.

Holistic health existed within the First Nation people(s) era. Health is life. The health of the First Nation people is Sacred. Health is the overall well being, which can not be divided into parts. All parts make one. The mind, body and spirit must

be in balance for the purpose of maintaining well being. It is therefore, the birthright of every individual to maintain a balanced life. The well-being of the physical, mental and spiritual growth must be in harmony with all life. It was natural law to maintain a healthy and balanced life-style. Human beings must learn the natural laws of kindness, honesty, sharing and strength within one's self first, before one can begin understanding other human beings and all levels of Creation.

HISTORICAL BACKGROUND OF NON-FIRST NATION GOVERNMENTAL HEALTH

Upon the visitor's arrival to our country, the visitors discovered that the First Nation people (original people) were living a harmonious and balanced lifestyle. A life-style which the visitors were not accustomed to living. The new arrivals (visitors) became alarmed by the wisdom, strength, power, honesty and sharing relationships utilized by the First Nation people of this rich and enormous country. It was very obvious that the First Nation people were in control over their customs, values, traditions and natural laws pertaining to holistic health.

As more people entered the country, the British Crown realized that systems had to be established to govern the people. The Treaty making process began with the original people of the land. Within this process, Treaties were made for the well-being and protection of the First Nation people. A process convened between two Nations based on spirit and intent. Promises and commitments were made with the First Nation people for "As Long as the Sun Shines, Grass Grows and Rivers Flow". The First Nation people were to be involved on all issues pertaining to the Treaties and their well being. It was a Nation to Nation bind which is forever. Treaties remain until Mother Earth no longer exists. As changes to the country were enforced, First Nation people were placed in reservations under the control of the Dominion of Canada. Upon the establishment of the so-called reservations reserved for First Nations, an Indian Act was developed to be administered by the Dominion of Canada through the Department of Indian Affairs and Northern Development. The Indian Act would determine how the "Indians of Canada" would act in their own country, governed by a foreign system in absence of holistic values. Stemming from the Indian Act implementation, DIAND created the Indian Agent Era within the reservations for the purpose of overseeing and maintenance control. This era occurred for many years under documentary for governmental control. Stemming from the documentaries, the government initiated another

process entitled the Residential School Era. The Residential School Era was supposed to be for the purpose of civilizing and educating the First Nation children to eventually assimilate into Canadian Society as a Canadian, rather than a First Nation people. The children suffered many forms of abuse and emotional pain. Families were separated on long term basis, with some becoming permanent separation. Disfunction began to play its toll on the First Nation people. Canadian Society was unaware of these tremendous governmental movements on the First Nation people. Society tends to see the Aboriginal people of Canada as low class citizens in their own country.
As political government changes emerged within the country, in 1945 it was decided that Indian Health Services should be transferred from the Department of Resources and Mines to the Department of Health and Welfare Canada. Documentations were prepared to monitor the health status of the First Nation people of Canada to maintain and regulate communicable disease control for the best interest of all concerned. Then in 1960, Medical Services Branch, a branch of Health and Welfare Canada, began erecting Medical Services offices at provincial/regional levels to be responsible and accountable for Indian Health Services for the First Nation people of Canada.

Mission Statements and mandates were developed and authorized by Health and Welfare Canada for First Nation health care utilizing the unique and special relationship between the First Nation people and the Federal Government. In the late sixties, government nurses were assigned to work within First Nation communities for the purpose of promoting healthy communities. As communities grew and developed changing structures, community based health staff became employed by the communities to work in harmony with Medical Services Branch of Health and Welfare Canada. This created a greater awareness of health care services accessibility to First Nation people.

As time went on, health care to all Canadians continued to change. Insured health services were made available to all Canadians, under the governance of the Canada Health Act. First Nation people were able to access Provincially insured health services similar to the remaining Canadian Society. The First Nation people are being provided with Provincial and Federal Health Care Services, which now creates jurisdictional health care issues.

In 1979, an Indian Health Policy was developed by the Federal Government for the purpose of usage to assist Medical Services Branch and First Nation communities in achieving an increasing level of health in First Nation communities. The Indian Health Policy was based on three pillars;

1) community development
2) special and unique relationship between the First Nation people and the Federal Government
3) Canadian Health Care System.

The Indian Health Policy is still in effect to assist in achieving First Nation aspirations. There is no mention of the Treaty Right to Health Care within this policy.

The Canada Health Act promotes the World Health Organization's (WHO) mission which is "Health for All, by the Year 2000". Will they promote, "Health for All Aboriginal Peoples of Canada by the Year 2000?"

TREATY RIGHTS, TITLES AND PRIVILEGES TO HOLISTIC HEALTH

(See attached reference, identified as Appendix "A")

HEALTH CARE ISSUES

Investigations/discussions:

There are many health care issues effecting the First Nation people of Canada. Issues which have been left idle by the Federal Government of Canada, due to priority given to Non-First Nation political priorities.

Below are a number of health related issues effecting the health of the First Nation people.

1. **Treaty Right to Health Care**

   The Federal Government declares that First Nation Health Care derives from Federal policy rather than the Treaty Right to Health Care. Policy is for the purpose of restriction and regulation. Treaty Rights supersede policies.

2. **Band/Provincial/Federal jurisdictional systems relating to Health Care.**

   The Provincial/Federal Governments utilize their jurisdictional systems to maintain control over First Nation communities/jurisdictions.

3. **On/Off reserve health care needs.**

   Comprehensive health care needs of the First Nation people within communities are not totally being provided by the Federal Government.

   Comprehensive health care needs of the First Nation people residing off reserve are not totally being accessed due to governmental interpretation of health care responsibilities (Federal/Provincial).

   Off reserve First Nation people are informed that they must first seek health care assistance (non-insured health care) from Social Services (provincial, municipal) agencies prior to the Federal Government taking action to meet their health care needs.

4. **The special relationship between First Nations and the Federal Government.**

   The Federal Government of Canada is in a constant policy pushing implementation to First Nation people/communities to purposely destroy the special relationship established from the Treaty Making Process. The special relationship between the First Nation people and Federal Government was established via the Treaty Making Process

to ensure that the First Nation peoples well-being would always be protected. The special relationship must remain intact to ensure the protection of First Nation well-being.

5. **Federal Transfer Payments to the Province in respect to health care**

Provinces receive monies in transfer payments on behalf of First Nation populations.

The provinces receive millions of dollars via Federal transfer payments for health care to society. First Nation populations are integrated into the funding formulas per transfer payments. Provincial health care policies and regulations versus the Treaty Right to Health Care. The First Nation people did not sign treaties with Provincial Governments, therefore there should be no need to carry Provincial Health Care numbers. Our treaty numbers have power over the Provincial Health Care numbers, because of the fact of Treaty rights superseding policy driven procedures.

The First Nation people are not adequately receiving high quality provincial Health Care. There is a lack of health care services/programs within the Provincial health departments pertaining to the delivery of culturally appropriate health care to Aboriginal peoples.

An evaluation of Federal transfer payments to provinces pertaining to First Nations people is non-existent.

6. **The reluctancy of the Minister of Health and Welfare Canada to meet with Chiefs of the First Nations communities in respect to Health Care.** The ministers of Health and Welfare are reluctant to meet with First Nations Chiefs regarding specific health care issues. There is no system/protocol for the Minister and Chief to meet as a Nation to Nation.

7. **Funding formulas utilized by Health and Welfare Canada to fund Community based health systems.**

The Treasury Board of Canada is unaware of the funding arrangements/requirements of the First Nation communities.

Medical Services Branch (Indian Health Services Directorate) negotiates for First Nation Health care funding.

There is failure to meet the comprehensive health needs of the First Nation people. An evaluation is due on the Medical Services Branch Multi-National Operational Plan pertaining to First Nation health.

8. **Health and Welfare Canada contracts with Non-First Nation organizations in respect to First Nation Health Care (services/business).**

The Federal Government of Canada is allowing Health and Welfare Canada to enter into contractual arrangements with National/provincial non-profit organizations in regards to First Nation health services and payment systems.

Health and Welfare Canada has entered into contractual arrangements with Blue Cross (a non-profit organization for the purpose of capturing date (Treaty entitlement) and payment systems for the Treaty Status non-insured health benefits. (The Non-Insured Health Benefits are Federal health services to First Nations for vision care, dental care, prescriptions, medical equipment/supplies and medical transportation. Blue Cross has been authorized to complete this work on behalf of Medical Services Branch of Health and Welfare Canada. Health and Welfare Canada is slowly attempting to shed its obligation and responsibility to First Nation Health Care. They are becoming negligent in their obligation and responsibility to the well being of the Treaty First Nation people. We do not need a non-profit organization such as Blue Cross to work in/on our best interests to Health Care.

9. **De-Insurance**

The provinces of Canada receive funding from the Federal Transfer

Payments for Health Care. With this system First Nation people were integrated into the universal health care as trends changed. First Nation people can access Provincially insured health care services, in absence of the thought of utilization of their Treaty Right health care privileges. In the true light of things, First Nation peoples health care services should remain with the Federal Government. The Federal Government is the responsible party for First Nation health care due to the Treaty making processes between the First Nation and the Federal Government of Canada on behalf of the Crown. The de-insurance issue should be reviewed prior to future actions per the First Nation people.

10. **Relationship between First Nation People and Society in reference to Health Care.**

Today's modern day society does not have a clear understanding of the First Nation people(s) Treaty Rights. Society assumes that the First Nation people receive everything for free. Resources such as education, housing, and health care, etc. Society does not realize what occurred during the treaty making process between the First Nation people and the Treaty Commissioners. Promises and commitments were made for the well-being of the First Nation people for "As long as the Sun Shines, Grass Grows and Rivers Flow". The sharing of the riches of the country flows in it's rightful place. Society must keep in mind, that the First Nation people are the original people of the land. First Nation people are willing to improve the relationship between the two Nations.

11. **Health Care Transfer Process**

The Federal Government of Canada has given Medical Services Branch of Health and Welfare Canada the mandate to transfer health care to First Nation communities who wish to enter into the Transfer of Control. The Transfer of Control sounds great, but in reality all it is, is the transfer of existing programs presently administered by the community. There are limitations in what a community can transfer to their control and jurisdiction. The real picture is not transferred to

communities. There are many areas in the comprehensive health care systems, which are withheld from the First Nation communities. The Non-Insured Health Benefits remain to be controlled by Medical Services Branch because of the multi-million dollars involved in the management and payment systems on behalf of First Nation people. Communities must proceed with caution, when decision is made within the Transfer of Control process with the Federal Government of Canada. The transfer process does not indicate the Treaty Right to Health Care. First Nation people must be cautioned on Treaty Rights versus Government Policy procedures in respect to Health Care.

12. **Bill C-31 Impact on Health Care in reference to First Nation people.**

Stemming from the 1985 Bill C-31 ruling, First Nation communities have had an alarming change in their community membership populations. Health Care costs have risen due to this enactment. Communities are now feeling the Bill C-31 Impact regarding community health services and programs. In true light of things, the communities are underfunded for the delivery and administration of health. Funding formulas developed by the government are failing First Nation community empowerment and development. A comprehensive review is in dire need on the Bill C-31 Impact.

13. **Residential School Era**

The Residential School Era existed from as early as 1907-1977 within Manitoba. During this Era, the First Nation people suffered many consequences under the order of the Federal Government and Religious Interest Groups. There was loss of language, culture, family bonding, self esteem, and educational development within this phase of time. The people were damaged in many ways. In many ways, too numerous to mention in specific terms. The impact/effects are still here today with the First Nation people. There is much healing yet to be accomplished. The Federal Government was responsible for the Residential School Era, therefore must be held partially responsible to assist in the healing process of our people. Compensations must

be given to the First Nation people to make change. The establishment of Healing Centres is one route to the compensation era to the First Nation people, along with community based developmental programs. Another area of importance is the requirement of a Canada wide public apology to the First Nation people by the Federal Government and Religious Interest Groups. ninety-nine percent (99%) of Canada's Society is unaware of what occurred during the Residential School Era. They are unaware of the damages which have occurred and of today's existing results.

14. **Environmental destruction**

At one time, the land of the First Nation people was a clean and safe environment to live in. Today, there are environmental issues effecting the health status of all people.

In the Canadian government Green Plan, the only area of interest given to the First Nation people, was to improve high quality drinking water programs and to improve sewage system implementations. There was no opportunity or priority available for First Nation people to recommend solutions to the Green Plan developmental implementation processes. Many teachings can be provided to governments and society in respect to the caring of Mother Earth.

RECOMMENDATIONS

1. That, First Nation people, continue to gather as Nations to discuss, investigate, and recommend solutions to the well-being of the people, after the end stages of the Royal Commission on Aboriginal People(s) process.

2. That, First Nation people be compensated with Healing Centres to the damaging effects of the Residential School Era. (Support to other areas of Canada).

   That, the Crane River First Nation Community of the West Region Tribal area, be financially funded for the establishment of a Healing

Centre. Finances to be provided by the Federal Government of Canada.

3. That, the Federal Government of Canada refrain from utilizing governmental policies to govern First Nation Health Care. First Nation Health Care derives from Treaty Rights. Treaty Rights remain for "As Long as the Sun Shines, Grass Grows and Rivers Flow". Treaty Rights supersede governmental policies.

   That, all First Nation people of Canada protect, promote and maintain their Treaty Right to Health Care.

   That, health care needs of the First Nation people be provided in absence of bureaucracy, red tape, restrictions and financial barriers in order for the First Nation people to achieve their goals and aspirations of First Nation health.

4. That, jurisdictional issues pertaining to First Nation health be resolved between First Nation governments and Provincial/Federal governments via investigation.

5. That, improved relationships between the Aboriginal people of Canada (Treaty Status, non-status, Inuit and Métis) Governments of Canada and Canadian Society (people) continue to be implemented upon the completion of the Royal Commission on Aboriginal People(s) process.

6. That, the final report on the Royal Commission on Aboriginal People be distributed to every Aboriginal community in Canada; every Federal Government department in Canada, every provincial Government department in Canada; every Municipal department in Canada for the purpose of Canada wide acknowledgment.

   Canadian Society should be given the opportunity to be aware that the Aboriginal people of Canada are attempting to improve the relationships between all parties.

7. That, the Federal Transfer Payments to the Provinces from the Federal Government continue to be investigated on whether or not the Aboriginal people are benefiting from this process.

8. That, a system/protocol be established for a Chief of a First Nation community to meet with the Minister(s) of Health and Welfare Canada. There is no existing system in place. Opportunity must avail for Nation to Nation meetings to discuss First Nation Health.

9. That, Treasury Board of Canada provide adequate financial resources to First Nation people based on community needs, rather than the funding formulas utilized/developed by internal governmental departments.

10. That, the Federal Government of Canada refrain from authorizing the Department of Indian Affairs and Northern Development (DIAND) and Medical Services Branch (MSB) of Health and Welfare Canada to enter into financial/contractual arrangements for First Nation Health Care to interested provincial departments and non-profit organizations such as Blue Cross, in absence of First Nation consultation and approval.

11. That, First Nation Treaty Right to Health Care be portable within all provinces of Canada and the United States of America. (Canada and the United States was known as Turtle Island prior to the boundary separation).

12. That, the De-Insurance issue to First Nation health care be carefully reviewed and discussed by First Nation governments, Provincial governments and the Federal government.

13. That, Canadian Society be continuously provided with an education and awareness system relating to First Nation people(s) Treaty Right to Health Care.

That, the First Nation communities establish systems for an ongoing sharing sessions with Canadian people(s) government corporations and businesses.

14. That, the Transfer of Control of Health process optional to First Nation communities by the Government of Canada be carefully reviewed by First Nation people to ensure a successful implementation processes.

15. That, the Government of Canada take action in reference to the Bill C-31 impact now facing First Nation communities. Action in adequate financial arrangements to meet the demands of the Bill C-31 Impact on First Nation communities.

16. That, the Government of Canada provide Aboriginal people of Canada with the same salary/wage scales provided the civil servants in the workplace. Aboriginal people are not receiving proper funding for staff as compared to the government official scales.

17. That, Aboriginal people continue to hire their own people who have graduated from Educational Institutions in order to retain professionalism within Aboriginal organizations.

18. That, the Government of Canada provide personal health care units for the elderly of the First Nation communities.

    That, the moratorium on Personal Care Home establishments within First Nation communities be lifted. The Department of Indian Affairs and Northern Development (DIAND) utilizes the moratorium as a barrier to First Nation developments.

19. That, the Government of Canada provide adequate funding for the purpose of First Nation communities to have Health Administrators/Health Program Directors services for their health care systems.

20. That, Health and Welfare Canada terminate implementation of policy/procedures regarding health for First Nation people. Policy development and implementation by the Governmental departments are occurring in absence of consultation and authorization.

21. That, First Nation people, other Aboriginal people and governments continue to support all disabled people of Canada in their movements to making change within the disabilities issues effecting their well-being.

22. That, the Aboriginal people of Canada continue to exercise and express their Rights and Privileges to Canadian Society and Canadian governments; utilizing the Freedom of Speech concept.

23. That, First Nation institutions and systems replace the governmental departments presently in existence based on the spirit and intent of the First Nation treaties. First Nation people dealing directly with the high government rather than lower level bureaucracy.

CONCLUSION

The First Nation people of the West Region Tribal Council of the Treaty #2 and Treaty #4 communities are willing to work in harmony with Aboriginal people, Canadian Society and Governments to improve the relationship between all parties concerned.

We can accomplish our goals and aspirations with prayers and with guidance from the Great Creator. Let us all strive for excellence in an environment guided by trust, co-operation and partnership where all people are treated with fairness, dignity and respect.

*** This report as submitted is not intended to direct prejudice or insult to any given individual or party.**

TREATY #2 AND TREATY #4 COMMUNITIES

TREATY RIGHTS, TITLES AND PRIVILEGES TO HOLISTIC HEALTH

The Treaty Right to Health is an everlasting holistic birthright. Health is life. The health of the Anishinabe people is sacred. Health is overall well being which can not be divided into parts. All parts make one. Holistic health consists of mental, emotional, physical and spiritual well being which maintains a balanced life. It is therefore, the birthright to every individual to maintain a balanced life. The well-being of the mental, emotional, physical and spiritual growth must be in harmony with all life. Health is protection, promotion and preservation of the mental, emotional, physical well being.

The knowledge and wisdom of the Elders continue traditional teachings of human being relationship to the Creation of Life. Human beings must understand their own balanced life in order to have a total understanding of all creation. Human beings must learn the natural laws of kindness, honesty, sharing and strength within one's self first, before one can begin understanding other human beings and all levels of Creation.

The Elders were taught as the Elders before them, to share the knowledge of the various levels of creation of life such as the creation of the universe, plant, animal and human life. Each level of creation being given specific instruction on how to live in harmony with themselves and with other levels of creation. All levels of creation must be understood and respected. It is with the sharing of knowledge being passed down from generation to generation that the creation of all life is to be held sacred.

Before the arrival of the Europeans, the original people of this land lived in harmony with all creation of life and with one another. The original people have understood and utilized the natural universality on the total process of life from generation to generation. The simplicity way of life has always delivered the solution set to any given issue that may be misunderstood or creating problems. At the time of the Treaty Making Process, the Anishinabe understood that the Great Mother of Great Britain and the Chief and Headman were at this time thinking in the future for the

best interest of the Anishinabe's children's, children's, children's, children's, children's, children's, children. The Great Mother of Great Britain also understood that she would continue helping the people maintain a balanced life because the Queen loves her Red children; because what she promises she never changes; because the Queen understood that the land was to be shared under the Great Spirit. In accordance to the traditional teachings of the Anishinabe, how can an individual Nation, society or any form of Government lay claim or control to the wind, earth, plants, animals and human beings while all being part of the Creation of Life.

Today, the Anishinabe carry the birthright of Turtle Island passed on from generation to generation.

For a people who have fallen from a proud state of independence and self-sufficiency, progressive substantial change can come about only where we again achieve that degree of security and control over our own destinies. We do not need to re-create the exact form by which our ancestors lived their lives, the clothes, the homes, or the means of travel. We do need to create new forms that will allow future generations to inherit the values, strengths and the basic spiritual beliefs, the way of understanding the creation of life, that is the fruit of a thousand generations; cultivation of North American soil by the Anishinabe people. If others have also prospered on our land, let stand as a sign between us that Mother Earth can be good to all her children without confusing one another. Let us all work in harmony with one another to enable us to walk side by side, as equals. The responsibility belongs to each one of us to make every effort to develop a strong relationship for the benefit of our Anishinabe's children's, children's, children's, children's, children's, children's, children's children. The process must begin now.

Tomorrow, (future) our Anishinabe's children's, children's, children's, children's, children's, children's children will have a better life and better understanding of life after we have worked together by setting the examples of teamwork with the Great Mother of Great Britain's children's, children's, children's, children's, children's, children's, children in order to correct the past and present relationships for the best interest of all people of Turtle Island.

In conclusion, continued access to quality health care without financial or other barriers will be critical to maintaining and improving the health and well-being of the Anishinabe.

The Mission Statement of Health and Welfare Canada...

> **We help Canadians maintain and advance their health and social well-being through leadership, partnerships and dedicated service.**
>
> **We strive for excellence in a work environment characterized by trust and co-operation where people are treated with fairness, dignity and respect."**

Due to the Mission Statement of Health and Welfare Canada and the similarities within the negotiated Treaties between Great Britain and Anishinabe Nations in conjunction with traditional teachings of the Elders that Health is Holistic Birthright for all people.

The Treaty Right to Holistic Health remains from birthright for "As Long as the Sun Shines, Grass Grows and Rivers Flow". Treaties remain until Mother Earth no longer exists. The Treaty Right to Health can never be broken by any given individual or party.

Prepared by: West Region Tribal Council
Treaty #2 and Treaty #4
July 3, 1992

FIRST NATIONS

SOCIAL DEVELOPMENT

PREPARED BY

LARRY CATAGAS

INTRODUCTION

Social Development encompasses a wide range of programs which are designed to accommodate the various needs of people. Under the global term of Social Development, we will find Child and Family Services, Income Security, Mental Health, Adult Care and others. These are further refined into specialized areas such as Rehabilitation Services, Training, etc. For the purposes of this presentation, we will focus on Income Security and more specifically as it is delivered for First Nation people on and off reserve.

BACKGROUND AND ISSUES

In the late '50's or early '60's, the Government of Canada introduced the "Welfare Program" which provided "rations" for families in need. This program, with good intentions was also made available for First Nations people. Through the years, however, this program has destroyed the drive for most families to provide for themselves. Several generations of native families have become dependant and lost the pride and initiative for self-sufficiency. The lack of economic opportunities in most First Nation communities only reinforced this dependency state. As mentioned, the "Welfare" program is not all bad, for there were and are people who are genuinely in need of these services, such as the aged and the handicapped.

Further to the dependency of clients on the program, it would appear that the Governments whether regional (Provincial and Municipal) and federal (Government of Canada) are lacking efforts in addressing and curtailing the trends and use the Income Security Program as a means of escape. Needless to say, the tax burden is heavy and the outcry of tax-payers will be louder as the welfare rolls continue to climb. The amount of economic development activity and funding is so minute that it creates a situation that enables expenditure with the Income Security Program to increase at a rate of approximately 10% per year, thereby doubling every ten years.

In the 1970's, First Nation Communities were enabled to assume administration of the program under "devolution". However, up to this day, the control in several respects remains with the Indian Affairs Department. Reports filed monthly by the Bands are continuously monitored and scrutinized by Indian Affairs. Yet reports filed by municipal and provincial authorities were never questioned. The program is basically administered under the auspices of Indian Affairs policy which is restrictive and at times fall short of meeting the needs or deviate from those policies applicable to other citizens within the Province. In order to address this problem, the Social Committee has been in the process of devising its First Nations Social Development Manual. The Department of Indian Affairs may have difficultly with certain aspects of this manual due to the issue of control and limitations on funding.

The program is basically intended to be utilized as a last resort - but when other alternatives are not available, First Nation communities have to rely on it.

This program should augment other programs (re: training and employment) to encourage First Nation Citizens to better themselves, rid dependency and retrieve the pride they once had. The present policies restrict the utilization of Income Security Funding for the purposes of supplementing training programs especially in situations whereby the First Nation citizens have to obtain that training off-reserve.

We therefore recommend to the Royal Commission:

1. To encourage the Federal and Provincial Governments to increase allocation of resources for Economic Development Activity.

2. To encourage the Federal and Provincial Governments to better utilize Social Development resources as an augmentation of programs which will best promote and encourage training and employment activity.

3. To encourage the Federal Government (Indian Affairs) to accept changes within the First Nations Policy Manual.

4. To encourage the Federal and Provincial Governments to introduce programs to create awareness of self and community as an attempt of restoration of pride and initiative to break the cycle of dependency.

FIRST NATIONS

NATURAL RESOURCES

PREPARED BY

HARVEY PAYNE

Commentary from Canada and Brazil to the World Commission on Environment and Development

"We are the first to detect when the forests are being threatened, as they are under the slash and grab economies of this country. And we are the last to be asked about the future of our forests. We are the first to feel the pollution of our waters, as the Ojibway peoples of my own homelands in northern Ontario will attest. And, of course, we are the last to be consulted about how, when, and where developments should take place in order to assure continuing harmony for the seventh generation."

Louis Bruyere
President, Native Council of Canada
WCED Public Hearing Ottawa 26 - 27 May 1986

"You talk very little about life, you talk too much about survival. It is very important to remember that when the possibilities for life are over, the possibilities for survival start. And there are peoples here in Brazil, especially in the Amazon region, who still live, and these people that still live don't want to reach down to the level of survival."

Speaker from the floor
WCED Public Hearing Sao Paulo 28 - 29 Oct 1985

"I work with the rubber trees in the Amazon. I am here to speak about the tropical forest.

We live from this forest they want to destroy. And we want to take this opportunity of having so many people here gathered with the same objective in mind to defend our habitat, the conservation of forest, the tropical forest.

In my area we have 14-15 native products that we extract from the forest, besides all the other activities we have. So I think this must be preserved. Because it is not only with cattle, not only with pasture lands, and not only with highways that we will be able to develop the Amazon.

When they think of falling trees, they always think of building roads and the roads bring destruction under a mask called progress. Let us put this progress where the lands have already been deforested, where it is idle of labour and where we have to find people work, and where we have to make the city grow. But let us leave those who want to live in the forest, who want to keep it as it (is).

We have nothing written. I don't have anything that was created in somebody's office. There is no philosophy. It is just the real truth, because this is what our life is."

Jaime da Silva Araujo
National Council of Rubber Tappers
WCED Public Hearing Sao Paulo 28-29 Oct 1985

Contents

Introduction..... 1

Aboriginal Rights..... 2

Treaty Rights..... 2

The Natural Resources Transfer Agreement Act (NRTA)..... 4

The Constitution Act 1982..... 7

Enforcement of Regulations and Statutes..... 8

Large-Scale Natural Resource Developments.....10

Hunting, Fishing and Trapping Rights.....11

Commercial Hunting.....13

Forestry and Timber Rights.....14

Water Rights.....15

Subsurface Resources.....15

Statutes in Conflict with Aboriginal and Treaty Rights.....16

Our Common Future.....17

Summary of Recommendations.....19

Introduction

Natural Resources are integral components of the culture, tradition and economy of Aboriginal communities. The Aboriginal questions and concerns associated with natural resources were considered in significant detail by the Aboriginal Justice Inquiry of Manitoba. The Aboriginal Justice Inquiry (AJI) of Manitoba released its report in 1991. This submission largely corroborates the findings of the AJI and relies substantially on its research and informed conclusions.

Natural resources covers an array of issues that are of considerable importance to Aboriginal people in Manitoba. There are three major aspects to these concerns: the infringement by federal and provincial policies and legislation on the exercise of Aboriginal and treaty rights by Aboriginal people; the negative repercussions for them produced by large-scale exploitation of renewable resources; and the ongoing disputes regarding the exact scope of constitutionally protected rights and their practical import for the decision-making process on the management of natural resources.

The **Migratory Birds Convention Act**, an Act passed by the federal government in 1917 to ratify an international agreement with the United States and Mexico has been a source of major conflict between Aboriginal Peoples and the various provincial and federal governments. The Act and the conflict became symbolic of the Aboriginal Peoples' resentment of government disregard for treaty and Aboriginal rights.

A large proportion of the natural resources issues which are discussed in the following pages would be eliminated, if the Government of Manitoba implemented the recommendations of the Report of the Aboriginal Justice Inquiry of Manitoba. This is the substance of our first recommendation.

The WEST REGION TRIBAL COUNCIL Recommends that:

- **The Government of Manitoba implement the recommendations of the Commissioners of the Aboriginal Justice Inquiry of Manitoba.**

Aboriginal Rights

First, we will develop a general understanding of the complementary nature of Aboriginal and treaty rights. We also wish to dispel the notion that Aboriginal rights are extinguished by treaty rights.

For Aboriginal Peoples, the land was part of their identity as a people. The earth was their Mother, the animals were their spiritual kin and all were part of the greater whole, which was life. Their culture was grounded in nature. The thinking of Aboriginal peoples was cyclical, rather than linear like that of the Europeans. Everything was thought of in terms of its relation to the whole, not as individual bits of information to be compared to one another. Aboriginal philosophy was holistic, and did not lend itself readily to dichotomies or categories as did European philosophy. So for Aboriginal Peoples, their rights were - and still are - seen in broad, conceptual terms.

The most fundamental right is the right to identity as Aboriginal Peoples. This right is derived from the land and the use of the land, for habitation, hunting, fishing, trapping, gathering food and medicines, or for any other traditional purpose. This right to identity also implies the further right to self-determination, for it is through self-determination that a culture preserves its collective identity. This latter right is violated if the traditional economy of an Aboriginal group is disrupted severely or damaged by the encroachments of a civilization that exploits or abuses natural resources on a large scale, such as a hydro-electric project, abusive forest harvesting, or a strip mine. Further, the right to self-determination implies the right to take charge of ones own affairs so as to ensure effectively that Aboriginal identity and culture will be respected in the political sphere. These are the Aboriginal rights of the indigenous people of Canada.

Treaty Rights

Like Aboriginal rights, treaty rights are also understood by Aboriginal Peoples in broad, conceptual terms. Through treaties the Europeans sought to occupy the lands of the Aboriginal Peoples and to make the land safe for settlement and for the development of resources. Aboriginal Peoples consider the treaties to be agreements between sovereign nations. We note that the Supreme Court of Canada (SCC) has not entirely agreed with Aboriginal Peoples on this issue. Chief Justice Dickson stated that: "An Indian treaty is unique; it is an agreement sui generis which is neither created nor terminated according to the rules of international law."

Aboriginal Peoples today, feel that their trust has been betrayed and

that the rights assured in treaty have become a series of broken promises. Aboriginal Peoples believe that they were to have been allowed to retain their identities, their cultures, their languages, their religions and their traditional ways of life, including their laws and systems of government. These rights have been denied to them.

The manner in which the reserves have been set aside for First Nations, denies rights. Instead of the reserves being viewed as lands retained by Aboriginal Peoples, the government has persisted in the view that the land was surrendered to the Crown, which then 'gave it back' to Aboriginal people.

Aboriginal Peoples were to have been partners in the new arrangement, with an equal say in defining their ongoing relationship with the Crown. They have been denied that.

Treaties are still seen by Aboriginal Peoples as solemn agreements between sovereign nations, designed to confirm their Aboriginal rights and supplement them with express commitments from the Crown.

The federal and provincial governments, on the other hand, have viewed the matter of treaties differently. The Aboriginal people were not expected to survive long under the new regime and instead be assimilated into the newly developing settler society. Over time, the federal and provincial governments came increasingly to the view that the treaties and Aboriginal rights were relics of the past that could be ignored with impunity. Once the governments had achieved title over the land, the treaties had no significance to them.

In time, the significance of the treaties was reduced to such extent that only those matters specifically addressed by court decisions, were reluctantly accepted by the governments and the effect of the treaties was restricted as much as possible.

In addition, the notion that the treaties had extinguished Aboriginal rights gradually became widespread, especially in provincial government departments and agencies.

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treaty rights to land and resources.

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The AJI discusses what it considers to be a continuing source of conflict in Manitoba: Aboriginal-Crown relations. Further reference is made to the regrettable and unlawful tendency to refuse to honour court decisions that reject government policies concerning resource management, as exemplified by the Flett case. This is a contemporary problem in Manitoba which appears to result from government policy and zealous law enforcement senior officials.

The WEST REGION TRIBAL COUNCIL Recommends that:

- **Measures be implemented to ensure provincial government and departmental compliance with decisions of the courts, to ensure that the unjust Manitoba experience in the Flett case can never be repeated.**

Another example is the decision of the Supreme Court of Canada in the Sparrow case. The Supreme Court delivered its unanimous judgment on May 31, 1990, in which it clearly declared that Aboriginal and treaty rights are entitled to priority in the allocation of fish and game resources. The initial reaction of governments across Canada was that they would have to study the decision; an understandable reaction. However, this reaction cannot justify the application of laws that are contrary to the decision through "sustaining prior enforcement practices against Aboriginal people in a way that suggests the law has not changed" (AJI). Furthermore, governments cannot postpone action indefinitely. More than a year later, the federal government was still reviewing the implications on fisheries and migratory birds harvesting by Aboriginal people. The Aboriginal Peoples of Manitoba still do not know how the federal government will interpret the law. The AJI concludes that such government reactions, increase immeasurably the sense of frustration of Aboriginal Peoples and the problem is contrary to the foundation of the legal system which depends on clarity of the law and respect for the decisions of Canadian courts. Uncertainties created by government must cease immediately. That was the view expressed by the AJI. However, the reality for Aboriginal Peoples in Manitoba is that the provincial government will ignore or delay implementation of the SCC decisions with the same

impunity that has heretofore been applied to the treaties. Fervent in the belief that giving vent to Aboriginal and treaty rights will lead to the decimation of fish and wildlife in Manitoba, the provincial government and its officials persist in affording a minimum recognition to the SCC decision in Sparrow. Some measure must be taken to reduce the arrogance of government officials and policy makers as they persist in minimizing the application of the decisions of the SCC. Leaving the interpretation of SCC decisions to the provincial government is an injustice to Aboriginal Peoples.

The WEST REGION TRIBAL COUNCIL Recommends that:

- **An independent agent (or other authoritative body) be established to ensure that objective interpretation is given to court decisions.**

The Constitution Act 1982

Section 35 of the **Constitution Act, 1982** recognized and affirmed existing treaty rights. This section has the effect of precluding any parliamentary or legislative interference with those rights. Prior to 1982, interference had taken place under the previous doctrine of parliamentary supremacy, through which the courts concluded that Parliament legally could do whatever it wished, even if it was unjust and dishonourable to violate solemn treaty commitments.

According to the AJI report, the federal government has a narrow understanding of the treaties, largely based on a strict reading. The parts pertaining to natural resources are grouped and summarized as follows:

- Sovereignty and Allegiance. The existing political order was recognized, as the treaties were signed by the Chiefs. The treaties were considered as recognition of the transfer of sovereignty and allegiance.
- Surrender of Land. The stated intent of treaty was to open up land for settlement. The Indians, in the words of the lawyers, were said to have ceded, released or surrendered the land.
- Reserves. Most of the Prairie treaties promised reserves on the basis of a

certain amount of land for each family.

- Economic Development. The reserves were established for the purpose of farming and development assistance was to be provided.
- Hunting and Fishing Rights on Surrendered Lands. Promised orally in treaties 1 and 2 and included in writing in all other Manitoba treaties.
- Regulatory or Legislative Authority of Canada. The Government of Canada reserved for itself certain regulatory authority under the treaties.

The WEST REGION TRIBAL COUNCIL Recommends that:

- **The federal and provincial governments revise their understandings and policies regarding the treaties, in light of the Constitution Act 1982 (sec 35) and the decisions, tests and guidelines provided by the Supreme Court of Canada.**

Enforcement of Regulations and Statutes

The primary source of natural resource conflict between Aboriginal Peoples and the federal and provincial governments concerns the harvesting of wildlife. Even the **Constitution Act, 1982** affords little protection from the overly zealous pursuit of Aboriginal Peoples by some enforcement staff in the provincial government. Natural Resources officers seek to enforce the general fish and wildlife legislation equally to all people, whereas Aboriginal people are firm in their belief that these laws do not apply to them and that they can continue to hunt freely as their ancestors had done from time immemorial. This conflict in perspectives frequently results in the laying of charges against Aboriginal persons and the seizure not only of what they have harvested, but also of the tools of their trade (i.e., nets, rifles, boats, vehicles, etc.). Stimulated and inspired by misdirected policy and procedures issued by senior staff and the departments' executive, some of the officers have developed behaviours and practices that in many instances constitute harassment. The following unfortunate incident illustrates the zeal with which Aboriginal Peoples hunting at night are pursued. The incident is unfortunate because an officer lost his life. Two patrol vehicles were

travelling are night on back roads in the northern Interlake district in Manitoba: their lights had been extinguished so as to avoid detection by persons suspected of night-lighting in the area. The vehicles collided and a fatality resulted. This incident serves to illustrate the fervour with which some provincial natural resources officers pursue potential violators. The people most likely to be encountered during these night patrols, which also involve spotting-aircraft and two-way radios, are Aboriginal Peoples, who are legally entitled to hunt at night. The pursuit of Aboriginal Peoples by DNR enforcement staff is excessive and in our view constitutes harassment. Better ways must be found to ensure fish and wildlife conservation. In addition, many Aboriginal people plead guilty as charged because they lack the financial resources required to enable legal representation in court. The Aboriginal perception of enforcement officials, stemming from the "Mounties" is that their role is to protect Aboriginal rights. The apparent conflict with this perception is that those who are supposed to be protecting Aboriginal rights are in appearance actively opposing those rights. An Aboriginal person who is charged with hunting on private land, for instance, perceives that his hunting right is being challenged. The actual detail of the case - the fine print, so to speak - is often not well understood. These misunderstandings result in a perception of harassment.

The WEST REGION TRIBAL COUNCIL Recommends that:

♦ Manitoba Natural Resources Department revise its enforcement policies, procedures and most importantly staff behaviours and practices to eliminate harassment and reduce the perception of harassment where it exists.

Large-Scale Natural Resource Developments

Large-scale hydro-electric and forestry development projects, in northern Manitoba have caused significant negative effect on Aboriginal Peoples. Future developments should only proceed after consultation and agreement has been reached with the Aboriginal Peoples to be affected. Such agreements should address efforts to minimize or eliminate any negative environmental repercussions, promote Aboriginal economic opportunities, and provide suitable alternative lands and financial compensation. The Aboriginal Justice Enquiry Report Recommended that:

> "A moratorium be placed on major natural resource development projects unless, and until, agreements or treaties are reached with the Aboriginal people in the region who might be negatively affected by such projects in order to respect their Aboriginal or treaty rights in the territory concerned."

In 1991, Chiefs Nepinak and McKay (Waterhen First Nation and Pine Creek First Nation) asserted to the Province of Manitoba that:

> "Aboriginal and Treaty Rights are more encompassing than hunting and fishing and include the total way of life that is lived on the land. This is a way of life that comes from our values and a way of life that enriches our values.
>
> One principle reinforced in **Sparrow** is that any regulation or infringement requires consultation with the aboriginal peoples affected. If there is a loss of Aboriginal or Treaty rights, compensation must be considered.
>
> This is my understanding of the meaning of **Sparrow** and other recent case law as it bears on the issues before us.
>
> The Treaties provided for lands which may be taken up for settlement, mining and lumbering. The Treaties also assured that

> our right to hunt, fish and trap would remain unimpaired and we would be as free to hunt, fish and trap as we were before the Treaty: this is one of the rights that the Constitution Act and **Sparrow** recognised and affirmed.
>
> These assurances of the continuance of our vocations on the land, combined with the provision providing for the use of Crown lands for lumbering, say to me that the degree, nature and extent of lumbering must be CONSISTENT with these rights and our use of resources.
>
> The degree, nature and extent of Repap's proposed operations in our area are not consistent with our rights and existing uses of the land. Repap proposes to take up our best and most valued areas. Clear-cutting methods are not acceptable, in their destruction of the natural balances on the land and permanent roads will lead to changes on the land which will make our traditional way of life impossible, throughout the entire area.

We essentially endorse the recommendation of the AJI regarding this and similar issues.

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same practice is followed here.

In these matters, R.v. Sikyea was the first major decision by the Supreme Court of Canada in 1964. The court agreed with a Northwest Territories court decision that treaty rights were subject to being overridden by federal statutes. The results of the initial set of judgments are generalised in three basic propositions:

1. Treaty promises are protected against provincial law by section 88 of the Indian Act (and in the Prairies by provisions of the Natural Resources Transfer Agreements).

2. Any Aboriginal or treaty rights are subject to federal laws.

3. Aboriginal rights that are not confirmed by treaties are subject to provincial laws outside of reserves.

The "Trying to move away from Sikyea" era is characterised by an apparent sensitivity to Aboriginal and treaty rights in Canada and a decision by the SCC that Aboriginal and treaty rights are to be interpreted liberally.

The application of the **Migratory Birds Convention Act** had serious effects on Aboriginal groups in Canada, who traditionally relied upon migratory birds as a plentiful and reliable source of food. In spite of repeated federal pledges to abide by the treaties, the **Migratory Birds Convention Act** still conflicted with treaty and Aboriginal rights. Repeated protests failed to bring the law in line with federal promises.

In practice, the law was not acceptable even to governments, who adopted policies of limited or selective enforcement.

There is now reason to think that the Sikyea line of reasoning is no longer acceptable to the Supreme Court of Canada, which has recently laid down three innovative rules:

* The biases and prejudices of another era are no longer acceptable in Canadian law; indeed they are inconsistent with a growing sensitivity to Aboriginal and treaty rights in Canada.

* Legislation and treaties which contain provisions supportive of Aboriginal rights are to be interpreted liberally in favour of Aboriginal people.

* Aboriginal title can only be taken away by clear and unambiguous legislation. General legislation, enacted without consideration of these rights, is no longer considered capable of overriding Aboriginal title.

The Constitution Act, 1982 has provided an opportunity for the courts to depart from the previous jurisprudence and to consider the status of Aboriginal and treaty rights in relation to the traditional activities of hunting, fishing and trapping, and their susceptibility to federal law.

The Supreme Court of Canada in the Sparrow case has made it clear that subsection 35(1) of the **Constitution Act, 1982** must be given a broad, purposive interpretation in favour of Aboriginal people, and ensures a dramatically new level of legal importance to Aboriginal and treaty rights.

Commercial Hunting

The law is not clear regarding commercial hunting activities.

There is extensive evidence that a lively trade in fish and game existed prior to contact with the Europeans, so as to constitute an Aboriginal right. Many treaties were negotiated on the understanding that the right to continue commercial harvesting would continue. Thus the AJI concludes, as a general proposition, that hunting, fishing and trapping for commercial purposes are "recognized and affirmed" as "existing aboriginal and treaty rights" within the meaning of subsection 35(1).

At the same time, the AJI report continues, it is necessary to manage these activities to ensure a priority in the allocation of natural resources is granted to Aboriginal Peoples who are hunting and fishing for social, ceremonial and food purposes.

The AJI concludes that it would be preferable for Aboriginal Peoples and their representative organizations to be partners with federal and provincial government departments in the establishment of regulations and standards.

The AJI concludes on these issues that: "Co-management of natural resources is the only suitable method to ensure that the populations of animals, fish and birds are not only conserved but also are encouraged to flourish. This clearly will benefit Aboriginal people, who are entitled

to first priority in any allowable harvesting activities, and other Canadians, as well. It will promote wildlife habitat protection and enhancement of existing stock of harvestable species." (AJI Report)

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by logging activities that disrupt the habitat of fish and game. We contend that allowing such disruptions to occur unchecked would be tantamount to rendering the constitutionally protected Aboriginal and treaty rights meaningless (see Large-Scale Natural Resource Developments). Aboriginal people have an interest in off-reserve forests that must be respected. Forestry management could best be realized, in our opinion, by co-management agreements between the Province and the Aboriginal groups affected.

The WEST REGION TRIBAL COUNCIL Recommends that:

- **The Province of Manitoba recognise Aboriginal and treaty rights to harvest timber resources.**
- **The Province ensure that the exercise of wildlife harvesting rights is not infringed by timber management practices.**
- **The Province pursue the development of co-management agreements with the First Nations and Metis peoples regarding timber resources off-reserve in the Aboriginal Peoples' traditional territory.**

Water Rights

Like timber, the Aboriginal or treaty right to water is uncertain. It is similarly multifaceted in terms of both the right to use and the right to prevent others from exploiting it in a manner that damages the interests of Aboriginal people.

The WEST REGION TRIBAL COUNCIL Recommends that:

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♦ **Existing Aboriginal rights to water and beds of waters be recognized by the federal and provincial governments**

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Statutes in Conflict with Aboriginal and Treaty Rights

The following federal and provincial statutes have been identified as being in conflict with the exercise of Aboriginal and treaty rights to natural resources.

Statutes of Canada

The Indian Act **The Fisheries Act**

The Migratory Birds Convention Act

Statutes of Manitoba

The Wildlife Act **The Wild Rice Act**

The Crown Lands Act **The Provincial Parks Act**

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resources to assist developing countries to repay the national debts that they owe to western developed nations. The situation in Manitoba is similar, an example being the dislocation and disruption of Aboriginal Peoples and their communities in northern Manitoba to accommodate the Manitoba-Hydro developments, starting in the seventies, continuing to the present and projected into the future. The driving force behind these developments is not the need of Manitobans for more electric power, the driving force is profits - in this case, government corporation profits. The problem with generating profit in this fashion is that the cost is largely borne by the Aboriginal Peoples who receive little or none of the benefit.

Forestry activities in Manitoba by two major corporations present a similar scenario: the ways and means of maintaining and developing Aboriginal cultures are being foreclosed. This is cultural genocide, as surely as physical annihilation. We believe that this foreclosure without consultation and without compensation is contrary to the provisions of sec 35 of the **Constitution Act 1982.** We believe and assert that the guidelines provided by the SCC in Sparrow have application and must be followed by the provincial government before the forestry plans are approved. Mitigation to enable these developments to proceed was the topic of earlier recommendations: Forestry and Timber Rights and; Large-Scale Natural Resource Developments. These developments trend to simplify ecosystems and reduce their diversity of species.

The status quo in natural resources management cannot continue within the provisions of the **Constitution Act 1982.** Alternative developments, in support of Aboriginal Peoples rights and advancement of local economies have been advanced by Manitoba Grand Chief Phil Fontaine, Dr Georg Lithman, visiting professor from Sweden in applied anthropology and Dr Harvey Payne, a specialist in natural resource development with Aboriginal Peoples. These proposals advance the notion that wildlife resources can be developed in a contemporary fashion in harmony and accord with Aboriginal values and cultures. The proponents contend that wildlife populations are at all time historical lows and that the prospects for recovery under present management regimes is minimal. Present prospects offer continual haggling between provincial authorities and Aboriginal Peoples over an ever-diminishing resource. Gradually more species will be declared locally or provincially

endangered and hunting by all persons will be prohibited over vast areas of the province.

The alternative is the restoration of expansive wildlife populations through a regimen that manages the land base in an integrated fashion. Unquestionably, this will mean some curtailment of forestry activities. The new wildlife populations will be managed to generate both wealth and jobs for local communities, through development of new industries and management institutions in tourism, exotic meats, hunting safari expeditions, educational seminars and ecological tourism. Sustainable development is the essence of these proposals and appropriate technologies and public interest and sentiment provide the energy and force that will drive the development of these new industries. Tourism is the world's fastest growing industry. There are more wealthy travellers than ever before and they seek more from their experience than did the average tourist of the past. The contemporary traveller often seeks an interactive experience with local people and the land. Tour guides will require good knowledge of local history, the culture of local people, the natural history of local plants and animals and the overall ecology of the region. Large herds of animals can be managed and cropped for trophies or exotic meat production for local and export use. Such a regimen will require and support a local institution for management and development.

We believe that Aboriginal Peoples have the right to a share of the natural resources in their region and we believe that we should have the authority and contemporary right to develop the resources in a contemporary fashion. At present, our communities have no economic future. The provincial government proposes large-scale resource development projects wherever possible: these projects do not provide for the needs of Aboriginal Peoples or local economies in general and serve to heighten the conflict between the provincial government and Aboriginal Peoples. Invariably, jobs are promised but rarely do the developments provide more than a few temporary jobs. The forest industry requires fewer and fewer people to harvest and process a given volume of wood. This technological trend will continue, while the volume harvested will probably decrease, further reducing the number of jobs created. The forest industry will never provide for the needs of Aboriginal communities within the forest region.

Our rights to resources cannot be restricted to the right to hunt for

food for as long as wildlife continues to exist with the conflicting activities on the landscape and nor can the province be permitted to restrict or curtail our rights through large-scale developments: curtailments which they lack the authority to legislate. Social and economic justice must prevail if we are to promote the common interest on which sustainable development is hinged. Institutional reform is required to enable Aboriginal Peoples to define and execute an effective role in natural resource use and development. To begin the process a new institution must first be established. The extant governments will not respond to entreated requests or recommendations from Commissions or First Nations. It is perceived that an institution with lobbying and promotional capacity may succeed in advancing new notions in the longer term.

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- All departments of the federal and provincial governments revise their policies to reflect the view that treaty rights supplement previously existing Aboriginal rights, rather than replace them.

- **The Natural Resources Transfer Agreement Act, 1930** be amended in consultation with the effected Aboriginal Peoples to reflect appropriate accommodation of Aboriginal and treaty rights to land and resources.

- Measures be implemented to ensure provincial government and departmental compliance with decisions of the courts, to ensure that the unjust Manitoba experience in the Flett case can never be repeated.

- An independent agent (or other authoritative body) be established to ensure that objective interpretation is given to court decisions.

- An independent agent (or other authoritative body) be established to ensure that objective interpretation is given to court decisions.

- The federal and provincial governments revise their understandings and policies regarding the treaties, in light of the **Constitution Act 1982** (sec 35) and the decisions, tests and guidelines provided by the Supreme Court of Canada.

- Manitoba Natural Resources Department revise its enforcement policies, procedures and most importantly staff behaviours and practices to eliminate harassment and reduce the perception of harassment where it exists.

- The Province of Manitoba ensure through consultation and co-management regimens that large-scale developments do not inflict negative impact on Aboriginal Peoples and their communities and lifestyle.

- The Province of Manitoba enable Aboriginal Peoples to advance their own notions and agendas for natural resources without the encumbrance of pre-conceived notions of the form and substance that developments must take being imposed by the cultural slant of the provincial government.

- The Government of Manitoba actively pursue co-management arrangements with Aboriginal Peoples to ensure the wise use and conservation of natural resources for the benefit of all citizens in the Province.

- The Province of Manitoba recognise Aboriginal and treaty rights to harvest timber resources.

- The Province ensure that the exercise of wildlife harvesting rights is not infringed by timber management practices.

- The Province pursue the development of co-management agreements with the First Nations and Metis peoples regarding timber resources off-reserve in the Aboriginal Peoples' traditional territory.

- Existing Aboriginal rights to water and beds of waters be recognized by the federal and provincial governments

- In keeping with fiduciary obligations and to assist in the economic advancement of First Nations, the Province of Manitoba formally renounce its half interest in minerals within Indian reserves."

- First Nations have the right to use and control totally all mines and minerals on reserve lands and to receive 100% of the benefits and income therefrom.

- The federal and provincial governments, jointly with Aboriginal Peoples' representatives, review these Acts and remove inconsistency with **The Constitution Act, 1982** wherever it is perceived to exist.

- An Aboriginal Institute for Natural Resources Management and Development be established.

FIRST NATIONS

BAND CUSTOM

PREPARED BY

WALLY SWAIN

The Creator of all life has placed a process of a balanced and harmonious way of life. The First Nations understanding and respecting the Creation of Life have practised the inherent right of Natural Laws in the governing process.

The holistic well being of each individual First Nation has to be maintained and if this is not observed the customary laws were implemented accordingly as required with the family, community and nationhood.

The First Nations Customs and the Magna-Carta must be understood by the present European Governments to establish better working relationships. The First Nations Customs are granted from the Great Creator, not from the European Governmental Legislative and policy. The Legislative system and policy development are created by Europeans without First nations participating. The Magna-Carta of the First Nations Customary governing process must be prepared by the First Nations and implemented by the First nations without question from any other authority, government or individual.

The Federal Government must be prepared to LISTEN and HEAR the issues pertaining to First Nations, due to the fact that the First Nations have experienced the various problems imposed by the governmental policy.

The First Nations have identified solutions to the various problems without any form of acknowledgement or correction for change on the issues by the Federal Government.

The Federal Government has continuously transferred various responsibilities to the Provincial Government without participation of the First Nations.

The Federal Government must understand their role of responsibility to the First Nation on behalf of the Crown of Great Britain.

SUMMARY OF THE TERMS OF REFERENCE OF THE ROYAL COMMISSION ON ABORIGINAL PEOPLES

1. **The history of relations between Aboriginal Peoples, the Canadian Government and Canadian society as a whole.**

The Aboriginal People have been faced with forced assimilation throughout history. eg. Indian Act & the Boarding School system. Along with the many different abuses, the Indian people have become to mistrust the dominant society. It is very evident that there is an unbalance in statistics that say the Indian ratios are outrageously high, in unemployment, incarcerations, Education dropout rates, Drug & Alcohol abuse, and the list goes on. Based on this, Indian people have become a commodity by providing an Industry in employing people with foreign ideas. Again, this is a form of forced assimilation.

2. **The recognition and affirmation of Aboriginal self-government; its origin, content and a strategy for progressive implementation.**

We as Treaty Indian people believe that we have never given up the right to govern ourselves. Each nation had their own ways of doing things. It is hard to make one role model of Indian government at the grass roots level. But one thing is guaranteed, there will be a leader or spokesman from each First Nation. The accountability will be there.

3. **The land base for aboriginal peoples, including the process for resolving comprehensive and specific claims, whether rooted in Canadian constitional instruments, treaties or in Aborginal title.**

The land base for Treaty Indians is to our understanding is one family of five to one section of land. A lot of our land was short changed or never given in full compensation due to elicit dealings of Indian Agents.

4. The historical interpretation and application, and potential future scope, of s.91(24) of the Constitution Act, 1867 and the responsibilities of the Canadian Crown.

Before there was a Canadian Constitution in this land, the Indian people made decisions for themselves. To affirm this, a Royal Proclamation was made. We still believe in our Treaty (the spirit and intent) that the Canadian government has to fulfil its obligations; that are required in the Treaty making process for as long as the sun shines, the grass will grow and the rivers flow.

5. The legal status, implementation and future evolution of Aboriginal treaties, including modern-day agreements.

The legal status of Treaty positions are affirmed at the International level in where the United Nations made a statement to the effect that the Treaties or agreements of the nation that is effected will have precedence over anyone. That is the original habitants will have the final say on how they understood the Treaty making process. In our case the spirit and intent of Treaty.

6. The constitutional legal postion of the Metis and off-reserve Aboriginal people.

We cannot answer for the Metis but for the Treaty Indians who live off the reserve whole tracts of land were described in the Treaty areas. They were not confined in a reserve area. Also, the Queens representatives stated that no Treaty will be less then the other.

7. The special difficulties of Aboriginal people who live in the North.

No comment.

8. The Indian Act and the role, responsibilities and policies of the Department of Indian Affairs an Northern Development.

The Indian Act is a piece of legislation that is used effectively to curtail Treaty obligations. If the First Nations had input there might have been a different world for Indians today. The Indians say as long as the Indian does not progress the longer Indian Affairs are guaranteed their jobs.

9 & 10. Social and Economic issues of concern to Aboriginal peoples.

It is not hard to figure out the social issues of concern especially when a First Nations is in the bottom of the scale in Social Economic Development. Studies upon studies have been made on us. Statistics are in your hands.

11. Cultural issues of concern to Aboriginal peoples.

The older Elders are concerned that our language is being lost and is dying because of today's quest for more education thus getting away from a way of life that was carried on generation to generation.

The same concern goes for ceremonies. Many of our elders blame the churches for what has happened in the loss of ceremonies.

Alcohol and drugs also play a part in our dying culture. Elders constantly pray for those that are afflicted and that they may be healed.

The elders say our younger people are lost because NO ONE IS TALKING PUBLICLY to bring back the respect for one another. They claim if respect for one another was talked about by our elders and leaders, this could bring back what is lost. Many of our young are incarcerated because of this very thing. Many get into trouble because of the loss of respect for everything.

One huge problem is how elders say you cannot tape or write about sacred ceremonies and when ceremonies take place it is all done with the native language with explanation in english. May of our people have only the one language (english) and this is a problem.

12. The Position and the Role of Aboriginal Elders.

The elders should speak of the ceremonies and the meaning behind each.

The elders should carry themselves in a manner of respect. They should abstain from alcohol & drugs.

The elders should speak on the subject of respect at all times so that the young people will hear what is expected of them.

The elders should talk to young mothers to abstain from

alcohol when pregnant.

The elders should talk of how to bear their young. How discipline was applied and how it could be applied today.

The elders should teach the young how to use the pipe. The elders should teach the respect of Eagle feathers. The elders should teach to respect Creation, animals, birds, plants and all living things.

The elders have a big responsibility to their people. They must be there when called upon. They must teach the use of tobacco to summon someone to do something and the consequences of not listening or doing what they are asked to do.

13. **The Position & Role of Aboriginal Women Under the Existing Social Conditions & Legal Arrangements and in the Future.**

Aboriginal women have been traditionally caregivers in the home. Their responsibility was taking care of the daily needs of the family.

However, since the inception of the reservation system and the mandatory attendance of boarding schools in the last hundred years, the basic aboriginal family system has been drastically eroded, first by isolating aboriginals, then through assimilation.

The devastating results have been a loss of culture, language, lifestyle and values. The isolation & separation in their formative years have lead to the multi-generational root of the current social problems. The governments have attempted to respond to these problems with limited success.

*About 70% of the people living on reserves must rely on social assistance for their subsistence.
- This, then leads into poor self-esteem, depression, drug/alcohol/substance abuse, rising crime rate, family violence, suicide, sexual abuse, poor nutrition, high mortality & morbidity, teenage pregnancies.

*Inadequate housing.

*Increasing crime rate leading to incarceration.

*High incidence of communicable diseases.

The governments have attempted to respond to there problems with limited success.

The existing needs to alienate the current social problems are:

* increased housing
* access to wellness programs
* Child & Family Service Agency
* Mental health therapy
* more community development programs
* job training programs
* creating meaningful employment
* day care services
* access to educational programs/career planning
* Broad health care information on aids, fetal alcohol syndrome, heart disease, diabetes & other health related problems
* awareness/treatment programs on family violence & all abuses.
* safehouses for temporary stays to arrange long term plans
* no courtworkers program
* no economic resources/programs for women

There are no known legal arrangements other than legal aide that are available to aboriginal women.

The fate of the aboriginal women is a long slow process out of despair. However, they have a vision to heal themselves, their families & communities through processes offered by Aboriginal for Aboriginals.

14. Situation of Aboriginal Youth

What effects them now?

With education being the major topic of community leaders and educator, and with the decreasing of financial resources of the various funding agencies (DIAND & Pathways). Although their has been an increase in post secondary graduates and young adults returning to school, there is still a high dropout rate with the secondary students and with limited resources, some classes are offered in hopes of addressing the increasing numbers of uneducated aboriginal youth and with the limited number of jobs that can be obtain at band level there is no incentive for the youth to return to school.

Today's youth seem to have lost their sense of being, respect and self esteem with fault falling within the family setting and communities. With today's parent being caught up in their own enjoyments. This creates the lack of parental guidance, especially when parents don't find time to talk to their children or setting an

example. There is that gap between the youth and their elder's, with the youth trying to fit into two different worlds (white man and native) and with the lost of their culture and native language it is hard for them to understand what the elders are talking about.

With no where to turn they have no alternative but to try drugs or alcohol in hopes of getting attention on their cry for help. This maybe caused by the peer pressure within the community or just trying to fit in with the crowd.

Most communities don't have the recreational facilities or activities that are geared for their youth in keeping them occupied in there leisure times. This usually leads to crime in various communities surrounding Indian reserves.

15. Educational issues concern of Aboriginal peoples.

Educational issues of concern to Aboriginal peoples - that Education is a Treaty Right. The government has no right to put a cap on the Education dollars spent on our people. That according to our treaties the reserves were suppose to have a teacher and a little red school house, not all reserves have a school/school house. Most of our young school age children go to the provincial systems because we cannot adequately provide/teach them on the reserves because we are lacking the services and facilities to provide them with a good education. However, if we as Indian people were all given the chance and opportunity we could provide our children with the kind of education system they would need to survive in the world today. Because we are First Nations people our language culture and traditions should be part of the curriculum.

The boarding school syndrome has affected large numbers of our Indian people. Many people have lived to tell us about their experiences. We as First Nations people should have the right to attend school where ever we live, with no additional costs to be incurred by the person.

16. Justice Issues of Concern to Aboriginal Peoples

In regards to the issue of justice, some of our old people say "their is no justice for the Indian people, we have been judged unfairly all our lives and this will continue for a long time to come. Until we have our own courts, justice will remain the same, unfair."

Today, we have some Indian police, but they have a job to do, also. They have rules and regulations to follow. But this is a step in the right direction. Perhaps in the future First Nations will have there own police forces. It is good to have Indian police. The jails would not be filled with natives if we had our own court systems.

Also regarding taxes, according to our Treaties we should not be paying tax. (eg. income taxes, good and service). Out foregathers gave up the land so we would not be taxed. Bill C-31 is another unjust policy, the Indian Act does not force the government to take care of our needs, they (Indian and Northern Affairs Canada) are supposed to be our Trustees.