



LAND CLAIM AGREEMENT COALITION

A New Land Claims Implementation Policy

... land claims negotiations are more than real estate transactions. In defining their relationships, Aboriginal peoples and the Government of Canada will want to ensure that the continuing interests of claimants in settlement areas are recognized. This will encourage self-reliance and economic development as well as cultural and social well-being. Land claims negotiations should look to the future and should provide a means whereby Aboriginal groups and the federal government can pursue shared objectives such as self-government and economic development.

- Federal Comprehensive Claims Policy, 1986

A vision for the future should build on recognition of the rights of Aboriginal people and on the treaty relationship. Beginning almost 300 years ago, treaties were signed between the British Crown and many First Nations living in what was to become Canada. These treaties between the Crown and First Nations are basic building blocks in the creation of our country.

... The federal government believes that treaties — both historical and modern — and the relationship they represent provide a basis for developing a strengthened and forward-looking partnership with Aboriginal people.

- Gathering Strength – Canada's Aboriginal Action Plan, 1997



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On November 11 to 13, 2003, Aboriginal leaders representing all of the Aboriginal peoples of Canada who have entered into land claims agreements since 1975 met together in Ottawa. *Redefining Relationships: Learning from a decade of Land Claims Implementation* was a two-day conference of more than 350 people including Aboriginal leaders, as well as policy makers and politicians. Following the conference, and in light of the common concerns that had been discussed over the course of the two days, participants issued a joint statement calling on the Government of Canada to develop a new land claims implementation policy in close consultation with Aboriginal governments and organizations who have achieved land claims agreements.

The coalition of Aboriginal peoples from all regions of Canada presents a remarkable opportunity for learning from the experience and sophistication of the peoples for whom land claims agreements are a concrete reality with which they are living, not a mere dream for the future. The members of the coalition offer to the Government of Canada the chance to enter into a mutual discourse by which we can together build on our mutual experience, so that the promise of our agreements can be realized.

The leaders agreed that key elements of this new policy must include:

1. *Recognition that the Crown in right of Canada, not the Department of Indian Affairs and Northern Development, is party to our land claims agreements and self-government agreements.*
2. *There must be a federal commitment to achieve the broad objectives of the land claims agreements and self government agreements within the context of the new relationships, as opposed to mere technical compliance with narrowly defined obligations. This must include, but not be limited to, ensuring adequate funding to achieve these objectives and obligations.*



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3. *Implementation must be handled by appropriate senior level federal officials representing the entire Canadian government.*
4. *There must be an independent implementation audit and review body, separate from the Department of Indian Affairs and Northern Development. This could be the Auditor General's department, or a similar office reporting directly to Parliament. Annual reports will be prepared by this office, in consultation with groups with land claims agreements.*

Each of these points is discussed below.

1. ***Recognition that the Crown in right of Canada, not the Department of Indian Affairs and Northern Development, is party to our land claims agreements and self-government agreements.***

Relationship is with the Crown, not with Government Departments

As a matter of law, it is clear that land claims agreements or modern treaties, and self-government agreements entered into pursuant to those agreements, are between Aboriginal peoples and the Crown. In some instances they include only the Crown in right of Canada; in others they include the Crown in right of a province.

But, while this is clearly set out in each and every agreement, the Government of Canada has long treated those agreements as though they were merely contracts with the Department of Indian Affairs and Northern Development, or with other departments in respect of particular matters. (For example the Department of Fisheries and Oceans in respect of fishery components, or the Department of the Environment in respect of environmental assessment.)



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There has not appeared to be any understanding that these agreements are not ordinary contracts, nor has there been any senior oversight of the agreements by institutions that transcend the various departments of the federal government. This has led to a lack of coordination and oversight, the assignment of junior officials with little or no authority to the files, and departments avoiding responsibility by referring various controversies to other departments.

A New Attitude

The institutional framework of the federal government's approach to implementing these modern treaties needs to be changed if it is to adhere to the legal and constitutional reality of these agreements. What is called for is a change in the perspective, indeed in the very culture of the Government of Canada in respect of its view of the new relationships set out in land claims and self-government agreements.

This could be achieved in a number of ways. One positive step would be the establishment of a direct and ongoing relationship with senior members of the federal executive, through, for example, the Cabinet Committee on Aboriginal Affairs. An additional possibility would include appropriate means to maintain an ongoing relationship with other Parliamentarians, through House of Commons and Senate Committees, as well as individual Members and Senators.

As set out below, members of the Coalition propose that they could work directly with the Cabinet Committee on Aboriginal Affairs to formulate and adopt a clear statement of measurable objectives for the implementation of land claims agreements. We further propose that an independent implementation audit and review body be established to monitor the achievement of those objectives and to report annually to Parliament.



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2. ***There must be a federal commitment to achieve the broad objectives of the land claims agreements and self government agreements within the context of the new relationships, as opposed to mere technical compliance with narrowly defined obligations. This must include, but not be limited to, ensuring adequate funding to achieve these objectives and obligations.***

Objectives and Obligations

It is important to distinguish between the objectives of land claims agreements and the obligations of the parties under those agreements.

The Government of Canada has enunciated its objectives many times, for example in its 1986 Comprehensive Land Claims policy, as well as in its predecessor policy *In All Fairness*. It has reiterated those objectives in public statements during land claims negotiations, as well as during the public debates that have accompanied the finalization of agreements and during the ratification process.

The federal government's 1986 policy is quite clear on the point. While stating that a primary purpose of comprehensive land claims agreements is to "provide certainty and clarity to ownership of land and resources", the policy also stressed that:

... land claims negotiations are more than real estate transactions. In defining their relationships, Aboriginal peoples and the Government of Canada will want to ensure that the continuing interests of claimants in settlement areas are recognized. This will encourage self-reliance and economic development as well as cultural and social well-being. Land claims negotiations should look to the future and should provide a means whereby Aboriginal groups and the federal government can pursue shared objectives such as self-government and economic development.



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This policy objective still enjoys the support of Aboriginal peoples and is directly incorporated in some land claims agreements. Achieving social, cultural and economic objectives through implementation of comprehensive land claims agreements requires continual effort and commitment by the parties to those agreements in order to build relationships, to enable Aboriginal peoples to chart their paths in a profoundly and rapidly changing world, to use the agreements as tools or mechanisms to build capacity, to solve developmental problems, and to achieve national or regional policy objectives that may lie outside the limited formal ambit of the agreements themselves.

Other Statements of Federal Policy

Other sources of federal government objectives are set out in broad policy statements, including various Speeches from the Throne, and in the policy statements surrounding self government negotiations, such as *Gathering Strength* announced in 1997. By way of example, *Gathering Strength* stated that the policy seeks:

- *A new partnership among Aboriginal people and other Canadians that reflects our mutual interdependence and enables us to work together to build a better future;*
- *Financially viable Aboriginal governments able to generate their own revenues and able to operate with secure, predictable government transfers;*
- *Aboriginal governments reflective of, and responsive to, their communities= needs and values; and*
- *A quality of life for Aboriginal people like other Canadians.*

Gathering Strength referred explicitly to the role of modern treaties in meeting these objectives; indeed, it stated that the treaties, including modern treaties, and the relationship they represent, provide a basis for developing a “strengthened and forward-looking partnership with Aboriginal people.”

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Similar objectives were enunciated in this year's Speech from the Throne:

Aboriginal Canadians have not fully shared in our nation's good fortune. While some progress has been made, the conditions in far too many Aboriginal communities can only be described as shameful. This offends our values. It is in our collective interest to turn the corner. And we must start now.

Our goal is to see Aboriginal children get a better start in life as a foundation for greater progress in acquiring the education and work-force skills needed to succeed. Our goal is to see real economic opportunities for Aboriginal individuals and communities.

To see Aboriginal Canadians participating fully in national life, on the basis of historic rights and agreements - with greater economic self-reliance, a better quality of life.

These, and similar statements of the objectives of Aboriginal policy in general, and of land claims agreements in particular, have been used to persuade Canadians to support the settlement of land claims agreements, and have been relied upon by Aboriginal peoples who have bound their destinies to these hard won modern treaties.

Objectives Must Not be Abandoned

However, in the experience of the members of the Coalition, the ink is barely dry on each land claims agreement before the federal government, and especially its officials, abandons any talk of those objectives, and proceeds instead on the basis that the government's sole responsibility is to fulfil the narrow legal obligations set out in the agreement, in the hope, presumably that everything

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will work out.¹ The members of the Coalition are not aware of any policy having been explicitly adopted by the Government of Canada that the objectives of entering into the agreement are to be forgotten or ignored once it has obtained the Aboriginal signatures on the document. And yet that has become the entrenched attitude of Department of Indian Affairs and Northern Development.

This attitude has led at least some of the Aboriginal peoples who have entered in good faith into these modern land claims agreements to conclude that there have been deliberate, continuing efforts on the part the federal Crown to minimize, frustrate and even extinguish the rights and benefits the Aboriginal parties expected would accrue from their treaties.

¹ See for example comments made by Assistant Deputy Minister Michel Roy on November 13, 2003 at the Redefining Relationships conference held in Ottawa:

It seems that more and more the implementation of comprehensive land claims agreements is approached with the perception that our global governmental relationships should be defined on the basis of implementing the objectives and the spirit and intent of these agreements. While we do not dispute the importance of meeting the objectives of the agreements, it must be recognized that all the parties agreed that the best way to meet the objectives is to fulfil the obligations as set out in the agreements and detailed in the implementation plans. Therefore we believe that an important factor for the success of implementation is the fulfillment of these obligations. We have to recognize the fact that both the comprehensive land claims agreements and implementation plans are negotiated and agreed to by all the parties as the means to fulfil the agreements.

With respect, it is simply wrong to suggest that, in agreeing to the land claims agreements and implementation plans, the Aboriginal parties abandoned their understanding that the objectives of the agreements would be pursued in ways beyond the mere fulfillment of obligations.

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Such a view was corroborated by, for example, the federal Cree-Naskapi Commission in its 1995 Annual Report to Parliament. The Commission, an independent body, stated:

In the course of Canadian history, a notion persists that governments make promises to induce natives to surrender their lands and other rights and then routinely break these promises, frequently hiding behind legal technicalities. Regrettably, the evidence supporting this notion is extensive.

Some have stated that a “two-step” policy of extinguishment of Aboriginal and treaty rights can be seen in the federal neglect of what had been considered to be mutual objectives and commitments. As the first step, governments make promises to induce natives to surrender or otherwise provide so-called certainty in respect of their lands and other rights. Then, as the federal government’s commitment to the objectives and ongoing obligations under the treaty begins to wane, chronic disagreements between the parties emerge about the meaning of the various treaty provisions, litigation ensues, and little regard is had to whether the objectives are being achieved.

If this deterioration in the relationship is allowed to continue, some fear that the federal government will, as it has done in the past, seek to negotiate new “implementation” agreements, under which the original agreements and objectives would be replaced by a simple buy-out and extinguishment of those rights, under which the Aboriginal party would receive once-only cash payments, be required to provide indemnifications to the Crown, and a federal statute substituting the termination agreement for the earlier treaty would be enacted.

Rather than allowing the apprehension of a two-step policy of extinguishment to continue to grow, surely it would be more appropriate for the federal Crown to instead reaffirm its commitment to the timely and responsible implementation of both its obligations and the objectives of modern land claims agreements.

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The Auditor General's 2003 Report

In her most recent report, the Auditor General identified the federal government's focus on discharging obligations rather than meeting objectives to be a matter of fundamental disagreement between her office and the Department of Indian Affairs and Northern Development.

The Auditor General found:

8.2 For example, INAC seems focussed on fulfilling the letter of the land claims' implementation plans but not the spirit. Officials may believe that they have met their obligations, but in fact they have not worked to support the full intent of the land claims agreements.

In paragraph 8.10, she continued:

***The Department has responded.** While the Department agrees with many of our recommendations, it fundamentally disagrees with our view of the way success for implementing land claims should be measured. The Department defines success as fulfilling the specific obligations as set out in the agreements and plans. We believe that results matter too, and that the Department should be giving them more attention.*

And, in her conclusion, the Auditor General summarized the problem:

*8.94 **Co-operation among all parties.** The success of the land claims agreements in contributing to the long-term economic prospects of the beneficiaries is not the sole responsibility of the federal government. These agreements require all parties to work together in the best interests of both the beneficiaries and all Canadians. When goodwill breaks down, it often indicates a failure to co-operate among all the parties. As the Eastmain decision stated, that co-operation should reflect ". . . good faith and reasonableness on both sides and [presume] that each party respects the obligations that it assumes toward the other."*

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Department's response. *The comments on the emphasis on obligations instead of objectives represent an area of fundamental disagreement between the Department and the Office of the Auditor General.*

While the Department does not dispute the importance of meeting the objectives of the agreements, it must be recognized that all parties have determined that the best way to meet the objectives is to fulfill the obligations as set out in the agreements and detailed in the implementation plans. Therefore, the success of implementation must be defined through the fulfillment of those obligations.

Moreover, more often than not, federal lawyers and officials interpret those treaty obligations in a narrow, legalistic way that does not appear to include consideration of the original objectives.

Efforts by Aboriginal groups to obtain interpretations of their agreements by reference to what had been considered to be shared objectives, are often met with accusations that the group is somehow trying to renegotiate the agreement and to improve its terms.

Similarly, federal officials have displayed a consistent aversion to the use of arbitration in respect of any financial topics, and have resisted agreeing to joint research projects, outside legal opinions, or the establishment of effective information gathering and monitoring systems

There is no doubt that ongoing treaty obligations are important and effective processes to ensure that obligations are fulfilled must be continued and improved upon. Attention can and should be given to how to improve upon dispute resolution and problem solving under each agreement. It may be that a new comprehensive claims agreement or modern treaty implementation tribunal could be established to assist in this process.



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But there is also no doubt that a single minded focus on the fulfillment of the letter of the obligations set out in land claims agreements inevitably results in the parties being locked into adversarial positions as to the proper interpretation of legal language, rather than engaged in a collaborative exercise of striving to achieve what were believed to be shared goals.

A New Way to Ensure that Objectives are Achieved

Accordingly, we suggest that, in addition to the ongoing processes set out in the various land claims agreements to review and ensure the fulfilment of ongoing treaty obligations, including implementation reports and dispute resolution, there should be established a new process or processes to assess the results of land claims agreements and to measure those results against a well-defined set of objectives - a measuring stick.

The articulation of these objectives should not be unduly complex or controversial. As set out above there have been ample statements over the years by both the Government of Canada and Aboriginal peoples describing the objectives of land claims agreements, and it should not be difficult to compile and consolidate these points into a single statement of mutual objectives against which the results can be assessed.

This statement of objectives should be compiled at a senior political level, between federal ministers on the one hand and the leaders of the Aboriginal groups in the Coalition on the other. The Cabinet Committee on Aboriginal Affairs might be an appropriate forum for this work, on the part of the federal government. An important role might also be served by other Parliamentarians, through House of Commons and Senate Committees, as well as individual Members and Senators.

In light of the fact that Indian and Northern Affairs "fundamentally disagrees" with this approach, it would not be the proper department or level within the federal government to direct or oversee this effort.

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What Sort of Objectives should be Addressed?

Objectives of land claims and related self-government agreements can be seen to fall into at least the following categories in which improvements should occur:

- social well-being;
- economic self-reliance through success and participation;
- growth and stability of Aboriginal populations in their traditional territories;
- environmental protection; and
- cultural and linguistic protection and enhancement.

These are not intended to be vague or meaningless categories, but rather a way to organize the goals that Canada and Aboriginal groups have always espoused, but which current federal policy neither measures nor pursues in the implementation of land claims and self-government agreements. It is clear that there is a better way.

Most conspicuously lacking from the federal approach to implementing, as well as negotiating land claims agreements, has been any apparent awareness that comprehensive land claims agreements should serve as powerful economic planning tools to shape the pattern of public sector and private sector investment, to bring about the inclusion of Aboriginal peoples into the regional, provincial/territorial and national economies of which they and their lands and resources are part, and, over time, to improve the material well being of Aboriginal peoples while enriching the country as a whole. Land claims agreements can and should be regarded as important vehicles for the achievement of public policy goals, including conservation, promoting economic development, maintaining populations in remote areas of the country, and, generally, ensuring the survival, viability and well-being of Aboriginal peoples as distinct collectivities.



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Failure to use Agreements as Economic or Social Planning Tools

But there are a number of indicators that demonstrate that current federal comprehensive land claims policy is completely uninterested in agreements being designed and implemented as economic or social planning tools. Here are just a few examples.

- There appears to have been no in-depth economic analysis done by the federal government on the overall impact of all existing land claims agreements, nor of the potential impact of any contemplated new land claims agreement prior to its conclusion.
- Federal government teams assembled to negotiate and implement land claims agreements contain no, or virtually no, representation from the federal government's core economic ministries.
- There is a sustaining myth that land claims agreements can achieve a level of "finality" that allows for effortless and non-contentious implementation. This myth is fundamentally at odds with the need for interconnecting societies to renew their relationships over time and to commit to adjusting approaches to achieve the parties' agreed upon objectives.
- Contrary to the stated objectives of the parties, the provisions of land claims agreements are treated by the federal government as being fundamentally static from the perspective of both demographic and environmental change. In a world where demographics define the destiny of peoples, and the prospects for far-reaching environmental change are accelerating (global warming et al.), this approach is unrealistic and deadening.
- There is a reticence on the part of the federal government to acknowledge that on-going data gathering and analysis are a necessary part of the evaluation of the impact, and of the relative success or failure, of agreements over time.



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- As described above, there is an institutional viewpoint within the federal government that a land claim agreement can be said to have been successfully implemented if federal contractual commitments have been discharged in a way that withstands legal challenge. The tests of whether or not the Aboriginal party is materially better off, or the economic prospects for the country as a whole have been enhanced, are left out of the picture.
- The concept of “investment”, and associated concepts such as opportunity cost and risk-benefit analysis are absent from the negotiation and implementation of land claims agreements. There is a built-in assumption that the federal government's *status quo* level of expenditure to economically and socially marginalized Aboriginal people is unchangeable. Accordingly, federal negotiators and officials are not mandated to seek out measures which would simultaneously accelerate the material development of Aboriginal societies while at the same time contribute to the long term health of Canada's public finances.
- There has been little or no attention given to communicating with third parties as to the opportunities for mutually beneficial relationships offered to them as a result of land claims agreements.
- Implementation negotiations appear to not be informed in any way by a candid appraisal of the economic activity and potential of the region in which they take place, and hence the concrete possibilities for economic partnership and inclusion – and barriers to that inclusion – are underestimated or ignored.

Put succinctly, current federal land claims policy provides little incentive, and offers little scope, for imagination, creativity, and shared rewards.



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Problems can be Remedied

Nonetheless, Coalition members believe that the situation can be remedied. We can and should easily agree on a list of generally accepted social, economic, environmental and cultural standards and objectives, as well as the factors that could be usefully considered in assessing the extent to which those objectives are met over time.

For example, we might rely on existing objectives to which Canada is already formally committed, and on indicators as those that are widely used internationally and nationally to measure the well being of peoples and populations.

We should consider the *International Covenant on Civil and Political Rights* and the *International Covenant on Social, Economic and Cultural Rights*, (the "ICESCR") to which Canada is a signatory. The United Nations Human Rights Committee and the United Nations Committee on Economic Social and Cultural Rights have both ruled that the many important socio-economic rights in the ICESCR are applicable to Aboriginal peoples in Canada without discrimination, and the government of Canada has formally declared this to be official government policy.

The United Nations has a standard human resource development index (HDI) to which we might refer.² There are similar well-accepted sets of standards and factors that could be used to guide the development of the appropriate standards with which to measure the success of the implementation of land claims agreements.

² *The Human Development Index (HDI) is only partially useful in terms of measurable objectives, because it is so broad-ranging (composite index of life expectancy, average income per capita and literacy and mean years of schooling). In the context of treaty implementation in a highly developed country such as Canada it would additionally be necessary to direct focus to the important issues of capacity of the Canadian Crown and also of lands and resources access and control (for which employment alone might be a poor proxy).*



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In some areas of Canada, the Department of Indian Affairs and Northern Development has agreed to an evaluation framework that has been developed to measure progress towards many of these objectives. While the framework has had problems, it appears that, despite its institutional reluctance, the Department has committed itself to improving the indicators and data over the next two years. There has also been the development in Canada of the “Genuine Progress Indicators”.

The point of all of this is that there are both well-known and some new and innovative indicators that take a more accurate snapshot of “progress” than was previously thought possible. Members of the Coalition believe that reference can be made to all of these sources in order to quickly agree on the appropriate tools for this important task.

Once the applicable and appropriate objectives and factors have been identified and articulated, there should be immediate studies to establish base line data against which future progress, or lack thereof, can be measured and assessed. In carrying out these studies and assessments, regard should be had to the criteria for good reporting set out in the Auditor General’s report.

It should be emphasized that nothing we are proposing in this paper should be viewed as a substitute for any existing process, plan, obligation, or objective for the implementation a land claim agreement. Our proposal is meant to augment whatever currently exists for the implementation of these agreements.



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3. *Implementation must be handled by appropriate senior level federal officials representing the entire Canadian government.*

Implementation Committees and Implementation Plans should be Enhanced

Even if a new means for defining and measuring results is established, there remains the need for implementation to be handled on an ongoing basis by much more senior officials, who are able to represent the entire Canadian government. Currently, implementation committees include relatively junior officials of the Department of Indian Affairs and Northern Development. However well-meaning they may be, these officials do not typically have the authority within that department, much less over other departments, to be able to ensure that implementation issues are promptly and appropriately dealt with. This inevitably results in unnecessary frustration, discord and disputes.

Implementation officials must have adequate seniority, and a mandate that includes all of the Departments that are assigned responsibility for implementing the Crown's obligations under the agreements. Moreover, their responsibilities must include addressing the agreed-upon objectives and carry with them a commitment to evaluating results. Implementation plans should be improved by the inclusion of strategic planning against the objectives, and not remain a mere listing of the obligations that are already set out in the land claims and related self-government agreements.



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4. *There must be an independent implementation audit and review body, separate from the Department of Indian Affairs and Northern Development. This could be the Auditor General's department, or a similar office reporting directly to Parliament. Annual reports will be prepared by this office, in consultation with groups with land claims agreements.*

A New Audit and Review Body

After the statement of objectives has been established, as described under Point 2 above, there should be an ongoing process of measurement and review of the actual results of the land claims agreements (and self-government agreements entered into pursuant to land claims agreements) in light of these objectives. In addition to the necessary on-going monitoring and evaluation by the parties, a review must also be carried out by an independent body, and not by any of the individual departments charged with fulfilling the terms of the agreements, especially the Department of Indian Affairs and Northern Development.

The independent body must include Aboriginal representation, and should prepare annual reports to Parliament. The work could appropriately be done under the auspices of the Auditor General's department, or it could be a completely new institution.

CONCLUSION:

The Canadian people in general, and Aboriginal people in particular, have invested heavily in the negotiation and conclusion of comprehensive land claims agreements, in the consummation of modern treaties. They have done so in the belief that doing so was necessary, not simply to obtain greater legal clarity, but also in the belief that doing so was necessary to establishing concrete measures that would bring about social, economic and cultural benefits to all Canadians.

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It is remarkable that, having invested so heavily to achieve these salutary goals, the Government of Canada has developed no means to measure whether its investment is successful. The Department of Indian Affairs and Northern Development seems to be at best indifferent, and at worst opposed, to an examination of whether the overall policy is achieving the intended consequences.

As the Auditor General reported, such an attitude makes it less likely that the parties' shared objectives will be realized, and makes it more likely that the Canadian people will tire of continuing the investment. Moreover, if the Government of Canada hopes to conclude treaties with those First Nations and other Aboriginal peoples who have not yet entered into land claims agreements, surely it will need to demonstrate that land claims agreements do offer measurable, concrete benefits towards addressing their needs and aspirations. Surely the federal government will need to be able to count on those Aboriginal peoples who have already started down this path to confirm that this was a worthwhile choice.

Canada's record in respect of socio-economic development and social inclusion has been a positive one in a number of important respects, and Canada's success stories have attracted favourable international attention. More than any other state facing the challenge of gross disparities between segments of society, Canada has had the popular good-will, the territory and resources, the governmental capacity, the foundation of existing constitutional, legal, policy and treaty frameworks, and the economic means to succeed. The fulfillment of the objectives of modern land claims agreements, and associated self-government agreements, must be undertaken, not only because it is the obligation of the federal Crown, but because it is in the national interest to do so.

The task is not a difficult one. It should be started now.

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LAND CLAIMS AGREEMENT/ SELF GOVERNMENT AGREEMENT

OBJECTIVES

- social well-being
- economic self-reliance through success and participation
- growth and stability of Aboriginal populations in their traditional territories
- environmental protection
- cultural and linguistic protection and enhancement.

OBLIGATIONS

- provisions of each agreement



TO BE ESTABLISHED BY
POLITICAL LEADERS

ESTABLISHED IN EACH AGREEMENT
& IMPLEMENTATION PLAN



INDEPENDENT IMPLEMENTATION
AUDIT AND REVIEW BODY
- ongoing data collection and analysis

IMPLEMENTATION COMMITTEES



ANNUAL REPORT TO PARLIAMENT

DISPUTE RESOLUTION
LITIGATION
COMPREHENSIVE CLAIMS
COMMISSION