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Chair

Mr. Chris Warkentin

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• (1105)

[English]

The Chair (Mr. Chris Warkentin (Peace River, CPC)): I call to order this 12th meeting of the Standing Committee on Aboriginal Affairs and Northern Development.

This morning we have representatives from ITK. We'd like to welcome Ms. Hanson, Ms. Ford, and Mr. Moore. Thank you so much for coming to our committee today.

We want to give a full opportunity for robust discussion. What we'd like to do is have you launch with some comments this morning. We usually limit it to a 10-minute round, but if you have the need or the desire to go beyond that, we are here to listen to you. We don't want to limit that to the 10-minute round. I will not step in—that's what I'm saying. We will finish when you are finished, and then we will launch into our questions and take up the remainder of the first hour with questioning.

I'll turn it over to you and ask you to begin.

Ms. Udloriak Hanson (Special Advisor to the President, Inuit Tapiriit Kanatami): [*Witness speaks in Inuktitut*]

Good morning, and thank you for the invitation to appear before you today.

I have with me ITK's executive director, Jim Moore, as well as our director of social and health development, Elizabeth Ford.

I congratulate the committee for taking the initiative to invite Canada's aboriginal peoples' organizations to suggest issues that warrant your attention. I'll start with a little history: ITK is in its 40th anniversary. I recognize a few of you who came to our conference and some of our evening events. Thank you for that. It's nice to have representation from the Hill.

ITK was founded in 1971 by Inuit seeking to take political control of their land and resources. We have four regions: Nunavut, Nunavik in northern Quebec, Nunatsiavut in northern Labrador, and the Inuvialuit settlement region of the Northwest Territories. They all have settled, comprehensive, modern land claims agreements that provide us with a set of tools for developing our lands and deriving benefits from the development of resources.

Today our work centres on ensuring that Inuit interests are reflected in national policies affecting the Arctic and on spearheading initiatives that unite our four regions. One recent example is our national strategy on Inuit education, which we have left with the clerk for you to read.

That brings us to the topic of today's discussion. There are any number of research priorities involving Inuit and the Arctic that this committee could usefully pursue in coming months. They range from climate change to devolution of additional jurisdictional powers and revenues to Arctic regions.

In these circumstances, choices are not obvious. But my advice to you is to address squarely the core social problems confronting Inuit today. These social problems are not new. We have known for many years that Inuit lag far behind other Canadians in a series of indicators of basic well-being: educational achievement, life expectancy, access to adequate housing, and employment levels. The list is long.

Inuit also lead the nation with respect to many disturbing indicators of social distress: suicide, infectious and chronic disease, violent crime. That list is also long. They cannot be easily attributed to a single cause or to some level of personal blame. Yet in recent years it is possible to see some progress.

It is especially welcome for Inuit leaders of my generation to see so many young Inuit realizing impressive new educational achievements and acquiring breakthrough professional credentials. Canadians have certainly taken note of the great imagination and creativity shown by Inuit over the past 40 years in forcing the pace of new governance structures and power-sharing in Inuit Nunangat, the four regions that make up the Inuit homeland.

Even as your committee deliberates, Inuit representatives are engaged in complex negotiations and undertakings surrounding Inuit participation in major new natural resource development projects.

These are all important things. These are all things that give rise to optimism. But optimism should not cloud judgment. There is little reason to believe that a wait-and-see approach will work. Passivity will carry great risks for Inuit—not just at some statistical level but in our communities, in our families, and in our homes.

What can this committee do? I would urge you to commit yourselves to research on three major issues: Inuit education, Inuit health, and Inuit housing. These are the same topics ITK continues to flag in any number of public presentations and in correspondence with federal ministers regarding budget priorities. All three of these issues are important.

We have a wealth of studies indicating the high degree of overlap among them—overlap in terms of causes and effects and overlap in terms of how progress in one can reinforce progress in the others. We need to create a positive cycle of change.

Without exception, every provincial and territorial premier and national aboriginal leader is calling on Prime Minister Harper to hold a first ministers meeting on aboriginal education. This committee could very usefully deliberate on why such a meeting is urgently needed to turn around the low rates of high school graduation among aboriginal students.

I know we Inuit have many ideas on this. For example, as I demonstrated earlier, there is the new national strategy on Inuit education, how it can make best use of available resources and careful, targeted use of new investment, and the central importance of the Inuit language in our education and skills development systems.

Similarly, in studying Inuit health, a number of subtopics should have special prominence: the lack of appropriate mental health programs and services, including the lack of residential and non-residential treatment for those who are alcohol or drug dependent; and the sad, shameful reality that, as shown by the recent studies in the *Canadian Medical Association Journal* and elsewhere, a very high proportion of Inuit families go hungry or are poorly nourished in any given community across the Arctic. It takes no great insight to see the damage caused by these kinds of problems. A hungry child cannot easily succeed at school. An unsuccessful student cannot easily succeed in later life. A hungry adult cannot give children or aging parents the attention they deserve.

With respect to housing, the trends are not moving in the right direction. As recently as October 21, a report on housing was tabled in the Nunavut Legislative Assembly identifying a housing shortage of 3,580 units. It's not a small number. For a jurisdiction with a small population, it is an extraordinary number.

The scale of the problem is not the only difficulty. Nunavut's housing minister reported to the legislative assembly that there will be no new money for housing from the federal government for the foreseeable future and that the current CMHC operating and maintenance funds for Nunavut will be cut steadily from \$23.9 million this year to zero in 2037. Nunavut is but one example. The magnitude of the housing problems in Nunavut is replicated in every other Inuit region.

In closing, I will leave you with one more topic the committee might wish to consider in relation to Inuit and the Arctic. As mentioned earlier, ITK is now 40 years old. It's good to look back and to learn from looking back. In the spirit of ITK's 40th anniversary, this committee might wish to examine the question of what kind of relationship the Parliament and Government of Canada, indeed, the people of Canada, would like to build with the Inuit of Canada and the circumpolar world over the next 40 years. Equally importantly, how would you propose to build that relationship?

Parliament and Parliament committees have a role in the generation of new ideas and new ways of looking at things and new projects that respect our common values and appeal to our shared hopes. You are in the hope business as well as the reality

check business, and rightly so. Considering where Inuit in relation to other Canadians should be in 40 years and how to get there would be a worthy project for you—and for us. In all these research proposals, you would have the full support and assistance of ITK.

Thank you for your attention.

Qujannamiik.

• (1110)

The Chair: Thank you, Ms. Hanson.

Mr. Bevington, for seven minutes.

Mr. Dennis Bevington (Western Arctic, NDP): *Qujannamiik*, for joining us today and giving us a very succinct presentation on the issues, Ms. Hanson. I look forward to the entire discussion here today.

Of course, you have identified a number of key areas that you've highlighted. When we see what is happening with many of the policies that affect the north.... For instance, you talk about hunger, and we've gone through an exercise where we've changed the food mail policy. What's the current thinking on the impacts of that food mail policy, after it's been in place for half a year now? What's the reaction?

Ms. Udloriak Hanson: Thank you for your question.

Things up north move at a much different rate, as I'm sure you can appreciate, being a northerner yourself. It's such a new program. Six months might sound like a lot in the south; it is still a very short timeframe for the north. We have yet to see how that food mail program will play out, especially with regard to sea lift, because everything in our remote communities needs to be shipped up by barges. So until we see a full-year cycle, I think we would reserve our opinion on how well it is doing.

We were pleased to see that there were some minor tweaks done because of the outcry from the communities in terms of things here and there that needed to be fixed. That was helpful. But again, I think we need to see over the longer term how this program will pan out.

• (1115)

Mr. Dennis Bevington: It might be better for this committee to keep that in mind in a year or so, to take a look at that. I know how vital that program has been for people in that regard.

On the core social problems, the housing issue, how are we going to make progress on that? I know in the government throne speech this year they talked about clean energy for northern and aboriginal communities. I know the cost for utilities for housing in the north is prohibitive.

We've seen that the government is interested in talking about that area. Is that an area where we should be going?

Ms. Udloriak Hanson: I think that would be an excellent area to look at. We're always looking for new money, new investment, in building homes, but the other part of the equation is the O and M, the repair and maintenance of the homes that are built. We have some startling facts on housing in that regard. Not only do we suffer from a housing crisis, but we also have 28% of our Inuit living in homes that need major repairs. There are a couple of sides of the equation that need to be looked at, so if the committee were to spend some time on that....

What is the real financial crunch for our Inuit regions? Is it the actual building of homes, or the maintenance, or both? Where should the most attention and investment be given? The obvious answer, of course, is building homes. As I mentioned in my presentation, 3,500 units in Nunavut alone are needed. There needs to be some look at how we can finance these core social infrastructure problems in the north.

Mr. Dennis Bevington: Although we've seen some investment from this government over the past four or five years, it's really not on the scale that's required. Would that be a fair statement?

Ms. Udloriak Hanson: Yes.

Jim would like to add some comments, if you don't mind.

Mr. Jim Moore (Executive Director, Inuit Tapiriit Kanatami): In fact, I was just going to make that point. We certainly give credit to the government for the money that is being spent on housing in the Arctic, but it's just not keeping pace with the need, in terms of both new housing and repair. It would certainly be helpful to Inuit if this committee could come to grips with what sort of blitz of incremental money would have to go in to at least get us to the point where construction and repair can keep pace with the need, because currently they're not.

Mr. Dennis Bevington: Given the lack of mental health programs and the terrible statistics we have on suicide throughout the north, especially in Inuit communities, do you see that a focus as well on how to integrate mental health issues, social issues, and community issues into a strategy on suicide prevention would be something useful for the federal government to take on?

Ms. Udloriak Hanson: It would be, most definitely. You are touching on something really important, which is that they are all interrelated; that we have such a need in the north for more mental wellness programs and services. It is a social determinant that has an effect on all the other social determinants as well.

We are moving in the right direction. We are doing some work in the regions. ITK is well positioned to take it to a national level. If this committee were to look at a study in that regard, in terms of how Inuit across the regions could benefit from an infusion of investment into mental wellness programs and what those would look like, we might be able to realize some economies of scale.

Maybe I'll have Elizabeth touch a little more on that.

• (1120)

Ms. Elizabeth Ford (Director, Department of Health and Environment, Inuit Tapiriit Kanatami): Thank you.

That was a very good question, and as Udloriak said, they are all interrelated. We are working with our regions and others. We are working with Health Canada as well. The Inuit regions and ITK and

Health Canada have developed a mental wellness action plan. That was approved a few years ago. We are in the process right now. We are trying to look at what may have moved forward since then, but, again, all of the issues are interrelated in how they impact each other.

There is a need for mental wellness programs as well as mental health services, counselling, and addictions treatment in our communities. There is a need for treatment centres for some regions on the land programs, so there is definitely a good process there to look at that.

The Chair: Thank you, Ms. Ford.

Mr. Rickford, go ahead, please, for seven minutes.

Mr. Greg Rickford (Kenora, CPC): Thank you, Mr. Chair, and thank you to the witnesses.

I've had the opportunity to live in and visit a number of places across the region; I was a nurse in Cambridge Bay and Arviat. They were certainly some of the more special occasions in my life, spending more than a couple of months in each location as a nurse.

Subsequent to that, I had an opportunity to go out and do the public consultations for the northern nutrition program. I appreciate my colleague Mr. Bevington's inquiries, because I think we always understood that the sea lift was one of the key issues and that there would be a time lag before we could thoughtfully and comprehensively discuss this. For the benefit of the committee, I want to say that I'm looking forward to that review as well, having been involved in public consultations across several communities. We answered the tough questions for a number of people who may not have been our intended target benefactors for the program. We're looking forward to feedback from the new and most important constituents, and hopefully benefactors of that program, who are the people who have lived in those communities or in that area for time immemorial, as opposed to some of the folks who perhaps have not.

Ms. Hanson, I think what I would like to do, first of all, is let you know that some of my colleagues are going to address parts of the three major areas that you discussed. I will briefly deal with housing, and then I want to go to something that was in your speech and that this committee is occupying itself with on the short term, which is quite relevant to you.

I can appreciate the housing shortages that you mentioned. Beyond the \$1.4 billion announcement in July between federal, provincial, and territorial governments, we appreciate that there is more work to be done; there will always be. Furthermore, I can assure you that the minister continues to advance this discussion with his cabinet colleagues in an effort to find further solutions to the issue on housing. Indeed, there are some renewed agreements for housing in the four different regions, some with a substantial increase, but clearly we need to look at possible solutions for an increase in that area.

That said, you mentioned the land claims agreements. I think we'll be looking at one piece of legislation coming forward soon in NuPPAA. You used an interesting word, calling them tools. This is a word that has come up more than frequently at this committee. We're looking at sustainable land use, which I think includes an appreciation for some of the environmental issues as well. Land development is at the core of this, and your regions pose not just a particular curiosity, but an interesting one as well because under the umbrella of "aboriginal", we have on-reserve, traditional lands, Métis, and Congress of Aboriginal Peoples as subcategories there.

I want to hear from you, for four or five minutes, if you will, about these tools that you described briefly in your speech. What contributions do they make in terms of land use and land development to social and economic development for your region as a whole?

• (1125)

Ms. Udloriak Hanson: Thank you.

I've had the fortunate experience of working for the Nunavut Tunngavik Incorporated land claims organization. We have John Merritt here who works for Nunavut Tunngavik as well. I hope I do this answer some justice.

I'm glad you bring up land claims because, as I stated, they are a tool, but as with everything else, you can't get the job done with just tools; you obviously need materials and supplies.

Also, what is worthy of noting is that these tools, these land claims agreements, really, were negotiated with the intent to put Inuit in positions of decision-making and authority over land use and land development. This has happened, theoretically. We have the governance structures. We have these new bodies, regulatory bodies and what have you, that are in the process in Nunavut of developing a land use plan by one of our institutes of public government.

Again, there are some areas where we could use some help in terms of building capacity within those organizations. Article 23 of the Nunavut Land Claims Agreement, and this is replicated in other agreements across the Inuit region, says that Inuit are to be employed at representative levels within these institutions and governance structures.

They are at the representative levels in the boards that govern these institutes, but we're not seeing the numbers that we need to see in the actual day-to-day decision-making.

Mr. Greg Rickford: I'm sorry, they're at the representative level...?

Ms. Udloriak Hanson: At the board level, yes, because each of these governance structures is governed by boards.

In terms of contributions, if Inuit were representative at the employment levels with the federal government and the territorial government, which is what these land claims agreements were intended to do as well, then I think we would be in a better position to use them as tools. In terms of land use and land development, you mentioned reserve and off reserve. With our land claims agreements, instead of classifying land that way, we classify it in terms of Inuit-owned land or crown land.

The Chair: We've run out of time. Thank you, Mr. Rickford.

Seven minutes to Ms. Bennett.

Hon. Carolyn Bennett (St. Paul's, Lib.): Thank you very much.

In terms of the tools and with the land claims, the next step would be for the territories to be able to get some money back from the resources extracted. During the federal election there was a view that whether it's the new iron mine on Baffin or the gold mine... Can you just explain how the resources don't seem to end up with the people of the north?

Ms. Udloriak Hanson: As I mentioned with these land claims agreements, there are two different classifications, and I'm really simplifying it. I apologize to the lawyers in the room. We classify the lands as Inuit-owned land or crown lands. So in terms of Inuit-owned lands, the land claims agreements specifically outlined how Inuit were to benefit from resource extraction if it's done on Inuit-owned land.

Where it gets lost in the shuffle is on crown land, because in Nunavut and the Inuvialuit region we don't have devolution agreements. The territories don't have a devolution agreement with the federal government to specifically outline how royalties will be shared or devolved to the territories.

• (1130)

Hon. Carolyn Bennett: Certainly during the election it seemed that to get going on that would actually very much help in terms of the resources available in the north to do the kinds of things you'd like to be able to do.

I am quite concerned in terms of the housing. Obviously, this was a big issue during the election as well. One of the candidates during the debate suggested that there wouldn't be one new unit of social housing arriving on the sea lift this summer. You said there would be no new federal money for housing. The parliamentary secretary said something different.

Where do you see the federal government helping you on housing in terms of the CMHC money, which is dwindling, and no new money?

Ms. Udloriak Hanson: What's important to remember when we're talking about housing is that there are four different Inuit regions. I think a lot of time the focus goes toward Nunavut, and that may be the case in terms of no new housing for Nunavut, but there are other housing investments being made in other territories.

Before I pass it over to Elizabeth, because she's much better to answer this question than I am, I'd like to perhaps bring it back to where I started in my presentation. Where ITK could really benefit from this committee is in looking to you folks and your resources, to think out of the box in terms of how we can finance more housing projects in our territories.

We keep talking about new federal investments, new federal money. Yes, that's obviously the route to go, but perhaps we should look at the mechanisms in which the investment is being made. There have to be other ways of looking at this in terms of how we finance these core social infrastructure problems.

Do you want to add something?

Ms. Elizabeth Ford: I'm sorry, what was the question again?

Hon. Carolyn Bennett: In terms of the units of social housing arriving this summer, I understood there would be zero for Nunavut.

Ms. Elizabeth Ford: For Nunavut, yes. I'm not quite sure what the other regions are. For all regions, housing is a huge issue and there is a need—

Hon. Carolyn Bennett: Just in terms of consultation, the parliamentary secretary said he was participating in a consultation. I think what we've felt when we've been north is that in this kind of consultation, obviously, asking is one thing and listening is another.

The way the food mail program was redone, such that things like diapers ended up off the list without anybody suggesting that's a good idea, at \$75 a box...my understanding was that this renovation of the program was really not done listening to the needs of the north.

Ms. Elizabeth Ford: I was going to say that I think, as Udloriak said, we do have to wait a while to see how things are going, but there is still concern—and there was a lot of concern—about some of the items that are seen as necessary and things that may have been taken off the list. There have been a couple of tweaks for now, but I would say we're waiting with caution to see what that might look like and what it means.

Actually, in my community last week, when I bought some fruit for a meeting I was at, it cost me \$18 for eight oranges. So I think there's still a need. If you're still going to spend all your money on fruits and vegetables and you can't get those other supplies, there is a concern.

There were some consultations. Again, I think we need to wait and see exactly how those play out.

Jim, did you have something you wanted to add?

Mr. Jim Moore: Well, I'll just make the point that I think since the new program was announced, in fairness, there were a lot of complaints and/or comments made from different Inuit regions. Again, in fairness, officials within the department have done their best to receive that commentary and look into it. There is a committee that was struck and has been looking at it. It was recently up in Kuujuaq.

We're hopeful that all the commentary and problems that are being tabled can be solved over a period of time. It's just that when the program was announced—and there was some degree of consultation as well—there were so many problems still on the table that had to be resolved, and it's taking a while to work through those. We are hopeful that the wrinkles in the program can be worked out, because for sure, as Udloriak and Elizabeth mentioned, if you get a chance to go into any one of the Northern stores in the Arctic, it just staggers the mind to see the price of food.

• (1135)

The Chair: Ms. Hanson, would you like to make a comment?

Ms. Udloriak Hanson: Yes, please.

The food mail program, Nutrition North, is obviously a very important program that helps alleviate a much bigger concern of ours at ITK, and that's food insecurity. As I mentioned in my presentation, it's a real concern. Of our children, 70% live in food insecure homes in Nunavut alone. Again this could be replicated in other regions.

Unfortunately, we haven't got the stats for each region, but there isn't much difference.

In terms of food insecurity, I think it would be really beneficial to look at what the contributing factors are. Why is it that so many of our children and our families are going hungry? We can't attribute it all to one program, Nutrition North or food mail for that matter, so we should look at it and take a bigger approach to what is actually causing these food insecure problems.

The Chair: Thank you, Ms. Hansen.

Mr. Boughen, for seven minutes.

Mr. Ray Boughen (Palliser, CPC): Thank you, Chair.

Let me take a minute to welcome the committee to our meeting, and thank you for taking time out of your busy schedule, I'm sure, to be with us.

I have a couple of questions around the educational part of the northern program. I noticed, Ms. Hanson, you had education as the top one in the list of three. So maybe we'll start with what you see as the next steps in the Inuit education strategy. Does the ITK have any thoughts on how to ensure that, given the jurisdictional differences we have, it will be fully supported by the province and the territories?

Just to expand on that a little, as you know, each province has its own K to 12 curriculum—not necessarily the same curriculum. You're working with youngsters in your regions who are in the K to 12 program. What work has been done? I guess we're asking in terms of interfacing between your programs and the programs across Canada, so that youngsters can move in kind of a seamless direction from one to the other.

Then maybe we could talk a little about post-secondary afterwards.

Ms. Udloriak Hanson: Thank you very much for your question.

Education is most definitely a priority of ITK, and this strategy was released on the Hill in June of this year. Mary released it, and I think a number of you were actually at that release.

It's a national strategy, meaning that each Inuit region has come together at the committee level to determine what they would like to see in education in our regions. It was very groundbreaking to have a national strategy that goes across all four jurisdictions. There are not only the jurisdictions, but we also have in a couple of our regions Inuit regional school boards that also have jurisdictional issues in terms of education.

The committee has determined there are 10 recommendations that could easily be implemented if only we had the resources to do so. As complicated as it sounds to have four jurisdictions and four Inuit land claims organizations, and youth and women and everybody else at the table to determine what an education system should look like and how it should be implemented.... The committee has cut across all those borders to say that we need an Inuit-centred curriculum that values and respects our language, our culture, and our values. That's number one.

How are we going to get there? The 10 recommendations actually explain it quite well in terms of increasing graduates, but it goes right back down to early childhood education. There are three priorities that each of the regions have determined unanimously. The first one is early childhood education. How can we bring it into the entire system? How can we link it to kindergarten, to the primary regions? Enough research has been done in the south to indicate that unless these children have a healthy start right from early childhood education, then they're not going to succeed at the primary levels. They're not going to succeed at the secondary levels, let alone at our university levels. Only 25% of our Inuit graduate from high school. That's one priority.

The second priority is parental engagement and mobilization. We've all heard about the effects residential schools have had on our Inuit and on aboriginal peoples, and this is playing out today in terms of how our parents may not be valuing the education system. They might not respect the education system because perhaps it wasn't good to them as students. To this day, we're sending our kids to school to learn from a curriculum that's based out of the southern regions. Alberta is where Nunavut gets its curriculum from. It was adopted from Alberta. I was learning about all kinds of different trees, and I was thinking as a child, why am I learning about trees? We have to have a curriculum, a system, that parents value. That's our second priority, engaging our parents, having them learn with their children. A lot of our parents don't have the literacy levels that are required to help their kids with school and homework. As parents, we all know how important that is.

The third priority is research and monitoring. There are so many gaps in research in terms of what best practices are taking place in our Inuit regions now. Why are our children dropping out before grade 9 even? We can only say this based on observation because we don't have the research to back it up. Why is it that our children are not going past grade 9 or grade 10? What can we do in each of the regions in order to share some of the curriculum that our own Inuit teachers are developing in the classrooms themselves? How can we increase the number of Inuit teachers in our school systems?

Those are the three national priorities.

● (1140)

When you ask how we can move forward, the number one step is to develop a national centre for Inuit education. How are we going to implement the strategy that spans right across the country? It's a huge feat. But ITK has a plan, which is to house a national centre within ITK and to have a national project coordinator and a national project manager to oversee the implementation. The actual work is going to get done in the regions, but we need to have somebody to oversee it and to coordinate it at the national level.

Mr. Ray Boughen: Okay, good.

The Chair: You have a few seconds left, if you'd like to use them for a short question and answer.

Mr. Ray Boughen: We won't get in a second question, but on question number one, how do you see the post-secondary and trades training programs working for the betterment of people in the north? Are you familiar with some of the programs that are in place there, and how do you see them working in conjunction with programs of similar content that are offered in the southern part of Canada?

The Chair: Unfortunately, Mr. Boughen has left you no time to answer, but I'll give you some time. He's eating into other people's question times.

Ms. Udloriak Hanson: I'll make it very quick.

One of the recommendations in the strategy, in the long term, is to eventually build a university in the north. We have colleges right across the north that Inuit have access to and we also have a new school in Nunavut in trades training. But there's also an opportunity under devolution agreements to develop a strategy specific to mining so that our Inuit can take advantage of that. Looking at it from a long-term perspective, it's how we can train our Inuit to take advantage of these jobs in trades and management and what have you.

The Chair: Thank you.

Mr. Chisholm for five minutes, but if you'd like to share that time, that's fine.

Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP): I will share that time with Ms. Hughes.

Thank you very much for the presentation, Ms. Hanson. I'm an MP from Nova Scotia. I was very interested in your presentation, and I look forward to reviewing your report.

You indicated early on that we were in the business of giving hope. I would suggest to you that it's hearing presentations from groups like yours and seeing the work that you're doing that gives us hope.

The issues that you need to deal with in terms of the consequences of social distress are huge, and I know my colleagues will want to pursue this further. I only want to say that I spent a few days last week with a gentleman who was in the north doing a documentary on the narwhal. It was interesting listening to him, because what struck him was talking with the elders, talking with hunters, talking with folks involved in the traditional way of life and how that was so drastically changing because of climate change and because the territory in which they travelled has changed so drastically over the past decade. That surely gets to that whole question of social distress.

I wonder if you could comment on what a huge challenge that is for you and your people.

● (1145)

Ms. Udloriak Hanson: Thank you.

Yes, it is definitely a huge challenge in many different aspects. Our elders are finding it very difficult to hand down knowledge when it seems to be changing every day in terms of how and when to continue traditional hunts. "Traditional hunt" isn't even the correct term because contemporary, modern-day...every day is a hunting day in our Arctic regions, our Inuit regions. But in terms of knowledge about how to do it safely, effectively, sustainably, that sort of knowledge is becoming a little harder to pass down.

I'll speak to it, though, at a national level and say that we have made a couple of requests to the federal government. One, in particular, is that there be an adaptation fund for our communities. There's all sorts of talk about what happens to the shed or the cabin in Bangladesh and what have you, but our own communities need adaptation funds. We might be in a developed country, but there aren't any funds going to our small communities for adaptation. So that's one of the pleas we have made.

The other thing I'd like to note is that we have a national Inuit climate change committee, and this committee is really at the mercy of federal funding, unfortunately. It came together, and unfortunately the funding was cut, but it now has funding again this year. The consistency isn't there, but we do appreciate the fact that we do have funding this year, to try to get as much done as possible. We will wait and see if we have funding for next year. The whole purpose of that climate change committee is to have a national voice for Inuit, because at the community level it's very difficult for them to have a very strong voice.

Maybe I'll leave it at that, knowing there are only five minutes.

The Chair: Thank you.

There's one minute left, if you would like to use it.

Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskasing, NDP): I really appreciate your testimony here today, sharing your stories. You talked about thinking outside of the box when it comes to infrastructure. Some of it is common sense. I think you're absolutely right that when it comes to raping crown land of resources, let's not forget it is or was first nations or Inuit land. The sharing of royalties at the end of the day will be able to move your communities forward.

My question deals with the government's crime bill. I know that your first nations and the Inuit people really rely a lot on conditional sentence and rehabilitation. I'm wondering what you see, as opposed to investing in housing...by investing more in institutions that will house criminals, the impact that will have on your communities.

• (1150)

The Chair: Ms. Hughes is over the time allotted to her to ask the question, but if you want the opportunity to give a short answer, go ahead. I know it's a big issue.

Ms. Udloriak Hanson: It's a huge issue.

We already have overcrowded jails. We already have a lot of our youth and Inuit in the system. We have also instituted community justice committees to look at ways to help these people in the system. The proposed crime bill is actually working in the other direction. We're not pleased with it.

The Chair: Thank you.

Mr. Seeback, you have five minutes.

Mr. Kyle Seeback (Brampton West, CPC): Thank you.

I'm going to help my friend Ray and go to the question he didn't get to.

You're saying that mental health is a priority for you. What do you see as essential to an Inuit-specific mental wellness plan? Do you have any ideas on that?

Ms. Elizabeth Ford: We look at mental wellness holistically. All of the issues we've been talking about today are impacting the mental wellness of Inuit. Climate change and not being able to go out hunting impact on people's mental wellness. We are working with the regions to develop a plan that is holistic, uses traditional healing, and has access to land-based treatment programs, if that's what regions would like to see. That includes using elders in mental wellness programs, looking at things holistically—including young people.

Education is important for that as well. But there is a need for counsellors and residential treatment programs in the communities, and access to health services to deal with mental health issues that need more than mental wellness programs. We are looking at it holistically using our culture, our language, and our elders, but also using modern counselling health services.

Mr. Jim Moore: There is a dearth of mental health infrastructure in the Arctic, particularly in Inuit communities. Over the last two or three years, suicides and attempted suicides seem to have been accelerating at unacceptable rates. We have approached the federal Minister of Health to see if she will enter into a dialogue with Inuit leaders and the appropriate provincial and territorial ministers of health for some immediate crisis intervention. We think the situation is that bad.

Mr. Kyle Seeback: I want to switch gears slightly.

You just mentioned hunting, which is certainly a traditional means of support for Inuit communities. I know there have been some challenges with the European Union and their ban on marketing products derived from seals. The Canadian government is obviously very strongly opposed to what the EU has done, and I know that some federal funds have been given to fight that challenge. There's a separate challenge going on through ITK.

Can you perhaps give us an update on that separate challenge?

Mr. Jim Moore: Thank you for the question.

There are currently three elements to a legal challenge, which are in the EU court system right now. We have lost one round—I call it the first round—but we are appealing that, so we continue to hope that the EU courts will in fact weigh in and strike down the legislation.

Inuit leaders have not backed off one little bit. We continue to fight it in the courts and we continue to seek support, financial and otherwise, from the federal government, and from other sources as well, to fight the ban.

• (1155)

The Chair: You have about 20 seconds left, if you can do anything with that.

Mr. Kyle Seeback: I don't think I can, but I'll share my time with someone.

The Chair: We have a couple of lagging questions from both sides, so I'm going to give just two minutes to Mr. Bevington and then two to Mr. Rickford to just quickly finish off this final round.

Mr. Bevington.

Mr. Dennis Bevington: Well, one thing you did say on education that twiggged a particular issue for me is the development of university education throughout the north.

The three northern colleges have been working together on planning. But what we've seen in the last little while is that for this other institution, which is circumpolar, the University of the Arctic, which we've been accessing for distance education for people around the north...Canada is backing out of funding that institution. How does that fit in with the planning we're going through right now in the north to develop university-based programming that's accessible to people in their own communities?

Ms. Udloriak Hanson: Let's hope the funding that was slated for the University of the Arctic, as it has been, in fact is going to be rerouted towards the implementation of our strategy. That's what we're hoping for. It's not clear to us at this point in time. We have yet to hear back on our proposal to the federal government for the implementation of our strategy.

Mr. Dennis Bevington: When it comes to universities, this is a vast territory. The three territories together are quite large. There has been talk about bricks-and-mortar institutions versus distance-education institutions. From the Inuit perspective, how do you see this playing out in the days ahead?

Ms. Udloriak Hanson: Well, it is one of our longer-term recommendations. At this point in time, we are very much concentrating on just getting our kids to school and having them graduate. That's not to say it's not an important initiative, but the very limited and scarce resources we have to go towards education will be used in developing a curriculum that's Inuit-centred and bilingual.

The Chair: Thank you very much.

Mr. Rickford, for two minutes.

Mr. Greg Rickford: I just need a couple of minutes here to finish up on what we're going to be looking at.

Ms. Hanson, you were talking about the issue of sustainable development and the lack of representation at all levels. Am I making an interpretation that this would be a barrier to effective implementation...? Could you just expound a little more, in the minute or two that you have here, on this broader representation that you think is required at all levels? This will come up as an issue as we move forward with this study, and we hope to have you or one of your colleagues who's invested in this fully and completely to be a witness to us.

Go ahead, please.

Ms. Udloriak Hanson: Thank you.

I'm not quite sure I understand your question—

Mr. Greg Rickford: Well, you said—

Ms. Udloriak Hanson: —but I have no problem speaking about sustainable development.

Mr. Greg Rickford: You were in the middle of saying that there was representation at the board level, but there just wasn't enough time for us to talk about how you see representation at other levels and what that means.

Ms. Udloriak Hanson: Okay. I think it can all stem back to education. We have Inuit who would greatly benefit from proper education and training dollars in order to be able to take on these managerial positions and day-to-day decision-making roles in our institutions of public government. That's pretty much the—

Mr. Greg Rickford: I appreciate that this always comes back to a resource question for you. You and Mr. Moore have been pretty clear about that. But there are other things besides resources that motivate people to engage in skills and training and education.

How is it that land use is doing that? Is the message getting across that there are new opportunities in the communities to inspire young people or adults to be involved in land use planning types of careers? There are legal careers and a host of different career opportunities.

Ms. Udloriak Hanson: Yes, we have other tools that Inuit can use, one of them being the impact and benefit agreements negotiated with our regional Inuit organizations. They provide for training dollars as well. We also have the recently released circumpolar Inuit declaration on resource development principles. In that, it outlines exactly how Inuit would like to see resource development; training is in there, and if I must put in another plug for education, there's a clause that urges communities to have resource development companies put in a percentage towards an education fund.

• (1200)

Mr. Greg Rickford: Thank you.

The Chair: Thank you.

Ms. Hanson, Ms. Ford, Mr. Moore, thank you so much for coming today, for bringing testimony and for answering the questions in the short time that we allow for questions to be answered. Many of the issues are obviously much more comprehensive, and we'll no doubt be asking you back to bring perspectives on specific issues we might be studying over the next couple of years. So thank you so much.

Committee members, we will now suspend for a few minutes, just so you can greet our witnesses before we meet with the next witnesses.

The committee is suspended.

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_____ (Pause) _____

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• (1205)

The Chair: In the second hour of this committee hearing we have representation from the Congress of Aboriginal Peoples. We do have before us today National Chief Lavallée—thank you so much for joining us—and Mr. Dorey as well. Thank you so much for being here. We appreciate the fact that you've taken the time to come and bring testimony.

We will run it the same as we did the first hour. We will give you as much time as necessary. We try to keep it to about 10 minutes, and then we will seek to have questions you will have time to answer. I think we learned from the first round that we as committee members have to keep our questions shorter. Just a note to committee members, keep your questions shorter.

Chief Lavallée, please bring testimony.

Chief Betty Ann Lavallée (National Chief, Congress of Aboriginal Peoples): Thank you, Mr. Chair.

Good morning to the members of the House of Commons Standing Committee on Aboriginal Affairs and Northern Development.

It's an honour to be here on the unceded territory of the Algonquin people to present you with some priority issues of the Congress of Aboriginal Peoples.

With me today is our new vice-chief, Dwight Dorey, who will be speaking to you concerning the Daniels case and subsection 91(24) of the Constitution Act of 1867. My presentation to you will focus on remaining discrimination in the Indian Act, matrimonial real property, band membership, along with aboriginal citizenship, education, and the long-gun registry. There are many more issues that will need to be discussed at a later date, including health, economic development, housing, homelessness, language, and culture.

Since 1971, the congress has been at the forefront of the aboriginal people's movement in Canada, advocating for our constituency of forgotten peoples. We advocate for the rights and interests of status and non-status Indians living off reserve and Métis. The year 2011 marks the 40th anniversary of the founding of our organization. Despite the successes that have occurred over the last 40 years, the Canadian public continues to associate aboriginal issues with Indians living on reserves. The reality is that 80% of the ancestral aboriginal population now live off reserve, with 60% living in urban areas. This is the most significant demographic factor for policy makers, yet it's the one where the least action takes place because of jurisdictional issues.

On May 18, we were pleased to learn that Prime Minister Harper had changed the name of Indian Affairs and Northern Development to Aboriginal Affairs and Northern Development Canada. This was an important step, better to reflect the scope of the minister's responsibilities for all aboriginal peoples. This type of straightforward thinking and inclusive decision-making is what we need to make progress.

The Indian Act remains the principal expression of the federal government's jurisdictional policy over Indians and lands reserved for Indians under subsection 91(24) of the Constitution Act of 1867. The political and social reality affecting aboriginal peoples is based by and large on this outdated legislation. The Indian Act status and membership rules have a long history of impacting the lives of aboriginal peoples. For example, of the almost \$10 billion per year that the federal government invests in aboriginal-specific programming, almost 90% goes to assist on-reserve status Indians. This outdated policy framework needs to be reshaped and recast to reflect the fact that the federal government has the responsibility to act in a fiduciary capacity for all aboriginal peoples.

This was the central finding of the largest, most extensive inquiry undertaken in Canadian history, the Royal Commission on Aboriginal Peoples. In 1996, it reported that the relationship between aboriginal peoples and non-aboriginal peoples needed to be fundamentally restructured. The facts of aboriginal life have

changed, and it's time for policies and frameworks to reflect the new reality.

CAP is pleased that the government has reintroduced Bill S-2 concerning matrimonial real property. This legislation will address a longstanding gap and will better protect the rights of aboriginal people, particularly women living on reserve. For many years, we've been calling for an effective MRP regime on reserve. Aboriginal women on reserve face unfair and unconstitutional discrimination in the exercise of their right to a fair share of matrimonial real property after the breakup of a marriage or common-law relationship. We view the bill as a positive step to ensure that aboriginal women and children receive equitable distribution of matrimonial real property assets in the event of divorce, separation, family violence, or death.

The congress has never bought into the Indian Act, and we have a long history of fighting this legislation. Back in 1974, with financial assistance from our organization, Jeannette Corbiere Lavell was the first non-status woman to bring a challenge to the Indian Act. Today, our women continue to be discriminated against through the Indian Act, but through the brave work of people like Sharon McIvor, Sandra Lovelace Nicholas, as well as many others, we are taking this legislation apart piece by piece.

● (1210)

I'm a registered subsection 6(2) Indian. Under the law, my son is not entitled to be registered as an Indian. We are graded like cattle or grades of beef. It is unadulterated discrimination, and fighting this is the central priority for the congress.

In January of this year, Canada proclaimed into force Bill C-3, Gender Equity in Indian Registration Act. This was a direct result of the McIvor decision, which took 20 years to move through the courts. Because this legislation is very narrow in scope, sex discrimination, unfortunately, remains in the status registration provisions. Not all descendants of the Indian women who lost status through marrying out have gained status back. The first generation was covered by Bill C-31 in 1985, the second generation through this year's Bill C-3, but further generations remain cut off from Indian status.

The only way to be sure that such discrimination is eliminated from the Indian Act is to place descendants of status Indian women on the same footing as descendants of Indian men. Today aboriginal women are not treated equally as transmitters of status. As a result of this discrimination, thousands of their descendants have been forgotten.

Another remaining problem relates to the post-1985 Indian Act registration rules and how they operate in cases of unstated paternity. In 1985 Canada went from a one-parent descendancy rule, which favoured Indian men, to a new system called the second generation cut-off rule. Now whether you were an Indian man or woman, mixed parenting is only allowed for one generation. After the second generation of mixed parenting, a person is no longer an Indian. Today, when a status mother does not disclose the father's identity, the child's registration can only be based on the mother's entitlement. From 1985 to 1999, this resulted in the downgrading or outright loss of Indian status to approximately 50,000 Indian children.

The new second-generation cut-off rule will result in a drastic reduction of the status Indian population over the course of a few generations. Status Indians, like many other Canadian citizens, fall in love and have children with people from other cultures. This common social occurrence, when paired with the second-generation cut-off rule, has the perverse result of depriving the children of these unions of either their Indian status or the ability to pass status to their own children.

It has been estimated that within 60 years only one-third of the descendants of the current status Indian population will be entitled to status. The number will continue to decline. Academics and demographers alike have argued that the Indian registration rules introduced in 1985 will lead to the legislative extinction of status Indians.

A clear solution to this problem would be for Canada to return to a one-parent descendance rule for Indian status and apply it equally to men and women. However, everyone here can acknowledge that the capacity of courts to deal with these issues is very limited. CAP is seeking a political commitment to examine and address aboriginal citizenship, with all the associated broader questions.

Since the passage of Bill C-3 in December 2010, the federal government has launched the exploratory process. It is not a consultative process, which we like, and I'm pleased to say the government has not pre-determined or pre-defined the agenda or questions with regard to Indian registration, band membership, and aboriginal citizenship. CAP is currently engaged with the process and we're hosting dialogue sessions across Canada.

Section 74 of the Indian Act allows bands to elect chiefs and councils according to their own customs. Currently about 30% of bands have adopted their own custom codes. Under these rules a band can admit to membership people who do not have status. They can also deny membership to any status Indian except Indian women restored under paragraph 6(1)(c).

Despite this apparent opportunity to break away from the Indian Act, 30% of the bands have adopted membership rules that are more restrictive than the Indian Act itself. CAP was pleased when the Conservative government delivered on its promise to repeal section 67 of the Canadian Human Rights Act. Since 1977, section 67 has shielded bands from complaints of discrimination stemming from membership codes plus other issues.

• (1215)

In June of this year the transition period ended. We expect that many of the custom election codes will now be challenged under the Canadian Human Rights Act. My understanding is that Aboriginal Affairs and Northern Development has not provided any resources to the bands to review and update their membership codes or to ensure they are in compliance with the Canadian Human Rights Act or the Canadian Charter of Rights and Freedoms. That is really unfortunate, because there are some bands that are being very proactive in addressing this issue. I believe in giving credit where credit is due.

In regard to aboriginal citizenship, CAP takes the position that the right of aboriginal peoples to determine our own citizenship is an inherent right derived from the Creator and protected both under

section 35 of the Constitution Act, 1982, and under the UN Declaration on the Rights of Indigenous Peoples. Our right to self-government was never distinguished.

We view the exploratory process as the beginning of a long process of questioning and thinking, and as we move towards self-determination and citizenship, we are being given the chance to come up with the solutions to long-lived problems we've had to face.

The possible self-government structures for urban aboriginal peoples are wide-ranging. CAP has been working on these challenging issues for many years and at the same time struggling with the reserve focus of federal government policies and programs. Federal and provincial wrangling has slowed progress for urban aboriginal populations.

With the resolution of the federal government's responsibility regarding Métis and non-status Indians, aboriginal and state relations will be very clear, and some of the on-reserve and off-reserve distinctions will be resolved.

My colleague Dwight will speak further to that.

The education of our children and youth is a priority of the first order for us. Aboriginal youth have the highest dropout rates, the lowest levels of literacy, and the lowest levels of skills development. The odds are better that our youth will end up in jail than that they will graduate from high school. It is education that will improve our economic situation and our lives. It is education that is integral to reducing poverty in our communities and eliminating our dependencies.

At the Summit on Aboriginal Education held in February, we were encouraged by the discussions about strengthening aboriginal success in education. The provincial and territorial ministers of education have recognized that in the next 15 years, aboriginal students will represent over 25% of the elementary student population in some provinces and territories. We encourage the Prime Minister to call a first ministers meeting on education at which an interjurisdictional commitment to improve school experiences for our students could be mobilized.

Last, I want to talk to you about the Canadian firearms registry. Currently, aboriginal firearms owners who are not compliant with the Firearms Act can incur criminal liability for unauthorized possession of non-restricted firearms under sections 91 and 92 of the Criminal Code. In the last couple of weeks, the government gave notice concerning the bill to abolish the long-gun registry.

CAP joins many other aboriginal organizations across Canada in calling for an end to the long-gun registry. We view the licensing and registration requirements imposed by the registry as an infringement on our right to hunt. Aboriginal hunters and harvesters are not part of the crime problem, and the registry is ineffective and wasteful. The infringement on aboriginal treaty rights to hunt, trap, or fish is not acceptable to our organization. CAP remains supportive of regulations requiring hunters and harvesters to secure an acquisition licence and to follow rules for the safe storage of firearms.

In conclusion, I wish to express our appreciation for the attention the Prime Minister has brought to aboriginal issues by meeting with national aboriginal leaders. In the days ahead, my colleague and I look forward to active engagement with various House of Commons standing committees that have an important role to play in moving the aboriginal agenda forward.

At this point I'll turn to my colleague, Vice-Chief Dwight Dorey, to speak on the issue of section 91.24.

• (1220)

The Chair: Thank you, National Chief.

I just want to make you aware that we are running later than we usually do. We've asked you to come and bring forward important issues. We're at 14 minutes now. Take the time that's necessary. We'll just simply limit the questioning time for committee members.

Mr. Dorey, I just put that out there as a note of information to committee members as well as to you.

Chief Dwight Dorey (National Vice-Chief, Congress of Aboriginal Peoples): Thank you for that note, Mr. Chairman.

Members of the House of Commons Standing Committee on Aboriginal Affairs and Northern Development, I want to thank you for the opportunity to speak with you concerning the Daniels case and section 91.24 of the Constitution Act, 1867.

This case concerns aboriginal peoples who assert that they are owed a fiduciary duty by the Queen and are entitled to be negotiated with in good faith by the federal government. CAP continues to engage in negotiations with the federal government concerning the rights, interests, and needs of Métis, non-status, and dislocated first nations people. However, these negotiations have been and continue to be frustrated and hampered by the federal government's denial that Métis and non-status Indians are owed a fiduciary duty based on section 91.24 of the British North America Act.

In the 17th century, the term "Métis" was used by Champlain. In 1615 he actively encouraged the intermixing of French and Indians, and many offspring resulted from those marriages. During Champlain's lifetime, the children of these mixed unions began to be called Métis. His dream has often been repeated: "Our sons will marry with your daughters and we will be a single people." Today the Métis and aboriginals happen to be interwoven with other distinctive cultures and communities all across Canada, non-status Indians and Indians, to whom from time to time the Indian Act does not apply or to whom the federal government or its agencies have decided the Indian Act does not extend.

The categories of aboriginal peoples and definitions are too numerous to list and are not watertight compartments. Growing up and being of mixed blood myself, I was often referred to as a half-breed, a Métis, though technically speaking I was a non-status Indian, but a Mi'kmaq from birth. In 1985, after Bill C-31 was passed, I became entitled to be a registered Indian and lived on reserve, and I even served as a band councillor for several years. I became a treaty Indian. The pre-Confederation treaty of 1752 was recognized in *Simon v. The Queen*. I became that treaty Indian, and just a note that I exercised my right three years later to hunt moose. Technically, I could go down in history as being the first three-year-old Indian to shoot a moose.

When the Dominion of Canada was created through the Constitution Act, 1867, section 91.24 stated that the Parliament of Canada may make laws relating to Indians and lands reserved for Indians. The federal government's position is that this phrase means that they have jurisdiction over status Indians but not Métis and non-status Indians. Still, the federal government has asserted that it has the authority to define aboriginal individuals by virtue of section 91.24. Our concerted efforts with governments over the years concerning the rights and interests and needs of these forgotten people have constantly been frustrated and hampered by the crown's denial that Métis and non-status Indians are included in section 91.24, and consequently we keep getting caught up in the division of federal-provincial powers and the issue of fiduciary duty.

Harry Daniels, a Métis from the Prairies who rose to national prominence from the ideological shadows of the great Louis Riel, twice served as the national leader of the Congress of Aboriginal Peoples, at one time called the Native Council of Canada.

When I was policy adviser to Harry, we worked closely on the right of the aboriginal peoples to fully participate as partners in the political and economic structures of Canada. Our objective was to draw attention to the suppression of historic aboriginal rights and interests by an inflexible and discriminatory federalist system. In 1982, Harry Daniels was responsible for the inclusion of Métis in subsection 35(2) of the Constitution.

• (1225)

As a result of his efforts, the Canadian Constitution refers to Métis people as aboriginal peoples and recognizes and affirms their aboriginal and treaty rights. This was a crowning achievement of his career and a major achievement for the Congress of Aboriginal Peoples.

In the absence of a defined constitutional process to finish the work we started in 1983, the courts remain the only vehicle to obtain legal recognition of our rights. It was Harry who in 1997 said that enough is enough of this systematic denial of our birthrights. He used his leadership position at that time as the means to say to the Government of Canada "No more. We will no longer be forgotten."

In 1999 Harry Daniels and the Congress of Aboriginal Peoples launched an action before the Federal Court that was seeking recognition of CAP's constituency as aboriginal people within Canada's jurisdiction, acknowledgment of Canada's fiduciary duty towards CAP's constituency, and the right of CAP and its constituency to be negotiated with by Canada as to their rights, interests, and needs as aboriginal people.

In 2005 there was an agreement between CAP and Indian and Northern Affairs Canada to put the case under the test case funding program, under which the Government of Canada paid the costs from 1999 to 2005, and then ongoing to date.

The law surrounding crown-aboriginal relations is a work in progress that is slow moving. We can now see the potential impact of the judicial outcome in Daniels versus the Queen, and it will be significant.

I believe that several critical issues must be resolved before we are on the right path. First, the federal government must once and for all acknowledge the fiduciary responsibility and declare that section 91.24 of the Constitution Act, 1867, is a federal jurisdiction that applies to all aboriginal people.

Second, the federal government needs to make the bold declaration that all aboriginal people are entitled to be treated fairly on the basis of an equality of rights and equity of access as principals.

Third, the Department of Aboriginal Affairs and Northern Development needs to work with all aboriginal people in order to transform a diverse range of communities into self-governing entities.

CAP recognizes that change isn't easy and it won't happen overnight. We are encouraged by the words of Prime Minister Harper that we do not need new relationships but we need to respect the existing relationships, including the treaties, and to make them work.

CAP is also pleased that the Conservative Party agrees with the necessity of reassessing the federal responsibilities in section 91, and in subsection 35(1) of the Constitution Act, 1982.

After the Prime Minister stood in the House of Commons and delivered a formal apology to aboriginal peoples who suffered in the residential school system, Canadians from all backgrounds understood that a profound injustice had been done to the aboriginal inhabitants of this country. It is time for the outdated Indian Act to be abandoned and for negotiations to take place with all beneficiaries regarding treaties and aboriginal rights.

I believe the future holds hope that all aboriginal people will take their place as distinctive and capable communities empowered with the political tools for protection of our identities, cultures, and societies.

We ask here today that you not allow this or future generations of aboriginal Canadians to be forgotten.

Thank you.

●(1230)

The Chair: Thank you, Mr. Dorey. We really appreciate your testimony.

Committee members, we are now at 24 minutes. We're going to get through only the first round of questioning, so keep that in mind in determining who is going to speak.

Also, committee members, I want to remind you of your responsibilities as parliamentarians with regard to speaking to issues that are before the courts at this point in time. I put that out there as a reminder and for the reference of committee members.

Mr. Genest-Jourdain, for seven minutes.

[Translation]

Mr. Jonathan Genest-Jourdain (Manicouagan, NDP): [Witness speaks in his native language]

If I am not mistaken, your organization is made up primarily of aboriginal people who live in cities or off reserve. You are very likely aware of the advantages of living outside the community, off reserve, but also of the disadvantages, particularly the dilution of the connection with the land and the traditional practices of communities.

What does your organization do to ensure this traditional knowledge is passed down, and to preserve the relationship with members of the home community?

[English]

Chief Betty Ann Lavallée: Thank you for your question.

Actually, it's quite the opposite. I grew up in a traditional aboriginal family and I never lived on reserve. I grew up with my grandparents, who taught me the ways, and my great-grandparents. My first hunting trip was at four years old. We've always practised our traditions off reserve. It's unfortunate because my brothers and sisters on reserve were prohibited by law to practise. They're just starting to get back into it now.

For those of us who have never been on reserve, we haven't lost those traditions and cultures. My grandfather spoke Mi'kmaq and I heard it growing up. He actually spoke three languages: Gaelic, English, and Mi'kmaq. I grew up hearing the language. Unfortunately, once he passed on, it wasn't used anymore.

I have never lost my traditions. They were instilled in me at a very young age. Most of our off-reserve aboriginal peoples have always come together to practise these rights.

●(1235)

[Translation]

Mr. Jonathan Genest-Jourdain: It is important to understand that in cities, having a connection with traditional territories can be more difficult. Does your organization work to ensure the eventual return of your members, and the resumption of traditional practices on forest land?

[English]

Chief Betty Ann Lavallée: Even in the urban centres our organizations do have powwows; they do practise their traditions. Every year one of our organizations in P.E.I. has a powwow at Panmure Island.

Our people still travel the powwow routes. Now that they're becoming more prevalent on reserve, they do go to these things. We have elders in our urban centres who provide us with our teachings and our culture.

[Translation]

Mr. Jonathan Genest-Jourdain: I would like to ask another, more specific question.

What adjustments have been necessary or what changes have been made in your organization since the McIvor decision?

[English]

Chief Betty Ann Lavallée: The changes for us, of course, are that some of our people who were not eligible for status are going to gain status. Unfortunately, not all of our people will, as I said, but at this point there are a lot of happy individuals out there.

I do get the odd e-mail and phone call that they're getting their status. I had one woman we've known for years who called my parents. She cried on the phone for 30 minutes because she finally got her status under our PTO. In Newfoundland and Labrador, the Qalipu Band, which is an off-reserve band, got band status, and we'll have over 28,000 members registered now.

[Translation]

Mr. Jonathan Genest-Jourdain: Do you keep statistics on the education of your 28,000 members? If so, are they similar to those of communities, or are they different?

[English]

Chief Betty Ann Lavallée: Unfortunately, CAP does not receive the same capacity as our other national organizations. Of the \$8 billion that is spent yearly in Canada on aboriginal issues, for every \$8 spent on reserve only \$1 is spent off reserve. We work hard with Stats Canada to try to capture the statistics. Unfortunately, we haven't quite been able to get them. We know for a fact, based on some of the statistics that have been captured, that most of our aboriginal children are not finishing school. They're apt to end up in jail before graduation. The statistics are much the same.

The Chair: You have 30 seconds.

[Translation]

Mr. Jonathan Genest-Jourdain: You spoke about the gun registry. What are you doing to return to hunting and trapping practices that do not include guns? After all, there were no guns 500 years ago.

[English]

Chief Betty Ann Lavallée: Maybe just slow down a bit.

The Chair: You'll have to ask the question again. The interpreter missed the question.

[Translation]

Mr. Jonathan Genest-Jourdain: You raised the issue of the gun registry. What do you think of traditional hunting and trapping methods that did not include guns, given that they did not exist 500 years ago?

[English]

Chief Betty Ann Lavallée: According to current case law, even though back when the treaties were negotiated we were using spears or bows and arrows, just like other people our traditions evolve and our way of doing things changes. We have the right to hunt with a long rifle. I am a long-gun owner. I have been around rifles since I was young and I was taught the proper way to handle them. My first hunting trip was when I was four. My son's first hunting trip was around the same age. We harvest for food only, not for sport. What this has done to a lot of our aboriginal peoples is not right: if we didn't register our guns, we were technically in breach of the law. The unfortunate aspect of this whole situation is that there was no proper consultation with aboriginal peoples.

I'll speak for the off-reserve, in particular. I was the chief and president at the time of the New Brunswick Aboriginal Peoples Council. There was no consultation with us on this registry. I believe the courts have been clear: if you're going to do something that's going to affect an aboriginal and treaty right, you have an obligation to do proper consultation. That was not done with us.

• (1240)

The Chair: Mr. Clarke.

Mr. Rob Clarke (Desnethé—Missinippi—Churchill River, CPC): Thank you, Mr. Chair, and I'd like to thank Chief Lavallée and Vice-Chief Dorey for coming in today.

Congratulations on four years of working on the issues that are facing first nations or aboriginals off reserve.

I come from northern Saskatchewan, and I see a large portion of the population leaving the reserve. I have a lot of family who live in the urban and the rural areas. It's just in northern Saskatchewan. North Saskatchewan has about 74 first nations communities. We look at the communities in the north and there's a great deal of Métis as well.

I hear what you're saying in regard to the long-gun registry. A lot of individuals go out and they're not able to gather during their regular times.

You talked about education, and it's very important. Can you tell me how CAP and the federal government are working together right now, specifically for youth and education? One of the main points we have to look at is economic development. Can you elaborate on that economic development? What goes into education and youth is all intertwined—if you don't have a job there's no future.

Chief Betty Ann Lavallée: Currently we are working on an economic development strategy that will go forward to the minister. We're in the third stage of it right now. We're in the process of looking to set up an economic development corporation. We also have the new ASETS program, which is provided under Human Resources and Skills Development Canada. We have partners across Canada.

From HRSDC we also have what we call ASEP, which allows us to set up special partnerships. Right now we sit on several sector councils across Canada. It also allows us to build partnerships with industry. We sit on the tourism sector council board of directors. We sit on the food processing council and on others, as I've stated. We're looking to tie it all together. We're looking at a whole-of-government approach to this: education, economic development, and training.

Through the ASETS program, we're attempting to address the post-secondary education problem, because for the most part, we do not receive educational dollars, because we're off reserve and therefore fall under provincial jurisdiction. This makes it difficult for us to develop a long-term strategy on education. We're hoping that at some point we can do that. In the meantime, we work with what we have. As I said, ASETS allows us to fund the last year of post-secondary university, because by that point, once they graduate, students are deemed to be job ready. By building partnerships with private industry and the different sectors we are approaching it from different angles. By working on economic development, by setting up an economic development corporation, we're hoping that we will eventually have places where our students, our young people who graduate, will be able to go to get a foot in the door and get some life experience to launch them into the working economy.

We're trying to take every little piece we get and multiply it to make it meaningful for addressing some of the issues we're facing. One of the greatest things we're looking toward is having our economic development corporation set up, because it will eventually—it won't happen overnight—give us a sense of independence. We'll be able to look at financing ourselves. We are very proud people. We've always said that we don't want a handout; we want a hand up. We want to be independent of funding. We want to be able to track our own path and be responsible for our own future.

● (1245)

The Chair: You have two minutes left.

Mr. Rob Clarke: Okay.

You mentioned the Indian Act. How do you really feel about it? I'm talking specifically about MRP.

Chief Betty Ann Lavallée: I have a hard time, being a modern woman in a modern day, when I hear of women who have no place to go to escape violence and of children who are sometimes left to sleep in a car overnight to escape being beaten. I have a real hard time when a woman and child are left with nothing.

I know what that feels like. I've experienced it. It's not a good feeling. I was one of the lucky ones. I had a family that took me in. A lot of those women don't have families to take them in. That's why, to me, the MRP is a Charter issue for women, and even men, because now it's happening to men. People don't talk as much about it, but even our men are experiencing violence in the communities, and it's from women. This is what a couple of dysfunctional generations have brought us to. They need to have the right to have protection under the law.

The Chair: Thank you.

We'll have Ms. Bennett.

Hon. Carolyn Bennett: Thank you very much.

Given that education is everything—that finishing high school and going on to post-secondary is the key to success—and the reality that off-reserve is a provincial-territorial jurisdiction...how can you help, or what are the...? Is there a best practice across the country? Are there places you're looking at that are doing this better in terms of wrapping around these kids and making sure they're successful? What are some of the elements of an education strategy?

Chief Betty Ann Lavallée: At this point, we haven't had the opportunity to go out and visit any of the best practices. We've heard of them anecdotally.

I can only go back to my home province. We were getting a small \$15,000 grant from the provincial government. We took that small \$15,000 and broke it into categories. It was based on income. Only those under the poverty line could apply for assistance. But that little bit of assistance could send a child to school, with school books and in a warm coat, boots, and mittens, and buy some school supplies. Other than that, they'd have none. In some cases, for the ones who were in high school, we were able to offer some small bursaries to assist them in purchasing school supplies. We have non-profit social housing that's able to offer their families low-income housing based on income.

So it was through all these pieces. I'm sure Dwight can speak to the same, about some of the wonderful things they have done in his home province of Nova Scotia.

Other than that, we've had very little interaction with provincial governments on education. They absolutely refuse to deal with us because we're not, as far as they're concerned, real Indians. They only really deal with the reserves, unfortunately.

● (1250)

Hon. Carolyn Bennett: Obviously, all school systems want as many kids as possible to be successful. When there seem to be certain groups that are less successful, as you described, there need to be strategies. Does the name change of the department make you optimistic the federal government will help in ensuring that all indigenous students are successful?

Chief Betty Ann Lavallée: I'm optimistic. I'm always optimistic—I have to be in my job.

I foresee in the future—it might not happen tomorrow, it might not happen next week or next month, but I foresee things slowly starting to change for the positive. I believe the change from Indian and Northern Affairs to Aboriginal Peoples is a beginning. The apology was a beginning. Good things don't happen overnight. Good things come to those who wait.

Chief Dwight Dorey: Unfortunately, too, what happens there is that when you deal with education, which is a provincial jurisdiction, the types of programs, services, or assistance to a certain class of people, if you will, is based on low incomes, which is primarily our people. Statistics show, studies have been done—the RCAP report was one—that show there is no distinction when it comes to the socio-economic conditions of status or non-status aboriginal people. It's all the same, right across the board.

On the other hand, it is the federal government that, at least to a considerable level, addresses those needs for registered Indians living on the reserve. That's the whole point of the 91.24 issue and the case that is before the courts on the 91.24 issue. Because of that lack of distinction, the socio-economic conditions are straight across the board.

We will find, in some instances, some provinces that maybe have more resources available and will do a bit more for the non-status off-reserve Métis people. But in other areas, they don't have it and it doesn't happen. That's why our people, our kids today, remain at the bottom of those statistical levels—the highest dropout rates in school, the highest rates of infant mortality, all of it. That's the whole fundamental issue. That's where it has to start, right at the basic, fundamental issues.

Hon. Carolyn Bennett: Many say that aboriginal education isn't only for aboriginals, but that there's a responsibility to teach the history and the culture to all Canadians, in much the way that New Zealanders have embraced Maori culture. That seems to have helped the Maori people be more successful.

Do you see that the federal government has a responsibility to help provide some leadership on partnering with first nations, Inuit, Métis, and you to help disseminate to all Canadians that history and the history of the lack of justice?

Chief Dwight Dorey: Absolutely.

Hon. Carolyn Bennett: How would we do that?

Chief Dwight Dorey: Culture is the fundamental aspect of your whole learning system. If you can't incorporate culture with the education programs and systems, then there are going to be problems. That's what I'm talking about fundamentally.

The Chair: Thank you very much.

Mr. Wilks, for seven minutes.

Mr. David Wilks (Kootenay—Columbia, CPC): Thank you very much, Chair.

Thank you very much for coming today. To both of you, I just have one question that you can elaborate on as long as you want. Through reviewing and using the Indian Act as a police officer, I have my own opinions. It is at best antiquated, but our government has said that it would make incremental improvements where possible, like Bill C-3 and MRP.

Does CAP think there would ever be full support from the aboriginal community on how to replace the Indian Act? If so, what are some of the obstacles you can see that could be removed from and/or implemented in the act?

• (1255)

Chief Betty Ann Lavallée: I believe that if you go back to RCAP you'll see that there were some very good suggestions in RCAP as to how to deal with this, because this issue was brought up during the Royal Commission on Aboriginal People. There were extensive consultations done right across Canada. They spoke to the issue of the Indian Act. I believe that at that time they were calling for an aboriginal peoples act.

It's like any piece of legislation: it has to be updated with modern times and modern case law. Unfortunately, there has been a

piecemeal approach to it as case law has unfolded. Nobody seems to want.... It's a very touchy issue.

People are always fearful of change. A lot of our brothers and sisters are fearful that if in fact you tinker with the Indian Act, it's going to cause a great calamity, that it's a way of assimilating them and doing away with their rights and things like that.

But we all know that if you look at case law, the case law is very clear on what rights you do have, so it would be virtually impossible to do away with aboriginal treaty rights.

Chief Dwight Dorey: With that, our people have suffered generations of division. That's what the Indian Act has done for years. Even when there's a real sense of community on a broader basis, when those divisions are entrenched, generation after generation, it takes a long time to heal and to rebuild those units, those family units and those community units. That was part of the whole healing process that the Aboriginal Healing Foundation addressed. It's going to take time, but it has to be done. There has to be a start to doing that.

Mr. David Wilks: You mentioned some of the aboriginal peoples being fearful of change. What are the fears that you see?

Chief Betty Ann Lavallée: In the past when change occurred it was never to their benefit; it was always detrimental. But that was before we had a lot of the case law that has unfolded over the last 10 or 15 years.

We are just like the general population. We have various treaties from the east to the west, so there's never going to be a one-size-fits-all solution, and there's that fear that it's going to impede or take away things they've long fought for.

Chief Dwight Dorey: The unfortunate reality also is that when you're at the bottom end of the social scale, and social issues, social conditions, and health issues remain, there is some comfort taken in what little comes about. That is an unfortunate and sad reality. Those people really, in many instances, do not want to see change. It's a sad reality that we often have to deal with internally. We are members of first nations communities. I don't mean each individual band, which is often referred to as a first nation. I'm talking about the Mi'kmaq, the Mohawk, the Crees, whatever. There are still strong family ties and family beliefs and traditions there, but it has been the Indian Act that has caused the problems. In spite of that, some people just can't seem to foresee a future without some protection, because it does give them some comfort level, and that's the unfortunate reality.

• (1300)

Mr. David Wilks: Is there any time left?

The Chair: You have a little bit, yes, if you'd like it.

Mr. David Wilks: I defer to Mr. Payne.

Mr. LaVar Payne (Medicine Hat, CPC): Thank you, Chair.

And thank you, Chiefs, for coming today. It's really important to hear what you have to say.

I just wanted to say that our daughter-in-law is full-blood Ojibway, and when I got elected she told me to get rid of the Indian Act.

Anyway, aside from that, I understand that you're very pleased with the change in the name of the department to Aboriginal Affairs, so if you could give us a bit of information as to why you believe that and what the impact is for the congress....

Chief Betty Ann Lavallée: The Congress of Aboriginal Peoples, as Dwight stated in his brief, was instrumental.... Our former leader, Harry Daniels, who was part of the constitutional talks and who negotiated section 35 into the Canadian Constitution Act, which said the aboriginal peoples of Canada are the Indian, Inuit, and Métis.... When the department was changed to Aboriginal Affairs and Northern Development, it was reflective of section 35 of the Canadian Constitution Act, and that Constitution is extremely important to us.

The Chair: Thank you.

Thank you so much for coming, national chiefs. Mr. Dorey, thank you so much for your testimony and your frankness with our committee.

Committee members, I just want to inform you of a couple of housekeeping details.

At our next meeting, which is Thursday, we intend—are hoping, are seeking—to get a departmental briefing with regard to land tenure and land registry overview. This will be for the first hour.

The second hour will be set aside for the subcommittee. Those members who are part of the subcommittee, can you be here with the intent to discuss the submissions that you brought forward with regard to the study we're undertaking, as well as thoughts? If you don't have a submission, that's fine. Just come prepared to discuss that.

In terms of the following week, the intention is to have a policy briefing on November 22, again from the department, with regard to additions to reserves. In the second hour we'll have a committee of the whole, with a discussion on future business planning and ratifying the plan that was brought forward by the subcommittee.

On November 24 we will have two one-hour briefings. The first one is in regard to land management boards and land use planning under modern treaties. The second hour will be a briefing on all the land management programs available on reserve, including a cursory discussion with regard to FNLMA's.

Just as a point of note as well, committee members, on November 24 we may be in a different committee room, so please just make sure your staff is prepared. If you're like me, I keep going to the same place unless somebody notifies me of a change.

We are out of time, but, Mr. Bevington, just for a moment....

Mr. Dennis Bevington: Are we under some time constraints in terms of getting the minister here to speak on supplementary...?

The Chair: Yes, we are working to get the minister here before supplementary—

Mr. Dennis Bevington: Was there a time constraint?

The Chair: Yes, it's the middle of December, but we're going to try to get it done before the beginning of December. That's the intention from—

Mr. Dennis Bevington: I don't know if the parliamentary secretary has anything to add to that.

The Chair: Maybe you would like to have a discussion with him with regard to that.

As for this committee, it is adjourned.

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