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Chair

Mr. Chris Warkentin

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• (1105)

[English]

The Chair (Mr. Chris Warkentin (Peace River, CPC)): We'll call this meeting to order. This is meeting number 18 of the Standing Committee on Aboriginal Affairs and Northern Development.

Today, colleagues, we have the Land Claims Agreements Coalition before us. They are going to bring us opening statements. Mr. McKay, I understand you have an opening statement as well as Mr. Kunuk. Is that correct? Wonderful.

If you would begin, either of you, and make introductions... Usually we give approximately 10 minutes. We'll go overtime. We're happy to do that if it takes us beyond that. It just limits the amount of questioning that our colleagues can do.

We'll turn it over to you. Begin with your introductions and opening statements, and then we'll proceed. Thank you.

Mr. Kevin McKay (Chair, Nisga'a Nation, and Coalition Co-chair, Land Claims Agreements Coalition): Thank you, Mr. Chair. Good morning to the honourable members of the committee.

My name is Kevin McKay. I am the chairperson of Nisga'a Lisims Government. We are the government of the Nisga'a Nation, and we hail from beautiful northwestern British Columbia. I bring you greetings.

With me today representing the Nisga'a Nation are my colleagues: the chief executive officer of Nisga'a Lisims Government, Mr. Fred Tolmie; and our general counsel, Mr. Jim Aldridge. Also with me representing the Land Claims Agreements Coalition this morning is Grand Chief Ruth Massie from the Yukon, David Kunuk from NTI, and Alastair Campbell, who is also with NTI.

First of all, Mr. Chair, and to the members of the committee, I want to express our appreciation for the request to make a submission before the committee as the Land Claims Agreements Coalition. Unfortunately, in terms of logistics, we were not able to meet the timelines with respect to submitting copies of our written presentation for your reference. However, with that in mind, the presentation today will hopefully give you more insight into what the Land Claims Agreements Coalition represents. More specifically, Mr. Chair, we would like to address some of the issues that we deal with on an ongoing basis in implementing our respective land claims agreements and self-government agreements in our communities, in particular the way in which it pertains to the subject matter the committee is presently studying. That would be in the areas of land use and sustainable economic development.

First of all, I will give you a bit of background information on the Land Claims Agreements Coalition. We were formed in 2003 as a direct result of a national conference in 2003 entitled "Redefining Relationships". It became very evident in that conference that all of the aboriginal and Inuit groups that had achieved either modern land claims agreements or self-government agreements were dealing on a regular basis with the challenges around implementing our respective land claims agreements. We've been together since 2003. We continue to have the common objective of pursuing a national policy on the effective and efficient implementation of our respective modern land claims agreements.

You will all recall, Mr. Chair, and through you, the committee, that in 1973 the landmark decision known as the Calder case had opened the door for modern land claims negotiations and subsequent modern land claims agreements in Canada. As a result of Calder, the first modern land claim agreement in Canada was reached in northern Quebec with the Cree in 1975. Since then, some 24 modern land claims agreements have been reached across Canada. For your information, Mr. Chair, all of the governments and aboriginal and Inuit groups that have achieved modern land claims agreements since 1975 in Canada are members of the Land Claims Agreements Coalition.

• (1110)

There are two co-chairs of the coalition, and it's been that way ever since we formed in 2003. The Land Claims Agreements Coalition is comprised of either first nations or Inuit. As a result of that, a decision was taken in 2003 that the co-chairs would represent the Inuit groups and the first nations groups. By way of further information, the co-chairs back then were—and continue to be at the present time—the Nisga'a Nation, representing the first nations groups in the coalition, and NTI, representing the Inuit groups. We remain as co-chairs.

The combined land mass and resources that are represented by the Land Claims Agreement Coalition represent approximately half of the land mass in Canada. I think that's a really significant point in terms of what the modern land claims agreements afford each of us in our respective situations to work with, in cooperation with Canada and, depending on our situation, either the provincial or the territorial governments, which are also parties to each of these respective agreements.

At this time, Mr. Chair, I invite my colleague, Mr. Kunuk, to provide further information. I am sensitive to the time issue here, and I want to give him an opportunity. Then hopefully during the exchange in questions and answers, we can bring up specific examples to help the committee better understand what we want to leave with you today.

The Chair: Thank you, Mr. McKay.

Go ahead, Mr. Kunuk.

Mr. David Kunuk (Director of Implementation, Nunavut Tunngavik Inc., Land Claims Agreements Coalition): Thank you, Mr. Chair.

Thank you, Kevin.

As Kevin mentioned, there have been great strides and struggles that we've encountered through the last number of years, and I think he's done a good job of introducing who we are. There have definitely been great strides in making our agreements into reality, but there have been many fundamental flaws, and that's why we're here. Otherwise we wouldn't be here.

This could be contested through the Auditor General's report. She also recognized that there is a flaw in the implementation process. Implementation policy is a must from our end of the view. There have been many reviews and reports outlining issues that we have encountered as a group, and there has been litigation that has been started because of the issues of implementation.

I think we all want to avoid litigation, but in the case of NTI, we felt there was no other choice but to pursue that route. We've tried arbitration; we've had a conciliator come in because of lack of agreement to our funding agreement. We've also had two independent reviews showing the lack of implementation. This is not just in the case of NTI; this is very similar all across the board. Plus we turned to litigation, and that's where we are today.

Absence of proper funding in many areas creates inconsistency, and the very fundamental area where you want to see certainty is not there because of lack of implementation. When it comes to economic development and environment, those two are of major importance to land claims groups. With proper certainty of funding will come proper certainty, which would enhance what the Government of Canada is trying to do.

A lot of our objectives across land claims groups and treaties are very similar in nature. Self-reliance, wildlife, and environment are key areas of major importance. From our perspective, proper funding in all areas is a must for us to give you certainty in what you are pursuing.

Thank you.

•(1115)

The Chair: Thank you very much.

We're going to begin our rounds of questioning.

Ms. Duncan, go ahead for seven minutes.

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Thank you, Mr. Chair.

Thank you very much for attending. I appreciate your presence here and the background materials you've provided both today and over the last several months.

I want to first congratulate you for the formation of your coalition and your continued work together. I think that's a way of working that deserves to be commended.

My first question would be to the chair. Mr. McKay, welcome.

As far back as 2009, concerns have been raised, including those you issued in a press release, Mr. McKay, with regard to frustrations with the government's failure to actually implement its obligations under the land claim. You'd expressed concerns that the government was neither fulfilling its obligations nor following the spirit and intent, and that it was very difficult to move forward with economic opportunities when you didn't get the basic funds promised under the agreement for basic infrastructure, education, and so forth.

Mr. McKay, do you feel the government has taken any action since the coalition expressed its concerns two years ago, or do you still hold the same concerns?

Mr. Kevin McKay: Thank you for the question.

Since we made those statements in the media, the situation has remained the same. It hasn't changed. We are continuously frustrated in our respective experiences in attempting to maximize the opportunities provided in our modern land claims agreements. This frustration comes back to the lack of a clear policy in the area of implementing our respective land claims agreements.

The coalition has continued to communicate four main points whenever and wherever necessary. First, we remind Canada that it is Canada and not the Department of Aboriginal Affairs and Northern Development that is a party to our modern land claims agreements. Second, if these modern land claims agreements are to be effective, they have to meet objectives, not just obligations. Third, we strongly believe that in order for the federal system to be more effective and efficient in how it meets its obligations to our respective land claims agreements, that implementation has to happen at a very senior official level that represents Canada. Fourth, we want everybody to understand that to objectively evaluate the performance of all parties, we strongly believe an independent body responsible for overseeing implementation of our modern land claims agreements needs to be set up by the Government of Canada.

•(1120)

Ms. Linda Duncan: Thank you very much.

Mr. Kunuk, I understand you have raised the concern that you haven't had an implementation negotiator since 2004. The government has refused 17 formal requests for arbitration and has refused to endorse the 2006 conciliation report. You've mentioned the fact that you felt forced to litigate.

In what way have these failings of the government prevented you from achieving sustainable economic development?

Mr. David Kunuk: It's a very good question.

As I mentioned, certainty is a big issue, whether from the government side or in land claims agreements. Because of the lack of certainty, procedures that outline what is supposed to be there are also lacking or are not clear, all due to a lack of investment by the Government of Canada in these institutions of public government, as in the case of NTI. The institutions of public government have been struggling and haven't had the resources they need and have requested from the start, so they're always a step behind where they should be. They're stalled in trying to meet their objectives. They're under capacity.

Ms. Linda Duncan: So these are not additional funds you're asking for. These are the resources that, according to your understanding, were committed when you signed the land claims agreement. Is that correct? What would those funds be for? Would they be for education? Would they be for economic development? What would they be for?

Mr. David Kunuk: What I'm referring to are resource boards, environment, land. These amounts of money are less than what was requested. After Berger came and made a recommendation, they got bumped up a little bit, but it was still below what each institution of public government wanted. Thus they're always playing catch-up. So it may not be to the best standard at this point.

Ms. Linda Duncan: We're trying to assess, in this review, what kinds of opportunities and constraints there are, so that our first nations and Inuit communities can participate more effectively in economic development, contribute to the economy, and benefit from it.

I would throw out a broad question to all the coalition members. What specific actions would you say are needed to enable you to move forward in economic development and the development of your lands and resources?

The Chair: There's just a short amount of time left. I'm not sure you'll get to the full answer. But if you could abbreviate an answer, and then if there's another chance, I'm sure Ms. Duncan's colleagues will ask for an elaboration.

Was that directed at anyone in particular, Ms. Duncan?

Ms. Linda Duncan: It could be to the grand chief, but anybody we haven't heard from could answer.

Grand Chief Ruth Massie (Grand Chief, Council of Yukon First Nations, Land Claims Agreements Coalition): Good morning, committee members.

I'm Ruth Massie, grand chief of the Council for Yukon First Nations. For our region, one of the most important issues is the implementation of our land claims agreements. It is not adequate right now. We do not have adequate funding. The most important issue for us, in order to start addressing economic development in a sustainable way, is land use planning.

When we signed our agreements, there was a Yukon land use planning advisory council set up with three members. One member was appointed from Yukon first nations, one from the Yukon government, and one from the federal government. They decided there were eight regional land use planning processes to be engaged. At the time, there was approximately \$10 million put forward, in today's dollars. They started the land use planning in north Yukon,

where there isn't much of a population. They started that process in 2004. They completed it last year. There was considerable contribution from the first nation financially and in kind. That used most of the money from the land use planning. There was a second one started, the Peel River plan. Right now we have a heavy mining industry process happening in the Yukon for economic development opportunities. That plan is finalized, with recommendations for change. The plan is complete but has not been approved. There is a lot of opposition to the plan for the area. That leaves six regional plans left to do with just \$2 million.

•(1125)

The Chair: Thank you.

Mr. Seeback.

Mr. Kyle Seeback (Brampton West, CPC): Thank you, Mr. Chair, and my thanks to the witnesses for coming out today.

I had the pleasure of meeting with you and talking to you about some of your issues. As someone who's new to a lot of these issues, I want to fill in some of the gaps in my knowledge. I understand that comprehensive land agreements cover a wide variety of issues that would include land, water, natural resources, and various other things.

First of all, what issues does the land claims coalition represent with respect to the land claims agreements? Second, how is your mandate determined? I know you're made up of members who are signatories to modern treaties, but how is the land claims coalition's mandate determined?

That question is open to anybody who wants to take a stab at it.

Mr. Kevin McKay: Thank you, through you, Mr. Chair, for the question.

The Land Claims Agreements Coalition was formed in 2003, as I indicated in my opening remarks, and since then we have had an annual leadership meeting, which usually takes place in Ottawa. Our most recent leadership meeting was in February of 2011. At these annual leadership meetings, one of the priority agenda items deals with the ongoing mandate of the coalition. Obviously, as the coalition is still together, that mandate continues as it began, back in 2003.

Again, if I had to summarize it in one statement, what we are advocating for is a new national policy for the effective implementation of our respective modern land claims agreements.

Mr. Kyle Seeback: Do all 24 members come to these annual meetings? Is that how that is arranged and from what your mandate is determined?

Mr. Kevin McKay: Yes, that certainly is what we would like to happen. Obviously, from time to time, not all the leaders are able to make it, for whatever reasons. The way we reach decisions in the coalition is by consensus. All of the representatives at our meetings have an opportunity to express their perspective, and at the end of that time we find a common ground and we move forward on a basis of consensus.

• (1130)

Mr. Kyle Seeback: Ms. Duncan talked about a press release, and she talked about whether there's been any movement since 2009. In your response, you seem to have indicated you didn't think there was any.

I do know that the Auditor General's report in 2011 indicated there was certainly some progress being made in a number of areas, specifically when you deal with an implementation management framework, a guide to federal implementers, and a treaty obligation monitoring system. The Auditor General commented that these were steps in the right direction. I'm paraphrasing. Do you think there has been any progress on the issues you're talking about today?

Mr. Kevin McKay: No, there hasn't been, to our satisfaction, through you, Mr. Chair.

Just before I lose the point, in addition to the annual leadership meeting of the coalition, the representatives of the members of the coalition meet on a regular teleconference, usually three or four times throughout the year, to carry on the ongoing work as directed by our leadership.

No, sir, to answer your question succinctly, we are not satisfied that since 2009 there has been significant progress in Canada's efforts to meet its obligations in each of our respective modern land claims agreements.

Mr. Kyle Seeback: Do you take that from the points that you raise when you say you need a new arrangement? Is that what you're measuring your progress against? Are you suggesting that you don't consider the treaty obligation monitoring system, a guide for federal implementers, and the implementation management framework to be positive steps at all, or these are just things that are not addressing the issues you're bringing today?

Mr. Kevin McKay: The problem as we see it, Mr. Chair, is that all of these attempts by the aboriginal affairs and northern development department to fix the problem are internal to the aboriginal affairs and northern development department. We find it hard to gauge with any certainty to what extent they have been successful in addressing the problems.

I'm here to tell you that it comes up at every one of our coalition teleconferences, and indeed at the annual leadership meeting. There is a growing list of examples of the frustration we encounter on a regular basis because of the inability of Canada to effectively meet its obligations. Again, we go back to one of our four major points. It is Canada that is a party to our modern land claims agreements and not a specific department of the Government of Canada.

The Chair: Thank you, Mr. McKay.

Mr. Andrews, for seven minutes.

Mr. Scott Andrews (Avalon, Lib.): Thank you very much, Chair.

I extend a welcome to our delegation today.

I'm new to this committee. Today I'm subbing in for our critic, Dr. Carolyn Bennett.

I'd just like to expand a bit on what was brought up a little earlier. The minister was testifying before this committee less than a week ago. When we brought up the implementation of the comprehensive

land claims agreements, he said that most of the issues were largely resolved. He dismissed it—I will quote the minister—and said that “most of the issues have gone away”.

I was wondering if you could tell us, each one of you, about the progress and specifically about the implementation issues related to the agreements. What hasn't been largely resolved? Could you give this committee some direction? Could I hear from each one of you on that?

Mr. David Kunuk: Thank you, Mr. Chairman.

From the point of view of NTI, one of the biggest outstanding is the implementation contract, which is much like a funding contract. It is still outstanding. I think many areas of the contract would have.... We were able to fix things; I think there have been a couple of small minor fixes that the minister may have referred to, which is part of that legislation for land use planning and the assessment act, as well as the Nunavut Tunngavik water plan.

They're a bit late, but they're still coming; they're still at the infancy stage. But overall, I think a start to a funding contract would be a big start to NTI.

• (1135)

Grand Chief Ruth Massie: For the Council of Yukon First Nations, in our implementation I do believe that it comes down to the inadequate funding.

In our region, we get a five-year review of the renewal of our financial transfer agreement, in which we did declare all of the inadequate areas. That review stretched out to five years, and in the end, the technical officials who worked on it agreed to the recommendations. None of the recommendations has been implemented to date. It was not approved by the department. With our review, it is also with the whole Government of Canada, not just with the aboriginal affairs department.

Mr. Fred Tolmie (Chief Executive Officer, Nisga'a Nation, Land Claims Agreements Coalition): Thank you, Mr. Chair. I thank the member for the question.

One specific example I have goes back to the treaty obligation monitoring system.

An essential cornerstone of sustainable economic development is going to be employment skills and training. Without employment skills and training, a lot of our people are going to be standing on the sidelines, especially in our area of northwestern British Columbia, where substantial resource development is taking place.

Being on the sidelines is bad enough. What would be worse is if we were to participate in these projects—which are under very harsh conditions—and if we were to go in there improperly trained. There'd be a chance some of our crew members wouldn't be coming home at the end of the day. And that's reality for us.

To get to a specific obligation that would be tracked under the treaty obligation monitoring system.... It's in paragraph 68 of chapter 11 of our treaty. It states:

At the request of any Party, the Parties will negotiate and attempt to reach agreements for Nisga'a Lisims Government delivery and administration of federal or provincial services or programs that are intended to:

- a. improve the employability or skill level of the labour force and persons destined for the labour force; or
- b. create new employment or work experience opportunities.

At the request of Nisga'a Lisims Government, the parties will negotiate and attempt to reach an agreement.

On January 28 of this year, we sent a letter to the Honourable Minister of HRSDC, informing her that we would like to negotiate and attempt to reach an agreement on the delivery of an aboriginal skills and employment training strategy program. On February 3 we received a polite acknowledgement from the minister's office that our correspondence had been received. By the end of February, we had received phone calls from officials from HRSDC, indicating that they would like to meet.

The federal election was called, so we quite appropriately put everything off until after the election. On June 1 we had an opportunity to meet. In this meeting I conveyed...well, first of all, we made it clear—it was our expectation that the treaty is clear—that there is a clear obligation to negotiate delivery of this program.

At the same time, Human Resources Development Canada was already engaging another society to deliver these same programs. So we felt it was important that we move forward and complete the negotiation in the same timeframe they're presently negotiating the delivery of these skills in our area.

Plus, we laid out the specific opportunities at hand. One is that we would develop and deliver employment skills training that is market-driven. We are meeting with construction companies that are willing to put their own money into this, along with the federal program and possibly Nisga'a Lisims Government. We're going to be able to add our own resources. So you've got leveraging of these resources, market-driven, that will enable our participation.

At the end of the June 1 meeting we were advised that they were going to seek a mandate from the minister's office. We were informed that a recommendation had gone up at the end of June, and that was all we heard of it. We're now in December. We have been making inquiries to find out—we anxiously want to move this forward because these opportunities are happening as we speak. Meanwhile, HRSDC is continuing to negotiate with this other society that they would like to have deliver these programs in our area.

The point is that this is an obligation the Nisga'a Nation has the right to bring to dispute resolution. After six months without a response, all we're hearing is that the minister is considering a mandate while they are negotiating with another service delivery agent in our area. We just don't feel that to go to dispute resolution is the proper way for the Nisga'a Nation to maintain its relationship with the federal government, consistent with the honour of the crown. Meanwhile, it is negotiating with another agency just down the road from us.

● (1140)

It's a bit of frustration, and to get to the point of why the Land Claims Agreements Coalition feels that, while there is a treaty monitoring system, what is missing is... Yes, they acknowledge there is an obligation, but there is frustration on our side with the

accountability in fulfilling those obligations, and a treaty monitoring system isn't in itself providing that.

The Chair: Thank you, Mr. Tolmie.

Mr. Rickford, for seven minutes.

Mr. Greg Rickford (Kenora, CPC): Thank you, Mr. Chair.

Thank you to members of the coalition and their guests here today. As has been said earlier, we have embarked on what I believe, and I think what my colleagues generally believe, is an important process to understand economic development with respect to a number of, if you will, legal instruments that are available, modifications of opportunities that break away in the context of first nations, specifically the land, or the Indian Act.

Our focus indeed is on creating better economic development strategies and understanding in all the different parts we are seeing here at this committee and how we can all understand that we're jointly responsible, of course, for creating an environment that balances environmental protection with economic development. I think that's one of the themes we are hearing here today.

I just want to talk about this whole idea of what my line of questioning has gone around, the tools that exist in agreements. I hear you loud and clear. You've referred to funding issues, and that's on the record here, and certainly we'll need to understand that more, but from my perspective, there are certain regimes in these agreements that I'd like you to focus on in a technical way, if you could, for our further enlightenment.

This may be a question for you, David, more directly, in the context of Nunavut. Specifically, how are tools in the agreements, things like co-management regimes and land use plans, and others I'm sure you will tell us about, assisting members of the committee, but particularly in Nunavut, to participate in sustainable economic development in your region in particular? Grand Chief Massie made some representations as well around land use planning, and I'd like to give her a very brief opportunity to expand on that.

David.

Mr. David Kunuk: Thank you.

In the case of Nunavut, as I mentioned briefly, when Berger was around he asked us to agree on funding between INAC and Inuit and the Government of Nunavut. He wanted to stay away from the focal point of his sales pitch that Nunavut is in crisis, so in a matter of two months he asked us to go in and agree on numbers with the absence of the institutions of public government, i.e. the Nunavut Surface Rights Tribunal, the Nunavut Impact Review Board, the Nunavut Planning Commission, and the Nunavut Water Board.

In the absence of their presence we agreed on numbers, just so that Berger could do his bigger sales pitch.

● (1145)

Mr. Greg Rickford: These are things that are like co-management regimes and land use planning. These are the tools we're talking about?

Mr. David Kunuk: Yes, I'm getting to that point.

Because of the funding where they had a shortfall—by far, all of them were short by \$1 million, plus more, because it's a capacity-driven issue.... Nunavut is one of the interesting areas for industry, so the paperwork mounts up very easily. As everyone knows, there are miles of paperwork when there is industry interest.

Mr. Greg Rickford: What specific tools are the industries interested in, David, that are contained in these kinds of agreements?

Mr. David Kunuk: Lack of red tape is probably one of the areas they want to see, but that red tape could mean that certainty is a big issue. In the absence of proper funding in these areas, that is a red tape issue on its own. Then, of course, there are wildlife perspectives in the case of the hunters and trappers organizations. They're a one-man show that has the same obligation as an environmental section of a government unit.

Mr. Greg Rickford: I've seen your economic outlook here. By the way, it's a really good report, and there are a couple of key points there on investment in the knowledge of natural capital and investment in the preservation of natural capital. That's a great way of framing it.

They are saying to reduce red tape. Is that what you're saying?

Mr. David Kunuk: There are different interpretations of red tape. Uncertainty is red tape on its own. Clear rules aren't there because legislation is not completely done in certain areas—that's red tape. Even ownership is red tape too, whether it be industry, Inuit-owned businesses, or what not, that creates red tape. So there are many ways of interpreting red tape.

Mr. Greg Rickford: Just for the benefit of the committee, is NUPPAA, for example, an important piece to this process? I mean getting that through, and getting on with that piece of legislation.

Mr. David Kunuk: I think that's definitely a great step towards certainty, because it will help define what the rules are in the area of land use planning and assessment.

Mr. Greg Rickford: I should say, all of the colleagues here understood—in the case of Eeyou Marine, for example—the need to get through that; as a committee, we're pleased to report that it has received royal assent. We worked very effectively as a team to identify that as a final piece of legislation in a constellation or process that consummated that. So I think we should be thinking about NUPPAA in those regards.

How much time do I have, Mr. Chair?

The Chair: You have 50 seconds.

Mr. Greg Rickford: Fifty seconds—these time assignments never do this justice.

I just want to ask you about this, David. Last week, it was announced that the first royalty payment from the Meadowbank gold mine amounts to somewhere in the neighbourhood of \$2.3 million. It's an important milestone, indeed, for the Inuit of Nunavut and for Agnico-Eagle. How has settling this Nunavut land claim agreement facilitated the achievement of this milestone?

Mr. David Kunuk: The land claim agreement implementation process defines rules in relationship with industry, and within our own land management rules and procedures we've created and the royalty regime we've helped deliver, that, on its own, has facilitated the process we saw in the press release last week—not so much

government, because this is Inuit-owned land. But I don't think we should separate the two when it comes to land use activity, because Inuit and other aboriginal people still hunt and harvest in many areas, not necessarily only on Inuit-owned lands.

The Chair: Thank you very much, Mr. Kunuk.

Mr. Genest-Jourdain, you have five minutes.

• (1150)

[*Translation*]

Mr. Jonathan Genest-Jourdain (Manicouagan, NDP): [*The member speaks in his Native language*]

Hello, Ms. Massie.

My questions relate to the co-management and management boards. You raised this subject earlier. I'd like to hear your opinion as a stakeholder on the ground.

Are these management boards an organizational vehicle, do they constitute a corporation under the act governing companies? What is the typical composition of the co-management boards associated with land claims agreements? Could you tell us which members sit on these co-management boards?

[*English*]

Grand Chief Ruth Massie: Yes. In the UFA, we have the boards and committees. Some of them are public advisory boards. The seats on the boards and committees are equal. They work together, technically. They come forward with recommendations, usually through a consensus-building exercise. Their recommendations on the subjects they address go for approval to the Yukon government minister responsible. It comes down to the Yukon government minister giving final approval.

There has been public consultation on this due to dissatisfaction of the Yukon public, in most cases. When it comes down to a disagreement, there are recommendations to go to arbitration, mediation, or even dispute resolution, which is not adequate at this time because it's not working. All parties have to agree on dispute resolution and arbitration. If one party disagrees, it doesn't proceed. As the recommendations come forward from the advisory group, and lots of them go through the public consultation process, they go to the minister. The minister has the opportunity to say yes or no to a situation, whether it's for or against the public.

It's quite concerning that we don't have a process to continue adjudication to satisfaction. For the most part, most boards and committees work. The general public also participates as committee and board members, as do the other governments.

Thank you.

The Chair: There's an additional minute if anybody has anything.

Ms. Duncan.

Ms. Linda Duncan: I have a quick question. The members mentioned your request for an independent audit review body separate from the Department of Aboriginal Affairs and Northern Development. It would report annually. It would be something like the Auditor General. Would somebody on the coalition like to elaborate on that and on why you're calling for that?

Mr. Kevin McKay: Yes. Thank you for the question.

Mr. Chair, through you, the coalition strongly believes that there has to be an independent body that reports directly to Parliament on all of these issues. That's the only way we can effectively, first, assess the situation, and second, decide on an appropriate action plan, with full disclosure to Parliament on a regular basis.

• (1155)

The Chair: Thank you very much.

We'll have Mr. Payne, for five minutes.

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

My questions are through you to the witnesses. First of all, I'd like to thank you all for coming out here today. I know it's a big effort. It's important that we hear your voices.

As I understand it, in May 2010, the government announced an action plan to improve northern regulatory regimes, which certainly had three objectives: a more efficient process; enhanced environmental monitoring through implementation of the NWT; and impact monitoring of the Nunavut general monitoring program. And it would reflect an aboriginal voice. How is this contributing to the fulfilment of land claims agreement obligations and the creation of a more efficient regulatory regime in the north?

It's open to anyone who would like to answer.

Grand Chief Ruth Massie: For the Yukon region, the Government of Canada has not shared that document with us. We've heard about it. Our organization has not received a copy of it. We know about it. For us, it is the implementation of our agreements that we follow.

Our expectation is that the federal government will meet its obligations in the agreements. We use our agreements on a daily basis. When we come up against an issue or whatever, it just seems that they never have time to hear about it. I'm pleased that we have the opportunity to come before you today to speak about some of these issues with you. I know they say they're implementing the agreements, but they are not doing a very good job of fulfilling all of the tasks within.

The Chair: Mr. Kunuk, and then Mr. Campbell.

Mr. David Kunuk: In the case of NGMP, as I mentioned earlier, it's at a very early stage. They're still going through the research stage of what the priorities should be and where they start. So the NGMP—Nunavut general monitoring plan—still hasn't made a big difference at this stage. It's still just revamping, because the funding didn't actually come through until the fall of 2010.

Mr. Alastair Campbell (Senior Policy Advisor, Nunavut Tunngavik Inc., Land Claims Agreements Coalition): There was a review that was done for, at the time, the Minister of Indian Affairs, which was completed in 2009, and headed up by Mr.

McCrank on northern regulatory process. The vast bulk of that was focused on the Northwest Territories, so I will not comment on that.

In terms of Nunavut, he basically thought the Nunavut system was working reasonably well. He did recommend amendments to the Nunavut Land Claims Agreement that in fact happened prior to his report being published. He also recommended the enactment of legislation that is being developed now, and the clarification of...

Yes, one of the issues he recommended that required the amendment of the Nunavut Land Claims Agreement was to clarify the responsibilities of the Nunavut Impact Review Board as against the Canadian Environmental Assessment Agency. That certainly happened, or the legislation I guess will happen soon, we hope.

I guess a lot of the problem here is the time that it has taken from when things get decided to when they get implemented. The Nunavut general monitoring program should have been done not long after the agreement was started, but it's 2010 before it gets going. Even with what are called IPGs, institutions of public government, basically the impact review boards—Mr. Kunuk referred to the fact that there were recommendations by a conciliator, Thomas Berger, on closing the gap and agreeing on funding for these boards. I think the agreement was actually reached on the amounts of money in 2006, but it's 2008 before it begins to flow.

There are just generally problems of lag and delay. So, yes, it's true, as the minister said, things are happening, but things are happening that should have happened years ago, and there are other things that should be happening that aren't happening.

• (1200)

The Chair: Thank you, Mr. Campbell.

Mr. Stewart for five minutes.

Mr. Kennedy Stewart (Burnaby—Douglas, NDP): Thank you very much, Mr. Chair.

Thank you for your presentations today.

I represent Burnaby—Douglas in British Columbia, and it's the heart of Coast Salish territory there. So I have many discussions and regular meetings with Tsleil-Waututh Chief Justin George, and also with Leah George-Wilson, who is the current co-chair of the B.C. summit. So my perspective on this is from the British Columbia perspective.

I'm also a member of another committee, which is natural resources, and although I'm just subbing here today for Carol Hughes, the discussions that we're having in that committee echo what we are hearing here—that the major barriers to investment in the north seem to be issues of clouded title and unresolved treaty or land claims obligations. We're finding on that committee—we've heard from many first nations, Inuit groups, and companies interested in investing—that until these things move along, we're going to have significant barriers to any kind of investment. So I really appreciate you coming here and giving us concrete ideas of how we can move ahead with that.

My direct interest is in settling B.C. treaties. I have talked to a number of first nations groups there that are extremely frustrated with the process, and it doesn't sound like it gets much better after agreements are signed. So I'm just wondering—and this is asking you to perhaps share some of your discussions you've had with other nations—whether your experiences with the slow implementation of land claims deals has perhaps put a chill on other first nations that are interested in resolving their treaties. Has the government's failure to honour commitments had major negative impacts on your communities, and is it also having ripple effects in other communities?

I just leave that open. Perhaps the grand chief can start, and maybe over to Mr. McKay.

Thank you.

Grand Chief Ruth Massie: For our region, we have three first nations that do not have signed agreements. They are watching our lack of progress in the implementation of our land claims and our self-government agreements, and it's not very encouraging for them to go forward. They are trying to look over what our issues are, and until some of them are resolved, they're not encouraged to go to the table at this point at all.

Mr. Kevin McKay: Thank you, Mr. Chair.

And I thank you for the question.

As you know, sir, the Nisga'a treaty is the first modern land claims agreement in British Columbia. We don't want to be misunderstood here. Notwithstanding the challenges that we are encountering in implementing our treaty in a more effective and efficient way, we strongly believe in the value and the opportunities that are contained in our treaty. We feel that if we can convince Canada to work with us in producing a more effective way of implementing our land claims agreement, we will maximize those opportunities.

That is really what we wanted to say at this point, Mr. Chair.

The Chair: You have one minute left, Mr. Stewart.

Mr. Kennedy Stewart: Thank you, Mr. Chair.

Recently Premier Christy Clark has made some comments about moving away from the treaty process, moving into co-management perhaps as the only way for first nations in British Columbia. I'm just wondering if you have any reflections on those comments and whether they're helpful or whether they're perhaps not as helpful.

Again, I'll leave that open to whoever would like to comment.

• (1205)

Mr. Kevin McKay: Thank you, Mr. Chair.

From the Nisga'a Nation's perspective, we're glad we got our treaty. We're quite happy with it, thank you very much.

The premise of the treaty—as you all know, as the history of the Nisga'a land question is well documented—was to re-empower the Nisga'a Nation by replacing the Indian Act with self-government and other opportunities that would allow us to become self-determining once again. That's our perspective.

I obviously can't speak for other first nations, but we do on a regular basis share our experiences with other first nations, either

those who are currently at the negotiating table in British Columbia to various extents or indeed those first nations who have recently achieved modern treaties and are looking to benefit from our experience in meeting the various challenges in implementing our treaty.

The Chair: Thank you, Mr. McKay.

Mr. Clarke, you have five minutes.

Mr. Rob Clarke (Desnethé—Missinippi—Churchill River, CPC): Thank you very much, Mr. Chair.

I thank the witnesses for coming in.

Being first nation, I'm very curious as to how these negotiations go. But first, five minutes isn't very much time, so I'm going to be keeping my questions fairly short.

I understand the Nisga'a government has recently passed an innovative suit for legislation that would hold the land in fee simple. Now there are four points to that. Can you break that down further and speak about the four pieces of legislation?

Mr. Kevin McKay: Thank you for the question.

Recently, in 2008, the Nisga'a Lisims Government enacted the Nisga'a Landholding Transition Act under Nisga'a laws. This will transform our current landholding system to move to individual fee simple ownership of residential properties. This is only possible for the Nisga'a because of our nation's ownership of our lands under our treaty and our ability to make laws. It comes at an enormous cost, and it is a very complex area for us to undertake.

Notwithstanding those points, we have a clear mandate. We had a clear mandate from our citizens to move in this direction, and that's where the impetus came from. While doing this, we've had limited financial support from Canada. The transformation of our residential properties to fee simple ownership is unprecedented in aboriginal communities, not only in Canada but indeed around the world. It represents, sir, major opportunities, and we strongly believe it needs the full support of all levels of government working in concert with the Nisga'a Lisims Government.

Mr. Rob Clarke: From my notes here, there's the new Nisga'a Land Title Act, the Nisga'a Property Law Act, the Nisga'a Law and Equity Act, and the Nisga'a Partition of Property Act.

How many levels of government are working collaboratively from the first nations' standpoint? There's a regional government and the individual first nations governments as well. I'm going toward capacity. I'm wondering how many governments are working collaboratively toward this agreement.

Mr. Kevin McKay: An important point is that's the first we've heard of those pieces of legislation. The Nisga'a Landholding Transition Act was passed by our government in 2008. Right now we are working toward the administrative support necessary, the regime, and the regulatory regime to put that into effect.

Mr. Rob Clarke: My question right now is on the levels of government, because I'm very short on time here. It's capacity-driven, correct? How many levels of government are working together from the first nations' standpoint? Is it the regional government and then the first nations government?

Mr. Kevin McKay: First of all, the senior government for our lands is the Nisga'a Lisims Government. It's the central government. Then we have four Nisga'a villages. Each of them has a village government, and they have jurisdiction over their village lands.

Mr. Rob Clarke: Right.

How is this money allocated? You mentioned \$10 million...or how much is allocated each year for these negotiations?

• (1210)

Mr. Kevin McKay: There were no negotiations. These are law-making powers that are opportunities within our treaty.

Mr. Rob Clarke: How much money are you receiving to process this?

Mr. Fred Tolmie: I'll try to clarify.

The Landholding Transition Act was an initiative of the Nisga'a Nation to exercise its legal jurisdiction over its lands. It didn't require negotiations with other levels of government, say the federal or provincial government. So I'm not quite sure what—

Mr. Rob Clarke: I'm just kind of curious. I see other negotiations taking place, and I see the Government of Canada providing funding. I'm just wondering how much money is funded to the Nisga'a.

Mr. Fred Tolmie: You're probably referring to our fiscal financing agreement.

Mr. Rob Clarke: Right.

Mr. Fred Tolmie: That agreement is contained under chapter 9 of the treaty on fiscal relations, and it is negotiated every five years. This is one area where we had a great deal of frustration. It took us four years. We went 10 years into that five-year agreement before it was finally concluded.

We are aware that Aboriginal Affairs and Northern Development is considering something called a fiscal harmonization policy, which is of great concern to us, in terms of complying with the Nisga'a Treaty.

The Chair: Mr. Tolmie and Mr. Clarke, your time has expired.

Ms. Duncan, you have five minutes.

Ms. Linda Duncan: Mr. Kunuk, would I be correct in understanding that you use some of the implementation dollars for educating and training Nunavutians, the members of your community, so they can participate in the development of your government infrastructures and the future economy?

One of the concerns you raised in your brief is about the process of how government determines how much money should be delivered under the terms of your treaty. I'm wondering if you can give me an answer by combining those together.

Is it one of your requests, expectations, or obligations under your land claims agreements/self-government agreements that resources will be transferred so you can actually develop your government institutions, review bodies, development bodies, and so forth? Are you receiving sufficient dollars to build your capacity?

Mr. David Kunuk: Thank you, Chairman.

Nunavut Tunngavik Inc. has been involved throughout negotiations towards devolution that would enhance transfer of ownership to the Nunavut government from INAC. So that would definitely be one component of building strength into the ability of the Inuit to go into government jobs or get more involved in industry to take part in the economic opportunities.

As well, within our own land claim agreement, under article 23, "Inuit Employment Within Government", there was an initial insertion of \$13 million under Nunavut implementation training, and that was to help enhance the percentage level, which was the representative level of the Nunavut territory to be part of the workforce.

Unfortunately, that hasn't quite met what we wanted to see in the funding. Also, there was an initial injection of NUHRDS, the Nunavut unified human resource development strategy. I don't remember the exact amount, but I think it's in the neighbourhood of \$39 million, and it was pre-Nunavut. But unfortunately when it comes to education and training, money is a huge impediment, because \$39 million doesn't go very far when you are looking at a representative level of Inuit employment within the government.

I think the transfer of land title to the Nunavut government would definitely make a big difference. As well, as part of that transfer, from the point of view of the Inuit and NTI, there would be some funding to go towards training so they could take on the jobs as part of the devolution of the responsibility.

So there are many areas.... And I know within our own agreements we have impact benefit agreements with the mining industry, so there is that component as well that we haven't touched. Needless to say, when it comes to employment within government, there is still a huge gap. With the federal government, the Inuit employment level is hovering about 29% to 30%, in that area. Nunavut government employment levels are hovering about 48% to 50%, because it changes by the quarter. It is still a huge gap, and from our perspective it was supposed to be a representative level at all grades and occupations, so we're looking at administrative to deputy ministers.

I'll just keep my answer short.

• (1215)

Ms. Linda Duncan: Yes, I know there is a lot to discuss. Thank you for trying to be concise on a very large topic.

I wonder if the grand chief could elaborate a bit on that point. I know from when I lived and worked in the Yukon for three years as assistant deputy of resources.... That was when some of the land claims were still being negotiated. Now you're close to completion... a few more are not resolved.

It sounds like there is some frustration, that until you have the land use plan in place it's hard to have the certainty, or there are concerns on the part of some first nations that they may not have clear benefits from resource development until you have the land use plan.

Is part of that development of the land use plans also the training and gearing up of each first nation to be able to participate in that process to make sure their voices are heard?

Grand Chief Ruth Massie: As we try to participate in the land use planning process and whatever, we do have a component for building capacity within the self-governing first nations. Their fiscal transfer dollars go directly to them. Nine self-governing first nations are members of the central organization, which is the Council of Yukon First Nations.

We have one department, the secretariat, that deals with all the self-governing first nations. They try to collaborate on all the commonality issues, common projects, or whatever, to stretch their dollars. We have \$500,000 annually to support that process of 11 self-governing first nations. It doesn't go very far, but it goes further if they all work together, so we are trying to make those efforts.

We have made application after application and proposal after proposal for funds to address our capacity issues within all of the first nations, but it hasn't been realized yet, and it's causing a huge gap for first nations to participate in all of the areas and in economic development for sure.

We have some very major projects coming up in the Yukon, and first nations are quite fearful that once again we are going to end up on the sidelines instead of being major players.

The Chair: Thank you, Grand Chief.

Mr. Wilks, for five minutes.

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

It's a great honour to be here.

I'm glad to see Kevin here today. He probably doesn't remember me, but I was stationed in New Aiyansh from 1983 to 1985 with the RCMP. I remember the police office being in the basement with the band office. I clearly remember the early days when Joe Gosnell and Rod Robinson were negotiating the Nisga'a treaty. It's with great pride that they will be remembered for time immemorial for what they did in moving the Nisga'a treaty forward. I have fond memories of my two years there.

With that, Mr. McKay, could you describe the consultation process your organization has participated in with government officials since 2002 to help create this proposed legislation moving forward...?

Mr. Kevin McKay: Are you talking, sir, about the Nisga'a Landholding Transition Act?

Mr. David Wilks: That's correct.

Mr. Kevin McKay: Yes. Again, there was no consultation with any governments. The consultations that took place were internal to the Nisga'a Nation on the basis of our jurisdiction, our ownership of the lands, and our law-making authorities.

Mr. David Wilks: So do you see an opportunity where your coalition or group could move forward with the Government of Canada to help that move forward? How do you see your group helping that move forward?

Mr. Kevin McKay: Well, again, as I indicated in my comments, the Landholding Transition Act is unprecedented in Canada, and I believe around the world, as we've been informed. We've always maintained that we're quite willing to share our experience with

anybody who wants to learn from our experience, but again, we don't see it as our place to become involved in that kind of exchange of information until we are requested to do so by an aboriginal group or a first nation or whomever.

• (1220)

Mr. David Wilks: Thank you.

I defer the rest of my time to Mr. Clarke.

Mr. Rob Clarke: Thank you very much.

How much time do I have left?

The Chair: You have about two and a half minutes.

Mr. Rob Clarke: Thank you.

I have a couple of things. I'm still on the capacity-driven issue and just your yearly allocation of funding.

Grand Chief Massie, I wonder how it breaks down. As a first nations band member myself, I'm always curious about how everything breaks down and gets back down to the individual band membership or the first nations community.

Now, forgive me if I'm wrong, but each year, \$500,000 is allocated to the regional chief or to the first nations...?

Grand Chief Ruth Massie: It's to the Council of Yukon First Nations. That's our central organization. It's just—

Mr. Rob Clarke: To the region?

Grand Chief Ruth Massie: Yes.

Mr. Rob Clarke: Then you allocate it down to the first nations communities from there for...?

Grand Chief Ruth Massie: No. They come to CYFN and participate around the table, very much like this today.

They cover the costs for the operation of our staff, four people, and then their project base. It just covers the costs of those first nations participating, but it doesn't cover all of their costs, because their costs are greater. It actually comes from the self-governing first nations themselves—their additional costs.

Mr. Rob Clarke: Right. The reason I'm asking is that I've had first nations communities that worked in partnership with the regional first nations in collaborative.... Now, here's my question: is there an administrative fee of 15% or anything like this that the region provides on the original cap of \$500,000...?

Grand Chief Ruth Massie: We are allowed 15% of the existing budget to cover the administrative costs. I would say that 90% of the time our costs are greater than the 15%, but we're only allowed the 15%.

Mr. Rob Clarke: Then you allocate the rest down to the first nations communities?

Grand Chief Ruth Massie: Yes.

Mr. Rob Clarke: Thank you.

The Chair: Thank you.

We're going to move into our final round of questioning.

Mr. Genest-Jourdain, for a last question.

[Translation]

Mr. Jonathan Genest-Jourdain: My question is general in nature, so it's up to you to decide who will answer.

At this time, do your nations have sufficient funds for experts to shore up the public consultations in your communities? I'm thinking here of experts in mining, for example, who could give the public accurate and comprehensive information.

[English]

Mr. Fred Tolmie: Thank you, Mr. Chairman. I thank the member for the question.

In terms of supporting and having the type of expertise that is required to assist the Nisga'a Nation to meet its requirements for participating in the environmental assessment process, we receive funds from the environmental assessment office. It is often insufficient, particularly for British Columbia, with their number of first nations that often participate in this, so they spread it amongst the different first nations in accordance with what they feel is equal to their interest being affected by a project.

Where we have succeeded in ensuring that we have sufficient funds is in engaging the mining proponent directly and entering into a capacity funding agreement with them to ensure that we have geologists and biologists who can look at the plans and provide us with the necessary information to make informed decisions. That's the process. It's mostly through the proponent directly.

• (1225)

The Chair: Thank you. I think that completes that question.

Mr. Boughen for five minutes, for our final question.

Mr. Ray Boughen (Palliser, CPC): Thank you, Chair, and let me add my voice to that of my colleagues in welcoming you here as a panel this afternoon. We're very appreciative of the time you're willing to share with us.

I have a couple of questions. First of all, how does land use planning support sustainable economic development in the north? This is to any of the members.

Grand Chief Ruth Massie: For the Yukon region, our land use planning is part and parcel of our agreements for land use planning to accommodate economic development. It has to be implemented properly. For first nations in the Yukon, we want to participate in economic development, but we want to do it in a responsible way. Through our agreements we are charged to look after and protect our land, our water, the air, and so on, for generations to come, and it is our responsibility to ensure that this happens. We really think that with the land use planning in place, it involves all three parties to come to agreement to proceed. It takes away the uncertainty for industry and it eliminates the risk management of a lot of the activities.

Land use planning is very important for our region.

Mr. Ray Boughen: Thank you.

I heard a number of presenters talk about the problem and fixing the problem. I guess I'm wondering how we define the problem, what is the problem, and then what ideas do you have to fix the problem?

I think Mr. McKay was talking about the problem in his presentation.

Mr. Kevin McKay: Thank you, Mr. Chair, and thank you to the member for the question.

We know the minister and his officials have recently appeared before this committee, and again through one of the committee members we heard they went to some lengths to reassure the committee that all is well with implementation issues with respect to modern land claims agreements.

With the greatest of respect, Mr. Chair, the coalition does not share that view. We continue to experience frustration as our treaties and our self-government agreements are treated as agreements with Aboriginal Affairs and Northern Development instead of with the crown. For example, the issue that Mr. Tolmie shared with you all with respect to our attempts to negotiate the provision of services from HRDC...all they want is a mandate, and we don't think it should take this long to get a mandate. If the proper implementation processes were in place by the federal government, that mandating process could be more streamlined.

We are unable to have a means to measure progress against objectives instead of obligations. Of course, as you are aware, this is contrary to the recommendations of the Auditor General in this respect. Implementation continues to be handled by middle-level officials from Aboriginal Affairs and Northern Development. They have little or no authority with respect to dealing with other departments; they have little influence. In fact, Deputy Minister Wernick, in a presentation made before the committee a few years ago, stated that that is one of the challenges his department has to deal with on an ongoing basis.

With respect to the need for an independent body, we strongly believe this needs to be one of the priorities, Mr. Chair; otherwise we are left with the current situation in which the department tells you everything is fine at the committee here, and then we show up as the coalition and we tell you these problems continue to exist. It leaves you and other parliamentarians in a difficult position. An independent body could, hopefully, provide objective evaluations with respect to all parties.

• (1230)

The Chair: Thank you, Mr. McKay.

Mr. Andrews, for a few last questions.

Mr. Scott Andrews: How much time?

The Chair: Five minutes. For your last question you don't have to take the full time.

Mr. Scott Andrews: I actually have two questions. The first one is regarding the co-management boards.

A departmental audit showed there have been a lot of delays in nominations and appointments that have hindered some of the activities of the boards. So my question is, what accounts for these delays and appointments? What impact has it had? What measures specifically can the department take to minimize this? Are these appointments that are made by the minister...? How many vacancies are on these boards where the minister hasn't made these appointments? That's question one.

Grand Chief Ruth Massie: For our region, we usually make our submissions to the minister from the Council of Yukon First Nations leadership. Once its recommendations to the minister leave us, they do their background if they're following through, and we don't think it should take that long.

We have one submission that is outstanding from a year ago February. We did confirm that it was received within two weeks after it left the Yukon. I know our mail is slow sometimes, but that appointment or that acknowledgment has still not been realized for our area. It's very, very important to the board for which we have submitted the name. It's critical for our Yukon First Nations. We have no representation and have not had representation for approximately 18 months.

Mr. David Kunuk: I would have to concur; it's a very serious situation. Sometimes there's a quorum issue because there are so many vacancies.

That's probably the only thing I would add.

Mr. Scott Andrews: I want to go back to Fred and our conversation earlier. We talked about HRSDC. You mentioned another society the government is dealing with. These training programs you're speaking with...the government has made agreements with all the provinces. It's nothing new for them to make agreements on this training with other governments. I would assume all these agreements are somewhat similar.

Why aren't you having any luck with this? You mentioned that some recommendations have been made to the minister. Are you aware of what these recommendations are and why you are being singled out?

Mr. Fred Tolmie: That's a good question, and it goes to some of our frustration. The member is quite correct. These agreements aren't new; they've been done with other treaty first nations. They're being completed with other institutions, and our request to negotiate an attempt and reach an agreement is to reach an agreement similar to what already exists. It goes to part of our frustration and lack of understanding of what specifically that delay is. I can't answer specifically. It was communicated to us that the recommendation that went to the minister is that the department should move forward and begin a process of negotiation and reach an agreement as

contemplated by the Nisga'a Treaty, but so far a response hasn't been forthcoming.

Mr. Scott Andrews: It's been almost a year now.

Mr. Fred Tolmie: That would be January. We're going to count from June 1 when we first had the meeting with HRSDC officials. We were informed the recommendation went forward at the end of June. From the end of June until now, we've played telephone tag. The response we got is that a mandate is still being considered. As I said, these agreements exist everywhere.

●(1235)

Mr. Scott Andrews: You mentioned another society that they were negotiating with. Is this one similar? Did you want to elaborate on that?

Mr. Fred Tolmie: It's a very good service delivery organization. They are looking to serve northwestern British Columbia. We have just asked, under the terms of the Nisga'a final agreements, that their service area not overlap the area we are proposing to provide those services to Nisga'a citizens. We thought it would be a good idea for those negotiations with them and our negotiations to proceed at the same time, so that when they're implemented it can be done more easily. That's not happening.

The Chair: Grand Chief, gentlemen, thank you so much for coming today and testifying. We appreciate the fact that you made your time available. We knew you were in town, and we appreciate you extending your offer to this committee and we appreciate the testimony today.

Colleagues, I just want to make you aware that Thursday's meeting is as was discussed. We'll hear from the Institute on Governance between 11 a.m. and 12:30 p.m. Then we will have a meeting of the subcommittee to discuss committee business, specifically witnesses for our study. If you haven't given the names of your suggested witnesses to the clerk yet, we'd ask that you do that immediately so we can have those put together for discussion on Thursday.

Thank you so much, colleagues.

The meeting is adjourned.

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