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LOCATION/ENDROIT: Museum of Civilization, Gatineau, Quebec

PRINCIPAL(S)/PRINCIPAUX: - Elder Thomas Matnas, Ojibway, Stone Clan
- Robert Nault, Minister of Indian Affairs and Northern Development
- Robert Louie, Chair, Lands Advisory Board
- Austin Bear, Muskoday First Nation
- Joe Miskokomon, Chief, Chippewas of the Thames
- Chief Bill McCue, Chippewas of Georgina Island First Nation

SUBJECT/SUJET: Minister of Indian Affairs and Northern Development Robert Nault announces that the government is opening up the First Nation land management act

Modérateur: Okay. Nous allons députer. Bonjour à tous et bienvenue à cette importante présentation. Mon nom est Benoit Chiquet. Je suis le directeur des communications aux Affaires indiennes et du Nord. J'aimerais tout particulièrement saluer les chefs qui ont traversé le pays pour être ici aujourd'hui.

Hello everyone and welcome today to this important announcement. My name is Benoit Chiquet and I'm director of communications at Indian and Northern Affairs Canada. I would especially like to welcome the chiefs who have travelled here from across the country to be present today.

We will begin first with a prayer from Elder Thomas Matnas who is an Ojibway aboriginal resource person from the Stone Clan. He is a tent shaker. Nous commençons par une prière du sage Thomas Matnas qui est une personne ressource de la nation Ojibway, clan de pierre. Monsieur Matnas est ce qu'on appelle un "tent shaker." Alors I invite Elder Matnas to come.

Thomas Matnas: (Text in aboriginal language.)

Moderator: Thank you elder for those words of wisdom. And now an announcement. The Honourable Robert D. Nault, Minister of Indian and Northern Development will speak about important initiative. The First Nation land management act. He will be followed by Robert Louie, the chair of the land advisory board. Chief Austin Bear of Muskoday First Nation. And Chief Joe Miskokomon of Chippewas of the Thames. We would ask reporters to hold their questions until the speakers have finished.

Et maintenant notre annonce. L'honorable Robert D. Nault, ministre des Affaires indiennes et du Nord canadien parlera d'un important projet d'initiatives sur la gestion des terres des premières nations. Prendront ensuite la parole monsieur Robert Louie, président du Conseil consultatif des terres, le chef Austin Bear de la première nation de Muskoday, le chef Joe Miskokomon des Chippewas of Thames. Nous demandons aux journalistes d'attendre que les conférenciers aient

terminé avant de poser leurs questions. Alors j'invite Minister Nault.

Robert Nault: Well thank you very much Monsieur Benoit. I want to first of all start by acknowledging Elder Thomas and thanking him for the prayer. And I want to thank you, everyone here for being here. Let me get things started by introducing my companions here behind me. I want to start with Robert Louie, chair of the lands advisory board. Chief Austin Bear, Muskoday First Nation. Chief Barry Seymour, (Native name) First Nation. Where's Barry? Oh he's on the other side. Chief Bill McCue(sp), Chippewas of the Georgina Island First Nation. Bill. Chief Joe Miskokomon, Chippewas of the Thames. Chief Donna Renberg(sp), Kinistin(sp) First Nation. Chief Darcy Bear, White Cap Dakota Sioux First Nation. Chief Alec Chingee(sp), McLoud Lake First Nation. And Chief Alan Plaxton(sp), Soatin(sp) First Nation.

I'm here today with all of you to announce that the government is opening up the First Nation land management act. This initiative is one of the most successful steps that we have taken in the last few years. And the rush to join shows just how successful this step has been. Over fifty First Nations have passed band council resolutions indicating they also want to work within this framework. The land management initiative is one of those quiet success stories. It started in 1996 with consultation and then the government of Canada signed a framework agreement on land management with fourteen First Nations across the country.

The principles in that agreement became the basis for the First Nation land management act which received royal assent in 1999. This legislation gave these fourteen First Nations the option of operating in matters of land management under their land code instead of the Indian act. It re-establishes one of the most important powers any government can hold. Land management.

You can't run a government if there is no mechanism to plan how the community will use its land. This initiative re-establishes the tools First Nations need to manage their own lands. Their own resources. And their own revenues in their own way. Every level of government takes this for granted. The Indian act doesn't meet that test. The First Nations land management act puts it where it belongs. In the hands of Chiefs and council. It is clearly one of the key tools of governance.

This step also shortens the distance to self government. First Nations under the Indian act making the transition to self government has to negotiate land use planning. A community under the FNLMA comes to the table with most of these issues sorted out. As you know you won't find too many people in this country who are bigger fans of getting First Nations who want to get out from the Indian act out from under the act than myself. So let me be clear, this is the government of Canada meeting our Throne speech commitment. This is the government of Canada honouring our commitment to self government.

This initiative ensures that land decisions are made by the community. It means that the community has the right tools to attract investment from the outside. And where there is investment there is opportunity. Where there is opportunity the community can break the cycle of poverty, create hope and focus on building the quality of life that many of us take for granted.

Now we have over fifty First Nations who want to come on board. Four of whom have completed the transition phase and are here with us today. Today I am announcing that we will open the initiative to thirty First Nations every two years. At this pace we will be sure that those who come under the act have the resources they need and can benefit fully from the experience of other First Nations who are already there. With that I want to thank the lands advisory board and the Chiefs who have done an extremely efficient job of putting their case forward that this the way to go in creating a First Nation economy.

And with that I also want to turn the microphone over to Mr. Robert Louie who has played a very important role, and a gentleman who I have known for the last number of years who has proven to me that when the tools are in place that we can indeed develop an economy and a good relationship. So I turn the mike over to Robert now. Thank you.

Robert Louie: Thank you very much Minister Nault. Good morning Minister. Elder Matnas thank you very much for your opening words this morning. We very much appreciate the prayer that you provided to us. Chiefs, members of the press, ladies and gentlemen thank you very much. I'm very pleased and very honoured to be here on this very, very special occasion. It's an historic occasion. A very significant occasion for First Nation peoples across this country. First Nations in this country have an opportunity to take over control of their reserve lands, their resources and the management of those lands. And that ladies and gentlemen is very significant. It's a very significant step forward for First Nation peoples in this land.

There is an opportunity to manage lands, to promote economic development, to promote activities within reserve lands, to involve the community, to involve First Nation members. To look towards the future and to work towards that goal. This process is First Nations driven. It has involved Chiefs and it has involved communities. It has involved the partnership with government. And this what this is all about. It is about the management and the protection of lands. And that is ladies and gentlemen is very significant. It's very dear. And it's very necessary for First Nation peoples in this country.

This process is a community led initiative. The development of land codes will contain laws for First Nation peoples. Laws that First Nation peoples will develop themselves. To provide things such as control over their land. Controls over leasing matters. Land use planning issues can be dealt with. Environmental issues can be dealt with. Matrimonial matters can be dealt with. Dispute resolution can be dealt with. Accountability ladies and gentlemen is very significant in this process.

Conflicts of interest in governing councils are dealt with. These all are very important issues for First Nation peoples and they must be developed by First Nation peoples. This process is an incremental step towards self governance. It provides the basis for the management of reserve lands. It's a process that's going to be designed by communities and has been designed by communities. It deals with traditional interests and it involves community participation.

The opportunity for thirty First Nations at the outset this fiscal year I think is a tremendous opportunity to these communities. The Chiefs and

communities who are in this process who are leading this process have been working very hard. It is a very much a team effort. An involvement of First Nation peoples in a very significant team movement.

I would like to thank Minister Nault for his dedication, his involvement and his support. And the government of Canada for their support. This process will leave no doubt that there is self sufficiency for aboriginal peoples in this country. There is hope for First Nation peoples. And this ladies and gentlemen is what this is about. Hope and an opportunity. And I thank you very much and I'm very, very much honoured to be here before you today to be part of this very important initiative. I would like now to turn this mike over to my good friend, my colleague Chief Austin Bear from the Muskoday First Nation. (Native language)

Austin Bear: Good morning to the Elder. Minister Nault. Chiefs. Members of the press. Ladies and gentlemen. My community the Muskoday First Nation had the pleasure of beginning the millennium on January 1st, 2000 operating under our own land code. The first time in our history, in the more recent history, treaty history our community, our First Nation was recognized as a government. Muskoday has always known that the Indian act has not ensured that our lands are adequately protected from an environmental point of view, from expropriations of other levels of government or from other outside interference. The Indian act has also caused our community to miss major economic development opportunities.

At this time I would like to share with you a story and I'll keep it brief. On how the Indian act has shackled our people for generations. A few years ago there was a manufacturing firm that manufactured a farming implement that wished to relocate from Kansas in the United States and set up their operations in partnership with the First Nation. Our First Nation the Muskoday First Nation was selected by this company. And to provide that opportunity.

Through the discussions with principle and when they learned what the process would be, the involvement and restrictions and limitations of the Indian act, the involvement of government two things occurred. First they didn't want to do business with the government of Canada, the department of Indian Affairs. They wanted to enter into an arrangement with the Muskoday First Nation. Because of the procedures, restrictions of the Indian act simply did not allow time for this development to be completed. Our community had lost it's opportunity. Along with it we lost thirty full time employment opportunities for our people. At that time it would have virtually wiped out unemployment in our community.

First Nation communities are in desperate need of jobs. (Inaudible) local decision making and sound management for our lands. Without it we will continue to be subjected to Third World living conditions and a lack of progress.

Now I'd like to take a few minutes to clear up some of the misinformation that was circulating in the public about this initiative. First this initiative does not allow reserve land to become fee simple land or to be seized or sold by creditors or any other party. Secondly this initiative does not prevent communities from pursuing land claims, treaties or any form of self government. Thirdly this agreement does not grant taxation powers. And fourthly this is a First Nation designed and driven

practice as mentioned by Chairman Robert Louie. It is not a government funding program.

I think it is also important especially for the new communities, the new First Nations that are interested in this process to know that there are no hidden agendas between ourselves, no hidden or otherwise with the government of Canada, that we present is truthful and accurate. It is my hope that the new communities that are interested in regaining control over their reserve lands have a good experience. And ultimately are able to establish land claims and appropriately so take control and have control reside where it must be and that is with First Nations and our First Nation communities. (Native language)

Joe Miskokomon: My name is Joe Miskokomon. I'm Chippewa the Thames First Nation. First of all I'd like to thank the Algonquin people for allowing us into their territory. I'd also like to thank the Elder for his kind words of opening to the Chiefs and to Minister, members of the press and ladies and gentlemen. Good morning. I appreciate this change to speak to you today with regard to the interests in securing the opportunities for, to consider lands and resources of our community.

I have always like many First Nation people and leaders have been concerned with the control of our lands and resources that has not rested within the jurisdictional framework within our communities. As an example the Indian act allows for expropriation without the consent of our community. It allows for the Minister to reject bylaws that we believe are important to our development of our community. It does not put the First Nations and the First Nation communities accountable to their own people. But more so accountable to the government of Canada and in particular the department of Indian Affairs.

Without going through a long list of issues I believe we all are here today understanding that the Indian act is paternalistic at worst and outdated at best. It's outdated for enabling us to develop our own governance and our governments within our First Nations. First Nations must be able to determine their own direction. Those First Nation communities must do that on their own initiative. And I thank the Minister Robert Nault for recognizing that and advancing that through the Chiefs of the First Nation land advisory board.

In our particular situation the Chippewa of the Thames First Nation community is situated along the 401 corridor halfway between Toronto and Detroit. We are situated in the most industrial part of Canada. And yet because we have not been able to advance our issues of our lands and resources we have not been able to develop economically. This allows us, this initiative allows and enables us to break the long standing dependency that we've had through government subsidy programs. It enables us to begin to address the long standing issues of training and employment and governance and the building of self government. Those things are all very dear to our people. And we look forward to the challenges and the opportunities that lie ahead of us. (Native language)

Moderator: Thank you to all the speakers. And now we open the floor to questions. We would ask reporters to identify themselves and their media outlet as well as the person to whom their question is directed. Because of time consideration we

would ask you to limit yourself to one question and a follow up.

(Insert French Here)

Question: (Inaudible)

Robert Louie: Thank you very much. Your question is why isn't the, why isn't there provisions for the sale of lands in the First Nation land management framework agreement and in the legislation. The answer is very simple, very, very clear. And that is that First Nations are looking to protect their lands. That is lands that are presently reserve lands or that perhaps might be lands that might be added to the reserve land base this process is meant to protect that reserve base. To protect it for the future generations. And unlike what the Indian act provides Indian act has a process that allows for First Nations to perhaps surrender their interest. Put their lands up for sale. That's a possible mechanism under the existing Indian act.

And this is exactly what the Chiefs and what the communities now are looking to prevent. That is loss of reserve lands. Every community that has been involved in this process and every community that we've talked to their input is the same. To protect their land base. To protect their future economic opportunities to be able to do things on their lands and to take advantage of the resources both renewable and non renewable on their lands. And so this is what this whole process is about. And it's very significant and I think it's very, very important to protect the land base. That is the key and that's the key to the future. That's the key to the aboriginal future in this country.

Moderator: Due to the sort of sound problem without a microphone we've just installed a microphone on this side so if anyone wants to use it I would welcome them so we could hear the question. The microphone.

Question: Paul (Inaudible) the Winnipeg Free Press. A question perhaps for the Minister and one of the Chiefs. You talked about how this is a reserve, community driven initiative. We obviously have Chiefs here who are speaking very glowingly of it. Where exactly is the AFN involved in this? I mean in all likelihood myself and colleagues will be calling them for comment. We know the disagreements about the upcoming governance legislation the Minister will be bringing in. Is this something that you have worked with Minister? Is this something you've worked with the AFN on and or is there perhaps a problem in terms of how they see it?

Robert Nault: Paul I think the answer to your question is two fold. One is that this is a commitment made when we passed the legislation originally. And through the consultation and the framework agreement from '96 to '99. The discussion revolved around allowing First Nations to opt in and make their own decisions. I wasn't involved at that particular time but my understanding is is that the Assembly of First Nations opposed this particular initiative. And it was for that reason that it was reduced to some fourteen communities to allow this to be developed in such a way that it would show the merits of the initiative with the understanding of showing that it also did not affect treaty or aboriginal rights which is one of the major concerns of the executive of the AFN.

So what we're doing is that as at that time we had made a

commitment that we would look at opening up the First Nation land management act after we did a review of the success of the fourteen communities. And it's been our assessment in the last year that this has been extremely successful. Is bringing to the communities the modern tools of governance which is land management. And with that we'll also have an opportunity to create an economy. So are we working with the AFN? No we're not.

That decision, these decisions were made a number of years ago. It was just a matter of doing the review and coming forward with the final decision as to whether it was appropriate based on the results so far of whether we would open it up. I can say to you that it's been very much driven by the board itself. The board is the one who came to the Minister about a year ago I think or so and requested that because of the interest of other communities that we seek to open up the legislation and allow other communities to be involved and that's the main reason why we're here today.

Question: (Inaudible) the sort of pilot project (Inaudible) that has had the AFN still does not believe this is the...

Robert Nault: Well I can't speak for them today. I think you will have to ask that question directly to the AFN. I'm just speaking to what occurred at the process during the '96 to '99 discussions that took place.

Austin Bear: If I may sir just give some clarity and another answer, perspective on your question. With respect to the Assembly of First Nations and support from our national organization going back a number of years prior to the legislative process and early in development former National Chief Ovide Mercredi did, was one of our critics. Did oppose the land management initiative. However with discussions with the national Chief then we did at least come to an arrangement that the AFN or at least the national Chief would fall silent on the issue. It was the First Nations specific and it remained that way. However leading up to the legislative, the parliamentary process then National Chief Phil Fontaine did on behalf of the Assembly of First Nations give his support to the process and to this initiative. Thank you.

Moderator: Next question.

Question: (Inaudible) I'd like to know why exactly does the province of Quebec is not included in that process and what is exactly the timetable you're planning Minister in terms of getting them on board and if you got any (Inaudible) that some bands in the province are interested by this process.

Robert Nault: Because of Quebec's civil code and it's different then in legal structure it was a necessity for us to do a review to see how this First Nation land management act and it's affects to the First Nation communities themselves would transpire. We have done the review, well we're completing the review. We expect that with the results of the review we're very optimistic that by fall we will have the abilities to allow First Nations in Quebec to enter the process. And so that review is not completed. The review has just been completed for the First Nations outside of Quebec. And the legal system that exists here. So it's because of the civil code that we, it's taken us a little longer to complete our work. But we're very optimistic that Quebec communities

will also have the abilities to enter into the First Nation land management act.

Question: Any hint of any particular band that's interested?

Robert Nault: Well we have a number of communities who have already indicated their interest. But we're not going to get into that today simply because we've not had the opportunity to speak to them directly. They've shown interest. And I think we have to go through the exercise of making sure that with their consent that they're prepared to enter the process. Then we will announce the rolling thirty as we call it as we move forward to implement modern land codes and land management right across the country in the next number of years. Thank you.

Question: Sue Bailey with Canadian Press. It's for Minister Nault. For those who have stated that this is just another example of the federal government withdrawing from it's responsibilities to First Nations can you offer an example of amongst the fourteen who've participated how this has really helped and what it has achieved.

Robert Nault: Well I purposely asked some of the Chiefs who were involved and have completed their exercise to give you some on the ground results of the importance of this. But I want to go back to our original comments. Myself and the Chiefs. The objective of this is to give jurisdiction and abilities to First Nations to have the modern tools of governance. The Indian act was never intended to create an economy. So therefore the modern tools do not exist within it. The objective of this exercise is not to reduce our fiduciary obligation. Or our treaty or aboriginal rights obligation. Our objective is to create a modern tool of governance to build an economy.

And the government of Canada will still have the fiduciary obligation to First Nations except that it won't have to come to the Minister for every single bylaw and every single decision that they would want to make. And I think that in itself in 2002 is inappropriate. I think the communities, their leadership and involvement of the communities with conflict of interest, with duress, with all the issues that were involved in the land use planning exercise they certainly can make their own decisions without having the Minister micro manage their lives. And I can give you a bunch of examples across the country where were having difficulty with partnerships on reserve with major corporations simply because the Indian act was never intended to allow for those decisions to be made in an appropriate time frame for business reason.

Question: So is there one in particular that you would point to that's a success story?

Robert Nault: Well I would hope that Muskoday is a success story. But I'll let the Chiefs speak for themselves. I believe very strongly that over time there will be lots of examples of success stories vis a vis the First Nations who are under land management. Maybe I would ask one of the other Chiefs who are finished their process to answer that question.

Bill McCue: Good morning. Chief Bill McCue from the Chippewas of Georgina Island First Nation which is located roughly fifty miles north of Toronto. When the initiative was first instituted in our community it has given us the opportunity to settle

a long term leases with our cottagers which roughly number around five hundred people, five hundred cottagers. And this derives a great amount of revenue. We were given this opportunity to negotiate new leases with our cottage association. And in turn this helped promote goodwill with the cottagers and with our First Nations people. So that is one individual success that we've had within our community.

Moderator: Merci. Thank you. Thank you again for all of us for attending this important and historical event. I'll ask our other Chiefs to stay and the Minister for a photo, a group picture. And as well I would like to inform reporters that who wish to have a background briefing to please come to the Salon de Cascade in fifteen minutes. And also would like to thank Elder Thomas Matnas for the word of wisdom at the opening and also ask him to do the closing prayer. Thank you.