

**Ministry of
Aboriginal Relations and Reconciliation**

**REVISED 2011/12 – 2013/14
SERVICE PLAN**

May 2011



For more information on the British Columbia
Ministry of Aboriginal Relations and Reconciliation,
see Ministry Contact Information on page 19 or contact:

Ministry of Aboriginal relations and Reconciliation
PO BOX 9100
STN PROV GOVT
VICTORIA, BC
V8W 9B1

or visit our website at
www.gov.bc.ca/arr

Published by the Ministry of Aboriginal Relations and Reconciliation

Message from the Minister and Accountability Statement



It's an honour for me to deliver this service plan for the Ministry of Aboriginal Relations and Reconciliation at this exciting time of change in British Columbia under Premier Christy Clark. This plan lays out the actions the ministry will take over the next three fiscal years to revitalize our New Relationship with Aboriginal peoples.

As we move forward, we continue to be guided by the values of mutual respect, recognition and reconciliation. The ministry remains focused on closing the social and economic gaps between Aboriginal citizens and other British Columbians, by creating jobs and economic opportunities that support Aboriginal families and their communities across the province. We can't underestimate the work that remains to be done to achieve these goals,

but we can draw inspiration from what we have achieved to date.

Reconciliation is an intrinsic part of every decision the ministry makes. In practical terms, the formal expression of reconciliation happens through treaty and other agreements with First Nations.

We've experienced growing momentum in the treaty process over the past couple of years: the Tsawwassen treaty was implemented and, in 2011, the Maa-nulth treaty was implemented. I was deeply honoured to attend the Maa-nulth effective date celebration in Port Alberni, where I had the chance to see up close what the treaty means to these communities and the promise it holds for their children, their families and future generations. Early this year, we also witnessed community ratification of the Yale final agreement, setting the stage for the passing of provincial and federal legislation and, finally, another treaty effective date. The ministry is building on these successes, working hard to finalize other treaties with In-SHUCK-ch Nation, Yekooche First Nation, and Tla'amin Indian Band.

We have also negotiated a variety of innovative agreements with First Nations outside of the treaty process which will ensure First Nation communities benefit from resource development in their traditional territories.

British Columbia's first incremental treaty agreements, with the Klahoose and Tla-o-qui-aht First Nations, are yielding real benefits, creating jobs and generating economic opportunities. We are committed to achieving other incremental treaty agreements soon.

British Columbia's first three strategic engagement agreements, with the Tsilhqot'in and N̓anwakolas First Nations and Ktunaxa Nation Council, will streamline consultation on natural resource decisions and provide increased certainty for investors.

British Columbia is the first province in Canada to share direct revenue generated from mining activities with First Nations. In August 2010, British Columbia signed historic revenue-sharing agreements with three First Nations: the McLeod Lake Indian Band and Stk'emlupsemc of the

Secwepemc Nation (Skeetchestn and Tk'emlúps First Nations), regarding the mines at Mount Milligan and New Afton respectively.

We remain focused on the task ahead, building on what we've achieved in recent years. The B.C. Government will revitalize the New Relationship and engage First Nations in dialogue about next steps and how best to create jobs and strengthen families in Aboriginal communities.

Together with Aboriginal leaders, partner ministries and the federal government, we will continue to work to close the gaps in education, health, housing and economic development. The goals of the *Transformative Change Accord* and the *Métis Nation Relationship Accord*, set out a brighter future for families and communities. The challenging and rewarding work of implementing the First Nations Education Jurisdiction Agreements, the Education Enhancement Agreements, the Tripartite First Nations Health Plan, and the Tripartite First Nations Housing Memorandum of Understanding, as well as improving economic opportunities, continues to be a priority in 2011/12. In addition, the ministry is co-hosting, with the Native Women's Association of Canada, the National Aboriginal Women's Forum in June 2011, to highlight leading practices in addressing violence against Aboriginal women and girls.

The Ministry of Aboriginal Relations and Reconciliation *Revised 2011/12 – 2013/14 Service Plan* was prepared under my direction in accordance with the *Budget Transparency and Accountability Act*. I am accountable for the basis on which the plan has been prepared and for achieving the specific objectives in the plan.



Honourable Mary Polak
Minister of Aboriginal Relations and Reconciliation
April 27, 2011

Table of Contents

Message from the Minister and Accountability Statement	3
Purpose of the Ministry	6
Strategic Context	8
Goal, Objectives, Strategies and Performance Measures	11
Resource Summary	17
Appendices:.....	18
Status Report on Treaty Negotiations.....	18
Ministry Contact Information	19
Hyperlinks to Additional Information.....	20

Purpose of the Ministry

The ministry works to achieve reconciliation with First Nations and other Aboriginal peoples



Four Host Nations Chiefs bring the Olympic flame to Canada for the start of the torch relay

“...we need to create a better understanding amongst all people that we are in the same canoe. No matter where you are from, we all need to paddle together.”

*-Honourable Steven L. Point,
Lieutenant Governor of BC*

As the BC Government’s lead agency for reconciling provincial interests with First Nations’ Aboriginal and treaty rights, the ministry negotiates treaties and other lasting agreements. More recently, as an increasing number of agreements have been signed, the focus on implementation of these agreements has become more important. The ministry also works with First Nations to improve treaty making through trilateral tables which deal with policy and process challenges to concluding treaties.

In late 2010, the ministry was expanded to include eight regional offices which serve as a critical local presence and provide support for negotiation of non-treaty agreements, implementation of treaty and non-treaty agreements, conflict resolution, and liaison with other land and resource ministries.

The ministry provides leadership and policy advice on Aboriginal issues

The ministry provides strategic leadership and advice across government on the Province’s relationship with Aboriginal peoples. In working towards reconciliation, the ministry initiates and promotes innovative approaches to Aboriginal policy, and leads the ongoing development and implementation of government’s New Relationship with First Nations and Aboriginal peoples.

The ministry also leads, coordinates and reports on progress on the *Transformative Change Accord* and *Métis Nation Relationship Accord* for government. As the provincial lead on strategic initiatives to close social and economic gaps between Aboriginal peoples and other British Columbians, the ministry manages cross-ministry and cross-government policy frameworks related to Crown-Aboriginal relations, economic development, social sectors (health, education and housing), and

language and culture initiatives. In addition, the ministry is responsible for intergovernmental relations and national policy tables on social issues concerning Aboriginal peoples (on and off reserve). The ministry also provides support and advice to line ministries as they develop and implement social and economic policies and programs related to Aboriginal peoples.

In October 2010, many of the BC Government's responsibilities that relate to Aboriginal land and resource policy were consolidated under the Ministry of Aboriginal Relations and Reconciliation. This provides for improved coordination and supports the achievement of the ministry's goal of reconciliation with Aboriginal peoples.

The ministry supports capacity building in First Nations communities

The ministry works closely with First Nations on priorities they have identified to build capacity, based on individual communities' assets and strengths. It works with First Nations to foster strong governments, social justice and economic resiliency. It also champions community capacity development principles within government to increase effectiveness in working with Aboriginal peoples. Additionally, the ministry supports opportunities for First Nations to participate in land- and resource-based revenue sharing agreements.

The ministry builds relationships and develops strong partnerships

The ministry builds collaborative relationships with First Nations, Métis and urban Aboriginal peoples based on respect and recognition to meet mutual interests. It actively works towards a future where the Province has forged positive, enduring relationships with Aboriginal peoples whose communities are healthy, prosperous, sustainable and self-determining. The ministry also works with the federal government and other organizations to foster and enhance positive relationships with Aboriginal peoples. It promotes creative multi-sectoral work on Aboriginal initiatives, bringing together representatives from other ministries and Crown agencies, Aboriginal partners, other levels of government, industry and non-governmental organizations.

Working with its partners, the Ministry of Aboriginal Relations and Reconciliation also makes appointments to a number of agencies, boards and commissions including BC Treaty Commission; First Peoples' Heritage, Language and Culture Council; First Peoples' Advisory Committee; Native Economic Development Advisory Board and the New Relationship Trust Board.

The ministry works to support revitalization of Aboriginal language and culture

For almost 20 years, the ministry has supported the revitalization of First Nations language, heritage, culture and arts through the work of the First Peoples' Heritage, Language and Culture Council. The Council develops and administers programs such as the BC Aboriginal Languages Initiative, which supports First Nations communities to revitalize language through documentation, immersion programs and curriculum development, and the Aboriginal Arts Development Awards Program, which supports emerging Aboriginal artists and organizations. In addition, the ministry has partnered with the First Peoples' Heritage, Language and Culture Council, the New Relationship Trust and the First Peoples Cultural Foundation to deliver language immersion pilot programs among children, youth and elders, and provide capacity and resource materials for First Nations language speakers and learners.

Strategic Context

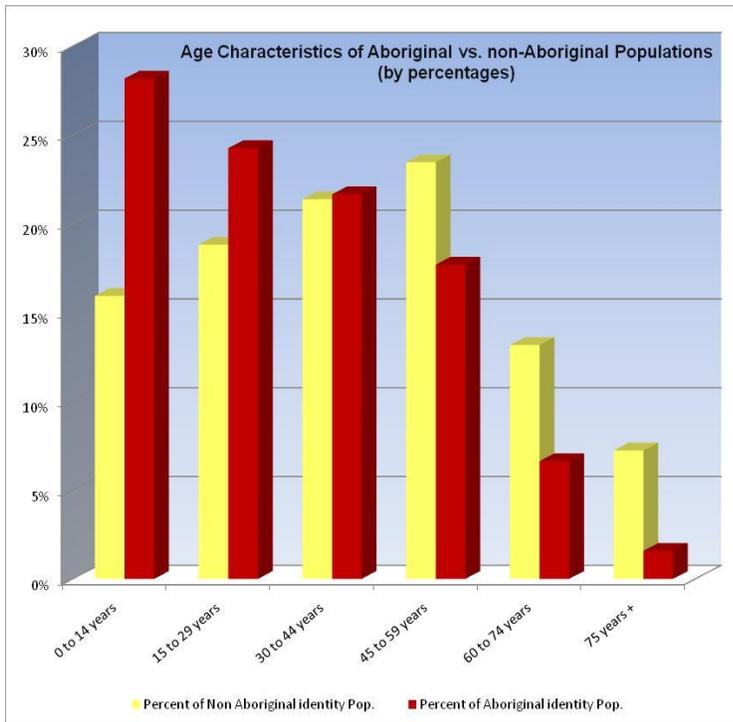
The Legal Context

The *Royal Proclamation of 1763* acknowledged that Aboriginal peoples in Canada possess certain rights and freedoms. Section 35 of the *Constitution Act, 1982* recognizes and affirms the existing Aboriginal and treaty rights. Through a number of important decisions, the courts have reinforced that Aboriginal rights and title exist and that these rights must influence the way government operates. The Supreme Court of Canada has also stated that the ability of government to infringe those rights is constrained. Governments are obliged, by law, to justify infringements of Aboriginal and treaty rights as being required in the public interest.

Uncertainty over the nature and application of Aboriginal rights hinders the development of First Nations communities and economies and may detrimentally affect the provincial economy by discouraging investment. To maximize opportunities for economic development and job creation for all British Columbians, the ministry looks for ways to reconcile the rights and interests of First Nations with those of the Crown. Treaty negotiations are a path for resolution of these issues, as are reconciliation agreements, strategic engagement agreements and economic and community development agreements.

Demographic and social factors

The Aboriginal population in British Columbia is characterized by unique demographic qualities that will inform policy and program decisions in the coming years. British Columbia is home to over one-third of the more than 600 First Nations communities in Canada, comprising the most culturally and linguistically diverse groups of Aboriginal peoples in the country. There are nearly 200,000 people in British Columbia who identify themselves as First Nation, Métis, or Inuit. Between 2001 and 2006, the Aboriginal population in the province grew by 15 per cent. This is more than three times the growth rate of the non-Aboriginal population.



The fastest growing population demographic province-wide is Aboriginal youth. In fact, the median age of the Aboriginal population in British Columbia is approximately 12 years

younger than the median age of the province's overall population. The stark differences between the population "pyramids" of Aboriginal and non-Aboriginal populations necessitate a broader policy approach and suite of programs and services. This demographic picture requires the BC Government to engage Aboriginal youth to seek ways to address both their ambitions and their potential to make important contributions to productivity and labour market demands. Recognizing the growing Aboriginal youth population, the ministry is working with youth to find ways for them to create their own opportunities, initiating leadership development projects, and working with outside partners to provide programming that focuses on youth-identified priorities such as creative technologies, sports and recreation, and traditional arts and culture projects.

Increasing urbanization is another demographic consideration. In 2006, 60 per cent of the Aboriginal population in British Columbia lived in urban areas and only 26 per cent lived on reserves. Engaging with urban Aboriginal peoples requires special effort because their voices are diffused. There is no formal system or entity in place to facilitate dialogue between urban Aboriginal interests and government. Some of the challenges for the ministry include ensuring opportunities for discourse are available to urban Aboriginal peoples, understanding the distinct needs of an urban Aboriginal population, and supporting ministries and agencies to take appropriate steps so Aboriginal peoples across the demographic spectrum, whether residing on or off reserve, have access to services and economic opportunities.

While increasing urbanization may represent the loss of "place" as a cultural touchstone, the decreasing numbers of First Nations individuals fluent in native languages signals the loss of an intrinsic expression of shared cultural heritage and affiliation. Language plays both practical and symbolic roles in maintaining and reinforcing cultural identity. A growing concern is the imminent extinction of many First Nations languages. British Columbia is home to 32 distinct First Nations languages, representing about 60 per cent of all the indigenous languages in Canada. Without action, many of these languages will disappear within a generation.

Negotiation and implementation of treaties and other agreements

While challenges exist, innovative approaches, sound planning and vibrant partnerships with First Nations and Aboriginal organizations have made it possible for the ministry to maintain the dynamic energy that has moved parties closer to mutual goals in the last few years. As the number of agreements between BC and First Nations grows, the ministry will target resources on agreement implementation to effectively meet needs and obligations.

British Columbia remains committed to the negotiation and implementation of treaties as an expression of reconciliation. Treaties are an important tool for First Nations to develop stable, healthy, resilient communities with governance over treaty lands and resources.

In addition to treaties, there are other lasting agreements that contribute to achieving reconciliation. Strategic engagement agreements and economic and community development agreements, for example, represent innovative approaches to streamlining consultation obligations and sharing new resource revenues with First Nations. Such agreements also help build relationships with First Nations, resolve conflicts, or address concerns associated with development on traditional territories.



Huuayaht First Nation

The ministry is also exploring new approaches to treaty with flexible, shorter term agreements such as incremental treaty agreements that link First Nations to resource and economic development opportunities. Incremental treaty agreements create economic opportunities and accelerate treaty negotiations with First Nations participating in the treaty process. These types of agreements may also stimulate faster economic growth by reducing the time and costs associated with decision processes.

The ministry continues to work in partnership with Métis Nation BC to achieve the objectives of the *Métis Nation Relationship Accord*. The ministry's improved reporting on social and economic indicators for the Métis population now allows the measurement of progress on the commitments in the Accord. Métis are distinct Aboriginal people, with unique languages, history, and cultural traditions. Approximately 30 per cent of British Columbia's Aboriginal population self-identifies as Métis. To increase awareness of Métis culture, the ministry has enhanced content on the New Relationship website by including Métis related accomplishments and stories. www.gov.bc.ca/themes/new_relationship.html.

Climate change

The First Nations Clean Energy Business Fund was created as part of the *Clean Energy Act* to facilitate increased participation of First Nations in clean, renewable energy projects within their traditional territories. Revenue sharing from these projects supports First Nations' financial participation in projects and provides funding that helps to build capacity.

The ministry is partnering with First Nations in BC to support government's commitment to climate action and green energy initiatives and to generate new economic opportunities. First Nations have been assisted to engage potential sources of technical and financial assistance within government for projects that reduce climate impacts, such as renewable energy developments and greenhouse gas reduction projects.

The ministry is also supporting implementation of the provincial climate change adaptation strategy, which calls on government to consider climate change and its impacts, where relevant, in planning, projects, policies, legislation regulations and approvals, by assessing business risks and opportunities related to climate change. Adaptation is a vital part of government's climate change plan. It means taking action now to prepare for a changing climate and its impacts on ecosystems, resources, businesses and communities.

Goals, Objectives, Strategies and Performance Measures



A Yale totem pole

The Ministry of Aboriginal Relations and Reconciliation's goal, objectives, strategies and performance measures serve as the framework that defines what the ministry intends to achieve during the life of its service plan, and the means for gauging and reporting on performance with respect to its stated goal and objectives.

The ministry is united under one goal: to lead provincial efforts for reconciliation with First Nations and Aboriginal peoples. This goal reflects the broad range of the ministry's work with First Nations, Métis, and urban Aboriginal peoples, which all contributes to reconciliation.

The ministry operates in an environment of complex land, resource, social, economic and cultural issues, many of which are closely linked. This plan includes objectives and strategies that demonstrate the breadth of the ministry's endeavours, and the growing understanding of what reconciliation entails.

The objectives and strategies highlight the variety of tools used by the BC Government for working towards reconciliation with Aboriginal partners and creating positive change in communities. These include the *Transformative Change Accord* and the *Métis Nation Relationship Accord*, treaty and incremental treaty agreements, strategic engagement agreements, reconciliation agreements, community and economic development agreements, economic development programs, community capacity development work and language and culture initiatives. When used together, these tools complement each other and help create social, economic, and cultural benefits that strengthen relationships and lead to better outcomes for Aboriginal peoples.

Targets for the ministry's performance measures are generated by considering historical trends associated with the measures and determining reasonable performance expectations during the period covered by this plan. Baselines for key performance indicators are predicated on available data from a variety of sources. The availability of complete data sets varies from key indicator to key indicator.

The BC Government is actively implementing provincial climate action initiatives that will assist in reaching the greenhouse gas reduction goals of 33 per cent by 2020 as legislated in the *Greenhouse Gas Reductions Target Act* (GGRTA). Operationally, the ministry actively supports the BC Government's greenhouse gas reduction targets by reducing travel and reviewing the way it conducts business. The ministry executive continues to encourage employees to use LiveMeeting and other collaborative communication technology tools to reduce work-related travel. Other initiatives underway within the ministry include seven-tier office recycling, composting and green procurement.

Goal: Lead provincial efforts for reconciliation with First Nations and other Aboriginal peoples.

The Ministry of Aboriginal Relations and Reconciliation is the provincial lead for pursuing reconciliation with the Aboriginal peoples of British Columbia. Reconciliation involves working to heal the relationships between the Province and Aboriginal peoples. It entails the Province and Aboriginal peoples working collaboratively towards a better future built on positive, just and enduring relationships by examining areas of conflict and opportunity. Reconciliation is a dynamic process intended to create social, economic, and cultural benefits for all parties. It involves everyone in the province, from the grassroots to leaders, and takes into account all aspects of the relationship. Reconciliation is an ongoing process, and rarely straightforward. It requires trust and commitment to overcome stumbling blocks along the way, and openness to learning from each other at all stages. Relationships built on mutual respect and recognition are key to making reconciliation possible.

Objective 1: Close the social and economic gaps between Aboriginal peoples and other British Columbians.

Strategies

- Work across government, and in partnership with Aboriginal peoples, to implement the *Transformative Change Accord* and *Métis Nation Relationship Accord* in areas such as education, housing and infrastructure, health, economic development, and Crown-Aboriginal relations.
- Monitor and report on activities and progress towards meeting the goals of the *Transformative Change Accord* and *Métis Nation Relationship Accord*.
- Negotiate and implement agreements with First Nations, including treaties, which contribute to addressing social and economic gaps between First Nations and other British Columbians.
- Facilitate and support collaboration among Aboriginal organizations, all levels of government and the private sector on initiatives to close the socio-economic gaps.

Western Canada is home to 64 per cent of Canada's growing Aboriginal population. Youth compose 32 per cent of the national Aboriginal population. There are direct links between education, jobs and economic development. Increased Aboriginal participation in the workforce is key to Canada's future success.

Performance Measure 1: Collaborative policy development

Performance Measure	2010/11 Forecast	2011/12 Target	2012/13 Target	2013/14 Target
New provincial policies and initiatives that have been developed collaboratively with First Nations, Métis and Aboriginal organizations.	25	28	30	32

Data Source: Ministry of Aboriginal Relations and Reconciliation and ministries participating in the implementation of *Transformative Change Accord* and the *Métis Nation Relationship Accord*.

Discussion

This measure tracks the number of policies and initiatives developed through a collaborative approach. Working with First Nations, Métis Nation and Aboriginal organizations to draw on their knowledge and expertise helps ensure more successful and appropriate provincial policies and procedures.

Objective 2: Reconcile Provincial interests with First Nations' Aboriginal rights and treaty rights.
Strategies

- Negotiate and implement treaties and other lasting agreements that lead to reconciling provincial interests with Aboriginal rights and treaty rights and contribute to closing social and economic gaps.
- Work with First Nation communities to build the capacity required to be ready for the treaty effective date, and use capacity development principles in negotiating and creating agreements.
- Support the conclusion of agreements among First Nations, the BC Government and local governments.
- Continue to seek improvements to treaty making through trilateral processes.



A member of Maa-nulth Nation by a totem pole

Performance Measure 2: Treaties and other agreements

Performance Measure	2010/11 Forecast	2011/12 Target	2012/13 Target	2013/14 Target
Treaties and other agreements that build incremental progress towards reconciliation.	16	20	22	24

Data Source: Ministry of Aboriginal Relations and Reconciliation and Crown agencies as appropriate

Discussion

Final treaty agreements are the most far-reaching and permanent means of reconciling provincial interests with First Nations' section 35 rights. Other types of agreements also contribute to reconciliation. For example, incremental treaty agreements that provide benefits in the short term can, over time, help achieve final treaties. Also, British Columbia has entered into consultation protocols, reconciliation protocols, strategic engagements agreements, and economic and community development agreements with various First Nations or groups of First Nations.

Objective 3: Work with First Nations to create opportunities to increase community and economic development capacity.

Strategies

- Support First Nations' access to land and resource tenures.
- Work with other ministries to champion access to business venture and economic development opportunities such as resource development agreements, benefit and other strategic agreements, and employment initiatives in the private and public sectors.
- Work with other ministries to support First Nations' access to training and skills development and support systems associated with economic development.
- Support governance and capacity initiatives, including community development approaches that build capacity in First Nations' governments and organizations such as youth and women's groups.



Performance Measure 3: Engagement capacity

Performance Measure	2010/11 Forecast	2011/12 Target	2012/13 Target	2013/14 Target
Initiatives that develop capacity and governance capabilities for First Nation governments and Aboriginal organizations.	11	12	13	14

Data Source: Ministry of Aboriginal Relations and Reconciliation.

Performance Measure 4: Economic development opportunities

Performance Measure	2010/11 Forecast	2011/12 Target	2012/13 Target	2013/14 Target
Initiatives that provide economic opportunities to Aboriginal peoples	12	15	16	17

Data Source: Ministry of Aboriginal Relations and Reconciliation.

Discussion

Measure 3 indicates joint capacity and governance development efforts with, and for, First Nations governments and First Nation organizations. Increasing capacity allows First Nations governments and organizations to increase their effectiveness and reach their goals.

Measure 4 reflects the ministry's work to provide increased and better economic opportunities to Aboriginal peoples by tracking the number of initiatives developed.

Objective 4: Build stronger relationships with urban and off-reserve Aboriginal peoples.

Strategies

- Work to ensure that provincial initiatives to close social and economic gaps address the distinct needs of urban Aboriginal peoples, including First Nations, Métis and non-status Indians.
- Support coordinated and collaborative approaches by provincial ministries, the federal government and Aboriginal organizations that seek to address urban Aboriginal social and economic issues.
- Support Métis governance and capacity development on a tripartite basis.
- Work with other ministries to support urban and off-reserve Aboriginal peoples' access to education, training, skills development and employment initiatives and support systems associated with economic development.
- Improve data collection and reporting specific to the Métis and urban Aboriginal populations.

Objective 5: Strengthen the Province's capacity to engage effectively with Aboriginal peoples.

Strategies

- Support and coordinate ministry and Crown agency actions related to the New Relationship and improving social and economic outcomes.
- Work within government, with First Nations and with First Nation leaders to understand, clarify and seek solutions to issues involving Aboriginal rights and title.
- Coordinate and streamline consultation processes; integrate information sharing practices within the ministry and with provincial government partners.
- Increase awareness of Aboriginal cultures, traditions and governance systems, and of how culture impacts the way provincial representatives interact with Aboriginal peoples and communities.
- Enhance corporate knowledge and awareness of working with Aboriginal peoples and communities to improve socio-economic outcomes including community development approaches.

Objective 6: Increase awareness of the importance of Aboriginal cultures, and the history of the relationship between the Province and Aboriginal peoples.

Strategies

- Continue to work with First Nations and Métis leaders and organizations to celebrate their history, culture and current contributions to British Columbia.
- Support the leadership of First Peoples Heritage, Language and Culture Council to revitalize First Nations languages, cultures, arts and heritage.
- Support the addition of Aboriginal place names proposed by First Nations to the British Columbia Geographical Names Database.
- Develop policy to acknowledge the history of the relationship between British Columbia and First Nations in development of agreements.



Aboriginal performer at the Vancouver 2010 Winter Olympics

Performance Measure 5: Public awareness

Performance Measure	2010/11 Actual	2011/12 Target	2012/13 Target	2013/14 Target
Percentage of British Columbians who agree that First Nations have made a wide range of valuable contributions to BC. ¹	75%	75.5%	76%	76%

Data Source: MARR Monitoring of Aboriginal Awareness in BC Report, BC Stats.

¹ Additional information available in full report at <http://www.gov.bc.ca/arr/reports/default.html>.

Discussion

Measure 5 assesses the percentage of people in British Columbia expressing generally positive perceptions of First Nations, in response to the BC Stats survey statement that First Nations have made a wide range of valuable contributions to British Columbia. This measure is tied to the *Transformative Change Accord* commitment to increase public perception of the diversity and value of First Nation cultures.

Resource Summary

Core Business Area	2010/11 Restated Estimates ¹	2011/12 Estimates	2012/13 Plan	2013/14 Plan
Operating Expenses (\$000)				
Negotiations and Implementation	19,257	18,134	18,106	18,106
Community and Socio-Economic Development	3,751	3,528	3,491	3,491
Strategic Initiatives	7,823	7,032	6,891	6,891
Executive and Support Services	6,374	6,316	6,275	6,275
Treaty and Other Agreements Funding	40,021	40,021	40,228	40,228
First Citizens Fund Special Account	3,968	3,649	3,030	3,030
First Nations Clean Energy Business Fund Special Account	0	1,350	1,984	2,650
Total	81,194	80,030	80,005	80,671
Ministry Capital Expenditures (Consolidated Revenue Fund) (\$000)				
Executive and Support Services	23	1	1	1
Total	23	1	1	1

¹ The 2010/11 Restated Estimates have been restated, for comparative purposes only, to be consistent with Schedule A of the Revised 2011/12 Estimates.

Status Report on Treaty Negotiations

Number of First Nations involved in the BC treaty negotiations process:	105
Number of First Nations at Stage 6 (implementation):	1
Number of First Nations at Stage 5 (final agreement):	13
Number of First Nations at Stage 4 (agreement-in-principle):	85
Number of First Nations at Stage 3 (framework agreement):	4
Number of First Nations at Stage 2 (readiness):	2
Number of First Nations at Stage 1 (statement of intent):	0

The Office of the Auditor General has asked the ministry to report more fully on treaty negotiations by including an overview of the issues and challenges it faces and the steps the ministry has taken to overcome these barriers to success.

Canada, British Columbia and the Maa-nulth First Nations continue to work towards an April 1, 2011 treaty effective date. The parties have established a tripartite working group to implement the provisions of the treaty and address issues as they arise.

We have seen progress on treaties with the Yale First Nation and Tla'amin First Nation. Canada, British Columbia, and Yale First Nation initialled a final agreement on February 5, 2010. On November 20, 2010, Yale First Nation voted to approve its Constitution. The parties are working together to coordinate a ratification vote for the final agreement. Treaty negotiations with the Tla'amin First Nation are nearly complete pending a final review by Canada. The Province is providing assistance as requested and expects the negotiations to advance to the ratification process.

Negotiations with the In-SHUCK-ch First Nations have been placed on hold while the Douglas Band, one of the three In-SHUCK-ch members, considers its participation in the treaty agreement. The Province has maintained communications with the In-SHUCK-ch and is working to increase support for the final agreement within the Douglas Band.

A challenge for the ministry in concluding treaties has been the federal government's moratorium on negotiation of treaty provisions around fishing due to the Cohen Inquiry. During the delay in final negotiations, the Province is investigating the negotiation of incremental treaty agreements with First Nations as a bridge until negotiations can resume. An incremental treaty agreement is not a replacement for treaty. Rather, it is a pre-treaty agreement which advances treaty-related benefits to First Nations in advance of final agreement.

In response to concerns raised by First Nations and independent external reviews, the Province, Canada and the First Nations Summit have agreed to discuss ways to improve the treaty process to support further progress in negotiations through trilateral tables that deal with subject matters identified by First Nations as barriers to concluding treaties, as well as treaty process issues, including funding. In addition, the ministry and Canada have taken steps to streamline internal approval processes to conclude treaties.

Ministry Contact Information

Physical Address:
2957 Jutland Road
Victoria, BC V8T 5J9

Mailing Address:
PO Box 9100
STN PROV GOVT
Victoria, BC V8W 9B1

Telephone: 1-800-880-1022
E-mail: ABRInfo@gov.bc.ca
URL: www.gov.bc.ca/arr

Hyperlinks to Additional Information

BC Treaty Commission

www.bctreaty.net/index.php

First Peoples' Heritage, Language and Culture Council

www.fphlcc.ca/

Métis Nation Relationship Accord

www.gov.bc.ca/arr/social/down/arr_metis_accord.pdf

Native Economic Development Advisory Board

www.gov.bc.ca/arr/economic/fcf/nedab.html

New Relationship

www.gov.bc.ca/arr/newrelationship/down/new_relationship.pdf

New Relationship Trust

www.newrelationshiptrust.ca/

Transformative Change Accord

www.gov.bc.ca/arr/social/down/transformative_change_accord.pdf

A list of statutes that fall under the responsibility of the ministry can be found at:

www.leg.bc.ca/procs/allacts/arr.htm.

Definitions of terms related to Aboriginal peoples can be found at:

www.gov.bc.ca/arr/index.html.