

B.C. CAPACITY INITIATIVE

**RESPONSE OF THE HONOURABLE MINISTER JANE STEWART
TO THE REPORT OF THE CAPACITY PANEL
DATED JANUARY 27, 1999**

**Response given at a meeting of the Capacity Panel and Capacity Initiative Council
Sutton Place Hotel , Vancouver, B.C.
April 15, 1999**

Lands and Resources

a. **Strategic Planning and Capacity Building**

Recommendation #1

A portion of the resources required [to develop a strategic plan or vision] be made available to First Nations for the development of comprehensive, community-based strategic plans.

Response:

The development by a First Nation of a strategic plan or vision is important to ensuring that the final treaty settlement meets the needs and desires of the First Nation community. Providing funding to a First Nation to develop such a plan/vision would facilitate treaty negotiations. I understand that the BCTC's capacity, self-assessment tool is available to First Nations now and could assist First Nations in identifying their needs and developing their vision.

b. **Use of Traditional Knowledge**

Recommendation #2

Resources be allocated for the quantification and articulation of traditional land use and resource management knowledge.

Response:

Project proposals which tie traditional land use studies and the accumulation of resource management knowledge to the development of negotiation positions, and the role of First Nations in land and resource management both within and outside treaty lands are an integral part of treaty negotiations. This is an area where partnerships with the provincial government may be productive.

Management and Negotiations

Recommendation #3

Funding be made available to First Nations to compile, organize, access and interpret land and resource data, [within traditional territories], necessary to facilitate negotiation and to manage lands and resources.

Response:

These types of proposals may be accepted under the B.C. Capacity Initiative where the proposal facilitates or directly furthers the development of positions relating to the land and resource components of negotiations and consultations. Proposals which don't support negotiations should be referred to other appropriate funding programs/sources. Where proposals are fundable under existing programs relating to lands and resource management (such as RAN and FNFP), complementary funding may be considered under the B.C. Capacity Initiative for portions of the proposals that support land and resource components of negotiations and consultations.

Recommendation #4

The funding of processes which will lead to First Nations' immediate participation in the management of lands and resources.

Response:

Proposals relating to First Nations' immediate participation in the management of lands and resources may be accepted where the proposal facilitates or directly furthers the development of positions relating to the land and resource components of negotiations and consultations. Where proposals may be acceptable under existing programs relating to lands and resource management (such as RAN and FNFP), complementary funding may be considered under the B.C. Capacity Initiative for portions of the proposals that support land and resource components of negotiations and

consultations.

Recommendation #5

Resources be made available to First Nations who are identified by the British Columbia Treaty Commission as being unable to proceed through Stage 4 due to a lack of capacity.

Response:

Where a First Nation identifies in its proposal significant capacity gaps which prevent it from entering into substantive treaty negotiations, and when a detailed plan for addressing those gaps is provided, then B.C. Capacity Initiative funding may be considered to fund the land and resource aspects of that plan. Where applicable, additional funding sources should also be identified to assist in securing success of the capacity development plan and to fund non-land and resource plans.

Education and Training

Recommendation #6

Programs and services be developed that promote education, equitable success levels, and career mobility. Specifically, these would be programs and services that:

- encourage children to stay in school;
- encourage children to pursue career paths which coincide with and support the ambitions of First Nations;
- encourage adults to return to school;
- encourage adults to pursue career paths which coincide with and support the ambitions of First Nations;
- facilitate the transition into post-secondary institutions.

Response:

This recommendation has been referred to other areas of the BC Regional office of the Department of Indian Affairs to pursue in the context of *Gathering Strength*, the Tripartite Education Committee's Action Agenda (including the policy development work

underway through the Subcommittee on Adult Education), and the Aboriginal Workforce Participation Initiative. Partial funding from the B.C. Capacity Initiative may be considered where the goal is achieved by supporting an existing college or university based, accredited and transferable First Nations' land and resource management training program.

Recommendation #7

Emphasis be placed on fostering joint ventures between and amongst, government, the private sector and First Nations and that incentives be made available to encourage the private sector to participate in such joint ventures and partnerships.

Response:

Proposals of this nature made by First Nations may be considered for funding under the B.C. Capacity Initiative where the proposal facilitates or directly furthers the development of positions relating to the land and resource components of negotiations. Efforts should be made to link any such proposals to existing programs and initiatives such as Resource Access Negotiations, Resource Acquisition Initiative and the Federal/Provincial Partnership Initiative. Where proposals may be funded under existing programs relating to lands and resource management (such as RAN and FNFP), complementary funding may be considered under the B.C. Capacity Initiative for portions of the proposals that support land and resource components of negotiations and consultations.

Recommendation #8

Work experience programs within the private sector and the various levels of government be supported, including but not limited to:
 mentorship programs
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Response:

Funding may be considered where the work experience proposal specifically furthers the development of land and resource management and negotiation skills which support land claim negotiations, and where alternative sources of funding have been thoroughly canvassed and drawn upon. Proposals which fall outside of this parameter will be addressed, where appropriate, by DIAND, through initiatives with other departments.

Government Programs

Recommendation #9

There be a significant realignment in how government programs are designed and implemented by involving First Nations in the design and implementation process. Rather than reflecting the priorities of government or government's perception of [First Nations'] needs, programs and services need to be designed with the requirements of the client as being paramount.

Response:

This is one of the fundamental principles behind *Gathering Strength* and is applicable to all communities. This is already happening at the national level with the AFN and the

other National Aboriginal organizations, and includes initiatives such as Income Security Reform, Education Reform, Partnering Strategy on Economic Development, etc. As such, this recommendation will be addressed through other fora than the B.C. Capacity Initiatives.

Recommendation #10

The federal government implement a 'One Window' concept for First Nations to access programs or services, with the [g]overnment responsible for matching the client to the appropriate program or service based on the articulated requirements of the client.

Response:

Although not directly related to capacity building in the lands and resources area, this recommendation supports the general direction in which DIAND and other federal government departments are moving. This recommendation will not require funds from the B.C. Capacity Initiative.

Recommendation #11

The federal and provincial governments better advise of, and coordinate the delivery of programs and services to First Nations, so as to avoid service gaps and/or duplication of services.

Response:

I support this recommendation and DIAND will continue to move in the direction of enhanced federal and federal/provincial coordination of programs and services in order to maximize efficiency and avoid gaps and duplications. As this is a matter of day to day service delivery policies, it will not require any additional funding.

Recommendation #12

Performance audits of Aboriginal programs and services should be undertaken such that the capacity building requirements of First Nations can be met more efficiently. These audits should also highlight areas where the inadequacies of existing government programs or services result in gaps between what is presently available and what is needed.

Response:

This recommendation will be integrated into normal departmental practices. The department will consider appropriate remedies as gaps are identified in the course of normal program and policy reviews.

Recommendation #13

Targetted resources be made available to assist First Nations to develop and implement efficient financial management systems.

Response:

I support the principle of having financial management systems that can meet the needs of all users, including First Nation councils, band managers, community members and funding agencies that require reports. There are several ongoing projects in DIAND and with other organizations, such as the Aboriginal Financial Officers Association, that are aimed towards achieving this end. Funding under the B.C. Capacity Initiative is not necessary to further these efforts.

Recommendation #14

Government financial and funding policies be designed to encourage accountability, transparency and efficiency and be cognizant of community needs.

Response:

I welcome this recommendation. It supports *Gathering Strength* by strengthening accountability. However, this recommendation does not directly relate to lands and resource negotiations, although peripherally it does support self-government aspects of treaties. Transparency and efficiency have always been cornerstones of the government's financial policies. Work is currently underway to develop partnerships with First Nations to ensure that the principles of transparency, disclosure and redress are reflected in financial management practices, and that the needs of communities and councils are met.

Recommendation #15

Government establish policy frameworks which allow First Nations to practice community-based budgeting, based on the established spending priorities and goals of the First Nation.

Response:

I welcome this recommendation. It supports *Gathering Strength* by strengthening accountability. However, this recommendation does not directly relate to lands and resource negotiations. The federal government has recently improved its funding system by introducing new multi-year funding arrangements, such as the Canada First Nation Funding Agreement, which give First Nations greater flexibility to design their own programs and allocate funds according to community priorities.

Recommendation #16

The Minister establish a 7 - 9 person stand alone committee, chaired by a First Nations person, with a First Nations' majority, and with representation from government, industry and labour. The committee will be charged with issuing 'Request For Proposals' based on the recommendations and suggested methodology contained in this Report.

Response:

I welcome this recommendation. The Capacity Initiative Council will play a significant role in ensuring the success of the initiative. First, it is the body that will review project proposals from First Nations and make recommendations to DIAND regarding funding allocations. Second, it will serve to provide advice to DIAND regarding the structure and administration of the initiative and on ways of improving it as lessons are learned over the term of this initiative.

Recommendation #17

The following funding priorities guide the work of the 'Implementation Committee':

The delivery mechanism for implementing the capacity fund should maximize efficiency and minimize administration costs by utilizing an existing delivery mechanism.

Criteria for assessing proposals should be determined by the Committee using the recommendations of the Capacity Panel. The criteria should support the objectives of the Panel's report as well as recognize the priorities of the Panel.

Evaluation of the Capacity Initiative be undertaken before the final year of the initiative and annually during the lifetime of the initiative.

The Department of Indian Affairs provide a liaison person to sit as a non-voting member of the Committee.

Response:

Canada supports maximizing efficiency and minimizing administration costs and the specifics of the delivery system will be clarified accordingly. The Capacity Initiative Council will develop criteria for assessing proposals which are complementary to the minimum criteria established by Canada. The terms and conditions established by Canada for the B.C. Capacity Initiative provide for the timing and frequency of evaluations. I have appointed a departmental liaison to work with the Capacity Initiative Council.