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First Nations/Non-Aboriginal Partnerships in Conservation

October 24, 2008

CCC-OLTA Conference

Partners for Land Protection

Session Overview

- Dr. Dean Jacobs: Where we've been, are now, and hope to go
- Small Breakout Session: First Nations/Non Aboriginal Partnership Experiences
- Aimee Johnson: Working Effectively With Aboriginal Peoples
- Report Cards
- Zoe Dalton: Collaborative Research Project



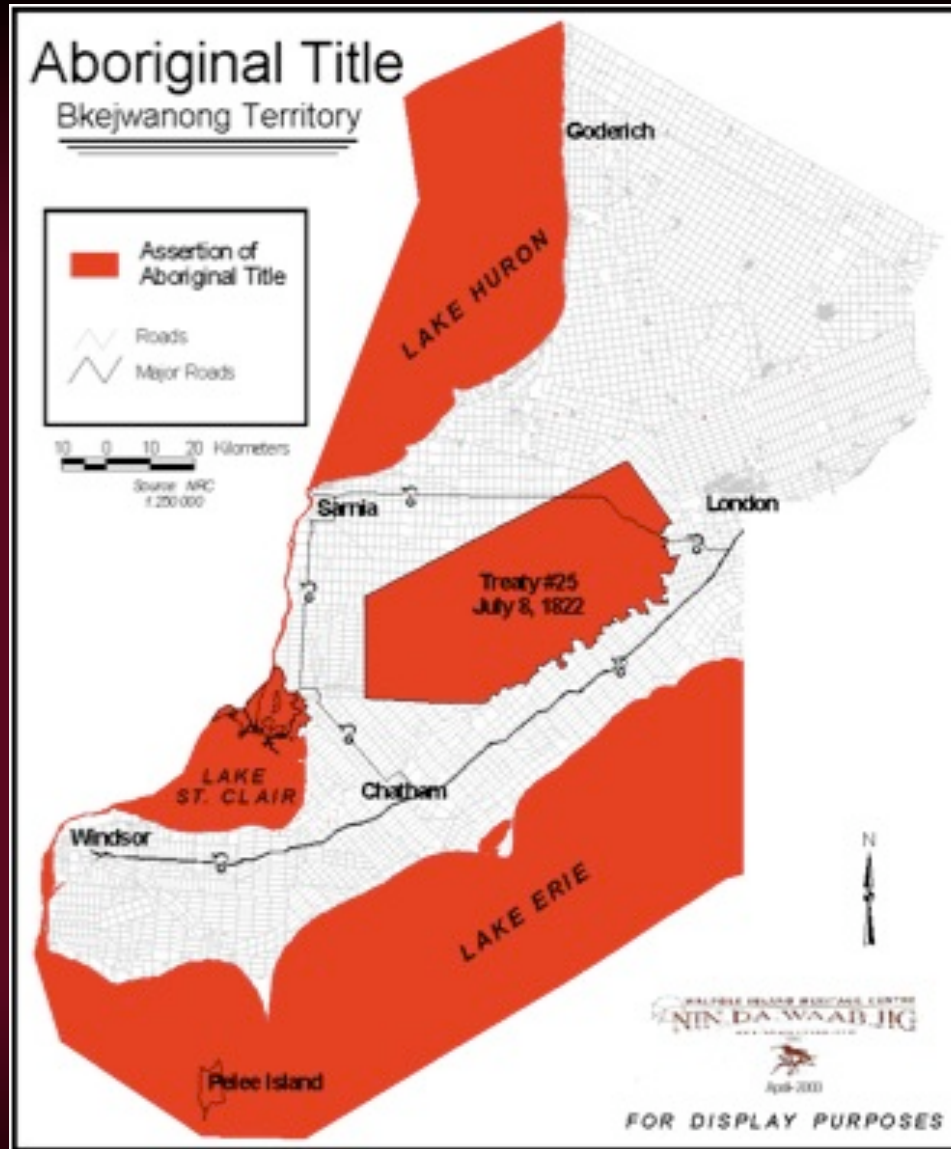
Aboriginal Title

Bkejwanong Territory



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Source: NPC
1:200,000



PROVINCE OF ONTARIO
NIN DA WAABJIG



April 2003

FOR DISPLAY PURPOSES

Working Effectively
With Aboriginal
Peoples

Partners for Land Protection

CCC-OLTA Conference

Friday October 24, 2008

Aboriginal Peoples Are Unique and Diverse

- It is extremely important to note that there are many different types of Aboriginal Peoples.
- Each Aboriginal Community may have their very own language, customs, traditions, and values.
- For this reason, this presentation can only act as a general guideline for working effectively with Aboriginal Peoples. We cannot even begin to represent the incredible diversity and uniqueness of all of the Aboriginal Peoples of Canada.

Understanding our History

- When Columbus arrived on Turtle Island in 1492, these lands were anything but vacant.
- Estimates indicate that in 1492 there were between 8 and 112.5 million people living in North and South America.
- Either of these estimates mean that there were actually more people living in North and South America than were living in Europe at that same time.

What this means...

- Prior to European arrival and colonization, there were already many nations inhabiting this continent with very distinct societies, cultures, languages, beliefs, and governance structures.
- This fact becomes the basis for dealings between the Crown and Aboriginal Peoples on a Nation to Nation level.

After Contact...

- Waves of European diseases caused the Aboriginal population in Canada to drop from over 500,000 at the time of contact to approximately 120,000 in 200-300 years.
- The Royal Proclamation of 1763 affirmed Aboriginal rights, hunting and harvesting rights, land rights, and recognized Aboriginal Tribes as Nations.
- Canada became a country with the passage of the British North America Act in 1867 and the federal government was given the authority to make laws about “Indians and lands reserved for the Indians”.
- Aboriginal Peoples went from being Nations to Wards of the Crown with the implementation of the Indian Act in 1876.

Assimilation

- Sir John A. MacDonald stood in the house of Commons on May 5, 1880 to announce that his government's Indian Policy was:

“...to wean them by slow degrees from their nomadic habits, which have almost become an instinct, and by slow degrees absorb them or settle them on the land. Meantime they must be fairly protected.”

Assimilation Measures

- Native women stripped of their status if they married a non-Native man: 1869-1985
- Prohibition on participating in Potlatch, Sundance, Pow-Wows, and other cultural ceremonies through the Potlatch Law: 1884-1951
- Traditional forms of governance replaced with elected Band Councils courtesy of the Indian Act

Residential Schools

- United Province of Canada: Bagot Commission (1844) recommends training students in

“...as many manual labour or Industrial schools as possible... In such schools...isolated from the influence of their parents, pupils would imperceptibly acquire the manners, habits and customs of civilized life”

- Davin Report (1879) reports that the boarding school approach was the best because it:

“...took [the Aboriginal child] from the reserve and kept him in the constant circle of civilization, assured attendance, removed him from the “retarding influence of his parents...”

Residential Schools

- Residential Schools were built and run by various church denominations.
- Living conditions were sub-standard at best and it was confessed by former Deputy Superintendent General of Indian Affairs, Duncan Campbell Scott in 1914 that:

“It is quite within the mark to say that fifty percent of the children who passed through these schools did not live to benefit from the education which they had received therein.”

Residential Schools

- It was so common for children to run away only to be hunted down by the RCMP and returned to the schools that the government passed a law that took Indian parents' authority over their own children away while they were in Residential Schools.
- By 1931 there were 80 residential schools in Canada.

Residential Schools

- In 1951, the government began shutting down Residential Schools, a process that spanned four decades.
- **The last of the Residential Schools closed in 1986.**
- The effects of the schools remain all too apparent in First Nation Communities today.

Effects of Residential Schools

- Higher crime rates/overrepresentation in the Justice System
- Extreme difficulties with Authority
- Loss of Language and Culture
- Much higher rates of unemployment, alcohol and drug abuse, and suicide when compared to the general population
- Generally, less education than the general population
- Poverty

Understanding Our
Values, Needs, and
Priorities...

The Seven Grandfather Teachings

- WISDOM
- LOVE
- BRAVERY
- HONESTY
- HUMILITY
- TRUTH
- RESPECT

Balance

- All of these principles combined create a balance of the spiritual, emotional, physical, and mental being.
- They are also the cornerstones of our belief system and the formula for maintaining the delicate balance between the Earth and all of her inhabitants.

The Seventh Generation Principle

- Traditionally, all decisions were weighed extremely carefully, taking into account how each decision would affect the next seven generations.
- This can cause the decision making process to be an extremely lengthy one, and is a very important factor to keep in mind when planning projects you'd like First Nations to be involved in or projects that require consultation with First Nations.

All Things Are Connected

- Most Aboriginal Peoples believe that all things are connected.
- Remembering this will be an important part of your interactions with First Nations People.
- Remember to be patient, even if it seems like discussions are off topic.

Why Work With Aboriginal Peoples?

Managing the RISK EXPOSURE associated with poor Aboriginal relations, which can include:

- Legal liabilities or penalties arising from poor consultation regarding infringement of Aboriginal Title or Rights
- Delays (or worse) in regulatory approval
- Reputation damage
- Customer Defections
- Negative publicity
- Blockades or occupations
- Political opposition

These risks from working ineffectively can flow directly or indirectly.

Why work with Aboriginal Peoples?

Increasing Reward Potential, which can include:

- Greater direct access to new opportunities
- New indirect access through referrals
- Improved positioning for expansion opportunities as a result of pending treaties or claims
- Enhanced credibility with lenders and regulators
- Deeper knowledge and understanding of natural areas and traditional knowledge associated with those natural areas
- Better project overall

Why work with Aboriginal Peoples?

- **Social Responsibility:** Doing your part to break down barriers so that we can work together to achieve our common goals.

The Importance of Community

- Community is one of the most important things to us.
- Attend or, better yet, SPONSOR Community events.
- By taking part in our Community events it shows that you either share values that are similar to ours, or have taken the time to understand and appreciate the things that are important to us.

Building Relationships

- Relationship building is a crucial part of working with First Nations People and can be a critical part of how well your consultation, engagement, or project will turn out.
- It is highly beneficial to establish a relationship **BEFORE** you need or want something from us!
- The RESPECT Model was developed by Indigenous Corporate Training Inc. and can be extremely useful for building these relationships

The RESPECT Model

RESEARCH

EVALUATE

STRATEGIZE

PRESENT

EVALUATE

CUSTOMIZE

TRANSFORM

Research

- Every Aboriginal Community is unique and may have completely different sets of customs, traditions, values, and languages. You wouldn't go to another country without first finding out about their Nation would you? The context with Aboriginal Peoples is exactly the same.
- Researching will save you a lot of difficulties and headaches.
- Find out who we are, what our values and opinions are, what our needs are as a Community, what is happening in our Community, and what our vision is for the future.
- This will help you avoid offending us and will definitely show us that you take us seriously.

Research

- Do NOT limit your research to just the particular Aboriginal Community that you are looking to work with.
- Identify where you, your colleagues, and your organization stand on Aboriginal Issues.
- Are you comfortable working with Aboriginal Peoples?
- What is your Organization's level of awareness and understanding of Aboriginal Peoples and their issues?
- Answering questions like these will help you to determine what kind of work you need to do internally before you can have an effective working relationship with First Nations.

Evaluate

- Use the information that you have compiled in your research to evaluate the potential impacts of key Communities issues on your work.
- Some of these issues can include timing, traditional territories, sacred lands, autonomy, Community customs, allegiances, land claims, and historical relationships.

Strategize

- Following your initial evaluation, you can use what you know to come up with a Strategy for approaching the Community with whom you will be communicating.
- Be sure to plan your verbal and non-verbal communications carefully and ensure that you consider the Community's cultural and political issues.

Strategize: Issues To Consider...

- Capacity Issues
- Timelines are YOUR problem
- Connectivity principle
- Cultural Norms
- Getting on the Agenda
- Questions they will ask you
- Cultural Survival and Nation Building

Present

- When preparing to have your first meeting with or make a presentations to the Community, review your research and consider the appropriate protocols to follow. If you are unsure, ask beforehand so as not to offend anybody.
- Proper pronunciation of terms and names is extremely important. If you are having trouble ensure that you keep trying until you get it right.
- Some people are comfortable with eye contact, and some aren't. Try to be attentive so that you can gauge this properly.
- In an Oral Society your spoken word means everything. Ensure that you can follow through on anything you say.

Present

- Pacing: pay attention to the pace of the meeting or participants and try to mirror it, but be careful not to seem like you are mocking.
- Avoid the use of acronyms, colloquialisms, technical terminology, and stereotypes.
- Sense of humour is very important. Be able to laugh at yourself.
- Always remember the concepts of family, interconnectedness, and communal thinking.

Terms to Avoid

- Pow-wow
- Stakeholder
- Too many Chiefs, not enough Indians
- Indian
- Circle the Wagons
- Low man on the totem pole
- Indian summer
- Indian time
- The Natives are restless

Evaluate

- How did the meeting/presentation go?
- What questions did the Community Members ask?
- What questions remain outstanding?
- What concerns did the Community raise about your proposed project?
- How satisfied were they with your answers?
- What Community concerns about the project remain outstanding?
- How critical are those concerns to the viability of the project?
- What was the tone of the meeting?
- What was the apparent perspective of the Chief and Council Members?
- What was the apparent perspective of the Community Elders?
- Who holds effective political power in the Community?
- What do those power brokers think about your project?

Always Consider Community Communications

- Just because you have presented an idea or a project to a few people from the Community does NOT mean that it is being communicated to the Community.
- Most of us already have full schedules and it is up to you to ensure that you are reaching as much of the Community as possible.
- Find out what methods are used to communicate in our Communities. Use as many methods as possible.
- For big decisions, the wider the sharing of knowledge, the better the decision and stronger the support.

Customize

This is where you will design your project process or plan and customize it by taking into account your research, feedback from the Community, and the values and needs of the Community.

Customize

When customizing ensure that you consider the following areas:

- Legal capacity
- Human Resources capacity
- Communications capacity
- Financial capacity
- Timelines
- Workforce development capacity
- Business development capacity

Once you have done this, the next step is to go back to the Community for another presentation to demonstrate your Commitment to adapt your plans based on their concerns and needs and ask them for further feedback

Transform

- Transform in this context refers to transforming your relationship with Aboriginal Communities.
- This takes a continued commitment and is an on-going process.
- It will take much more to transform a relationship that is already strained or even adversarial.
- But by showing that you are committed to breaking down the barriers that make it difficult to work together will take you a long way.

Distrust

- Keep in mind that throughout history we haven't been given many reasons to trust Western society.
- Ultimately, our first instinct when dealing with non-Native people is not to trust them.

Fear

- One of the most common things that we experience when meeting with Non-Natives is the feeling that they are afraid of us.
- Coupled with our tendency to distrust outsiders, this makes for some pretty tense meetings and very strained and often ineffective working relationships.

Learning to Work Together

- In order to move beyond the fear and distrust, we must try to understand each other so that we can learn to work together despite our differences.
- Communication must be open and occur regularly. Each party should be well aware of the other's agenda.

Consultation

- Try to remember that you are essentially competing for a place on our agenda with hundreds of others who are trying to consult with us
- Also remember that most First Nation Communities don't have people who are staffed to deal specifically with Consultations. We all have very full schedules and completely separate mandates.
- Trying to consult with First Nations can be extremely frustrating.

Consultation

- Things would likely be different if people wanted to consult with us because “it’s the right thing to do”
- Usually this is not the case and the consultation is a product of either a mandate from the various levels of government or the fear of negative media campaigns, occupations, blockades, or being sued.
- When any of these are the case, it is often very apparent that we are merely a box to check off in somebody’s list of things to do and “good faith” consultations become almost impossible.

Things to Remember when Consulting

- We are NOT stakeholders!
- We have constitutionally protected rights and are used to dealing with the Federal and Provincial governments on a Nation to Nation Basis
- Talking to one person or a few people does not constitute consultation!!

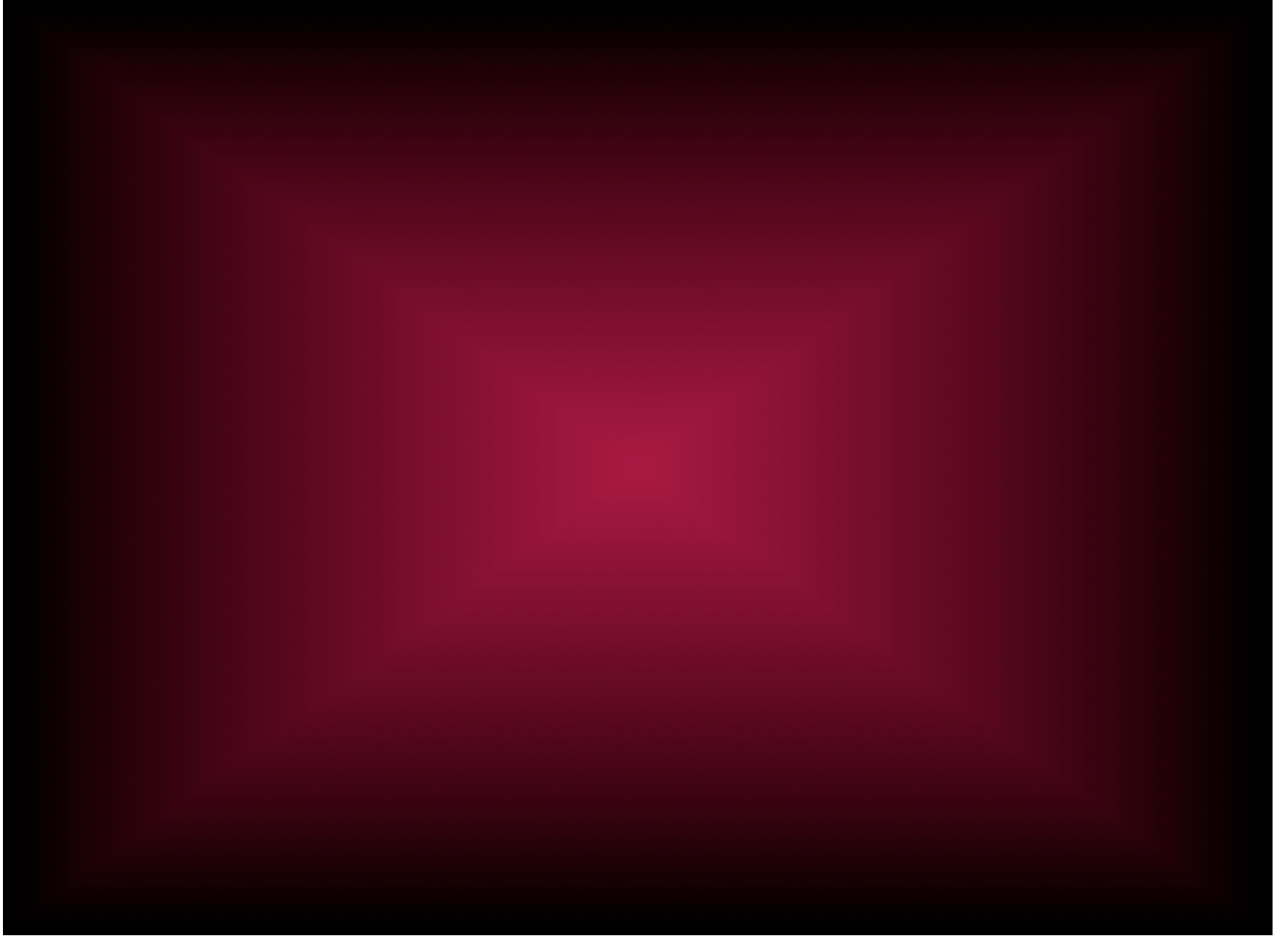
Things to Remember when Consulting

- Every issue is different and, therefore, every consultation will be different as well.
- Involve us early on to avoid the unexpected.
- Try to identify ways that you can make it easier for us to deal with your requests or work on a level playing field
- Capacity is always an issue

Things To Remember

- Never assume that you know what we want or need and don't approach us as if you do
- Always do your research
- Build and maintain a relationship with us
- Approach us with a joint problem solving attitude, we have a very different perspective of the world and might just think of something that you haven't
- Ask us, don't tell us

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Report Card

- What First Nations catchment areas are you or your organization in?
- What are their tribal affiliations?
- Do you know of any land claims in your catchment area?
- Do you currently work with First Nations?
- Where do you, your colleagues, and your organization stand on Aboriginal Issues?
- Are you comfortable working with Aboriginal Peoples?
- What is your Organization's level of awareness and understanding of Aboriginal Peoples and their issues?