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# **LOCAL GOVERNMENTS and URBAN ABORIGINAL ISSUES**

## **Backgrounder to First Principle #32**

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*Discussion Paper by the LMTAC Technical and Strategic Working Group (TSWG)*

September 2002  
(Revised Draft)

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MAINLAND  
TREATY  
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## EXECUTIVE SUMMARY

### Background

Treaty making is about creating new relationships between future self-governing First Nations and other levels of government as well as society at-large. Many efforts are being made to give definition to this new relationship with land-based Aboriginal communities in the BC Treaty Process. In particular, urban Local Governments have been actively working to advise senior governments on the unique interconnections between communities in the Lower Mainland, and how treaties need to recognize the challenges of urban negotiations. The parties now need to recognize the growing presence of urban off-reserve Aboriginal peoples in the Lower Mainland and the need for linkages between this population and Local Governments. In recognition of this reality, the Lower Mainland Treaty Advisory Committee (LMTAC) developed its *First Principle #32*. This principle states:

**LMTAC *First Principle #32*:** Lower Mainland area Local Governments have increasing Aboriginal populations that are not from the traditional territories of Lower Mainland area Aboriginal peoples as well as Aboriginal populations that will reside off future treaty settlement lands. Treaties must include mechanisms to ensure that the costs of providing programs and services to these populations do not become the responsibility of Local Government.

Local Governments are interested in better understanding the interests of urban off-reserve Aboriginal peoples and exploring with senior governments how these interests are being accommodated in the treaty process. In particular, Local Governments are concerned that Federal and Provincial governments are not giving serious consideration to how programs and services to urban off-reserve/treaty settlement land (TSL) Aboriginal populations will be funded in the post-treaty environment. Local Governments are also interested in whether the growing presence of urban Aboriginal peoples in local communities and the absence of their participation in treaty negotiations may highlight new issues to be addressed by Local Governments.

### Key Findings

- It is estimated that up to 70% of Aboriginal people in British Columbia reside off-reserve, and mainly in urban areas. In the Lower Mainland, approximately 37% of the region's total population, who self-identify as 'Aboriginal', reside off their home reserve. The estimated Aboriginal population in Vancouver and Richmond is in the 25,000 - 30,000 range, with 90% of this total in Vancouver and another 10% in Richmond.
- Treaty negotiations have focused primarily on land-based Indian Bands on existing Federal Indian Reserves. Little attention is paid to the growing population of urban Aboriginal peoples who do not self-identify with, or who are not accepted as part of, land-based Aboriginal groups.

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- Approximately \$660 million (1999 figures) of Federal government resources is targeted to Aboriginal people living off-reserve. This includes two programs totaling just over \$300 million that are restricted to Status Indians living off-reserve: Non-insured Health Benefits and Post-Secondary Assistance. The remaining \$350 million is spread across thirty programs and ten departments. 81% is spent in just four program areas: housing support; the *Aboriginal Human Resources Development Strategy*; healthy child development; and business development.
  - The absence of historical treaties in BC may be a factor contributing to the number of Aboriginal people living off-reserve. Inadequate reserve lands and the absence of recognized traditional lands and rights that could provide economic opportunities have likely contributed to the number of Aboriginal people living off-reserve in BC.
  - There are a number of key changes in Provincial policy that need to be considered as they may have an impact on urban Aboriginal issues. These include: the 2002 Province-wide referendum on treaty negotiations; the draft *Community Charter*; the treaty process renewal undertaken by the three principal negotiating parties; and recent changes to the Provincial welfare system.
  - In the post-treaty environment, it is anticipated that First Nations will be ‘self-governing’ within the provisions set out in the final treaty agreement. Self-government in treaties will enable First Nations to either offer self-delivered programs and services to their community or contract delivery with external agencies.
  - As a result of *Corbiere* (a Supreme Court decision that enables off-reserve Aboriginal people to vote on *Indian Act* activities), urban off-reserve Aboriginal peoples may now look to their own home communities, rather than to municipal and/or regional governments, for direction and action on key community issues. However, *Corbiere* does not address the representational and socio-economic linkages between urban off-reserve peoples and existing Indian band administrations in a post-treaty context.
  - While primary responsibility for program and service delivery to Aboriginal communities (and to urban off-reserve Aboriginal peoples) lies with the Federal, Provincial, and Indian Band governments, there are a variety of community-level programs/services --- funded or organized by Local Governments --- that have a significant number of Aboriginal client participants.
  - Local Governments strongly maintain: the need for continued Federal and Provincial government funding, post-treaty, for urban off-reserve Aboriginals; identification of specific urban Aboriginal groups/organizations with which Local Governments can work and develop intergovernmental linkages; and the need to interact with Aboriginal peoples, post-treaty, in a government-to-government relationship in order to better coordinate program, service, and other intergovernmental mechanisms for urban Aboriginal peoples.

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## Next Steps

Local Governments raise the following broad issues:

- The continued commitment of the Federal and Provincial governments to fund services to individuals living off-TSLs will be critical, post-treaty;
- The need to ensure that there is the opportunity for Local Governments to assist in the coordination of services for urban, off-reserve Aboriginal peoples, particularly in municipalities where there are significant Aboriginal populations;
- The need to build trust and improved intergovernmental linkages between Local Governments and Aboriginal communities for community-level programs/services and projects;
- The need to identify specific organizations or groups to represent and work with the urban Aboriginal population;
- The need for access to better statistical and demographic data concerning how many Aboriginal peoples are living off-reserve in urban centers; and
- The need to further identify this as an important issue to both the Federal and Provincial governments.

To facilitate understanding of how urban off-reserve First Nation members will be linked via treaties to their home communities, Local Governments raise the following specific questions:

- How will urban off-reserve Aboriginal peoples be accounted for in the eligibility and enrolment chapters of Lower Mainland area treaties?
- What models are being contemplated to ensure that urban off-reserve Aboriginal peoples have the ability to vote in the governing processes of their home community (based on the *Corbiere* decision)?
- What are some existing precedents of Aboriginal self-government and/or service delivery for urban off-reserve Aboriginal peoples? Do Nisga'a urban locals, for example, have a budget to help pay for program/service delivery to Nisga'a members living outside the Nass Valley?
- What consideration is being given to the ability of urban off-reserve Aboriginal peoples to vote in Local Government processes in the municipality in which they reside post-treaty?

## Conclusions

It is the opinion of Local Governments that:

- Communication between senior levels of government and Local Governments, as well as between Local Governments and Aboriginal peoples, needs to improve;
- Issues concerning downloading and necessary funding for all Aboriginal people living in urban centres needs to be addressed;
- Representation, trust, communication, partnership-building and implementation of services all need to be improved upon; and
- Relationship-building has to begin now between Aboriginal communities and Local Governments regarding services, not after treaties are signed, with municipal strategic objectives to include relationships with Aboriginal peoples.

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Proposed follow-up actions from the April 30, 2002 workshop held on this topic include the following recommendations:

- Holding another workshop in the near future once the issues from the first technical workshop have been addressed and incorporated into this report;
- Forming a working group, potentially made up of staff from representative organizations (including First Nation and Local Government) to dialogue on related issues;
- Educating colleagues in respective Local Governments by Local Government representatives;
- Ensuring Federal government representation at a future session, and requesting dialogue on the issue of the redesign of the *Indian Act*;
- Accessing better population data for urban Aboriginals; and
- Gaining a better understanding of established Federal and Provincial policies, agreements, programs and services for off-reserve urban Aboriginals.

In sum, discussion is needed on whether urban off-reserve Aboriginal people will be represented and provided for by their home communities, or will be serviced via an independent process.

### **Author**

In developing this discussion paper, LMTAC has engaged both its Technical and Strategic Working Group as well as the GVRD Social Issues Subcommittee, and wishes to thank the members of these committees for their participation, input and involvement in the process. LMTAC also wishes to thank those participants who attended the April 30, 2002 workshop. Their valuable comments and input on the subject are reflected in this revised draft. The meeting notes from that workshop are also included as Attachment 8.1 of this paper.

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## 1.0 PURPOSE

The purpose of this paper is to provide a preliminary exploration and discussion of the linkages between urban off-reserve Aboriginal peoples, their home communities, and neighbouring Local Governments.

During a policy development exercise in 1999, Lower Mainland area Local Governments noted that there is an increasing regional trend of Aboriginal persons residing off-reserve. Some of this population increase has resulted from Aboriginal peoples, moving to Greater Vancouver, who are not from the traditional territories of Aboriginal communities in the Lower Mainland. There are also many Aboriginal peoples living in the Lower Mainland who reside on the reserves of other First Nations. Local Governments further wondered how this trend might impact treaty negotiations since it is intended that existing Federal Indian Reserves will be converted to future Treaty Settlement Lands (TSL). The result is that, in the post-treaty environment, the majority of the Lower Mainland's Aboriginal population could reside off future TSL, and within municipal and regional district boundaries.

Local Governments are concerned about how the trend of increasing off-reserve/TSL Aboriginal populations might affect the certainty of the intergovernmental linkages with First Nations at the community level. In light of the evolving relationship between urban off-reserve Aboriginal peoples and Local Governments (as shown in this report), Local Governments are interested in better understanding the interests of urban off-reserve Aboriginal peoples and exploring with Federal and Provincial governments how these interests are being accommodated in the treaty process. In particular, Local Governments are concerned that Federal and Provincial governments are not giving serious consideration to how programs and services to urban off-reserve/TSL Aboriginal populations will be funded in the post-treaty environment.

The Lower Mainland Treaty Advisory Committee (LMTAC) developed its *First Principle #32* with these concerns in mind.

**LMTAC First Principle #32:** Lower Mainland area Local Governments have increasing Aboriginal populations that are not from the traditional territories of Lower Mainland area Aboriginal peoples as well as Aboriginal populations that will reside off future treaty settlement lands. Treaties must include mechanisms to ensure that the costs of providing programs and services to these populations do not become the responsibility of Local Government.

On April 30, 2002, LMTAC hosted a one-half day technical workshop to discuss a previous draft of this paper. Twenty-three participants attended the workshop from organizations such as LMTAC, GVRD, BC Treaty Negotiation Office, First Nations, and Regional Health Boards. Participants provided valuable feedback to the discussion paper, which has now been incorporated into this revised draft.

## 2.0 DEFINITIONS, DEMOGRAPHICS AND LINKAGES

### 2.1 Definitions

For the purpose of this report, the following definitions are used:

- **Aboriginal people(s)** – all indigenous people of Canada, including Indians (Status and Non-Status), Metis, and Inuit people (as defined in the *Constitution Act of 1982*).
- **Status Indian** – a person defined as an Indian under the Federal *Indian Act*
- **Non- Status Indian** – a person who claims Aboriginal ancestry but does not meet the criteria for registration, or has chosen not be registered, under the Federal *Indian Act*.
- **Metis** – this term can be used to refer to all Aboriginal peoples who are not registered Indians and are not Inuit, to all persons of mixed First Nation and European ancestry, and to all those persons who trace their ancestry to the historic Metis of the Red River settlement of the early 1800s.
- **Inuit** – included as one of the Aboriginal peoples of Canada, although they do not come within the legislative authority of the Federal Parliament pursuant to s. 91(24) of the Constitution Act.
- **First Nations** – a) an Aboriginal governing body, organized and established by an Aboriginal community, or b) the Aboriginal community itself, or c) Aboriginal peoples participating in the BC Treaty Process.
- **First Nation governments** – the political organization that represents a self-governing Aboriginal community formed as a result of a treaty or other self-government agreement.
- **Indian Band** – Aboriginal communities recognized under the Federal *Indian Act*.

### 2.2 The Challenge of Identifying Urban Aboriginals

There are many quantitative challenges associated with identifying urban Aboriginal peoples. Since statistical information on Aboriginal peoples is based on individuals who voluntarily self-identify as having Aboriginal heritage, it is estimated that available statistics under-represent the actual urban Aboriginal population. Statistical reports also often include Aboriginal peoples with other multicultural groups to simplify data collection. However, this simplification ignores the unique constitutional and legal context of Aboriginal peoples in Canada and the need for accurate data to support research and policy development in this field.

It is estimated that up to 70% of Aboriginal people in BC reside off-reserve, and mainly in urban areas. In the Lower Mainland, approximately 37% of the region's total population, who self-identify as "Aboriginal", reside off their home reserve. An additional 3% of the region's total Aboriginal population resides on the reserve of another Aboriginal community. However, these figures are difficult to confirm given the many challenges faced by researchers and Census takers with respect to the estimation or enumeration of Aboriginal peoples.

As an example, the Vancouver Coastal Health Authority (VCHA) reports that, in 1999, a generally accepted count for and description of the Vancouver and Richmond Aboriginal people

remained unavailable despite Census Canada's complete enumeration every five years. Health planning for the Aboriginal communities in Vancouver and Richmond required a generally accepted understanding of the number of Aboriginal people. Using several different methods, VCHA was able to demonstrate where population size converges.

The estimated Aboriginal population in Vancouver and Richmond is approximately 25,000 – 30,000: 90% are in Vancouver and 10% in Richmond. This is approximately 50% larger than the Census results from Statistics Canada. The estimated population comprises approximately 5% of the combined population of Vancouver/Richmond. This also corresponds to approximately 20% of the total Aboriginal population of BC as reported by Statistics Canada.

The majority (80%) of Aboriginal people is Status Indian, which represented at least one-third of the 600 Indian Bands in Canada. Most of the Aboriginal people moved two or fewer times in a year but a few moved over ten times. The pattern of movement is similar for males and females, but males tend to move about 20% more often than females. Non-Status and young males tended to move most often. On average, household size was 1.7 individuals. Respondents were 28.7 years old, on average.

### **2.3 Linkage to the BC Treaty Process**

Urban Aboriginal people residing off-reserve may not be directly participating in the BC Treaty Process. Treaty negotiations have focused primarily on land-based Indian bands on existing Federal Indian Reserves. Little attention is paid to the growing population of urban Aboriginal people who do not self-identify with, or are not accepted as part of, land-based Aboriginal groups. As existing Federal Indian Reserves are converted to future Treaty Settlement Lands (TSL) owned and managed by First Nations' governments, attention also needs to be given to ensuring that the interests of Aboriginal people who are living off-reserves in urban areas, and within the boundaries of municipalities and regional districts, are represented.

In the post-treaty environment, it is anticipated that First Nations will be 'self-governing' within the provisions set out in final treaty agreements. Self-government in treaties will enable First Nations to either offer self-delivered programs or services to their community or to contract delivery with external agencies. From this perspective, First Nation governments will be similar to municipal governments, but with additional powers.

In the post-treaty environment, First Nations' governments will need to generate their own source of revenues by utilizing new economic and fiscal mechanisms (e.g. property taxation and transfers from other levels of government) that may not have been formerly available to Indian Bands prior to treaties. As First Nations implement self-government, it can also be anticipated that there will be a lessening of Federal/Provincial fiduciary and financial obligations to Aboriginal communities. How this weakening of Federal/Provincial fiduciary and financial obligations impacts the local community --- whether First Nation or municipal/regional --- needs to be explored.

### 3.0 FEDERAL AND PROVINCIAL POLICIES, PROGRAMS AND SERVICES

#### 3.1 Federal Government Policies

According to the *Report on Metis and Off-Reserve Aboriginal Issues: Towards a New Partnership*, prepared by Kaufman, Thomas & Associates (1999), the Federal government's policy with respect to Aboriginal people has been articulated as serving the needs of various Aboriginal peoples in the following ways:

- With respect to Status Indians, the Government of Canada provides services and facilities comparable to those enjoyed by other Canadians in similar geographic circumstances within the same province or territory;
- With respect to the Inuit, the Government of Canada provides necessary services delivered primarily through the governments of the Northwest Territories and Newfoundland; and
- With respect to all other Aboriginal people, the Government of Canada encourages provinces to provide full access to regular Provincial programs and services, adapted wherever possible to special Aboriginal needs, provide selective Federal support in the areas of health and post-secondary education (for Status Indians).

Similarly, the Federal government's principles regarding the financing of self-government are such that the Federal government would assume primary, but not exclusive, responsibility for costs associated with on-reserve Indians and the Inuit. Provincial governments would assume primary, but not exclusive, responsibility for other Aboriginal people.

The Department of Indian and Northern Affairs Canada and the Medical Services Branch of Health Canada have largely administered the Federal government's on-reserve programs. Other departments, on the understanding that Provincial governments do not have exclusive responsibility for Aboriginal people living off-reserve, have taken action to address issues in response to factors such as constitutional discussions. Such initiatives have arisen from the mandate of individual departments and it is not clear that there is policy consistency across the Federal government as would be expressed in shared principles or objectives.

*Gathering Strength* (1998) set out the Federal government's response to the recommendations of the *Royal Commission on Aboriginal Peoples* (1996). Some of the key commitments in *Gathering Strength* which apply to off-reserve Aboriginal people are:

- A commitment to continued support of self-government processes for Metis and off-reserve Aboriginal groups, including control of programming and institutions.
- Development of broad-based healing initiatives which will be available to all Aboriginal people, including Metis and off-reserve individuals and communities, as the key response to the reconciliation effort for victims of Residential Schools abuse.
- The continued development of joint ventures with provinces, Aboriginal organizations, and municipalities to provide improved access and delivery of programs and services to urban Aboriginal people (*Urban Aboriginals Strategy*).
- Continuation of the off-reserve Aboriginal Head Start Program for early childhood development and extension of the program to on-reserve communities.

- The creation of an Aboriginal Health Institute to conduct health research and act as a public health information provider to on and off-reserve Aboriginal people and health workers.
- The introduction of the Aboriginal Business Youth Initiative which provides business loans and mentoring support to young Aboriginal entrepreneurs through Aboriginal financial institutions.
- Support for a five-year *Aboriginal Human Resources Development Strategy* which will extend existing labour market agreements with on and off-reserve groups to allow them to continue job training and job support initiatives in their communities.
- New multi-year funding arrangements to provide a more stable funding environment for off-reserve programs and agreements to transfer the management of the programs for Aboriginal friendship centres and cultural education centres to their respective national organizations.

*Gathering Strength* identifies and articulates the Federal government's interests and commitments to address some of the issues facing Aboriginal people living off-reserve and is intended to provide cohesion to Federal efforts across departments.

More recently, the Canada West Foundation (CWF) report on *Enhanced Urban Aboriginal Programming in Western Canada* (January 2002) observed that the Federal Government has a number of enhanced programs and service for urban Aboriginal people in Western Canada, with the CWF research locating examples in 16 of 20 fields. In 12 of these fields- training, employment, childcare, health, homelessness, housing, justice, urban transition, cultural support, other, youth and, corrections- programs were identified that are specific to urban Aboriginal people. (However it should be noted that federal programming in housing was discontinued in 1996, and only pre-1996 commitments continue to receive funding).

### **3.2 Federal Programs and Services**

Approximately \$660 million (1999 national figures) of Federal government resources is targeted to Aboriginal people living off-reserve. This includes two programs totaling just over \$300 million that are restricted to status Indians living off-reserve: Non-insured Health Benefits and Post-Secondary Assistance.

Many Federal government departments are involved in addressing issues facing Aboriginal people living off-reserve. Please see Attachment 8.2 for more detailed program information.

The remaining \$350 million is spread across thirty programs and ten departments. 81% is spent in just four program areas: housing support; *the Aboriginal Human Resources Development Strategy*; healthy child development; and business development. Twenty of the thirty programs, almost all of which are national in scope, are less than \$5 million in size.

Approximately \$260 million is being spent by the Federal government on education, training, employment and economic development. In addition to program expenditures, the Federal government has corporate programs to increase the representation of Aboriginal people within the Federal public service, and individual departments have procurement strategies that benefit Aboriginal companies.

### 3.3 Federally-Led Collaborative Initiatives

#### *Tripartite Self-Government Negotiations*

This Federal initiative was established in 1985 as a parallel track to constitutional discussions on Aboriginal issues to provide for self-government negotiations for off-reserve Aboriginal people. It has been subsequently supported by Federal policy announcements such as *The Government of Canada's Approach to Implementation of the Inherent Right and the Negotiation of Aboriginal Self-Government*, in 1995, and *Gathering Strength*, in 1998.

#### *Urban Aboriginal Strategy*

In the Spring of 1997, Ministers from several Federal departments asked for direction on how to deal with the significant issues Aboriginal people living in cities across Canada were facing. A broad range of ideas, views and strategies were developed into the *Urban Aboriginal Strategy* and eventually incorporated into *Gathering Strength* in January 1998.

The principal focus of the *Urban Aboriginal Strategy* is based on communication and coordination of what is available in the system and how governments could improve and better understand the issues of urban Aboriginal people. With initiatives to ensure that these issues are becoming more universally understood across government, progress has been made integrating Aboriginal objectives into overall government strategies within new and renewed Federal initiatives.

#### *Economic Development Initiatives*

The Federal government is working in partnership with Aboriginal organizations and institutions on a number of economic development initiatives. The *Aboriginal Business Development Initiative* was launched in 1999 with the goal of improving access to capital, creating an Aboriginal business services network, and enhancing existing business services support for Aboriginal people.

The Department of Western Economic Diversification has partnership agreements with each of the four western provinces (BC, Alberta, Saskatchewan, and Manitoba) to address economic development issues. Funding Aboriginal projects is possible under these agreements.

### 3.4 Provincial Governments

As a general observation, Aboriginal people living off-reserve have access to the same kinds and levels of programs and services that are available to other residents of a province. To the extent that Federal funding is formula-based --- referenced to population --- the Federal and Provincial governments contribute in a shared way, to resource generally available programs and services for the off-reserve Aboriginal population.

In addition, the western provinces have initiated a number of targeted programs, policies and practices for off-reserve Aboriginal people. Following is a synopsis of the BC Government's Provincial program information. Detailed information on BC's programs is presented in Attachment 8.3.

### 3.5 BC Context

There is a significant number of Aboriginal people living in the City of Vancouver, and in particular in the downtown Eastside community. Outside the City of Vancouver, Aboriginal people living off-Reserve can be found living in a number of smaller urban centres and in many rural communities.

The absence of historical treaties in BC may be a factor contributing to the number of Aboriginal people living off-reserve. Inadequate reserve lands and the absence of recognized traditional lands and rights that could provide economic opportunities have likely contributed to the number of Aboriginal people living off-reserve in BC.

While it is expected that as modern day treaties are negotiated and settled, the lives of Aboriginal people, both on and off-reserve, throughout BC will be significantly improved, much of the Provincial government's efforts is focussed upon treaty negotiations with First Nations and the Federal government. Provincial policies and practices with respect to Aboriginal people living off-reserve need to be inextricably linked to this treaty context.

### 3.6 Provincial Policies

BC, through its recent province-wide referendum on treaty negotiations, has a revised set of principles for negotiating land claims. The Provincial commitment to a government-to-government relationship with First Nation peoples is expressed in a *Memorandum of Understanding* with the Union of BC Indian Chiefs and in a protocol agreement with the First Nations Summit, both of which have been in place since 1993. In 1998, the province published *Consultation Guidelines*, which describe how the government will fulfill its obligations to consult with First Nations. It is likely that the principles and parameters in these documents have an influence on the development and delivery of all programs and services for Aboriginal people in BC.

As well as the policies briefly described above, BC has also undertaken the following sector-specific policies with the indicated key objectives:

#### ***Towards the Development of a Provincial Aboriginal Health Services Strategy (1999)***

Objectives:

- increase Aboriginal control and decision-making
- increase accountability by maximizing funding
- increase cooperation with non-Aboriginal stakeholders
- develop in conjunction with 4 Aboriginal political organizations, including the Aboriginal Health Association of BC

#### ***A Strategic Plan for Aboriginal Services for Children and Families (1999)***

Objectives:

- increase capacity for Aboriginal service delivery
- strengthen the government's capacity to respond to Aboriginal needs

- coordinate Federal obligations with Provincial jurisdiction
- advocate for viable economic development opportunities
- to be accomplished through protocols, self-government, and devolution of authority

### ***Aboriginal Post-Secondary Education and Training Policy (1995)***

Objectives:

- increase participation and success rates
- support capacity building
- augment self-government and post-treaty skills

## **3.7 Provincial Programs, Services and Practices**

While the corporate focus of the BC Government has been on treaties, there appears to be widespread attention paid to Aboriginal issues across the various Ministries.

- With respect to child and family services, the Province supports Aboriginal service delivery both on-reserve and off-reserve, by funding child and family service workers, and by funding program directors in Friendship Centres and supporting youth services. Significant resources have been devoted to family violence initiatives. The Province works with First Nations to develop social service policy, care plans and assessment tools.
- BC has an *Aboriginal Education Initiative* and Aboriginal targeted funds for grades K-12. Consistent with the *Aboriginal Post-Secondary Education and Training Policy*, there is an infrastructure of at least 15 Aboriginal post-secondary institutions. Most have affiliations or partnerships with public institutions and two of them have their own accreditation: Institute of Indigenous Government and the Nicola Valley Institute of Technology. Collective enrollment in all institutions is approximately 1,500.
- The \$25 million First Citizens Fund provides resources to Friendship Centres, and funds the Business Loan Program, Student Bursaries, and the Elder Transportation Program.

While there is an *Aboriginal Health Services Strategy* under development, under its Community Health Program, the province currently funds four Aboriginal urban health centres and a number of intervention programs for Aboriginal people such as victim services, sexual abuse, and residential historical abuse. There are resources for Aboriginal AIDS programming, mental health, cervical and breast cancer screening, and support to host agencies/health councils.

## **4.0 LOCAL GOVERNMENTS**

It should be emphasized that Aboriginal people living off-reserve are also residents of municipalities and regional districts and, like all other residents, pay their appropriate share of costs for the delivery of community programs and services. At issue, however, is whether the growing presence of urban Aboriginal people in local communities and the absence of their

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participation in treaty negotiations may pose any concerns for Local Governments, post-treaty.

#### 4.1 Programs/Services Utilized by Urban Aboriginal Peoples

While primary responsibility for program and service delivery to Aboriginal communities (and to urban off-reserve Aboriginal peoples) lies with the Federal, Provincial, and Indian Band governments established under the *Indian Act*, there are a variety of community-level programs/services --- funded or organized by Local Governments --- that have a significant number of Aboriginal client participants. Many of the participants in these programs/services are not from the Lower Mainland area. Such programs/services identified include, but are not limited to:

- Housing
- Recreation programs and services (e.g. libraries, community centres)
- Health services (e.g. clinics, emergency shelters, hospitals)
- Family counseling
- Job start / employment programs
- Youth programs
- Child care
- Policing
- Drug and alcohol programs
- Emergency response
- Schools

In the Lower Mainland area, many Aboriginal service agencies are only located in downtown Vancouver. This often requires Aboriginal people to travel to and/or live in the City of Vancouver to obtain these services.

Community-level programs/services that are funded or organized by Local Governments rarely target Aboriginal persons specifically, but rather are open to any member of the community. In the City of Vancouver, for example, off-reserve Aboriginal people can participate in any of the community services provided by the City. In its report on *Enhanced Urban Aboriginal Programming in Western Canada* (2002), the CWF found that in many jurisdictions service provision is almost exclusively through programs of general application that, by definition, are intended to address the need of urban Aboriginal people as members of society at-large.

Lower Mainland area Local Governments have a breadth of differing interactions with the urban off-reserve Aboriginal community. In some municipalities, like the City of Vancouver, Local Governments increasingly play more of a coordinating role in facilitating discussions with Aboriginal community organizations on key issues such as unemployment and homelessness. In many municipalities, however, Local Governments neither play this role nor have the staffing or financial capacity to act as a facilitator. For example, the City of Surrey, with a large concentration of urban off-reserve Aboriginal peoples, does not deliver any direct programs to the Aboriginal community. Aboriginal peoples are treated like all of the other multicultural groups in the community, although attempts have been made to specifically invite Aboriginal representatives to participate in community planning processes.

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Local Governments are concerned about the possibility of Federal and Provincial downloading. There is a concern that if Local Governments work to coordinate programs/services with urban Aboriginal service-delivery organizations, or begin providing direct social services to Aboriginal peoples, the Federal and Provincial governments will download the responsibility for such services to Local Governments without providing the funding required to support the initiatives. Through the research done by the CWF, the question arises as to whether municipal governments need to focus on core services and avoid becoming engaged in areas outside their mandated responsibilities. Nevertheless, and despite fiscal pressures they are experiencing, municipal governments are involved in enhanced programming for urban Aboriginal people. Commentators have emphasized the need for municipal leaders to examine whether or not municipalities should be involved in issues beyond their core responsibilities and if not, why they currently are involved. Attachment 8.4 includes a comparative enhanced program landscape for urban Aboriginal people across western Canadian cities.

#### **4.2 Case Study: City of Vancouver**

The City of Vancouver has taken on a larger role in terms of addressing social issues pertaining to the Aboriginal population due to the location of many of the services provided. These include the street youth, homelessness, and emergency shelters relating to the Aboriginal population. City social planners are aware that many of the Aboriginal youth in the City have never lived on an Indian Reserve. The Aboriginal youth population is increasing to such an extent that such increases have a proportionate impact on the delivery of social services.

In the City of Vancouver, there is a continued struggle to make municipal programs and services welcoming and accessible to all clients, whether Aboriginal or not. As funding for such programs and services is shared across an expanding client base and the demand for the services by Aboriginal clientele increases, the City of Vancouver faces new challenges. For example, the Vancouver Coastal Health Authority (VCHA) contracts a Native Health Society program in the downtown Eastside. Given that non-Aboriginal People living in the area also require assistance, the program has had to face the question of whether to serve only Aboriginal people. City and Provincially-supported high risk youth programs have also faced the question of whether they should serve only urban Aboriginal peoples or continue to be accessible to all street youth.

The City of Vancouver is working to improve the linkages between the municipality and the urban Aboriginal community. City staff now attends the Vancouver Aboriginal Council as a way of exchanging information on key community issues such as homelessness and health care funding. The City of Vancouver's Social Planning Department and Parks and School Boards also work together on youth service issues, as this is an issue of increasing importance in the downtown East Side and other areas of the City.

There are a number of continuing challenges faced by the City of Vancouver. The City is working to find more effective ways to welcome Aboriginal peoples into its programs and services and secure adequate financial resources to support these initiatives. In addition, there is a continued need for better coordination and information sharing between Federal and Provincial governments and the City on Aboriginal program/service delivery. While some programs

(e.g. Head Start) were coordinated amongst senior and local governments, others (e.g. alcohol and drug recovery) are even less so. As Aboriginal communities become self-governing and responsibility to deliver programs and services is transferred to First Nation governments, the need for joint action and planning will continue to be of critical importance, particularly if the trend of increasing urban off-reserve Aboriginal populations continues.

## 5.0 ADDITIONAL KEY ISSUES FOR CONSIDERATION

### 5.1 Corbiere Decision

On November 20, 2000, the rules of voting for Indian Band governments changed. The Supreme Court of Canada, in the *Corbiere* decision, struck down provisions in the Federal *Indian Act* which restricted voting rights to members residing on reserves. The Supreme Court required that the Government of Canada make amendments to the regulations on the voting process in elections and referendums held under the *Indian Act* within 18 months. The new rules for voting, which now enables off-reserve Aboriginal peoples to vote on *Indian Act* activities, came into effect on November 20, 2000.

The *Corbiere* decision and subsequent amendments to Federal regulations on voting have generated mixed reactions from the Aboriginal community. On the one hand, some Aboriginal leaders reject the Government of Canada's intervention as a further example of the government's continuing attempt to deny Indian Band governments the ability to establish their own political institutions and voting processes. On the other hand, urban Aboriginal groups have argued that the *Corbiere*-led voting reforms have been an important step in empowering one of the most under-represented voices in Aboriginal administrations --- urban off-reserve Aboriginal peoples.

As a result of *Corbiere*, urban off-reserve Aboriginal peoples may now look to their own home communities, rather than to municipal and/or regional governments, for direction and action on key community issues. Indian Band Councils will now be responsible to their constituents regardless of whether their members reside within the jurisdiction of a municipal or regional government. From this perspective, *Corbiere* has helped to clarify the representational and socio-economic linkages between urban off-reserve peoples and existing Indian band administrations. *Corbiere* does not, however, address these linkages in a post-treaty context, when Federal Indian Reserves and *Indian Act* Council governments no longer exist.

### 5.2 Changes in Provincial Policy

There are a number of key changes in Provincial policy that need to be considered as they may have an impact on urban Aboriginal issues. These changes include:

- The results of the 2002 Province-wide Referendum on Treaty Negotiations. Each of the eight questions received between 84%-94% support. There were no specific questions dealing with urban off-reserve Aboriginal people. However, the practical implications for off-reserve urban Aboriginals will likely be revealed only through treaty negotiations themselves.

- The draft *Community Charter*, which was released at the end of May 2002. The draft legislation defines First Nations as public authorities and covers such issues as: fundamental powers of municipalities; agreements with other public authorities; limits on borrowing and other liabilities; long-term borrowing by loan authorization bylaw; general authority for permissive exemptions; and general regulation authority. First Nations are defined, in the draft legislation, as “an aboriginal governing body, however organized and established by aboriginal people in their traditional territory in British Columbia”. Additional analysis of the draft legislation will be required to identify any direct or implied impacts on urban, off-reserve Aboriginals.
- The current tripartite review of the treaty negotiation process, which is expected to produce substantial changes by the Fall of 2002, may provide an opportunity to take into consideration how urban off-reserve First Nation members will be linked via treaties to their home communities.
- Finally, changes to the Provincial welfare system will greatly impact urban Aboriginal members as many will likely move back to their reserves. An example, provided at the April 30, 2002 LMTAC-sponsored workshop on this topic, suggests that as many as 450 Squamish Nation members moved back to Squamish reserves as soon as the announcement of the welfare system reform was made by the BC Government. Issues related to housing and different socio-economic conditions of the various First Nations and their members, however, can be key considerations as to whether or not First Nation members make the decision to move back to their home reserves.

### **5.3 Need for Continued Federal and Provincial Funding**

Local Governments believe that intergovernmental cooperation creates new opportunities to access sources of funding for community-level programs and services which involve Aboriginal peoples. In urban environments, where the interconnections between communities are most tangible, the delivery of culturally-sensitive programs will be most efficiently accomplished through coordinated partnerships between the sponsoring and funding agencies. In this manner, Local Governments strongly maintain that:

- Federal and Provincial governments will need to allocate some funding, post-treaty, for those Aboriginal peoples who do not belong to particular treaty First Nations and for Aboriginal peoples who continue to live off-TSLs within Local Government jurisdictions.
- Federal and Provincial governments need to recognize the unique situation of urban off-reserve Aboriginal peoples and help identify specific urban Aboriginal groups/organizations with which Local Governments can work to develop intergovernmental linkages; and
- To successfully implement treaties in the urban setting, Local Governments need to have the ability to deal with Aboriginal peoples, post-treaty, in a government-to-government relationship in order to better coordinate program, service, and other intergovernmental mechanisms for urban Aboriginal peoples.

## 6.0 NEXT STEPS

The importance of the linkages between future First Nation governments and Local Governments has been a dominant theme in the BC Treaty Process. The parties now need to recognize the growing presence of urban off-reserve Aboriginal peoples in the Lower Mainland and the need for linkages between this population and Local Governments. Urban communities, whether Aboriginal or not, will need to continue to efficiently coordinate discussion and action on important community-level issues.

Local Governments raise the following broad issues:

- the continued commitment of the Federal and Provincial governments to fund services to individuals living off-TSLs will be critical, post-treaty;
- the need to ensure that there is the opportunity for Local Governments to assist in the coordination of services for urban, off-reserve Aboriginal peoples, particularly in municipalities where there are significant Aboriginal populations;
- the need to build trust and improved intergovernmental linkages between Local Governments and Aboriginal communities for community-level programs/services and projects;
- the need to identify specific organizations or groups to represent and work with the urban Aboriginal population;
- the need for access to better statistical and demographic data concerning how many Aboriginal peoples are living off-reserve in urban centers; and,
- the need to further identify this as an important issue to the Federal and Provincial governments.

To facilitate understanding of how urban off-reserve First Nation members will be linked via treaties to their home communities, Local Governments raise the following specific questions:

- How will urban off-reserve Aboriginal peoples be accounted for in the eligibility and enrolment chapters of Lower Mainland area treaties?
- What models are being contemplated to ensure that urban off-reserve Aboriginal peoples have the ability to vote in the governing processes of their home community (based on the *Corbiere* decision)?
- What are some existing precedents of Aboriginal self-government and/or service delivery for urban off-reserve Aboriginal peoples? Do Nisga'a urban locals, for example, have a budget to help pay for program/service delivery to Nisga'a members living outside the Nass Valley?
- What consideration is being given to the ability of urban off-reserve Aboriginal peoples to vote in Local Government processes in the municipality in which they reside post-treaty?

Participants to the April 30, 2002 LMTAC workshop also proposed the following recommendations as additional next steps:

- Holding a similar session in the future once the issues of this technical workshop have been addressed, particularly with respect to the changes requested to the discussion paper;

- Forming a working group, potentially made up of staff from representative organizations (including First Nation and Local Government), to dialogue on related issues;
- Educating colleagues in respective Local Governments by Local Government representatives;
- Ensuring Federal government representation at a future session, and requesting dialogue on the issue of the redesign of the *Indian Act*;
- Accessing better population data for urban Aboriginals (There may be an opportunity to influence the formulation of Census questions by consulting with Statistics Canada for the 2006 Census).
- Gaining a better understanding of established Federal and Provincial policies, agreements, programs and services for off-reserve urban Aboriginals.

## 7.0 CONCLUSIONS

Treaty-making is about creating new relationships between future self-governing First Nations and other levels of government as well as society at-large. Many efforts are being made to give definition to this new relationship with land-based Aboriginal communities in the BC Treaty Process. In particular, urban Local Governments have been actively working to advise senior governments on the unique interconnections between communities in the Lower Mainland, and how treaties need to recognize the challenges of urban negotiations. Attention must now be equally paid to the increasing off-reserve Aboriginal populations and how these groups ‘fit’ into the treaty process and into the future intergovernmental connections that Local Governments are seeking to develop with First Nations. In sum, discussion of practical scenarios and examples is needed to explore the linkages between urban off-reserve Aboriginal peoples, their home communities, and neighbouring Local Governments.

It is the opinion of Local Governments that:

- Communications between senior levels of government and Local Governments, as well as Local Governments and Aboriginal peoples, need to improve;
- Issues concerning downloading and necessary funding for all Aboriginal peoples living in urban centres needs to be addressed;
- Representation, trust, communications, partnership-building and implementation of services need to be improved upon; and
- Relationship-building has to begin now between Aboriginal communities and Local Governments regarding services, not after treaties are signed, with municipal strategic objectives to include relationships with Aboriginal peoples.

In sum, discussion is needed on whether urban off-reserve Aboriginal peoples will be represented and provided for by their home communities, or will be serviced via an independent process.

### **Attachments:**

8.1 Notes from the Technical Workshop Discussion on Local Governments and Urban Aboriginal Issues held April 30, 2002. Lower Mainland Treaty Advisory Committee.

- 8.2 Summary Table of Federal Aboriginal Targeted Programs Available To Those Living Off Reserve. Report on Metis and Off-Reserve Aboriginal Issues: Towards a New Partnership. Prepared by Kaufman, Thomas and Associates, 1999.
- 8.3 British Columbia's Aboriginal Targeted Programs. Report on Metis and Off-Reserve Aboriginal Issues: Towards a New Partnership. Prepared by Kaufman, Thomas and Associates, 1999.
- 8.4 Comparative Enhanced Program Landscape for Urban Aboriginal People. Prepared by the Canada West Foundation, 2002.

## 8.0 ATTACHMENTS

### Attachment 8.1: Notes from the Technical Workshop Discussion on Local Governments and Urban Aboriginal Issues April 30, 2002 | 9:00 a.m. – 12:00 noon @ GVRD Head Office

#### PARTICIPANTS

#### ORGANIZATIONS

##### FIRST NATION REPRESENTATIVES

Andrew Bak  
Kelly-Lyn Danyluk  
Leonard George

Tsawwassen First Nation  
Tsleil-Waututh Nation  
Tsleil-Waututh Nation

##### LOCAL GOVERNMENT ELECTED REPRESENTATIVES

Mayor Don Bell (Co-Chair)  
Mayor Ralph Drew (Co-Chair)  
Councillor Candace Gordon  
Councillor Louella Hollington  
Councillor Vicki Huntington  
Councillor Peter Stevenson

Lower Mainland Treaty Advisory Committee  
Greater Vancouver Regional District  
Lower Mainland Treaty Advisory Committee  
Lower Mainland Treaty Advisory Committee  
Lower Mainland Treaty Advisory Committee  
Lower Mainland Treaty Advisory Committee

##### HEALTH BOARD/OTHER

Nadine Caplette  
Renee Nyberg-Smith  
Gerry Thorne

Vancouver Coastal Health Authority  
Fraser Health Authority  
Consultant

##### STAFF REPRESENTATIVES

Debbie Seto-Kitson  
Frank Clark-Jones  
Jose Villa- Arce  
Joy Smith (Recording Secretary)  
Kamala Todd  
Kirstie Pirie  
Marino Piombini  
Regan Schlecker  
Rick Beauchamp  
Steve Hardy  
Verna Semotuk

BC Treaty Negotiation Office  
Township of Langley  
BC Treaty Negotiation Office  
Lower Mainland Treaty Advisory Committee  
City of Vancouver  
Lower Mainland Treaty Advisory Committee  
Greater Vancouver Regional District  
Lower Mainland Treaty Advisory Committee  
District of West Vancouver  
District of North Vancouver  
Greater Vancouver Regional District

#### 1. Who Are We? Round Table Introductions and Opening Remarks

The meeting was called to order at 9:05 a.m. by Mayor Don Bell, Chair of the Lower Mainland Treaty Advisory Committee (LMTAC) and Co-Chair of this workshop, who welcomed all participants.

Following participant round table introductions, Mayor Bell provided some background information on why the workshop is being held: to collectively discuss the issues of urban, off-reserve Aboriginals. He stated that the workshop provides an initial step to begin to dialogue on the issues for local government.

Mayor Bell provided participants with information on LMTAC's mandate: to act as part of the Provincial negotiating team and meet the challenges of this issue in the absence of available information. He remarked on LMTAC's development of its 39 *First Principles* in 1999 and subsequent drafting of background papers to expand on the *First Principles*. He emphasized that the urban Aboriginal issues was not being addressed by the senior levels of government at the time the joint GVRD-LMTAC paper was prepared (April 2001). He stated that the recommendation from the GVRD Board was for LMTAC to engage individuals with expert knowledge on the subject in a technical workshop to further discuss the issue. Mayor Bell ended his introductory remarks by providing

participants with further background on local government concerns: namely, an increasing trend in Aboriginal off-reserve urban populations; lack of dialogue on the topic by senior levels of government; and funding requirements and shortfalls. He stated that dialogue is now necessary to assist in addressing the urban, off-reserve Aboriginal issue, particularly as it relates to treaty negotiations and settlement.

## 2. Why Are We Here? Overview of the Discussion Paper “Local Governments and Urban Aboriginal Issues” and Key Questions

Kirstie Pirie, Manager of LMTAC, provided participants with an overview of the discussion paper “Local Governments and Urban Aboriginal Issues”, sent to all participants for review prior to the workshop. Using a PowerPoint presentation, Ms. Pirie covered topics from the Discussion Paper related to:

- LMTAC’s mandate
- Relationship of the Discussion Paper to LMTAC *First Principle* #32
- Chronology for the development of the Discussion Paper
- 1996 Census Map emphasizing centralization of the urban Aboriginal population [to be updated in 2003]
- Local government programs and services
- Local government interests
- Questions emanating from the Discussion Paper
- Discussion Paper recommendations

Ms. Pirie also presented the key objectives of this workshop for participants:

- Receive feedback on the Discussion Paper and begin to address the questions posed
- Further discuss this subject and its importance, particularly as it relates to treaty negotiations and the post-treaty environment
- Collectively “brainstorm” possible next steps in the process of reviewing, discussing and circulating the Discussion Paper
- Recommend and work towards an agreed upon next step (e.g. broader workshop; augment the discussion paper; strike a committee; make presentations; tie this work into another ongoing process; request meetings with senior governments).

## 3. What Are Your Thoughts? Round Table Feedback on the Discussion Paper

Several participants began this portion of the discussion by asking LMTAC members why Non-Status Indians were not mentioned in the Discussion Paper and why there was no differentiation between the Status and non-Status Indians. Participants identified the *Indian Act* legislation as being problematic in this regard. Several LMTAC members responded by stating that LMTAC’s purpose was to identify the eligibility and enrollment issues of Aboriginal individuals in the treaty process, as there may be cost implications for local governments in terms of service provision, post-treaty. LMTAC members identified the Status / non-Status subject as being very complex and that the treaty process was the starting point for LMTAC. LMTAC members agreed that the Discussion Paper needs to be reviewed and addressed with respect to the Status/non-Status issue.

One participant stated that Provincial policy now requires health authorities to provide an equitable level of services on reserve as would be provided to similar off-reserve communities and that health authorities are not responsible for duplicating or replacing Federal health services being provided on reserve.

Another participant stated that local governments and their staff should focus on how agreements between senior levels of government and Aboriginals currently work (for example, the Federal Aboriginal Human Resources Development Agreement with respect to employment and training support and funding). After reviewing these existing agreements, the participant urged local governments to then suggest partnership opportunities on how existing contracts and agreements could be improved upon. This participant mentioned that the urban off-reserve issue also has implications for Aboriginals, particularly those that provide services to members of other communities that may be signatories to treaties.

Other participants reiterated that interconnections are important so as not to duplicate the costs. For example, interconnections between health boards and municipalities would be most beneficial so that there is no duplication of services or costs by either party.

Another participant stated that changes to BC's welfare system will greatly impact First Nation members as many will likely move back to their reserves. An example used was the Squamish Nation, which has recently experienced the outcome of 450 of its members moving back to Squamish reserves since the announcement of the welfare system reform by the BC Government. Issues related to housing and different socio-economic conditions of the various First Nations and their members can be key considerations as to whether or not First Nation members make the decision to move back to their own reserves.

Another participant spoke on being a past service recipient. He stated that as soon as one moves off reserve, one loses his or her Aboriginal distinction. Often First Nation members living off reserve need to self-identify prior to using a particular service. He also spoke of First Nation members of his community, living very far from the reserve, asking whether they can access services within the reserve.

At this point, Mayor Bell left the meeting and Mayor Ralph Drew assumed the role of Chair of the meeting.

Mayor Drew, in his opening remarks, commented on recent trends reported by the most recent Census in Canada: rural populations migrating to urban centres. He remarked on the need for a possible cross-jurisdictional service delivery and mechanism.

One participant reported that the Province receives transfer payments from the Federal Government for services to be provided to Aboriginals. The services received by Aboriginals, however, are the same as those received by non-Aboriginals.

At this point, participants took a brief break for refreshments and informal discussions and networking.

Following the break, one participant remarked on the Vancouver case study that was a focus of the Discussion Paper. The participant stated that, in her role as Social Planner with the City of Vancouver, she works closely with the Aboriginal community in order to help build relationships. She remarked that Vancouver has an increasingly large Aboriginal population in need of services and representation. The City does not provide direct services to Aboriginal people, but it does provide grants to organizations that serve Aboriginal people, through the Community Services Grants. There is recognition that this population is in need, and Social Planning works to support the community in meeting these needs, primarily through building relationships and sharing information. Aboriginal services in the City of Vancouver are funded through Community Services Grants, which help pay for the services that support and address the various needs of groups of individuals. One recent example was with Aboriginal homelessness funding, where Social Planning convened a meeting that brought together government and Aboriginal organizations to share information about accessing funding. The participant reported on Aboriginal homelessness funding, which brought together the Federal and Provincial governments and First Nations. She also reported on the proposal by the Urban Native Youth Association to create an Aboriginal youth centre in Vancouver. Representatives from Social Planning sit on the steering committee for this project. She also reported that another focus of her work is the 2010 Olympic Bid. Representatives from Social Planning sit on the Aboriginal Participation Work Group which looks at the involvement of Aboriginal people in the Bid process and ways to bring opportunities and reduce impacts to the community. She also reported that her focus of work is also on the 2010 Olympic Bid and how urban, off-reserve Aboriginals are involved with this endeavour and how the costs may impact the work involving urban Aboriginals.

Another participant stated that the knowledge of services available to Aboriginals is varied. A lot of Aboriginals do not know where to find the information. She used web sites and resource directories as good examples of how local governments can help address some of the issues of urban Aboriginals. An analysis of contribution agreements and knowledge of what is provided on-reserve is also deemed important so that services are not duplicated. This participant also stated that while "equity" is an important goal, the term means different things to different people. Capturing "pan-Indian culturally-appropriate services" is challenging for regional health boards. She reported that 80% of Vancouver's Status Indians are from BC and across the country. She also remarked on the shortcomings of data gathering and Census information: while there are 28,000 Aboriginal people in Vancouver, only 15,000 are reported by Statistics Canada in its Census. She further reported that 75% of Aboriginal youth and children do not

graduate from high school. This leads to associated problems such as limited access to the job market, extreme poverty, dislocation, and future job cuts. This participant also reported that as Aboriginal residents do not fully utilize access to services on their home reserves, better information is required as to who utilizes the services from the Vancouver Coastal Health Authority (VCHA).

The VCHA representative will send a report on the statistics collected by the health boards to GVRD staff.

A discrepancy was noted in the Discussion Paper (page 6) that requires correction: while the VCHA contracts Vancouver's Native Health Society, it is not run by the VCHA.

A local government participant remarked on how little attention is being paid to Aboriginal issues and treaty negotiations within her community. Additional examples of costs related to municipalities were requested.

Another participant reported that the lack of confidence in statistics is common on reserves as well. As far as Aboriginals are concerned, there is a lack of reliable statistics and population databases. He reiterated that while most people would choose to live on reserves, they move for a reason: usually to find jobs or housing. The only services identified that Aboriginals could not live without would be law enforcement and emergency services. He also reiterated that service funding usually dries up very early in the year once Aboriginals have accessed those services. This participant stated that the group needs to hear from the service providers directly to see how the needs can be better identified and the funding can be better apportioned. He stated that the desire at the treaty tables is to do away with tax exemptions (so there may be less of a distinction between services provided to Aboriginals and to non-Aboriginals, depending on how the tax requirements are structured). He stated that one of the goals of treaties is for First Nations to become taxpayers so that they can administer their own services.

Another local government participant asked the group to not only analyze health issues, but to also consider the issues of schools, school tax and education: how will schools/education be delivered, post-treaty? This has been an extremely important issue for the Corporation of Delta.

One participant stated that the increasing Aboriginal population might be due to the fact that more Aboriginals are self-identifying as Aboriginals. A question was also asked about the meaning of the term "equity" as used by participants at this workshop in terms of short-term or long-term equity. In the short term, equity could relate to the services to be provided (i.e. is equity an issue?). In the long term, equity could mean the health status of Aboriginals compared to non-Aboriginals. The participant asked others to consider how different Federal departments communicate with one another in the delivery of services and funding of Aboriginal programs and services (e.g. Health Canada's First Nations and Inuit Programs and the Department of Indian and Northern Affairs Canada). She reported that the various departments may not be communicating well with one another and that data capture could be problematic.

Another participant reported on the need for a clearer understanding between First Nations and local governments as to each other's processes, services and relationships. She reported that, currently, relationships with the Federal (and Provincial) government works best on a division-by-division basis rather than under the umbrella of the Department of Indian and Northern Affairs. There is also the need to understand what services municipalities pay for and a better understanding of health agreements. The processes need to be better understood before the shortfalls can be identified.

Another participant reported on the work that she is currently involved in with respect to urban Aboriginal homelessness. The Federal government, under a new process of service delivery directly to the Aboriginal community groups rather than through the Provincial government, is currently providing funding for urban Aboriginals, Aboriginal youth and Aboriginal homelessness. The new process involves the Department of Human Resources Development Canada, Labour and other Federal government departments. The funding is currently helping to pay for mapping services, detoxification centres and emergency shelters. Local governments have been playing a role in planning and coordinating the services as well as acting as an advocate where social assistance services are required.

Another participant commented on how the City of Vancouver addresses its community's needs for various cultural groups (e.g. producing guides in different languages, such as a newcomers' guide) to ensure that Aboriginals have a

voice and access to services and receive consultation and advocacy. This participant reiterated that not only is funding of services and programs important, but so too are the partnerships that need to be formed.

Another participant stated that the Tsawwassen First Nation's web site features a list of services available to First Nations.

A local government representative commented on how the Katzie First Nation has been helpful in educating local governments on the servicing needs of Aboriginal people on various topics including education, economics, and the environment.

One participant commented on how the first agreement signed by his First Nation was with a local government. He stated that Aboriginal title provides a new opportunity to make things happen, but that we all need to change our values first. He provided an example of the Tsleil-Waututh Nation's proposal to hold land in perpetuity for the Metis; the same could be done for the Aboriginals of Vancouver, he stated. He further mentioned that the Tsleil-Waututh Nation is building a state-of-the-art health centre as well as a K-12 school and the Chief Dan George Centre for Education Excellence at Simon Fraser University (downtown campus). He indicated that more partnerships will mean more power, more information and lead to better relationships.

Another participant mentioned that governments undergo different centralization and decentralization cycles every 7 to 10 years. At the same time, treaties (such as Treaty 8 and one in BC's Interior) are being implemented. He stated that it is difficult to deliver services to Northern BC and that socio-economic indicators of Aboriginal communities are significantly below the Provincial average. At the same time, he stated, there is no accountability for funding and expenditures for education by the Federal and Provincial governments. He stated that one will not see one form of self-governance in BC as a result of treaties and that whatever gets put in a treaty, has to be workable after treaties. He also stated that negotiation tables cannot create relationships. He asked the question: what is the legitimate role of government in providing these services? He stated that clean water and sewage treatment have resulted in the most improvements to health in the 19<sup>th</sup> and 20<sup>th</sup> centuries. However, these improvements have not been the same for Aboriginals. This participant further stated that "diversity" does not seem to include Aboriginal programs in local government.

The Chair cautioned participants that the forthcoming Community Charter will have huge implications for local governments in the way that services are delivered and programs are administered.

One participant, in ending this portion of the meeting, stated that the role of the group assembled could be to advise and educate colleagues in their own municipalities or organizations.

#### **4. Where to From Here? Discussion on the Next Steps**

In discussing a follow-up to this technical workshop, participants identified several ideas and courses of action, including:

- Accessing interest papers from various web sites (e.g. Tsawwassen First Nation web site) and have better links to other web sites
- Understanding the relationship between the Federal and Provincial governments, and analyzing the roles of different players
- Discussing and understanding what local government issues are today; local government can be service coordinators, but cannot fund the services to Aboriginal populations
- Analyzing the Community Charter, once it is released, to see what implications there may be for local governments
- Bringing together staff and colleagues from representative organizations (both Aboriginal and local government) to dialogue with one another and to put together a synopsis of issues
- Forming a working group to further address this issue
- Accessing better data and information on established agreements
- Educating colleagues in respective local government by local government representatives
- Forming an overall goal or objective to achieve

- Inviting the Federal government representatives to attend a future session, particularly with respect to addressing the issue of the re-design of the Indian Act
- Establishing a future goal for the group that is made into a series of smaller goals and forming priorities as to what is manageable and doable in the short term

The Chair thanked everyone for their participation and contribution and indicated that LMTAC and GVRD staff would summarize the discussion for distribution to participants as well as address the issues raised in the Discussion Paper. A future follow-up session was also suggested.

The meeting adjourned at 12:15 p.m.

**Attachment 8.2: Summary Table of Federal Aboriginal Targeted Programs Available  
To Those Living Off-Reserve, 1999**

<b>Policy Area</b>	<b>Total Millions of \$\$\$</b>	<b>Program / Strategy</b>	<b>Program or Sub-Program</b>	<b>Millions \$\$\$</b>
<b>Health and Social Services</b>	341.25	Medical Services Branch (MSB) - Non-Insured Health Benefits		
		Healthy Child Development	>Community Action Program for Children (CAPC)	10
			>Aboriginal Head Start Program (AHS)	19
			>Canada Prenatal Nutrition Program (CPNP)	8.25
		Housing	>Urban Native Non-Profit Housing	90
			>Residential Rehabilitation Assistance	14
			>Rural and Native Non-Profit	70
<b>Education</b>	134.4	Post-Secondary Assistance		
<b>Labour Market Development</b>	90.1	Aboriginal Human Resources Strategy	>Regional Bilateral Agreements (RBA)	42
			>Urban Component	30
			>Capacity Building	3.6
			>Youth and Youth at Risk	5
			>Disabilities	0.6
		Winnipeg Single Window Project		
		Sector Specific Training (internal and external to government)	>Native Courtworker Program	4.7
			>Legal Studies for Aboriginal People	0.16
			>Aboriginal Cadet Development	0.19
			>Aboriginal Youth Training	0.45
	>Native Defence Training Programs			
	>Health Careers	3.3		

Policy Area	Total Millions of \$\$\$	Program / Strategy	Program or Sub-Program	Millions \$\$\$
<b>Economic / Business Development</b>	36.07	Aboriginal Business Canada  Aboriginal Business Services Network  Aboriginal Financial Development Corp.  Western Diversification Aboriginal Initiatives	>Aboriginal Business Development Centres >First Nations Bank of Canada >Aboriginal Capital Corporations Link >Economic Development Officers	0.95   0.2  0.49  0.266
<b>Culture</b>	8.96	Northern Broadcast Access  Aboriginal Languages Initiative  Louis Riel Institute  Indian Art Centre  Canada Council for the Arts		
<b>Justice System</b>	4.925	Corrections    Off-Reserve Policing  Aboriginal Justice Strategy	>Aboriginal Community Corrections  >Aboriginal Correction - Institutions	0.125   3.5

Policy Area	Total Millions of \$\$\$	Program / Strategy	Program or Sub-Program	Millions \$\$\$
<b>Capacity Building</b>	45.00	Organizational Infrastructure	>Aboriginal Friendship Centres	15
			>Aboriginal Representative Organizations	4
			>Aboriginal Women's Programs	2
		Governance	Privy Council Office (PCO) Tripartite Negotiations	3.59
		Community Development	Urban Youth Centres	20
<b>Total</b>	<b>\$660.24</b>			

**Source:** Report on Metis and Off-Reserve Aboriginal Issues: Towards a New Partnership. Prepared by Kaufman, Thomas and Associates, 1999.

### Attachment 8.3: British Columbia's Aboriginal Targeted Programs, 1999

Category	Program	Target Group	Focus	Partners and Delivery Mechanisms
<b>Labour Market, Training, Employment</b>	Native Fire Crew Program and Technician Program	All Aboriginals	Employment	2 employment programs
	Visions for the Future	Aboriginal Youth 15-29	Career Skills	\$462,299 initiative to heighten Aboriginal Youth awareness and explore future career skills
<b>Health</b>	4 Urban Aboriginal Health Centres	Urban Aboriginals	Community Health	BC contributions of over \$1 million to centres, plus 5 Aboriginal health workers
	10 Victim Services and Assistance Programs	On Reserve and Off Reserve	Community	In conjunctions with Friendship Centres
	8 Sexual Abuse Intervention Programs	All Aboriginals	Community	
	6 Residential Historical Abuse Programs	All Aboriginals	Community	
	8 Community Intervention Programs	All Aboriginals	Community	
	10 Aboriginal Aids Programs	All Aboriginals	Community	
	3 Continuing/Acute Care Programs	All Aboriginals	Community	
<b>Social Services</b>	Friendship Centre Program	Urban Aboriginals	Transition	21 Friendship Centres and the BC Association of Friendship Centres receive funding for program directors
	24 Urban Aboriginal Family and Youth Services	Aboriginal Youth Off-Reserve	At Risk, Youth	In conjunction with First Nations, Bands, Friendship Centres, Urban Police

<b>Category</b>	<b>Program</b>	<b>Target Group</b>	<b>Focus</b>	<b>Partners and Delivery Mechanisms</b>
<b>Social Services (continued)</b>	57 Child and Family Services and Workers	On Reserve	Children, Youth	In conjunction with Bands, Tribal Councils and Indian Homemakers
	8 initiatives pertaining to development of policy and care plans	All Aboriginals	Families, workers	Work with First Nations to develop policy, care plans, assessment tools and First Nations Agency Directors Association
	Family Violence Initiative	All Aboriginals	Addictions, Mental Health, Violence	Total of \$1,825,912 funding indicated
<b>Education</b>	First Citizen's Fund Student Bursaries	All Aboriginals	Post-Secondary Education	
	Scholarships	First Nation	Post-Secondary Education	BC Hydro provides scholarships to First Nation youth
	27 College Prep and Access, Degree, Non-Degree Programs	First Nations, on and Off-Reserve	Post-Secondary Education	In conjunction with First Nations and post-secondary institutions
	56 Aboriginal Targeted Funds, Aboriginal Education Initiative	Urban, Off- and On-Reserve	Grades K - 12	Indicates \$1.6 Million funds spent in support of the Aboriginal Education Initiative
<b>Culture</b>	Elders Transportation Program	Aboriginal Elders	Culture, Heritage	In conjunction with bands and Aboriginal organizations
	The Talking Circle	All Aboriginals	Communication	In conjunction with BC Hydro
	Traditional Use Studies	All Aboriginals	Resources	
<b>Justice</b>	6 Restorative Justice Programs	All Aboriginals	Youth, Alternative	In conjunction with First Nations and correctional facilities
	7 Native Courtworkers and Case Management	All Aboriginals		

Category	Program	Target Group	Focus	Partners and Delivery Mechanisms
<b>Justice (continued)</b>	5 Community-based Residential Care Facilities	All Aboriginals	Employment, Case Workers	
<b>Economic Self Sufficiency and Community Renewal</b>	First Citizens' Fund Business Loan Program	All Aboriginals	Creation and expansion	All Nations Trust Company (an Aboriginal trust company) administers the program and has sub-contracts with other Aboriginal Capital Corporations
	Aboriginal Business Development Contracts	All Aboriginals	Construction	Sole-sourced both on and off-reserve to First Nation bands and businesses by BC Hydro
	Aboriginal Business Development	On-Reserve, traditional territories	Relationship building	BC Hydro attempts to foster relationships and address First Nation concerns

**Source:** Report on Metis and Off-Reserve Aboriginal Issues: Towards a New Partnership. Prepared by Kaufman, Thomas and Associates, 1999.

**Note:** The extent and nature of the BC government's program activity may differ from what is included in Attachment 8.3. The most complete source of information on this topic is the report prepared by Kaufman, Thomas and Associates, 1999, which has not been updated to reflect any changes under the current BC Liberal government.

### Attachment 8.4 Comparative Enhanced Program Landscape for Urban Aboriginal People, 2002

LEGEND: F=Federal program; P=Provincial program; M=Municipal program; O=Aboriginal/ Non-profit program

	Vancouver	Calgary	Edmonton	Saskatoon	Regina	Winnipeg
<b>Education</b>	F P M O	F P O	F P O	F P O	F P M O	F P O
<b>Training</b>	F	F P	F P O	F P	F P M	F P M O
<b>Employment</b>	F O	F P M O	F P O	F P M O	F P O	F P M O
<b>Income Support</b>						
<b>Economic Development</b>	F P	F O	F O	F M	F	F P O
<b>Family Violence</b>	F P O	F O	F O	F P O	F P O	F P O
<b>Childcare</b>	F O	F O	F	F M O	F M	F P O
<b>Health</b>	F P O	F P O	F P M O	F O	F O	F P O
<b>Addictions</b>	F O	F P O	F P O	F P O	F P M O	F
<b>Suicide</b>						
<b>Homelessness</b>	F	F P	F P M	F P O	F P O	F P
<b>Housing</b>	F P O	F O	F O	F	F O	F P O
<b>Justice</b>	F P M O	F P M O	F P M	F P M O	F P	F P O
<b>Human Rights</b>		P	P			
<b>Urban Transition</b>	F P M O	F O	F M O	F P M O	F P	F P
<b>Cultural Support</b>	F P O	F P O	F P M O	F P M O	F P O	F O
<b>Other</b>	F M O	F P M O	F P M O	F P M O	F P M O	F P M O
<b>Family</b>		P O	P M O	M O	M O	P O
<b>Youth</b>	F M O	F P	F P M	F P M O	F P M O	F P M O
<b>Corrections</b>	F O	F P O	F P O	F P O	F P O	F P O

**Source:** Enhanced Urban Aboriginal Programming in Western Canada: Prepared by Canada West Foundation, 2002

**Note:** The extent of the BC government's program activity may be greater than Attachment 8.4 indicates as a key resource on urban Aboriginal programs in Vancouver (Vancouver Aboriginal Council, 2001) was not available in time to inform this project's research.