

First Nations Protect Lands, Waters, *and* Economy

Canada's constitution was brought home, and includes Aboriginal rights as of 1982. Since then Canada's courts have consistently reconfirmed the laws of our land to support Aboriginal rights, while formalizing definitions and standards regarding Aboriginal rights, and decision making, environmental assessment, traditional knowledge – especially concerning natural resources, lands and waters.

We know without doubt that the Crowns must consult with Aboriginal Peoples, and accommodate rights, concerns, and impacts regarding any policy, or regulatory/legal step that impacts the Peoples, and their rights. We also know that when proponents or developers talk to or provide information to First Nation communities about intended projects that the proponent or developer is *not* the Crown, and cannot fulfill the Crowns' obligations. This is especially important when a crown corporation, or government agency wants to use 'crown' lands for a project, or resource extraction.

The Crowns

Some provinces continue to behave as if the crown decides whether rights are affected, and whether there is a basis for consultation. Again, our courts are stating clearly that it is those whose rights may be affected who determine whether consultation and required. And crown governments are trying to put appropriate consultation standards in place. We know that only those consultation methods and standards which First Nations support, and endorse will work for Canada's future. And governments are learning that transparency, with full access to information, must be the basis for First Nation participation in negotiations, an environmental assessment, or hearings, etc.

UN Declaration

Canada's government may have learned that being one of a small handful of countries to not endorse the United Nations Declaration on Indigenous Rights damages its reputation, while blocking rights, and economic decisions based on those rights. An announcement was made, with federal qualifiers voiced since. The test of our current government, following on the residential schools apology, is whether it will act with honour and sign the UN Declaration. Of course the Declaration is clear about Indigenous, Aboriginal rights regarding resources.

Consultations

Some First Nations have their own consultation standards – used as the basis for response to any request to discuss, review, or consider actions that may impact rights. And First Nations are negotiating benefits agreements with developers that contain strong environmental and economic requirements. Some project development agreements include First Nation partnerships. Attention to and steps toward leases, and royalty payments for natural resource use are increasing, including through modern day treaties and land claim settlements.

New Lands – New Economy

Land selection to honour treaty entitlements, urban reserve options, and compensation funds are happening across Canada. In Manitoba, where the AFN is meeting, Treaty Land Entitlement negotiations and land transfers mostly in northern Manitoba, are going on, slowly.

Treaty One First Nations are acquiring lands, and compensation to support community needs, and build their economy. Every step Treaty One First Nations take will also build the Manitoba economy, and spread through other First Nations.

New Indian lands will build the economy, and support the communities.

All these tools: court decisions, consultations, benefits agreements, settlement agreements, land selections, urban reserves, modern day treaties, trusts are for our future environment and economy.

First Economists and Planners

Aboriginal Peoples in Canada managed trading networks, natural resources use, and inter governmental affairs for many many generations in ways we need to remember. The natural world was an ingredient in all decisions. The population base was many more people than today's Canadian society understands. Skills in trade, negotiating, planning through resource cycles, while training and maintaining knowledge were all built into resource and economic systems. Today methods, like those in Living Proof, recently published by the Union of B C Chiefs, are securing the data and planning tools for First Nations to negotiate lands and resource settlements for future generations. The traditional lands plans, and economic strategies based on these planning methods are intended to stand up in negotiations, in court, and for future economic decisions.

First Environmentalists

First Nations traditional knowledge continues to support the natural world, and decisions about lands, waters and resources. Awareness that lands and waters are the future, including in the face of climate change, is heightened today.

First Nations and our Aboriginal Peoples were the first economists, environmentalists, and planners. Today they are planning a future economy based on lands, resources, and environmental standards.

Traditional knowledge is being acknowledged by our courts, and is increasingly part of planning, consultations, and accommodation of Aboriginal rights. Where appropriate to community needs, and situation First Nations are entering into arrangements with civil society organizations, scientists, economists and others to work toward common goals for economy and environment.

Canada's First Nations are responsible putting in place tens of millions of hectares of new protected lands and waters in Canada. These decisions are coming out of consultations, land claims and negotiations. The recent Haida Nation announcement and agreement with the federal crown for protection lands and waters to surround Haida Gwaii is one example. The recent Quebec Cree agreement with the federal crown for significant marine conservation areas is another. Since 1990 the list of protected lands and waters decisions which First Nations made happen is long and continues to grow. Each new protected area reflects the balanced approach to environment and economy which First Nations aim for.

All such decisions are part of the whole natural world, and whole economy. And they are an example to the rest of Canada's governments !

Sustainability and Ecology

It is no surprise that Canada's First Nations are on this new and old path. As the original economists and planners in what is now called Canada, First Nations are seeking that balance that sustains the natural world, while providing for the future. It comes as no surprise to this writer that the original meaning of sustainability and ecology are a part of First Nations decisions across Canada. I look forward to seeing how this knowledge and tools will be used to benefit First Nations and all of Canada.

I would like to dedicate the words here to my ancestors, who helped many coming from the old world to survive, including my father's family. The request to provide an article for the AFN AGA program was a wonderful surprise.

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