

Correspondence item:

2015 September 18

Greg Moore, Chair of Metro Vancouver Board

Re: An Analysis of A New Direction Report on the Renewed Federal Comprehensive Land Claims Policy in Relation to Local Government Interests

http://www.metrovancouver.org/boards/GVRD/RD_2015-Jul-31_AGE_REVISED.pdf

Resolution to endorse Metro Vancouver's analysis of the federal government's recent review of their role in treaty making entitled "A New Direction".

"Whereas in April 2015 the Honourable Bernard Valcourt, Minister of Aboriginal Affairs and Northern Development Canada, released a 92-page report entitled "A New Direction" containing 43 recommendations on the federal government role in treaty making in Canada authored by Douglas Eyford, Ministerial Special Representative to the Minister;

Whereas the "A New Direction" report lists shortcomings in the treaty process including institutional barriers, inefficiencies, poor accountability, and lack of urgency;

Whereas the "A New Direction" report urged the federal government to get fully engaged in the treaty process, to assess which treaty talks should be moved forward and which should be abandoned, to implement methods to fast-track the completion of those remaining and exit those with little prospect for settlement;

Whereas the "A New Direction" report calls for more options for reconciliation outside of the BC treaty process, stating that the current federal comprehensive land claims process is not productive;

Whereas moving away from the current federal approach in treaty negotiations toward bilateral federal-First Nation non-treaty agreements, where local governments are not involved in the negotiation process, poses significant implications for local government;

Whereas the "A New Direction" report does not address Metro Vancouver's prior submission of local government comments on the Interim Policy and participation in the meeting with Mr. Douglas Eyford and federal government staff in October 2014;

Whereas local government is not referenced in the "A New Direction" report with the exception of Metro Vancouver and UBCM being listed as engagement participants under the heading of "Other Stakeholders and Interested Parties";

Whereas the "A New Direction" report identifies local government as other stakeholders and special interested parties; not as elected governments of their constituents;

Whereas the Metro Vancouver analysis identifies three areas of support within the recommendations included with the "A New Direction" report – early resolution of overlapping claims or shared territories, expansion of the scope of federal treaty negotiator mandates, and the federal government's involvement in the treaty implementation must be more substantive;

Whereas the Metro Vancouver analysis identifies eight areas of concern (not supported) within the recommendations included with the “A New Direction” report – certainty over lands and resources matters, Incremental Treaty Agreements (ITA) should not be a replacement for treaties, communication with local government matters, local government needs to be identified, local governments are not third parties, taxation is a key local government concern, direct negotiations between local governments and First Nations should be promoted, local government requires effective enforcement mechanisms (to ensure the safe provision of local services under local service agreements with First Nations);

Whereas it is not clear if and when the federal government intends to respond to, or implement, the recommendation with the “A New Direction” report; and as requested by Metro Vancouver,

That Council endorse the Metro Vancouver report dated 2015 July 22, entitled, “*An Analysis of A New Direction Report on the Renewed Federal Comprehensive Land Claims Policy in Relation to Local Government Interests*”;

That Council convey this endorsement to the federal Minister of Aboriginal Affairs and Northern Development Canada as an expression of concern that local government interests were not identified or addressed in the “A New Direction” report;

That Council request that the federal government engage and include local government in the federal government’s review of the land claims process prior to responding to the recommendations contained within the “A New Direction” report; and

That Council issue a copy of the transmittal to Greg Moore, Chair of Metro Vancouver Board.”

Copy: City Manager Deputy City Managers (2) Directors
