

OFFICE OF ABORIGINAL AFFAIRS
BUSINESS PLAN 2004-05

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Michael G. Baker, Q.C.
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March 24, 2004

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Appendix A - Outcome Measures

A. Message from the Minister

Our commitment to building mutual understanding, respect and lasting relationships with the Mi'kmaq of Nova Scotia has achieved some positive results. The Office of Aboriginal Affairs will continue to build on these advancements in the coming year, by focussing on current priorities as well as assuming some new challenges. For example, agreements on the Nova Scotia Indian Fuel Tax Exemption program and fuel tax refunds were significant achievements in 2003-04, and we have already begun work on other important goals.

We are pleased with the progress that the Mi'kmaq, Nova Scotia, and Canada have made in implementing the June 2002 Umbrella Agreement, in which the three parties agreed to work together in good faith to resolve issues of mutual concern, including matters related to treaty and Aboriginal rights. The three parties have begun development of a Framework Agreement which will set out the procedural aspects of a broad negotiations process and the list of substantive topics that the parties intend to address in the negotiations. A key aspect of the negotiations for the provincial government will be the development of mechanisms for sharing information and consultation with the public, municipalities and stakeholders. There will be widespread interest in the subject matter and steps will be taken to ensure that provincial interests are identified and taken into account in the planning and preparation for negotiations.

The Mi'kmaq-Nova Scotia-Canada Tripartite Forum, which the Office of Aboriginal Affairs helps to fund, marked some significant successes in the past year with agreements in the fields of justice and healthy/active living. A Tripartite Forum communications office has created a web site and is communicating the work of the Forum's seven committees to First Nations communities and to the broader public.

We have made progress in renewing gaming agreements with Nova Scotia's First Nations. These ensure that the economic and community development initiatives continue in First Nations communities across the province.

Internally, we have spent the past year developing and piloting an exciting, new training program. *Aboriginal Perceptions* has already received great interest from provincial government departments, agencies and the private sector. In 2004-05, our goal is to offer this course on a regular basis as part of our commitment to enhancing Nova Scotia's awareness of the Mi'kmaq people.

I'd like to congratulate the Office of Aboriginal Affairs for their hard work on making progress in so many areas, and look forward to building on this momentum. Please feel free to contact the Office with any questions or concerns regarding this business plan.

Michael G. Baker, Q.C.
Minister of Aboriginal Affairs

March 24, 2004

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B. Vision

The vision of the Office of Aboriginal Affairs (OAA) is:

Partnership. Negotiation. Direction.

On our journey toward fair and meaningful relationships with Aboriginal Peoples, we strive to build an inclusive, informed and prosperous Nova Scotia.

C. Mission Statement

It is the mission of the Office of Aboriginal Affairs to:

Lead Nova Scotia in Aboriginal Affairs by building mutual understanding, respect and a lasting relationship.

D. Planning Context

Nova Scotia has 13 Mi'kmaq First Nations with community populations ranging from 212 in the Annapolis Valley First Nation to 3,526 in the Eskasoni First Nation. In total, there are 12,519 registered Indians in Nova Scotia and of these, 4,093 live off-reserve. The registered Indian population in Nova Scotia is represented through a series of 13 band councils and two tribal councils, the Confederacy of Mainland Mi'kmaq and the Union of Nova Scotia Indians. The Union of Nova Scotia Indians tribal council represents the Five First Nation communities within Cape Breton (We'koqma'q, Wagmatcook, Membertou, Eskasoni, and Chapel Island First Nations) along with two First Nations located in mainland Nova Scotia (Indian Brook and Acadia First Nations). The remaining 6 communities are represented by the Confederacy of Mainland Mi'kmaq (Bear River, Annapolis Valley, Glooscap, Millbrook, Paq'tnekek, and Pictou Landing First Nations).

Other Aboriginal organizations include the Native Council of Nova Scotia which provides a range of services, primarily to Aboriginal people living off-reserve and the Native Women's Association which provide Aboriginal women with a voice in the social, cultural and economic development of the Aboriginal community.

The Office of Aboriginal Affairs has a leadership and coordination role within government on Aboriginal issues. Delivering on this mandate is done in the context of a number of factors:

- **Umbrella Agreement** - The signing of this agreement outlines the Province's primary commitments and mechanisms by which we will address issues with the Mi'kmaq of Nova Scotia, namely the negotiation of a Framework Agreement (Aboriginal and Treaty Rights); Development of *terms of reference* with respect to consultation and; a re-commitment to the Mi'kmaq - Nova Scotia - Canada Tripartite Forum.

- Within the **Mi'kmaq-Canada-Nova Scotia Tripartite Forum** cooperation and progress are resulting in positive changes in areas of culture and heritage, economic development, education, healthy lifestyle promotion, and justice, to name a few. Through this process provincial and federal government departments work collaboratively with Mi'kmaq organizations and community members to address the jurisdictional and socio-economic gaps facing the Mi'kmaq of Nova Scotia.
- **Federal responsibility** - The Federal Government has primary fiduciary duty and constitutional responsibility for Aboriginal peoples in Canada. At the Federal level, responsibility for Aboriginal people is split between Indian and Northern Affairs Canada (Aboriginal people living on-reserve and Inuit people) and the Privy Council Office (Aboriginal people living off-reserve, Métis and non-status Indians). A host of other federal departments provide funding, programs and services to Aboriginal communities across Canada, including Health Canada, Human Resources and Social Development Canada among others.
- **Provincial relationship with Nova Scotia's Aboriginal communities** - The Province continues to work with the Mi'kmaq communities in a wide range of areas including Aboriginal justice issues, First Nation gaming, delivery of fuel and tobacco tax exemptions and a variety of other programs, services and initiatives.
- **Aboriginal - Non-Aboriginal Socio-Economic Gap** - There remains today a significant gap between the Aboriginal and non-Aboriginal population in a variety of social and economic characteristics, both in Nova Scotia and the rest of Canada. These gaps are made more significant as a result of the enormous proportion of the Aboriginal population under the age of 25. While jurisdictional roles and responsibilities must be respected, it is imperative that Federal, Provincial and Aboriginal partners work together to address the gaps in the health, social, educational and economic success.

Within this context OAA will work collaboratively with other Provincial Departments and Agencies, Federal, and Aboriginal partners to address key challenges in the following areas:

- Issues of importance to Aboriginal youth including education, skills development, healthy and active living and opportunities for economic prosperity;
- Community issues including health, justice, housing, community involvement, language and cultural promotion and protection;
- The broad negotiation process, lead by OAA on behalf of the Province, with the Federal Government and the Mi'kmaq of Nova Scotia;
- Continued work on the completion of an Aboriginal policy framework to assist in the provision of consistent, quality, strategic advice and an approach on Aboriginal matters within the Provincial Government and;

- In support of these critical priorities, the Office puts a high value on ensuring that staff have the necessary training made available to carry out the tasks assigned. Both individual and joint training of staff will again be pursued in 2004-05. In addition a high level of individual and corporate accountability will be ensured through regular performance management and reporting on progress to senior management and Treasury and Policy Board.

E. Strategic Goals

1. To represent Nova Scotians' interests effectively in intergovernmental, bilateral and tri-party initiatives and negotiations.
2. To facilitate and support a coordinated approach within Government on matters related to Aboriginal people.
3. To work collaboratively with the Mi'kmaq, and other Federal and Provincial agencies to foster economic development and community capacity building.
4. To enhance awareness of Mi'kmaq culture.
5. To build a sustainable framework for First Nation-Government relations.

F. Core Business Areas

The Office of Aboriginal Affairs carries out its responsibilities through the following four core businesses areas:

1. **Negotiations and Related Discussions** - The Office of Aboriginal Affairs is responsible for coordinating departmental input into the negotiations process and representing the province's interests in negotiations and related discussions with the Federal Government and the Nova Scotia Mi'kmaq.
2. **Aboriginal and Intergovernmental Relations** - This area includes working with Aboriginal communities and organizations and other levels of Government to coordinate Aboriginal initiatives, develop strategies, and build and maintain a sustainable framework for First Nation-Government relations.
3. **Interdepartmental Coordination, Policy Analysis and Strategic Advice** - This business area includes providing corporate policy and strategic advice and support to departments and agencies concerning issues related to Aboriginal people.

- 4. Communication, Public Education and Awareness** - A key element of OAA's activity is aimed at increasing public understanding of issues related to Aboriginal people in Nova Scotia. This employs the use of strategic communication and public education tools both internal to the Provincial government and externally to enhance understanding and raise awareness.

G. Priorities 2004-05

1. Negotiations and Related Discussions

- During the coming year, the Mi'kmaq of Nova Scotia and the Federal and Provincial governments will proceed on their commitment under the June 2002 Umbrella Agreement, to work together in good faith on issues of mutual concern. In particular, this includes matters related to treaty and Aboriginal rights. The three parties have begun work on a Framework Agreement, which will outline the process and procedures for the negotiations and will identify the substantive issues the parties intend to address.
- The Provincial Government recognizes that there will be widespread interest in treaty-related negotiations and will take steps to inform and consult with the public, municipalities, and stakeholders about the process and ensure that provincial interests are identified and taken into account in the planning and preparation for negotiations.
- The June 2002 Umbrella Agreement also included a commitment for the parties to develop terms of reference to address consultation issues between the federal and provincial government and the Mi'kmaq. Work on these terms of reference will begin this fiscal year.
- The Office of Aboriginal Affairs will continue to coordinate the involvement and input of provincial departments and agencies in treaty-related and consultation discussions. A corporate approach will be taken by working with interdepartmental committees and individual departments to ensure the interests of all affected departments are integrated in the development of provincial positions and mandates.

2. Aboriginal and Intergovernmental Relations

- In the past year, The Mi'kmaq-Nova Scotia-Canada Tripartite Forum has successfully moved several initiatives forward. In 2003-04, the Forum hosted a series of planning sessions aimed at: sharing information across all working committees; identifying broader policy issues for which the working committees share responsibility; issue identification and; identifying ways to improve the effectiveness of the Forum. For 2004-05, the Forum will build on the outcomes of these planning sessions to provide a focus to the work of the committees, improve the effectiveness of the working committee structure and explore ways the working committees can meaningfully collaborate on issues that cross jurisdictional and sectoral boundaries.
- The *Mi'kmaq Legal Support Network* (MLSN), created in 2002-03, is an administrative structure designed to support current and future justice programs and services directed

toward Nova Scotia's Aboriginal community. OAA participates in this initiative in partnership with the Nova Scotia Department of Justice, Justice Canada and the Confederacy of Mainland Mi'kmaq (on behalf of all First Nation communities in Nova Scotia). 2004-05 will be the first full operational year for the revitalized Mi'kmaq Courtworker program, an initiative designed to assist Aboriginal people through the court system. In addition, beginning April 1, 2004, the Mi'kmaq Youth Options Program will formally come under the direction of the Mi'kmaq Legal Support Network.

- Through the Tripartite Forum, OAA will work with the Mi'kmaq and Canada on implementing the *Mi'kmaq Youth Recreation and Active Circle for Living* (MYRACL) initiative, which promotes active and healthy living in Mi'kmaq communities across Nova Scotia. Last year, the Tripartite Forum Executive passed resolutions to support MYRACL, with both financial resources as well as through the establishment of a Tripartite Forum MYRACL Advisory Committee. This year, OAA will assist in the implementation of the MYRACL's workplan, and provide support (both financial and in-kind) through the Tripartite Forum MYRACL Advisory Committee.
- A new series of Gaming Agreements with First Nations will be put in place to continue government's significant contribution to Mi'kmaq economic and community development. These agreements contribute approximately \$30 million in own source revenue to Mi'kmaq communities on an annual basis.
- The Federal/Provincial/Territorial/Aboriginal (FPTA) Forum, created in 1999 provides for discussion among governments and national Aboriginal organizations on issues of common priority. During 2004-05, Nova Scotia, in collaboration with Prince Edward Island, will act as provincial co-chair. Following direction from the Ministers/Leaders November 2002 meeting in Iqaluit the focus of the Forum in the coming year will be on education and housing issues faced by Aboriginal people in Canada. In 2003, Nova Scotia was appointed as the co-chair for the National Aboriginal Youth Strategy (NAYS) Working Group, an arm of the FPTA process focusing on implementation of NAYS. It is expected that Ministers/Leaders will meet in June 2004, to discuss the noted priorities and provide guidance for 2004-2005.
- OAA will continue to promote collaboration with its Maritime colleagues through a regular series of meetings with Aboriginal Affairs officials from New Brunswick and Prince Edward Island to discuss issues of mutual concern.
- The Office will continue to work with First Nations, Tribal Councils and the Native Council of Nova Scotia to identify community issues and determine what role the Province can play in helping to resolve those issues.

5. Interdepartmental Coordination, Policy Analysis and Strategic Advice

- With the assistance of departments and agencies, OAA will work on developing and implementing an Aboriginal Policy Framework to guide Government's overall approach to

issues relating to Aboriginal people. The Policy Framework will be consistent with and support Government's overall strategic direction on economic and social policy. This Framework will enhance the effectiveness, efficiency and provide a strategic approach to Government's approach on Aboriginal issues, as well as clarity with respect to roles and responsibilities.

- The Office of Aboriginal Affairs will complete an Aboriginal statistical and demographic research initiative being done in collaboration with the Nova Scotia Department of Finance and the Office of Economic Development. This initiative will provide Government with the tools to allow for informed decision-making in terms of policy and program development.
- OAA will continue to work closely with departments and agencies to provide advice and support to them in defining their approaches to addressing Aboriginal issues. In particular, during 2004-05, the Office will focus on the following key areas:
 - **Skills Development** - In partnership with the Department of Education and the Office of Economic Development, OAA will identify opportunities to collaborate with the Mi'kmaq community and the Government of Canada in addressing skills and training needs.
 - **Aboriginal Women** - In collaboration with the Nova Scotia Advisory Council on the Status of Women, the Office of Aboriginal Affairs intends to work with the Nova Scotia Native Women's Association and other partners to identify ways in which to address the needs of Aboriginal women in Nova Scotia.
 - **Aboriginal Youth** - 50% of the total Aboriginal population in Nova Scotia is under the age of 25. This presents both a tremendous challenge and an opportunity. It is imperative that governments and the Aboriginal community work together to address issues such as high school drop-out rates, low participation in the labour force and retention of the culture and language. The National Aboriginal Youth Strategy provides a framework for Governments and Aboriginal communities to pursue joint activity. Nova Scotia, through Aboriginal Affairs is committed to working with our partners to address the myriad of issues facing Aboriginal youth and in 2004-05 will focus particular attention on this priority area.
 - **Economic Participation** - A number of Aboriginal communities in Nova Scotia have demonstrated tremendous success in creating economic opportunity and building self-reliance within their communities. The Province supports this success through a series of First Nation gaming agreements. These agreements have translated into approximately \$30 million being added to First Nation own source revenues on an annual basis. Government also continues to work through the Tripartite Forum to encourage entrepreneurship, build the tourism potential of Aboriginal communities and work with the First Nation Economic Development Officers Network. OAA will continue to work with the Office of Economic Development to identify opportunities for collaboration with the Mi'kmaq and Canada with the goal of strengthening Aboriginal economic participation.

- **Cultural Protection and Promotion** - OAA will continue to work with the Mi'kmaq and other Provincial partners to further the work of Mi'kmawey Debert. The aim of this initiative is to protect a valuable and unique archaeological site while developing opportunities to share the history and culture of the Mi'kmaq. Progress is being made in the joint management planning of the archaeological sites. In the coming year, OAA will work closely with line departments to facilitate and foster cooperation with the Mi'kmaq on this initiative. In addition, through the Tripartite Forum, OAA will work with the Departments of Education and Tourism, Culture and Heritage on the retention and promotion of the Mi'kmaq language in Nova Scotia.

4. Communication, Public Education and Awareness

- The Office of Aboriginal Affairs is developing a strategy to enhance public understanding and awareness of issues related to Aboriginal people in Nova Scotia. This work will be done in collaboration with the Mi'kmaq and Federal government whenever possible.
- OAA will continue to work collaboratively within the Tripartite Forum on the implementation of the Tripartite Forum Communications Plan. The Tripartite Forum, as previously noted, is one of the principle vehicles in forging a committed and long-lasting relationship between Canada, the Mi'kmaq and the Province of Nova Scotia. In addition to financially supporting the Forum's communications efforts, OAA is providing in-kind assistance in the development of the Tripartite Forum internet site (www.tripartiteforum.com).
- OAA will provide support for the 12th annual Mi'kmaq Treaty Day events held at Province House in the Fall of 2004. In addition, during 2004-05, the Office will identify opportunities to use Mi'kmaq History Month (October) to expand Nova Scotian's understanding and awareness of the Mi'kmaq people.
- In 2003-04, OAA piloted a course called Aboriginal Perceptions Training, which was developed by the Aboriginal Justice Learning Network, an arm of Justice Canada. The training is a comprehensive six-module course designed to equip participants with some practical advice and solid information on Aboriginal people and communities. In 2004-05, this successfully piloted course will be re-formatted and offered through the Public Service Commission as an intensive one day session for employees of the Nova Scotia Government. This one day session is designed for two purposes. First, it is valuable for employees who work with Aboriginal communities as a result of their department's work. Second, it will help prepare employees for the experience of having Aboriginal co-workers in the Nova Scotia Civil Service. Finally, the course is also being made available, on a limited basis, to organizations outside government.

H. Budget Context

The budget for the Office of Aboriginal Affairs is estimated to be \$2.2 million in 2004-05.

Office of Aboriginal Affairs - Estimated Budget Expenditures			
	Budget 2003-04	Forecast 2003-04	Budget 2004-05
	(\$,000)	(\$,000)	(\$,000)
Total Program Expenses - Gross Current	<u>2,339</u>	<u>\$ 2,296</u>	<u>\$ 2,349</u>
Net Program Expenses - Net of Recoveries*	<u>2,229</u>	<u>\$ 2,173</u>	<u>\$ 2,229</u>
Salaries and Benefits	<u>735</u>	<u>\$ 773</u>	<u>\$ 740</u>
Funded Staff (FTEs)	<u>12.0</u>	<u>11.6</u>	<u>12.0</u>

*Recoveries are primary related to the Mi'kmaq Courtworker Program - \$105,000 (2003-04) and \$110,000 (2004-05)