

OFFICE OF ABORIGINAL AFFAIRS
BUSINESS PLAN 2007-2008

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Minister of Aboriginal Affairs

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A. Message from the Minister

The Office of Aboriginal Affairs (OAA) looks forward to new challenges in 2007-2008 after completing a banner year in which it made major advances in its mission of building mutual understanding, respect and a lasting relationship with the Mi'kmaq.

The signing of the Framework Agreement has significantly advanced the Made-in-Nova Scotia negotiation process and bodes well for the future as all parties prepare for full talks on issues of Aboriginal title and treaty rights. To ensure that all Nova Scotians have a greater appreciation of Mi'kmaq history and culture as the negotiating process proceeds, OAA, working with Indian and Northern Affairs Canada, has completed a second documentary film portraying the life of the Mi'kmaq community today. It showcases their economic advances and innovations in health care and puts a focus on spirituality. This documentary follows *Wabanaki: People of the Dawn* which will become part of the provincial public school curriculum and which won a Gemstone Award in 2006 for excellence in video and story. The film was shown to audiences in several Nova Scotia locations during Mi'kmaq History Month to appreciative audiences and several hundred copies have been sent to libraries and other public institutions.

OAA undertook a series of roundtables to gauge public understanding of Mi'kmaq life in Nova Scotia and will use the information to further its work in making all Nova Scotians aware of the work of Aboriginal Affairs. Many participants were anxious to learn more about the Mi'kmaq community and how it can be better integrated into the life of the province.

In recognition of Nova Scotia's duty to consult with the Mi'kmaq community regarding activities that may impact Aboriginal or treaty rights, OAA is proceeding with finalizing a Terms of Reference for Consultation and an interim policy to guide that process.

A project management approach was instituted for the Mi'kmaq-Nova Scotia-Canada Tripartite Forum. This is considered a major step toward ensuring that concrete initiatives undertaken by the Forum reach completion.

In its ongoing effort to build an inclusive, informed and more prosperous Nova Scotia, OAA will be undertaking further efforts to ensure that all Nova Scotians benefit from a closer relationship with our founding peoples.

I want to again acknowledge the dedicated work of our staff and ask that you feel free to contact the Office of Aboriginal Affairs with any questions regarding this business plan or any of the work ahead in 2007-2008.

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

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. Link to The Corporate Path

The mission and strategic goals (as outlined below) of the Office of Aboriginal Affairs are aligned closely with the Nova Scotia Government's Corporate Path. As indicated in the Government of Nova Scotia's Business Plan, the Corporate Path lays out a foundation for a prosperous Nova Scotia by setting a direction that focuses on *Creating Winning Conditions, Seizing New Economic Opportunities, and Building for individuals, Families and Communities*. The Office of Aboriginal Affairs fosters and maintains conditions for opportunities through its involvement in the Mi'kmaq-Nova Scotia-Canada Tripartite Forum, the Made-In-Nova-Scotia Negotiation Process, as well as many intergovernmental and bilateral initiatives. OAA places a strong emphasis on relationship building and collaborative approaches with respect to the Aboriginal community as these are at the roots of successful progress for Aboriginal people and the Nova Scotia community at large. In the long term, strategic and smart investment within Nova Scotia's Aboriginal community benefits the province and its economy as a whole.

E. Planning Context

Nova Scotia has 13 Mi'kmaq First Nations with community populations ranging from 219 in the Annapolis Valley First Nation to 3,567 in the Eskasoni First Nation. In total, there are 12,943 registered Indians in Nova Scotia and of these, 4,339 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 six communities are represented by the Confederacy of Mainland Mi'kmaq (Bear River, Annapolis Valley, Glooscap, Millbrook, Paq'tnkek, 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 provides 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:

- The signing of the Umbrella Agreement (June 2002) outlines the Province's primary commitments and mechanisms by which we will address issues with the Mi'kmaq of Nova Scotia and Canada, namely the development of a Framework Agreement (Aboriginal and Treaty Rights); development of a Terms of Reference with respect to consultation and; a re-commitment to the Mi'kmaq - Nova Scotia - Canada Tripartite Forum.
- The signing of the Framework Agreement (February 2007) which sets out the process and the subjects to be discussed in full negotiations that fall broadly under the categories of land, resources and governance.
- The Mi'kmaq-Nova Scotia-Canada Tripartite Forum continues to offer a unique forum for dialogue and shared problem solving. Meaningful progress continues to be made on a number of existing and new projects that have resulted in positive changes in areas of culture and heritage preservation, access to justice, economic development, health and healthy lifestyle promotion, to name but a few.
- We continue to work in partnership with the federal government in order to strengthen the relationship between governments and Aboriginal people as well as to find ways of effectively closing the gap between Aboriginal and non-Aboriginal Canadians in the areas of housing, health, education, and economic opportunities. Particular focus is currently placed on ways in which we can support the development of an Aboriginal Labour Market Skills Strategy as well as continued work on the development of health priorities flowing from collaborative work in building the National Aboriginal Health Blueprint through a document entitled *Providing Healthcare, Achieving Health*.
- Building on work done in 2006-2007, the Office of Aboriginal Affairs continues to work collaboratively with other departments of government and the Mi'kmaq to develop consultation policies, protocols and approaches. The impetus for this work rests with recent Supreme Court of Canada decisions (Haida, Taku River and Mikisew Cree) that outlined the obligations provinces have with respect to consultation with Aboriginal peoples.

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:

- Development of policy, protocols and approaches for consultation with the Mi'kmaq;
- With the Framework Agreement signing, continuing negotiation discussions with the Mi'kmaq of Nova Scotia and Canada under the Made-In-Nova-Scotia process;
- Completing renewed gaming agreements with First Nations in Nova Scotia that are consistent with the 2005 Nova Scotia Gaming Strategy where possible.
- Nova Scotia continues to work closely with provincial and federal departments towards the goal of closing the gap in the social and economic status of the Mi'kmaq. In particular, the Office will work with the Department of Education and the Office of Economic Development towards the development of an Aboriginal Labour Market and Skills Development Strategy. OAA will also continue its work with the Department of Health to maintain the momentum gained while preparing *Providing Healthcare, Achieving Health* and by taking steps toward action and;
- In support of these critical priorities, the Office puts a high value on ensuring that all 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 2007-2008. As part of our continued effort to promote healthier workplaces, OAA participated in a number of initiatives in 2006-2007 that supported this goal. An OAA "How's Work Going?" employee survey was completed to measure areas of strength, levels of employee engagement and satisfaction, and ways in which the work environment could be improved. Results from this survey overall were positive with only a few areas identified as needing improvement. These areas dealt with opportunities for growth as well as stress in the workplace. Efforts will be made throughout 2007-2008 to develop appropriate strategies and action plans to address these identified areas. Another highly successful initiative was our office's participation in a Trans Canada Trail Walking Challenge with the Department of Intergovernmental Affairs. In 2007-2008, our Office will continue its involvement on the government wide Healthy Workplace Advisory Committee and will continue to provide opportunities for employees to learn about ways to improve their workplace and create a healthy work environment. Emphasis will be placed on implementing government wide strategies in the spirit of healthy workplace creation. In addition, we will continue a high level of individual and corporate accountability through regular performance management and reporting on progress to senior management and the public.

F. Strategic Goals

1. To facilitate and support a coordinated approach within Government on matters related to Aboriginal people.
2. To work collaboratively with the Mi'kmaq, and other federal/provincial agencies to foster economic and social development as well as community capacity building.
3. To enhance Nova Scotians' awareness and understanding of issues related to the Mi'kmaq of Nova Scotia.
4. To continue to build and maintain a sustainable foundation for Aboriginal-Government relations.
5. To represent the interests of Nova Scotians in intergovernmental, bilateral and tri-party negotiations and initiatives.

G. Core Business Areas

The Office of Aboriginal Affairs carries out its responsibilities through the following three core business areas:

1. **Aboriginal and Intergovernmental Relations** - This area includes working collaboratively with Aboriginal communities and organizations and other levels of Government to coordinate Aboriginal and tripartite initiatives, develop strategies, and build and maintain a sustainable foundation for Aboriginal-Government relations.
2. **Corporate Aboriginal Affairs Administration** - This business area includes providing corporate policy and strategic advice to departments and agencies concerning matters related to Aboriginal people while achieving departmental and corporate goals and objectives through planning, budgeting, reporting and communication.
3. **Negotiations** - The Office of Aboriginal Affairs is responsible for coordinating provincial departments in intergovernmental, bilateral and tri-party negotiations while working to create stable and respectful relationships in order to reconcile the respective rights and interests of Parties involved.

H. Priorities 2006-2007

1. Aboriginal and Intergovernmental Relations

Nova Scotia continues to work with the federal government and the Aboriginal community towards strengthening relationships and closing gaps in the context of Aboriginal health, housing, education, economic opportunities and relationship building. Our commitments in this regard are based on the fundamental principles of partnership, respect and commitment. As such, Nova Scotia will work with the Nova Scotia Mi'kmaq and the Government of Canada to improve the health, education, housing and economic conditions of Mi'kmaq people in Nova Scotia. Specific actions in 2007-2008 will include:

- Continue moving the Nova Scotia Aboriginal Health Blueprint from discussion to action. In 2005, the Mi'kmaq-Nova Scotia-Canada Tripartite Forum successfully guided a community engagement process to support the development of the Nova Scotia Aboriginal Health Blueprint titled *Providing Healthcare, Achieving Health*. This document is the framework for future approaches to health services development for Mi'kmaq people in Nova Scotia and is being used within the Tripartite Forum to lead in priority setting;
- As part of a broader community wellness approach, support will continue to be given to the *Mi'kmaq Legal Support Network (MLSN)*. MLSN, created in 2002-2003, 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). In 2006-2007, the Province supported the evaluation of MLSN. This evaluation outlined a number of recommendations intended to strengthen MLSN and its programming. In 2007-2008, the focus will be to work with all relevant partners to secure ongoing support for MLSN in order to implement these recommendations.
- With respect to economic opportunity, Nova Scotia, through the Tripartite Forum and other partnerships will focus on the development of an Aboriginal Labour Market Skills Strategy as well as an Aboriginal Tourism Strategy. Nova Scotia will continue to strengthen its efforts in improving educational outcomes of Mi'kmaq students in the public education system. OAA will also work with provincial, federal and Mi'kmaq partners to maximize skills and training opportunities and to examine opportunities for improvements in post-secondary education for Mi'kmaq in Nova Scotia. Links will also be made between education stakeholders and those within economic development towards the development of an Aboriginal Labour Market Skills Strategy.
- In the area of housing, Nova Scotia will continue its involvement and participation in the Off Reserve Housing Trust. The office, through leadership by the Department of Community Services, is working towards the meaningful engagement and participation of our Aboriginal housing partners to invest the trust's \$7.8M in priority areas as recommended by the Off Reserve Housing Trust's Technical Advisory Committee.

The Tripartite Forum is a key mechanism in Nova Scotia for addressing issues affecting Mi'kmaq communities. As the result of an evaluation completed by Saint Mary's University Business

Development Centre last year, the forum has adopted a project management approach. OAA has worked with Mi'kmaq and federal partners to implement this new approach. In particular, our office has provided interim project management support until the Forum can secure a full time permanent project manager. A full-time project manager will likely be secured in the 2007-2008 fiscal year. Once secured and in conjunction with the new project manager, OAA will continue to provide project management support to the forum as needed.

In the context of this new project management approach, the Tripartite Forum has created a Strategic Directions Document that guides the work of the Forum and sets specific priority areas. The two overarching strategic principles for the Tripartite Forum as indicated in this document are:

- Ensuring that all Tripartite Forum work is grounded in the history, culture and language of the Mi'kmaq nation, and;
- Improving the health of Mi'kmaq communities and individuals.

The priorities set out by the document that will shape the work for the Tripartite Forum throughout 2007-2008 are as follows:

- **Individual and community capacity: building the capacity of Nova Scotia Mi'kmaq.** Outcomes linked to this are increasing the skills of Nova Scotia Mi'kmaq, increasing participation of Nova Scotia Mi'kmaq in the labour market, increasing employment of Nova Scotia Mi'kmaq youth, and increasing Mi'kmaq language retention opportunities.
- **Youth: ensuring the success of Nova Scotia Mi'kmaq Youth on their path of life-long learning.** Outcomes linked to this are increasing youth participation on issues and solutions, increasing the number of healthy active youth, increasing youth governance development opportunities.
- **Community: ensuring the work of Tripartite Forum is inclusive of communities.** Outcomes linked to this are ensuring all work is inclusive of and linked to the communities' needs, priorities and plans, as well as increasing community participation and input.
- **Relationships: building relationships among all partners for today and tomorrow.** Outcomes linked to this are maintaining links between the work of the Tripartite Forum and that of Kwikmug Maw-Klusuag - Mi'kmaq Rights Initiative, achieving jurisdictional clarity when required, and ensuring the work of the Tripartite Forum considers Mi'kmaq cultural realities.

In addition to its work with the Tripartite Forum, the Office of Aboriginal Affairs 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.

Outcome Measures for Aboriginal and Intergovernmental Relations:

Outcome	Measure	Base Year Data 2004/05	2007/08 Target	Strategies to Achieve Target
To effectively represent the interests of Nova Scotians in inter-governmental, tripartite, and bilateral initiatives and negotiations.	Percentage of government departments and agencies who agree that OAA effectively represents Nova Scotian's interests in intergovernmental, tripartite, and bilateral initiatives and negotiations.	32% of respondents strongly agreed and 64% agreed that OAA represents Nova Scotian's interests effectively in intergovernmental, bilateral, and tri-party initiatives and negotiations.	To increase the % of respondents who strongly agree.	<p>-Ongoing participation and coordination of provincial role in the Mi'kmaq-Canada-Nova Scotia Tripartite Forum.</p> <p>-With the Framework Agreement now signed, embark on full negotiations with the Mi'kmaq and Canada.</p> <p>-Internal preparation and consultations with departments</p> <p>-Development of common approaches to consultation.</p>
Improved relations between the Government of Nova Scotia and Aboriginal communities and organizations.	Percentage of departments and agencies who are satisfied with their working relationship with Aboriginal communities and organizations.	15% of respondents were very satisfied with their working relationship with Aboriginal communities and organizations, and 65% were only somewhat satisfied.	To increase the % of respondents who are very satisfied.	<p>-Continue discussions with the Federal Government and the Mi'kmaq on principles and guidance for a consultation process in NS.</p> <p>-Ongoing participation and involvement in national and regional initiatives, such as the development of an Aboriginal Labour Market Skills Strategy and the continued implementation of the Nova Scotia Aboriginal Health Blueprint.</p> <p>-Ongoing identification and coordination of cross-departmental Aboriginal issues.</p> <p>-Continuation of strategic advice and policy analysis to departments and agencies.</p> <p>-Working with departments and agencies to apply national strategies to provincial approaches.</p>

2. Corporate Aboriginal Affairs Administration

OAA will continue to work closely with departments and agencies to provide advice and support in defining various approaches to addressing Aboriginal issues. In particular, during 2007-2008, the Office will focus on the following key areas:

- The Supreme Court of Canada ruled in key cases (Haida, Taku River, Mikisew Cree) on the obligations that Provincial governments have with respect to consulting with Aboriginal peoples on decisions that may affect their interests. Over the coming fiscal year, OAA will work with departments of government and the Mi'kmaq in further developing consultation policies, approaches and protocols for Nova Scotia.
- OAA will continue to work with the Mi'kmaq and other provincial and federal 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 both the archaeological sites as well as the overall development process. OAA works closely with line departments to facilitate and foster cooperation with the Mi'kmaq on this initiative.
- OAA will continue to work with First Nations to conduct negotiations around gaming agreements that are or become more consistent with the 2005 Nova Scotia Gaming Strategy. In 2007-08, the Office looks forward to continued, progressive negotiations with First Nations to reach conclusions which are in line with the Gaming Strategy.
- To enhance public understanding and awareness of the Mi'kmaq and the collaborative work of governments and communities, OAA will pursue the following priorities in the coming fiscal year:
 - In 2006, through a series of roundtables led by OAA along with First Nation facilitation, the Office conducted a series of successful discussion roundtable, held to bridge the gap in dialogue that exists between Aboriginal and non-Aboriginal leaders. In 2007-08, the office looks forward to building on the success of these roundtables and bringing the leadership closer together on jointly identified priority areas.
 - The Office, in conjunction with Indian and Northern Affairs Canada, has completed a second documentary film following on the success of *Wabanaki: People of the Dawn*. This second effort, portraying the life of the Mi'kmaq in a contemporary way, showcases the Mi'kmaq communities's economic advances and innovations in health care.
 - 2007-2008 will represent the fourth full year of OAA's delivery of the Aboriginal Perceptions Training course. To date, more than 1,500 people have attended this course which is designed for two purposes: first, it is a valuable asset 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. The course is being delivered in every region of Nova Scotia, so all public sector employees can take part, not just those in

the Halifax area.

- For the first time in several years, the Mi'kmaq Treaty Day Awards ceremony and celebrations were conducted outside Province House. The new venue brought with it a greater audience with close to 500 guests, participants and award winners. For 2007, we will place greater focus on the celebration of Mi'kmaq History Month (October) while at the same time, ensuring that we continue to honour the Mi'kmaq community's outstanding youth and elder contributions, regardless of venue.

Outcome Measures for Corporate Aboriginal Affairs Administration:

Outcome	Measure	Base Year Data 2004/05	2007/08 Target	Strategies to Achieve Target
Effective coordination and advice being provided to departments and agencies.	Departments and agencies satisfaction with the advice and support provided by OAA.	75% of departments were "very satisfied" with the advice and support provided by OAA.	80%	-Provide research and policy advice that is timely, accurate and useful.
To enhance awareness and understanding of Aboriginal issues in Nova Scotia.	Increase in Nova Scotian's who feel informed and knowledgeable of Aboriginal issues in Nova Scotia.	40% of Nova Scotians feel informed about Aboriginal issues in Nova Scotia. (2003 Omnibus Survey)	Increase in % of Nova Scotians who feel informed about Aboriginal issues in Nova Scotia.	-Develop and implement strategies to enhance Nova Scotian's understanding and awareness of issues related to Aboriginal people in Nova Scotia.
	% of government employees who strongly agree that OAA enhances awareness of Mi'kmaq culture.	33% of departments and agencies "strongly agreed" that OAA enhances the awareness of Mi'kmaq culture, while 67% "agreed".	Increase in the % of government employees who strongly agree.	-Develop and implement strategies to enhance employee's understanding and awareness of issues related to Aboriginal people in Nova Scotia.
	Qualitative assessment of Government employees satisfaction with Aboriginal Perceptions Training.	Participants in the first session generally rated the course as excellent. (note: information in this particular box provided qualitatively, no quantitative or percentage information available).	We hope to continue on the success already achieved by responding to the comments and suggestions of future participants.	-Develop a program that can be fluid according to the needs of the participants.

3. Negotiations

- Through collaborative work with the Mi'kmaq of Nova Scotia and the federal government, the Mi'kmaq of Nova Scotia Framework Agreement was signed on February 23, 2007. This Agreement is a commitment under the June 2002 *Umbrella Agreement*, that formalizes the establishment of a negotiations process on matters related to Aboriginal rights, including Aboriginal title, and treaty rights. Negotiation topics outlined in the Framework Agreement are extensive and now require the design of more detailed work plans for proceeding with negotiations on the specific topics.
- With the intention of building widespread awareness and engagement in treaty-related negotiations, the Office of Aboriginal Affairs will continue to take steps to provide information to the public, municipalities, interest groups and stakeholders, and to establish appropriate advisory mechanisms for negotiations. An example is the undertaking of a survey to identify interest groups and their preferred methods of being informed or becoming more directly involved in the Made-in-Nova Scotia Process. Other public education and participation opportunities will include making presentations to various interest groups, and providing up-to date information on websites, in newspaper articles and other media forms.
- The June 2002 *Umbrella Agreement* included a commitment for the parties to develop terms of reference to address consultation between the federal and provincial governments and the Mi'kmaq. This work is in the final stages of approval and the goal is to continue with a collaborative approach on consultation issues.
- The Office of Aboriginal Affairs will continue to coordinate the involvement and input of provincial departments and agencies on treaty-related and consultation discussions. A corporate approach of working with interdepartmental committees and individual departments will ensure the interests of all affected departments are integrated in the development of provincial positions and mandates.

Outcome Measures for Negotiations:

Outcome	Measure	Base Year Data	2007/08 Target	Strategies to Achieve Target
Progress toward resolution of Aboriginal rights, Aboriginal title and treaty-related issues.	Negotiations Work Plan	Framework Agreement was signed in February 2007.	Develop Work Plan with the other two parties.	-Continue negotiation table meetings.
	Public Participation (Processes for information sharing and input by public and stakeholder regarding negotiations).	Series of informal meetings and presentations about negotiations to key stakeholder groups.	Continue to meet with interested groups and organizations about the process.	-Circulate a survey to obtain input from interested groups and organizations about the level of participation they are interested in.
Improved consultation between the provincial government and the Mi'kmaq.	Consultation Terms of Reference (to address consultation between the Mi'kmaq, Canada and Nova Scotia for government approvals and activities that may impact Aboriginal or treaty rights).	Draft Consultation Terms of Reference have been prepared.	Approved Terms of Reference	-Proceed with approval process.
	Interim Policy Guidance on Consultation	Draft Interim Policy Guidance has been prepared.	Approved Interim Policy Guidance and implementation underway	-Proceed with approvals. -Put in place consultation coordinator to oversee implementation. -Develop training to advise departments of policy.

I. Budget Context

The budget for the Office of Aboriginal Affairs is estimated to be \$3.2 million in 2007-2008.

Office of Aboriginal Affairs - Estimated Budget Expenditures			
	Estimate 2006-2007	Forecast 2006-2007	Estimate 2007-2008
	(\$'thousands)	(\$'thousands)	(\$'thousands)
Gross Expenses	3,695	4,935	4,846
Net Expenses	3,103	4,195	4,254
Salaries and Benefits	942	945	1,051
Funded Staff (FTEs)	14.0	12.5	14.5