

Summary of Progress on Aboriginal Matters in Nova Scotia: 2007-2008



In Nova Scotia we have developed a unique government to government relationship among the Mi'kmaq, the federal government and Nova Scotia. This relationship is articulated in the June 7, 2002 Umbrella Agreement and has resulted in all three Parties participating collaboratively in three processes: Negotiations, Consultation and the Tripartite Forum.

The following provides a summary of the key areas of progress during 2007-2008.

Made-in Nova Scotia Process

With the signing of the Framework Agreement in February of 2007, the Parties have now begun to discuss substantive matters related to Mi'kmaq treaty rights, Aboriginal rights, including title and governance. Working groups have been established on priority topics, including moose management, fisheries, forestry and lands, and a number of "concept papers" were completed, outlining the issues and principles that will guide the subsequent discussions.



Moose management was an early priority in the process and we have found that the Parties share a common vision to work together to ensure a sustainable moose population in Cape Breton. Some of the progress and accomplishments have included:

- Funding to the Unama'ki Institute of Natural Resources (UINR) to engage Mi'kmaq communities;
- Cooperation in enforcement, including improved communication between DNR and UINR and the creation of three permanent Aboriginal Liaison Officers by the Province;
- improved hunter safety practices;

- reduced hunter complaints and conflicts;
- communication and relationship building between the Mi'kmaq and non-Aboriginal hunters; and
- collaboration on research by DNR, Parks Canada and the Mi'kmaq.

The most significant accomplishment in the last year was marked by the recent announcement in Debert. Three years of intensive discussions under the Made-in-Nova Scotia Process resulted in a unique arrangement that promotes economic development for the Debert Air Industrial Park, provides archaeological protection, and paves the way for the Mi'kmawey Debert Cultural Centre. This arrangement is significant because it protects and promotes Mi'kmaq culture, recognizes the importance of Mi'kmaq economic development as an essential component to improve conditions in Mi'kmaq communities, and has created a new era of partnership not only between the Mi'kmaq and the Province, but also with the Municipality of Colchester County.

Consultation

Significant efforts were made in 2007-2008 to put in place new processes of consultation between the provincial government and the Mi'kmaq. In June 2007, the Mi'kmaq, federal government and the Province agreed to a one year pilot of a Consultation Terms of Reference (TOR). The completion of the TOR was a significant milestone since it was a major commitment under the June 7, 2002 Umbrella Agreement. In support of the new consultation processes, the Province took a number of steps:

- developed an Interim Consultation Policy;
- established a permanent Consultation Strategist position;
- developed and delivered a 2-day training course on consultation (4 sessions to 90 people);
- conducted active consultation on over 25 issues in the last eight months; and
- along with Canada, provided core funding to

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assist the Assembly to coordinate consultation efforts.

Consultation is a major new initiative for provincial departments, and all Parties are learning from the experiences in the last eight months. A joint evaluation is being conducted on the TOR by the KMK, Canada and the Province, and we look forward to hearing the conclusions from that evaluation.

Mi'kmaq-Nova Scotia-Canada Tripartite Forum

Nova Scotia continues to view the Forum as a key vehicle for collaborative efforts in the social and economic sectors. With the institution of a project fund in 2007, we have seen a tremendous influx of positive initiatives that support the objectives of the Forum. The commitment of Mi'kmaq leadership to the Forum, the on-going participation of over 100 Mi'kmaq, federal and provincial technicians and Canada and Nova Scotia's collective annual investment of \$1 million make this Forum a leading example of First Nation - Government collaboration in Canada.

The new Tripartite Forum Fund for Social and Economic Change has supported a series of twelve projects valued at approximately \$300,000. Each of these projects advance the key strategic directions of the Forum.



First Nation Gaming

Since the mid 1990's Nova Scotia and the Mi'kmaq have agreed to share the benefits of gaming through a series of gaming agreements and the provision of 50% of the profits from the Sydney Casino. 2007-08 saw

Mi'kmaq communities benefit from over \$45 million in video lottery terminal revenue and the distribution of \$2.5 million in monies from the Sydney Casino. We look forward to continuing these revenue sharing arrangements in the coming years.

Mi'kmaq/Aboriginal Justice in Nova Scotia

A new agreement for the Mi'kmaq Legal Support Network (MLSN) and the Customary Law Program (MCLP) was signed in March of 2008. This new agreement will see a total contribution toward MLSN and MCLP of \$2.2 million over the next five years by both Canada and Nova Scotia. New funding under this agreement totals \$550,000. In addition to the new funding this agreement provides long-term stability to MLSN and its constituent programs, the Mi'kmaq Courtworker Program (MCP) and the MCLP. MCP is expected to receive \$1.1 million over the next five years, for a total federal-provincial commitment for MLSN and its constituent programs of \$3.3 million over the next five years.

Canada and Nova Scotia in collaboration with the MLSN have also put in place a three year pilot project to complete a needs assessment and to develop a specialized model of service delivery that addresses the unique needs of Aboriginal victims of crime with a focus on the development of culturally-supportive victim services that encourage the participation of Aboriginal victims in the justice process. Over \$380,000 has been committed to this initiative over the next three years.

Through the Tripartite Forum Justice Committee significant efforts are also underway to improve access to Mi'kmaq cultural practices in Nova Scotia's correctional facilities.

Mi'kmaq Education

In February of this year, the Minister of Education announced her response to the review of the Mi'kmaq Services Division. The proposed changes will result in positive change in the Province's approach to supporting Aboriginal/Mi'kmaq learners in the public school system. Specific measures included:

- strengthening the role of the Council of Mi'kmaq Education;
- creation of a Mi'kmaq Liaison Office;
- enhanced partnership between the Department of Education and Mi'kmaw Kina'matneway on curriculum development;
- creation of a Mi'kmaw student support network; and
- the re-introduction of a cross-cultural awareness program.

Health and Health Promotion

In March of 2008, Canada and Nova Scotia agreed to direct \$340,000 over the next three years to support Aboriginal sport development in Nova Scotia. This funding will support an Aboriginal sport body in Nova Scotia and assist in sport development in Nova Scotia's Mi'kmaw communities.

With the upcoming North American Indigenous Games in Cowichan, BC this summer, Nova Scotia has been working collaboratively with the Mi'kmaq to ensure that adequate financial supports are in place to have the Nova Scotia Mi'kmaw team participate at a high level in 2008.

Nova Scotia has approval to proceed with projects under the Aboriginal Health Transition Fund. This will see over \$1 million in funding provided over the next two years to support Aboriginal health initiatives in Nova Scotia. Significantly, these funds are assisting in building bridges between First Nations, District Health Authorities and the Department of Health.

Housing

Nova Scotia finalized arrangements with Mi'kmaw organizations with respect to the disbursement of \$7.8 million in funding to support Aboriginal off-reserve

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housing in Nova Scotia. To date, \$1.1 million of this fund has been spent with the majority of this funding to be expended over the coming 12 months.

Family and Children Services



Minister Baker participated in the announcement of negotiations with the Mi'kmaq and Canada over a new approach to Mi'kmaq Family and Children's Services in Nova Scotia last June with Minister Judy Stretch and federal Minister Jim Prentice. Canada and Nova Scotia are close to finalizing arrangements with Mi'kmaw Family and Children's Services that will improve services targeted at early intervention and prevention.

Workforce and Economic Development

As with many parts of Canada, Nova Scotia is experiencing significant shortages in labour supply. With a young and growing Aboriginal population in Nova Scotia, it is critical that we work with Nova Scotia's Mi'kmaw communities to increase the labour market participation of all Aboriginal people in Nova Scotia.

With the expected devolution from the federal government of Employment Insurance Benefits and Support Measures and the introduction of a new Labour Market Agreement between Canada and Nova Scotia in the coming months, there is a significant opportunity to refocus our collective efforts on workforce development in Nova Scotia. For the Province, a starting point for this is the creation of a new Department of Labour and Workforce Development on April 1, 2008.

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One of the priority areas for the new department will be the development of a collaborative approach to Aboriginal labour market development with Mi'kmaq communities and organizations to increase the employment opportunities for Mi'kmaq people in Nova Scotia. An initial step was taken by bringing Aboriginal Human Resource Development Agreement (AHRDA) holders together with government and employers in February of this year. Additional sessions similar to this will be held over the coming year. In addition, the Departments of Labour and Workforce Development and Economic Development have agreed to fund a position over the next two years to assist government in working more collaboratively with Mi'kmaq communities and develop an Aboriginal labour market strategy that will support our collective vision for higher employment rates for Aboriginal people in Nova Scotia.

The Adult Education Division (AED) of the Skills and Learning Branch partners with aboriginal communities across Nova Scotia to tailor the delivery of the Nova Scotia School for Adult Learning (NSSAL) adult learning program (ALP) to best suit the individual community. The ALP is usually taught in a multi-lingual environment and includes a transition process to assist students to move from ALP in their community into the ALP Level IV program at the Nova Scotia Community College (NSCC). In 2007-2008, the Adult Education Division funded a total of \$168,500 for the delivery of the NSSAL ALP in various Aboriginal communities. Additional support is also provided by the regional Adult Education Coordinators and the English and Math/Science Curriculum Consultants. The following is a list of communities where programming is available: Eskasoni (Literacy Unama'ki), Waycobah (We'koqma'q), Chapel Island (Potlotek), Mi'kmaq Friendship Centre and Bear River.

The Province worked actively along side the Nova Scotia Aboriginal community to develop a partnership with HRSDC, the national Aboriginal Human Resource Sector Council and the Mi'kmaq partners to create a provincial Aboriginal Apprenticeship and Trades

Strategy. The strategy, will establish a coordinated partnership and service platform supporting initiatives aimed at increasing Aboriginal apprenticeship awareness, skills development, registration, program completion and employment in Nova Scotia. The Aboriginal Human Resource Sector Council is providing \$660,000 over the next three years to identify, train and certify 125 new Aboriginal apprentices in Nova Scotia. The Province has committed significant in-kind contributions in addition to \$150,000 to the project.

Recognizing the importance of quality research and information on Aboriginal economic development, Nova Scotia has committed \$100,000 over the next four years to the Atlantic Aboriginal Economic Development Integrated Research Program (AAEDIRP).

Transportation and Infrastructure Renewal has been working with the Mi'kmaq over the last year to develop a workforce participation initiative focused on increasing the supply of snow-plow and heavy equipment operators from the Mi'kmaq community. This will build on our past success with the Michelin Aboriginal Workforce Participation Initiative (AWPI).

Sydney Tar Ponds Agency was authorized to create the first Nova Scotia Aboriginal set-aside valued at \$3 million. The contract was made available exclusively to companies with at least 51% ownership by Aboriginals and at least 75% of all workers on the project being Aboriginal. The three-month project entailing clean-up of the former cooling ponds on the site of the now defunct Sydney Steel Plant and Coke Ovens will employ 22 workers and is currently underway. Three Aboriginal companies will participate: Norman Morris Joint Venture (Parsons) of Eskasoni; MB2 Excavating and Construction of Membertou, and Membertou - HAZCO Remediation Group. It is anticipated that more such contracts will be let to Aboriginal companies and the work will be continuing for at least 10 years on this project.



Heritage and Culture

In February of this year, Nova Scotia released its first ever Heritage Strategy. A number of priorities will have a direct and tangible benefit to the Mi'kmaq in terms of the protection and promotion of Mi'kmaq history, culture and language. In collaboration with the Department of Tourism, Culture and Heritage, the Office of Aboriginal Affairs will be working with your communities and organizations to implement this strategy in the coming year.

The Province also supported the creation of the Mi'kmaq Cultural Tourism Network (MCTN) in 2007-08 and will continue to do so in 2008-09. This initiative, which is being implemented through the Mi'kmaq Association of Cultural Studies in collaboration with the Tripartite Forum, will see the on-going creation of capacity in the cultural tourism sector in the Mi'kmaq community. With the development of heritage and cultural facilities in Wagmatcook, Eskasoni, Bear River, Millbrook, Membertou, Acadia and the future development of the Mi'kmawey Debert initiative there is tremendous potential in this sector.

Steps are being taken to enhance archaeological protection in Debert, including new regulations under the Special Places Protection Act, and a Memorandum of Understanding between the Assembly of Nova Scotia Mi'kmaq Chiefs and the Department of Tourism, Culture and Heritage. These steps, including the joint development of archaeological testing standards, represent a new level of partnership between the Province and the Mi'kmaq on archaeological matters.

The Province has also continued its efforts to enhance awareness of the Mi'kmaq, their history, culture and modern day context through a variety of initiatives such as Aboriginal Perceptions training. To date over 2,000 civil servants have received this training. We are also looking at expanding the variety of cultural sensitivity training programs available to Nova Scotia government employees in 2008-2009.

In addition, in 2007-2008, OAA held the first ever Public Servants Symposium on Aboriginal Matters. This symposium brought together over 100 civil servants to discuss Aboriginal issues and hear about progress in the Made in Nova Scotia negotiation process.

The Office of Aboriginal Affairs continues to develop and facilitate the distribution of tools and resources to support a broader understanding of the Mi'kmaq in Nova Scotia. Some examples of our progress in this area include:

- The development of a video to help inform Nova Scotians of the Mi'kmaq perspective on Democracy in Nova Scotia and the initiation of a third feature video in the Wabanaki: People of the Dawn series;
- Creation and distribution to public schools of a learning guide to support the use of Wabanaki: People of the Dawn: Part One;
- Distribution of Kekina'muek: Learning about the Mi'kmaq to public schools and within government.

The Province also continues to work with the Mi'kmaq to celebrate Treaty Day and Mi'kmaq History Month on an annual basis.

As you can see, there a wide range of initiatives underway that extend across the breadth of government activity. Most importantly, these efforts reflect on the strong foundation we have collectively created through the Made-in-Nova Scotia negotiation process and the Mi'kmaq-Nova Scotia-Canada Tripartite Forum. While there is much more to be done, we should consider our successes as we enter a new year of working together.

