Self Government Developmental Initiative
Council of Conne River Micmacs
Interim Report
August 1999 - March 2000
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Objectives of the Project:

1. To conduct an environmental scan of the larger context in which the Miawpukek First Nation operates relative to its self government goals;

2. To identify barriers or bottle necks in Miawpukek First Nation's operations and capacity which can be more appropriately addressed by self government;

3. To develop an inventory of barriers and priorities as well as other self government issues;

4. To look at and identify relationships with other groups and processes and determine how the Miawpukek First Nation's self government process will impact on the other groups and processes and vice versa;

5. To identify planning variables and negotiating issues which must be addressed before self government negotiations commence.
PREAMBLE

We are pleased to offer the following interim report of the Miawpukek First Nation Self Government Developmental Initiative.

Recognizing and establishing the strengths and weaknesses by which a communities and their members organize action, cooperate, and interact with each other and with outsiders are critical to building a solid foundation for self government. Members of the Self Government Working Group have spent the first six months of their 18 month mandate looking at ways to address the needs and desires of Miawpukek First Nation. In designing educational and training workshops or determining appropriate and applicable standards, the Working Group has adopted an integrated approach. Long term solutions and users which encourage active participation by key stakeholders and beneficiaries which will be impacted by the self governance designed by Miawpukek First Nation, particularly First Nations’ leadership, administrators and community members.

With the support of the Miawpukek First Nation, the Working Group is facilitating the design of several workshops for the community. This will ensure that the sharing of information and development remain an integral part of this joint initiative and a sustained element supporting Miawpukek’s First Nations’ development of a self government model in the future.

Marking the first six month interval of the partnership between Miawpukek First Nation and the Department of Indian Affairs, this Interim Report details the Working Group’s progress to date and the goals still to be accomplished over the coming year.

Miawpukek First Nation Representative

Judy A. White
EXECUTIVE SUMMARY

The Miawpukek First Nation Self Government Developmental Initiative represents a unique partnership and opportunity. Bringing together professionals, who have considerable knowledge of the First Nation and DIAND, and can still maintain an objectivity has opened up the potential for innovation, practical solutions and long-term thinking.

In September 1996 the Miawpukek Band submitted a request to enter self-government negotiations with the federal government. The request was submitted to the Department of Indian Affairs (DIAND) and in 1997 DIAND requested further information including an indication of provincial participation in a self-government process. This information was provided in a revised submission to the Department of Indian Affairs on May 6, 1998.

A June 1998 meeting with DIAND officials from region and headquarters informed the Band the self-government submission will have to be reviewed by region and headquarters and if the submission is recommended, it will be forwarded to a senior management committee for final approval. On December 8, 1998 the Miawpukek Band wrote Minister Stewart expressing concern over the length of time it was taking for the review process to be completed.

Minister Stewart responded to the Miawpukek Band on April, 1999 and indicated that the assessment of the self-government proposal has now been completed. Minister Stewart further stated:

"In many respects, and as you note, The Miawpukek First nation has demonstrated that it is ready to commence self-government negotiations, having effectively delivered programs and services to its people for some time. Moreover, the presence of an existing governance infrastructure, the capacity to manage large capital projects and a good financial management record further contribute to a positive assessment of the Miawpukek First nation's readiness to negotiate self-government."

Minister Stewart suggested a development phase as a precursor to negotiations, which would:

"...look at the larger context in which the Miawpukek First nation operates, the nature of relationships with other groups and linkages to other processes."
"The developmental phase could also look at the linkages to the work of the Atlantic Policy Congress, which is now considering governance in the context of the political accord on social programs and services, to which the Miawpukek First nation is signatory."

The need for a developmental phase was further discussed at a May 3, 1999 meeting of Miawpukek Band and officials from DIAND region and Headquarters at Conne River. The meeting determined that it would be beneficial to undertake a developmental phase before proceeding to actual self government negotiations.

In October, 1999 with funding provided by Gathering Strength, the federal government’s response to the Royal Commission on Aboriginal Peoples report, the Miawpukek Band hired a consultant and commenced with the Self Government Developmental Initiative.

Directed by the Working Group consisting of a Miawpukek First Nation representative and two Department of Indian representatives, the Self Government Developmental Initiative is pursuing tangible results under the heading of self government. Within this rubric, the Project is focusing on four critical areas of development; environmental scan with the view to determine how the Miawpukek First nation operates relative to it’s self-government goals; to develop an inventory of barriers and priorities as well as other self government issues; to identify relationships with other groups and processes and determine how the Miawpukek First nation’s self government process will impact on the other groups and vice-versa and to identify planning variables and negotiating issues which must be addressed before self government negotiations commence.
Workplan and Study Instruments

The initial meeting of Miawpukek First Nation (herein after referred to as MFN) and Department of Indian Affairs (herein after referred to as DIAND) took place in December, 1999 with Judy White, as MFN representative and Karen Allen and John Higham, as the Federal representatives (herein after referred to as the Working Group). It was determined that material and particular tasks will be produced by the MFN and DIAND representatives through an agreed consultative process with the exception of certain processes which are seen as a community function. In these cases federal representatives would participate only upon invitation from the community.

ENVIRONMENTAL SCAN

The Working Group is examining the question of what self government is relative to the Miawpukek First Nations’ current operations. This has begun by identifying relevant information and conducting a review of all funding arrangements and relevant documents. To date, the Working Group has reviewed the following documentation; Health Transfer Agreement; Multi Funding Agreement; Child Welfare Agreement; Native Guardian & Communal Fishing License Agreements; Band By-laws; Band Constitution; and membership code.

The Working Group has identified the relevant stakeholders. To date, the Federal Government; Provincial Government; the Off Reserve Membership; the Federation of Newfoundland Indians and Atlantic Policy Congress have been identified.

To follow up this review of information will be analyzed in the larger context in which Miawpukek Band operates relative to it’s self government goals. As well all stakeholders have been contacted with the exception of the Province of Newfoundland, as we are currently awaiting a letter from the Government of Canada, advising of this initiative.

IDENTIFICATION OF BARRIERS & PRIORITIES

The Working Group is identifying barriers in which the Miawpukek’s First Nation operations and capacity can be more appropriately addressed.

To date, the Working Group has identified as a priority, the need for the
involvement of community and community members. We have commenced by conducting a community workshop of governance with the view to expedite the self government developmental phase by providing some common language and understandings around concepts of governance; in articulating local objectives of self government, and by identifying concerns and barriers associated with a self government process. The workshop, in addition helped pinpoint some needed next steps that the parties individually and together might take to prepare themselves for negotiations. A full report of the Workshop is attached.

To follow up, the Working Group has identified the need for more community workshops and focus groups on various topics relevant to governance.

RELATIONSHIPS WITH RELEVANT STAKEHOLDERS

To date all relevant stakeholders have been identified and have had some form of preliminary contact with the exception of the Province of Newfoundland, with the view of considering issues associated with each respective party. Follow up action will be to conduct official meetings with all parties in the near future.

SUMMARY

The self government process has progressed over the past seven months despite some obvious delays such as the delay in the appointment of federal representatives; the delay in the community workshop dates due to Supreme court which meant an overall delay in community involvement; as well as the delay in the DIAND letter to the province of Newfoundland advising them of the developmental initiative.

While the process is still in the early stages, the pre negotiation effort is proving to be a worthwhile endeavor.
Monthly Activities

August

Preparations were undertaken by the Miawpukek First Nation to consider various consultants and consulting firms. It was decided a lawyer currently doing some litigation work for the MFN will be offered the contract. Initial discussions were held and a contract was entered into.

September

During this month, activities consisted of identification and compilation of relevant documents. In addition, the identification of relevant stakeholders and a review of the Workplan was conducted.

October

This month’s activities consisted of a thorough review of the Miawpukek Band archives with a view to familiarize with the historical events, recordings and various agreements undertaken by the Miawpukek First Nation.

November

During this month identification of other self-government processes was identified and preliminary review was conducted. The MFN representative and Chief attended a Self Government Workshop conducted by the Atlantic Policy Congress.

The MFN representative worked with the community Justice Committee to assist in the establishment of policies and procedures in keeping with community aspirations.

December

The initial meeting of the MFN-DIAND technical people was held. The Working Group reviewed the processes in which to communicate; the work plan, the goals and objectives and reporting requirements.

Continued support to the Justice Committee with the participation in community healing circles and assisting in an advisory role.

January

This month’s activities consisted of regular conferencing with the Working Group.
Preparations were undertaken for a community governance workshop to be facilitated by the Institute on Governance. There were discussions with John Graham and Band officials coordinating appropriate times and venues for the workshop. The community at Conne River was invited to attend the workshop by means of a cable vision notice.

February

Preparations were undertaken for the governance workshop. Arrangements were made for the physical facilities and meals and nutrition breaks were ordered. Material for the workshop was prepared and discussed with a view to ensuring that it would be accessible to all participants, particular attention being paid to this in view of the wide range of educational backgrounds and experience and the fact that at least some were likely to be functionally illiterate.

March

The Miawpukek First Nation held their annual general meeting. Band representative reported on the self government developmental initiative. Discussions and questions were answered.

Extensive work was undertaken to organize the small groups for the workshop sessions to ensure that all families, senior staff and councillors were represented.

The Working Group continued their arrangement of regular conference calls in addition to other information exchanges and emails on a variety of issues, including discussions on the status of the work plan and workshop preparations.

A community workshop on governance was conducted with thirty-three participants.

Arrangements were made to meet with the off reserve members from St. Albans in order to begin preliminary discussions with a view to determine issues affecting this sector. Unfortunately, the group brought along a solicitor and since there was insufficient notice given to the respective parties it was agreed to reschedule the meeting so as both parties are given the opportunity to provide legal representative if they so desire.
SELF GOVERNMENT DEVELOPMENTAL INITIATIVE
BUDGET OVERVIEW

Revenue

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<td>Workshop</td>
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<td>Workshop</td>
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SELF GOVERNMENT DEVELOPMENTAL INITIATIVE
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