Objectives of the Project:

1. To develop strong community understanding of the options and implications of key jurisdictional issues that would arise in any possible self-government initiative;

2. To maintain a cooperative, candid, participatory process that develops functional information but does not commit any party to future negotiation positions;

3. To create an atmosphere that invites expanded involvement of members on and off-reserve and key federal and provincial agencies;

4. To build toward community consensus on whether self-government is a good idea and if so, what features it should have thus setting the stage for a “Miawpukek Model” which can be implemented sector by sector if necessary.
PREAMBLE

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

In 1998, the Miawpukek First Nation (MFN) indicated the Government of Canada its desire to move toward self-government negotiations. Recognizing the nature and scope of achievements of the community within its short existence as an Indian Act Band, departmental officials offered a unique exploratory discussions process involving appointed representatives rather than staff or negotiators. This process was implemented in late 1999 and continued through to spring 2001. The objectives were to explore and assess the implications and challenges of exercising the Band are inherent right to self-government. The resulting process was one of a cooperative partnership among the representatives of the Band and DIAND that examined fundamental issues relating to governance and focused on understanding community and member concerns over what self-government might mean.

The exploratory discussions showed that while there was genuine interest in self-government, there were many issues that members wanted to more fully understand, debated and resolved before moving toward any formal negotiations. There was also a clear commitment by many to involve themselves in working groups and committees to fully explore, assess and understand the implications of such a fundamental change in community governance and jurisdiction.

In sum, the direction of the community was that the exploratory discussion stage allowed the community to isolate issues it felt important and to lay out a path to building community consensus on whether entering formal self-government negotiations was appropriate. The use of representatives also allowed detachment from operational issues and created a candid, positive environment that encouraged innovative thinking and action. The following proposal reflects both the community's aspirations and the desire to move forward from the exploratory phase to the next phase, which involves building community consensus, but to retain its cooperative, non-adversarial, and innovative characteristics.

Miawpukek Representative
Judy A. White
Workplan and Study Instruments

The exploratory discussion phase left many lessons, including a paramount theme that to be effective there must be a balance between discretion of the principals, and accountability to all the stakeholders—the community, chief and council, DIAND region and DIAND headquarters.

Focus Activity Areas

The building consensus process will focus activity in five areas—Programs; Communications and Involvement; Governance Architecture; Provincial Roles, and Management and Coordination.

(i) Programs

A process that has already been tested and proven in our community will be adopted to guide activities in four program areas—Fiscal Relations, Child & Family Services, Policing and Justice, Education, and Lands (the latter is defined to include Public works, environment, natural resources and fishery).

Policing & Justice has been the emphasis of this reporting period. Consultations have been done with the community, Tribal police, RCMP affiliates. A process whereby the existing structures were reviewed and a number of implications were considered including jurisdiction, fiscal on-and off reserve interests and capacity matters. An alternative justice system was designed for the Miawpukek community.

(ii) Communications & Involvement

The community demands current, quality information and coordination of efforts to allow monitoring of all the pieces.

Support staff was hired and she specifically attended to administrative, scheduling and secretarial support in the form of meeting spaces, minutes, tasking, posting of material, invitations to guests, notification of events.

(iii) Governance Architecture

There are two levels to considering the options and implications for design of governance—program based views and comprehensive perspectives. Much of the former will be brought forward through the program working groups. This item was specifically canvassed as it relates to Justice & Policing. A review of policy development, law-making process, data management were considered. It was the consensus of the community to forge ahead and implement where possible the new policies and law making processes which will effect a more efficient and effective justice regime.
(iv) Management & Coordination
This process is an evolving one that requires balancing of wide ranging views and interests, and amendments on short notices to ensure objectives are still attainable. Management and coordination has been ongoing.

(v) Provincial Roles
This area of activity has not been dealt with at this juncture. There is an awareness of the importance of the relationship with provincial jurisdiction both at present and in any future relationships.

SUMMARY

The self government process has progressed over the past two months despite some obvious delays such as the delay in the community workshops dates which meant an overall delay in community involvement; as well as the delay in the receipt of funds from DIAND.

The pre negotiation effort is proving to be a worthwhile endeavor and enabling the community to discuss relevant issues respecting self-governance.
SELF GOVERNMENT DEVELOPMENTAL INITIATIVE
WORKING GROUP

Miawpukek First Nation Representative
Judy A. White
P.O. Box 224
Conne River, NF A0H 1J0

Department of Indian Affairs Representative
Karen Allen - Executive Consultant
Rawson Group Initiatives Inc.
222 Argyle, Suite 300
Ottawa, ONK2P 1B9

PROJECT STAFF & SUPPORT

Sherry McDonald - Assistant
Miawpukek First Nation
Conne River, NF
A0H 1J0

Shayne McDonald - Legal Counsel
Miawpukek First Nation
Conne River, NF
A0H 1J0

Tammy A. Drew - General Manager
Miawpukek First Nation
Conne River, NF
A0H 1J0