



Working with First Nations in Canada an Evolving Landscape

Jean Paul Gladu, BScF
Aboriginal Strategy Group

First Nations People



Aboriginal Rights

- Recognized and affirmed in s.35 of the Constitution
- Crown has a specific duty
 - To inform itself of the nature of the right
 - To consult with Aboriginal Peoples in good faith, with the intention of substantially addressing Aboriginal concerns
- When consultation indicates a possible infringement of Aboriginal rights (*Haida Nation, Mikisew Cree*)
 - Crown must justify the proposed infringement
 - When justified, the Crown must accommodate Aboriginal rights through a range of measures in proportion to the degree of infringement.
- Aboriginal party must only demonstrate basic facts sufficient to ground a claim of Aboriginal or treaty rights in order trigger these duties on the part of the Crown



Forest Certification

- Strong Preference for FSC

Capacity Issues

- Access to resources
- Human resources
- Institutional and Financial Stability

Preferred Conditions

- an effective and engaged Chief and Council;
- a skilled and experienced Lands and Resources staff person (or Forest Liaison Officer); and
- an engaged and supportive community

Means of Participation

- Joint ventures
- Co-management and benefits/revenue sharing agreements
- Provincial tenures
- Aboriginal-industry partnerships
- Forest service contracting
- Aboriginal sole ownership
- Forest management planning
- Traditional land use studies

Aboriginal Involvement

- Sustainable forest management
- Public participation, environmental stewardship
- Certification
- The expanding Aboriginal land base
- Recognition of Aboriginal and Treaty Rights

Past, Present and not too distant Future.....




First Nation Involvement in the Forest Sector?

Value Added



Bio-fuel



A misty forest of evergreen trees, likely spruce or fir, with a soft, hazy atmosphere. The trees are densely packed and their colors are muted due to the fog. The text "Miigwetch – Thank You" is centered in the upper half of the image.

Miigwetch – Thank You