

**Indian Residential Schools Resolution Canada
Media Clips**



**Résolution des questions des pensionnats indiens Canada
Actualité**

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IRS Relevant Coverage

July 18, 2006
Edmonton Journal
Page: A15 (Letters)

Achievements, not relationships, are real story behind AFN's legal team

Phil Fontaine, The Edmonton Journal

Re: "Staffer behind Fontaine's win: Lawyer touted as lead negotiator has shared life with chief for decade," The Journal, July 14.

The article about the Assembly of First Nations' legal team that negotiated a successful resolution to the tragic legacy of Indian residential schools raises some questions that require my response.

The AFN's legal team is comprised of an outstanding, highly respected, and unique group of academics, lawyers, researchers, writers and negotiators. **The work they are doing for us requires highly specialized skills and experience which includes conflict resolution, legal research and writing, tort law, truth commissions, restorative justice, residential schools litigation, genocide litigation, negotiations, human rights, women's rights, and class actions litigation. Our survivors deserve no less.**

The composition of our team was approved by the executive of the Assembly of First Nations. The team reported to the full assembly of chiefs on a number of occasions, receiving their full support. The team also met with assemblies of survivors at several AFN forums and meetings.

We were fully transparent and accountable to our members with respect to our legal team, just as we are with all our work. Appropriate legal arrangements for various types of services were established, observed and administered.

Like many organizations, including the federal government, we do not always use a competitive bidding process for expert and specialized services. We seek and find the most qualified and experienced individuals to do the work required.

We were very fortunate to have been able to retain the services of our legal team, as the results of their work show.

The settlement is the largest of its kind in Canadian history in value as well as in its scope. It contains unique elements such as commemoration, a truth commission and a research centre and archives, healing resources, and an education trust.

It contains a comprehensive and unique Alternative Dispute Resolution process that is survivor-centred.

The final agreement is not only comprehensive, most importantly, it is fair and just. It allows all Canadians to move forward towards reconciliation -- survivors, government, churches and Canadians in general.

We are tremendously proud of our work and the work of our team in achieving this landmark settlement. **It is good for survivors and it is good for Canada.**

Through this settlement we begin to write a new chapter in our shared history, and that is the real story that should be reported.

Phil Fontaine, National Chief, Assembly of First Nations

July 17, 2006
The Tyee – A Feisty One Online
TheTyee.ca

What Will Native Kids Learn?

Deal could open, or close, doors to learning.

By Rafe Mair

July 5, 2006 Vancouver: Premier Gordon Campbell, Federal Minister of Indian Affairs and Northern Development Jim Prentice, Chief Negotiator Nathan Matthew, and Deborah Jeffrey, President of the First Nations Education Steering Committee (FNESC), signed a historic agreement that will lead to recognition of First Nations' jurisdiction over First Nations' education in British Columbia. (from a Government of British Columbia news release)

New strategies, therefore, must provide for support systems which recognize, strengthen, and incorporate Aboriginal culture and tradition in the delivery of post-secondary education programs. The unique history, culture, values, and traditions of Aboriginal peoples and their learning needs must be reflected in strategies which allow the adult learner to incorporate individual experience into the process of learning. (from the Government of British Columbia Aboriginal Post-Secondary Education and Training Policy Framework)

Aboriginal peoples the world over face an enormous dilemma: how do they live and work in the larger society without losing their culture, their connection with their community roots? This has, for one thing, brought about huge land claim problems.

What belongs to natives? If some land does belong to them, have they exclusive rights? If they are entitled to claim land subject to further disposition or treaty, what right do other have to the use of that land? Perhaps the most vexing question is this: assume that land claims are settled and the integrity of the band's traditions thus preserved; what about members of that band who live away from the land? And what about their descendants? At the root of the struggle by aboriginals to retain their ancient culture and the desire of governments to accommodate them is education, especially as it relates to what we might broadly call "social studies."

A Maori's view

Here is an excerpt from *The Globe and Mail* report of July 6:

In new native school curriculum, John Cabot and Samuel Champlain will be minor footnotes in Canadian history, and Shakespeare a bit player in English classes. Chief Negotiator Nathan Matthew said, "This agreement secures federal and provincial

recognition of First Nations jurisdiction over education and strengthens the voice of First Nations in a significant way."

A few years ago I interviewed New Zealand author Alan Duff. (I suggest strongly that you Google Mr. Duff and read the New Zealand Book Council bio sketch of this remarkable man who certainly "suffered" for his art.) Duff, a Maori, faced with considerable anguish and no shortage of trouble with the law his desire to be a Kiwi. He wanted to be a man of the world and a Maori all at the same time. I'll never forget him saying to me that the average Maori kid starts school without his parents ever reading to him, a huge disadvantage because of the lack of basic understanding of European and other cultures which make up the world around the child. Duff was not saying that native kids should not be taught their language and culture -- not at all. What he was saying is that understanding the cultures of the world did not come by simply learning to speak English.

Toward a 'world culture'

What, then, should a native youngster be taught?

It certainly cannot be simply how to grow up to be a "white kid." Nor can it simply be an education so that he can only do manual labour -- the method used by the residential schools. What I'm saying is this: if an aboriginal youngster is not allowed to learn those things based on other cultures because that gap has been filled by teachings of his own culture, he will be a sadly deprived person.

Let me zero in on Shakespeare for a moment. Last Saturday we were at the Bard on the Beach for *A Midsummer Night's Dream*. I was delighted to note a substantial number of kids from all backgrounds, including a great number of Asians. The non-European youngsters were not replacing their culture with an English variety. They were taking advantage of the fact that they not only knew English but understood, because of their parents and schooling no doubt, that Shakespeare is part of the "world culture."

I think what's being missed here, and what Alan Duff was saying, is that cultures are a living, growing phenomenon and the secret to self-fulfilment is the ability to grasp the cultural gifts of others. And the appetite for that must come early in a child's life.

I would not want to be seen as opposing native children learning about their culture's past and present, or their speculating about the future of their culture. Nor do I challenge the right, indeed the obligation, of the school system to make that possible. Nor would I for a moment deny that the schools have hitherto made it appear that native culture, while nice and interesting, was inferior to other cultures.

Open doors

What I do say is that in order to fulfil yourself as a human being of whatever culture or background, you must be given the opportunity to know and indeed love the culture of others. Because Arabs gave us arithmetic, the English Dickens, the Irish Wilde, the Germans Goethe, the Italians Michelangelo, the French Descartes, the Chinese Confucius and the Greeks the tools of philosophy and so on, we inherited and developed a culture that belongs to all of us wherever we live.

Is it the new policy that not only Shakespeare but Tolstoy, Da Vinci, Victor Hugo and Beethoven will not be accessible to native school kids?

Will the child go into the world without the educational spyglass to read Canadian authors like Robertson Davies, Margaret Atwood or W.O. Mitchell? Or the ability to understand and enjoy the paintings and writings of Emily Carr? Will there be no aboriginal ear wanting to listen to Beethoven, Mozart or Bach? Or James Galway from Ireland playing Japanese melodies? No Celine Dion?

I cannot believe that native leaders want their education system to graduate young adults who, because of government sins of the past (not to mention those of the churches), are to have a screen put before them that blots out cultures other than their own.

I don't argue against opening a new door for native kids. I simply plead that this must not, at the same time, shut others.

Hepatitis C Coverage

July 18, 2006

The Winnipeg Sun

Page: 8 (Editorial and Opinion)

Righting Wrong Of Tainted Blood

The Harper Conservatives are doing the right thing in compensating victims of a tainted-blood scandal who were excluded from an earlier settlement.

In 1998, the federal and provincial governments announced a \$1.1-billion compensation package for those infected with hepatitis C between 1986 and 1990. The rationale was that there was no test to screen for the virus before 1986 (making protecting blood impossible), and after 1990 precautions were in place.

That fell short of the recommendations of an inquiry headed by Justice Horace Krever. It urged that all those infected by tainted blood be compensated.

Last week, it was reported that Stephen Harper will meet that commitment, with an announcement expected later this month.

The initial response in 1998 may or may not have met the letter of the law. Lawsuits by excluded victims will answer that question.

But either way, surely there is a moral responsibility to offer redress to all afflicted. Hepatitis C causes no less discomfort or anxiety to those infected outside the 1986-90 window than to those who qualified for compensation.

About 10,000 people were compensated under the 1998 settlement. It has been reported the government will now distribute about \$1 billion to the 5,500 victims who were excluded eight years ago.

While there are limits on how far the federal government should go in compensating every ethnic group victimized by Canadian laws in a less enlightened age -- particularly if those affected are no longer alive -- this is a different story. It is about people who have to live every day with an illness that can adversely affect their quality of life and that usually becomes chronic.

In April of last year, the Liberal minority government unanimously passed a bill by Conservative MP Steven Fletcher calling for compensation for those previously excluded.

The Liberals said it would take time to determine who is eligible, and the money still hasn't been paid. **It is past time to right that wrong.**

AFN Election Coverage

July 17, 2006
First Perspective
Online

Newly Elected Fontaine Vows to End First Nations' Poverty

VANCOUVER Phil Fontaine is vowing to end poverty among Canada's Indigenous people as he embarks on a new term as national chief of the Assembly of First Nations. "It's not enough to have political power," said Fontaine after he was re-elected to a second consecutive three-year term at the AFN's annual general assembly in Vancouver on July 12th. "In the absence of economic power, or an economy, political power is virtually meaningless. So we have to strike a far better balance than we currently have been." Fontaine handily defeated lone challenger Bill Wilson, capturing 76 per cent of the vote. Originally from the Sagkeeng First Nation in Manitoba, Fontaine captured an overwhelming 76 per cent of the vote en route to his second consecutive term, and third overall, with 373 votes compared to Wilson's 117. It marked the first time in recent memory a national chief was elected on the first ballot. His re-election comes as First Nations are struggling to overcome severe poverty on many reserves across Canada, settle land claims disputes with the federal government and negotiate agreements with Ottawa, the provinces and industry in such sectors as oil and gas, forestry and fisheries. The AFN is looking to capitalize on an estimated \$200 billion worth of economic development projects which Industry Canada estimates will occur over the next few years. "We know that most, if not all of those developments are going to take place on Indian lands or our traditional territories, and the courts have already said what needs to happen before development proceeds," said Fontaine. "There has to be meaningful consultation. So I think we're in a position to secure a more beneficial position in our attempt to revitalize our economies." Fontaine indicated one of his top priorities will be to save the \$5.1 billion Kelowna Accord, covering Aboriginal education, housing, health and economic development, which the AFN and premiers signed with former Liberal prime minister Paul Martin last fall before he was ousted from office. The new Conservative government has said it believes in Kelowna's principles, but disagrees with the way the money should be spent. Fontaine said the accord is still a better alternative than current federal anti-poverty programs which cost \$7.5 billion and are expected to rise to \$12 billion by 2012. "People are very concerned about poverty and we, of course, see this as the most important social justice issue faced by this country and we need to come to grips with it," said Fontaine. "The cost is rising every day." Fontaine said he won because the chiefs who voted preferred his past "skilled negotiations" with Ottawa. He vowed to maintain the same approach during his new three-year. "That doesn't mean that we're going to be a pushover, or that we can be bought off," said Fontaine. "That's absolutely not true." Fontaine showed his resolve on the first full day of his new term as he and regional chiefs staged a news conference in protest of Prime Minister Stephen Harper's stance on First Nations fishing rights. In letter to the editor of the Calgary Herald, Harper said the Tories will hold a judicial

inquiry into the collapse of the Fraser River salmon fishery in B.C., and vowed to "oppose racially-divided fisheries programs." The B.C. Court of Appeal ruled in June that a Native-only fishery is legal. Fontaine and the other chiefs accused Harper of announcing a major policy change in a letter to the editor instead of consulting them and trying to override court decisions. "These rights were not accorded to First Nations on the basis of race, but on citizenship in a First Nation," said Fontaine. "We cannot discard the long-standing legal rights of First Nations." However, Indian Affairs Minister Jim Prentice, who spoke on the final day of the assembly, said the Tories' position is no surprise and had been expressed before Harper's letter to the editor was published. Fontaine said he could only conclude the federal government is attempting to take away traditional fishing rights. He said the AFN is "not interested in fighting with any government," but will do whatever it takes to protect Aboriginal rights and traditional rights. Other chiefs supported Fontaine's plan to resolve the fisheries dispute through negotiations rather than a judicial inquiry. "What's wrong with the inquiry is, all that does is play the blame game," said Doug Kelly, grand chief of the Sto:lo First Nation based in Cultus Lake, B.C., whose people fish the Fraser. "There's not much you can do after the fact." Kelly, maintains that the Department of Fisheries and Oceans has no firm figure on the decline in salmon stocks and said money would be better spent on collecting, interpreting and understanding data. The federal position, he adds poses a serious threat to treaty negotiations in B.C. "If there is confrontation between federal fishery officers and Sto:lo fishermen, so be it," said Kelly. "We practice our rights. We don't talk about them. We get on the river and we practice. If there's confrontation between rogue commercial fishermen and Sto:lo, so be it. That's the way it's going to have to be. But my preference is that we find a healthy way to reach agreement and to move forward." Kelly's disdain for Harper was a stark contrast from his support for Fontaine. "Our leadership endorsed Phil and we're very happy that he has returned with such a strong mandate," said Kelly. Fontaine's re-election will lead to more economic partnerships between Ottawa, the provinces and the private sector on reserve lands, say Aboriginal business and community leaders. "With his method of working together with private and government sectors, he'll build trust between First Nations and people that want to invest in First Nations lands and people," said Allan Louis, a councillor with the Okanagan Indian Band in B.C.'s Okanagan Valley. Fontaine campaigned largely on the AFN's \$1.9 billion settlement with Ottawa over abuses at former Indian residential schools. But it was clear he plans to set an agenda based largely on economic development this term. "We want to say to the private sector the business community that we're open for business," said Fontaine. "We want to create good partnerships and we want a respectful relationship." Much of an estimated \$200 billion in economic activity in upcoming years will occur over First Nations lands or traditional territories in the next few years, and the AFN, industry and other governments must figure out how to proceed with development in a way that benefits Aboriginal communities and the rest of the country, he added. Fontaine hopes the Saskatchewan government's economic summit next January, involving Ottawa, the provinces, Aboriginal governments and the private sector, will help First Nation communities shorten the quality of life between them and the rest of Canada. "The purpose of the summit is to bring together industry and [the federal and provincial] governments, and our business people and our government together to try and put together an economic blueprint that will spell out an

investment strategy for our people, that would engage other governments and the private sector," said Fontaine. The returning national chief also hopes the economic summit enable Aboriginal communities to revitalize their economies and build on the successes that they now have. He pointed out that 30,000 small businesses across Canada are owned and operated by First Nations people. "There are areas in the country where there are significant engagements of our communities, for example in Fort McMurray (the heart of Alberta's oilsands)," said Fontaine. He pointed to the lengthy, and often bitter, land claim dispute between Ottawa and the Deh Cho First Nation of the Northwest Territories as an example of the uncertainty that can arise when First Nations feel they have been left out of negotiations, or treated unfairly. However, Fontaine's supporters also called on him to help create more business-education and skilled-trade training programs. "Economic development is good, but we still have a ways to go learning how to run a business," said Gino Odjick, a well known former National Hockey League player who now owns and operates the Musqueam Golf & Learning Centre in a 50-50 joint venture with the Vancouver-based Musqueam First Nation on its land. Odjick, who grew up on a reserve in Quebec, about a 1 1/2-hour drive from Ottawa, before embarking on his junior and pro hockey journeys, would also like to see more training programs for carpenters and other skilled trades workers who toil in the oilsands. He also wants Fontaine to help create an Aboriginal trades school, beginning with a pilot project in B.C. that later expands across the country. "There's so much work right now in Canada," said Odjick, who played for the Vancouver Canucks and Montreal Canadiens, among other teams. "We just don't seem to be taking advantage of it." Roland Bellerose, publisher of the Bragg Creek, Alberta-based Aboriginal Times Magazine, said Fontaine could introduce national strategies that help small businesses grow, encourage more public-private partnerships, and "help us level the playing field and get involved in the economic engine of Canada." Bellerose also called on Ottawa and the provinces to give Aboriginal businesses the same fiscal tools that "mainstream" companies get, such as public funding, government guarantees, credits similar to the ones farmers receive, and tax breaks, in return for investment. "We're always labelled as people who are a tax burden or don't pay taxes and that's as false as it comes," said Bellerose, who assisted Fontaine with media relations during the election.