

## ABORIGINAL AFFAIRS

# Scrap the Indian Act to forge a new deal

AFN national chief calls for federal bureaucracy to stop controlling the lives of aboriginal communities

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The hundreds of ongoing treaty discussions demonstrate the desire of first nations to significantly change the terms of their relationship with the federal government, says the head of Canada's largest aboriginal organization.

It's a relationship that Shawn Atleo, the National Chief of the Assembly of First Nations (AFN), says has been framed by the Indian Act – a law he would see scrapped.

Mr. Atleo presented a brief to the AFN's annual general assembly in Moncton on Tuesday that, among other things, called for the replacement of the Aboriginal Affairs department – the administrator of the act – with a body that would deal with first nations on a government-to-government basis.

But that brief was just a reflection of the sentiment that is being expressed by first nations communities across the country, Mr. Atleo said in a telephone interview.

The fact that “there are over 200 communities that are actively at negotiation tables has the effect of moving beyond the Indian Act as well as taking greater control into the communities,” he said. It also means “not relying on Indian Act bureaucracy which is, in fact, growing. The bureaucracy is growing while conditions get worse.”

Mr. Atleo said the call rising from first nations leaders who attended the first day of the three-day gathering is for the federal government to honour the treaty relationship, “and for the mechanisms that are required to move away from the bureaucracy controlling the lives of first nations to be brought into effect.”

For many years, first nations have called for the establishment of their own auditor general and ombudsperson. At the Moncton meeting, they also talked about the need to create an independent treaty tribunal, said the national chief.



Shawn Atleo delivers his opening address at the general assembly of the Assembly of First Nations in Moncton on Tuesday. DAVID SMITH/THE CANADIAN PRESS

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**Shawn Atleo**  
National Chief of  
the Assembly of First Nations

“Those are types of institutional shifts away from government dictating from Ottawa how the lives of first nations should be governed,” Mr. Atleo said.

But “as important, if not more important, is assuming full responsibility and creating accountability between first nations governments and their own citizens,” he said. “Right now the Indian Act creates a system whereby first nations governments are more accountable to the minister in Ottawa.”

The treaties that were written before Confederation, the international courts, and the courts in this country have affirmed that negotiations between a government and indigenous people should be on a nation-to-nation

basis, Mr. Atleo said. “What we have yet to have is a government with the political will to honour and uphold the recognition of the treaties and of aboriginal title and rights,” he said.

The time has come for a complete transformation of the relationship between Ottawa and the first nations, he said. “And I am really hopeful that the signals that have been sent by the Prime Minister and our work here in Moncton will result in the kind of change that our communities have been working for ...”

Mr. Atleo said first nations leaders discussed a number of priorities during the first day of the New Brunswick meeting, including education and safety in their communities.

Just this week, a five-year-old boy was killed while he was sleeping, by a bullet fired from outside a home on the Samson Cree First Nation, an Alberta reserve known for its gang violence.

The same first nation awarded Mr. Atleo a ceremonial name and address last summer.

“We reached out to the leadership [of the Samson Cree] and they knew that obviously we were extending our thoughts, our prayers, our condolences,” he said of those attending the Moncton gathering. “But equally they understand that it has had a dramatic impact on our national assembly. It’s a reminder of the stark realities that this is really a life-or-death issue.”