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Accord on Cooperative Policy Development between the Congress of Aboriginal Peoples and the Government of Canada

WHEREAS, the Prime Minister committed at the Canada-Aboriginal Peoples Roundtable of April 19, 2004, to renew and strengthen cooperation between the Government of Canada and Aboriginal peoples,

WHEREAS, this spirit of cooperation has informed policy development work which has taken place since, notably the roundtable discussions on health, lifelong learning, housing, negotiations, economic opportunities, and accountability,

WHEREAS, the Congress of Aboriginal Peoples has an existing Political Accord (Appendix A) with the Government of Canada since 1994,

WHEREAS, a special relationship exists between the Government of Canada and the Aboriginal Peoples of Canada,

WHEREAS, section 35(2) of the *Constitution Act, 1982* states that "Aboriginal peoples of Canada" includes the Indian, Inuit and Métis peoples of Canada,

WHEREAS, the Congress of Aboriginal Peoples asserts it represents the collective and individual interests of its Métis, nonstatus and off-reserve status Indian constituency,

WHEREAS, Canada and the Congress of Aboriginal Peoples recognize that the development of key policies or legislation which focus on, or have a significant specific impact on the Congress of Aboriginal Peoples' constituency, would benefit from the continued participation of the Congress of Aboriginal Peoples,

WHEREAS, the Congress of Aboriginal Peoples is authorized to bring forward to Government the views and perspectives of its constituency on the modalities of this cooperative approach,

WHEREAS, the Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians (the Minister) is authorized to take the lead on the development of the modalities on behalf of the Government of Canada,

THEREFORE, the Minister and the Congress of Aboriginal Peoples agree that their work under this accord on cooperative policy development shall be based on the principles of mutual recognition, mutual respect, mutual benefit, and mutual responsibility.

STRENGTHENING POLICY DEVELOPMENT

In order to develop the modalities of this cooperative approach to policy development, the Minister and the Congress of Aboriginal Peoples commit to undertake discussions:

- on processes to enhance the involvement of the Congress of Aboriginal Peoples in the development of federal policies which focus on, or have a significant specific impact on the Congress of Aboriginal Peoples' constituency, particularly policies in the areas of health, lifelong learning, housing, negotiations, economic opportunities, and accountability; and,
- on the financial and human resources and accountability mechanisms necessary to sustain the proposed enhanced involvement of the Congress of Aboriginal Peoples in policy development.

Signed in Ottawa on

On behalf of the Congress of Aboriginal Peoples

Chief Dwight A. Dorey /Congress of Aboriginal Peoples

On behalf of the Government of Canada

The Honourable Andy Scott

Minister of Indian Affairs and Northern Development

Federal Interlocutor for Métis and Non-Status Indians

POLITICAL ACCORD

Between

THE CONGRESS OF ABORIGINAL PEOPLES
("THE CONGRESS")
as represented by the
President

and

HER MAJESTY THE QUEEN IN RIGHT OF CANADA
("CANADA"),
as represented by the
Federal Interlocutor for Métis and
Non-Status Indians

and the

Minister of Indian Affairs and Northern Development.

WHEREAS:

A. Canada and The Congress entered into a Political Accord on February 28, 1994 and wish to renew the consultation process established therein

and strengthen their partnership as set out in "Creating Opportunity", "Securing Our Future Together" and "Gathering Strength: Canada's Aboriginal Action Plan", with a plan to achieve these commitments and future undertakings by Canada directed to Aboriginal peoples;

B. A special relationship exists between the Government of Canada and the Aboriginal peoples of Canada, and the Parliament of Canada has legislative authority respecting "Indians, and Lands reserved for the Indians" under section 91(24) of the *Constitution Act, 1867*; and

C. The Congress represents the collective and individual interests of its Aboriginal constituency and seeks to achieve equity of access, regardless of residence or status, to initiatives sponsored in "Creating Opportunity", "Securing Our Future Together" and "Gathering Strength: Canada's Aboriginal Action Plan" as well as future initiatives by Canada directed to Aboriginal peoples.

THE PARTIES AGREE AS FOLLOWS:

1.0 CONSULTATION PROCESS

1.1 The Parties agree to renew the consultation process agreed to in the Political Accord signed on February 28, 1994 and to maintain two primary fora comprised of:

(a) A General Forum in which The Congress and the Federal Interlocutor for Métis and Non- Status Indians, together with other involved Ministers, address those matters listed at clause 2.1 and as established by agreement between the Parties from time to time, and

(b) A Special Forum between The Congress and the Minister of Indian and Northern Development to address those matters listed at clause 2.1 that fall within the mandate of the Department of Indian Affairs and Northern Development (DIAND) and as established by agreement between the Parties from time to time.

1.2 The Parties agree that this Political Accord supersedes the Protocol for Bilateral Discussions signed by the President of the Native Council of Canada (now The Congress) and the Federal Interlocutor for Métis and Non- Status Indians on March 9, 1993.

2.0 PRIORITY AGENDA:

2.1 The priority agenda for discussions in the General Forum and the Special Forum support the following four themes set out in "Gathering Strength: Canada's Aboriginal Action Plan":

(a) Renewing the Partnerships:

(i) Implementation of the inherent right of self-government as it relates to off-reserve Aboriginal people;

(ii) Language, heritage and culture;

(iii) Healing strategy;

(iv) Urban Aboriginal issues;

(v) Proposed amendments to the *Indian Act* that may affect the consistency of The Congress; and

(vi) Departmental and institutional arrangements that could improve existing arrangements.

(b) Strengthening Aboriginal Governance:

(i) Enumeration of Métis as it relates to the consistency of The Congress;

(ii) Aboriginal justice issues;

(iii) Aboriginal Governance Resource Centres; and

(iv) Collaboration to develop accountable and sustainable governments and institutions in a modern world to reconcile the political, social, cultural and economic interests of Aboriginal people on- and off-reserves.

(c) Developing a New Fiscal Relationship:

(i) Multi-year funding arrangements and harmonized federal fiscal reporting requirements.

(d) Supporting Strong Communities, People and Economies:

(i) Aboriginal housing and related infrastructure needs and initiatives;

(ii) Aboriginal Health Institute and other Aboriginal health initiatives;

(iii) Multi-purpose Urban Youth Centres; and

(iv) Aboriginal youth initiatives.

3.0 IMPLEMENTATION

3.1 Upon the signing of this Political Accord, the Parties agree to initiate discussions immediately on work plans and funding arrangements related to the implementation of this Political Accord.

3.2 The Parties agree to name lead representatives to oversee the conduct of bilateral discussions in each Forum and the implementation of this Political Accord.

3.3 The Parties agree to convene meetings at the officials level as required. The General Forum and the Special Forum will be convened as required and at least once a year.

3.4 Subject to clause 1.2, the Parties agree that this Political Accord shall not preclude and shall be without prejudice to any other bilateral, tripartite or multilateral discussions in place with The Congress or any of its affiliates.

Signed in Ottawa this sixteenth day of June, 1998.

SIGNED on behalf of THE CONGRESS OF ABORIGINAL PEOPLES
SIGNED on behalf of HER MAJESTY THE QUEEN IN RIGHT OF CANADA

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