

DRAFT COPYTHE B.C. INDIAN POSITION PAPER

August 14, 1970

## I. INTRODUCTION:

We present a position paper on Government commitments made to Indians and administration of their affairs in British Columbia. The principles and policies outlined herein are a record upon which our people believe new legislation and revised legislation affecting Indians should be drafted.

The principles outlined in this submission are suggested in good faith to avoid the kind of mistakes frequently made in the past by the Federal Government for decisions and policies made without direct involvement of Indians. They are based upon the welfare of Indians generally and the desire to improve Canadian unity - to bring the Indian and non - Indian peoples closer together.

There is need for a re-newed recognition of the constitutional responsibilities of the Federal Government which will provide us with an opportunity to administer our own affairs and remove them from Federal Government control. We reject the Federal Government Indian White Paper Policy Proposal released in June, 1969. We believe that the British North America Act (B.N.A.) would be the best legal protection we have if it were observed. We oppose any gradual phasing out of Federal constitutional responsibilities for Indian reserves and Indian people. Instead, we propose revision of the B.N.A. Act commitment in light of contemporary experience.

We propose also, new and expanded services and programs and more delegation of authority to the local level to enable us to achieve rapid and optimum development of our human and our land resources.

## A. NEW LEGISLATION:

It is evident that legislation for Indians is necessary and that the present Indian Act is unsuitable. New legislation and/or constitutional changes must be introduced to insure educational and economical opportunity, and to provide for more power and authority at the local level.

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The Indian people need legislation that will reverse the present paternalistic attitude of the Federal Government, but the new arrangements entered into with the Federal Government must not jeopardize in any way settlement of the aboriginal rights issue, and all rights due us as original citizens.

New legislation must reflect the real intent of past government obligations. It must guarantee Government commitments to its treaties, to its legislative commitments, and to verbal promises. It must provide the basis for equality and opportunity and reflect mutual trust and understanding. It must provide consideration for all people of Indian ancestry regardless of bureaucratic classification.

### 3. PRINCIPLE ISSUES:

Indians are concerned with:

1. Settlement of claims for the province of British Columbia.
2. Recognition of the various Indian nations.
3. Recognition of all rights due Indians such as: land title, foreshore and riparian rights, forest and timber, hunting and fishing, mineral and petroleum, and all other rights basic to Indian life that are hereditary, historical, usufructuary, moral or of legal obligation.
4. That a claims commission be established which will recognize these native rights and prepare just compensation awards for settlement of all land and other native claims.
5. Reconciliation of injustices done by the imposition of restrictions by all forms of Federal/Provincial legislation.
6. Complete consultation with Indians during revision of appropriate legislation, and in all policy matters affecting Indians by both senior Governments.
7. Assumption of government administration at the local level.
8. A continued Federal Government commitment to Indians.

The real issue is not revision of the Indian Act but recognition of the rights that have been denied Indians since Confederation, to enact constitutional legislation that will guarantee these Indian rights. Also, Indians must be provided with the resources to achieve their rightful position in Society. We wish to pursue these rights in honourable negotiations and to have them provided to us without the need for harried confrontations.

## II. INDIAN STATUS:

Without prejudice to claims generally, the Federal Government is bound to accept responsibility for Indians and lands reserved for the Indians. We expect the Federal Government to take a more positive and effective position to recognize Indians as a distinct ethnic group.

### A. LEGAL STATUS:

The legal status of Indians as defined by the Indian Act is too restrictive. We feel that a person who once was an Indian for purposes of the Indian Act but has since lost his status as an Indian through enfranchisement, marriage, parenthood or adoption, may nevertheless continue to be an Indian for purposes of constitutional guarantees under protection of the British North America Act. A legal definition for registered Indians is needed with an option that Indians may renounce their Indian status, become enfranchised, and receive due compensation for losing their status. This definition should appear in the Canadian Constitution and not in some subordinate piece of legislation or regulation.

Recognition of Indian status is essential for justice. We want to enjoy all the privileges of full citizenship without jeopardising our aboriginal rights. We emphasize that recognition of Indian status is necessary to enable us to achieve this equality. Otherwise, we become non-entities in our own land. Recognition of Indians as a distinct ethnic group is an important contribution to the multi-cultural nature of Canada as a nation, and to Canadian unity.

### B. CIVIL RIGHTS:

Indians must have the same rights and same opportunities as all Canadians. We must not be discriminated against in any respect and particularly in regards to restrictive legislation.

Legislation affecting Indians which violates the Canadian Bill of Rights and the Universal Declaration of Human Rights must be revised. Civil liberties law must be applied similarly and equally for all regardless of ethnic origin.

However, opportunity means more than merely destroying restrictive barriers. Opportunity and equality in all aspects of contemporary Canadian life for ' Indians requires the immediate availability of capital resources, accelerated special training and education, improved social and community service programs, improved political representation, and many other opportunities. With special opportunities and guaranteed civil rights, we can develop and prosper equally to or better than our non-Indian neighbors.

### C. CULTURAL HERITAGE:

We believe there should be a positive recognition by everyone of the unique contribution of Indian culture to Canadian life, and the only way to maintain our culture is for us to remain as Indians. To preserve our culture it is necessary to preserve our status, rights, lands and traditions. Our constitutional rights are mandatory.

We as Indians do not want sympathy from the non-Indian Canadian society. We want to keep our own identity, to practice with pride and dignity our cultural heritage as aborigines. Within the framework of society, without jeopardy or wanting to jeopardize the rights of our non-indian neighbors, we want non-Indians to appreciate our rights as first citizens of Canada. It is necessary that these rights be recognized through education, museums and parks, reserves, encouragement of cultural traditions, in the Canadian Constitution and in appropriate legislation.

The Federal Government has passed considerable legislation providing special privileges to minority groups particularly in regard to restrictive immigration. Recent discriminatory legislation was passed protecting the French language and giving protection to the French culture. Similar respect is due Indian languages and Indian culture. We expect protection of our cultural entity - an item of historical importance which is incomparable to the Federal Government to bilingualism and biculturalism.

D. NATURAL RESOURCES:

We are concerned about our environment, our general ecology including: pollution, flood and erosion control, protection of fish and wildlife, destruction of spawning channels, protection of our forests, adequate development of our mineral resources and in the limitation of our rights in using natural resources to sustain our living. We are concerned about our aboriginal rights and want compensation in the form of royalties for natural resources taken from the province.

New or revised legislation should permit Indians to obtain fish for the purposes of food consumption without the necessity of a permit, at any time from any river, stream, or inlet and from beyond the surf line, to include shellfish, herring spawn and oulchan, with no restrictions as to age or sex.

Further Indians should be given exclusive service contracts to provide protection to our forests and wildlife, spawning channels, and the control of floods and erosion and other natural phenomenon. Considerable employment can be provided which is natural to our hereditary means of living. Also, Indians should be given the complete responsibility for administering and operating the national parks system.

Much of our ecology and natural resources are being destroyed and depleted by indiscriminate expansion of primary extractive industries without the involvement of Indians. We want to be involved starting with the planning stages in all mining and forest industry activity on Crown land in the province of British Columbia, and we want employment provided to our people by the developers of these industries.

E. YOUTH ACTIVITIES:

We intend to encourage our youth to be aware of the tremendous responsibility for economic, social and political development facing the coming generations. We therefore expect to provide them with every opportunity to learn about the Indian and non-Indian societies and to encourage them to become involved in Indian activities and to accept their share of responsibility for the betterment and improvement of Indians generally. Government funds should be provided to encourage and stimulate these youth activities.

F. NON - STATUS INDIANS:

We are concerned about the numerous Indians bureaucratically classified as non-status or non-registered Indians that live in the province of British Columbia, that they lack recognition under present legislation, and that the Government has neglected their responsibility for these people. We encourage the Federal Government to provide registration of non-status Indians and to provide special legislation to enable them to qualify for economic and social development programs, medical and other services. The government should provide education, employment and other opportunities to these non-status Indians that are made available generally to status Indians throughout the province.

III. LEGISLATION AFFECTING INDIANS:

Present legislation affecting Indians is discriminatory, restrictive and prejudicial to our human and civil rights. We consider that our aboriginal rights take precedence over all existing legislation. Various aspects to be considered in revising legislation are outlined herein.

A. THE CONSTITUTION:

We need legislation to protect our unique aboriginal status under protection of the Canadian Constitution. It is necessary that the present Indian Act be substantially revised, and that constitutional guarantees be provided in terms of land, education, economic development, political representation, health and welfare services. We are not prepared at this time to propose concrete legislation affecting Indians but rather to present these principles and objectives as a basis upon which present legislation may be revised.

We propose that a national Constitutional Conference be convened comprising Indians and the two senior governments to discuss the important position that Indians should occupy in our method of government.

8. CLAIMS:

We urge this Liberal Government to live up to the 1963 election promises made under the auspices of Mr. L.B. Pearson to establish a lands claim commission. One of the official election campaign pieces contained the following promises:

"Liberal policy now is to appoint as soon as possible an Indian Claims Commission, an independent unbiased, unprejudiced body with broad terms of reference, to review all matters pertaining to this issue.

With the objective of achieving a fair and just settlement of all outstanding claims, it is Liberal policy that the Commission will include qualified authorities on British Constitutional laws as it affects aboriginal hereditary and usufructory rights.

To assure the objectivity which Indians of Canada have the right to expect after years of procrastination, Commissioners may be appointed from other parts of the Commonwealth such as New Zealand, where achievements in this field are regarded as outstanding. It is Liberal policy that the Commission will be unbiased and independent.

Appointment of the Indian Claims Commission, as described, is based on the fundamental Liberal policy that Canada's Native Indians must now achieve full equality without loss of aboriginal hereditary and usufructory rights."

Now is the time for the Federal Government to fulfill their commitment.

We propose such an independent Claims Commission be now established with broad terms of reference to cover areas such as:

1. Modernize Indian treaties.
2. Award compensation to aboriginal peoples regardless of the status defined in the Indian Act.
3. Examine the boundaries of reservations and recognize the need to include as part of reserves all waterways that are on the edge of the reserves.
4. Examine riparian and foreshore rights and the right to control air space over reserve lands.

5. Examine all cut-off lands and other lands lost due to encroachment of governments and industry, and have these lands revert back to reserve status.
6. Examine claims due to mismanagement of lands and inadequate leasing arrangements, and the loss of water rights.
7. Prepare draft legislation to overcome the bad effects of the Migratory Birds Convention Act and other improper restriction on Indian aboriginal hunting and fishing rights.
8. Hear all other claims that Indian persons and bands want to have heard.

The Claims Commission should comprise an independent, unbiased, unprejudiced body with adequate Indian representation and with broad terms of reference to review all matters pertaining to this issue. The Commissions should be international in nature to prevent undue prejudice and to incorporate principles adopted by other advancing countries in giving due recognition to their native peoples.

C. RESERVE LANDS:

We intend to develop our lands to enable us to achieve the highest possible standard of living for our people.

We propose that wherever possible Bands, through their Band Councils and business corporations, should develop their own lands. Band business corporations, with the approval of Band Councils, should be enabled to raise money from the Federal Government on the security of Reserve lands allocated to these corporations by the Band and also on the security of income from leased lands. Legislation should provide the flexibility for Bands to develop economically at their own rate with each Band to choose the best fashion for its own development.



An atmosphere should be created by the Federal Government which will stimulate and assist in initiating the development of Band lands and resources by Indians. In brief; Indians should be able to propose and initiate rather than merely respond to outside proposals.

No reserve land should be sold or alienated but rather all development and use of Band land should be by lease subject to Band by-laws. This would apply also to Reserve land required by various levels of government. Governments and Crown corporations including municipalities, railways, public utility companies and others requiring the use of Reserve lands should be required to lease such lands and the leases should provide for revision from time to time so that the returns may be based on the economic value of the lands used. If a public authority which normally possesses powers of land expropriation requires the use and wishes to expropriate a portion of Reserve land, legislation should specify that the authority can only expropriate such land by way of lease from the Band and that the compensation to be paid by way of lease payments shall be based on an economic rate of return for the land leased, such rate to be adjusted not more than every five years and that in case of failure to agree on the rate, the rate shall be determined by arbitration.

Indians are the beneficial or actual owners of their lands. The legal title has only been held by the Crown to prevent the sale or breaking up of these lands. It is not necessary that legal titles be continued to be held by the Crown. We propose that deeds of ownership including tax exemption privileges be handed over to Indian bands for administration as they see fit but that the Constitution of Canada guarantee and protect these lands against alienation as to expropriation, sale and taxation by any persons other than Indians. The word "surrender" in referring to Indian lands would therefore become redundant. Further, we propose that the Federal Government accept the responsibility to guarantee the collateral required for business and social developments on reserve lands.

Reserve lands should be used to create employment for Indians, to provide an economic base for development. The following principles should be observed:

1. Reserves should provide the basis for independence of the Indian people.
2. Industry on reserves lands should be encouraged, preferably owned and operated by Indian bands and by individual Indians.
3. Indians should have first preference for all jobs created on reserve lands.
4. In cases where reserves are over-populated and the band consents, the band members should be trained for re-location and other Crown lands should be provided for the surplus population.
5. The Indian people are relocated as a last resource only if the people involved consent to do so. For those who choose to remain both training programs and equipment should be provided to enable them to cope better with their actual environment.
6. All taxes on Indian lands should be imposed by and collected by Indian bands. Back taxes should be paid to Indian bands.
7. If expropriation of reserve land is unavoidable and justifiable we should receive a fair price and land in exchange with consideration given to effect upon surrounding and remaining reserve lands.
8. Recovery of alienated property should revert to the appropriate band.

D. LAND REGISTRY SYSTEM:

A register of Indian lands recording the rights and interests of the Band and the rights and interests of the individuals should be established along lines similar to the Torrens System now used in some land registry offices. Certificates should be issued as a whole in individual pieces of property and a fund should be established similar to the Insurance Fund now established by the B.C. Government for the provincial registry. The purpose of this is to make it possible for the interest of Bands, Band corporations and individuals to use the registered interest they have for the purpose of raising institutional mortgages for development. The use of this registry is closely related to the proposal that Reserve land should be held by the Band and the Band, through its Band Council would sublease portions to Band business corporations and perhaps in some cases to individuals and to non-Indian lessees on shorter term leases designed to meet the requirements of each case. After subleasing the Band Council would submit the document to the Central Registry for registration.

We are opposed, however, to any suggestion that at some time in the future the registry of Indian lands might be transferred to provincial land registry offices other than on a service contract basis for administration purposes only. We are aware of the attitude of certain provincial registrars to the effect that registration of subdivisions in their registry office has the effect of alienating road allowances from the Reserve permanently and we wish to prevent these undesirable situations developing.

E. OTHER LEGISLATION:

Other legislation affecting Indians both federal and provincial should be subordinate to Constitutional guarantees.

1. The Indian Act.

Specific legislation concerning Indian Affairs is required. We need an Indian Act with considerable build in flexibility to accommodate the special problems of Indians living in British Columbia, and to provide individual bands with options to handle more of their own affairs.

2. Taxation.

The Province should recognize that Indians are tax paying residents either directly or indirectly for which they get very little provincial services in return and, the Federal Government should ensure that Provincial services for these taxes be provided to Indians without discrimination.

The Province of British Columbia has collected considerable taxes from Indian lands where the status of said lands as to alienation and surrender is questioned by Indian peoples. A Claims Commission should investigate Indian claims as to collection of these back taxes and clarify the constitutional title and ownership of these lands.

3. Education.

Indian rights to pursue education in any educational institution in Canada have not been fully recognized and should therefore be formally set out in appropriate legislation.

Indian children also should have the full right to be enrolled in a kindergarten on or off reserves without restriction. Education of Indians is of paramount importance to social and economic development and it is mandatory that unlimited pre-school training be provided to Indian children. Also, Indian children should have the opportunity to be taught their native languages and culture.

4. Financial.

Revised legislation should recognize the need and indeed our desire to administer our own affairs. We propose that an annual budget be appropriated by Parliament for Indians similar to appropriations made to other Federal Government departments, that these budgets be prepared by Indians and not be subject to approval or administration by any Federal Government department. Indians should answer directly to Parliament for the administration of these funds.

Royalties from natural resources taken from Crown lands should be used to subsidize the costs for us to administer our own affairs. Further, land taxes collected from Indian reservations, whether now considered alienated or not should be returned and all such taxes be collected in the future by Indian Bands for the provision of land services at the Band level.

IV. GOVERNMENT ADMINISTRATION:

Our views in respect to administration by governments are outlined herein.

A. Senior Governments:

The two senior governments should not be directly involved in the administration of Indian lands or of Indian peoples, rather these functions should be performed by Indian self government. Indian bands should, like municipalities, participate in Federal-Provincial constitutional conferences, in fiscal and monetary conferences, and in negotiations for extension of provincial services to Indians and to Indian reservations.

The two senior governments should concern themselves with raising the social-economic status of Indian people in relation to other Canadian citizens, and to the extension of provincial services based upon tri-party negotiations. We concur in the creation of an "Indian Progress Agency" as recommended in the Hawthorn report but this agency should function as a Parliamentary Committee for the main purpose of preparing an annual social-economic development progress report to provide comparative statistics on:

1. Education - Achievement of Indians in public schools, universities and technical schools.
2. Economic - Employment, job opportunities, wage levels, business ventures, and other related data.
3. Legal - Indian status; treaties, changes to legislation, and agreements with the provinces.
4. Social - Housing, living conditions, public services, various social problems, medical and health conditions.

We emphasize the responsibility of the Federal Government for Indians and lands reserved for Indians but reject the need for all decisions affecting Indians to be subject to "final approval by the Minister". We, through our own administration processes, wish to provide that "final approval" ourselves.

We insist that the Federal Government commit itself to consulting with Indians and that Indians participate in all negotiations concerning the extension of provincial services and programs to Indians and to Indian reservations.

Services now provided by the Province and by municipalities to other citizens should be extended to Indian people without prejudice to the continuing responsibility of the Federal Government for Indians. Services not now available to Indians should be contracted with costs borne on a federal/provincial cost sharing basis. Among others the services and progress should include education, welfare, public health, sanitary regulations, housing, police and fire protection.

In all of these services certain minimum basic standards should apply and be enforced.

The Federal Government should retain the prerogative of reassuming provincial services should the Province fail to live up to its expectations in providing these basic service to Indians.

B. Local Government:

If Indian people are to progress, we and our institutions must be given more decision-making power together with the responsibilities that flow from the exercise of power. As a result, a delegation of authorities should be made to Band Councils and to Band economic corporations.

The existing powers for Band Councils to carry out local government functions should be maintained and should be increased to allow Bands to carry out many functions now carried out by municipalities and other local government bodies. For the foreseeable future, the funds for these municipal services will not be available from the Indian lands which are in general poorly developed and will also not be available from provincial sources. Consequently, the Federal Government should provide massive funds for years to come, until such time as the standards of the Indian people and their Reserve lands have reached a stage of development roughly equivalent to the neighbouring non-Indian lands. By that time it is to be hoped that the economic, social and political development of the Indian peoples will have reached a stage that will permit them to gradually assume not only the responsibility for planning and carrying out their development but also to pay for it through taxation of their lands and property.

Extreme flexibility should be provided in the Act for development of local government according to the option and plans of the various Bands. Bands should be able to incorporate as municipalities with all the powers that municipalities have today under provincial Acts but such incorporation should be under federal jurisdiction. A system of grants, both outright and conditional, should be introduced roughly equivalent to the grants available to local governments and municipalities. Bands through their Councils should have specific power to negotiate and enter agreements with local government

bodies and Crown corporations and public utilities, for the purchase of services as necessary. Legislation should specifically set out the powers of local Bands through their Councils to have exclusive power to tax and zone on Reserves whether or not the land is leased out to Indian or non-Indian lessees.

Bands should have the power to establish business corporations with wide powers similar to those of private companies and in some cases semi-public and public companies which now operate under provincial Companies Acts and other provincial and federal statutes. However, the Band business corporations should for the present operate solely under the jurisdiction of Federal legislation.

Bands also, like any government function, should have free postage for official band business, and should control their own capital and operating funds.

Each band should choose its own arrangements for local government. Appropriate legislation should establish a legal basis for band government in all matters usually delegated to local government. To achieve this local government effectively however, there must be a training program provided for chiefs and councillors and other interested band members who will be taught the essentials of self-government in order to become self-reliant and who will become acquainted with opportunities available for their reserves. Also, the chief and councillors will need to be paid adequate salaries in order to attract the best people for these positions.

If Indian self-government is to be successful, the local community must have some independent sources of revenue without complete reliance upon Federal and Provincial grants. Indian local governments must therefore develop independent sources of revenue based upon their land resources. In the initial stages however, full financial support must be provided by the Federal Government.

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## C. Band Affairs:

The most important priorities for our advancement are improved education, both for the young and for adults, and the assumption of responsibility and control over our own affairs. The Government's role, as we see it, is to create a climate in which we can achieve these priorities as well as our other goals. The legislative and administrative machinery must obviously be extremely flexible because of the different stage of development of the various Bands and peoples. Bands must have the power to negotiate and to enter into joint developments with any individuals and organizations in the community. Business corporations and Band Councils will have to work together closely with government bodies, private companies and individuals.

The key to our political development is the retention and expansion of our powers to develop Reserve lands in a logical and effective manner. This means that the present tax situation wherein municipalities and provincial governments claim taxation rights on Reserve lands must be clarified. In our view the Federal Government is entitled to legislate in the field of Indians and Indian lands under the Constitution and is, therefore, paramount in that field. Legislation giving Indian Councils the necessary taxation powers and prohibiting any other taxation on Reserve lands must be drawn in strong and clear terms by the Federal Government.

The dual functional role of Indian Band Councils should be recognized:

1. To administer land affairs in a political sense, similar to municipal government administration.
2. To develop the reserve lands similar to that undertaken by private enterprise on non-Indian lands.

We favour the incorporation of business development entities with powers separate from the band councils for economic and community development but subject to the by-laws imposed by the band council. Both the band council and the business corporations would in turn be responsible to Indians at the local level.



It is evident that extension of local government to Indian reservations and the responsibility for development of Indian lands will create many job opportunities in respect to public service employment, band administration, and jobs in private industry. There will be an increasingly strong demand for technically and professionally trained Indian people and it is necessary that training and educational programs be developed and implemented immediately to meet these future needs. We are entirely in favor of the Coqualsetza concept for meeting the special educational needs of Indian people in this respect, and we emphasize the importance of quickly expanding these educational programs.

D. Political Administrations:

Indians through their band councils should have direct access to Ottawa in two ways:

1. Through a minister of the Crown who has no other responsibility than the well-being of the Canadian Indian people, and
2. Through political representation in the Parliament of Canada. Indians must be recognized as unique spheres of federal authority. Therefore it would be quite consistent with democratic principles to group reserves in appropriate numbers into political constituencies for the purpose of electing both federal members of Parliament and provincial members of legislatures. Through political representation such as this, we will be given the unique status and recognition that is due us.

The administration over Indian affairs within British Columbia in reporting to Parliament should be through the Union of British Columbia Indian Chiefs. It is necessary that this one organization be recognized as having full authority to act on behalf of all Indians of British Columbia, and that the chairman of this organization have access to Parliament in equivalent capacity to any minister of the Crown. In effect the Union should become another legislative body independent of provincial jurisdiction.

E. Indian Affairs Branch:

We recognize the continuing need for an Indian Affairs Branch, but one that is smaller in structure and more closely attuned to the needs of Indian people; a branch that will serve the interests of Indian people, rather than be authoritative in nature. The role of the Indian Affairs Branch as we see it is a much smaller success or body to serve mainly as the keeper of the Queen's promises, the treaties and the lands. The role of the Branch as explained in Volume I (1966) of the H.D. Hawthorn Report "A Survey of Contemporary Indians", can play a valuable role in the Canadian community:

"The Indian Affairs Branch should act as a national conscience to see that social and economic equality is achieved between Indians and whites. This role includes the persistent advocacy of Indian needs, the persistent exposure of shortcomings in the governmental treatment that Indians receive, and the persistent removal of ethnic tensions between Indians and whites.

Indians should be regarded as 'citizens plus'; in addition to the normal rights and duties of citizenship, Indians possess certain additional rights as charter members of the Canadian community.

The Indian Affairs Branch has a special responsibility' to see that the 'plus' aspects of Canadian citizenship are respected, and that governments and the Canadian people are educated in the acceptance of their existence."

We favour a gradual phasing out of the present Branch administrative functions toward a protective role as described above and we want to have a choice in the selection of people who work for the Indian Affairs Branch.

V. SERVICES AND PROGRAMS:

Indian reserves are pockets of social and economic poverty that have become increasingly dependent on welfare - oriented government programs. The future advancement of Indian people depends upon their social and economic environment. An environment must be created in which Indians will become involved in their own affairs and in which Indian aspirations can be encouraged to grow. A concerted effort is needed in the areas of community improvement, economic opportunity and social development.

Obligations of the Federal Government for Indians has changed over the years in keeping with changing ideals and the changing standard of living. In this section are detailed the services and programs required in contemporary living for which we expect government support.

A. Arts and Crafts:

A Native Arts and Crafts Industry has to be developed by Indians so that Indian producers and marketers can profit from their own work rather than have profits go to non-Indians particularly in the marketing area.

We are concerned about the substantial importation of cheap imitation novelty items from Japan that serve to undermine the authenticity of native products. These imports should be completely curtailed, and Indian enterprise should be subsidized to produce novelty items to reach this particular tourist trade in addition to development of a business for the authentic genuine articles.

A native handicraft industry existed before the white man came to this country. We had our own natural protective mechanism against the products of all other countries. Now that the white man has demolished these barriers we expect artificial barriers to be created to protect our industry, the Federal Government should provide funds for extensive training of craftsmen, and for developing appropriate business enterprise. Further, protective tariffs are needed to provide protection during the development stage of this native industry.

A large cultural centre should be built in a metropolitan area to house the widely dispersed historic artifacts of our ancestors. These artifacts should be returned to Indians in British Columbia and be housed in such a large cultural centre and be administered and operated by Indians. It is necessary that Indians develop and build this centre and operate it to perpetuate our culture and to develop pride in our heritage.

B. Community Development:

Indian communities lack independence. Indians generally are dependent upon the government for their maintenance and dependent upon sources outside the Indian community for their commercial services and for many of their social and recreation facilities. A certain amount of independence within the Indian community must be developed. There is need to establish social and recreational activities on the reserves around which community programs can evolve and develop. Provision of facilities such as adult education centres, skating rinks, swimming pools, recreational facilities and community centres, where practicable, should have priority in terms of community improvement. Parks and gymnasiums must be built, education programs must develop, and communications and public relations activities must be expanded. Considerable economic development must occur. We propose to carry out special studies to determine the feasibility and potential for community operated service or retail enterprise to provide goods and services on the reserves rather than to import such commodities from distant suppliers at great cost.

Community improvement requires that standards of housing and sanitary facilities be upgraded. Housing standards do not always meet the minimum housing requirements of the national building code. These conditions must be corrected as the impact of inadequate housing on the social environment and its affect on the family unit can be crucial to the development of progressive ideals. Also, the housing programs must be greatly expanded to meet the needs of an increasing Indian population.

Effective community development should be based on the best use, and highest possible development of all community resources. Indian communities cannot be considered fully developed until all human, as well as land resources are used and developed to the highest extent possible. Indian people must develop many new ideas on how to encourage and train Indian people in the areas of community development. The talents and skills of Indian people should be developed on a comparable level as the development of land resources.

Community development programs should include: representation on regional district school boards and planning boards, housing and road developments, capital improvement programs, public works, research and communications programs, community services, public utilities, town planning, housing, rehabilitation programs, intensive training programs for potential workers, and extensive counselling services.

C. Education:

Education should provide knowledge as well as the development of personal skills to the extent needed to live comfortably and successfully in today's world. In a world of rapid change and highly specialized technology, it is vital that Indians receive the best form of education possible. Present systems are seen by many of our people are inadequate to provide the needed preparation. All aspects of education should be reviewed and assessed in terms of Indian needs.

The present educational system has proven inadequate for Indians and must be revised. Reform in native education is necessary. The educational system must provide Indians with a level of education needed for furthering their development, and it must be based on Indian culture. History books must be revised to emphasize the major role played by Indians in the development of our country. Indian arts and crafts must be encouraged.

Special training must be provided to Indians in many areas to provide the background necessary for development. In all of this work Indians should be involved in all phases of the educational system: in revising curriculum, in developing training courses, in providing special training courses, and in teaching.

We recognize the need for educational functions to be developed and supervised by Indians. We propose therefore that the Union of British Columbia Indian Chiefs establish a Provincial Indian School Trustee Association, a Provincial educational council consisting of Indian people to deal with matter involving education and other related matters.

Their specific responsibility would be to ensure that the educational system recognized the unique contribution of Indians to the development of this country and to ensure that educational programs are designed to encourage Indians to participate in their own social, economic and educational advancement. This board, working through the regional school district, would appoint Indian school trustees to various school boards throughout the province. The Union of B.C. Indian Chiefs would, in handling education funds, ensure that the Provincial Indian School Trustee Association function as recommended.

Further programs that need considerable attention are the training of Indian teachers and bursary programs for post secondary education including academic, vocational, technical and university. Also, special high school programs are needed for Indian drop outs. Consideration should be given to special training needs Indian colleges, student hostels, counselling and placement services, Indian/non-Indian cultural exchange programs, transportation and accommodation.

The funds for education should be provided to the Union of B.C. Indian Chiefs for distribution on a per capita basis. Band Education Committees would in turn, decide whether to operate Indian schools and have associated Indian school boards, or make contracts with nearby public schools for some or all of the Indian students. These contracts would provide Indian Indian voice and vote in the operation of these schools. Opportunity could be provided for other Canadian children to attend school on the reserves.

It is especially important that nursery schools and kindergartens be provided in Indian communities to prepare Indian children to enter their regular provincial educational system. Pre-school training is of significant importance and should provide training in the Indian languages and orientation programming designed to assist the student in entering formal educational training.

The educational program should take into account the differences in background of the Indian student and their values and motivations compared with the non-Indian student. Teachers would be encouraged to learn about the background and culture of their Indian students and to understand these individuals.

D. Health and Welfare:

The Federal Government is bound to Indians by the British North America Act. However, the numerous treaties established with Indians across Canada established a Federal Government commitment to provide health services to the Indian people on or off the reserve. We interpret this commitment to apply to Indian generally regardless of treaties and that there is a contemporary obligation to provide the quality of health and medical services that is now enjoyed by any other Canadian citizen, and not to withdraw any services now provided such as the B.C. Medical Plan.

Considerable improvement in the health and sanitary conditions of Indians is required throughout this province. In order to improve the standard of health in Indian communities it is necessary to provide training to Indian community workers, and to hire many more of these workers, preferably Indians. Indian health is improving but is still much below the Canadian average. This condition is not natural but developed for well-known historical reasons. In our view the Federal Government has a specific obligation to provide extensive assistance to improve the general health of the Indian people and to provide individual medical assistance wherever required until such time as the health of the Indians is at least on a par with the non-Indian population. Community health services provided to Indians should include medical, dental, optical, hearing, hospital, social services projects, living conditions and sanitation, nutrition, alcoholism, drug addiction, and welfare.

Welfare programs should include a commitment from the Federal Government to provide education and training, industry and job opportunities to Indians throughout the province whether living on or off the reserve. We are not satisfied with a perpetuated welfare state. We wish Indian to be given the opportunity to improve their potential for employment and for business opportunities, and further that these job opportunities be made available on the reserves.

We are not satisfied with restricting industry opportunities on the West Coast such as closing down of fish processing plants while substantial Government funds are used to create employment on the East Coast. We want jobs, not welfare and we don't want to have to move to the East Coast for those job opportunities.

Counselling and placement services should be operated by Indians and should be made available to students, young adults and the unemployed Indians situated throughout the province. A social services program should consider crime, legal problems and rehabilitation, employment, human resources and legal aid.

A full range of provincial welfare programs available to other Canadian citizens should be made available without discrimination to any person of Indian ancestry regardless of their domicile within the Province. The welfare programs that should be available among others include family allowances, old age security, old age assistance, blind person's allowance, and disabled person's allowances, unemployment insurance and social assistance.

#### E. Economic Development:

We feel that it is not necessary to giving up our Indian identity to achieve economic development. Other groups in society enjoy special legislation' to insure their economic, social, or cultural well-being. We expect the same treatment for Indians.

##### 1. Financing of Economic Development

Economic Development is essential to the cultural, education, and social development of Indians but progressive economic development cannot continually rely solely on government appropriations which depend in turn on annual legislative action.

Our policy for economic development is for the government to provide the funds necessary to give us the impetus for economic development on our reserves throughout the province, but that eventually the business



opportunities, job opportunities, incomes and other factors will be self generated and will in turn sustain an improving standard of living among Indians so that government financial obligations will gradually decline in future years. We emphasize though that considerable government funds will be required in the initial stages to encourage development on a massive scale. We propose that this program be administered by the Union of B.C. Indian Chiefs but be initiated and controlled at the Band level.

## 2. Limitations to Development

Indian reserves generally have not developed and this lack of exploitation reflects on the narrow view and restrictive views placed upon the potential for Indian reserves in prior years. Continued welfare oriented projects have denied Indians the opportunity for self economic development, largely due to the lack of creative programming and understanding of Indians that has characterized the thinking of government officials. Economic development therefore must be creative and must be the responsibility of Indians. It must be directed by Indians at the local level working within an overall plan developed by the Union of B.C. Indian Chiefs, and assisted by specialists provided by the Union.

A major impediment to the achievement of economic equality is not lack of Indian enthusiasm, but lack of conventional development capital. We need a bridge between this lack of equity capital to initiate projects and the finances and the facilities provided by the conventional institutions.

A second factor limiting Indian development has been lack of education and training. We propose substantial increases in this regard in both quality and quantity with funding provided by the Federal Government. The resources of private industry will also be enlisted in this work.

A third factor limiting Indian participation in the economic life of the community at large has been the inability to obtain adequate technical and professional assistance. We seek increasing involvement with and assistance from the private business sector in this regard.

#### 4. Development Program

We propose a vast economic development program utilizing skilled resources people in many diverse professional and technical areas similar to those human resources provided to underdeveloped countries through the Canadian International Development Agency. We propose a B.C. Indian Economic Development Agency with similar service monetary, education, and technical, now provided to underdeveloped countries.

Substantial development funds need to be provided by governments similar in magnitude to Federal Government expenditures for creating jobs in Eastern Canada. The capital market must also be tapped for development financing.

We propose also that the Federal Government guarantee the mortgages that are required for development in lieu of pledging our lands as collateral.

Further, royalties from fishing, timber and minerals off Crown land should be provided to assist in this economic development. A municipal service grants system is needed to provide services on reserves.

Also, Indian owned and Band owned companies and co-operatives should be relieved of all taxation as to assets and income when operating from Indian reserve lands.

#### 5. Development Incentives

Development on Indian reserve lands can be encouraged. There are precedents for developing underprivileged areas in other parts of Canada that can be applied to Indian reserves. These include: area incentives programs, labour guarantees, tax incentives and credits, charitable contribution deductions, oil and mineral development incentives, accelerated depreciation, extra payroll deductions, low interest loans, and many other means used by government as incentives to develop special areas or to handle special situations. Development of Indian reserves is a very special case requiring very special industry incentives. All of these means should be employed.

F. Recreation and Sports:

The creation and expansion of recreation and sports facilities and activities is of paramount importance to the well-being and to the general development of Indians throughout the province. Recreation facilities are very lacking on reserves at the present time. Many reserves have little or no recreation facilities. These facilities should be available on Indian reserves to combat frustration and loneliness and to prepare people physically to help themselves.

The Government needs to make provision for such facilities as are required to develop a cultural core around which community activities can evolve. Programs should provide for recreation centres, sports facilities, athletic programs, amateur sports, leadership training, and for activities such as skating, curling, hockey, lacrosse, football, soccer, baseball, softball and tennis.

A sound body is required for social and economic self development. We expect the Government to provide the means for improving our physical well-being.

G. Public Relations:

Considerable communications work is required to bring together people of Indian ancestry who have common problems, ideals, and objectives. We therefore propose an extensive public relations program to improve and to recognize the importance of unity among our brotherhood to include ceremonial dances and conferences. Also, training in areas such as: legislative processes, political philosophy, economic development, social improvement, and other similar community development activities would be provided. We propose also to establish procedures for advising Indians the availability of all appropriate services and programs.

Considerable public relations programming is required to make the non-Indian public aware of and to interest them in Indian cultural heritage. In this regard we propose public liaison work to include cultural exchanges, school exchange programs, museums, and inter-change of sports and business association activities.

We encourage establishment of a provincial wide communications program financed by the government but administered by Indians. This program should involve communication workers, newsletters, radio/television time, and other modern methods of communication. The programs could be developed to reach all levels of the Indian community. Objectives would be to provide the resources to encourage Indians to speak up for their own rights, and thereby become personally involved in improving their own conditions. The communications and community development programs must be compatible and work together.

#### VI. CONCLUSION

Finally, it should be stated that the Federal Government should not consider Indian people as a homogeneous group but with individuals and groups with different characteristics and problems. The Government therefore, should in principle approach these individuals and groups, not with the thought of offering a common solution to a problem but rather to listen to the proposals of the individuals and Bands concerned and then to assist these individuals and Bands in finding a way to meet their requirements.

The cost of assisting the Indian people to reach full citizenship and to participate fully in Canadian society will be very heavy for many years but is a charge on the public treasury that we believe will be accepted by the Canadian people if the facts of history and the reasons for the cost are made finally known to them. At all costs, both parties to this imaginative voyage of exploration - the Indian Canadian people and the non-Indian Canadian people must avoid the serious errors and breakdowns in communication that have previously been experienced. We must all work together for a better future, for better Canadian unity.