

**Annex C****Historical References Supporting Devolution of Programs to the Innu of Labrador**

*(Italics added where clauses specifically note Devolution)*

**Human Rights Commission Report on the Complaints of the Innu of Labrador. August 1993**

Concluded on page 33 that:

“... the failure of the Government of Canada to assume responsibility for the Innu as aboriginal people in Canada has impaired the ability of the Innu to move towards self-government and to obtain control over programs and services that affect them. The existing arrangements will inhibit future negotiations on self-government and the devolution of programs and services.”

Provided these recommendations on page 55 for the Government of Canada:

“(ii) ...enter into direct arrangements with the Innu as aboriginal people in Canada. Such arrangements should ensure the Innu have access to all federal funding, programs and services that are available to status on-reserve Indian peoples in Canada...”

“(iii) enter into direct negotiations with the Innu in respect of self-government and for the devolution of programs and services involving the government of Newfoundland and Labrador where appropriate in accordance with the principle of mutual consent set out in the September 1989 Policy Statement on Indian Self-Government in Canada;”

**Statement of Political Commitments. February 1994.**

Signed by Ministers of Indian Affairs and Northern Development; Minister of Health; Minister of Justice and; the Solicitor General of Canada.

Page 3:

“That the government of Canada is prepared to enter negotiations immediately ...toward the following objectives:

... 13 to devolve existing federal programs and funding delivered to the Innu and to work with the province of Newfoundland and Labrador to devolve such programs and funds administered under existing federal provincial agreements for the provision of services to the Innu in a manner consistent with Canada’s current devolution policy...”

**November 1996. Mushuau Innu Relocation Agreement.**

Signed by Minister of Indian Affairs and Northern Development, Ronald Irwin; Premier of Newfoundland and Labrador, Brian Tobin and Mushuau Innu Chief and Council.

Page 7:

“The objects of this agreement are:

3.1 Generally to provide for the relocation of those persons eligible to relocate from Davis Inlet to Natuashish, for the purpose of assisting in the longer term renewal of the health, culture, society and economy of the Mushuau Innu people...

3.2.5 to establish principles with respect to the provision of programs and services by Canada and on an interim and without prejudice basis by Newfoundland and Labrador, and *with respect to negotiations regarding devolution of certain programs and services to the Mushuau Innu.*”

“9.3 *Canada agrees to enter forthwith into negotiations regarding the devolution to Mushuau Innu of certain programs and services.*”

#### 10.1 Program funding

“... The aggregate funding levels so calculated shall be *equivalent to those generally available to first Nations of similar size and circumstance.*”

#### **GoC Order In Council March 19, 1997. (TB Rec. 825105)**

Reads in its entirety:

“Whereas the government of Canada considers that the Sheshatshiu Innu people are Indians within the meaning of class 24 of section 91 of the Constitution Act, 1867, Therefore His Excellency the Governor General in Council, on the recommendation of the Minister of Indian Affairs and Northern Development and the Treasury Board, hereby authorizes the Minister of Indian Affairs and Northern Development and other Ministers, as appropriate, *to consider the Innu people at the communities of Sheshatshiu and Davis Inlet as if they were Status Indians on reserve land, for the purpose of providing them with programs and services.*”

#### **March 2002. Report to the Canadian Human Rights Commission on the Treatment of the Innu of Labrador by the Government of Canada. Backhouse & McRae**

Page 3 and 4:

“As a direct result of the Government’s failure to assume its constitutional duty, the Innu were denied funding for programs and services in the same way that other First Nations people received such funding. Rather, *program funding* was provided through a series of federal-provincial cost-sharing agreements that *allowed for very limited Innu input or participation in program delivery and design.* As a result, the 1993 Report recommended that the Government abrogate these arrangements and ensure that the Innu communities were provided funding, programs and services on the same basis as other status Indians living on reserve.”

“... our review shows that the Province remains involved in both funding and providing education, health and social services. This is because full federal assumption of funding is dependent on the Innu being registered as status Indians and lands being set aside for them as reserves under the Indian Act. The 1993 Report recommended against their registration under the Indian Act, suggesting instead that accelerated negotiation of a self-government agreement would allow the Innu to operate under modern legislation. This option has proved

unfeasible in the short term. Rather, the Government and the Innu have agreed to proceed with registration, although this process will take some time to complete.

The consequence of this decision is that, although the Innu receive funding for a wide range of programs and services, the role of the Province prevents them from having the same degree of involvement in and control over these programs that similar communities exercise and that was hoped would be the result of the 1993 recommendation”

**“CONCLUSION:**

The Government has entered into direct funding arrangements with the Innu. However, the *Government has not yet provided the Innu with access to all federal funding, programs and services that are available to status, on-reserve Indian people in Canada.*”

**2001 to 2009. Labrador Innu Comprehensive Healing Strategy (LICHS)**

<http://www.aadnc-aandc.gc.ca/eng/1100100010390/1100100010391>

**Funding, financial information and reporting; Labrador Innu Comprehensive Healing Strategy (LICHS)**

**June 2001 to March 2010**

“...with respect to the .... LICHS. This vision is for the federal government, the Province and the Innu to work in partnership to: advance Innu community healing; build increased Innu capacity for the management and delivery of some government programs; conclude a land claim Agreement-in-Principle; address issues arising from sexual, physical and emotional abuse; achieve improvements in health, education, family and social well-being, economic development, community development, public safety and First Nation governance; and, manage the LICHS in an integrated and effective fashion.”

**“Governance Structure(s)**

Main Table. Chaired by the Chief Federal Negotiator, Labrador Innu file. Membership includes representatives of the Labrador Innu leadership, Province of Newfoundland and Labrador, and federal partners to the LICHS. *Tripartite sub-committees for: reserve creation, education, new school at Sheshatshiu, Income Assistance, child youth and family services, economic development, health, and evaluation.*”

And provides for \$800,000 for:

*“Devol(ution) Planning and Transition.”* With the stated objective of:

“Innu capacity improved via: child, youth and family services (CYFS) and Income Assistance Tripartite Committees, and Education Working Group”

**LICHS RMAF June 2007. Results-Based Management and Accountability Framework - Labrador Innu Comprehensive Healing Strategy Prepared for: Indian and Northern Affairs Canada by Goss Gilroy Inc. Management Consultants**

**“...Key Activity Areas**

All of the initiatives ... can be grouped under four key activity areas:

- Horizontal Integrated Management - coordination and partnership in planning and operations with the Innu as well as other government departments and agencies.
- *Capacity Development, Program Management, Community Governance and Devolution* - developing Innu and non-Innu capacity to manage the strategy's components and to meet their ultimate goals, allowing the government to government relationship to evolve.
- Community Infrastructure - bringing the physical environment in both communities to a standard that is comparable with that of other Canadian communities in similar circumstances.
- Health and Social Programs and Education - Ensuring that both communities have access to programs and services of a quality enjoyed by all Canadians. “

**April 27 2012 Ministers of AANDC--John Duncan--and Health Canada--Leona Aglukkaq--wrote to the Innu Chiefs accepting their proposal for an Innu Round Table to replace the Main Table.**

“we are pleased to note the continuation of Income Assistance and Child, Youth and Family Services sub-committees to *build upon the important work being undertaken in devolving these programs to the Innu.*”

“... we propose that... existing support for Main Table and devolution sub-committees be redirected to the Innu Round Table Secretariat”

#### **December 2012 Approved Terms of Reference for Innu Round Table**

“These terms of reference set out structures and processes of the Innu Round Table in order to enhance its effectiveness in achieving the common objectives of the participants to improve health and healing in the Innu communities and to strengthening the tri-partite relationship and co-operative decision making between the Parties, while ensuring Innu leadership set priorities.

Sub-committees planned to be addressed by Round Table upon adoption of these Terms of Reference include:

- a. Justice and Policing Committee
- b. Health and Healing Committee
- c. Capacity Development Committee
- d. *Income Assistance Devolution Committee*
- e. *CYFS Devolution Committee*