

Gigmanag

May 2006

News for the Zones

Zone 1 Contact Louis Perry for West Prince Local meeting (859-1458). Summerside Local meets the second Thursday of each month. The next meeting will be held on June 8th at the Knights of Columbus hall at 7:00 pm. The new president for Summerside local is Jackie Ellsworth.

Zone 2 The Charlottetown local meets the second Wednesday of each month. The next meeting will be held on June 14th at the Council office from 7 - 8 pm. Fundraising for the local for upcoming events. Thanks goes out to Levi Cannon for Donating a Texas Micky full of Pennies to our local fundraising efforts.

Zone 3 There will be a Community Circle in St.Peters at the Community Center on May 18th at 6:30 pm

Elders Committee meets once a month. The next meeting will be held on May 19th and June 16th. Meetings through the summer will be held outside (weather permitting).

Shelters and Youth are holding a BB-Q & Yard sale at the mens shelter, on May 27th from 9:00am-1:00 pm.

The Shelters staff continue to hold various fundraising activities to raise money to provide a comfortable place for the clients to live. Recently, the TV and VCR from the common room broke and we are currently borrowing a TV. We are hoping that there are people within the membership that would be willing to get

together and help us acquire a new TV and VCR. As well , if anyone in the membership could donate nonperishable food items to help offset the cost of groceries, it would be greatly appreciated. Thank You.

Youth Day Camp - The Native Council is now offering for the youth from ages of 6-14 the opportunity to become involved with our Summer Day Camp Program, These youth will have the chance to participate in many activities such as: National Aboriginal Day activities, day trips, attend Pow-Wows, fundraisers, cultural activities, etc. For anyone interested enrolling their children, please feel free to call Brandy Googoo at the Native Council office.

As well, I am taking names for the youth from ages 15-29 for a possible trip to Washington, DC. This trip is offered by the Asper Foundation in Winnipeg to help youth learn more about the racial equality. If you are a youth interested in the trip or an adult chaperon, please call as soon as possible.

Community Needs Assessment - Kim Tuplin is working with the NCPEI on a Questionnaire for the Native Council and its members. It includes questions for programs that are in the NCPEI and hopefully new programs in the future.

Island Wide Community Circle will be held at the Basilica Recreation Center on June 4th 2:00 pm - 4:00 pm.

E.A.G.L.E. This group seeks to assist victims by using the cultural healing practices such as healing circles, traditional medicines, sweat ceremonies, smudging and counseling resources. The primary focus of the group will be to assist women who have been effected by abuse. The group will be meeting every Wednesday at the Grandmother's house at 6:00-9:00 pm.

Pow-Wow Committee meets every Tuesday at 5:00pm held at the Native Council of P.E.I.

Nanegkam Housing Corporation will be holding a meeting on May 23rd at 4:00 pm.

WANT TO GET INVOLVED?

Want to get involved in the council but don't know how? We can help! We are now seeking members who are interested in sitting on the following advisory committees for the Council.

- 1) Environmental Advisory Committee
- 2) Wokwis Economic Development Advisory Council
- 3) Health Advisory Committee

For more information about how you can become involved please contact Nancy at (902) 892-5314 ext 0.

Would you like to win a T-Shirt?

Visit www.mapcmaars.ca write a sentence about the Ocean and receive a T-Shirt.

Everyone Is Invited To Attend Our **COMMUNITY KITCHEN**

Date: May 26th 2006
Place : Native Council (downstairs)
Time: 9:00 am - 1:00 pm

The community kitchen is being held to help create awareness on healthy food choices, food portions and a chance for our members to try new foods and have a lot of fun. If you are planning to attend, please call by May 24th and leave your name as we will need to know how much food to purchase. You can call 1-902-892-5314 or 1-877-591-3003 ext 234. Hope to see you there.

To All Members, Families and Friends **TIP TO TIP CHALLENGE** (Total Distance 278 km)

Hello everyone! I hope you are all doing well. I just wanted to let everyone know that the Native Council's Diabetes Program is sending out a challenge to get people more involved in learning the importance of a healthy lifestyle when it comes to Diabetes. Physical Activity can play a big role in your health it can:

1. Improve your blood circulation
2. Help you sleep better
3. Lower your blood sugars
4. Give you more energy
5. Help you control a healthy body weight

We are all aware that obesity is one of the biggest risk factors in developing Type 2 Diabetes. More and more of our members are finding that they are so busy with their lives that they have no time for exercise, or if they do have time that they have to join a gym that can cost a lot of money. We are sending out a challenge to everyone to walk the Island. This will be done by individuals or teams that will register to walk, run or cycle the distance equivalent to a "tip to tip" trip across the province. Participants will maintain a log of distances that they have walked daily and we will track their progress weekly. This is not a race!! It's getting out with your family and having fun and looking after your health. We are hoping that most or all our members will join in. This activity will be starting in early June and it will go until September. If anyone is interested in taking this challenge, please call the Native Council's office to register at 902-892-5314 or 1-877-591-3003 ext 234. Or leave your name with Nancy. We will then contact you with more details. Hope to hear from you soon and remember that "each little step that you take helps you control your health".

Kim Gallant
Diabetes Coordinator

NATIONAL ABORIGINAL DAY

JUNE 21, 2006

MOCCASIN WALK
FOR DIABETES AWARENESS AND PREVENTION

Everyone Welcome!!!



Take part in the **5 kilometer walk**, the **1 kilometer walk** or just come to join in the celebration. The 4th Annual “Moccasin Walk for Diabetes Awareness and Prevention” is sponsored by the Native Council of PEI with assistance from the Aboriginal Diabetes Initiative, Health Canada and Heritage Canada.

5 Kilometer Walk

The **5 kilometer walk** starts at 10:30 am. Participants can register at 10:00 am in the parking lot behind the Charlottetown Mall (670 University Avenue) beside the Confederation Trail. After the first **4 kilometers** along the Trail is completed, we will join the participants of the **1 kilometer walk**.

1 Kilometer Walk

The **1 kilometer walk** starts at 11:45 am. Participants can register at 11:30 in the Joseph A. Ghiz Memorial Park (corner of Kent Street and Edward Street). The final destination is the Confederation Landing Park (Water Street) for the celebration of National Aboriginal Day.

Aboriginal Day Celebration

If you are unable to participate in the “Moccasin Walk”, we encourage you to stop by the Confederation Landing Park to enjoy the dancing, drumming, singing, storytelling, children’s games, crafts and feast.

For more information contact Kim Gallant at the Native Council of PEI (902) 892-5314 Ext. 234 or Brenda Bradford at (902) 621-0193.

A Message from the President and Chief

Dear Members:

As many of you are aware, the Native Council office has been assisting in coordinating and facilitating a series of “Community Circles” throughout the Zones of Prince Edward Island. The process is all leading toward a single “Island-wide” **community forum** on June 4th. This also provides the members the opportunity to raise any issues or concerns which will help to guide the Executive in the areas of policies, guidelines and related initiatives. Remember to take advantage of this opportunity to have your voice heard.

The Native Council Executive has been quite busy recently in tripartite negotiations with the federal and provincial governments, to include such issues as **economic development, environment and traditional knowledge, health, and housing** issues, as these are major concerns for Aboriginal People of PEI. We have met with the Federal Negotiator to discuss our involvement in a comprehensive land claims process; with Parks Canada to talk over our participation in management of Parks lands and resources; and continued our judicial review of the wrongful decision to remove the Aboriginal Human Resource Development Agreement (AHRDA) from our office (contrary to what many are saying), the Native Council is **not** suing the Mi’kmaq Confederacy or the Bands. In the past, AHRDA funding has been used cooperatively with Native Council or Band projects.

A resolution coming from the floor of a past Annual General Assembly (AGA) was to revitalize the organization. Through assistance from Canadian Heritage, an **evaluation** of the organization was conducted. This **revitalization** includes participation of the membership. Other discussions will include a **citizenship** process. This also includes the participation of the membership. All these processes will result in a stronger organization.

We are working to increase our capacity both internally and externally. NCPEI continues to meet, network, and develop partnerships with various government departments, institutions, and organizations, to **promote and advocate** on behalf of off-reserve Aboriginal People residing in the traditional territory of Epikwitk. These include Aboriginal issues that comprise our Aboriginal identity, including the fundamental activity of the **fisheries**. This is an **opportunity** to voice your opinions.

Throughout the past year we have faced many challenges. We have remained on the strong path of our resolve - *to advocate for off-reserve Aboriginals, nationally, regionally, and provincially*. As we strongly move forward, we do not wish to leave anyone behind, that is why it is important to have your **participation** in our organization.

Jamie Gallant
President and Chief

Band Council Procedures - Band Council Resolutions (BCRs)

Does my Band fall under the Indian Act?

Decision making procedure

The most obvious question would be: Does my Band (Chief and Council) fall under the Indian Act as far as how the Band conducts business (Band Council Procedures)? That would depend if your Band negotiated a self-government agreement where those would be addressed, or whether your Band falls under a Custom Election Code that also addresses procedure. If your Band does not have a self-government agreement, then you probably fall under the Indian Act Band Council Procedure Regulations. If your Band has a Custom Election Code that does not address Band Council procedure, then you probably fall under the Indian Act Band Council Procedure Regulations.

Self-Government Agreements

Under the federal self-government policy Indian governments can negotiate agreements that do not undermine federal or provincial jurisdictions. These are sometimes a part of a comprehensive land claim where underlying Aboriginal Title is addressed through what is termed as 'certainty,' the certainty being that the Aboriginal title and Aboriginal rights tied into that land are terminated but compensated in money or co-management agreements. In a self-government agreement the Band (or the legally defined First Nation) can define how they elect their leadership, and how their decision-making procedures would occur.

Custom Election Codes

A Custom Election Code removes the Band from certain sections of the Indian Act that determine how Bands conduct their elections. It is important not to confuse a *customized election code* with *customary practice* as these are not the same thing. A Custom Election Code sets out the process to elect the Chief and Council, from the selection of the Electoral Officer, the time/place/length of the nomination meeting, who can vote - who can run, the term of office, and an appeal process. Sometimes, Bands being proactive in their moves toward self-government (not necessarily an agreement) will also address Band Council procedure in their Custom Election Code. If your Band falls under Custom but does not address Council procedure, it does not mean that **Band Council Procedure Regulations** of the Indian Act do not apply.

Indian Act Band Council Procedure Regulations:

- clearly indicate the Chief must call a duly convened Band Council meeting within one (1) month after the election;
- notice must be given to each member of council of the time, date, and place of the meeting;
- no member of Council can be absent more than three consecutive meetings of Council without permission;
- the Chief or Superintendent of Indian Affairs can call a *special* meeting of Council when requested by the majority of Council;
- *majority* of Council constitutes *quorum*;
- the Chief or Superintendent will act as *chair* of the meeting;
- resolutions are presented by a mover then seconded, discussed, then a vote is called;
- all questions are decided by majority of Council;
- the presiding officer (chair) is not entitled to vote unless there is a tie vote;
- if there is personal interest by a member of Council they can be excused from the vote;
- a refusal to vote is considered as a vote in favour;
- the recording secretary records the vote;
- regular Band Council meetings are open to Band members;
- anyone who causes a disturbance can be removed by the presiding officer (chair);
- any representative of the Department of Indian affairs can address the Council meeting.

These are not exact wordings of the actual regulations, but are some of the more important ones.

Accountability & Transparency

In recent years there have been many requests for Band governments to become accountable to their Band members. There have been requests to provide Band members with minutes of Band Council meetings, Band Council Resolutions (BCRs), and Band financial information/audits. There have also been requests for Conflict of Interest Guidelines. Under these guidelines it clearly indicates that members of Council must state their interest in any decision that may directly benefit their immediate family such as husband, wife, mother, father, brother, sister, son, or daughter. In that event they must remove themselves from the vote. If they benefit directly in a decision, they may be in breach of trust, and subject themselves to litigation by Band members. Band members may

pursue the member of Council's assets located on reserve in these types of lawsuits.

Band Council Governments - Evolution of First Nation Governments

Traditional Forms of Government

Indian societies resided together in small groups and moved together to access available resources according to annual cycles of harvesting. Leaders spoke on behalf of the group and were selected based on their knowledge and experience. The most eligible person to lead was usually chosen from a certain lineage that provided leaders, or they had proven they were competent leaders. Their task was to maintain internal social order and organize hunting parties. An alternative served as leader during times of conflict.

European Contact & Colonial Governments

After European contact the role of leadership began to evolve. The *trading chief* came into existence to mediate between traders and his own people and to distribute trade goods among his people. Their height of power was during the fur trade. These colonial governments invented the *government chief* and *band councils* in order to handle Indian Affairs, based on the municipal model, with anticipation that Indians would adopt these forms of governance.

Band Councils, the Community, & Indian Affairs

Governments would only deal with Band Councils as they had to deal with some form of formally constituted body that represented the band. Band Councils *were not* created by Indians, were imposed upon them, and did not incorporate Indian precedent or social organization. Indian Bands gradually adopted the management of reserve lands, Indian revenue monies, and the ability to pass money bylaws. Community definitions can be explained as notions of emotional identification, or as self-contained structures of relationships that connect people. Sometimes, families and social relationships crossover the usual geographical boundaries. Some Band Councils serve as an extension of the INAC bureaucracy itself, resembling a crown corporation, providing a mere rubber-stamp to bureaucratic decisions and leaving the public without a voice in the decision-making process.

Internal Division

With conflicting interests that result in division within the community, this does not deny a central group that poses to speak on the behalf the community. Stratification results in lower classes perceiving the *richer Indians* as not being truly *Indian*, while the richer class is seen as not providing for equality. The poorer class tends to value traditional values, and are usually against ideas of majority rule. A community without a central focal point tends to follow along the division lines and does not bring the community together. This communal split follows along those factional lines, or along those of family groups.

Roles of Council

Band Council serves as a representative for the band government when dealing with other governments. It coordinates activities and serves as directive in function. Routine administration of social assistance, education, roads/capital, etcetera, are another function. These roles do not provide for a public consensus, and the elective system is seen as bringing out the community divisions and factions. Those that exceed in office of Band Council are usual those people who are inoffensive and someone who is unlikely to alienate outsiders or Band members. Where Bands have more control over monies, resources, and do not resemble an extension of INAC, they are more apt to resemble a municipality.

Dealings with INAC

INAC is more prone to work with Councils that are progressive in leadership, rather than those that are more traditional or conservative in nature. Bands are exclusively the jurisdiction of the federal government. Though Bands obtain provincial grants or programs, they are not a provincial responsibility.

The above information was appropriated from the Hawthorn Report which was drafted in October 1967. How much of this still exists in your community?