

June 24, 2009

Office of the President and
Chief Executive Officer

Cabinet du président
et chef de la direction

Hon. Chuck Strahl, P.C., M.P.
Minister of Indian Affairs and Northern Development and
Federal interlocutor for Métis and Non-Status Indians
10 Wellington St.
Gatineau, Quebec
K1A 0H4

Dear Minister:

Earlier this month, the Canadian Chamber's Board of Directors endorsed two policy resolutions referred to it for consideration by the accredited delegates to our 79th Annual General Meeting. These resolutions, which fall within your portfolio, are in addition to those I forwarded to you earlier this year in the attached letter and now are part of our policy mandate.

Improving First Nations' Access to Resources for Economic Development: Improved land tenure certainty would enhance the business climate for First Nations and their economic development potential. Land tenure certainty is the bedrock of the investment and financial markets. Its absence has deterred investment and greatly lowered land values on First Nation lands.

The Canadian Chamber of Commerce encourages the federal government to develop systems and legislation to improve land tenure certainty and registration on First Nation lands, ensuring they are available in an optional framework for interested First Nations.

Aboriginal Treaty Negotiations: The most serious issue for the business community associated with treaty negotiations is that third party compensation not be compromised in the quest to achieve final treaty settlements. The Canadian Chamber of Commerce recommends that the federal government work with the provinces and territories to develop a compensation policy to ensure that third parties holding specific rights on lands are provided with fair and timely compensation if their rights are directly affected by treaty settlements or pre-treaty settlements.

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The full text of these resolutions is attached.

Sincerely,

A handwritten signature in black ink, appearing to read "Perrin Beatty". The signature is written in a cursive style with a large initial 'P'.

Perrin Beatty
President and Chief Executive Officer

cc: John Duncan, Parliamentary Secretary to the Minister of Indian Affairs
and Northern Development

Michael Wernick, Deputy Minister, Indian and Northern Affairs

Attachments



Ministre des Affaires indiennes et
du Nord canadien et interlocuteur fédéral
auprès des Métis et des Indiens non inscrits



Minister of Indian Affairs and
Northern Development and Federal Interlocutor
for Métis and Non-Status Indians

Ottawa, Canada K1A 0H4

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The Honourable Perrin Beatty, PC
President and Chief Executive Officer
The Canadian Chamber of Commerce
360 Albert Street, Suite 420
OTTAWA ON K1R 7X7

Dear Mr. Beatty:

Thank you for your letter of June 24, 2009, addressing your Board's recent resolutions with respect to First Nations' access to resources for economic development and Aboriginal treaty negotiations. I am pleased to continue my dialogue with chambers of commerce across the country on issues of importance to Aboriginal peoples.

It was my pleasure to announce, the creation of a new Federal Framework for Aboriginal Economic Development, on June 29, 2009, which I believe takes important steps to enable Aboriginal peoples' full participation in the Canadian economy. Central to the Framework is access to, and economic activation of, lands by First Nations. I have enclosed a copy of our recently published guide to the Framework for your information.

The Government of Canada has identified \$200 million over the next four years to support the implementation of the Framework. These investments are targeted to remove existing barriers to economic development for Aboriginal peoples and promote Aboriginal entrepreneurship, Aboriginal human capital, and the forging of new and effective partnerships between Aboriginal entrepreneurs, communities, Corporate Canada and other levels of government.

A key element in developing the Framework, and in identifying the investments to be made over the next four years, has been stakeholder engagement. The Government of Canada will continue to have discussions with all stakeholders as the Framework is implemented in order to assess whether these new initiatives are achieving the goals they are intended to.

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Improving First Nations' Access to Resources for Economic Development

The Framework acknowledges that improved access to resources for First Nations requires three elements: access to land, access to capital, and infrastructure. Funding for the implementation of the Framework will take immediate steps to address the first two of these issues. By accelerating Additions to Reserve, particularly in Saskatchewan and Manitoba, First Nations will have access to more land targeted at economic development, and greater title certainty over that land. By extending and expanding the Major Resource and Energy Development fund, First Nations – and all Aboriginal communities – will have much needed access to capital, enabling them to become partners in resource and energy development projects.

As the Framework is implemented, federal programs – particularly at Indian and Northern Affairs Canada – will be refocused to assist First Nations with infrastructure, and to ensure that more interested First Nations can accede to the *First Nations Land Management Act*. Accession to the *First Nations Land Management Act* will enable these First Nations to develop their own land codes, and manage their lands in order to maximize economic development. These actions build on successful implementation of the *Specific Claims Tribunal Act*, which has accelerated access to land for some First Nations, and recent investments in First Nations' infrastructure by the federal government through Canada's Economic Action Plan.

We share your interest in improving land tenure certainty and registration on First Nation lands. For the past three years, Indian and Northern Affairs Canada has assisted the First Nations Taxation Commission in exploring means for modernizing land tenure arrangements on reserve. The Department has been in contact with officials in your Parliamentary Affairs Unit to share research findings. The Department will continue to work with First Nations to create greater land title certainty and improve systems for registering legal interests in First Nations reserve lands.

Furthermore, the Government of Canada shares your interest in ensuring that comprehensive claim settlements bring clarity to land ownership and create stable environments for economic development. For this reason, the Government strongly supports the negotiation of land tenure regimes that provide for Aboriginal-owned lands to be held in full ownership or fee simple by the Aboriginal group and the establishment of effective land registry and land survey systems that take into account administrative efficiencies, the capacity of the Aboriginal group, and the integrity of provincial/territorial land registry systems and the provincial/territorial and federal land survey systems.

Aboriginal Treaty Negotiations

Your letter and enclosed policy resolution also highlight the important issue of third-party compensation in the context of Aboriginal treaty negotiations. Canada is committed to compensating third-party interests that are negatively impacted by comprehensive land claim settlements. The Government's existing comprehensive claim policy states clearly that third-party interests will be respected and dealt with equitably if affected by claim settlements. In particular circumstances, the Government of Canada has agreed to share the cost of third-party compensation with other provincial governments. However, depending on the nature of the land or resource right in question, the primary responsibility for compensation may rest with the provincial or territorial governments.

I trust that you will find this information to be helpful.

Sincerely,

A handwritten signature in black ink, appearing to read "Chuck Strahl". The signature is fluid and cursive, with a large loop at the end.

Chuck Strahl

Encl.

c.c.: Mr. John Duncan, MP