

**RECOMMENDATIONS  
OF THE ABORIGINAL CAPACITY WORKING GROUP**

**Working under Theme Three of Canada's 2003-2008 National Forest Strategy**

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## **PREAMBLE**

Today, after over 20 years of significant ongoing investment in Aboriginal capacity for the forest sector, the gap remains. Capacity building continues to be a major component of strategic discussions for advancing Aboriginal Peoples' rights and participation in the forest sector. Although increases in some aspects of capacity can be detected (e.g. more Aboriginal people entering post-secondary schools in general, and increasing First Nations access to timber quotas), in other areas there may actually have been a loss in capacity (e.g. the precarious status of many First Nations languages and the increasing separation between young people and cultural ties to the land). Poverty is still widespread in Aboriginal communities.

Capacity building efforts to date have been subject to inconsistent implementation: Some have succeeded, while others have not, particularly at the community level. This document provides an overview of what the Aboriginal Capacity Working Group has learned about capacity building for Aboriginal Peoples' rights and participation in the forest sector. This includes a set of principles and broad recommendations, to be considered as a whole. Further discussion of the ideas presented here is found in the Aboriginal Capacity Working Group's discussion paper of March 2007, "Building the capacity of Aboriginal Peoples in the forest sector: Rationale, Models, and Needs".

Implementation of these recommendations will require the good-faith collaborative efforts of Aboriginal communities and their organizations, federal and provincial/territorial governments, industry, academics, and other non-governmental bodies.

### ***Vision of the Aboriginal Capacity Working Group***

The Aboriginal Capacity Working Group envisions Aboriginal Peoples possessing the necessary capacity to realize their full potential, aspirations, rights, responsibilities and values. It sees Canada and Aboriginal Peoples working in partnership to ensure full, effective Aboriginal participation in the forest sector. These efforts will result in mutually beneficial relationships among all members of Canada's forest community.

### ***Definition of capacity***

At the Aboriginal community level, capacity includes the broad abilities to design communal responses to environmental and natural resource management issues, seize the opportunity to improve community socio-economic conditions, and develop strategies to protect and enhance the community's varied interests – traditional or contemporary.

Capacity includes a set of assets or resources available to a community; the socio-political conditions that present opportunities to develop and apply the assets or resources as a means to increased community well-being; and the outcomes that are achieved relative to community aspirations. All of these components are integral to Aboriginal capacity building.

## ***Principles of effective capacity building***

These principles of effective capacity building should be taken into account in addressing any of the recommendations that follow.

- 1.** Because Aboriginal and treaty rights are held collectively, the vision of the Aboriginal Capacity Working Group is a vision of *community*-level capacity. One challenge is how to ensure that individual capacity also contributes to community capacity.
- 2.** Aboriginal Peoples hold the primary responsibility for building their own capacity, but they must be financed and resourced to take this role. More importantly, institutional barriers to the exercise of their primary responsibility must be removed.
- 3.** Distinctions between different Aboriginal groups need to be understood, respected, and accounted for in capacity-building initiatives. Different Aboriginal Peoples, and different communities within those Peoples, present distinctly different opportunities and challenges for capacity building.
- 4.** The process of Aboriginal capacity building needs to be a society-wide process. All parties have something to contribute, and all parties need to increase their capacity in some areas.
- 5.** Aboriginal capacity is a key component of society's shared interests in forest sustainability. Without increased Aboriginal participation in the forest sector, our society will be less capable of meeting its ecological, social, and economic goals.
- 6.** Cultural fit is key in any capacity-building initiative. Culture is a capacity resource to be built upon.
- 7.** New capacity builds on the foundations of existing capacity. The first step is to recognize the existing capacity of Aboriginal communities and their organizations.
- 8.** Capacity building initiatives need to be specific about what aspects of capacity are being addressed. Potential areas of focus include human resources, financial resources, culture, institutional arrangements, infrastructure, social capital, natural capital, knowledge systems, and others.
- 9.** A holistic approach is needed. Any capacity building initiative is likely to focus on some aspects of capacity more than others, but all aspects must be assessed over time.
- 10.** Institutional arrangements are often the key barriers and opportunities for building capacity. Institutional change can strengthen relationships between Aboriginal Peoples and other parties.
- 11.** Strong Aboriginal organizations play an essential role in catalyzing capacity. They are the interface between community members and institutions. They use capacity and provide a home for it.
- 12.** Acquisition and sharing of knowledge and information are one of the most adaptable resources for capacity building.
- 13.** Traditional knowledge and the ability to apply and protect it are essential.
- 14.** A successful capacity building initiative demonstrates features of good development programs in general. It is responsive, participatory, transparent, equitable, accountable, consensus-oriented, effective, efficient, strategic, and measurable.

15. Leadership is critical. Effectively addressing the Aboriginal capacity challenge requires identifying and supporting community and organizational leaders directly.

## RECOMMENDATIONS

These recommendations are intended to be implemented in full consideration of principles given in the preceding section.

### ***Provide support for Aboriginal communities to develop and implement capacity building plans.***

Providing support for community-level capacity building plans is one of the best approaches to addressing a number of principles of good capacity building: a bottom-up process that tailors the efforts to community-specific needs; an opportunity to assert community responsibilities and effective leadership through their organizations; a systematic approach that coordinates funding and activities; an opportunity to compile and disseminate relevant knowledge and information; and a mechanism for the accountability of leadership, organizations, and communities. The development of a plan with effective community leadership also serves as a capacity-building exercise in itself.

The methods of good community-level planning are a topic for a whole separate discussion; here we can note some of the features that would probably be included in such plans.

- Develop a community vision and broad goals.
- Describe opportunities/threats in the forest sector, and related goals.
- Assess capacity needs relative to goals: institutional, cultural, human resources, access to forests, social capital, infrastructure and technology, and knowledge.
- Identify and apply existing capacity. Build on strengths and pool resources with other communities.
- Prioritize gaps between existing capacity and needs.
- Determine available support/partnerships from industry, governments, and non-governmental parties.
- Design partnerships and initiatives in the context of building for long-term capacity.
- Assess and act on opportunities to integrate forest sector activities with larger-scope capacity initiatives.
- Develop a method for tracking and assessing forest sector capacity in the community.
- Review and update frequently.

To a large extent, community capacity planning depends on effective, unbiased community leadership at both the community and amalgamated levels. A unified voice is key. Effective leadership and a legitimate capacity plan are the foundations for catalyzing the development of the institutions and organizations, with appropriate specifications of duties, roles, and responsibilities, to advance the development of capacity in a strategic manner. With these pieces in place, the attraction and development of high-quality human resources is expected to follow.

### ***Establish stable, flexible, and coordinated funding for Aboriginal capacity building in the forest sector.***

Effective capacity building takes time. This means that programming needs to be stable and predictable over extended periods. In some cases, stability of funding may be as important as the amount of the funding. Features of more effective funding arrangements include:

- Meaningful Aboriginal involvement in the development, support, and delivery of programs.
- The opportunity for multi-year funding agreements.
- Better coordination of existing federal and provincial/territorial programs. Industry participation is appropriate in the development, support, and delivery of some programs.
- Including community capacity-building as a component of all programming.
- Dedicated funding sources independent of the coming and going of political leadership and their programs. Revenue sharing and trust funds are two possibilities.
- Flexibility that allows communities to determine priorities that suit their specific situations, with a range of alternative support arrangements available.
- Accounting for the high “transaction costs” – communication and negotiation on a day-to-day basis – that generally attend Aboriginal forestry initiatives.

Consistent, unbiased political will from Aboriginal political leadership as well as from their counterparts in the federal and provincial/territorial governments is a key pre-condition for the establishment of effective funding arrangements.

### ***Increase Aboriginal access to forest resources. This process will probably require the creation of new types of tenure for this purpose.***

In some areas of Canada, the allocation of timber volume quotas to First Nations has increased dramatically in recent years. However, the types of tenures available are rooted in an industrial history that shares little with the traditional land ethic and practice of Aboriginal Peoples. Experience is showing that conventional tenures are not adequate to the distinctive cultures and rights of Aboriginal Peoples. Aboriginal community goals are not only financial profit, but also the exercise of Aboriginal and treaty rights and title, and the responsibilities these carry. Market and bureaucratic incentives do not work the same way for them.

It is appropriate to explore new formal tenure arrangements for Aboriginal access to forest resources.

### ***Develop a shared framework for measuring progress in capacity building efforts.***

Are existing capacity building initiatives successful? Do they need to be redesigned? How? Even in the absence of any other action to address the issue of capacity building, a framework for measuring progress in the building of capacity, incorporating the perspectives of all interested parties, should be developed. In contrast to capacity building programs, which may emphasize one aspect of capacity more than others, a capacity measurement framework needs to be more holistic and address the many different aspects of capacity.

### ***Develop education and training initiatives that respond to real opportunities, and support these initiatives by creating new opportunities (e.g. tenures).***

The focus of the Aboriginal Capacity Working Group is *community* capacity. However, capacity building for *individuals* is one of the most easily targeted and measurable approaches to this vision.

The individual has historically been the focus of most capacity building initiatives in Aboriginal forestry (training, re-training, employment support, and so on), but results to date have been poor in terms of community capacity. Too often, the individuals receiving support have not had a “destination” in the mid- to long-term (sometimes not even the short-term). Their skills and knowledge have seldom been capitalized upon by their communities. A holistic approach to capacity building would link education and training initiatives to the development of new opportunities for Aboriginal communities, in the form of institutional arrangements that secure increased and appropriate tenures, a more substantial role in land use planning, and so on. Capital funding and other types of support to Aboriginal individuals and their businesses should also be coordinated.

Ideally, all of this activity would be designed and implemented according to community capacity building plans as discussed above. At the same time, support throughout the education and extension system will be necessary, based on the mutual benefits that are envisioned as a result of increased Aboriginal capacity.

### ***Clarify the roles and responsibilities of Aboriginal communities, their governments, federal government, provincial/territorial governments, forest companies, and non-governmental parties in building capacity.***

Action Item 3.1 of Canada’s National Forest Strategy, 2003-2008, calls on signatory parties to: “Initiate processes with Aboriginal Peoples and appropriate levels of government for establishing: a shared and grounded understanding of Aboriginal rights, Aboriginal title and treaty rights; the roles and responsibilities of Aboriginal Peoples, governments and forest stakeholders; and measures to fulfill governmental fiduciary responsibilities and the legal duty to consult.”

Twenty-five years after the *Constitution Act, 1982*, and after a steady stream of major court cases that have decided directly on key issues, the roles of various parties in promoting Aboriginal forestry are still a point of major disagreement. The Aboriginal Capacity Working Group’s shared Vision Statement leads all parties to contribute something; however, most prefer to explain their

own roles as a question of mutual benefit, rather than legal responsibility. As a result, support for the rights and participation of Aboriginal Peoples has varied dramatically over time. This situation is doubly challenging for the Métis and non-status Indians.

The processes of developing mutual understanding and agreement will need to continue into the foreseeable future, because the issues and perspectives are rapidly evolving. Forums are needed to share perspectives among diverse parties and to seek to formalize areas of agreement.

***Explore options for developing a national-level team to promote and oversee implementation of the recommendations.***

The recommendations require a champion to promote and oversee implementation. There are several options for the structure and institutional home of this entity, but in any case it should be inclusive. In addition to promoting implementation of the recommendations, the proposed team would also be charged with the task of promoting networks to document and share experiences, lessons, and models for advancing the cause of Aboriginal Peoples' rights and participation in the forest sector.