

# Rocky road ahead for new relationship?

Businesses seek certainty over policy when inking deals

**T**he honeymoon may be over for the “new relationship.”

This relationship began in early 2005 in secret meetings between senior civil servants and leaders of the major aboriginal organizations in the province. By March 2005, it was reflected in the terms of a five-page, unsigned, confidential document containing a statement of vision, goals, principles and action plans.

The secret of the relationship soon leaked out, and by May last year, it had been embraced by the premier’s office, although the document remains unsigned.

This oft-quoted new relationship still carries a certain mystery about it. When referred to by government, it is usually descriptive of a new approach and new ‘relationship’ between the government and the aboriginal people of the province. A recent example was found in last month’s throne speech: “When we act with resolve and with common purpose, we succeed. Nowhere is that more apparent than in the new relationship we are forging with First Nations.”

Aboriginal people, however, tend to focus on the document itself – and tend to view it as an agreement with the government. Grand Chief Stewart Phillip, one of the key players in this new relationship, issued a news release stating that the **Union of BC Indian Chiefs** was “less than impressed” with the throne speech and noted “there still exists a huge gap between the current case law and the

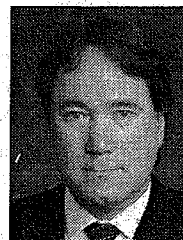
good words of the new relationship.”

In reference to it, Phillip noted: “We committed to work together to establish effective approaches for consultation and accommodation” as well as deal with such things as “resource revenue and benefit sharing,” and expressed

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concern that these have not been accomplished. Speaking at a recent conference, he expressed the frustrations of the union with an apparent lack of progress in the new relationship, and expressed that 2007 would be a critical year for it.

A similar view has been expressed by the **Unity Protocol First Nations**, which had 45 participating members by mid-January, representing approximately 25,000 aboriginal people in the province. One chief representing an aboriginal group that is part of the protocol expressed the opinion that, unless there is movement in the treaty process soon, many aboriginal groups may withdraw from it altogether, and suggested that



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blockades of roads and railways are a possibility

Whether the new relationship is properly characterized as a ‘relationship’ or an ‘agreement,’ the business community of B.C. will be directly affected by its success or failure. As observed by Phillip, to date there has been no discernable development on either of the two issues that are key for the business community and the aboriginal people, and that were heralded as “action plans” in the new relationship document. These are:

- the development of an effective procedure for consultation
- a policy concerning revenue sharing of resources.

The failure of the province to provide certainty in these areas is already resulting in significant additional costs and delay for those carrying on, or wishing to carry on, business in this province.

Some businesses have the choice of electing to carry on elsewhere, where these concerns of uncertainty and delay are not present. The recent postponement of **Enbridge’s** multi-million dollar Gateway pipeline project in that face of uncertainties relating to opposition from

aboriginal groups in B.C. may be a notable example of this. Many decisions, however, to shy away from doing business in this province will be made without anyone being aware of it, apart from those people making the decision.

Decisions on whether a commercially viable project should go ahead in this province should be made by the government – or the government and aboriginal people acting together – based on appropriate environmental and societal considerations. Projects should not be lost by default because of delays resulting from the lack of a proper consultation process, or uncertainty resulting from the lack of an agreement on how the resources of the province should be shared.

Whether the new relationship will prove to be a catalyst for positive change, or will be seen as having created ultimately unachievable expectations that resulted in further discontent and uncertainty, remains an open question at this time. ♦

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