

Opinion Editorial regarding Bill S-6, Yukon and Nunavut Regulatory Improvement Act

Over the last two weeks, Yukon First Nation leaders have met with the Yukon Premier, the Yukon Member of Parliament, and the federal Minister of Aboriginal Affairs and Northern Development, and none have expressed any intent or interest in working with Yukon First Nations to amend or withdraw Bill S-6 in order to resolve our concerns. We have made those concerns very clear to the Minister.

When we were invited to Ottawa, we assumed this was a sign of good faith and willingness to sit down and work together to address our concerns. Instead we were lectured about how good the amendments to YESAA would be, and to hear that the Minister does not view Yukon First Nations as governments. For years, the Courts have directed public governments to abandon their practice of narrow and literal interpretations of our treaties, yet the Minister continues to apply such an interpretation. How constructive is it to the goal of reconciliation that the Minister dares Yukon First Nations from the floor of the House of Commons to use the courts? When Yukon First Nations signed our treaties, it was expected that a new relationship based on respect and equality would be developed. It is disappointing that the Minister has taken such an adversarial position. This approach will only lead to conflict, uncertainty and worsen the social and economic outlook for the Yukon.

The Minister is inviting First Nations to meet again, and as the Yukon MP states, to provide him with fact-based evidence to consider. Has there been a change of heart or a sudden recognition that Yukon First Nations are equal partners to the treaties? Will he commit to finding a mutually agreeable outcome in order to help restore the integrity of our relations and preserve the social and economic stability in the Yukon? We welcome dialogue that is respectful of the founding principles of our treaties and consistent with the Honour of the Crown. We have yet to see any demonstration of this despite our continued efforts to provide reasoned and detailed explanations how four of the amendments within Bill S-6 are problematic and inconsistent with the spirit and intent of our agreements. Yet we remain hopeful for a constructive government to government engagement before any amendments to our development assessment legislation is passed.

To be clear, Yukon First Nations do not support Bill S-6 in its current form. The four changes that all eleven self-Governing Yukon First Nations oppose form a significant portion and substance of the Bill and are arise from recommendations by Yukon Government and Canada after the conclusion of the Five-Year Review, and by a consultation process that was flawed and inconsistent with the Crown's constitutional duties owed to Yukon First Nations. The proposed changes will fundamentally alter the development assessment regime; they will change the balance of power among the Parties to the Final Agreements; they will undermine the independence and autonomy of our assessment board; and they will not result in the Yukon being more competitive. There is no compelling evidence that these amendments are necessary and, in our view, they will put our environment, our economy and our communities at risk.

In closing, we invite anyone to visit the CYFN website which sets out information that you can access to review the facts. There has been a considerable amount of misleading and incorrect information stated by elected officials in Ottawa and Whitehorse as reported through the media. We have produced new fact sheets and updated several documents for the public to view. Please visit:
<http://www.cyfn/services/yesaa>

Council of Yukon First Nations Grand Chief Ruth Massie
Little Salmon Carmacks First Nations Chief Eric Fairclough
Spokespersons for Yukon First Nations on Bill S-6