BUILDING CAPACITY OF ABORIGINAL PEOPLES IN CANADA'S FOREST SECTOR:
RATIONALE, MODELS, AND NEEDS

A Discussion Paper

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This discussion paper has been developed out of work by a multi-party, consensus-based team formed with the purpose of promoting the implementation of Theme 3 of Canada's 2003-2008 National Forest Strategy (the Aboriginal Capacity Working Group of Thematic Team 3). Dozens of organizations – Aboriginal organizations, provinces, federal agencies, academics, and others – have contributed to discussions over the course of ongoing meetings, teleconferences, internal polls, and draft discussion pieces. While the present paper cannot claim to be a consensus document, the author has striven to represent the various perspectives around the table in as fair a manner as possible, all the while seeking the common ground that will serve to catalyze strong collective action in the future.

This paper owes almost all of its content to the combination of a literature review with the various perspectives Team 3 members. This is the "we" in the text, although any shortcomings of the paper should be attributed to the lead author. In particular, I would like to thank Pamela Perreault, Marc Stevenson, and Peggy Smith for their review, comments, and direction over the course of the writing. I believe we have achieved a significant step forward for understanding the issues.

Executive summary

Introduction

Theme Three of the National Forest Strategy 2003-2008 (NFS), "Rights and Participation of Aboriginal Peoples", recognizes the need to: "Accommodate Aboriginal and treaty rights in the sustainable use of the forest recognizing the historical and legal position of Aboriginal Peoples and their fundamental connection to ecosystems." At the same time, Theme Three also notes that achievement of this objective depends on overcoming the problem of capacity building: "The lack of technical, human and financial resources and the lack of appropriate policy frameworks make it difficult for Aboriginal peoples to participate in forest management and forest-based economic activities." (NFSC 2003: 14-15) This discussion paper is part of an ongoing effort by members of Thematic Team Three (Team 3) – a multi-party, consensus-based process to promote implementation of the Theme – to develop understandings and strategies that will practically address the challenge of building capacity to support the rights and participation of Aboriginal Peoples in the forest sector. The Aboriginal Capacity Working Group of Team 3 has come together around a common vision:

> **The 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.**

A key feature of this Vision is that the benefits of a successful capacity-building strategy at the national level and other levels will accrue to both Aboriginal and non-Aboriginal Peoples of Canada. This is the primary driving force behind the present paper.

What is special about Aboriginal capacity building?

Although many capacity-building challenges and solutions are shared between Aboriginal and non-Aboriginal communities, there are also several aspects that are unique to Aboriginal Peoples. They experience higher levels of poverty and are subject to an antiquated and unjust institutional structure. They possess a unique legal status and aspire to self-governance that is consistent with that status. Their cultures are distinct. Owing to these various distinctive aspects of Aboriginal Peoples, their strengths and weaknesses tend to be found in different areas than those of non-Aboriginal communities and their governments.

The importance of the forest to Aboriginal Peoples

The forest is an integral part of the language and culture of Aboriginal peoples. For this reason, there is currently a unique opportunity to pursue new approaches to economic development in the forest by placing it within the context of culture and identity. A key aspect of Aboriginal Peoples' relationship to the land and land-based economic activity is the question of governance.

Benefits to society-at-large from Aboriginal participation in the forest sector

Consistent with the Aboriginal Capacity Working Group's vision of mutual benefit from Aboriginal capacity building, it is important to review the many benefits to society-at-large from increased accommodation of Aboriginal People's rights and participation in the forest sector. In general, increased well-being of Aboriginal communities translates to increased and more sustainable economic productivity of Canadian society as a whole. More specifically we note the following:

- Human resources benefits to industry: It is becoming increasingly well known that the forest sector faces a predicted shortage of professional, technical, and labour workers. Furthermore, there is considerable competition for employees among all of the resource sectors in Canada. At the same time, it is also well known that the Aboriginal population of Canada is undergoing a boom. Clearly, Aboriginal youth have the potential to respond to the human resources challenge that the industry faces.
- Improved diversification and competitiveness of the forest sector: Increasing the participation of Aboriginal Peoples in the forest sector through culturally driven economic development can increase the ability of the sector to take advantage of a greater range of opportunities, not only in terms of conventional timber products but also in terms of non-timber forest products, ecotourism, and value-added manufacturing.
- Improved understanding of sustainable forests and forest management: Involvement of Aboriginal Peoples in research and decision-making about forest management can bring a broader range of knowledge to bear on the issues, including the use of traditional knowledge.
- Regulatory and social stability: Uncertainties about the future outcomes of efforts to consult and accommodate Aboriginal Peoples and their forest-related rights, in accordance with a continually evolving jurisprudence on the subject, pose a significant risk for forest sector companies and the governments seeking to attract their investment.
- Supporting the cost of self-governance: Improved access to lands, resources and resource revenues could finance at least some of the costs of self-government.
- Fulfilling statutory and legal duties towards Aboriginal lands and people: The Crown has special duties towards Aboriginal lands and people, and promoting their involvement in the forest sector would address some of these duties.

What is Aboriginal capacity in the forest sector?

There is both a mutual incentive and the beginnings of an emerging political will to take bold steps for advancing the rights and participation of Aboriginal Peoples in the forest sector. However, a key challenge in this context is the issue of *capacity*.

Available general definitions of "community capacity" usually are variants on the definition found in Kusel (1996: 396): "The collective ability of residents in a community to respond to external and internal stresses, to create and take advantage of opportunities and to meet the needs of residents." Capacity is often analyzed in terms of various resources – also called capitals or assets – that a community can draw upon in order to meet its goals.

Resources for capacity, and mobilizing them

Adapting the typologies of capacity resources found in the literature to highlight key issues in Aboriginal forestry, Team 3 has developed the following list. These various types of resources are inter-dependent and overlapping, and cultivating one type of resource often requires addressing gaps in another type of resource as well.

- Human resources: for example, skills, knowledge, education, leadership ability
- Institutional resources: for example, governance and management systems
- Knowledge and extension resources: for example, databases, traditional knowledge systems, extension services
- Social resources: for example, interpersonal relationships, trust, community cohesion, networks
- Physical resources: for example, infrastructure, buildings, technology, roads
- Cultural resources: for example, evolving traditions, land ethic
- Natural resources: for example, forests, water, wildlife, ecosystems
- Financial resources: for example, capital and project funding

These resources should not be deemed capacity until they are actually mobilized to produce desired outcomes. A full picture of capacity and capacity building comes from considering the entire process of cultivating resources, mobilizing them, and achieving results. In the case of Aboriginal capacity building, special features of the process that need to be taken into account include the foundational components of Aboriginal and treaty rights and title, institutional frameworks, and political will.

Given the need to mobilize resources before they can become, a key question arises: **To what degree is the capacity building challenge for Aboriginal Peoples in the forest sector to be characterized as a need to build resources of various kinds, as contrasted with a need to apply the resources that already exist as unrealized potential?**

In discussions of capacity building for Aboriginal Peoples, the assumption is often that it is only the Aboriginal communities or organizations that lack capacity. This is false. The Aboriginal Capacity Working Group views the capacity challenge as a need for mutual development among Aboriginal and non-Aboriginal parties. Therefore, action to address Aboriginal capacity gaps will need to account for two needs:

- finding ways of recognizing and applying the existing capacity in Aboriginal communities
- designing programs that develop Aboriginal capacity in tandem with the capacity of non-Aboriginal parties

Systemic levels of capacity

While Team 3 is primarily focused on building community capacity, it is important to realize that success at the community level will also involve interactions with other levels of society. The individual, organizational, regional, provincial, national, and international levels all can be either a source of support or a barrier to making progress.

A brief survey of Aboriginal capacity needs in the forest sector

At a broad level, we may distinguish the capacities to *engage* and to *represent*.

1. Capacity to **engage**: The capacity to engage refers to the ability of Aboriginal peoples to take advantage of opportunities that present themselves in the form of existing tenures and businesses, established roles in land use planning processes, and so on.
2. Capacity to **represent**: The capacity to represent refers to the ability of Aboriginal peoples to address deeper issues of exclusion, institutional failure, and accommodation of Aboriginal and treaty rights and title by effectively understanding and communicating their community and organizational identity, values, and vision to non-Aboriginal parties, to other Aboriginal groups, and for themselves.

More specific functions for which capacity is needed include the following:

- assuming control of forest management for Indian forest lands.
- entering into contractual and co-management agreements with provincial governments for resource management of Crown lands.
- entering into contractual or joint venture arrangements with industry.
- developing, implementing, and managing new resources management regimes through the settlement of land claims and the institutionalization of Aboriginal self-government.
- obtaining employment with non-Native companies.
- developing new business enterprises in the forest sector reflecting market trends for forest products and services.

Specifically with regard to establishing self-governance, we identify the need for:

- establishment of law governing people’s use of the forest.
- forest land management planning and codes of practice.
- harvest allocation and enforcement.
- revenue generation and distribution of benefits.
- institutional and human resources development.

- compensation for losses and dispute resolution.

Recently, the Crown's duty to consult has become the subject of especially intense speculation, negotiation, and policy development. Unfortunately, the lack of human, financial and institutional resources for Aboriginal communities and organizations to engage effectively and with full information in such processes often leads to delays, misunderstandings, and mistrust among all parties, including the mainstream forest industry.

In the context of Aboriginal governments and political organizations, often a single person is charged with maintaining most of the functions given above. The job description of an "Aboriginal forester" is not that of a specialist, but rather of a generalist requiring an extremely wide range of skills. Furthermore, this individual often is forced to develop a forestry department from scratch, with little infrastructure or systems to build on.

Status and needs of Aboriginal Peoples relative to the eight resource types

Human resources

Human resources have been one of the major areas of focus for capacity building initiatives to date – both in the form of training and educational programs and in the form of funding to hire qualified staff, usually from outside a community. However, when focusing at the community level as this paper does, the question arises as to how the building of *individual* capacity through human resources development can be expected to contribute to *community* capacity. Two aspects of this relationship merit discussion in an Aboriginal forestry context:

- Rental capacity: It is common for an Aboriginal community to resort to retaining outside consultants in order to address their capacity needs. This "rental capacity" certainly can have its benefits for the community over the short term, and it may even be a springboard to raising awareness, providing training, and developing organizations that are a lasting legacy. However, too often this is not the case.
- The brain drain: In this scenario, an individual in the community receives education and training in, for example, geographic information systems (GIS). Yet when the training is complete, there are no job opportunities, much less well-paid ones, in the Aboriginal community, its organizations, or its government. The individual eventually finds work with a non-Aboriginal organization.

The linkage between individual and community capacity is often found in institutional arrangements, such as a capacity building plan that includes initiatives to gain access to timber resources and the economic development those tenures would support.

The various types of human resources that Aboriginal communities and organizations require comprise a list that is as long as the list of functions given above, if not longer. Some of the categories are as follows.

- Professional Foresters: In almost all provinces, at least some of the functions listed above require a formal professional designation when they apply to provincial Crown land. In 2003, there were only 17 Aboriginal RPFs, as well as 46 individuals with a forestry degree but not the formal designation.

- Other natural resources and environmental personnel: While RPFs are a key role player in sustainable forest management, with ultimate responsibility for much of the planning process, most of the functions listed above do not strictly require a professional designation. We have also made the point elsewhere in this paper that existing institutions for forest management are themselves also in need of revamping. Part of this process might include recognizing and granting authority to a wider range of knowledge-related achievements, including traditional knowledge holders. In addition, a range of technical roles need to be filled for Aboriginal communities and organizations. These include forest technicians, geographical information systems technicians, and similar roles.
- Other human resources: While individuals with expertise specific to forestry and other natural resources and environmental fields are obviously a great need in Aboriginal communities and organizations, there is also a long list of needs for knowledge and skills that cut across almost all sectors. Entrepreneurs, business administration specialists, public administration specialists, human resources managers, and a range of clerical and other support professionals and staff are needed.
- As the foregoing implies, focus on higher-level qualifications of human resources is a priority for at least two reasons: (1) the formal recognition grants certain privileges, power, and credibility that would serve Aboriginal communities well, both internally and in their interactions with external players; and (2) these individuals would be in a position to develop initiatives to put in place additional needed pieces of the capacity puzzle.
- Other forest workers: In addition to post-secondary education, there are a number of other human resources needs. For example, training and recruitment efforts are needed for forest workers such as fallers, machine operators, silviculture workers, and truckers. However, the caution is noted again: Without efforts in a number of other areas, such as access to timber resources and institutional development, these kinds of efforts are likely to repeat the pitfalls of much experience to date in that most expected jobs are either temporary or located outside the community.
- Leadership: Perhaps one of most challenging needs under the human resources heading is the need for leadership in the forest sector. Today's leaders need to acknowledge and act on the great importance of the forest for both the culture and the economic development of Aboriginal Peoples. They need to do this through a model that sustains the effort over time in an unbiased manner. Good leaders need to be identified and supported directly.

Institutional resources

A First Nation's forestry office or a Métis-owned forest company is not a self-sufficient unit. These bodies operate within a socio-economic and institutional context, and that context determines the opportunities and constraints upon their activities.

In contrast with almost all other groups in Canada, First Nations deal on a day-to-day basis with two distinct regimes for natural resources management: the **federal** regime for Indian reserve lands management and the **provincial** regime for Crown land management.

On provincial Crown lands, key institutional challenges for *all* Aboriginal groups are (1) to secure access to timber and other forest resources in landscapes that for the most part are already

completely allocated to non-Aboriginal parties; (2) to develop forms of tenure and associated instruments that accommodate and are appropriate to the unique rights, cultures, and perspectives of Aboriginal Peoples relative to forests; and (3) to establish a clear and leading role in decision-making and governance of land use such as planning processes, consultative protocols, and so on.

On Indian reserves, the institutional challenges are very different: The primary jurisdiction lies with the federal government, and by comparison with provincial lands the institutional regime is severely underdeveloped. First Nations are demanding and DIAND is beginning to develop mechanisms for granting greater self-governance of reserve lands. However, this institutional trend actually increases the demand for other resource types in order to discharge new authorities.

Knowledge and extension resources

Aboriginal Peoples need access to both traditional and techno-scientific knowledge and information, in order to develop appropriate positions, management techniques, and arrangements regarding forest management. Even where a community's traditional knowledge may be strong, the capacity is often lacking to make this knowledge available to forest management discussions while simultaneously protecting it. Needs in the area of knowledge and extension include the following.

- research project personnel and funding
- land and resources inventory and mapping databases and management systems
- on-demand extension and research support organizations
- data-sharing partnerships and protocols with non-Aboriginal research organizations, governments, and forest companies (universities, extension services, etc.)

Social resources

In the context of Aboriginal Peoples' rights and participation in the forest sector, key issues under the heading of social resources include socio-political unity of purpose, effective leadership, and community identity. This type of resource, while a central theme of the capacity literature, overlaps strongly with the Aboriginal Capacity Working Group's resource types of institutional capacity and cultural development.

Physical resources

One obvious additional area of capacity need is physical resources, including technology. Public infrastructure such as roads, hospitals, and schools are shared with many other sectors. In recent years, a new concern regarding the infrastructure of remote Aboriginal communities has been access to the internet and the increased capacity for communications and information sharing that it can deliver.

Cultural resources

Almost any well-designed actions to advance the rights and participation of Aboriginal Peoples in the forest sector have the potential also to support development of cultural resources. However, this is dependent on achieving the right cultural "fit" – that is, initiatives that deliberately build on the specific values and preferences of the targeted populations.

Natural resources

Across most of Canada's forested area, the present land base of Aboriginal communities is inadequate to support a thriving forest sector. Access to forest resources is a major concern for Aboriginal peoples as a foundation of economic development and self-sufficient capacity.

The other major need for capacity building in forest resources is to address the historical contamination and degradation of those resources to which Aboriginal peoples already have access. Aboriginal Peoples need to be leaders in the rehabilitation of forest lands, and this requires the capacity to do so.

Financial resources

Almost any action to address the capacity needs discussed in this paper would require significant funding to plan and implement. However, effective capacity building takes time. In many cases, stability of funding may be as important as the amount of the funding.

While Aboriginal Peoples, by culture and by their unique status in Canadian society, have the primary responsibility to take action in building their own capacity, they require support from non-Aboriginal parties to do this. Most importantly, a range of existing institutional barriers to Aboriginal communities and organizations raising their own financial resources need to be overcome.

Features of more effective funding arrangements include:

- The opportunity for multi-year funding agreements.
- Better coordination of existing federal and provincial programs. Industry participation is appropriate in the development, support, and delivery of some programs.
- 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.

Principles for effective Aboriginal capacity building

The following principles summarize what the Aboriginal Capacity Working Group of the National Forest Strategy Team 3 has learned about capacity building for Aboriginal peoples' rights and participation in the forest sector. Team 3 will use these principles as a basis for developing recommendations towards a national capacity building strategy for Aboriginal Peoples in the forest sector.

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 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 is built on the foundations of existing capacity. Recognizing the existing capacity of Aboriginal communities and their organizations is a critical first step.
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 they provide a home for it.
12. Acquisition and sharing of knowledge and information are one of the most adaptable resources for capacity building. This includes traditional knowledge and the ability to apply and protect it.
13. 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.
14. Leadership is critical. Effectively addressing the Aboriginal capacity challenge requires identifying and supporting community and organizational leaders directly.

Conclusion

The purpose of this discussion paper is to promote implementation of the action items that comprise Theme 3 of the National Forest Strategy of Canada, 2003-2008. What we find is that capacity is a wide-ranging concept that reaches into almost every aspect of Aboriginal Peoples' relationships with non-Aboriginal peoples and with the forest. The need today is great, and the potential pitfalls are many. While any capacity-building initiative will need to select specific areas of focus in a strategic manner, the outcomes of such initiatives nonetheless need to be assessed with respect to the whole of our model of capacity.

Team 3 intends to develop the ideas in this discussion paper further. One immediate need is for the question of roles and responsibilities of various parties to be clarified with respect to such a strategy, in a manner that is agreeable to all concerned. Team 3 is currently at work on an additional discussion paper to advance this issue. Out of this process, the intention is to produce consensus recommendations and to champion them in a range of relevant policy processes.

When a common vision and strategy is available to support Aboriginal Peoples in their lead responsibility for building their capacity to implement their rights and increase their participation in the forest sector, we may expect the benefits to accrue to all of Canadian society.

"Effective engagement of Aboriginal Peoples in natural resource management is a central and complex challenge to the future of Canada's boreal." (National Round Table on the Environment and the Economy, 2005)

"When First Nations and government decided that First Nations needed more lawyers, concrete steps were taken to make this happen. A university law preparation course, along with funding for participants, was established. The program acted as a bridge and increased the success rate for Aboriginal students wishing to pursue a law degree. The university law schools assisted by ensuring that there were seats available for Aboriginal students and that other resources were available to assist students. The result today is an adequate number of Aboriginal lawyers. The same approach was taken to increase the number of Aboriginal teachers and social workers. This is what has to happen on the lands and resources front." (A member of the Post-*Delgamuukw* Capacity Panel, 1999)

Introduction

Theme Three of the National Forest Strategy 2003-2008 (NFS), "Rights and Participation of Aboriginal Peoples", recognizes the need to: "Accommodate Aboriginal and treaty rights in the sustainable use of the forest recognizing the historical and legal position of Aboriginal Peoples and their fundamental connection to ecosystems." At the same time, Theme Three also notes that achievement of this objective depends on building adequate capacity: "The lack of technical, human and financial resources and the lack of appropriate policy frameworks make it difficult for Aboriginal peoples to participate in forest management and forest-based economic activities." (NFSC 2003: 14-15)[1] In short, capacity is lacking to ensure that Aboriginal Peoples' rights are given effect through forest-based activities.

To address these challenges, Action Item 3.4 of the NFS calls on the forest community of Canada to: "Direct federal and other available funding to support Aboriginal capacity building and participation in implementing the National Forest Strategy, through measures such as a renewed and expanded First Nation Forestry Program and the development of a parallel Métis forestry program, and in supporting Aboriginal participation in related local, regional and international meetings." Other action items of Theme Three also touch on specific aspects of Aboriginal capacity, such as developing mutual understanding among diverse parties; institutional

[1] These commitments are also reflected in the *Canada Forest Accord, 2003*, which is the signatory document that is the foundation of the NFS. In the *Accord*, the partiescommit to "Accommodating Aboriginal and treaty rights in the sustainable use of the forest in a manner consistent with constitutional requirements", while noting that, "The sustainability of Aboriginal and other forest-based communities rests on their ability to participate effectively in forest management."

development; forest management planning; access to natural resources and benefits from their use; and international trade relations. A full list of these action items is given in Appendix 1.

This discussion paper is part of an ongoing effort by members of Thematic Team Three (Team 3) – a multi-party, consensus-based process to promote implementation of the Theme – to develop understandings and strategies that will practically address the challenge of building capacity to support the rights and participation of Aboriginal Peoples in the forest sector.[2] The Aboriginal Capacity Working Group of Team 3 has come together around a common vision:

> **The 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.**

A key feature of this Vision is that the benefits of a successful capacity-building strategy for Aboriginal Peoples will accrue to all of Canadian society. This is the primary driving force behind the present paper.

However, capacity is not a simple concept to understand and apply. It is multi-faceted, comprising a range of resources and assets that an individual or group draws on to take action over time in specific socio-political contexts to achieve desired outcomes in terms of well-being and increased capacity. In this paper, we explore linkages between capacity building and achieving the shared goals of Canadian society with regard to the rights and participation of Aboriginal Peoples in the forest sector. A working model of the capacity building process is developed and then related to the specific challenges of Aboriginal forestry. These explorations are used as the basis for setting out a number of principles that describe how capacity building is likely to be most successful. Our purpose is to deepen the shared understanding of Team 3 and the members of the broader NFS Coalition as a means to encourage effective implementation of the NFS.

What is special about building capacity for Aboriginal Peoples?

Aboriginal communities and organizations share many of the same basic needs and concerns as non-Aboriginal people. Therefore, many capacity building approaches that have been found to be successful with the latter can also be useful in capacity building for the former. This is particularly true at the individual level (as opposed to the community or organizational level). Furthermore, both Aboriginal and non-Aboriginal groups find themselves subject to many of the same larger-scale influences, such as trends in global forest products markets, broad socio-political trends in Canadian society, and demographic and environmental trends.

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[2] The term “forest sector” is used broadly in this paper. We examine capacity building needs and strategies across the full spectrum of forest-related rights, planning, activities, policy, management, and so on. This includes issues related to parks, trapping and hunting, non-timber forest products, tourism, and other areas, it and includes actions by governments, private entities, Aboriginal and non-Aboriginal communities, non-governmental organizations, and research organizations.

Thus, there is much to support the perspective that we all share the same challenges and opportunities, and we all stand to benefit from mutual capacity building to cope with and take advantage of these situations. However, there are also several important distinctions to be made between Aboriginal Peoples and other segments of Canadian society:

- **Current conditions:** Aboriginal communities generally exhibit unusually high levels of poverty by comparison with other groups in Canada. Registered Indians and their Indian reserves are subject to an *Indian Act* that deprives them of economic, cultural, and social powers taken for granted by other Canadian citizens. This societal divide manifests itself in almost all facets of First Nations communities' lives, including a regulatory structure for timber harvest that is almost universally acknowledged to be sorely inadequate (Hearndon 1983, Mactavish 1987, Auditor General of Canada 1992, Notzke 1994, Brubacher and others 2002, Westman 2005). The *Act* and the broader history of Aboriginal-Canada relations, including periods of extreme familial dislocation, cultural oppression, and forced relocations, has also tended to create deep problems of identity and self-esteem.
- **Legal status:** Aboriginal Peoples – Indians (First Nations), Métis, and Inuit – are the only social group that is specifically referenced in the Constitution of Canada, enjoying rights that the courts have characterized as *sui generis* ("of their own kind") in certain contexts. Due to this unique status, we may predict an ongoing increase in forest management responsibilities for Aboriginal communities and their governments over time. They will gain new landbases, new institutional roles, and the beginnings of self-governance.[3]
- **Ultimate goals:** At a minimum, Aboriginal Peoples aspire to self-governance and significant management responsibility over major portions of their traditional territories. These aspirations are held to be both inherent and a component of the rights recognized by Section 35 of the *Constitution Act, 1982*.
- **Culture:** The distinct cultures of First Nations, Métis, and Inuit have a key importance in determining what strategies and techniques will be most effective for capacity building. For example, Aboriginal communities tend to collate and view standard forest inventory data in a different manner than non-Aboriginal communities. For another example, Aboriginal students tend to respond to conventional classroom settings and academic incentives in ways that are distinct.
- **Existing strengths and weaknesses:** Aboriginal communities usually differ from non-Aboriginal communities in the aspects of capacity in which they are already strong or weak. For example, Aboriginal communities, which are usually younger and more remotely located, with a vested interest in the long-term sustainability of lands and resources, are a major potential source of human resources for the forest industry. For another example, Aboriginal People's traditional knowledges are a resource with distinct protocols and requirements for application to problems in the forest sector. It is important to note also that there are some key differences in capacity between First Nations and the Métis, such as the very different institutional frameworks that govern their relationship to Canada and to the land.

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[3] The traditional territories of the Inuit generally do not include commercially viable forests, except for in a few exceptional cases. Therefore they will not be discussed specifically in this paper.

The importance of the forest to Aboriginal peoples

"Land is absolutely fundamental to Aboriginal identity." (RCAP 1996, Vol. 2: 425)

"Like in the case of no other resource, the impact of non-native forestry practices and native people's perception thereof has served as a catalyst for the formulation and advancement of native claims and the assertion of aboriginal rights and control over aboriginal lands." (Notzke 1994: 109)

The forest is an integral part of the language and culture of Aboriginal peoples. Grand Chief Leon Jourdain describes the relationship this way:

> "Our people are of the forest, or the land as we prefer to think of it, and we are inseparable from it. Our language flows from our land, we breathe it and we live it, spiritually, physically, and culturally. . . . From our conferencing and consulting one outstanding, overriding consideration has emerged relative to what some people refer to as forestry. That consideration is health! . . . A very important lesson I learned through these years of ongoing, first hand experience with depression, substance abuse, person abuse, law violations, jails, hospitals and funerals, was that personal health results from social health and, for Anishnaabe people, social health depends heavily on cultural relationships to the land, including the forest." (Jourdain 2003: n.p.)

For Aboriginal Peoples, there is currently a unique opportunity to pursue new approaches to economic development in the forest by placing it within the context of culture and identity. In a recent study of Aboriginal Peoples' participation in the labour force of Canada, Michael Mendelson (2004) stated: "[E]mployment is the cornerstone of participation in modern Canadian society. [It] is not only a source of income: It is also the basis for self-respect and autonomy." However, in contrast to the cultural assumptions behind Mendelson's statement, Myers (2000) concludes that a mix of traditional non-market economies and participation in the "modern" industrial economy may be most appropriate for a truly sustainable and resilient society in the North, and one that is more appropriate to the cultures. In any case, for the vast majority of First Nations and Métis communities in Canada, both industrial and traditional livelihoods and cultures have always borne an intimate link to the forest.[4]

A key aspect of Aboriginal Peoples' relationship to the land and land-based economic activity is the question of *governance* (RCAP 1996, Brubacher and others 2002). Governance is "the process . . . through which institutions, businesses and citizen groups articulate their interests, exercise their rights and obligations, and mediate their differences." (Fréchette 1999) Prior to the arrival of Europeans in North America, First Nations and Inuit had developed a variety of different institutional arrangements for governance of their stewardship of the land. Later, the Métis developed their own distinct cultures and systems of governance. The advance of Eurocentric culture brought with it an active suppression and a systematic attempt to dismantle

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[4] In 1994, NAFA estimated that 80% of the 603 Indian Bands in Canada lived in forest areas with commercially viable forests (NAFA 1994). This figure likely underestimates the proportion that have cultural ties to forests including "non-productive" forests.

these governance systems. However, today, that tide is gradually turning, and Aboriginal Peoples are beginning to re-establish jurisdiction and institutional arrangements to govern themselves and their relationship to the land in a world that has changed dramatically.[5] In this paper, and in a companion discussion paper currently under development by Team 3, we devote considerable attention to the gaps in institutional arrangements for Aboriginal governance of forests.

Benefits to society-at-large from Aboriginal participation in the forest sector

As noted above, the Aboriginal and non-Aboriginal members of Team 3 have come together around a common vision of mutual benefit from building capacity for Aboriginal participation in the forest sector. As the Canadian Labour and Business Centre put it in a context more general than the forest sector: "[W]e need to ask – to paraphrase a well-known politician – not only what Canada can do for its Aboriginal citizens, but what Aboriginal workers can do for Canada. From the standpoint of the country's future economic prospects, increased reliance upon the Aboriginal workforce can provide part of the solution to meeting its skills and labour needs." (Lamontagne 2004: 1)

Of course, capacity building and the resulting benefits to society-at-large extend well beyond the forest industry's workforce needs. As the Auditor General of Canada put it in a 1992 report:

> "Successful management of reserve forests would yield social and economic benefits both to the bands and to Canada. Benefits from investment in long-term forest management could reduce future federal spending on other economic development, health and social assistance programs for the bands. . . . Forestry Canada (FORCAN) estimates that each thousand cubic metres of timber harvested creates 1.94 jobs in the forest sector and 3.42 jobs in other sectors, providing an economic benefit to society of around $166,000. . . . According to FORCAN estimates, the current reported harvest levels on reserve forests represent only 25 percent of the annual potential allowable cut. Indian forests are also growing less wood fibre than they are capable of. Therefore, it appears that existing harvest levels could be increased significantly with improved forest management. In the long term, this could potentially raise the annual harvest to nearly 5 million cubic metres, which would generate log shipments with an estimated value of $200 million annually and prospective direct employment for almost 10,000 people." (Auditor General of Canada 1992: paras. 15.56-15.58)

The specific numbers and opportunities mentioned in the above quote would be rather different today, and they certainly cry out for updating. Nonetheless, the conclusion is suggestive – and it is limited only to considerations of Indian reserve forest lands. If we expand the discussion to include involvement in off-reserve forests, and if we also consider the growing role of the Métis and their future involvement in the sector, the result is a picture of a potentially major positive contribution to the general Canadian economy and society. Some aspects of that impact are discussed below.

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[5] See RCAP (1996) and Brubacher and others (2002) for a fuller description of these traditional governance systems, as well as the processes by which they have been persecuted.

Human resources benefits to industry

It is becoming increasingly well known that the forest sector faces a predicted shortage of professional, technical, and labour workers (Shaw 2003, INRSSC 2006, Warkentin 2006). Furthermore, there is considerable competition for employees among all of the resource sectors in Canada (MITAC 2005).

At the same time, it is also well known that the Aboriginal population of Canada is undergoing a boom. In the 2001 Census of Canada, just over 1.3 million people reported having at least some Aboriginal ancestry (4.4 % of the total population). The younger age classes of this population make up a much greater proportion of the total than for non-Aboriginal groups. The Building Environmental Aboriginal Human Resources program estimates that one quarter of this population – 240,000 Aboriginal youth – will be entering the workforce between 2006 and 2016 (BEAHR 2000).

> "This age profile means that improving educational outcomes is critical right now, and cannot wait for many years. The educational failures sown today will be the social and economic costs reaped tomorrow – and in this case, tomorrow is not a distant future. This age profile also means that Aboriginal workers will form a much larger part of the labour force in the next decades, as the non-Aboriginal population ages increasingly into retirement years and the Aboriginal workforce enters into its mid-twenties and early thirties. Given the demographics of the West and the North, this is all the more true of those regions." (Mendelson 2004: 5)

Those interested in Aboriginal forestry have made the obvious connection: The forest sector should be looking to the Aboriginal youth of Canada for its future human resources – all the more so considering the inherent ties between these communities and the forest, both geographically and culturally.

Improved diversification and competitiveness of the forest sector

In recent years, the Government of Canada has made a number of significant investments to promote competitiveness and innovation in the forest sector. For example, Natural Resources Canada (NRCan) has recently committed $40 million to continue Canada's expansion into developing markets such as China and to increase value-added manufacturing (NRCan 2007). Diversification is a key component of long-term competitiveness and sustainability, and the distinct cultures and status of Aboriginal Peoples could bring a unique and valuable perspective to such concerns.

Increasing the participation of Aboriginal Peoples in the forest sector through culturally driven economic development can promote a more robust economy overall. The diversity this would bring suggests an increased ability of the sector to take advantage of a greater range of opportunities, not only in terms of conventional timber products but also in terms of non-timber forest products, ecotourism, and value-added manufacturing.

For example, Canada currently has a non-timber forest products (NTFP) industry worth approximately $240 million annually and employment for over 100,000 people. However, increased access to international markets by entrepreneurs along with a growing international demand could make it possible to double or triple this value. Aboriginal Peoples possess a high

level of knowledge of NTFP management techniques such as the use of fire, harvesting techniques, planting, and various levels of cultivation (Duchesne and others 2000).

Improved understanding of sustainable forests and forest management

The case for involvement of Aboriginal Peoples in research and decision-making about forest management has often been made on the basis of bringing a broader range of knowledge to bear on the issues. Growing recognition of the limitations of "western science" and the conventional management systems of natural resources and environmental bureaucracies has opened the door to considering other ways of knowing and valuing the forest. The international landmark World Commission on Environment and Development stated, "Lifestyles of tribal and Indigenous peoples . . . can offer modern societies many lessons in the management of complex . . . ecosystems. Their disappearance is a loss for the greater society, which could learn a great deal from their traditional skills in sustainably managing very complex ecological systems." (Bruntland 1987: 12)

In addition, because many Aboriginal communities continue to maintain traditional livelihoods on the land in remote locations, their day-to-day, season-to-season, and generation-to-generation observations constitute a vast store of factual information about trends in the conditions of ecosystems that would be prohibitively expensive to collect in any other fashion. This situation has also triggered an interest in the potential for Aboriginal individuals to act as "ecosystem monitors" within a formalized, scientific monitoring framework.

Regulatory and social stability

Uncertainties about the future outcomes of efforts to consult and accommodate Aboriginal Peoples and their forest-related rights, in accordance with a continually evolving jurisprudence on the subject, pose a significant risk for forest sector companies and the governments seeking to attract their investment. As the Royal Commission on Aboriginal Peoples put it, "conflict over lands and resources remains the principal source of friction in relations between Aboriginal and other Canadians. If that friction is not resolved, the situation can only get worse." (RCAP 1996, Vol. 2: 425) A lasting reconciliation of the current forest management regime with Aboriginal and treaty rights to forest lands would help to reduce this risk, improve the business climate, and clarify the roles and responsibilities of the various parties.

Support for the cost self-governance

Federal and provincial governments share a general interest in the benefits to industry discussed above. Several additional benefits of successful capacity building for Aboriginal forestry are relevant especially in the case of the federal government. The federal government is the level of government primarily responsible, on behalf of the Crown, for First Nations and Inuit Peoples and their reserves.

Improved access to lands, resources and resource revenues could finance at least some of the costs of self-government. In combination with a range of other capacity-building areas such as governance and community visioning, the result would be mutually beneficial to all of Canada. (RCAP 1996)

Fulfilling statutory and legal duties towards Aboriginal lands and people

The Crown has special duties towards Aboriginal lands and people. These duties are grounded in the Constitution of Canada and in the terms of historical treaties and modern-day land claims settlements between the Crown and Aboriginal governments. In the case of First Nations, the federal government pursues these duties through statutes, especially the *Indian Act*, and a host of instruments. In the case of the Métis, the institutional framework for addressing their constitutionally recognized rights is virtually absent: They have no treaties, few settled land claims, no federal statutes, and little landbase.[6]

In addition to statutory duties assigned to specific departments (mainly the Department of Indian Affairs and Northern Development [DIAND], also known as Indian and Northern Affairs Canada), the Crown and Aboriginal Peoples have a unique, trust-like fiduciary relationship. The obligation of a fiduciary relationship is for one party (the Crown) to act in the best interests of another (Aboriginal Peoples), with mutual responsibilities accruing to each. According to the *Van der Peet* decision of the Supreme Court of Canada, "The Crown has a fiduciary obligation to aboriginal peoples with the result that in dealings between the government and aboriginals the honour of the Crown is at stake. Because of this fiduciary relationship, and its implication of the honour of the Crown, treaties, s.35(1) [of the *Constitution Act, 1982*], and other statutory and constitutional provisions protecting the interests of aboriginal peoples, must be given a generous and liberal interpretation." (SCC 1996: para. 24) Where the Crown is in breach of its fiduciary duty, it may be liable for compensation to the affected Aboriginal communities (SCC 1984).[7,8]

Capacity is key

Non-Aboriginal and Aboriginal parties have established a range of different negotiations, policies, programs, and other processes in order to pursue the benefits of Aboriginal participation in the forest sector as outlined above. In response to recent court decisions such as *Haida* and *Mikisew*, many provinces have developed draft or final consultation policies. In response to land claims, some provinces have entered into co-management arrangements with First Nations. In response to the *Powley* decision, several jurisdictions have begun to develop arrangements to accommodate Métis fishing and hunting on Crown lands, including in forests. Treaty land entitlements processes in several provinces promise to transfer significant additional landbases from the Crown to Indian reserve status. Nation-wide, increasing amounts of timber volume are being allocated to Aboriginal communities under the existing provincial tenure systems. Two provinces – New Brunswick and British Columbia – have established agreements with individual First Nations to share royalties (stumpage) from logging on Crown lands.

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[6] In Alberta, the provincial government has passed legislation to establish the Métis Settlements and to improve the situation significantly. No similar action has been taken in the rest of Canada.

[7] Due to a lack of dedicated jurisprudence, the Crown's obligations specifically towards the Métis is less clear than the situation for First Nations.

[8] Questions of the roles and responsibilities of the various parties are discussed in detail in a companion to the present paper, currently under development by Team 3.

Thus, there is both a mutual incentive and the beginnings of an emerging political will to take bold steps for advancing the rights and participation of Aboriginal Peoples in the forest sector. However, a key challenge in this context is the issue of *capacity*. The National Round Table on the Environment and the Economy relates this dynamic to the boreal forest of Canada:

> "Today, most federal, provincial and territorial governments and non-government organizations, as well as many resource companies, take the view that no major new developments or conservation decisions relating to the boreal should be made without Aboriginal support. In the future, that support will likely be forthcoming if Canadian governments and Aboriginal peoples cooperatively address the need for significant institutional reform and focused capacity development to enable Aboriginal involvement in boreal planning and management. . . .
>
> Currently, Aboriginal communities are characterized as having scarce technical, human and financial resources; low levels of educational attainment; and a small base of professional and technical expertise from which to draw. These concerns about limited capacity are compounded by the increasing demands for consultation being placed upon Aboriginal communities. Some Aboriginal groups are being overwhelmed by invitations from the Crown and industries to engage in consultations about proposed resource developments in their traditional territories. Further, as a result of the Supreme Court's rulings that consultation by the Crown is required even in cases where an Aboriginal right has not yet been formally established (as determined by the Supreme Court of Canada in November 2004 through the *Haida* and *Taku [River Tlingit]* decisions), the number of requests for consultation will only increase." (NRTEE 2005: 44-45)

As already noted, the key role of capacity building as an underpinning of successfully addressing the rights and participation of Aboriginal Peoples is also acknowledged in the 2003-2008 National Forest Strategy of Canada (NFS). Under this umbrella, the NFS Thematic Team 3 has determined to work to clarify the nature of the capacity building challenge, and strategic means of making progress on this issue.

What is Aboriginal capacity in the forest sector?

Above we have laid out the context and rationale for building capacity to address the rights and participation of Aboriginal Peoples in the forest sector of Canada. Various opportunities are identified, yet few of them have been acted on. A lack of capacity is a key reason for this failure.

Within the field of international development, "capacity building" as a concept (not necessarily Aboriginal capacity) came into vogue in the early 1990s (Schacter 2000). A focus on capacity came about due to the realization that investments in international development to that point had left little lasting legacy behind in developing countries. They continued to be terribly poor. This situation has many parallels with the experience in Aboriginal communities across Canada.

Implementing any of the action items of the National Forest Strategy (NFS) and pursuing the benefits and obligations outlined above requires the capacity to do it. However, there is a larger question for capacity: How, and with what resources, are the needs and aspirations of Aboriginal peoples articulated under existing frameworks and opportunities? In some cases, existing opportunities may not actually suit the true interests of the community involved. In such situations, the need is not for building capacity to take advantage of the opportunity, but rather to identify why the opportunity is not actually appropriate or desirable and to communicate a vision of what constitutes an appropriate alternative.

It is now generally recognized that a capacity building approach is an efficient approach to achieving community well-being. This realization is embodied in the well-known saying, "Give a man a fish and he will eat for a day; teach a man to fish and he will eat forever."

We now turn to the question of how capacity may be defined.

The challenge of defining capacity and capacity building

"While the focus was once on technology transfer, the concept of 'capacity building' or 'capacity development' has evolved to include education, training, institutional reform and the collection and integration of indigenous/local and scientific knowledge."
(Ministry of the Environment of Finland 2001: 1)

"In many ways, 'capacity' is like a code word for money." (Team 3 member, April 2006)

"Effective participation also calls for innovative and bold institutional arrangements between governments and Aboriginal communities relating to forest management. To support more effective participation, forest management planning and decision-making processes need to include women and youth as well as Aboriginal cultural and traditional approaches to land use." (NFSC 2003: 15)

One of the reasons we can say that "capacity" is a key challenge for implementing the rights and participation of Aboriginal Peoples in the forest sector is because the concept encompasses so much. While some use the word to refer mainly to needs for training and education, others use it to evoke a comprehensive suite of initiatives at many different levels in the social system. Still

others refer primarily to the basic need for financial resources to fund whatever activities one might contemplate.

On the other hand, researchers such as Beckley and others (2004) emphasize that building capacity involves more than simply increasing the resources available to a community or organization. In this perspective, it is even more important to understand how a community can effectively *mobilize* its varied resources.

In this section, we develop a model for understanding and assessing capacity and capacity building initiatives with specific reference to the rights and participation of Aboriginal Peoples in the forest sector. Much of the literature that we refer to is specifically concerned with *community* capacity; however, most of the concepts are transferable to other levels of capacity building, such as the individual, organizational, regional, provincial, and national levels.

General definition of community capacity

Kusel (1996: 396) gives the following short definition of community capacity: "The collective ability of residents in a community to respond to external and internal stresses, to create and take advantage of opportunities and to meet the needs of residents." Countless variants on this basic definition can be found in the literature. For example, the 1997 Regional Capacity Building Conference, hosted by the Ktunaxa/Kinibasket Tribal Council, concluded that, "Capacity building is a process through which people and governments individually and collectively acquire the personal and organizational resources to realize their socio-economic and political aspirations, and to effectively manage change to meet existing and future responsibilities." (Gordon and CPPC 1997: n.p.) Similarly, the National Round Table on the Environment and the Economy states, "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." (NRTEE 2005: 46)

While the basic definition is quite broadly agreed, more variation is found in how various parties elaborate the different components that make up capacity. In the mid-1990s, the analysis of community capacity tended to be largely restricted to identifying different kinds of resources (also called assets or capitals) that a community could draw upon to perform the functions mentioned in the definitions above. However, more recent thinking has become increasingly concerned with the *processes* by which the resources are applied, and the *outcomes* of doing so. Incorporating this process perspective results in definitions such as the following, offered by Beckley and others (2005 draft):

> "For the purpose of this paper, we define community capacity as: The collective ability of a group (the community) to combine various forms of capital within institutional and relational contexts to produce desired results or outcomes. This definition involves distinct but related facets:
>
> - Capital, assets, or resources,
> - Catalysts,
> - Mobilization of those resources through social organization and relationships,
> - End results or outcomes."

In the next sections we will explore several of the key aspects of this definition.

Capacity as resources and capitals

One of the most common approaches that researchers have taken to analyzing the components of community capacity is to identify the different types of resources, also often called "capitals" or "assets", that can be drawn on by a community in addressing the opportunities and challenges it faces. As one of the first of the modern stream of thinking on the topic of capacity in forest-dependent communities, Doak and Kusel (1996: 401) capture three of the most commonly highlighted categories of resources: "Community capacity can be divided into three broad areas: Physical infrastructure includes the physical elements (e.g., sewer systems, business parks, land available for development, open space, etc.) of a community, and includes financial capital; Human capital includes the skills, education, experiences and general abilities of residents; and Social capital includes the ability and willingness of residents to work together for community goals (more formally defined as including networks, norms and trust that facilitate coordination and cooperation for mutual benefit)." Over the past decade, subsequent researchers have revised this list of resource categories to include various additional categories. While human and social resources are found on almost any list, physical infrastructure is less commonly included. Categories that are commonly added to the list are institutions, financial resources, natural capital, and cultural resources.

Such frameworks are a challenge to those who would design capacity building initiatives, because they address so many different facets of society. Most initiatives that aim to build capacity focus on a small subset of these categories. For example, the World Bank's Indigenous Peoples Technical Assistance and Capacity Building initiative was largely a training initiative, addressing only human resources needs (Uquillas & Martinez 1995). Similarly, NAFA's 2000 action plan for capacity building (Brascoupé 2000, Bombay 2000) is mainly focused on professional development.

For its part, Team 3 has arrived at the following breakdown of categories. The list is intended to highlight issues that are deemed central specifically in the case of Aboriginal Peoples' rights and participation in Canada's forest sector. We affirm that successful capacity building must involve the cultivation and application of all of these resources, even if individual programs must strategically and opportunistically select certain items for direct action:

Human resources: As Frank and Smith put it, "What is important to realize is that the heart of capacity building is people." (Frank and Smith 2000: 10) To date, most efforts to build Aboriginal capacity in the forest sector have focused on human resources.

Institutional resources (also called institutional capacity): By "institutions" we refer not to organizations, but rather to the "rules of the game" within which organizations and individuals operate. A major finding of the Harvard Project on American Indian Economic Development is that "institutions matter" – for sovereignty, for the separation of business from politics, and for culturally appropriate forms of both (Jorgensen & Taylor 2000).

Knowledge and extension resources: Knowledge is often considered in the academic literature to be a sub-component of human resources. However, in the increasingly technical and information-intensive forest sector, knowledge and information needs are highlighted so often that Team 3 has chosen to include this as a separate category of resource. The overlap with

physical resources (computer hardware and software, libraries) and institutional resources (extension organizations, knowledge/data sharing agreements, traditional knowledge systems) is also strong.

Social resources (also called social capital): In the literature, social capital is one of the most frequently emphasized aspects of community capacity. Social capital is generally understood to be a property of groups rather than individuals, and a matter of relationships among individuals. These relationships include informal networks, societal norms, and formal institutions (Coleman 1990, Putnam 1993). This category therefore overlaps with several other categories of resources in this list. Relationships enable people to engage in collective action.

Cultural resources: Cultural distinctions, and the need for capacity building efforts to account for and build on culture, are a key issue in addressing rights and participation of Aboriginal Peoples in the forest sector. Culture is the ultimate basis for the legitimacy of formal institutions and a community's compliance with them. (Cornell and Kalt 1991) The violent separation of institutional arrangements from culture in the history of Canada-Aboriginal relations is a key reason for the current capacity challenges that the communities face.

Natural resources (also called natural capital): Across most of Canada's forested area, the present landbase of Aboriginal Peoples is inadequate to support a thriving forest sector. First Nations lands south of the sixtieth parallel (mainly Indian reserves) make up less than one percent of the Canadian land mass. Much of this land is of marginal value for modern industry. The Métis landbase is almost non-existent, being limited only to the 520,000 hectares that comprise the Métis Settlements of Alberta. In the United States (excluding Alaska) — where Aboriginal people are a much smaller percentage of the total population — the comparable figure is three percent of the total land mass (RCAP 1996, Vol. 2: 422-423). For reasons of both feasible economic development and the settlement of claims to Aboriginal and treaty rights and title, communities and organizations are demanding greater access to off-reserve Crown lands.

Financial resources: Almost any deliberate effort to build capacity for Aboriginal rights and participation in the forest sector will be faced with funding challenges. It is also worth noting that money is an extremely flexible resource.

Among the items on the list above, institutional and cultural resources are probably the least commonly found in other definitions of capacity, yet they have been identified as crucial components in Aboriginal forestry. Both are often considered sub-categories of social capital. Although appropriate institutional arrangements have been highlighted as key since at least the early 1990s, it has taken some time for this complex, far-reaching concept to infiltrate the discourse of Aboriginal forestry. On the other hand, cultural distinctions and the ongoing evolution of traditional cultures in the face of centuries-long oppression are more central to Aboriginal people's aspirations for well-being than most other groups in North America.

Table: Eight types of resources that contribute to Aboriginal capacity in the forest sector

Resource Type	Examples	References
human resources	skills, knowledge, education, leadership ability	Gordon and CPPC (1997), Post-*Delgamuukw* Capacity Panel (1999), Brascoupé (2000), Frank and Smith (2000), Schuller 2001, Healy (2001), Beckley and others (2004), Mendis (2004), Wilson and Graham (2005)
institutional resources (institutional capacity)	governance and management systems	Cornell and Kalt (1991), Jorgensen and Taylor (2000), Brubacher (2002), NRTEE (2005), NAFA (2005), Coyle (2005)
knowledge and extension resources	databases, traditional knowledge systems, extension services	CSSP (1995), Strong (1996), Berkes and Folke (2002), Nadasdy (2003), Stevenson (2005), Stanley and Campbell (2006)
social resources (social capital)	interpersonal relationships, trust, community cohesion, networks	Coleman (1990), Putnam (1993), Kusel (1996), Healy (2001), Schuller (2001), Nadeau (2002), Beckley and others (2004), Mendis (2004)
physical resources	Infrastructure, buildings, technology, roads	Kusel (1996), Post-*Delgamuukw* Capacity Panel (1999), Frank and Smith (2000), Healy (2001), Beckley and others (2004), Mendis (2004)
cultural resources	evolving traditions, land ethic	Cornell and Kalt (1991), CSSP (1995), Post-*Delgamuukw* Capacity Panel (1999), Jorgensen and Taylor (2000), Bombay (2000), McGregor (2004), Mendis (2004), MacKendrick and Parsons (2005)
natural resources (natural capital)	forests, water, wildlife, ecosystems	Flora and Flora (1993), Nadeau and others (1999), Beckley and others (2004), Mendis (2004)
financial resources	capital and project funding	Kusel (1996), Nadeau and others (1999), Healy (2001), Frank and Smith (2000), Beckley and others (2004), Mendis (2004), Wilson and Graham (2005)

Inter-relationships among the resource types

Obviously, the various resources enumerated above do not operate in isolation from one another. Increasing one resource may facilitate the increase of another. Conversely, a lack of one may inhibit the application of another resource. For example, much of the experience to date in capacity-building efforts in Aboriginal forestry shows that building individual human resources may be of little benefit if additional attention is not paid to the collective institutional conditions that determine what opportunities exist to *apply* the new skills and knowledge. This issue is discussed in more detail below.

An interesting observation raised by the Finnish Ministry of the Environment (2001) is that some types of resources are consumed through use, while others may be enhanced through use. Natural, financial, and physical resources are examples of the former,[9] while human, social,

[9] However, many Aboriginal cultures do not agree with the European separation of humans from the land, and instead believe that respectful and skilled use of the land can actually enhance its natural resources.

institutional, cultural, and knowledge resources are examples of the latter (Ministry of the Environment of Finland 2001: 3). This point helps to develop capacity building strategies that link short-term measures to long-term outcomes.

Additional discussion below frequently highlights how making progress in one resource type is dependent on action in another area.

Applying available resources

In acknowledging the key role of capacity building for promoting Aboriginal Peoples' rights and participation in the forest sector, we also must ask whether possessing resources, while necessary, is *sufficient* to ensure community well-being. Reimer (2002) notes that social capital may not always be applied, instead lying dormant as potential without actually creating measurable well-being. In a similar vein, Beckley and others (2004) affirm that social capital and any other resource such as natural or financial resources cannot be considered "capacity" unless they are actually applied to the challenges or opportunities facing a community, resulting in increased well-being. This raises a key question:

To what degree is the capacity building challenge for Aboriginal Peoples in the forest sector to be characterized as a need to build resources of various kinds, as contrasted with a need to apply the resources that already exist as unrealized potential?

We will address this question in the following sections.

In assessing and strategizing for community capacity, many researchers target one or more of the resources (assets, capitals) listed above (Kusel 1996, Goodman and others 1998). However, Beckley and others (2005 draft) state, "We feel strongly that capacity is best discussed and measured in terms of what it achieves or how it contributes to quality of life. . . . Thus, networks, for example, may or may not become capital, depending on whether they are used to create a collectively defined desired outcome." An example that may be especially relevant to Aboriginal people and the forest sector is the case where a community may possess considerable traditional knowledge of a landscape and its wise use, yet be provided with no avenues for applying this knowledge to the challenges of sustainable forest management.

The literature on conditions and mechanisms that help to mobilize resources to create capacity is somewhat underdeveloped at this point. Beckley and others (2004) identify four "relational spheres" that facilitate the application of existing resources to challenges and opportunities for desired outcomes:

- bureaucratic sphere – governmental and regional agency processes at various levels of organization
- market sphere – trade, business, and commercial enterprises
- communal sphere – family and kin networks, informal exchange and mutual aid
- associative sphere – voluntary organizations, clubs, churches, and interest groups

These relational spheres appear to have a strong overlap with institutional and social resources as described above. Indeed, Beckley and others do not list an institutional category of resources in their model. At this point in the development of the literature, the distinctions between resources

and relational spheres/mobilizers need further elaboration. However, we can conclude that a capacity-building initiative must focus on more than simply building resources – it must also consider how to develop the mechanisms and institutions that allow communities and organizations to apply their available resources.

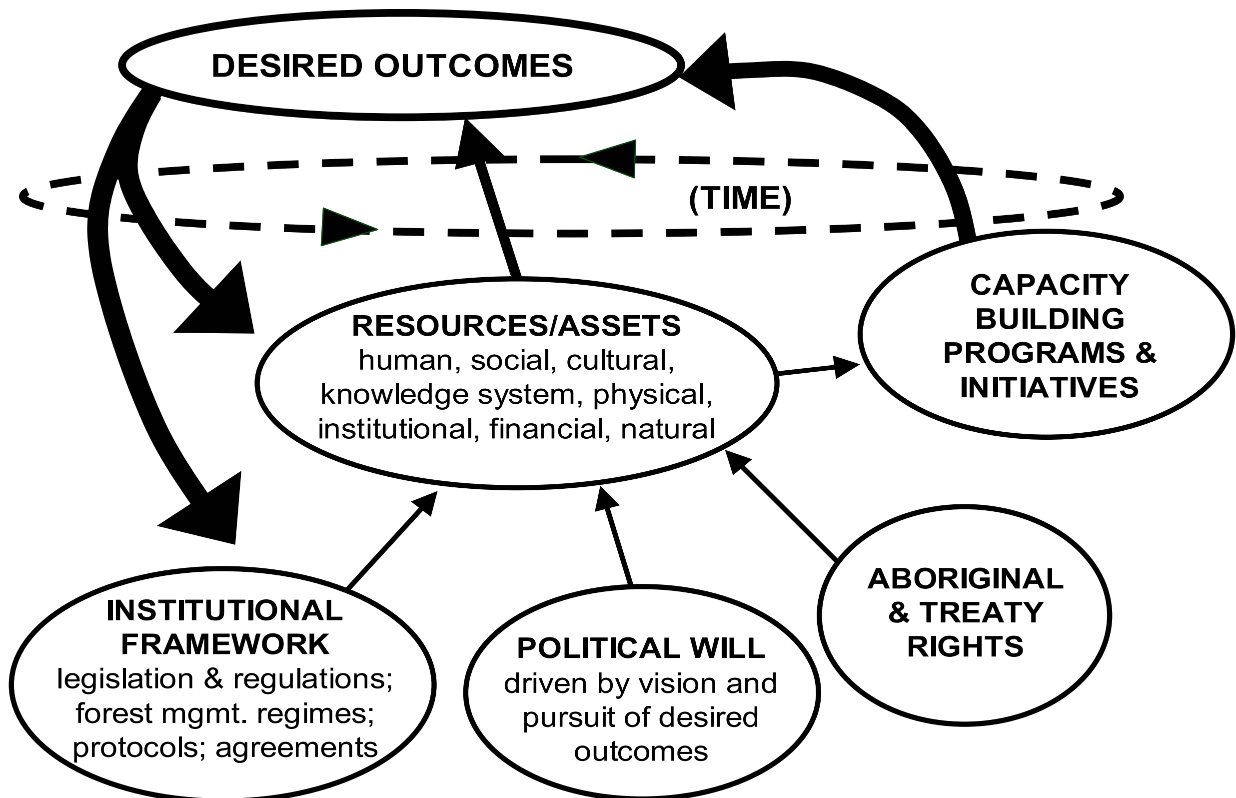

Figure: A model of capacity building

In the model shown in Figure 1, institutional frameworks, political will, and Aboriginal and treaty rights form the foundation of processes to build capacity. Resources, assets, and capital of different types are drawn upon by communities in order to produce desired outcomes in terms of well-being. Over time, capacity building efforts can build on each other in an iterative fashion (represented by the "back looping" of the arrows). Outcomes may include incremental changes in the foundational aspects of institutions, political will, and understanding of rights. The challenge is to design capacity building initiatives that form a "good fit" with the specifics of a community's capacity status at a certain point in time.

Capacity for whom?

> "Capacity building refers to the need for First Nations People and First Nations organizations to gain the competence and ability to do various things. In Burnt Church it was a term used by the government to say that the Burnt Church people were not ready to fish for lobster, not ready to manage the fishery in a responsible way, or to engage in business and economic development. Capacity building has become a polite and politically correct way for governments and others to say to the First Nations: 'You are not ready to do this yet. But if you wait; if you are patient; if you get more training; if you make the arrangements we suggest; if you just do this our way, sooner or later you will have the capacity to do what we do. And when you accomplish this; when you have qualified for our programmes, when you have slowly managed to gain the qualifications we require, then we will consider some kind of partnership with you." (Matthew Coon Come 2001)

The design of a capacity-building initiative depends on whose capacity one aims to build. In the context of Aboriginal rights and participation in the forest sector, we can approach this question from several different perspectives.

Aboriginal capacity and non-Aboriginal capacity

In discussions of capacity building for Aboriginal Peoples' rights and participation, the assumption is often that it is only the Aboriginal communities or organizations that lack the needed capacity. This is false. Team 3 views the capacity challenge as a need for mutual development among Aboriginal and non-Aboriginal parties. Each is weak and strong in different areas, and a unilateral capacity-building initiative may be not only ineffective, but impossible. For example, acquiring funding for a training program conceived by a Métis community might require first that a federal agency understand that this is a priority, and why. Similarly, forest companies and provincial governments recognize the need to improve their own understandings and management systems for addressing Aboriginal interests in the forest.[10]

The assumption that Aboriginal peoples are the only parties in need of capacity building arises in part from a failure to appreciate the capacity they already possess. While capacity-building discourse in the forest sector usually focuses on needed technical skills, databases, formal land use planning, financing, and so on, there is also a need to consider existing traditional knowledge, kinship ties, cultural survival, community adaptability, and other areas where Aboriginal peoples may be strong. In the context of community development, Frank and Smith call on leaders to "[r]ecognize that all community members have skills they can contribute. The challenge is to organize and support individuals so that they can make a meaningful contribution to the community development process." (Frank and Smith 2000: 49) To a large extent, the capacity-building challenge may be viewed as a question of building relationships of mutual respect.

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[10] In another paper currently in development by Team 3, the issue of DIAND's internal capacity to effectively administer the *Indian Act* and Indian Timber Regulations is explored in detail.

On the government side, Schacter (2000) emphasizes that the capacity challenge implies not only the application of tools and techniques to build capacity of target populations; it also equally implies that the program agency itself must change how it does business - namely:

- Relinquish much of the control and involve target populations fully in project design and implementation.
- Redefine basic concepts related to evaluation of projects, such as "results", "efficiency", and "quality", and align staff incentive structures with these redefined concepts.
- Rethink the project cycle as a process of collaborative inquiry, rather than linear implementation.
- Recruit and train personnel that understand capacity building and its central importance.

In most of the remaining discussion, we focus on the needs of Aboriginal communities and organizations. However, action to address Aboriginal capacity gaps will need to include two features that account for the points made in this section:

- finding ways of recognizing and applying the existing capacity in Aboriginal communities
- designing programs that develop Aboriginal capacity in tandem with the capacity of non-Aboriginal parties

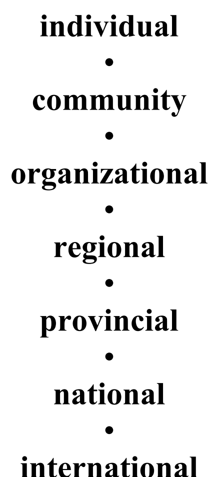
Systemic levels of capacity

The question of "capacity for whom" takes on an added dimension when we consider the various distinct levels in a social system that one could target in an initiative. This is in fact the main dimension by which the United Nations Development Program (UNDP 1997) once built its own model of capacity building, identifying four types of capacity: individual, organizational, inter-organizational, and the social/policy environment. The Institute on Governance (IOG 2001) follows a similar framework, distinguishing the levels of the individual, organization, system, and combinations of the three.

In the context of Aboriginal People's rights and participation in the forest sector, Team 3 has identified additional levels that are especially relevant. For example, First Nations' sub-regional Tribal Councils and other amalgamations are a common level of focus for action in addressing challenges of ecosystem management, and historic and contemporary treaties, usually at the regional level or larger, are a foundation of relationships with the Crown. For the Métis, provincial- and national-level organizations provide a key avenue for representing a population that tends to be geographically dispersed due to the lack of a landbase. In addition, current efforts to establish co-management institutions usually work at a regional level.

How does building capacity at one level influence another level? Can a national-level initiative such as the National Forest Strategy and Theme 3 effectively promote capacity building at the community level? A rapidly growing literature exists that conceptualizes the interactions among the different levels of a system as a key feature of adaptive capacity to persist over time (Gunderson and Holling 2002, Holland 1995, Argyris and Schon 1978, and many others). Therefore, any capacity-building initiative needs to consider which of the following levels it intends to target, and how working at that level may influence capacity at other levels.

Systemic levels of capacity relevant to Aboriginal Peoples in the forest sector



To think of these levels as a strict hierarchy is not recommended. The levels overlap, and they interact through informal networks. Influence works in multiple directions, through top-down and bottom-up dynamics. "Spheres" or "scales" might be terms that represent these relationships more effectively. In the literature of adaptive systems, the distinction between these spheres has been characterized as a difference in the speed at which they reconfigure themselves – hence, higher levels are called "slow variables" and lower levels are called "fast variables" (Gunderson and Holling 2002).

As a national strategic body, Team 3 focuses on the community and national levels of organization for building capacity. [11] However, as with many of the concepts introduced in the present paper, we recognize that the levels are interdependent, and strategic action needs to be assessed from a holistic perspective that promotes the cultivation of cross-scale linkages.

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[11] For clarity, in this paper we use a geographically based definition of "community". This term can also be defined in a sociological manner, based on shared interests rather than shared place. The "communities" of the Métis, off-reserve First Nations, and non-status Indians would fit this second definition. However, again for clarity, this paper will refer to these groups' "organizations" as a key means of representing their respective populations.

A review of Aboriginal capacity needs in the forest sector

What exactly do Aboriginal Peoples need capacity to do in relation to lands and resources? In the preceding sections we have reviewed definitions of capacity that identify the need to respond to external and internal stresses, to create and take advantage of opportunities, and to meet the needs of residents. We have also noted that these activities occur at a number of different levels in the social system, mobilizing different types of resources to produce desired outcomes.

However, our thinking on capacity building requires a more concrete and specific conception of the needs as we understand them today.

Functions

Perreault and Stevenson (paper in progress 2007) distinguish the capacities to *engage* and to *represent*. As we have seen, these functions, and the building of capacity to perform them, may operate at a number of different levels in a system.

1. Capacity to **engage**: The capacity to engage refers to the ability of Aboriginal peoples to take advantage of opportunities that present themselves in the form of existing tenures and businesses, established roles in land use planning processes, and so on. Aboriginal people play the roles of tenure holders, governments, workforce, landowners, and entrepreneurs.
2. Capacity to **represent**: The capacity to represent refers to the ability of Aboriginal peoples to address deeper issues of exclusion, institutional failure, and accommodation of Aboriginal and treaty rights and title by effectively understanding and communicating their community and organizational identity, values, and vision to non-Aboriginal parties, to other Aboriginal groups, and for themselves. Aboriginal people play the roles of leaders, ambassadors, and negotiators.

This simple distinction between engaging and representing provides a way of thinking about key needs in capacity building that cuts across almost any significant issue: The difference between *seizing* opportunities and *creating* them. In dealings with non-Aboriginal governments and industry, the latter is inevitably more challenging than the former to establish as a joint project.

We can be more specific than this in describing the activities for which capacity is needed. The Aboriginal Forestry Training and Education Review Committee identified the following needs, which as a whole address both the engaging and the representing aspects (Hopwood and others 1993):

- assuming control of forest management for Indian forest lands
- entering into contractual and co-management agreements with provincial governments for resource management of Crown lands
- entering into contractual or joint venture arrangements with industry

- developing, implementing, and managing new resources management regimes through the settlement of land claims and the institutionalization of Aboriginal self-government
- obtaining employment with non-Native companies
- developing new business enterprises in the forest sector reflecting market trends for forest products and services

Focusing specifically on self-governance for forest management, Brubacher and others (2002) provide extensive discussion of the following "functions of forest management", and again the engaging/representing distinction is helpful in understanding the requirements in terms of capacity. Given the current interest of DIAND in devolving many of its statutory obligations to communities and their governments, we need to ask where the capacity to *engage* in those functions will come from, and where the capacity will come from to *represent* the need to expand on those functions for true self-governance.

- establishment of law governing people's use of the forest.
- forest land management planning and codes of practice.
- harvest allocation and enforcement.
- revenue generation and distribution of benefits.
- institutional and human resources development.
- compensation for losses and dispute resolution.

One additional function needs to be emphasized. Due to recent court decisions such as *Haida*, *Mikisew*, as well as a series of cases in the Maritimes such as *Sappier* and *Gray*, the Crown's duty to consult has become the subject of intense speculation, negotiation, and policy development. At least six provinces have initiated or completed the development of new consultation policies in the past five years. In addition, various referrals processes for developments on Crown lands within a First Nation's traditional territory have been in place for a longer period of time. Unfortunately, the lack of human, financial and institutional resources for Aboriginal communities and organizations to engage effectively and with full information in such processes often leads to delays, misunderstandings, and mistrust among all parties, including the mainstream forest industry.

> "When faced with a request to review a referral on a major proposed development, without adequate technical resources to assess the document and discuss potential impacts with their constituents, First Nation political leaders have no other option but to say NO! This response has lead to and will continue to lead to increasing frustration among all involved." (Gordon and CPPC 1997: 7)

As the lists of functions above demonstrate, a forester working in the context of an Aboriginal community, government, or organization is in fact not a specialist. She or he is often a one-person department, starting with little existing infrastructure or systems and acting as a public

administrator, a human resources manager, a political negotiator, a facilitator, an entrepreneur, a researcher, and much else.

It also important to bear in mind how much of an Aboriginal community's or organization's functioning consists essentially of communications with a range of players in a governance and regulatory system that is usually extremely complex. The travel alone associated with attending meetings is often a major time and expense item. The small size, dispersal, and fragmentation of the Aboriginal population mean that the per capita costs of communicating and delivering services are high. Gibbins and Ponting put it this way in the context of transferring delivery of social services to Indian Bands: "Indians face the prospects of moving from a situation of DIAND's inefficiency attributable in significant part to its large size and centralization, to a situation of inefficiency attributable to Bands' small size and decentralization. It should be stressed that this forecast of inefficiency in the delivery of services by Indian governments in no way casts aspersions upon the level of competence or commitment or integrity or diligence of Indian government leaders and their civil servants; rather, it is based solely on mathematical facts of life." (Gibbins and Ponting 1986: 56-57)

Box 1. Capacity for communications: The North Shore Tribal Council

During the mid-1990s, the Forestry Unit of the North Shore Tribal Council (NSTC), with a total staff of four including administrative support and no core funding, was responsible for the following communications tasks (Rekmans 2006). The relationships extend across most levels of social organization, from individual businesses to the national level. These tasks were in addition to the Unit's numerous "core functions" such as proposal development, contract administration, training, mapping, timber permitting, timber sales.

- reporting to the NSTC Board of Directors on Forestry Unit activities
- reporting to and providing secretariat services to the Board of Directors of Robinson Huron Forestry Company
- reporting to and providing secretariat services to the Board of Directors of Mitigaawaaki Forestry Marketing Cooperative.
- meeting with seven Chiefs and Councils in NSTC (distances of up to 200 km from the central office).
- meeting with members of seven communities.
- negotiations with the District Ontario Ministry of Natural Resources (OMNR) office in Sault Ste. Marie.
- negotiations with the District OMNR office in Sudbury.
- negotiations with one company holding a sustainable forest license (SFL).
- meetings with overlapping licensees of SFL.
- input into two Local Citizens Committees.
- advocating at provincial-level OMNR.
- communicating with and participating in Union of Ontario Indians initiatives.
- participating in national initiatives with NAFA.

Status and needs of Aboriginal Peoples in the forest sector

Below we sketch the outlines of Aboriginal capacity needs in their full range, specific to the forest sector. It is important to note that although we focus on the forest sector, there are a host of challenges in Aboriginal communities and organizations that cut across *all* sectors and are very relevant to forest sector capacity: community health, housing, basic education, and other issues.

We begin with, and devote more discussion space to, the resource types that are the major area of focus for immediate strategic action. This is not meant to imply that the other resource types are less important – indeed, social resources such as community cohesion and cultural resources such as the land ethic and traditional knowledges may be considered the absolute foundation of capacity for Aboriginal Peoples. However, from both a strategic action point of view as well as the complexity of the concepts and their implementation, the others are deemed in need of more discussion.

Human resources

"Capacity-building . . . requires much more than developing a trained workforce. A trained workforce, however, is the key ingredient in capacity-building as all other elements can be obtained if the development process is spearheaded by community leaders with the appropriate expertise." (NABFOR 2001 draft: 1) Human resources have been one of the major areas of focus for capacity building initiatives to date – both in the form of training and educational programs and in the form of funding to hire qualified staff, usually from outside a community. However, when focusing at the community level as this paper does, the question arises as to how the building of *individual* capacity through human resources programming can be expected to contribute to *community* capacity. Two aspects of this relationship merit discussion in an Aboriginal forestry context:

Rental capacity

It is common for an Aboriginal community to resort to retaining outside consultants in order to address their capacity needs. This "rental capacity" certainly can have its benefits for the community over the short term, if its economic standing and strategic planning are sufficiently well developed to capitalize on it. The rental capacity may even be a springboard to raising awareness, providing training, and developing organizations that are a lasting legacy. However, too often this is not the case. For example, from the mid-1980s through the mid-1990s, DIAND made funding available for First Nations to develop forest management plans for their reserve lands. In almost every case, an outside consulting forester was retained to complete the plan. Unfortunately, the resulting plans were usually based on a standard template, with little variation to account for the distinct situations and visions of the communities. After submitting a plan, the consultant moved on, and the plan gathered dust. Exceptions to this pattern were few.

The brain drain

Another common experience in the dynamics between individual and community capacity is the "brain drain" phenomenon. In this scenario, an individual in the community receives education and training in, for example, geographic information systems (GIS). The funding for this training may have been obtained through the community Band office. Yet when the training is complete, there are no job opportunities, much less well-paid ones, with either the Band or a local First

Nations-owned company. In the end, she finds work with a non-First Nations organization. If she is looking for the best possible wages, the work may be in the oil and gas sector. A similar pattern is observed for Métis and other Aboriginal organizations that may also be engaged in training initiatives.

The linkage between individual and community capacity is often found in institutional arrangements – if the community in the example above had a forestry capacity building plan, including initiatives to gain access to timber resources and the economic development those tenures would support, perhaps the GIS technician would have remained in her community and made a major contribution to collective capacity.

On the other hand, in the conditions of great labour mobility that characterize the modern era, we should also note the phenomenon of qualified individuals that migrate from their own community to contribute to Aboriginal capacity in another region. There is a certain flexibility here that is not available to many other types of capacity building. Also, as this section illustrates by comparison with those that follow it, human resources are one of the easiest aspects of capacity to measure (though we by no means have full data). Clearly human resources development will continue to be central to concerns with capacity building for Aboriginal Peoples in the forest sector, but such efforts will meet with limited success unless they are combined with capacity building in other areas.

Box 2. NAFA hypothetical job description for a First Nations Forest Manager

In 1999, NAFA developed the following hypothetical job description to illustrate the very diverse knowledge and skills requirements typically faced by the "forestry department" of a Band or Tribal Council – often a single person, and often with responsibilities in more areas than just forestry:

"S/he will be responsible to manage all aspects of forestry, including community consultation; reserve forest management and enforcement; forest business development; implementation of forestry employment programs; and management of forestry contractors."

Professional Foresters

In almost all provinces, at least some of the functions listed above require a formal professional designation when they apply to provincial Crown land. For example, Forest Development Plans on provincial Crown lands in British Columbia can only be accepted by the Province if they are signed by a member of the Association of BC Professional Foresters – that is, a Registered Professional Forester (RPF).

In 2003, Parsons and Prest estimated that Canada-wide there were 17 Aboriginal RPFs, as well as 46 individuals with a forestry degree but not the formal designation (Parsons and Prest 2003). In 2005, the Institute on Governance reported an estimate of about 12 Aboriginal RPFs in British Columbia (Wilson and Graham 2005). Today these numbers are probably somewhat higher, but exact figures are unknown. For comparison, the Canadian Institute of Forestry estimates that in 2000 there were about 8,500 RPFs in Canada (cited in Bombay 2000). About 3,500 of these are in British Columbia (Wilson and Graham 2005). A primary component of NAFA's multi-year Aboriginal Professional Development Action Plan was to increase the number of Aboriginal RPFs to 500 within a decade, in addition to a number of other awareness, education, and training initiatives (Brascoupé 2000).

Other natural resources and environmental personnel

While RPFs are a key role player in sustainable forest management, with ultimate responsibility for much of the planning process, most of the functions listed above do not strictly require a professional designation. Within the existing institutional regimes for forest management in Canada, the RPF and other professional designations – biologists, agrologists, engineers, and so on – grant considerable power and recognition of achievement in knowledge and skills. However, we make the point below that these and other institutions for forest management are themselves also in need of revamping. Part of this process might include recognizing and granting authority to a wider range of knowledge-related achievements, including traditional knowledge holders. Even in non-Aboriginal society, there is an ongoing movement towards alternative formal designations – for example, the developing Canadian Certified Environmental Practitioner designation.

In addition, a range of technical roles need to be filled for Aboriginal communities and organizations. These include forest technicians, geographical information systems technicians, and similar roles.

According to Statistics Canada (2004), only 4500 Aboriginal people, or 1.2% of the total Aboriginal student population were studying at a post-secondary level in resource-related fields.

Other human resources

While individuals with expertise specific to forestry and other natural resources and environmental fields are obviously a great need in Aboriginal communities and organizations, there is also a long list of needs for knowledge and skills that cut across almost all sectors. Entrepreneurs and business administration specialists are needed to pursue economic opportunities. Public administration specialists are needed to support transition to self-governance. Human resources managers are needed. A whole range of clerical and other support professionals and staff are needed.

The value of post-secondary education in the forest sector

As the foregoing implies, focus on higher-level qualifications of human resources is a priority for at least two reasons: (1) the formal recognition grants certain privileges, power, and credibility that would serve Aboriginal communities well, both internally and in their interactions with external players; and (2) these individuals would be in a position to develop initiatives to put in place additional needed pieces of the capacity puzzle (Brascoupé 2000, Bombay 2000).

Focusing on higher-level human resources development in the forest sector also can contribute to community capacity by providing positive role models. The impact of positive role models can produce a shift in a community's culture and attitudes as a whole towards the forest sector and related careers in it.

Although training and education for Aboriginal Peoples in science-based and technological fields is seen as crucial for both community and individual interests in the forest sector and others, progress is slow. Aboriginal people are under-represented in math and science programs (RCAP 1996, Volume 3: 524). Fewer than one percent of Aboriginal students are majoring in science-related courses at the post-secondary level (Mullens 2001: 10).

Other forest workers

In addition to post-secondary education, there are a number of other human resources needs. For example, training and recruitment efforts are needed for forest workers such as fallers, machine operators, silviculture workers, and truckers. However, the caution is noted again: Without efforts in a number of other areas, such as access to timber resources and institutional development, these kinds of efforts are likely to repeat the pitfalls of much experience to date, in that most expected jobs are either temporary or located outside the community. Even something as simple as transport to job sites and needed equipment can be a stumbling block.

Leadership

Perhaps one of most challenging needs under the human resources heading is the need for leadership in the forest sector. Today's leaders need to acknowledge and act on the great importance of the forest for both the culture and the economic development of Aboriginal Peoples. They need to do this through a model that sustains the effort over time in an unbiased manner. Good leaders need to be identified and supported directly.

In addition, new leaders need to be cultivated in the younger generation.

Cultivating Aboriginal human resources

In the short term, filling the human resources needs of Aboriginal communities and organizations will involve widespread contracting of non-Aboriginal individuals. However, due to the acute need for employment in the Aboriginal population and the unique challenges of straddling Aboriginal and non-Aboriginal cultures and institutions, over the long term it is imperative for most positions in Aboriginal communities and organizations to be held by Aboriginal people.

This points to a need for institutional development. Human resources development needs to be driven by the long-term opportunities and needs of communities and organizations as identified through strategic planning. This would provide the "destination" for the individuals that receive training and education.

Institutional resources

It is worth repeating that by "institutions" we do not refer to organizations, but rather to the "rules of the game" within which organizations operate, as reflected in such features of society as legislation, regulations, policies, agreements, protocols, and accepted practice. A First Nation's forestry office or a Métis-owned forest company is not a self-sufficient unit. These bodies operate within a socio-economic and institutional context, and that context determines the opportunities and constraints upon their activities.

In contrast with almost all other groups in Canada, First Nations deal on a day-to-day basis with two distinct regimes for natural resources management: (1) the **federal** legislation, instruments, and policies for Indian reserve lands management under the *Indian Act* and, since 1999, the *First Nations Land Management Act*; and (2) the **provincial** legislation, instruments, and policies for Crown land management in the traditional territories of First Nations as sanctioned by the Constitution of Canada.

On provincial Crown lands, where the provinces hold primary jurisdiction in regulating and allocating access to forest resources, key institutional challenges for *all* Aboriginal groups are (1) to secure access to timber and other forest resources in landscapes that for the most part are already completely allocated to non-Aboriginal parties (NAFA 2003, 2005); (2) to develop forms of tenure and associated instruments that accommodate and are appropriate to the unique rights, cultures, and perspectives of Aboriginal Peoples relative to forests (Ross and Smith 2002, NAFA 2005); and (3) to establish a clear and leading role in decision-making and governance of land use such as planning processes, consultative protocols, and so on. In all of these areas, a key institutional resource to be drawn upon is the recognition and affirmation of Aboriginal and treaty rights in Section 35 of the *Constitution Act, 1982*, as well as the direction on this Section specific to lands and resources management that the courts have given from time to time in the intervening years.

On Indian reserves, the institutional challenges are very different: The primary jurisdiction lies with the federal government, and by comparison with provincial lands the institutional regime is severely underdeveloped (Auditor General of Canada 1992, Notzke 1994, Auditor General of Canada 2003, Moffat 2004, Westman 2005). The Indian Timber Regulations do not, and according to the enabling *Indian Act* cannot, provide assurance of logging consistent with even outdated concepts of sustained yield, much less current ideas of sustainable and ecosystem-based management. The gap between on- and off-reserve regimes for forest management is a continuing challenge for community members, their governments, and their businesses to navigate.

First Nations are demanding and DIAND is beginning to develop mechanisms for granting greater self-governance of reserve lands. However, this institutional trend suggests an increased demand for other types of resources in order to discharge new authorities. The *First Nations Land Management Act* (FNLMA; 1999) now provides an opportunity for First Nations to opt out of the *Indian Act* lands provisions on condition of putting in place an acceptable Lands Code to replace it. However, few First Nations have taken this option to date, and due to the lack of capacity for implementation few additional First Nations are likely to follow (Moffat 2004). In addition, Lands Codes under the FNLMA do not necessarily include forestry-related provisions.

In any case, the shift to self-governance of forest lands will require the development of systems for conducting forest inventories, calculating allowable cuts, developing forest management plans, allocating and enforcing harvests, revenue generation and distribution, reforestation and silviculture regulations, and more (Brubacher and others 2002). In addition, a whole range of historical and institutional conditions have conspired to produce an underdeveloped business culture in Aboriginal communities. For example, until the recent passing of the *First Nations Fiscal and Statistical Management Act* (2006), on-reserve real property regimes lacked adequate provisions for taxation, Band access to capital markets, and financial standards. Furthermore, the large gaps in human resources (see above) in communities have resulted in the common practice of Indian Bands and other Aboriginal governments to approach the problem of community economic development by playing a lead role in establishing and operating forest businesses and other enterprises. The result has frequently been a problematic relationship between business and politics (Wilson and Graham 2005). New institutional measures are needed to establish appropriate, effective, and legitimate structure in these cases.

A few additional recent examples of progress in the area of institutional arrangements should be noted here. The first addresses Band and Indian reserve governance, and the others are arrangements with provincial governments.

- In February 2007, the Government of Canada and the Anishinabek Nation signed a Governance Agreement in Principle that, once it becomes a Final Agreement, would eliminate the application of sections of the *Indian Act* dealing leadership selection, citizenship, culture and language, and management and operations of government. The new law-making authorities would enable the First Nation to better attract investments, create partnerships and manage economic opportunities (DIAND 2007).
- In April 2004, the Province of Manitoba and eight First Nations on the east side of Lake Winnipeg signed a Memorandum of Understanding (MOU) to pursue jointly the objectives of the East Side Broad Area Use Planning Initiative, now re-named Wabanong Nakaygum Okimawin (WNO: "East Side of the Lake Governance"). Since then, the majority of the sixteen First Nations on the east side have signed. The MOU establishes a government-to-government relationship, common objectives, and institutional arrangements such as the East Side First Nations Council (Government of Manitoba 2004). In March 2007, a five-year, $2.5-million transfer agreement was signed by the Manitoba government and the WNO Council of Chiefs was signed, launching one of the most comprehensive traditional area land-use plans in the province's history.
- The New Relationship agreement of April 2005 commits the Province of BC, the Union of BC Indian Chiefs, the BC Assembly of First Nations, and the First Nations Summit to develop new approaches for consultation and accommodation and to deal with Aboriginal concerns based on openness, transparency and collaboration. "We agree to a new government-to-government relationship based on respect, recognition and accommodation of aboriginal title and rights. Our shared vision includes respect for our respective laws and responsibilities. Through this new relationship, we commit to reconciliation of Aboriginal and Crown titles and jurisdictions" (New Relationship Agreement) The implementation of this agreement will involve the development of processes and institutions to achieve a number of goals including: practical and workable arrangements for land and resource decision-making and sustainable development, recognition of the need to preserve each First Nations' decision-making authority, financial capacity for First Nations and resourcing for the Province to develop new frameworks for shared land and resource decision-making and to engage in negotiations; mutually acceptable arrangements for sharing benefits, including resource revenue sharing, and dispute resolution processes which are mutually determined for resolving conflicts rather than adversarial approaches to resolving conflicts (Government of BC 2006).

Many other examples of promising approaches exist. The challenge for all of them is to ensure that long-term capacity exists in the Aboriginal communities and organizations to implement agreements and responsibilities.

Additional examination of the complex and fundamental questions of institutional capacity is found in another discussion paper currently under development by Team 3.

Knowledge and extension resources

Aboriginal Peoples need access to both traditional and techno-scientific knowledge and information, in order to develop appropriate positions, management techniques, and arrangements regarding forest management. Even where a community's traditional knowledge may be strong, the capacity is often lacking to make this knowledge available to forest management discussions while simultaneously protecting it – that is, maintaining both the community's intellectual property rights and the fundamental nature as distinct type of knowledge, with its own systems for generating and validating new knowledge and ensuring that knowledge is passed and applied to the relationship to and use of the Land. Some capacity needs in the area of knowledge and extension include the following. Note that these needs overlap strongly with other categories of resources, such as human resources, physical resources, and institutional resources.

- research project personnel and funding
- land and resources inventory and mapping databases and management systems
- on-demand extension and research support organizations
- data-sharing partnerships and protocols with non-Aboriginal research organizations, governments, and forest companies (universities, extension services, etc.)

As with many of the capacity needs discussed in this paper, knowledge and extension resources may be best developed not at the community level but at some level of amalgamation, such as the Tribal Council or regional level. For example, the Nicola Tribal Association (NTA) in British Columbia has had success in representing its communities to negotiate an Innovative Forest Practices Agreement with industry and the Province, including significant commitments to invest in the NTA's abilities to develop and manage an extensive traditional knowledge research and data management system. The system allows the NTA to efficiently review the state of both scientific and their own traditional knowledge of the traditional territory in order to prepare their input to forest management planning and other decisions (Sandy 2006).

At the national level, NAFA and partners are currently developing a proposal to establish a First Nations Forest and Natural Resources Institute, focusing on research and extension functions (Bombay and Stevenson 2007). To date, the research agenda in Canada has been set by non-Aboriginal parties, and application of the findings is sporadic at best. It its current draft form, the proposal is to perform the following functions in the forest sector:

- undertake research of implications of current policies and institutional regimes; models for addressing needs, rights, and interests; and models for reformed forest development and management policies and institutional frameworks to accommodate Aboriginal rights and interests
- reform policy in the interests of all Canadians by translating research findings into policy recommendations and delivering knowledge extension services to First Nations and Crown government policy makers

The proposal for this Institute also acknowledges the need to provide support for capacity building in non-Aboriginal parties, especially provincial and federal governments. As discussed

in a previous section, capacity building for Aboriginal rights and participation in the forest sector needs to be viewed as a two-way process of learning and development for mutual benefit.

A final issue needs to be noted under the heading of knowledge and extension resources, and that is to beware of top-down interpretations of knowledge and extension. As Stanley and Campbell (2006) note with regard to capacity building in Northern Saskatchewan, “Knowledge cannot be introduced; it has to be created by Northerners.” A bottom-up, social learning paradigm that is responsive to the specific context and needs of communities needs to replace the conventional “technology transfer” paradigm that historically has resulted in failed community development and misguided higher-level policies (Röling and Wagemakers 1998, Schacter 2000).

This approach is also in keeping with the call of NFS Action Item 3.3 to incorporate traditional knowledge into forest management planning by complying with the terms of the Convention on Biological Diversity (CBD), which calls for “*in-situ*” protection and maintenance of traditional knowledge – meaning that, in addition to database compilations and bureaucratic data management, the actual lifestyles on the land that are the ongoing source of traditional knowledge need to be maintained (McGregor 2004, Harry and Kanehe 2005).

Social resources

In the context of Aboriginal Peoples’ rights and participation in the forest sector, key issues under the heading of social resources include socio-political unity of purpose, effective leadership, and community identity. While social resources, usually called social capital, are a major focus of much literature on community capacity building, the term tends to take a back seat to other categories in discussions of Aboriginal capacity building in the forest sector. In large part this can be attributed to the strong overlap with the themes of institutional capacity and cultural development, both of which are singled out as separate categories much less frequently in the general literature. In Team 3’s case, we have deemed it necessary to separate out these important issues in order to ensure that they are properly highlighted.

An additional reason that the category of social capital receives less discussion by Team 3 is that directly addressing the informal relationships that this concept refers to is quite problematic. Schuller observed that, “where trust becomes the focus of attention, this may cause it to wither as much as to flourish; some relationships, norms, and networks are strongest when they are not exposed to constant examination.” (Schuller 2001: 22)

Physical resources

One obvious additional area of capacity need is physical resources, including technology. Public infrastructure such as roads, hospitals, and schools are shared with many other sectors. Private infrastructure for forest-related business may be assumed to be the responsibility of the business. However, there is a basic level of provisions – office spaces, equipment, and technology – that will be necessary to enable Aboriginal governments to perform certain functions on behalf of all of their constituents, including catalyzing new business and economic development.

In its Forestry Toolbox, the Assembly of First Nations of Québec and Labrador Sustainable Development Institute lists the following physical resources required for a basic set-up of a Band forestry office, based on the experience of the Innu Nation (AFNQL-SDI 2005).

- Premises rental, insurance, maintenance, and utilities
- Computer equipment, including hardware and software
- Resource inventory data, maps, aerial photos
- Field gear – measurement tools, radios, axes, shovels, clothing, safety gear, etc.
- Other equipment, including photo interpretation tools
- Field vehicles – 4x4 pickups, snowmobiles, boats, off-roads, etc.

In recent years, a new concern regarding the infrastructure of remote Aboriginal communities has been access to the internet, and the increased capacity for communications and information sharing that it can deliver. Some communities are still completely without internet access, while many others have access only via slow-speed, dial-up connections. Industry Canada's broadband access programs, such as the Broadband for Rural and Northern Development Pilot Program, have been attempting to address this gap.

Cultural resources

As discussed in some detail in a preceding section of this paper, Aboriginal cultural identity is inexorably tied to the land, including forests. Almost any well-designed actions to advance the rights and participation of Aboriginal Peoples in the forest sector have the potential also to support development of cultural resources. However, this is dependent on achieving the right cultural "fit" – that is, initiatives that deliberately build on the specific values and preferences of the targeted populations (Post-*Delgamuukw* Capacity Panel 1999). For example, "A study was carried out by the Nicola Valley Institute of Technology in B.C. which showed much higher success rates among students at Nicola Valley Institute than other institutions offering similar programs. The students' success was attributed to the provision of cultural support." (Hopwood and others 1993: 72) Furthermore, culture is the source of legitimacy for institutional arrangements (i.e. forest management regimes and governance structures), and it can also be the undoing of well-intentioned initiatives in that area (Cornell and Kalt 1991).

Thus, while attempts to directly build cultural resources are not likely to be central to a capacity building initiative specifically in the forest sector, there is opportunity at almost every turn to ensure that existing cultural resources are built upon, rather than simply ignored. Greater use of Aboriginal languages, Aboriginal instructors, and Aboriginal learning styles would increase the success rate of training and education in many cases (Knight and others 2003, Post-*Delgamuukw* Capacity Panel 1999). In addition, development of knowledge and extension resources as described above needs to consider traditional knowledge not only as factual knowledge about ecological systems and Aboriginal Peoples' uses of them, but also as a distinct way of generating new knowledge, validating and storing it.

Under the heading of cultural resources we may also consider the prevalent attitudes in a community towards the forest sector. During a recent poll of the top 40 career preferences of Aboriginal youth attending a career fair, forestry ranked 32nd. The top five choices were business owner, artist/craftsperson, teacher, doctor, and police officer/correctional officer (Consulbec 2002). Therefore, awareness of opportunities and values relative to forest resources needs to be

built. Role models are also needed. These developments are desperately needed if Canada's forest community is to realize the mutual benefits of increased Aboriginal participation in the sector.

Natural resources

Today Aboriginal peoples find themselves unable to draw sufficiently upon one of the fundamental resources that contribute to a forest-based economy – the forest itself. Access to forest resources is a major concern for Aboriginal peoples as a foundation of economic development and self-sufficient capacity. It is also among the most contentious issues, involving questions of redistributive policies for Crown lands, congruence between institutions and culture, and bridging the jurisdictional gap between federal and provincial regimes for forest management.

Across most of Canada's forested area, the present land base of Aboriginal communities is inadequate to support a thriving forest sector. First Nations lands south of the sixtieth parallel (mainly Indian reserves) make up less than one percent of the Canadian land mass. Much of this land is of marginal value for modern industry. The Métis landbase is almost non-existent, being limited only to the 520,000 hectares that comprise the Métis Settlements of Alberta. In contrast, the comparable figure for the United States (excluding Alaska) — where Aboriginal people are a much smaller percentage of the total population — is three percent of the total land mass (RCAP 1996, Vol. 2: 422-423). In fact, as Robert White-Harvey points out, "all of the reserves in every province of Canada combined would not cover one half of the reservation held by Arizona's Navajo Nation." (White-Harvey 1994: 588) For reasons of both feasible economic development and the settlement of claims to Aboriginal and treaty rights and title, Aboriginal communities are demanding greater access to off-reserve Crown lands in their traditional territories.

The other major need for capacity building in forest resources is to address the historical contamination and degradation of those resources to which Aboriginal peoples already have access. It is well known that gaps in the institutional framework for management of First Nations Lands have resulted in a continual erosion of the quality and quantity of timber, forest habitats, water, wildlife, and many other products and services. While many of these problems are also seen on private and Crown lands in Canada, there is no doubt that the problems are especially severe on Indian reserves. In 1989 "Indian forest lands" totalled 3.7 million hectares, with 43 percent of that considered productive or potentially productive. Of that total, 300,000 hectares, or about 8 percent, required restoration. More up-to-date data has not been obtained. "In addition to the devastating impact of settlement and development on traditional land-use areas, the actual reserve or community land base of Aboriginal people has shrunk by almost two-thirds since Confederation, and on-reserve resources have largely vanished. The history of these losses includes the abject failure of the Indian affairs department's stewardship of reserves and other Aboriginal assets." (RCAP 1996, Vol. 2: 425)

Aboriginal Peoples need to be leaders in the rehabilitation of forest lands, and this requires the capacity to do so – in terms of institutionally entrenched roles and responsibilities, in terms of human resources, and in terms of knowledge and extension resources. This is an imperative of both their cultures and their rights.

Box 3. Aboriginal forest tenures and cultural fit

"A large number of Aboriginal communities in Canada are located within forested areas. Even though Indian reserves represent a miniscule proportion of public forests, the areas traditionally used by Aboriginal Peoples and on which they lived are vast. Historic or numbered treaties between the Crown and Aboriginal Peoples were entered into across large parts of the country, while British Columbia, parts of the territories, Québec and Labrador have only in more recent history undertaken land claims or treaty negotiations. The exact nature of the Aboriginal and treaty rights retained by Aboriginal Peoples on both treaty and non-treaty lands remain a subject of controversy between government and First Nations.

In 1982, these rights became constitutionally protected under the *Constitution Act, 1982*. In the past twenty years, the Supreme Court of Canada and lower courts have been increasingly requested to define the nature and scope of Aboriginal and treaty rights, and governments' obligations to the Aboriginal Peoples. These court decisions as well as the outcome of ongoing treaty negotiations will have significant repercussions on resource developments, notably in the forestry sector. . . . [U]nresolved rights issues will continue to surface in forest allocation and management decision-making and are calling for resolution. The key challenge in the resolution of these rights issues is for forest owners, managers and forest tenure holders to respect Aboriginal forest values and land uses enough to grapple with modifying industrial forestry practices and forest management planning in order to allow the co-existence of multiple values and uses." (Ross and Smith 2002: 3-4)

Financial resources

Almost any action to address the capacity needs discussed in this paper would require significant funding to plan and implement. However, effective capacity building takes time. This means that programming needs to be stable and predictable over extended periods. In many cases, stability of funding may be as important as the amount of the funding.

While Aboriginal Peoples, by culture and by their unique status in Canadian society, have the primary responsibility to take action in building their own capacity, they require support from non-Aboriginal parties to do this. Most importantly, a range of existing institutional barriers to Aboriginal communities and organizations raising their own financial resources need to be overcome. Many of these challenges are discussed under the institutional resources heading, above. In addition, over the short- and mid-terms project and capital funding will be required to pursue the negotiations and collaborations required to achieve the longer-term, more fundamental needs. As the Vision Statement of the Aboriginal Capacity Working Group makes clear, there is mutual benefit in pursuing such partnerships.

Features of more effective funding arrangements include:

- The opportunity for multi-year funding agreements.
- Better coordination of existing federal and provincial programs. Industry participation is appropriate in the development, support, and delivery of some programs.
- 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 governments is a key pre-condition for the establishment of effective funding arrangements.

In recent years, economic development funding has become one of the major focuses of the federal government, as a means over time of moving away from perpetual funding commitments and towards providing a way for Aboriginal communities to generate wealth autonomously. In addition, more fundamental questions such as the ability to access venture capital and to practice autonomous fiscal management have begun to be addressed by initiatives such as the *First Nations Fiscal and Statistical Management Act* of 2006 and the Anishnabek Nation-Canada Governance Agreement in Principle of 2007. To be sure, a thriving business culture with fair access to markets is a key element of future capacity in the forest sector. However, at present much more work is required on the institutional side to make this happen.

In some jurisdictions, most notably British Columbia and New Brunswick, agreements to share revenue from Crown-land logging have been negotiated. These are substantial financial resources; however, the revenues generally are directed to general Band operations and are not earmarked specifically to build capacity in the forest sector. Leadership at the community level is required to address this issue. Similarly, according to the letter of existing law for on-reserve logging, the Minister of Indian and Northern Development is authorized to collect royalties for such logging and to deposit them in a Capital Trust Account, which a Band can draw from by resolution. However, this mechanism has broken down across most of the country, and in any case these revenues are not earmarked to build capacity specifically in the forest sector.

The question of roles and responsibilities for financial contributions to Aboriginal capacity building in the forest sector is treated in more depth in an additional discussion paper currently under development by Team 3.

One area where Aboriginal communities are increasingly demanding financial support from other governments and timber companies is in consultative processes regarding proposals for new development on Crown lands in their traditional territories (NRTEE 2005, Wilson and Graham 2005). Aboriginal communities are beginning to request consultation fees from government and industry before traditional use information is shared and business activities can be conducted. In the booming oil and gas sector, these requests appear to be quite readily treated as a cost of doing business. It is telling that in Alberta, where forests are subject to enormous oil and gas development pressures intermixed with timber operations, the government has recently become the first province to establish a fund expressly for the purpose of funding consultation processes in the natural resources sector.

A short integrated illustration

As a way of wrapping up the extensive discussion of this section, we offer the following description of First Nations involvement in land use planning in the Yukon, which demonstrates the linkages among recognizing existing capacity in Aboriginal communities, mobilizing that capacity, and the importance of institutions and social capital in this process. With this example we wish to emphasize that although an analysis of the various components that go into capacity building can often make the way forward appear complex, the reality is that the issues often coalesce on the ground into a few basic challenges mainly require the commitment of the

community and the respective governmental leaders to begin to make progress. We make explicit reference to the model of capacity building presented by this paper by means of bold-font notes.

> "The experiences of the Alsek Renewable Resource Council and the Champagne and Aishihik Planning Team illustrates that if community-based forest management planning is to succeed in the Yukon a number of conditions are required. Government must acknowledge that RRCs have a legally mandated role in forest management decision-making by developing specific policy for implementing RRC recommendations **[institutional resources]**. Government must acknowledge that community-based groups have the capability to make informed decisions that will benefit both the community and the forests **[mobilize existing capacity]**. In order to accomplish this foresters must work cooperatively with community members to ensure that the best possible forest data is made available to the participants in community-based forest management planning processes **[knowledge and extension resources]**. New government policy must be formulated to accommodate the recommendations of the community-based organizations **[institutional resources]**. The investigators believe that for community members to remain actively involved in community-based management they must observe that their recommendations are implemented by Government. The investigators are of the opinion that in order to accomplish these criteria Government policy must strive to strengthen and maintain a trusting relationship between community and government partners **[social resources]**." (Wortley and others 2001: Abstract; bold-face labels added)

Principles for effective Aboriginal capacity building

In the previous section we have described a wide range of elements that can be considered to contribute to capacity for Aboriginal Peoples' rights and participation in the forest sector. The number of different areas where a capacity building initiative could potentially invest is very great, ranging from training and education, to support for negotiation of new institutional arrangements, to rehabilitation of degraded forest lands. Given scarce financial resources and the need to thoroughly justify any proposal for increased funding to Aboriginal forestry initiatives, what is the most strategic approach to addressing the capacity challenge?

Today, after over 20 years of significant but variable 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 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. The following principles summarize what the Aboriginal Capacity Working Group of the National Forest Strategy Team 3 has learned about capacity building for Aboriginal peoples' rights and participation in the forest sector. Team 3 will use these principles as a basis for developing recommendations towards a national capacity building strategy for Aboriginal Peoples in the forest sector.

1. Because Aboriginal and treaty rights are held collectively, the vision of the Aboriginal Capacity Working Group concerns community capacity. At the same time, one of the key ways of building community capacity is by building individual capacity. One challenge is how to ensure that individual capacity also contributes to community capacity. We need a "pull" rather than a "push" approach to the individual level, in which individual capacity gets built because the demand and the opportunity to apply that capacity in a collective context exists. Therefore, the Aboriginal Capacity Working Group is concerned with building a collective ability for First Nations, Métis, and other Aboriginal Peoples to establish new opportunities and new institutional arrangements.
2. Aboriginal communities and their governments 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. A greater emphasis must be put on bottom-up approaches, driven for and by Aboriginal communities, rather than top-down. Because we work at the national level, the Aboriginal Capacity Working Group must remind ourselves continually of this.
3. Distinctions between different Aboriginal groups need to be understood, respected, and accounted for in programming. Different Aboriginal Peoples, and different communities within those Peoples, present distinctly different opportunities and challenges for capacity building. Discussion to date within the Aboriginal Capacity Working Group has often been

First Nations-specific. The aspirations of the Métis and non-status Indians also need to be represented and accommodated, as well as the special concerns of First Nations members living off-reserve.

4. Although the Aboriginal Capacity Working Group's primary concern is Aboriginal capacity, the process of capacity building needs to be a society-wide process to succeed. In the Canadian forest sector, capacity building must be a process of mutual learning and relationship-building. 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 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 on, but it varies from community to community.
7. New capacity is built on the foundations of existing capacity (knowledge, information, networks, resources, culture, etc.).
8. A holistic approach is needed. All aspects of capacity must be built over time. Any capacity building initiative is likely to focus on some aspects of capacity more than others, but tracking the development of capacity over time must involve an assessment of all aspects.
9. Capacity-building components should be a part of all Aboriginal forestry initiatives.
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. The role of strong Aboriginal organizations is a key consideration for capacity building. Organizations are often the interface between community members and institutions, as well as being champions for capacity building initiatives. They use capacity, and they provide a home for it.
12. Knowledge extension mechanisms are one of the most adaptable kinds of capacity that can be built. For example, a geographic information system (GIS) and lands and resources data files are useful in a wide range of applications. Traditional knowledge and the ability to apply and protect it are essential. Sharing successful models and examples among communities and organizations – often through informal networks of concerned individuals and organizations – is another important part of knowledge extension that must not be neglected.
13. 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.
14. Leadership is critical. Effectively addressing the Aboriginal capacity challenge requires identifying and supporting community and organizational leaders directly.

Conclusion

In this paper we have laid out a rationale of mutual benefit for the forest community of Canada to collaborate in the project to build capacity for accommodating the rights and participation of Aboriginal Peoples in the forest sector. We have reviewed several ways of approaching the definition of capacity and models of how capacity can be built. We have explored the status and needs of Aboriginal Peoples with respect to the various components of such definitions, and we have laid out some principles of effective capacity building. Our purpose is to promote implementation of the action items that comprise Theme 3 of the National Forest Strategy of Canada, 2003-2008.

What we find is that capacity is a wide-ranging concept that reaches into almost every aspect of Aboriginal Peoples' relationships with non-Aboriginal peoples and with the forest. As far as the relationships between Peoples are concerned, the history has been problematic and counter-productive in the extreme. The need today is great, and the potential pitfalls are many. While any capacity-building initiative will need to select specific areas of focus in a strategic manner, the outcomes of such initiatives nonetheless need to be assessed with respect to the whole of our model of capacity.

Team 3 intends to develop the ideas in this discussion paper further. One immediate need is for the question of roles and responsibilities of various parties to be clarified with respect to such a strategy, in a manner that is agreeable to all concerned. Team 3 is currently at work on an additional discussion paper to advance this issue, which has been referenced several times in the present paper. Out of this process, the intention is to produce consensus recommendations and to champion them in a range of relevant policy processes.

When a common vision and strategy is available to support Aboriginal Peoples in their lead responsibility for building their capacity to implement their rights and increase their participation in the forest sector, we may expect the benefits to accrue to all of Canadian society.

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Appendix 1: Action Items of National Forest Strategy Theme Three

Objective

Accommodate Aboriginal and treaty rights in the sustainable use of the forest recognizing the historical and legal position of Aboriginal Peoples and their fundamental connection to ecosystems.

Action Items

3.1. 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.

3.2. Implement institutional arrangements between Aboriginal Peoples and governments that reflect a spirit of sharing responsibilities and benefits for the management, conservation and sustainable use of forest lands and resources; and give effect to land claim settlements, treaties, and formal agreements on forest resource use and management.

3.3. Incorporate traditional knowledge in managing forest lands and resources in accordance with the Convention on Biological Diversity.

3.4. Direct federal and other available funding to support Aboriginal capacity building and participation in implementing the National Forest Strategy, through measures such as a renewed and expanded First Nation Forestry Program and the development of a parallel Métis forestry program, and in supporting Aboriginal participation in related local, regional and international meetings.

3.5. Provide for access to a fair share of benefits from the use of forest lands and resources.

3.6. Provide for Aboriginal interests in the development of international trade agreements.

3.7. Review and update the status of forest inventories and management plans of Indian Reserve forest areas and identify resources to implement these plans.