

Steps in Negotiating a Co - management Arrangement

(B Gaertner, 2003)

- Pre-negotiation
- Negotiation
- Ratification

Many smaller steps along the way!

Pre – negotiation

Pre - requisites:

- Need a clearly mandated First Nation structure

- Need a funded facilitation process:
 - *FRAFS: communications, coordination, technical processes*

 - *Fraser Salmon Roadmap Planning Group(FSRPG):*
 - *scoping; gather information, identify issues, key themes*
 - *develop structural options to meet both FN and DFO needs*

 - **Roadmap funded: (gen. assemblies)**
 - *Tier 1 and 2*

Pre – negotiation

Pre - requisites:

- **DFO and FN must take steps to confirm their commitment**
 - *DFO needs to confirm commitment to move from consultation to co management*
 - ✓ *addressing power imbalance may be incentive for FN to engage*
 - ✓ *create trust on the First Nations side*
 - **some FN non committal or not participating**
 - ✓ *in BC Treaties / Douglas or other processes*

FSRPG - Scoping

- **Identified elements of a co management arrangement**
 - *visions, goals, mandate, accountability etc.. workshop 2010 (some similarities, differences - not reconciled)*
- **Julie Gardner review**
 - *Identified key themes, limitations and opportunities*
- **Reviewed history on the Fraser**
 - *ITFT, IIFC, intertribal MOU*
 - *DFO / FN – Fraser Watershed Agreement*

FSRPG – Scoping

What we heard from First Nations

- **Co-management must address power imbalance between FN and DFO**
 - *Need to move from consultation to co-management*
 - *Need a commitment from DFO >> incentive for more FN participation*
 - *Need clarification - Is this just about FSC or a partnership on management of Fraser salmon*

FSRPG – Scoping

What we heard from First Nations

- **FN need to prepare for political involvement**
 - *Must connect sr. DFO decision makers with the proper holders of Aboriginal Rights*
 - *Need to reconcile roles and responsibilities of various levels of First Nation governance*
 - *Recc. for a Negotiations Process Framework*

FSRPG – Scoping

What we heard from

DFO

- **Respect trust and shared principles need to be dev.**
- **Roles of the parties need to be clearly defined and mandated**
- **Major focus will be on FSC with consideration of other management issues**
- **Need to maximize the benefit of available funds**

Next Steps in Moving Ahead

First Nations

- *Prepare for political involvement:*
- *Clarify roles and responsibilities regarding decision making and authority at various levels*

FN - DFO

- *Id. key negotiating steps that will lead to co-management*

DFO

- *Identify options to address sharing of authority / decision-making?*

Defining co-management gets clearer as we move through steps?

FSR Roadmap Workshops

Build a negotiating framework:

Agreement in principle based on mutual respect for each other's authority, rights, entitlements, duties and obligations

Negotiate Agreement Content:

Principles, structure, activities - i.e. a detailed format for negotiating sub-agreements

Negotiated & Ratified Agreements:

i.e. build schedules: Forum, Technical, Policy

Implementation:

Includes other post-implementation items .. agreement monitoring, enforcement and conflict resolution