Council of Elders

Record of Discussion #2

APM-REP-00676-0002 **November 2012**

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Meeting convened at the BMO Institute for Learning

Scarborough, Ontario

November 5-7, 2012

Introduction

The 2nd meeting of the Council of Elders began with a tour and briefing hosted by Ontario Power Generation at the Pickering Waste Management Facility. This tour, together with the orientation provided in the first meeting of the Council, was designed to provide new members with an opportunity to see first-hand, the functioning of technology that is used now to manage used nuclear fuel and to engage with staff to address their questions.

The meeting was held over two days at the BMO Institute for Learning in Scarborough, Ontario. Elder Fred Kelly opened the meeting with a prayer and with assistance from Donna Augustine, they led a smudging ceremony.

Opening Session

NWMO President Ken Nash thanked Elders Kelly and Augustine for the opening ceremonies and welcomed Council members. NWMO's work for the past year has been extremely busy as there are now 21 communities who have come forward as interested communities to learn about Adaptive Phased Management. In conjunction with these the NWMO has contacted and is beginning the approach to discuss ongoing involvement with the First Nation and Métis communities near to these interested communities. With discussions now at the community level, NWMO is finding that with the raised awareness of interest in the project, there is increased discussion and early positions being taken on APM in some areas. He noted that NWMO staff work with great integrity and transparency and welcome all points of view on this work including with those that might be strongly opposed. It is a reminder that the educational challenges are difficult and it is important to provide sound and accurate information and ensure that people are well informed.

NWMO Vice President, (APM Engagement and Site Selection) Kathryn Shaver explained the focus of NWMO's work is now engaging with the 21 communities since the closing of the expressions of interest at the end of September 2012. She emphasized the importance that these communities reach out to their neighbors as the siting process continues. While some have a history of working in conjunction with surrounding communities on various subjects, others are meeting this challenge for the first time. Fostering the development of good working relations between Municipal and Aboriginal governments is a priority. She explained

that NWMO sponsored a representative of each of the interested communities to attend the International Conference on Geological Repositories (ICGR) held in early October in Toronto. This provided community level people with the opportunity to see what is happening in other countries and to learn about how other countries are approaching the question of local and regional involvement. She noted the new publication on 'Safe & Secure Transportation of Canada's Used Nuclear Fuel' was provided to Council of Elders members and invited any questions regarding transportation issues.

Reflecting back on the past year, Kathryn stated that the restructuring of the Council of Elders was a high-point and is looking forward to the discussion on involving youth in the work of the Council. She advised the meeting that Josephine Mandamin has resigned her position on the Council. NWMO will begin the process of finding a replacement.

Interim Chair Gordon Williams welcomed members and expressed his appreciation to NWMO for their responsiveness to concerns raised regarding Council remuneration issues. He felt that the changes reflect respect for members while ensuring fairness to those who travel great distances. Gordon noted that he was invited by the NWMO to attend the ICGR as the interim Chair of the Council of Elders and felt that there was a lot of value in attending this conference, as it became evident to community participants who are interested in APM that they are not alone in this process. He observed that the term 'waste' suggests the material is garbage and of no value and he prefers 'used nuclear fuel' be used to reflect the advice from Elders that recycling be pursued. He stressed that the Elders are "advisors" to the NWMO, it is especially important now that there are actual communities who have come forward as potential hosts in the future, and that the Council members be very clear on their role. He thanked people for their condolences for the passing of his mother-in-law.

Youth Involvement

Bob Watts, Director, Aboriginal Community Relations posed a series of questions that might help in developing a process to resolve how youth should be involved in the Council of Elders in the future. He explained the various roles played in the previous Elders Forum and research conducted on the role of youth in other organizations throughout the country. He explained that there is tremendous support to have youth involved by the NWMO Board and Advisory Council.

Differing interpretations of the traditional role of youth as 'Elder helper' were discussed by the Council of Elders with some members viewing it as an honourable role much appreciated by youth who see it as an opportunity to both learn and to demonstrate respect. Members recognize that youth are future leaders and that those qualities should be fostered. Several spoke of the need to encourage capacity building in anticipation of the expertise required for the DGR. Bursaries to encourage youth to study technical sciences as well as other fields relevant to communities should be established. A broader effort to bring information into learning institutions at all levels will help ensure that the next generation will be better equipped to deal with the challenge of nuclear waste management.

Various options for selecting youth members were explored and the value of providing for youth learning opportunities was emphasized. Some stressed the importance of selecting youth who demonstrate interest in traditional knowledge and others felt that a demonstrated interest in both traditional knowledge and western science was ideal.

Ideas for accommodating their unique skills and needs included; meeting on weekends (they may be students or working); using the internet for creating discussion groups; video conferencing; tweeting and social media to encourage broadening the discussion to all youth; explore getting course credit for their involvement with the Council.

Meeting participants agreed to partake in an exercise to ensure all ideas are considered in the formulation of guidelines for the selection of youth members on the Council of Elders. Each member posted their ideas on the following questions;

1. What criteria/qualifications/characteristics/qualities should we be looking for in youth?
2. What process should we establish to select/invite youth?
3. What is the role(s) youth would play?

Following the review of the results posted (See Appendix II), members agreed that NWMO should take the lead in developing the guidelines for Council of Elders youth involvement with support from a small working group and drawing from the ideas posted. Members Lawrence Joseph, Billie Schibler, Leslie Perley and Gordon Williams agreed to act as a committee to work with staff to draft the guidelines that will be brought back to the Council as a whole.

Aboriginal Engagement Update

Pat Patton, Director of Aboriginal Relations and Bob Watts, Director of Aboriginal Community Relations presented a detailed listing of communications and meetings held with Aboriginal communities and organizations. They explained that while they maintain close contact and a working relationship with provincial and national organizations, the focus is now on Aboriginal communities and surrounding areas of those who have come forward as a host site. One specific focus is on fostering the building of relationships between Aboriginal and non-Aboriginal communities involved in the site selection process.

A commitment was made to inform Council of Elders members of any meetings scheduled for their region as well as to inquiring with Aboriginal communities about inviting a member of the Council to meetings if desired. The question of their participation would be subject to the approval of the community. In any case, NWMO will provide information to Council of Elders members on meetings that are held. Bob shared a very positive experience of the Treaty #3 meeting with Elders and Youth and the value of having member Donna Augustine attend the meeting with the NWMO as she had a historical and spiritual connection with the area.

Clarification of the role of regional staff was explained as well as the role of provincial and regional Aboriginal governments in local activities.

Council members asked, “At what point does the Crown’s duty to consult come into effect?” Pat explained that this takes place when the Crown has knowledge of a project that might affect Aboriginal rights and in the NWMO’s site selection process this will occur when the NWMO is able to narrow down to the one or two communities selected, and these communities choose to proceed, most likely in Step 4. NWMO will sit down with the Crown at that time and the respective roles and responsibilities of the NWMO and the Crown will be discussed in order that it is clear who will be doing what.

Update on APM Site Selection

Vice President Kathryn Shaver and Jo-Ann Facella, Director of Social Research & Dialogue, provided an update on Siting with a particular emphasis on community well-being. After reviewing steps involved in the selection process, they outlined the key questions to be addressed in the Preliminary Assessment phase which are designed to ensure that ‘community well-being’ is central to the considerations. A broad scope approach is used and includes safety (people and environment) and security; means to foster the long term well being of the community and surrounding area (including other communities); and a commitment to ensuring the community is both informed and willing to host the project. Jo-Ann then explained each of these commitments in greater detail and explained that social, spiritual and economic well-being is encompassed in this broad definition. Kathryn spoke of the importance of fostering partnerships between neighboring communities and across cultures.

Questions from Council of Elders members related to clarifying the commitment stage (until what stage can a community still say ‘no’) and the impact the siting process might have on outstanding land claims. NWMO representatives responded by stating that communities enter the process to learn about APM and as they go through each step are not bound to stay in the process should they wish to withdraw. This is the case up to when the community and NWMO sign a formal agreement in Step 6. There are many more stages of study, consideration and discussion required before any commitments can be made by any party in the process. It was noted that NWMO must ensure that any legal questions regarding aboriginal rights (including outstanding claims) must be considered in the process. There is no legal research funding available yet however communities will be provided with resources to make informed decisions.

In response to a question about a preferred location based on geology, Ms. Facella explained that without the actual site testing, there is no preference at this time.

Clarifying roles

A number of questions regarding roles and responsibilities were raised by new members. It was made clear that individuals are not ‘representatives’ of their communities or Aboriginal organizations or when in communities, of the NWMO. When invited by an organization or

community to dialogue, this must be made clear. The Council of Elders provides advice to the NWMO. When members are asked by other organizations to explain their role with NWMO, there is no problem with members discussing the advice provided by the Council of Elders but it must be clear that they do not represent NWMO when holding discussions with others. It would be expected that travel costs would be borne by the inviting organization. This is especially important now as NWMO moves into the Siting phase. Ken Nash explained that there were misunderstandings in previous years on this topic and apologized if this has not been clear.

In-Camera Session

The Council of Elders had an in-camera session and upon reconvening advised NWMO that Donna Augustine and Lawrence Joseph were selected as new Co-Chairs until all seats are filled on the Council at which time the Council will review their decision and make an alternate selection if they wish.

They thanked Gordon Williams for his seven years of service to the Elders Forum as Chair and advised that they would like to honor Gordon at the next meeting.

A number of requests were made:

- Additional time to meet as a Council in conjunction with their regular meetings during the year.
- Meeting materials be sent in advance including advance review of the Agenda in order to add items as needed.
- An executive summary of the Niigani Report 2002-2010
- An executive summary of the Community Involvement Report by Jim Sinclair and Chris Lafontaine
- Computers/laptops for members as might be needed
- A retainer or form of payment recognition for each member to attend meetings or represent the Council of Elders when requested over the course of the year
- Recommend a recorder (Chris Lafontaine suggested as the person on the former Elders Forum) as a support person to the Co-Chairs and Council of Elders
- Opportunity to meet with native American people who might have experience in working on nuclear waste management issues

Drawing from Teachings and Prophecies

Colin Lachance was invited to attend this Council of Elders meeting to describe to Council members the outcome of a recent spiritual ceremony conducted in northern Ontario and prophecies and teachings drawing from a variety of regions throughout Turtle Island. He linked these teachings to the work he is doing to formulate laws related to land and resources in his territory. He also linked them to the challenge of dealing with nuclear waste and suggested the importance of the challenge of the Council of Elders to provide traditional knowledge and advice to NWMO. Documents which Colin brought to the meeting were made available to the Council members.[1]

A number of elders commented on the importance of ceremony in carrying out their responsibilities and pointed out that sacred laws cannot be negotiated. There was general agreement that there will soon be a major 'shift' that will result in significant change in the world as we know it.

Closing Session

Donna Augustine sang a song to honour Colin Lachance explaining how his presentation inspired the song. Elder Fred Kelly acknowledged the song as a closing prayer.

[1] On the advice of Traditional Knowledge holders and Aboriginal communities and organizations, it is the practice of the NWMO to report information when ceremonies or other traditional practices take place during meetings however details of guidance received are not reported publicly. Members of the Council of Elders were advised by Mr. Lachance that he is comfortable with them each sharing what they learned during this meeting in their conversations with others as well as the documents he provided at the meeting.

Appendix I

Participant List

NWMO Council of Elders			
Members			
FIRST NAME	**LAST NAME**	**COMMUNITY**	**PROVINCE**
Donna	Augustine	Rexton	NB
Angus	Gardiner	Ile-a-la-Crosse	SK
Lawrence	Joseph	Prince Albert	SK
Leslie	Perley	Grand Falls	NB
Joseph	Poitras	Scarborough	ON
Billie	Schibler	Winnipeg	MB
Roland	St. Germain	Barrie	ON
Billy	Two Rivers	Kahnawake	QC
Gordon	Williams	Orleans	ON
NWMO			
Marlyn	Cook	NWMO Advisory Council	
Wesley	Craig	NWMO Advisory Council	
Eva	Ligeti	NWMO Advisory Council	
Donald	Obonsawin	NWMO Advisory Council	
Michel	Rheaume	NWMO Advisory Council	
Jo-Ann	Facella	Director, Social Research & Dialogue	
Raymond	Hatfield	Senior Advisor, Aboriginal Relations	
Cynthia	Jourdain	Engagement Officer, Aboriginal	
Fred	Kelly	Traditional Consultant	
Jamie	Matear	Senior Advisor, Aboriginal Relations	
Jennifer	McKelvie	Senior Engineer, Geoscience	*Attended Pickering Tour as NWMO Technical Support*
Ken	Nash	President & CEO	
Pat	Patton	Director, Aboriginal Relations	
Dawn	Pratt	Senior Advisor, Aboriginal Relations	
Kathryn	Shaver	Vice President, APM Engagement &	
Bob	Watts	Director, Aboriginal Community	
Isaac	Werner	Engagement Officer, Aboriginal	
David	Crombie	NWMO Advisory Council	*Attended Dinner*
Facilitator & Guest			
Joanne	Barnaby	Facilitator	
Colin	Lachance	Corporate Secretary, Northeast Superior Regional Chiefs Forum	

APPENDIX II

At the Council of Elders meeting, November 6th, 2012 all participants were asked to provide ideas to help assist members on how to involve youth with the Council of Elders. Their ideas were posted as follows;

ROLE OF YOUTH

- Bring the youth perspective on issues, ideas and concerns to question and to probe
- To question and probe
- To assist NWMO to understand the Aboriginal youth and their issues
- NOT as ambassadors for NWMO
- Share their
    - Fears
    - Stories
    - Aches and pains
- Helper and learner
- To collectively seek/interpret information and disseminate to youth
- To learn
- To offer their perspectives and ideas
- To learn and participate while providing the youth perspective on the project process and engagement with all interested Aboriginal youth
- Youth have the potential to give observations and perspective on the extent of the project, especially given the time frame of the project and how it will affect their future. In initial participation, allow youth to state how they feel they can or will be affected by the project
- Support elders as Billie explained; not out of obligation but rather the right thing to do
- Network with other youth
- Contribute youth perspective
- Share information gathered
- Learners but also teachers of their point of view
- Stay focused
- Bring youth perspective
- Be willing to share their learning with others in day to day life
- Have one meeting per year of just youth and have the youth council representative invite one other person
- Be committed
- Speak clearly
- Help others as traditional role

- Provide NWMO with youth perspective
- Learn from elders
- Listen, learn, share, participate
- Be helpful
- Provide advice to NWMO as elders themselves with their generation values taken into account
- The role of the youth is to learn, respect, be honest and show participation at the meetings
- Share personal beliefs and feelings
- Learn and share
- I feel the youth should or could define their own role as youth. It might not happen on the first meeting, but in time it will happen as they learn more. “They” know they will have to speak to the next seven generations. We have to trust that their current knowledge, enhanced by finding out more about NWMO, their involvement with Elders, will guide them in right direction. They one day will become the Elders/teachers.

CHARACTERISTICS

- Demonstrated commitment to learning and culture
- Demonstrated contribution to home communities or region
- Commitment
- Any youth is qualified because they have to learn from the elders and vice versa
- We have to get youth that are interested to hear about the process of nuclear waste and learn more about it
- A leader open to learning
- The youth that were here before are still interested in this project and we’re here for the youth because they are the ones that will be affected by this
- Commitment to learning about project
- Academic background to learn about area
- Demonstrated leadership
- Communication skills
- Helper to Elders, understand and willing to take traditional role
- Good communicator
- Support Elder
- Time management
- Observant
- Good listener

- Considerate
- Punctual
- Leader
- Willingness to learn
- Respect each other
- Have time available
- Ability to listen, as well as talk
- Age range 16-29
- Education and community involvement
- Student
- Genuine interest in topic
- Engaged
- Shows initiative
- Combination of background, working, and post-secondary education
- Wisdom (old spirit in the young) in traditional ways
- Combination of youth who live in rural, remote and/or urban communities
- Ability to travel and attend meetings
- Openness to learning
- Desire to learn from elders traditional knowledge
- Should represent qualities of thoughtfulness, caring, and community awareness; this may be reflected through community leadership, participation in community activities
- Demonstrated leadership qualities in their school, communities, college, workplace
- Ordinary, youth in crisis, neglected youth
- Mix of expertise, ie. Traditional knowledge, science, social engagement
- Ability to speak up
- Openness to discussing and participating in discussion
- Between 16-36 years of age
- Male and female
- Has the time and commitment to participate
- Reliable
- Willing to participate
- Should be concerned/motivated/open/knowledgeable of community living
- The most important characteristic we could ask of the youth is respect for themselves and everyone around them, everything else will follow

PROCESS FOR SELECTION

- Community nomination
- Traditional nomination by their regional or cultural area
- Individual one to one contact
- Have each elder choose one youth and another chosen by regional organizations
- Elders choose
- Meet characteristics
- There should not be academic requirements. Many youth who are leaders in our traditional roles are not necessarily ones who fit in the formal academic world
- Regional organization representatives
- Award recipients
- Develop a set of criteria based on qualities desired; assess against this criteria; discuss and decide
- Advertise, application, interview with Elders
- Elder select from within their cultural community
- Collate outcome of discussion today; write draft terms or reference; small committee discuss through conference call in order to finalize with all Council of Elders
- Youth representative from each national Aboriginal organization
- Advertise to universities and colleges with Aboriginal student populations
- National selection panel
- One or two youth for NMWO meetings learn and help Elder
- Program for youth in communities to create ways to relieve crisis (diabetes, etc)
- Transparency of selection process is important (beware of perception of nepotism)
- Known activist in their community with the ability to grow as a result of their participation on this council
- Appointment
- Have each Elder nominate one youth, have council confirm nomination and appoint before next meeting
- Each Elder in collaboration with their community could propose a few names, Elders and council should have to bless this