

dispute resolution mechanisms — what expert knowledge is available in the field of alternative dispute resolution mechanisms (mediation, arbitration, commissioners, etc.) and how could it be applied to the field of aboriginal affairs?

- 2) dispute resolution mechanisms for major policy disputes not involving legal rights per se (e.g. for discretionary programs)
 - where the parties agree that legal rights are not involved, what mechanisms could be used to resolve such disputes that are consistent with the principle of self-government and Ministerial and federal authority?
- 3) alternative mechanisms to resolve disputes over rights questions where all parties do not wish to litigate or where they view litigation as a last resort
- 4) how to deal with disputes that are a mixture of policy and legal issues (e.g. post-secondary education assistance).

A background study could be commissioned on how consultation has historically been dealt with in the aboriginal affairs area. Practically every government since the second World War has launched a major policy or legislative initiative that has been criticized on the grounds of inadequate or non-existent consultation. It may be useful to analyse the pattern of these occurrences and the implications of continuing this practise.

A Committee study of these subjects could be carried out with the purpose of making recommendations to government on developing a policy in conjunction with aboriginal people on how and when consultation should occur and on the types of dispute resolution mechanisms available and most likely to succeed.

Such a study

- would flow naturally out of the work of the House Standing Committee on Aboriginal