

be needed so long as the federal government continues to pass legislation or formulate policy affecting aboriginal people. In other words, there is a need to establish a constructive and ongoing dialogue with the aboriginal community while striving for and implementing self-government.

The conclusion to be drawn is that there is an obvious need to examine the extent to which consultation is required in the day to day operations of the Department and in its process of policy development and implementation — particularly how and when consultation should be carried out. There also appears to be a need to examine the need for dispute resolution mechanisms — both for major policy disputes and for certain disputes over legal rights, such as treaty matters over which parties may not wish to resort to the courts.

Some studies and recommendations in this area have been made from time to time (e.g. the Canadian Bar Association Committee report, *Aboriginal Rights: An Agenda For Action*, Mr. Oberle's *Treaty No. 8 Renovation Report*, the *Report of the Task Force to Review Comprehensive Claims Policy*, Professor Morse's *Labour Relations Dispute Resolution Mechanisms and Indian Land Claims*), but there is no one comprehensive study of the issue of consultation and dispute resolution in the aboriginal affairs policy area.

Views in the aboriginal community and in government could be canvassed on the following subjects:

- 1) Consultation as part of the the process of policy development
 - under what circumstances should consultation be initiated?
 - how should it be conducted?
 - what are the requirements of adequate consultation and are there special requirements arising from the government's fiduciary obligations or the commitment to self-government?
 - what are the views of aboriginal people on consultation and the need for alternative