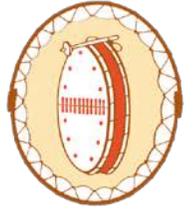




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Speaking Notes
for
Grand Chief Dr. Abel Bosum
at the
House of Commons Standing Committee
on Indigenous and Northern Affairs
(Bill C-15)

[March 23, 2021 12:00 p.m.-1:00 p.m.]

Wachiya. Good afternoon.

Thank you for the opportunity to speak to you about the importance of Bill C-15 and the implementation of the *United Nations Declaration on the Rights of Indigenous Peoples*.

I have been following very carefully the dialogues that have taken place during these hearings with the witnesses who have thus far appeared before you.

I would like to focus my remarks today on what, I believe, has been one of the most critical issues of concern by members of this Committee; namely, "Free, Prior and Informed Consent" and its relationship to the notion of "veto".

I address this issue from the perspective of an Indigenous Nation that has real....and on-the-ground experience in dealing with the critical intersection between resource development projects and Indigenous rights. The experience that we offer demonstrates very clearly that not only is the affirmation of Indigenous rights **not incompatible** with the certainty that is required to promote favourable investment climates, but rather, what we have demonstrated is that the affirmation of our rights is the **necessary condition** for investment certainty and for orderly, and sustainable development.

What we have developed in northern Quebec is a framework that provides space for rights-holders, space for stakeholders, and space for the public at-large to be involved so as to repeatedly produce “win-win-win” situations. This is not just rhetoric, nor is it wishful thinking. This is the result of our sleeves being rolled up and doing the hard work of hammering out agreements that reflect the diverse interests which are at play in these circumstances.

Please let me state clearly that the notion of “veto” is not something that is in our vocabulary when we deal with resource development projects.

Similarly, the concept of “veto” is not something that appears either in Bill C-15 or in the *United Nations Declaration on the Rights of Indigenous Peoples*.

When resource development projects within our traditional territory are proposed, we address them through them our Treaty—the *James Bay and Northern Quebec Agreement*, in particular, Section 22 which provides for environmental and social impact assessments of such projects. This process takes into account our people’s environmental and social concerns, and the process results in our involvement in such projects, including environmental monitoring, employment, training, contracting, and financial benefits.

This environmental and social impact assessment process is the forum that provides for deep engagement. Our engagement has included non-Indigenous communities in the region, various levels of government, Hydro-Quebec, mining, forestry, and other industries. We actually work with project proponents to make their projects more sound environmentally, and also, more sound from a business perspective.

Has this process of engagement resulted in our ever saying “No” to a project? Yes. Most recently in the context of a proposed uranium project which after much dialogue and many public hearings, we determined that the project did not meet our standard for “social acceptability”. But that conclusion was not an absolute declaration. It was the result of an extensive process of **engagement**. It was a conclusion arrived at through the legitimate process of considering diverse perspectives, diverse interests and diverse opinions. This is how we, in northern Quebec, express the notion of “free, prior and informed consent”. As it should be, it is so much more than only being able to say “yes” to projects.

We are no longer in an era of resource development in Canada when projects were undertaken “out-of-sight” and “out-of-mind”. The world has become a much smaller place and it is no longer possible anywhere in the world to pretend that development can supersede all other interests. This is a reality that has required that we all find that path that works in our territory and we have done so in an honourable way.

Bill C-15, and the *UN Declaration*, are not about enabling unilateral declarations. They are precisely about the opposite. They are about transitioning from the past when such declarations were the norm, to a reality in which everyone has a voice. The *UN Declaration* is about inclusiveness through honourable engagement.

We have worked hard over the last 45 years to find that right balance of Indigenous rights, development, and governance. If it can be done in northern Quebec in a way that diverse voices find beneficial, then it can be done across the country.

The *UN Declaration* will set the standards for the necessary conversations and the necessary engagement which must freely take place whenever there is an intersection between resource development and Indigenous lands.

Anything less would entail a perpetuation of paternalism and colonialism. And as we all surely know by now, those are dead-ends that serve no one in the long run.

Miigwetch, merçi and thank you.