HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Standing Committee on Natural Resources

RNNR • NUMBER 130 • 1st SESSION • 42nd PARLIAMENT

EVIDENCE

Tuesday, February 26, 2019

Chair

Mr. James Maloney

Standing Committee on Natural Resources

Tuesday, February 26, 2019

● (1530)

[*English*]

The Chair (Mr. James Maloney (Etobicoke—Lakeshore, Lib.)): Good afternoon, everybody. Thank you for being with us this afternoon.

We have two witnesses. By video conference we have Liza Mack, from the Aleut International Association. With us in the room we have Chief Bill Erasmus, from the Arctic Athabaskan Council.

Thank you both for joining us today.

Chief, I know you travelled a long way. We're very grateful for that.

Each of you will be given 10 minutes to make a presentation, and then we are going to open the table to questions for about an hour. We have time for two full rounds today, so everybody will get lots of opportunity.

I know from our discussions earlier that Mr. Cannings is quite excited about that.

Ms. Mack, I was speaking with Chief Erasmus before you came on the line, and he kindly offered to let you go first, so the floor is yours.

Dr. Liza Mack (Executive Director, Aleut International Association): Wonderful. Thank you so much.

Good afternoon, everybody. *Qam agalaa*. My name is Dr. Liza Mack. *Qagaasakung* for inviting me to speak with you today.

First I want to thank you for my being able to address this body about this very important topic of engaging indigenous communities when it comes to large energy projects.

As I begin, I would like to introduce myself and tell you a little bit about my background and the organization that I represent.

I am the executive director of the Aleut International Association. Aleut International is one of the six permanent participants on the Arctic Council. We represent the Aleut people, who live both in Russia and in Alaska, at the Arctic Council and all of its working groups and expert groups, and with many of their projects.

I was born and raised in the Aleutians. We grew up subsisting and living off the land. Our people are Unangan, or Aleut in English. We often say that when the tide is out, the table is set. We harvest. We preserve. We eat many things out of the tide pools and off the reefs. There's an abundance of seafood that actually sustains our communities. We are a coastal people. We've done this for thousands of generations. Some of the things that we harvest and eat include salmon—all five species—crab, halibut, cod and octopus; marine mammals such seals, whales and sea lions; and terrestrial animals such as caribou. We also eat different migratory birds as well as birds that live in and around our communities.

I left my hometown of King Cove when I was 15 to go to boarding school. This was the start of my education outside of our community. My educational background is in anthropology, cultural anthropology. I have both my bachelor's and my master's degrees in anthropology. Also, I just finished my doctorate in indigenous studies at the University of Alaska Fairbanks.

Most of the research that I did was with Aleut leaders and fishermen from around the state of Alaska. For my master's research, I analyzed the State of Alaska Board of Fisheries testimonies, and I also interviewed testifiers to see whether or not they felt their testimonies contributed to the regulations that were passed. In Alaska, the management of our resources, and especially fisheries, is sometimes very contentious, and the system is often daunting for people who are unfamiliar with the process.

Part of the reason this is important to the conversation today is that these types of decision-making processes are things that people in local communities around the Arctic need to be involved in as we move forward with some of these projects and some of these regulatory issues.

In my dissertation research, I was working with communities and also with Aleut leaders, and I helped to develop, implement and analyze a survey that had to do with natural resource management laws in Alaska. A lot of these laws actually affect local people in very unique ways. There are a lot of different boundaries, a lot of different guidelines, that people need to be aware of and cognizant of. There are also our cultural practices, the things we've done within our communities for generations. Understanding how these two worlds work together is very important.

Throughout the process of all of my background and research, and all of the things that I've been doing not only in this capacity but also as a researcher and as somebody who is involved with cultural revitalization and language within my community, there have been several issues that I think we could benefit from by mentioning them here.

We're starting to talk about energy projects and how to engage with indigenous communities. As I said, even though I am from the community, and that's where I did my research, there were certainly things that came up that I really hadn't put a lot of thought into until I was in the midst of that.

● (1535)

I think you have some of my talking points in front of you. Really, I tend to just talk and not write things down. I hope the little points here are things you guys can see.

A big one was early engagement. Speaking to a community when a project is still an idea is very important. There are different issues about whether or not the community is even interested in projects.

Before I went back to school to pursue my bachelor's, my master's and my doctoral degrees, I worked as the economic development coordinator for the tribal council in my community. Part of that work led me to surveying people to see what kinds of things we were interested in pursuing as a community.

Some of the obvious things that came up were tourism and various things of that nature, but many people in my community weren't actually interested in those. They didn't want a lot of people coming into the community. Just having those kinds of conversations at the onset of some projects is really important and can't be stressed enough.

Also, there's the question whether or not various projects are appropriate. There are people who have different belief systems, and so understanding what is important at the community level is something that I think should also be looked at.

Also, with early engagement we could look at whether some people might be able to help with instruction about whether a plan is actually a good one. Looking at things from maps and other ways in which information is presented when you're starting the planning isn't necessarily the same as accessing the knowledge that is held within a community. A thing isn't going to be accessible just because the project is on, for instance, a flatter part of the topography; you may not know that this is where there are bears or where there's a swamp. Those kinds of things are really important for planning some bigger projects and planning for projects within a community.

The next point concerns communication. To us it would mean speaking with the community members and also being available to answer questions in more than a “check the box” kind of way. It's not just one-way communication, but also communicating and being accessible to not only describe what you see is going to happen but being available for those conversations is concerned. People put a lot of stock in being heard.

This speaks to the next point I noted regarding cultural expectations and whether we're looking at community participation and the resources that are around these projects and the way those resources are going to be affected. I alluded to the way people look at some energy projects. An elder once had told me that he didn't believe that all of the wind farms were actually important. He thought they were disrupting not only the flow of the way the birds were migrating, but other sorts of things like that.

It's just a matter of taking a minute to understand the potential effects. As indigenous people, in our communities we look at things from a very holistic perspective. Everything we do affects all other parts of our communities and cultures. The cultural expectation of what is important to the community is, I think, really important to think about. So is understanding of the goals of the project. Are the goals of the project to increase capacity? Are they to generate income? Are they to reduce the way we are dependent on fossil fuels? Having those goals set out with the community is certainly very important.

When we talk about the goals of a project and how they're going to affect people at the community level and how important it is to engage indigenous communities, one really big thing that we have to think about is that there's a very limited capacity to engage in our communities both financially and in terms of time.

● (1540)

Even in my own research, being a very small project, some of the things that came up were that there are very small populations. Within these small populations, there's an even smaller subset of people who are kind of champions in the communities and who are trusted to fulfill leadership roles. People trust them to speak for them at different levels.

It's making sure that is looked at and also supported. By supported, I mean that it's important to give people funding so that they have both the time and the capacity to provide very thoughtful and meaningful engagement with the project.

Finally, the last note I had was that the timelines with these sorts of projects are culturally sensitive. It's understanding, for instance, that our region in the summertime is very busy. That's usually when people go out and do research, and they start building projects and different things. That's also when people are fishing, when the salmon are running. That's when these other things are happening.

As kind of an anecdote, when I was doing my dissertation research in my communities, I had planned to do the surveying in the summer. However, people were just not home. I would call, and people would say they were out berry picking and didn't expect to be home until the next day, or whenever. Unless I was willing to go and pick berries with them.... I mean, it may seem like you're not working or you're not doing what you have set out to do, but those kinds of things are [*Technical difficulty—Editor*]

I guess I would just say that a lot of these small—

The Chair: I'm going to have to ask you to wrap up, if you could please, Ms. Mack.

Dr. Liza Mack: Okay.

Thank you for letting me mention some of these things to you. These are some of the things that I thought about on the importance of engaging with indigenous communities.

I'd be happy to answer questions. Thanks.

● (1545)

The Chair: Thank you very much.

Chief Erasmus, the floor is yours.

Chief Bill Erasmus (International Chair, Arctic Athabaskan Council): Thank you, Mr. Chairman, for the opportunity to present to you and have this discussion with this important committee.

I am the Arctic Athabaskan Council's international chair. We also are members of the Arctic Council as permanent participants. We represent approximately 50,000 people in Alaska, the Yukon and Northwest Territories. Generally in Canada we're called Dene, but in the books you'll find that the people in Alaska are called Athabaskans, so we have the name Arctic Athabaskan Council.

I want to focus on the existing agreements we already have that need to be put into practice and confirmed. Especially in Canada, we have, as you know, section 35 in the Canadian Constitution Act, 1982, which solidifies and makes clear that the rights we have are constitutional rights and are separate from the other rights that Canadian people have. Based on section 35, then, they are separate from the Constitution's section 91 powers that the federal government has or the section 92 powers that the provinces have.

The country is based on those three main areas. As such, when we're looking at developing a particular resource, whether it's in Canada or the United States, we have to look at the international instruments we have.

I'm originally from Yellowknife. I'm a member of Treaty No. 8. In the early 1970s, we took the treaties to the Canadian courts. Canada's position was that we may have had rights at one time, but because of the treaties and legislation, our rights were extinguished. The court case proved, in what is commonly called the Paulette case, that indeed we have rights, that they continue to exist. Our treaties were peace and friendship instruments between the Dene and the Crown —Great Britain—and not between Canada and the Dene, because Canada didn't have the authority to enter into treaties at that time.

The judgment also went so far as to say that the rights we have need to be protected by Canada and that we still retain title to our lands, so aboriginal title or Dene title exists. That was in 1973. Those agreements need to be put into practice by you as a government, and we include the opposition parties as part of the government when we talk about government.

With that, the relationship we have is based on trust. It's based on those early agreements. There are other agreements that you need to understand and look at.

There is the Jay treaty of 1794, which was more in the southern part of Canada but included all the tribes of North America and Great Britain and the United States. What it did was it encouraged continued trade, barter and sales across the Canada-U.S. border. Unfortunately, Canada no longer supports the agreement, although the United States does. That's primarily because of the War of 1812, when the U.S. tried to annex Canada, as you know. The whole thinking behind that treaty was to stabilize the economy, and that's what you're thinking about, so I think you have to understand that treaty and look at what the doctrine talks about.

There are other treaties that you need to be aware of. There's a recent court decision from December 2018 dealing with the Robinson-Huron treaty between the Anishinabe and Great Britain. They took the treaty to court, and the judgment came down a couple of months ago, a very important one. It talks about the annuities that the people receive through that agreement, which is an annual payment.

● (1550)

The agreement said that the fee would increase over time. It has only increased once since 1874, and it increased from two dollars to four dollars. They took that to court. The judgment came down, saying that the intent was never for that amount to be a stale amount, that it was to be increased. The court agreed to raise the four dollar annuity. To quote an article, “The judge ruled the annuities are to now be unlimited in their scope as they are intended as a mechanism to share the wealth generated by the resources within the treaty territory.” In other words, there is no ceiling on the amount that people ought to get. What's happening now is that these first nations are negotiating with the Crown as to what the increases should look like.

The important aspect here is that these treaties were meant to afford some of the wealth from the land within their territory. It includes the Province of Ontario and the federal government. That whole arrangement now has to get sorted out.

I think you need to look at some of these court cases because it opens up some of the things you're thinking of. I can't provide you all of those answers, but I'll give you some other examples.

The Tla-o-qui-aht land claims and self-government agreement, which came into effect in 2004 after many decades of negotiating, and also the Déline self-government agreement in the Northwest Territories, which was put together in 2016, provides them with opportunities, whole chapters on economics. On international matters the Tla-o-qui-aht agreement provides a whole chapter on how Canada has to engage with them, so it's already spelled out within these constitutionally entrenched agreements. The Nisga'a self-government agreement in the province of B.C. is very similar. The Inuit also have that in the territories. The provincial settings, which are different, set up those arrangements.

There is great concern with the foreign investment promotion and protection agreement, commonly called FIPA, between Canada and China. This agreement gives sweeping authority to companies outside Canada and because of the mechanisms in place to settle disputes, that doesn't give us in Canada the authority we normally would have because of the structure of decision-making. This concerns a lot of our people.

The saving grace—and this is what I think you need to study—is that these original treaties were designed to not only protect indigenous peoples, but to protect everyone in the country. For example, Treaty 11, the last numbered treaty, which was in 1921, goes all the way up to the Arctic coast and beyond into international waters, which essentially settles the question of who owns the Northwest Passage.

Use those agreements to your advantage. That's what they are there for, and I am obviously encouraging you to do that with our people.

● (1555)

It's a given that you're looking at this whole economic question with the United Nations Declaration on the Rights of Indigenous Peoples, UNDRIP. It says that coming into our territories, you need the free, prior and informed consent of our people. I don't think we need to comment much on that.

As for some other thoughts, first, we know that some of our first nations, as Ms. Mack said earlier, really don't have the capacity to do the kind of work they want to do. They're slowly getting to the point where impact benefit agreements now are becoming common, but they're not really dealing with the question of wealth or the ownership of the resource. It's a short means to help the communities. It gives priorities to jobs and so on.

I think what we need to do is assist communities so that they can develop industrial development protocols. If an industry wants to come into a particular territory, the protocol defines who they ought to deal with. Is it the chief and council? Is it the elders council? Is it the tribal council and so on? Then there's a framework that everyone can work within.

I know I'm getting short on time, Mr. Chair, so I'll leave that for now. I can add comments as questions come forward.

Thank you.

The Chair: Thank you both very much.

Mr. Hehr, you're going to start us off.

Hon. Kent Hehr (Calgary Centre, Lib.): Thank you, Mr. Chair.

Thank you, Chief Erasmus and Ms. Mack, for being with us today to discuss international best practices, how we can move forward on the duty to consult, and how we engage on energy projects that benefit all concerned.

I'll start with you, Ms. Mack. Given your work with the Arctic Council, can you comment on the differences you may have seen or observed in terms of the different ways in which council members integrate the different voices you're hearing from indigenous people and how they then bring them forward to make decisions on projects on a go-forward basis?

Dr. Liza Mack: The Arctic Council is consensus-based. Unless there is consensus, it doesn't go forward.

I'm the head of delegation for the Aleut International Association on the Sustainable Development Working Group. A lot of the best practices, including some of the things I kind of touched on, are also reflected in a lot of the Sustainable Development Working Group projects. I think using that as a resource for some of the things you're looking for might be a good place to start. I would suggest them specifically as a working group that represents Arctic people and the human dimension within the Arctic. There are some really good examples there that you could look toward.

Hon. Kent Hehr: You were mentioning in your discussion with us today that often there are different groups of people within a jurisdiction and that how you engage with them can be a little bit different on many occasions. In your relationship with the Alaskan government and your arrangements there, do they have any formal arrangements that guide their process that are working and that you feel have evolved over time in terms of how that jurisdiction has dealt with major energy projects to benefit both indigenous people and Alaska as a whole?

Dr. Liza Mack: We have tribal sovereignty here in Alaska. That means that we are recognized. There is a tribal affairs committee that has been just established at the State of Alaska level. Our last governor, Bill Walker, recognized that tribal governments are our governments and so they do have the opportunity to be consulted. That is very important.

There are also Arctic protocols for engaging with communities, which are written down, and they are out there, especially on the north slope. I know there is basically a format, informed consent, as ways they would like to be engaged. Moving forward, I think that's something that we could all look to being more proactive about expanding, and also due diligence as to ensuring we're talking with local people and the governments there.

You're right that there are multiple stakeholders within a community, and so we appreciate your reaching out to us, as Aleut International. We could certainly help you to get a list of other people who should be involved in these kinds of topics. It's a matter of understanding that it's not only one organization that needs to be consulted, but it's a good starting point and it's also a good way to get that ball rolling and make sure people are informed. People do want to be involved, and they do want to have their voices heard and to be reached out to. Sometimes that's all it is. They want to know what's going on and they would like you to ask them specifically.

It's a good place to say that, as an indigenous organization, we don't speak for everybody, but we do have a way of being able to point you in the right direction, so that people feel their voices are heard.

● (1600)

Hon. Kent Hehr: Thank you.

Chief, you mentioned the tricky interlay between section 35 and sections 91 and 92 of our Constitution Acts. In your time working with these different interlays, and our government's nation-to-nation relationship efforts with indigenous people, have you seen on the international stage any other nations that wrestle with this interlay, which are doing it in a proactive, reasonable fashion that you can comment on?

Chief Bill Erasmus: I think Canada most likely leads in terms of how to deal with indigenous peoples, depending on specific approaches, but then again in some respects we're behind in Canada. If you look at instances in Australia, for example, you'll see they're far ahead in how they deal with national parks. But generally Canada is regarded as a lead when dealing with indigenous peoples, and partly because of the agreements that I referred to. If we followed those agreements, then certainly we'd be the lead internationally.

As indigenous permanent participants in the Arctic Council, we've been able to work closely with the nation states. Generally, the way we look at each other is that we are nation governments, as first nations, indigenous peoples. We are there as nation governments sitting with the nation states. It's, as Ms. Mack said, based on consensus. So we participate to the extent that we can in all the committees and at all levels, and then at the main tables.

A number of the things they have instituted are to recognize us for who we are. Because we've been at the same table now since the mid-1990s, there's a certain trust and a working relationship that we have, which is unique. If you look at some of the ministerial declarations that have been passed—if you go to the website, you'll find all of the information—you'll see there's been a big focus on introducing traditional knowledge, for example, into all of the work of the Arctic Council. That's a huge gain.

Hon. Kent Hehr: Thank you very much, Chief.

The Chair: Thanks, Mr. Hehr.

Ms. Stubbs.

Mrs. Shannon Stubbs (Lakeland, CPC): Thank you, Mr. Chair.

Thanks to both of our witnesses for being here.

I'm going to take a few moments to address something. I hope the witnesses will indulge me. Then I look forward to getting to a couple of questions. Also, in our second round, I can continue to explore these issues with you.

Chair, I need to move a motion, which I'm going to do, calling the minister to appear before our committee to discuss the supplementary estimates. As we all know, we have only one committee meeting left before the government tables its new budget. Given what happened last time, with a lack of commitment for the minister to come here and a last-minute cancellation, making it too late to discuss the supplementary estimates, which resulted in a general conversation about mandates and priorities, I'm certain that every member of this committee will support the motion to have the minister appear.

I know you've been back and forth with the minister. I understand that. I have a sense of when you're hoping he'll be able to be here. However, perhaps by moving this formal motion and with our unanimous support, it will compel the minister to respond to our chair and commit to a time to come here.

It's important because in estimates the minister has committed $1.5 billion from the Department of Natural Resources to the Department of Indian Affairs and Northern Development for engagement activities related to the Taltson hydroelectricity project to support indigenous engagement. Certainly in the context of our study on this very issue, having the minister appear to discuss it would be top of mind to all government members here.

Of course, the Minister of Natural Resources has also committed over $17 million for the National Energy Board reconsideration and the additional indigenous consultation they're required to do on the Trans Mountain expansion.

It's our view that Canadians obviously deserve to hear how that money is being used and if it's being used, and to ask questions. It's our responsibility to ask the minister questions on behalf of all Canadians, who we represent. If there is full confidence in the Minister of Natural Resources, there should be no hesitation in supporting this motion and calling him to appear, to be accountable for these funds. Of course, that's his duty, certainly in light, too, of the ongoing uncertainty around the Trans Mountain expansion and in the context of the recent report from the NEB, which was the longest, costliest and most redundant option that the minister chose after the Federal Court of Appeal ruling.

Also, in the context of the Liberal cabinet, it already seems to be indicating that they might take longer than the 90 days after the NEB report to make another decision and recommendation on the Trans Mountain expansion that now all Canadians own because of the Prime Minister's decisions.

I would expect that every member of this committee would vote yes to having the minister here as soon as possible. Of course, I would think, if any member does vote no, it would reflect a lack of confidence in the Minister of Natural Resources in an attempt to block him from coming here to be accountable to Canadians.

Therefore, I move

:That, pursuant to Standing Order 108(2), the Standing Committee on Natural Resources request the Minister of Natural Resources, and representatives from the National Energy Board appear, at their earliest possible convenience, on the Supplementary Estimates (B); and that this meeting be televised.

● (1605)

The Chair: Thank you.

As you know from previous meetings and a discussion I had with your colleague before we started today, I've already extended the invitation to the minister to come. I did that when you first raised it two weeks ago.

As you also know, we're only sitting for one week in the month of March. He is more than willing to attend the committee, which he has indicated in the past by appearing, as has the previous minister, every single time they've been invited. It's simply a matter of scheduling.

As soon as I get a date, you will be high on my list of people who find out after I do. He's prepared to come as soon as he's available, but because of our sitting schedule, it's a bit of a challenge.

I don't know if you want to vote on it or not. I don't know that we need to. I think everybody is agreed—

Mrs. Shannon Stubbs: Yes, I would like to vote on it.

The Chair: Okay, then.

Mrs. Shannon Stubbs: Exactly to your point, the points you just made are actually what I spoke to in the beginning, before I moved my motion.

The Chair: Okay, so the answer is yes.

Let me finish.

Mrs. Shannon Stubbs: I'm aware of all that, but we don't seem to be making progress in getting an answer, so I'm hoping this will help compel the minister.

The Chair: He's going to come; it's just a matter of when, whether we vote on it or not.

With respect to the second part of your motion, that the National Energy Board appear, they were just here as a witness on this study a few weeks ago. I don't know that there's any need to have them back.

If there are further questions you have for them, we can probably send them to them in writing.

Mrs. Shannon Stubbs: No, there is a need to have them here specifically on the line item in the supplementary estimates that is the allotment of the funding that goes to the National Energy Board for the reconsideration of the Trans Mountain expansion.

● (1610)

The Chair: Okay.

Mr. Whalen and Mr. Hehr, you both indicated interest in speaking.

Mr. Nick Whalen (St. John's East, Lib.): My concern wasn't about who comes to talk about the estimates. It may be that it's after the budget. I don't know if we want to add the estimates and the budget.

As to whether or not the meeting gets televised, there are lots of committees that are trying to do that around this time of year. If our concern is trying to schedule that, I'd like a sense from Ms. Stubbs on whether that means we continue to defer it until a television slot is available, or whether that not be the consideration, but we try to get it if it's available. I know the citizenship and immigration committee is always trying to be televised; all the committees are.

My primary concern about the location of the room isn't whether or not television service is available, but that everyone can get there in a timely fashion after our votes following question period. I would prefer it be in this building. I'm not sure if any of the rooms in this building are television equipped.

The Chair: Room 225 is television equipped.

I think there would be the additional problem of getting both somebody from the NEB and the minister here on the same date.

Mr. Hehr.

Hon. Kent Hehr: Of course, you want the minister to come and you'll extend that invitation. We just had the National Energy Board here, and I'm certain they could be contacted with any questions we have at this table. I don't really see the necessity of inviting them back at this time.

Mr. David de Burgh Graham (Laurentides—Labelle, Lib.): Can we bump this to the end of the meeting so we can deal with the witnesses?

The Chair: Just so the witnesses are aware, Ms. Stubbs served notice of motion prior to today, and she's entitled to introduce the motion now. We're going to get back to you momentarily.

Ms. Stubbs, would you consider deferring this discussion until the end of the meeting so that we can continue with the witnesses? We'll set aside some time. The meeting's scheduled to run until five o'clock, and I think we'll finish before that, which will give us time to deal with it.

Mrs. Shannon Stubbs: Sure, I'm fine with doing that.

The Chair: On that note, the floor is still yours to ask questions.

Mrs. Shannon Stubbs: Great. How much time do I have left?

The Chair: You have six minutes.

Mrs. Shannon Stubbs: Thank you.

The Chair: I'm giving you extra time.

Mrs. Shannon Stubbs: Thanks, I appreciate that.

Thank you to both of the witnesses for being here and for your testimony as we consider international best practices for engaging indigenous communities, particularly in Canada's context, with the challenges around indigenous consultation on major energy and other natural resource projects.

I wonder if each of you might be able to shed some light on a challenge relating to indigenous engagement on energy projects when it comes to who exactly would be the decision-makers or the ideal people at the table with the government representative, the government representative being one who has decision-making authority and can make reasonable accommodations based on concerns and feedback from indigenous communities.

I raise this because there have been a couple of examples recently that we heard about in this committee, for example, with the Lax Kw'alaams on the north coast of B.C., whose elected leaders had supported the establishment of an LNG project there. There were also individuals who claimed to be hereditary leaders of the community, and their perspective, which they certainly had a right to express, was opposed to the potential LNG project that the elected leaders supported. They claimed to be representatives of the band, and they opposed the LNG project against the will of the elected leadership. That matter was later settled in court, where a judge ruled that the person was not, in fact, a hereditary leader.

Sometimes there are differences in the Canadian context. For example, at this committee we've had representatives of the Assembly of First Nations come here to attempt to give an overarching perspective on behalf of indigenous communities, but there are many representatives of individual indigenous communities who say the representatives of the AFN don't speak for them or don't necessarily reflect their views or positions.

Chief Erasmus and Dr. Mack, do you have any feedback for us on how to sort through the complications with regard to who should be consulted with and who should be making the ultimate decisions in that consultation process?

Dr. Mack, Chief Erasmus is giving you the green light to go first.

● (1615)

Dr. Liza Mack: Thank you very much for the question. It's an important question. It's something that we deal with not only when we're talking about large energy projects, but also when we're talking about research and when we're talking about infrastructure within our communities, as to what's best.

I mentioned that in the past, I was doing economic development work in my community and also doing research in my community. It's a fine line. There are differences. There are the principles for conduct of research in the Arctic, and then within that, there are guidelines about ways to engage.

When we think about that, in Alaska, generally speaking, I would defer to my tribal council and the people who are elected leaders. You are going to have differing opinions. That speaks to giving yourself enough time to collect information to make an informed decision. That goes to the things I mentioned earlier, communication, early engagement and understanding the goals and the capacity you have within a community so that you get a holistic understanding of not only the cultural context, but also what's important economically.

In my hometown of King Cove, we have two energy projects. Ours was one of the first hydroelectric projects in all of Alaska to come on board. We've since put in a second one, so we've had some experience with this kind of thing.

As we talked about prior, on opening up the outer continental shelf, there were certainly two different sides and opposing views of how that should work and whether that should even happen. Being a coastal fishing community, and that being the cornerstone of our culture, of course there were people who did not think that was a good idea, and there were people who did. I think that it speaks to due diligence and making sure that you have the financial support to engage in those communities to feel it out for yourself and feel it out for what that project is.

In Alaska I would defer to my tribal leaders, and I would also talk to the leaders of the corporations to see that they also represent us as indigenous people. I would give yourselves enough time to talk to everybody to see what's important, as every community is different.

The Chair: Thanks.

If you have a brief comment, you can make it.

Chief Bill Erasmus: Thank you.

In Canada, at the pace we're going, it's going to take a long time to settle all of the outstanding differences between the first nations and the Crown. It takes decades to negotiate agreements, because Canada doesn't want to recognize the rights that we have within the Constitution.

That's why I was alluding to, in the meantime, developing protocols. You need to assist the communities so that they can develop the protocol that makes it really clear who is in charge. Who do you deal with and what is the process for them to come to agreement? In our instance, for example, we're organized by families. If you develop a land use plan over our territory, it will include all of our families, and our families then have to have a say as to how it ought to be developed. If someone wants to come in with a project, it has to meet the criteria within the land use plan.

I think that's the best way to look at it.

The Chair: Thank you.

Mr. Cannings.

Mr. Richard Cannings (South Okanagan—West Kootenay, NDP): Thank you, both, for being here today. It's been very interesting, as usual.

I'll start with Chief Erasmus.

It's great to have you here today. I wonder if I could take advantage of your long standing in these matters to get a sense of the historical context. Specifically, I am curious about the role the Berger inquiry might have played both as an early example of how indigenous engagement could and perhaps should proceed, also how engagement like that affects in the long term the capacity of communities to deal with these issues and perhaps what we need to do more in that regard.

I know the Berger inquiry went to each village, used indigenous languages and things like that.

● (1620)

Chief Bill Erasmus: The Berger inquiry happened in the early seventies in the Northwest Territories and it actually happened because the Liberal government at the time was a minority government. They asked Justice Berger to travel throughout the Mackenzie Valley to speak to the Dene on the future of a potential pipeline. At the end of the day, after hearing everyone, Justice Berger decided that the issue of land claims needed to be dealt with, so he asked for a moratorium of 10 years.

As I said earlier, we still haven't settled. There are five communities out of 30 that have settled since then. That's why I'm saying it's going to take a long time. In the meantime there are ways to deal with the big questions. Those big questions are the following: Who has ownership of the resources? Who is receiving the lion's share of the wealth? Right now the resource revenue sharing goes generally to the federal government and some to the territorial government; very little goes to the first nation.

We can look at those big questions without solving the bigger picture, but I think we need to do that. We owe that to everyone to help stabilize the economy, to help stabilize the political future for all of us. In doing that, it then provides a different context to the whole discussion that takes place because the assumption right now is that Canada owns the resource and they have the right to go in and exploit. That whole question needs to be part of your equation that is looked at.

Mr. Richard Cannings: I'll put another question to you, and perhaps Ms. Mack would like to comment on this as well.

Having issues where there is disagreement either within a first nation's community or between first nations communities, or between nations, and how those issues get resolved, has been alluded to in some of the previous questions. Chief Erasmus, you mentioned talking amongst the different families throughout the territory. We've had examples of this on pipelines. You have a linear resource development project that goes through many first nations, and some are for and some are against.

In the last meeting I brought up an example between Alaska and the Yukon, where you have a first nation in the north coast of Alaska that is in favour of drilling in the Arctic National Wildlife Refuge. The Gwich'in and northern Yukon really rely on those porcupine caribou herds that calve there, so they are very concerned.

I'm just wondering if you have any thoughts on how those disputes or disagreements could and should be settled.

Chief Bill Erasmus: As said earlier, people within their own territories have a certain degree of legal and political authority which has to be recognized. They also have overlapping interests. You will find that there's more than one community or one tribe that needs to be dealt with in a lot of instances, and each of them work quite differently based on their own historical makeup, so you have to approach them the way they are organized and develop a framework on how to deal with the issues. Don't expect it to get done as quickly as most would like because it is quite complicated. If you really want to develop a positive outcome, then you need to develop that relationship and agree on a process that both parties can follow.

● (1625)

Mr. Richard Cannings: Ms. Mack, do you want to comment on that as well?

Dr. Liza Mack: Sure. Thank you very much.

I would just like to concur with what Chief Erasmus has already said regarding developing this framework and also creating the dialogue within the communities. I would then also just reiterate what I mentioned earlier on allowing the amount of time that it's going to need to not only gather multiple people's opinions, but to do it in a way that's culturally appropriate and sensitive to their time issues and your time issues. It's allowing the resources of time and funding, and it's also just being open-minded to the ways their communities work. A lot of western approaches to research and collecting information could be different from what they're used to.

Mr. Richard Cannings: Thank you very much.

The Chair: Mr. Whalen.

Mr. Nick Whalen: Thank you, Mr. Chair.

Thanks, Chief Erasmus. While thinking about Treaty 8, something tweaked me and I took a quick look online at the Long Term Oil and Gas Agreement between some of the Treaty 8 bands and British Columbia. It seems to be the type of protocol agreement that you're discussing. Doig River First Nation, Prophet River First Nation, West Moberly First Nation in Treaty 8 are within the agreement.

There are also protocols on how others can join. Is this the type of protocol agreement you're talking about? Is it a good example or a failed example? Is this a document we can learn from?

Chief Bill Erasmus: Thank you for bringing that up. I'm not entirely familiar with the specifics of that agreement, but it looks like they're organizing themselves around that whole concept.

If you look at Treaty 8, it doesn't encompass all of the Treaty 8 area, because Treaty 8 was put into place before Alberta and Saskatchewan were provinces. Alberta and Saskatchewan were part of the Northwest Territories at that time.

There are pre-existing rights that need to be recognized. In other words, you might want to set up a protocol with the whole treaty area, which would now include present-day B.C., the Northwest Territories, part of Alberta and Saskatchewan. We'd welcome that because the tar sands development is in Treaty 8. We don't benefit from it. I won't get into all those details, but we'd be really eager to talk about developing a plan where we could look at getting rid of the tailings ponds.

In this day and age, 2019, there shouldn't be tailings ponds, because they leach into the environment, and they come north. It's proven that there are toxic chemicals like arsenic in the watershed that affect us and go all the way to the Beaufort Sea, which goes into international waters.

We would talk about that. We would talk about resource revenue sharing and how to look at international markets. That is an example and I encourage you to continue looking at it.

Thank you.

Mr. Nick Whalen: If you familiarize yourself with it and come up with any additional commentary on whether or not it's a good model or a bad model for resource reclamation projects, we'd love to hear your further thoughts.

Ms. Mack, there's a lot in the news lately, with the new President, about the potential for oil and gas development off the north coast of Alaska. I'm wondering to what extent your group is involved and consulted with respect to that type of development.

● (1630)

Dr. Liza Mack: Well, we are not located there. It wouldn't be our indigenous group that you would need to speak to about that, and I wouldn't feel comfortable talking about it. I think that is something you would need to speak to the Inupiat, the Inuit Circumpolar Council, or possibly the North Slope Borough. They are organizations located there that would be better suited to talk about this, as would the Gwich'in Council International, as they are also involved in those conversations.

There was just a hearing here in Anchorage and Fairbanks, and I think this drew a lot of attention and a lot of opposition and people who were there to speak in support of that.

I don't know if you can see over my shoulder, but the map is of Alaska. The area that our organization represents in Alaska goes all the way to Russia. I had mentioned the outer continental shelf when we were talking about resource development. We would certainly expect to be spoken to about those kinds of things and involved in that dialogue. However, the dialogue you're mentioning is something I am not familiar with. It's kind of out of the scope of what we are involved in.

Mr. Nick Whalen: You mentioned the Inuit Circumpolar Council. Chief Erasmus, you're part of that. To what extent is your organization aware of consultations with indigenous folks on Arctic exploration and drilling and the protocols around it?

Chief Bill Erasmus: The Arctic Council doesn't get specifically involved in any of that. Those are more domestic matters, like what we're involved in here. We are able to sit down and develop ways to proceed.

I'm thinking about what you said earlier about maybe giving you some examples. Mr. Chair, we could compile some of our thoughts on paper, and present that to you, so that you have that when you compile your final study, and so on. We can come back with some ideas on how you might want to approach all of this.

Thank you.

Mr. Nick Whalen: I think that would be extremely helpful.

I have a final question for Ms. Mack.

I was just taking some notes. I was trying to glean some best practices in indigenous consultation. If there's something I don't catch here in this little list, maybe you can add to it.

My list includes: early engagement; determine whether a community wants a project; determine whether the community believes that the activity is appropriate; look beyond topographical maps to access indigenous knowledge about the territory itself; make sure the process includes meaningful dialogue, and that people are prepared to speak in a two-way conversation about the project; be cognizant of the fact that the capacity of communities in time, money or talent isn't always there, so you need to offer support in one or more of those areas, or it's not going to be a good consultation. The last note I had was that the timing of the consultation is important, because people are only going to be available in their off-season. When they are working, they're not going to be available to be consulted.

Is there something you would like to add to that short list I put together from your presentation?

Dr. Liza Mack: No, I think that sums it up very well. I think that does a good job of summarizing the things I was trying get across here.

Yes, thank you very much.

The Chair: Good.

Mr. Whalen, you're right on time, too.

Mr. Schmale, you have five minutes.

Mr. Jamie Schmale (Haliburton—Kawartha Lakes—Brock, CPC): Thank you very much, Chair.

Thank you to our witnesses for appearing today on this very important study.

Ms. Mack, we are discussing the various ways we can include all people in this discussion. I believe in Alaska, if my research is correct, there's an industry-run advisory council that helps to deal with these types of resource projects.

Are you aware of anything like that?

Dr. Liza Mack: Do you mean a state-run or indigenous-run advisory council?

● (1635)

Mr. Jamie Schmale: Yes, that is correct.

Dr. Liza Mack: No, I'm not familiar with anything like that.

Mr. Jamie Schmale: There is nothing that is industry-run? No? Okay.

I want to pick up where Mr. Cannings left off. I don't think you had a chance to respond to his question about how, when we're talking about land use, the nations or communities are able to have a say. I have the same question that he asked.

What happens when different communities disagree on a project or a path forward? How does it get resolved if there are communities pushing for a project and a few that say no?

Dr. Liza Mack: It's time. I think you need to take the time to communicate with people. Have those really important, hard discussions. Sometimes, that's what it takes. It's not always comfortable. It's not always easy. Make sure you spend time communicating and listening to those multiple stakeholders, the community leaders and also to the people who are going to be affected by these resource projects. This is important. “Affected” is not a negative word. It can be positive or negative. Make sure you're taking the time to listen, and to go to people where they are, so you can engage with them in a way that's meaningful to them.

I think the framework that you set up is important. Every project is going to be different. Some of the differing views are going to be harder or easier to discuss, depending what you're talking about. My advice would be to make sure you give yourself enough time and resources to listen to the people who are going to be affected by any one project.

Mr. Jamie Schmale: I do agree on meaningful consultation. What I'm really trying to understand and wrap my head around is if you have a project, say there are 31 communities that agree with this project and there are a few that don't—fewer than 31, say fewer than five, for example—how do we move forward? How do we say, “Look, the vast majority are in favour of this project?” Say it's a pipeline, for example, and the vast majority are in favour of it, especially the ones who are impacted by that pipeline. How do we move forward with that or do we move forward at all? Who gets the veto? How does that work?

Dr. Liza Mack: You can't say. There's not a blanket answer for that.

One way forward that I would consider is maybe to take the people who do agree with it and have them go and speak to the people who oppose it to find out why, or what, or whether or not they're ever going to change their minds. Sometimes they won't, and that just has to also be acceptable.

Mr. Jamie Schmale: Okay, I get what you're saying. I'm just trying to get to how we move past that.

Say you have a major resource project worth billions and billions of dollars, and it could supply jobs and opportunity for first nations communities, the province, or the States in your case, or the country as a whole, but there are, in some cases, small groups that oppose it, that may or may not be affected on the actual path of—since we used a pipeline—the pipeline. I just don't know how we move forward with it other than saying, "Well, this project doesn't go forward, and the resource stays in the ground." I'm just looking to you for maybe a suggestion or two as to how we can move this forward.

The Chair: You're going to have to look to them a little bit later, because you're out of time.

Mr. Jamie Schmale: Already?

The Chair: Already. I'm sorry.

Mr. Jamie Schmale: Okay. Can she answer?

The Chair: I'm mindful of the motion, that's all. You know I'm not averse to giving people extra time, but I don't want to go over. That's all.

Mr. Tan.

Mr. Geng Tan (Don Valley North, Lib.): Thank you, Chair.

Witnesses, I have a couple of questions for both of you.

Our committee has heard from previous witnesses that more and more indigenous communities have created so-called indigenous economic development corporations, also called EDCs, which were mentioned briefly in your presentation, Ms. Mack. What is your view of EDCs? Do you think an EDC can be a major economic driver in indigenous communities? How effective are these corporations?

● (1640)

Dr. Liza Mack: Well, I think it's a bit more complex than just answering whether or not economic development corporations can be effective. The corporations that were started in Alaska were actually started as part of the Alaska Native Claims Settlement Act which passed in 1971, and so we all, by default, became part owners in the land, as shareholders. It certainly changed the landscape of Alaska. It took a lot of our resources from being community-driven resources to being a fiduciary responsibility to a smaller portion of our population.

That being said, there are varying degrees of what "success" means. Some people and some corporations do have larger dividends, and they've been able to establish a bunch of infrastructure within their communities. Other ones have not been as successful. In some ways, that measurement of success we're talking about is very arbitrary. For one group, it might be one thing, and for another group, it might be something else.

I think there are ways that this has been good, and I think it's arguable that this isn't the right way. To go back to Mr. Schmale's question, it really depends on who you're talking to and what the goals are. That, really, is something else I brought up before: understanding what the goals of a project are in order to make sure the community buy-in is there and understanding what it does for the people who are going to be affected.

I do think that economic development is important in our communities. We have very few resources outside of our natural resources, and so using them in a way that is culturally appropriate and that also ensures we can remain in our landscape is very important. Striking a balance, I think, is certainly what we should keep in mind.

Mr. Geng Tan: Thank you.

Chief, do you want to add something?

Chief Bill Erasmus: Yes. Thank you.

The questions are very interesting. I'm going to try to deal with both of those questions in the answer.

I think when you approach the first nations, you have to approach them as a collective. Don't go to them as individual communities or bands, because they're part of a greater collective. I'll give you an example.

As recently as a couple of weeks ago, there was an announcement on Vancouver Island that they have put the proposed LNG facility on hold. The communities in that area gave a huge sigh of relief because what happened was the company came in and dealt with only one community, when there are many, many, many communities. They came in and chose one community to get onside, and then their job was to get everyone else onside. There was this huge discussion going on and people were beginning to dig their heels in and say, "Just a minute. We want to understand all of this and we have a say." Now that it's on hold, everyone's going, "Thank God." They can breathe again.

Say this proposal comes back. What they need to do is to go to that whole tribal council, which is the 15 communities, and say, "This is what we're looking at", and ask them how to go about it, and they'd advise them. Yes, we have—and you'll find this right across the country—corporations in place. They've been well established over the years, but they will not proceed unless the leadership gives them the go-ahead, the political people tell the economic people to engage. Those practices are already in place.

The Chair: Thank you, Mr. Tan.

Mr. Schmale, are you going to pick up where you left off?

● (1645)

Mr. Jamie Schmale: I think so.

Ms. Block?

Mrs. Kelly Block (Carlton Trail—Eagle Creek, CPC): No.

Mr. Jamie Schmale: No? Okay. I guess I am.

Thank you, Chair.

Dr. Mack, I know it's been a while. I can give you my question again if you need me to, but I wouldn't mind continuing where we left off.

Dr. Liza Mack: I think, from what I just mentioned in the last question, it really kind of depends. I would agree with what Chief Erasmus has said as far as approaching people as a collective goes, and I think maybe if you just go in without an assumption about what has to happen that people will probably.... From the way the question has been presented, I feel as though I should only be able to tell you that, yes, this is how to get people to do something, but I think that just going in and also understanding that might not happen is also a possibility. When you come in with an assumption about what should happen in a community, it turns people off from listening to you and wanting to hear your side.

I would just say that I think that going in with a collective approach is a good way to go. Also, it's about understanding those cultural values, and how sometimes it's not about benefiting so many other people with money, I guess.

I don't know what else to talk about. It's really just working with the communities and, I would suggest, talking to people altogether and finding out why they're not supporting it to get to how they might.

Mr. Jamie Schmale: I'll ask you one more question and then I'll leave you alone.

What I'm trying to get at is who gets the veto. If 31 communities say that yes, they're good to go and fewer than five that are not affected by a project say, “Not really”, who gets the final say? When do we say, “Yes, we'll move forward”? Would you say the vast minority gets all the power here? Obviously, we want consensus, and we want meaningful consultation. We should all sit down and have the best conversation we can, gather all the information, and present it. But if the ones that are affected directly by, say, a pipeline say yes —there are 31 that say yes, it's a go, and fewer than five say no— —what happens? Who gets the veto? Who gets to say no? Do we say no on the fewer than five or do we say yes, that 31 say go?

Dr. Liza Mack: That's not really something I'm at liberty to answer, and I think it is completely contingent upon—

Mr. Jamie Schmale: I'm just making this up because if we're doing best practices, we want this project to potentially go forward, but who gets to shut it down if we do?

Dr. Liza Mack: Who is the “we”? This is a conundrum that could go round and round. Without knowing the people involved, that's not something I'm at liberty to answer. It's outside the scope of my expertise.

It's never the same. The veto is never the same. There's not a blanket answer. I get what you're looking for, but that's not something that I can answer in a way that is culturally appropriate. There's no answer. It's completely dependent on each issue.

Mr. Jamie Schmale: Okay.

I'm sorry. I have one small question, and then I'll leave you alone.

If you were one of the five in that scenario, how would you like that to move forward?

Dr. Liza Mack: I would like to have the people who are supporting it come to me and talk to me about why they support it. I would also like them to ask me why I don't support it and what I would be interested in, in terms of the ways I would like to move forward.

Chief Bill Erasmus: I was trying to answer it by telling you that the approach is what's important. Deal with the whole collective. You sit all of them down. They all hear the same things. Then they can talk amongst themselves, and they'll develop a way to say yes or no—

● (1650)

Mr. Jamie Schmale: Instead of one by one, separately.

Chief Bill Erasmus: —instead of one by one. You're wasting time and energy, and you may be saying two different things to two different peoples.

If I had a proposal, I'd want all of you to hear it, and I would deal with all of you within this room. You're from your various constituencies, which are all different. It's very similar to us.

If you were a chief in your riding, you would have to deal with all those people you represent. In many ways it's the same. If you dealt with all of them and said, “This is what we would like to deal with, and we want to develop a dialogue with you,” then you can set that up within a framework that includes time, money and so on.

The Chair: Thank you very much.

I gave you a little extra time because I interrupted.

Mr. de Burgh Graham.

Mr. David de Burgh Graham: Ms. Mack, if I understood correctly, in your opening remarks you said that you completed your Ph.D., so I should be calling you Dr. Mack. I'll go with that. Thank you.

You mentioned the function of the tribal affairs committee in one of your answers earlier on. I'd like to learn a little more about it, its level of power, its authority, its history and where it came from. Could you give us a bit of a background on it, and tell us what it is and what it can do?

Dr. Liza Mack: It was established, I think, two days ago, so I need to do my research as well.

I know that Bryce Edgmon is the chairperson of that committee, which has just been established at the Alaska State Legislature. All that I know is that it has just been established and it will be working with the State of Alaska.

I apologize for mentioning something that I am not as familiar with as I could be. It's a newly established entity, and I think it's very exciting for that to be happening at the state legislature.

Mr. David de Burgh Graham: Does it replace anything in terms of structure?

Dr. Liza Mack: No, it's new.

Mr. David de Burgh Graham: The Aleut territory goes, as far as you show on the map behind you, to the International Date Line. How does it work with Russia on the other side of that line? I imagine the Aleut people continue through there.

Dr. Liza Mack: Yes, we do. They speak the Medny Island dialect of Unangam Tunuu. It is actually 17 hours ahead of us, so at 5 p.m. today I have a meeting with my board, which is actually at 1 p.m. tomorrow afternoon for them.

I have four board members in Alaska, and four board members in Russia. It's just a little bit of strategic planning, being able to have discussions with them and making sure we're lining up translators and getting documents back and forth to them in a language they understand.

Mr. David de Burgh Graham: They're 17 hours ahead of you but they're right beside you.

Dr. Liza Mack: Yes.

Mr. David de Burgh Graham: Okay. That's interesting too.

I was wondering more about their relationship with Russia. Since we're looking at international best practices, do you know what's actually happening over there?

Dr. Liza Mack: We know a little bit. We know that a forum is happening in April in St. Petersburg. We have a lot of issues with getting our board members from Russia to different meetings because of visa issues. With the large time zone difference and the difficulties of getting people in and out, it's hard to have a firm grasp on exactly what's happening. Besides the time zone, the communication is pretty limited. There's also the weather in Nikolskoye, which is on the Commander Islands, the very last islands where the Aleuts live. It's pretty bad weather, so they don't get out a whole lot either.

I can't speak to exactly how well their government-to-government relations are with Russia specifically.

Mr. David de Burgh Graham: It's interesting that you mentioned the weather. You talked about the traditional means of living in that area, which I imagine is essential given the supply chains out there. What is the effect of climate change on the communities?

Dr. Liza Mack: It's been a lot stormier, for sure. We are experiencing a lot of coastal erosion, not only in our region but also I think further north as well. In my hometown just the other day I think the maximum wind gusts were blowing at 80 miles per hour. That happens every few weeks. We've also been reinforcing our shores in places where our buildings and things are.

Yes, it is certainly something that's on the minds of a lot of people, being able to get in and out safely from our communities. No roads connect any of our communities, really. It's by boat or by plane. Not only is it very dangerous, but it's also very costly. It does have both its benefits [*Technical difficulty—Editor*]

● (1655)

Mr. David de Burgh Graham: My time is up, and so is our connection.

Thank you very much.

The Chair: Thanks, Mr. Graham.

Mr. Cannings, you have three minutes.

Mr. Richard Cannings: Thank you.

I'll be brief here. I have only three minutes, so I'll ask you both one question.

I think both of you mentioned the idea of capacity, where we have a lot of small communities, especially when confronted with having to deal with resource decisions that affect their communities, who often don't have the capacity to properly assess them. I would like to ask you both in turn about that issue around capacity. How is that improving in Canada? Is that something the government has to take consideration of? Is there something we should be doing to build that capacity?

Perhaps you could start, Chief Erasmus, and then Ms. Mack could comment on that as well.

Chief Bill Erasmus: Thank you. That's a good question.

In terms of capacity, you'll find that the way our communities work is that they are broken into really two parts. In one you have the thinkers; if those people don't agree to something, then it's not going to work. In the other you have the people who actually do the action; if they don't have the capacity to understand a particular proposal or whatever it might be, then it's really difficult. If in your recommendations you could consider developing a capacity fund that could help communities in these instances, that would really help. There are some things they're doing now in the north where, for example, they've developed funds that they attach to proposals. If the lands are decimated, there's a fund set aside to restore afterwards. That is a big help.

The other thing we have in Canada that you need to be cognizant of is that in the Northwest Territories and Yukon, essentially we're not on reservations. The reservations were never set up as they were in the south. Because of that, we generally lose. For example, when the federal budget comes up, it will say, “for first nations on reserve”. Well, that eliminates us. If it goes to the north, then generally those monies will go to the territorial governments. The first nations are left out. If you would look at us all as if we were all on reservations, that would help us.

Mr. Richard Cannings: Could you comment on capacity issues?

Dr. Liza Mack: Sure. Thanks.

I know that capacity isn't always about funding. It's also about being able to give people the time to properly engage with the ideas you're presenting and the projects being presented.

The people I talked to in my dissertation research all served on boards and their city councils, all these different things. Usually within a community you have a very small number of people participating in all these things.

For example, I think one man was on four or five boards for about 40 years. Think about all of the things he has had to read, to do and to be involved in, and a lot of those things are volunteer. A lot of times when we're talking about capacity and being invited to go to meetings and to speak on these things, a lot of those things are done out of the kindness of your heart.

When we're inviting people's opinions and for them to be consulted about things, they need to be compensated—and not just compensated because you're giving them good advice or different things, but also to be able to pay for the time they're spending to read reports about impact statements and to be able to do background so they can understand it.

[*Inaudible—Editor*] is multiple, not just in giving the time but also making sure that we give them the opportunity to give you good advice.

● (1700)

The Chair: We're going to have to stop there.

Thanks, Mr. Cannings.

Chief Erasmus and Ms. Mack, thank you both very much for taking the time to be here with us and contribute to the study. Your evidence is very helpful and I know I speak for all when I say that. I'm very grateful for your joining us. You're both free to go.

I think we can go five minutes longer to finish dealing with your motion, Ms. Stubbs.

You're free to stay and watch, Chief, if you want to, but I can't promise it will be any more exciting than the first time we discussed it. It's up to you.

Ms. Stubbs.

Mrs. Shannon Stubbs: Can we have a recorded vote?

The Chair: Are we ready to vote on the motion?

Hold on. Mr. Whalen has a question.

Mr. Nick Whalen: I did ask whether or not it was okay, and if possible, that the meeting be televised. I just want to make it clear that it's more important that the meeting happen and that it be televised. We can't get both. Right now, it seems we could be stymied by the finance committee. It might also want to be televised at the same time as the justice committee. We might not get to it.

Mrs. Shannon Stubbs: I think you answered it, but go ahead.

The Clerk of the Committee (Ms. Jubilee Jackson): I did suggest this when it was put on notice. Ultimately, it's up to the whips to decide which committees will be televised during a given time slot. There are a limited number of committees which can be televised at any given time. We could leave it up to the whips to decide. I leave it with you, or amend it, as you wish.

Mrs. Shannon Stubbs: Okay.

The Chair: If it's amended that way, are you okay with that?

Mrs. Shannon Stubbs: No, I prefer not to amend the motion and just have it moved as written.

The Chair: Okay. So we're voting on the motion as is and we'll have a recorded vote.

(Motion agreed to: yeas, 9; nays, 0 [*See Minutes of Proceedings*])

The Chair: There's no further business. We will not be having a meeting on Thursday.

The meeting is adjourned.