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• (1530)

[*Translation*]

The Chair (Hon. Marc Garneau (Notre-Dame-de-Grâce—Westmount, Lib.)): I call the meeting to order.

Welcome to the 34th meeting of the Standing Committee on Indigenous and Northern Affairs.

We are gathered here today on the unceded territory of the Algonquin/Anishnaabe nation.

I would now like to welcome our witnesses, the committee members and members of the public who have joined us this afternoon.

[*English*]

I'd like to now welcome the witnesses who have joined us this afternoon as we continue to study Bill C-29 at committee stage.

With us today are Mr. Ellis Ross, a member of the Legislative Assembly of British Columbia, who is with us in person, and Chief Willie Sellars, Williams Lake First Nation.

[*Translation*]

The Clerk of the Committee (Ms. Vanessa Davies): I'm sorry to interrupt you, Mr. Chair. Mrs. Gill would like to rise on a point of order.

Mrs. Marilène Gill (Manicouagan, BQ): Mr. Chair, I want to make sure that the sound checks have been completed. At our last meeting, I was very uncomfortable having to interrupt Indigenous leaders.

Thank you.

The Clerk: I'd like to inform you that the witness on the first panel is not here. Therefore, we didn't do a sound check with him. I also haven't had the opportunity to do a sound check with Ms. Atwin or with you, Mr. Chair.

Since Mr. Ross will be testifying in person, there's no need to do a sound check with him.

The Chair: Very well.

Can you do a sound check with me and with Ms. Atwin?

The Clerk: I will, gladly.

Tell me, how's the weather in your city?

The Chair: It's overcast in Montreal and a bit cold. It's the fall, but they tell me it's going to be nice for the next three days in Montreal. That's good news.

The Clerk: Thank you, Mr. Chair.

Ms. Atwin, can you say something?

[*English*]

Mrs. Jenica Atwin (Fredericton, Lib.): Hello, everyone. The weather is sunny here in Fredericton. It's a beautiful day. I just shortly arrived home, off the airplane. Hopefully, you can hear me well.

The Clerk: Yes, we can hear you well. Thank you very much.

• (1535)

I just got the thumbs-up from the interpreters. We're ready to proceed, Mr. Chair.

Thank you.

The Chair: Madam Clerk, have you checked with Chief Willie Sellars, who is with us online?

The Clerk: He's not with us online, presently. I can't reach him. I've had my staff try to reach him as well, and he's not responding.

The Chair: Therefore, we will proceed with our only witness at the moment, Mr. Ellis Ross, member of the Legislative Assembly of British Columbia. Hopefully, Chief Willie Sellars will join us very shortly.

As usual, to ensure an orderly meeting, I would like to outline a few rules to follow.

Members or witnesses may speak in the official language of their choice. Interpretation services in English, French and Inuktitut are available. Please be patient with the interpretation. There can be a delay.

For those in the video conference.... There isn't anybody there, at the moment, other than members, so I will skip that part.

Before speaking, please wait until I recognize you by name and, of course, unmute yourself when it's your time to speak, then mute yourself afterwards. There is a "raise hand" feature if you need to bring something to my attention. When speaking, please speak slowly and clearly. When you are not speaking, of course, put your mike on mute.

I remind you that all comments should be addressed through the chair.

The way it works, Mr. Ellis, is that you will be invited to make a five-minute opening remark, after which we will proceed with questions.

If you are ready, Mr. Ellis, welcome. The microphone is yours for the next five minutes.

Mr. Ellis Ross (Member of the Legislative Assembly of British Columbia, Skeena): Thank you very much.

I was last here 10 years ago to talk about the exact same subject matter, but in a different context. I was here to get the Government of Canada to support LNG development in B.C.

I'll open up by saying that I'm not here to ask for money. I'm not here to debate the Indian Act. I'm not here for any of that, because.... Ultimately, what I'm after is independence for my band and the surrounding bands. The only way we can do that is by engaging in resource development for LNG, forestry and mining.

I'm here to tell you that the issues my band faced 10 years ago are non-existent today, because of our engagement. We were one of the few bands that went from being one of the poorest nations in B.C. to one of the wealthiest, including through land acquisition. We don't talk about poverty, welfare or unemployment insurance anymore. We don't even talk about the Indian Act.

We talk about what's next. We talk about the idea that since we're already fully engaged in the economy and society of B.C., what else can we do? This means independence at the band council level, which doesn't need Ottawa money anymore. It doesn't need the B.C. government anymore, right down to the individual, including the single mom and the guy who just got out of prison at the age of 55 and wants to stay out of prison—a good friend of mine.

Unfortunately, the word we're talking about here today—"reconciliation"—has been misused for the last 10 years for every single political issue under the sun, while ignoring the dreadful shame that is Canada's, meaning aboriginals who are stuck in prison or kids going to government care or poverty and the violence of poverty and ultimately suicide.

"Reconciliation" had a definition in the case law that was decided pursuant to section 35 of the Constitution. It was decided. This was all worked out, right up until the Haida court case of 2004. Now the word "reconciliation" has been misused to the point where nobody knows what it means anymore. It's been twisted around, and yet, time after time, in example after example, we see the results of what true reconciliation means, as dictated by the courts of B.C. in Canada. It's a shame. It's an absolute shame that it has come to this.

In your deliberations when you're talking about developing an act to talk about reconciliation, I ask that you look at the issues facing aboriginals all across Canada in terms of the unemployment rate and how it hasn't succeeded. Look as well at bands like mine, at how they've succeeded, and at how they're trying to make that spread across B.C. to neighbouring first nations communities.

There is reconciliation happening at the political and economic levels among first nations, because not every first nation has had the advantage of my first nation. It's all based on location—location, location, location. These are age-old differences that go back to way before white contact.

My message to you today is about what not to do. I wish you'd talk, in your deliberations, about the United Nations Declaration on the Rights of Indigenous Peoples, something I opposed when it first

came to Canada over 10 years ago. I opposed it in B.C., but I voted for it, because I didn't want my party to be labelled as racist.

If you follow the lead of B.C., you will be doing a disservice not only to first nations in Canada but also to the general society, because that was an unrealistic political statement made by the B.C. government. They have not lived up to a single promise or commitment they made in UNDRIP—what they now call "DRIPA".

To give you an idea of how unrealistic this is, they promised to consult every band in B.C. on every single piece of legislation that passed through the legislature. They also promised to align every single law in B.C. with UNDRIP. That is impossible. It's unrealistic, but they claimed they could do it. Now, their answers are.... Some of the legislation going through has not gone through a consultation process with first nations communities—the true rights and title holders, by the way. Instead, they went and talked to advocacy groups.

The other thing they did was provide notice of legislation to first nations—203 bands. That is not consultation, as dictated by the courts. They also conceded that legislation and some of the bills passed through the House did not have rights entitlement infringement questions involved with them, so they did not notify first nations.

That is not what they promised in the legislature. It was a political statement. They have not actually realized one commitment in UNDRIP. A lot of the DRIP Act in B.C. was redundant and meaningless.

● (1540)

By that I mean that every first nation has the right to save their language. We knew that. Every first nation has the right to save their culture. We knew that. We didn't need legislation to tell us that.

The redundancy I'm talking about is the idea that Canada is a lot further ahead than other nations around the world, including with section 35 of the Constitution. Canada is one of the few countries that recognized rights and included them in their constitutions. Yes, it took a long time to define that in the courts. One of the greatest things that happened was the court case that came down in 2004—the Haida court case that fully defined the duty of government and the responsibilities of first nations to respond, in a meaningful manner, when the Crown comes to consult on infringement issues.

It was working. From 2004 to 2017, it was working. The economy was going well with LNG, forestry and mining. First nations, more importantly, were getting involved and getting ahead. It didn't do anything to society. If anything, it strengthened our society. It strengthened B.C. In B.C., that has all now been put aside for the sake of politics. There are no drilling permits for LNG. They are actually going to shut down forestry, at opposition of first nations.

Those are my comments. Thank you very much.

The Chair: Thank you, Mr. Ellis. You are most welcome.

We will now proceed with the first round of questions. These will be six-minute rounds. We will begin with Mr. Zimmer.

Mr. Zimmer, you have the microphone.

Mr. Bob Zimmer (Prince George—Peace River—Northern Rockies, CPC): Thank you, Mr. Chair.

Thank you. I still want to call you “Chief”.

Chief Ross has become a good friend over the years, being a fellow British Columbian.

I'm glad you brought up reconciliation—what we're talking about today in this committee—in the way that you did. You talked about examples of how to do it and how not to do it.

I'll quote an article of yours from the past, just a couple years ago:

Foreign influence is nothing new, but what we are seeing today is a well-executed campaign financed by the likes of Tides Canada and the U.S.-based Rockefeller Foundation.

It goes on:

Caught in the middle are First Nations such as the Wet'suwet'en, whose people are being divided.... The other group that's caught in the middle are everyday British Columbians—including fellow Aboriginals who just want to get home, to work or to the hospital.

How does government support for radical NGOs and their agendas help reconciliation?

Mr. Ellis Ross: It doesn't.

When I got elected as a counsellor in 2003-2004, my chief counsellor had experiences with these types of organizations. We spent a lot of time trying to understand the relationships among NGOs of this nature, the governments of B.C. and Canada, and their agenda, which was all across B.C. and Canada. It was something we figured out pretty quickly: The agendas had nothing to do with first nations interests. They had their own agendas specific to each organization.

That partnership or relationship was actually severed between my band and those types of organizations. We were trying to resolve poverty, suicides and children going into government care. We finally decided to not welcome them into our territory, especially during the LNG development days. That was when we took a look at B.C. and Canada and started to see this happening all across Canada. We could see other first nations falling victim to this.

● (1545)

Mr. Bob Zimmer: I'm glad you referred to that, because I remember those days.

I'll say that even the definition.... We all want reconciliation, I believe. I really do believe that. I think most Canadians do. Oxford describes reconciliation as the restoration of friendly relations. Isn't that something we would all appreciate? Absolutely.

I toured around northern Canada as the northern affairs minister. I've spoken with many indigenous people—Inuit in Nunavut, Wet'suwet'en in northern B.C.—all across the north. Among all peoples, 80% to 85% are supportive of natural resource development as a key part of reconciliation, because it's prosperity for peoples. It means everybody is doing well. We can all do better.

You spoke to it a bit in the community of the Haisla. I want you to expand on that again. If this government decided to pursue reconciliation where it really makes change on the ground, it would help people in communities like the Haisla. Explain a bit again and extrapolate how good it could be if they were to truly pursue it.

Mr. Ellis Ross: It's not just first nations' success we're talking about that matters. Come to my committee and see the single mom who's off welfare or my friend who stayed out of prison.

When you talk about resource development at the first nations stage, you have to remember that revenues and benefits don't all go to the first nations. The government gets benefits. The government then turns around and uses that money for highways, hospitals and schools—even our paycheques as politicians. Everybody benefits from that, non-first nations and first nations alike.

The reconciliation we're talking about, I think, should be characterized as a political and legal relationship that has to be mended, because right now, first nations participate in every part of society I just mentioned. We love the hospitals, our cellphones and the highways. It's this political obstruction we have at the courts, which had been settled for the last 10 years, that we're now having to go back and revisit.

At the end of the day, true reconciliation at the economic level benefits everybody, and you're seeing it in action when we're talking about our daily lives. Everything we take for granted is what first nations actually want. They want to get a mortgage, which is happening right now, today. They want to go to the hospital. They want a doctor and a nurse. They want a new cellphone. It's this political definition of “reconciliation” that's holding us back.

Mr. Bob Zimmer: How much time do I have, Mr. Chair?

The Chair: You have a minute and 20 seconds.

Mr. Bob Zimmer: Okay, thank you.

You made this long trip out from B.C. We've talked about how long it takes to get out here, so we really appreciate you being here.

In my last short 60 seconds....

Here's your opportunity. If you're to give the government some advice, what would you ask them to do? They're pursuing the legislation, and that's why you're here today. What is one key thing you want to leave with them?

Mr. Ellis Ross: I'll tell you what I've been saying for the last five years: Do not use reconciliation as a tool to divide Canadians. That is not what aboriginals want.

You saw it when churches were being burned down all across Canada recently. There were a number of first nations people, including myself, who went out there and said, "Do not burn down churches. Do not provoke civil disobedience over this. There's a better way to do it." They included aboriginals who went to residential schools. There are a small number of people who want to see divisiveness in our country.

It took me a while to realize that. I'm proud to be from British Columbia and I'm proud to be Canadian, because I've looked all across the world at places that don't have it as good as we do. We have to remember that. It is a good country, but we can't let politics divide us. Please don't let the word "reconciliation" further divide the conversation that should be happening, not only here but all across Canada.

• (1550)

Mr. Bob Zimmer: Thank you, Chief.

The Chair: Thank you. Thank you, Mr. Zimmer.

Before we go to the next questions, I'll give a reminder that what we're discussing in committee today is Bill C-29 specifically. It's a very specific bill. How can we make it better? Members are free to ask their questions if they wish, but it is only what will make Bill C-29 move forward, possibly with amendments, that is of concern to this committee.

With that, Mr. Battiste, you have six minutes.

Mr. Jaime Battiste (Sydney—Victoria, Lib.): I thank the witness for his testimony, but I'd like to bring things back to Bill C-29.

What we're talking about here is not the political definition of "reconciliation", but the definition and blueprint for reconciliation decided by the Indian residential school survivors and their descendants or children. Within that are the 94 calls to action. They've asked our government to implement the TRC calls to action. What Bill C-29 means to do is ensure there is some independent accountability to ensure that the government moves forward on those calls to action.

Mr. Ross, I'm wondering if you could tell us whether you believe we should be listening to the Indian residential school survivors, whose feedback went into these 94 calls to action. Do you think these are worth moving forward on, and do you think we should be fulfilling the TRC calls to action?

Mr. Ellis Ross: That's without a doubt. My parents both went to residential school, but they weren't taken; they were sent by their parents. My mother was sent to learn how to look after a household. My dad was sent because his mother died and there was no one else to look after him. They would not tell me about any of the abuse they faced.

I've done this job now for 18 years, and there's a wide spectrum of things that happen to first nations. It wasn't just residential school. There was the idea that first nations couldn't even get legal representation. There was this racist attitude at the time that we were no better than animals in the field. There's a lot to make up for.

In today's context, you can't ignore the fact that a lot of our people are still living on the streets. I don't think reconciliation benefits the person who went to prison at the age of 16 in Oakalla. I don't think he's willing to have a conversation about any type of bill that doesn't speak to how he's living or wants to live.

I put out a pamphlet when I first heard about the idea of reconciliation being used for political purposes. I tried to educate everybody, including my own people, about everything that happened and the general nature—not only my band but bands all across Canada. I tried to tell them why we have to do better for today's generation and the next generation.

Yes, it's definitely important to talk about residential schools in truth and reconciliation. However, in my mind, if it doesn't translate into actually making futures better for aboriginals and in turn making a country stronger, I don't see the point.

Mr. Jaime Battiste: Mr. Ross, I appreciate that point of view. To your parents who went to the Indian residential schools, I'm sorry. My aunt and uncle also went. As a Mi'kmaq from Eskasoni who has lived on reserve, I know there are a lot of things we need to do better as a government.

You brought up the justice part. There are key clauses within the calls to justice that talk about reforming the justice system. Making sure we have less incarceration of indigenous people and creating alternatives are part of the calls to action.

Do you believe it's important to listen to the things people have told us—the survivors and intergenerational people who ended up in prison—and move forward, in a fast and independent way, to ensure these calls to action are addressed?

Mr. Ellis Ross: That's without a doubt.

I'll be a bit prejudiced here. Violent criminal activities that hurt other people, including aboriginals, can't be put in that light. They can't be.

I'm taking my experience as chief counsellor. When we had our public meetings, they asked for more police presence in our community—which we couldn't get, by the way. We were fighting to have more RCMP, especially on weekends. The activities in my community ranged from peeping Toms to speeding, but my community drew the line when other people got hurt. That included domestic violence.

I think we have to be really careful here. I don't think violence actually knows any race. When you hurt somebody, especially if it's fatal, the laws of Canada and B.C. have to prevail.

• (1555)

Mr. Jaime Battiste: I want to be clear on this. You're in support of our government moving forward to advance the 94 calls to action that the survivors and chairs put forward in the Truth and Reconciliation calls to action. Is that correct?

Mr. Ellis Ross: That's without a doubt. However, I would add a caution in terms of the case law principles, and there are a lot of them. There were two things the judge said. He said we have to reconcile these incidences because—let's face it—none of us are going anywhere. The other thing he said was that the government has a duty to address these issues, but the government also has a duty to the greater society.

The only thing I'll add is that the greater society now includes aboriginals, because 50% of aboriginals live off reserve. They have become members of the larger population that wants to see a stronger country, regardless of any other opinions out there.

Mr. Jaime Battiste: Do you think it's also important to have an independent committee that has oversight to keep the government accountable for the TRC calls to action?

Mr. Ellis Ross: That's up to the politicians, but it has to be based on the experiences of other independent committees, which might not work so well.

I'm an MLA in B.C. and I know that the independent watchdogs set up to keep an eye on the government don't do such a good job. If it is going to be set up, the principles and the lines of authority have to be strong. Otherwise, the government will just ignore it

Mr. Jaime Battiste: Mr. Chair, how much time do I have?

The Chair: You have about 10 seconds, Mr. Battiste.

Mr. Jaime Battiste: I figured that.

The Chair: Thank you.

We will probably have a second round.

[*Translation*]

Mrs. Gill, you have the floor for six minutes.

Mrs. Marilène Gill: Thank you, Mr. Chair.

I'd also like to thank Mr. Ross for his testimony.

Mr. Ross, you talked about a number of things in your opening remarks, and I was intrigued by two terms. We're discussing Bill C-29, of course, but you she went upstream of that when you talked about the concept of reconciliation being used for political purposes, for example, and the fact that the very concept of reconciliation is being overused or not accurately defined.

On the one hand, how would you define the word "reconciliation" and on the other, what are the implications of reconciliation in concrete terms?

Could you also clarify what you meant when you said that the concept was used for political purposes?

[*English*]

Mr. Ellis Ross: I first heard the word "reconciliation" when I read the case law, the Haida court case in 2004, when the judgment came down. It described the government's duty to address infringe-

ments on rights and title. The judge who used it said that we had to start addressing these because, let's face it, no one was going anywhere and we also had a duty to the greater society to make this work.

Originally I didn't agree, because I thought the priority for government should be to address this, but as I learned later on, I couldn't draw a line between first nations and non-first nations. I couldn't do it, especially since I enjoyed having hospitals, schools and roads and I had non-first nations in my family. I have non-first nations in my community. There is no way that I would single them out and say that they're different just because of reconciliation.

Over the last 10 or 15 years, no matter what the issue has been regarding first nations, I have always seen the word "reconciliation" pop up, and there was a whole spectrum of reasons it was used. Nobody actually brought the definition of "reconciliation" back to the case law where it started. There is no starting point, in my opinion, to the definition of "reconciliation". Everybody has a different definition, and if there's a specific objective they want, then it seems convenient to bring up that word or it seems convenient to talk about some type of process, but if you don't have a starting point or if you don't have a clear definition of what a process is or what a word is or what it's meant to mean, you're going to have a tough time trying to achieve your objectives.

We didn't even talk about reconciliation back in our community. All we knew was that everything we had in place up until that date—the programs, the government funding, the suicide hotlines—all failed, every single thing. It wasn't until we walked away from the government funding, all of the government programs and all the hotlines and we focused entirely on economic development that we realized that yes, inadvertently we've actually solved all of our social issues.

I know you're talking about Bill C-29 in a specific manner, but on reconciliation itself, I still believe that if we're not addressing the social ills that plagued first nations, then it's just going to be another committee, and it will be open to interpretation by no matter who is in government to actually use that unless you have clear objectives.

• (1600)

[*Translation*]

Mrs. Marilène Gill: It's like the premise is flawed, if I understood you correctly.

I'd like to ask another question that's also related to what we're discussing today.

In your opinion, the findings of the Truth and Reconciliation Commission of Canada are becoming flawed, as I understand it.

In that case, should the calls to action also be questioned?

I would venture to guess that the council itself, which is downstream of all this, would be irrelevant to you. I'm sorry for using those words, but I'm trying to understand your position on the commission, the calls to action and the council we're discussing today.

Right now there is no plan for the immediate future to put groups like the Native Women's Association or anyone even talking about economic reconciliation at that original table to set the plan going forward.

Harold Calla, who I'm sure you know—yes, you know him quite well—was in the committee just a few days ago. He said we need somebody at the table who wants to talk about economic reconciliation. Would you agree with Harold Calla's comments?

Mr. Ellis Ross: Yes, I would—and Clarence Louie out of the Okanagan. A number of aboriginal leaders feel strongly that economic reconciliation not only lifts up first nations but also obviously lifts up the provinces and the country. The proof is out there.

In my community, for example, the economic reconciliation that we participated in not only made us one of the wealthiest bands in B.C., but it also, for some reason, got rid of the alcohol parties. I think a study should be made in that respect. Where did all the house parties go?

When I grew up, every weekend I knew of five or six houses that you could travel to, house to house to house, in one night. That's all gone. Instead, we have young aboriginals getting mortgages in their own right without depending on Indian Affairs or their band council. They're going on vacation. They're planning futures for their children.

To my mind, and from what I've experienced in the last 18 years, reconciliation is a buzzword. Without the concrete results of seeing somebody get off the welfare list, or seeing somebody get away from the idea of committing suicide or their children going to government care.... I keep coming back to a phrase I heard a long time ago: "This is Canada's shame; how do we fix it?" Well, government, you can't; if you could fix it, it would have been fixed long ago. If you're going to do something, then do something in partnership with first nations that can make their band councils—and, more importantly, their band members—independent.

If you want an example, come to my village, Kitamaat Village, B.C. I'll show you around.

Mr. Jamie Schmale: I would love to see that, actually.

Speaking of the economic reconciliation piece, I believe it was in January that some criminals trespassed and did some pretty severe damage to the Coastal GasLink construction site, with major damage to vehicles and buildings, putting that project at risk. What does that do to those indigenous people who want to see that project succeed and see opportunity to create wealth and take opportunities like those you just mentioned—take vacations and start planning for the future for their children?

Mr. Ellis Ross: It discourages first nations, especially the band members who don't want to take sides in that kind of argument. There were first nations on that job site that night, and they were scared. People were running around with axes and fireworks and flares and firing at them. It's not the first time this has happened. In the early LNG development days, the aboriginal workers who signed on to do the preliminary work for LNG development had their cars keyed and their tires flattened.

Even today, I'm called an "apple". Do you know what that means? It means red skin on the outside and white on the inside. I'm not even red on the outside. I get called a sellout. I get called all kinds of things.

I think the objective is clear. If we want aboriginals to get away from the violence of poverty, then we have to think about doing something different. Right now there are a lot of silent majority first nations that agree with what I'm saying and doing. As a case in point, every first nation from Prince George to Kitimat, 22 first nations, signed on to LNG. They signed on to forestry agreements and mining agreements. They're doing it with the highest environmental standards in mind, but also to get their people away from the Indian Act and away from poverty.

• (1615)

Mr. Jamie Schmale: Then if the structure of this committee is not done properly—Bill C-29 as written—and if we don't have someone at the table with economic reconciliation at the forefront, this could potentially slow down that piece of this whole puzzle, the reconciliation puzzle, and the ability for first nations communities to chart their own course.

Mr. Ellis Ross: Without a doubt—

The Chair: Mr. Ross, you have 10 seconds to answer.

Mr. Ellis Ross: Without a doubt, because that's what we're seeing in B.C. right now with UNDRIP. We're seeing it. Everything has slowed down, including 18 LNG projects. We're now down to one major project and three minors. We're seeing it on the ground.

The Chair: Thank you very much.

We'll now go to Mr. Weiler for five minutes.

Mr. Patrick Weiler (West Vancouver—Sunshine Coast—Sea to Sky Country, Lib.): Thank you, Mr. Chair.

Mr. Ross, I want to thank you making the trip out here to Ottawa and for the unique perspective you're bringing today.

You mentioned earlier in your testimony the concerns about making reconciliation political. I think it's something we all need to be very conscious of. The idea behind this body that's being contemplated here is that it will be independent, will be able to report back on progress in achieving the truth and reconciliation calls to action, and will have an action plan that the government will have to respond to each year to be able to demonstrate progress.

I was hoping you could give your opinion on the value of such a reporting-back function.

Mr. Ellis Ross: It's hugely important, especially when we're talking about transparency and accountability, but what are the benchmarks? Will you be looking at unemployment levels, suicide levels, children in government care, people in prison? What will you be measuring?

If it's a measurement of government programs, we've been dealing with that for the last 50 or 100 years. It hasn't helped us. That's why I really encourage.... This is all based on experience. I lived the Indian Act experience. I lived the poverty life, and now I'm living a different life. My kids are living a different life. My grandkids have a future that I never could have imagined.

I do appreciate the reporting and that you're talking about this, but if you don't have hard objectives written into this, hard terms of reference, then the reporting will not benefit first nations on the ground. That leaves the question of who it is going to benefit.

Mr. Patrick Weiler: That's a good point.

To follow up on that, the Truth and Reconciliation calls to action, the 94 of them, are the responsibility of not just the federal government; they're the responsibility of other orders of government and other organizations across Canada.

Of course you bring a unique perspective, being a sitting MLA in the provincial government. What role would you see for the provincial government in reporting to this body so that not just the federal government but also the provincial government would be held accountable for progress on reconciliation?

Mr. Ellis Ross: That's a really good question.

For the most part, within the borders of a province, the province has full responsibility for addressing rights and title infringements, and there is an economic component that goes into addressing those. If a project crosses boundaries or gets into the ocean, then the federal government steps in. That's partly why I'm here. I want to know what the federal government can do in terms of easing the regulatory process for some of the projects we're talking about, specifically LNG.

On the reporting you're talking about, the reporting that is going to come from the province, I strongly urge you to ask for a report on how the negotiations are happening on the ground in terms of a Crown-first nation relationship in relation to rights and title infringements, including the economic component.

Mr. Patrick Weiler: Absolutely.

Earlier you mentioned some concerns about the operations and track records of some of the government watchdogs in British Columbia. As we're contemplating setting up this particular body, what advice would you have for us to ensure that this body will be accountable and effective in terms of reaching its intended outcomes?

• (1620)

Mr. Ellis Ross: I've been doing this job for about five years now, and the one thing that I really encourage myself to do is to be strong and to ask the tough questions and to say what people don't like to hear. What I talk about is not popular. I know I have a target on my back for what I say, because I'm not politically correct. I go straight to the point.

If you're going to do this, yes, you do need strong language, but you also need a strong champion to call out the lack of transparency and accountability or the lack of reporting thereof.

Mr. Patrick Weiler: One of the things that distinguish our province from other provinces in the country is that we have a very

wide variety of governance systems within indigenous communities. When we're thinking about the membership of this board, I'm wondering if you have advice on how to make sure we bring those different voices to bear so that it will be truly reflective of the diversity of indigenous experiences and governments across the country.

Mr. Ellis Ross: We're experiencing this in B.C. right now—the question of political leadership versus legal leadership. It's a question that I said the federal government and provincial governments should stay out of, but they should support some type of initiative and process for every first nation to figure this out.

Right now it's dividing many of our communities in B.C., including the Wet'suwet'en. It's not serving anybody, especially when their elected leadership actually supported some of the projects that their hereditary leadership is opposing. At the end of the day, it's the band members who are actually feeling the brunt of what's going on out there, the negative aspects of it.

I suggest that the provincial and federal governments actually create a process but not get involved beyond that.

Mr. Patrick Weiler: Thank you.

The Chair: Thank you very much, Mr. Weiler.

We'll now go to Madame Gill

[*Translation*]

Mrs. Gill, you have the floor for two and a half minutes.

Mrs. Marilène Gill: Thank you, Mr. Chair.

Mr. Ross, you stated that the United Nations Declaration on Rights of Indigenous Peoples was perhaps not the solution. You don't necessarily agree with the calls to action or with what the government hopes to do.

I imagine you have no amendments to recommend to the committee for Bill C-29.

Am I right?

You can answer with a yes or no.

[*English*]

Mr. Ellis Ross: I didn't say that I didn't agree with Truth and Reconciliation. I said that I didn't really read it—

[*Translation*]

Mrs. Marilène Gill: I understand.

[*English*]

Mr. Ellis Ross: —because we had a process in place already that was actually working.

I read case law principles because I knew that, really, ultimately, if I was going to move forward, I had to have a relationship with the provincial government, and the case law actually dictated the principles on how we were supposed to operate, and—

[*Translation*]

Mrs. Marilène Gill: I'm sorry to interrupt you here, Mr. Ross.

I would like to thank Mr. Ross for coming all the way to Ottawa to answer the committee's questions today. We very much appreciate having your insights on this very complex issue. Thank you once again for coming.

With that, we'll suspend briefly while we check the microphones for the next two panellists.

Thank you.

• (1630) _____ (Pause) _____

• (1640)

The Chair: We're back in session. Committee, thank you for your forbearance as we deal with these problems.

I'd like to welcome Ambassador Clément Chartier from the Manitoba Métis Federation. This is in the context of this committee, the indigenous and northern affairs committee, studying Bill C-29 at committee stage.

Ambassador, we will ask you to make some opening remarks for up to five minutes, and then the committee members will have an opportunity to ask you questions.

With that, if you're ready, the microphone is yours for five minutes of introduction.

Mr. Clément Chartier (Ambassador, Manitoba Métis Federation): Thank you, honourable Chair.

Members of the committee, I am pleased to be here representing the MMF, the national government of the Red River Métis. I appear as the ambassador responsible for inter-nation and international relations, appointed as such by President Chartrand and the MMF cabinet.

On previous occasions, I have appeared as president of the Métis National Council, which we once belonged to. It was a position I held from October 2003 until the end of September last year, 2021.

The Manitoba Métis Federation formally withdrew its membership in the MNC organization on September 29, 2021. On July 6, 2021, the Manitoba Métis Federation executed the Manitoba Métis Self-Government Recognition and Implementation Agreement with Canada, copies of which I believe you have. By this agreement, the MMF's inherent right to self-government is recognized and affirmed. We are the only Métis nation government recognized as having such by the federal government since President Louis Riel brought the Métis nation into Confederation through the Manitoba Act, 1870. The agreement clearly states that the MMF represents the Red River Métis wherever they may live, whether inside or outside of Manitoba and, for that matter, whether inside or outside of Canada. In this connection, Red River Métis is synonymous with the historic Métis nation and its citizens.

The MMF general assembly in 2014 adopted a resolution that opened its citizenship application process to Red River Métis living outside of the geographic borders of the province of Manitoba. At its general assembly held this past weekend, the MMF adopted a resolution declaring the MMF to be the national government of the Red River Métis. Between June and September of this year, a beyond-borders task force, of which I was the lead, visited 14 cities

within the homeland in western Canada and the northern United States as well as cities outside of the homeland, in British Columbia and the cities of Ottawa and Toronto, which are places to which a number of our citizens have relocated for employment and other purposes, although they are still registered citizens of the national government of the Red River Métis.

My government is prepared to support Bill C-29 even though there is still unfinished business in connection with reconciliation and the Métis nation experience in day schools and residential schools, in particular in the Île-à-la-Crosse Residential School, which I attended for 10 years, followed by a year and a half at the Charlebois Residence in La Pas, Manitoba.

My government is pleased with the legislation enacted by the federal government over the past several years. This includes the legislation creating the two departments that have replaced the Department of Indian Affairs as well as legislation aimed at the implementation of the United Nations Declaration on the Rights of Indigenous Peoples. In particular, both the Department of Crown-Indigenous Relations and Northern Affairs Act and the Department of Indigenous Services Act, in their definition sections, state that "Indigenous governing body means a council, government or other entity that is authorized to act on behalf of an Indigenous group, community or people that holds rights recognized and affirmed by section 35 of the Constitution Act, 1982."

In their respective preambles, both state that "the Government of Canada is committed to achieving reconciliation with...the Métis...through renewed nation-to-nation, government-to-government...relationships based on affirmation and implementation of rights, respect, cooperation and partnership."

• (1645)

The United Nations Declaration on the Rights of Indigenous Peoples Act of 2011, in the preamble, refers to the "Métis Nation" and other indigenous peoples, which, "throughout [our] history...lived in the lands that are now [in] Canada, with their distinct identities, cultures and ways of life;" and says that "Canada rejects all forms of colonialism".

We remain concerned, however, that the federal government has not kept pace with the reconciliation process, in particular the nation-to-nation, government-to-government and reconstituting of indigenous nations initiatives—in our case, the Métis nation.

With the establishment of the section 35 rights reconciliation tables for indigenous peoples in 2016, the federal government, in relation to the Métis nation, chose only to have four tables with only the then governing members of the Métis National Council, and refused to establish one with the Métis National Council itself, the then national body representing the Métis nation, and I underscore "the then body representing the Métis nation". This has led to the further consolidation of the colonial boundaries established in 1905 with the creation of the Province of Saskatchewan and the Province of Alberta and the dismemberment of the historic Métis nation homeland in western Canada.

Nevertheless, today we are moving toward one nation, one people, which accords with the federal government's reconstituting indigenous nations initiatives—in our case, the historic Métis nation. In this connection, we are opposed to and will oppose any federal legislation that attempts to further divide or dismember our homeland and, in particular, legislation that purports to give provincial Métis organizations self-government recognition under section 35.

Not only are we, the Red River Métis, facing threats from within; we are also facing threats from without our nation, from outside of our nation, with hundreds of thousands of individuals of mixed ancestry in Ontario, Quebec and the maritime provinces claiming to be Métis and perpetrating cultural and identity theft.

In order to prevent further injustice to the Métis nation, the MMF—the national government of the Red River Métis—must be included in the proposed council, unless the act is meant to deal only with indigenous organizations and not governments. This, however, cannot be the intent, as it would exclude the sole and legitimate government, the sole and legitimate representative of the historic Métis nation: the Red River Métis and its national government.

Thank you, Mr. Chair.

• (1650)

The Chair: Thank you, Ambassador.

We'll go to the first questions.

I believe it's Mr. Vidal for six minutes.

Mr. Gary Vidal (Desnethé—Missinippi—Churchill River, CPC): Thank you, Mr. Chair.

Thank you, Ambassador, for being here today and sharing your knowledge with us. We do appreciate that.

In your comments, you said that you would support Bill C-29.

My first question is a two-part question.

First, is that in the sense of the way it is, or are you looking for any changes or amendments that we might talk about in the next few minutes?

Second, maybe you can include in there reference to some comments that the Manitoba Métis Federation president, Mr. Chartrand, made back in June of 2022, which I would interpret as not supporting this legislation. He said:

I think Canada needs to catch up with their agreements that they've signed [and] commitments they've made.... I am looking forward to a call or a letter with minister Miller...whoever is going to be the lead [on this], to advise the Red River Métis of our involvement."

You're saying you support it, but the president didn't seem to be supporting it back at the end of June. Was there a call or was there some interaction that has changed your federation's position on this piece of legislation?

Mr. Clément Chartier: I may have misspoken. I think I said "is prepared", but there are certain things that need to be met—

Mr. Gary Vidal: Okay.

Mr. Clément Chartier: —before that happens. In particular, as I've stated....

Okay. First of all, then, we don't support it the way it is.

Mr. Gary Vidal: Sorry—will or won't?

Mr. Clément Chartier: Will not.

Mr. Gary Vidal: Okay. I just wanted that clarity. Thank you.

Mr. Clément Chartier: There need to be changes. Depending on what the changes are, we may or may not support it—or we may support it if it's meant for indigenous organizations, which we're not. We are a government, so if this non-profit corporation....

We didn't even study to see if we want a non-profit organization or what it is we want. In fact, our preference as a government is that we would be engaging this on a government-to-government basis with more powers for indigenous governments. Again, maybe you need a separate one with governments and one with non-profit corporations. Within the Métis National Council, you now have four non-governmental organizations making it up. They are not governments. They hope to be, and we hope they won't be, because we don't want to be divided along provincial lines—

Mr. Gary Vidal: I'm sorry. I don't mean to be rude, but I have such limited time and I want to drill down a little more into a couple of things.

Mr. Clément Chartier: Yes.

Mr. Gary Vidal: The way the legislation is currently written, it's supposed to gather data from all levels of government—federal, provincial, indigenous governments and all organizations. One of the challenges we're concerned with is that there's a lack of independence, potentially, in how this thing is being structured. The minister has an awful lot of control in appointing the first board of directors. That board of directors will create the process for which future board members will be elected by a membership that's yet undefined.

I have a couple of questions in there. Would you agree or disagree that there should be a broader scope of people who definitely have a seat at this board of directors? Would you have an opinion at all on who should be the members of this non-profit corporation? That's a yet undefined term, as far as we can see.

• (1655)

Mr. Clément Chartier: My government—and I personally, but I'm not here to represent myself—is unlike any other government, or, if you want to call us an organization, we'd be unlike any other organization. As I've said ad nauseam, and I will say it again here today, the Métis and our residential schools are not covered by the apology. We are not part of the mandate of the TRC. We don't believe we're covered by the recommendations, because they had no mandate. We may fall into it by happenstance, but none of ours....

In fact, I haven't even read them, and I was president at the time. When it was released, I was two blocks away in my apartment, watching it live at the Delta, an event I wasn't even invited to, so it has nothing to do with us, really. I think that's one of the points that President Chartrand is making. We can deal with you, being the government, particularly the federal government, on a bilateral basis, on a government-to-government basis, to address the issues that remain outstanding, in addition to....

You know very well Île-à-la-Crosse, in your riding.

Mr. Gary Vidal: Absolutely.

Mr. Clément Chartier: I did try to get meetings with you. I was in your riding, but they never happened, so I moved out. I went to Saskatoon.

In any event, that's an outstanding issue. The sixties scoop for Métis is outstanding. The day schools are outstanding. There's the child welfare situation. There's a lot of stuff outstanding. Now that we have a government-to-government relationship, now that the federal government has an agreement with us that we are a recognized government and are in the process of concluding a treaty, which will get the force of law through the legislation, we'll be protected under section 35.

We're not sure—and I won't pretend to be able to say their answers—whether there should be more or who they should be, because it really has nothing to do with us. When I say that we could support it, we could support it for those it's aimed for. We're outside of it, so in that sense it doesn't matter whether we support it or don't support it.

Mr. Gary Vidal: So you don't want—

The Chair: Thank you, Mr. Vidal. Your time is up.

It's now over to Mr. McLeod for six minutes.

Mr. Michael McLeod (Northwest Territories, Lib.): Thank you, Mr. Chair.

Thank you to the witness for appearing today. I think that he and I are probably the only two residential school survivors in the room right now. It's really good to hear his point of view.

As an indigenous person and a Métis, I was quite excited to see this board structured, set up and moving forward.

There are many things happening under the label of reconciliation. UNDRIP is one of them, along with the Truth and Reconciliation recommendations and some of the changes to self-government policies. There are many things we can point to that are happening and quite exciting in the world of indigenous people. I think most people would agree.

Most indigenous governments would agree that there has to be oversight. Most indigenous governments don't trust governments. It's important to be able to make sure we're still moving forward to reach the goals we set up.

When it comes to the composition and work of the national council for reconciliation, I think there are some important seats that need to be held by people who went through the residential schools and federal day schools. They need to be included and in-

cluded. Right now, I see many national organizations pushing for more seats.

I want to get your opinion on what you think about having seats set aside for people who are residential school and federal day school survivors, or maybe even traditional knowledge holders—people from your organization and government who carry a lot of knowledge and can take it forward.

• (1700)

Mr. Clément Chartier: I have to confess that I haven't studied it. I was asked late Monday to appear on behalf of President Chartrand. In fact, after I wrote my brief, I found the news articles referred to and the comments he made. I don't have a staff yet who can do that for me.

I agree that it should be weighted more toward survivors, who are the ones who have suffered the brunt of the residential schools. I agree, though, that national indigenous organizations, if they truly represent who they say they do, have a right to be there. I would have no qualms with the Inuit Tapiriit Kanatami and Assembly of First Nations being there to represent their people. I'm sure they would do the right things in appointing people who have been affected by the residential school system. Their wisdom would go in that way.

I know there are others to be selected. I think those others should come specifically from.... I use the term "survivor", but I don't really embrace that term. Those who went through the experience should be there, for sure.

Mr. Michael McLeod: My second question is on the goals of the national council. The stated goal of the national council is to advance the efforts of reconciliation with indigenous people, which is a very broad goal. It's going to be done through efforts like developing a national action plan. It will mean conducting research and educating the public.

I want to ask you this: In your opinion, what are some areas and issues you would like to see the national council focus on?

Mr. Clément Chartier: Therein lies the problem as well.

Our government—and I think this is what President Chartrand was getting toward—doesn't need any intermediary between the national government of the Red River Métis and the federal government or any other government. We should be dealing with all of these issues on a bilateral basis ourselves. If there is going to be—and I imagine there will be—a body such as this, then fine, but it shouldn't be a replacement of legitimate indigenous governments dealing with other governments.

There are three orders of government in this country. There are indigenous governments, the federal government and provincial governments. Under them, you have municipal governments. We need to ensure that creating this council does not diminish the role and authority of legitimate indigenous governments.

I'm glad you raised the mandate. I read it, and I have to finally read one or two of the recommendations. As I said, I've never read the calls to action, but I read those ones that were mentioned. It talks in broad terms, but my sense is still that it's going to be more of a mandate. We'll be looking at the implementation of the calls to action rather than something broader. In previous discussions with then-Minister Bennett, she'd say, "No, no. It's not just the calls to action. It's going to be across the board on everything", but it doesn't also say that in the bill. I suppose if it did, we'd question more why a non-profit corporation is being put in a position where it's going to be usurping, potentially, the role of legitimate indigenous governments.

[Translation]

The Chair: Thank you, Mr. McLeod.

We now go to Mrs. Gill for six minutes.

Mrs. Marilène Gill: Thank you very much, Mr. Chair.

Mr. Chartier, thank you for your testimony.

I found the idea that just came up here about the commission's calls to action interesting. We had not heard that before.

You're not familiar with the calls to action.

Can you tell us why not, whether it's for your own reasons or your organization's?

• (1705)

[English]

Mr. Clément Chartier: I stated this, but I'll state it again. Primarily, it's because we were not included. The Métis nation was not included. The Indian Residential Schools Settlement Agreement in 2006-2007 dealt only with residential schools that were paid for by the federal government.

I was on the floor of the House of Commons as leader of the Métis nation then, when the Prime Minister made the apology. I was there because some 200 Métis went to these residential schools. There are 200 fortunate Métis, because they got something out of it. It was unfortunate that they had to go, but fortunate because they were covered by the apology and got some compensation. However, we weren't. We raised it, and I raised in on the floor. We've been raising it since, but nothing has been done by the federal government. It's like we don't matter.

I see these orange shirts that say "Every Child Matters". I'd like to go and say, "Except if you're Métis", but I can't do that to every orange shirt that I see out there.

No government, Conservative or Liberal, is doing anything about it, and the reason is that it was church-run. They weren't funding the church to run residential schools for Métis, so we were excluded from the TRC mandate.

I attended two or three of them as an invited guest to go and make this message that we're still there. We pleaded with the commission to put in a specific resolution that the Île-à-la-Crosse school be dealt with. They put in a weak resolution along the way that all the rest should be dealt with, but we weren't addressed and

we're still not being addressed. I didn't read it for that purpose, because...what for?

Even this body that's being set up isn't for us; it's for others. I hope it goes ahead for the benefit of others, but it's hard for us to embrace it, because we're excluded. It's similar to when the Province of Quebec was left out in September of 1981 in Canada's Constitution. People who are excluded don't feel like participating to the greatest degree possible. We should continue working the way we have been.

The Métis nation has made substantial strides—don't get me wrong—particularly over the life of this past government. For example, in four federal budgets, we got over \$3 billion. That was the first time in our history we were included in the federal budget. The government is trying to do other things.

One of the things the government also did, which you should keep your eye open for, was amend the Indian Act less than a year ago or so. That's thrown the doors wide open. All of a sudden, half of my nieces and nephews at home are applying for Indian status. My brothers and sister aren't, but because it was so wide open... We have no connection to the Indian community, but it's been thrown wide open.

It's doing a disservice to the Métis nation and its citizens, and doing a disservice to the Indian community, to have all these people coming. It's the same across a lot of Canada. People who have mixed ancestry are coming forward, saying, "We're Métis now, because we found some great ancestor some way back in the generations"—

[Translation]

Mrs. Marilène Gill: I'm sorry to interrupt you, Mr. Chartier. I would keep listening to you for a long time, but I have two more questions for you. Of course, if you want to round out your answers, you can send us your comments or the rest of your remarks in writing. We will be happy to read them.

At the end of the day, to the government you represent, may I say that the calls to action are not legitimate?

Next, would you still like to be included on the council or would you prefer not to be included because you were not consulted and you don't feel you're represented in the calls to action?

Finally, I have a third question for you, so I think you will have to send a written response, actually.

What do you recommend for the Red River Métis nation? You started to answer this question earlier.

• (1710)

[English]

Mr. Clément Chartier: That's a very big question. Essentially, I firmly believe that for those indigenous peoples who suffered at the residential school and are covered by the apology, the mandate and the calls for action, something more should be done. If that's the vehicle they choose to participate with, fine. In either this stage or in a strengthened one, that's up to them.

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