

JANUARY 2020: FINDING THE PATH TO SHARED PROSPERITY

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in the Era of Indigenous Reconciliation



ISSUE #1 WINTER/SPRING 2020

PROJECT
RECONCILIATION:
AMBITIOUS VISION

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THEIR KNOWLEDGE

WHAT TO CALL "UNDRIP"?



MIKE
DOWNIE'S
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British Columbia Legislature, October 24, 2019. The Finding the Path event Jan. 14, 2020 is about how the passage of Bill 41, the Declaration, means a new era for opportunity and shared prosperity in B.C.



THE DOWNIE VISION

Jan. 14 headline lunchtime speaker Mike Downie: Mike is the co-creator and documentary director of *The Secret Path*, the multi-media project that tells the story of Chanie Wenjack, the 12-year-old Ojibway boy who ran away from his residential school in 1966 and attempted to walk home. Mike co-founded, with his late brother Gord, the Gord Downie - Chanie Wenjack Fund (DWF).

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After being “starved out economically,” can this leader chart course out of poverty?

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JP Gladu sees hope through appreciating an Indigenous view of the world.

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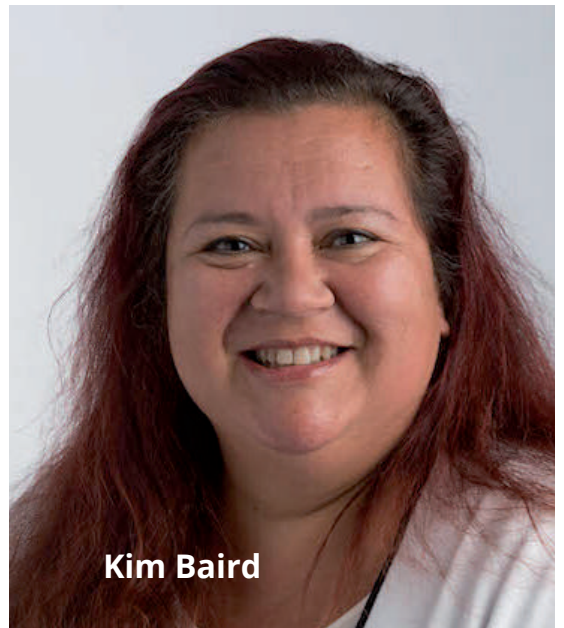
Analyst Ken Coates says B.C. has challenged itself to do better in its relations with Indigenous peoples.

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40 speakers explore Declaration values & practice



Finding the Path • January 14, 2020



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OPENING MESSAGE

Critical conversation for a pivotal moment in Canada's history

By Jennifer Turner

This is a pivotal time in our collective Canadian history. British Columbia has just become the first province in Canada to adopt the United Nations Declaration on the Rights of Indigenous Peoples, a landmark document that aims to enshrine the rights of Indigenous people around the world. The rest of Canada is expected to follow suit.

This is an historic opportunity to build a healthy and constructive relationship with Indigenous peoples. It is tragically overdue. If we get this right and succeed where our predecessors have failed, we will all be stronger for it. The ultimate outcome will come down to us – all of us.

Indigenous-led conversation is our first step to building a stronger Canada. Indigenous leaders share their stories at a day-long forum in Vancouver on Jan. 14, called Finding the Path to Shared Prosperity. The Canadian Council for Aboriginal Business, Nation2Nation Forum, the First Nations LNG Alliance and the First Nations Major Projects Coalition are major event partners.

This event was created to be an independent platform to highlight Indigenous voices and diverse perspectives. Over 30 expert speakers will thoroughly tackle big issues, highlight opportunities, and show us what the path to shared prosperity can look like.

To find that path, we must first acknowledge our starting point.

Indigenous people in Canada have suffered great injustice. Indigenous women and girls continue to suffer endemic violence; children are more likely to live in poverty and over-represented in a welfare system that often fails them. Many communities are in pain. There is no correct path to prosperity that fails to address these issues.



Jennifer Turner

We must share a commitment to face these challenges. Any valid measure of Canadian prosperity must account for shared wellness and cohesion. Indigenous economic, spiritual and cultural prosperity is key to our collective strength.

At this event, we will learn about Indigenous autonomy, the right to self-determination, and our need to respect Indigenous traditional knowledge and culture.

We will hear government perspectives and delve into legal implications in terms of international, Indigenous, and domestic constitutional law.

We will hear from Indigenous youth about their experiences. We will talk about our collective need for equality – including ownership and control of natural resources and infrastructure by First Nations communities. In doing so, we hope to start walking past our colonial history.

We will recognize and celebrate the good work already done – and take away the lessons

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TOURISM VANCOUVER

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learned. We will hear directly from First Nations business leaders and progressive partnering organizations about the best practices they've developed. We will learn how Indigenous women are due to be recognized as key stakeholders in Canadian business operations.

We will also learn how, as traditional stewards of their land and water, Indigenous Peoples will now hold the keys in our conversations about climate change. Traditional Indigenous knowledge and spiritual ties to land qualify Indigenous Peoples to develop resources more responsibly, in ways that extend far beyond emissions reduction. Canada, in turn, can help displace rising emissions while becoming world leaders in sustainable energy development.

No single business or industry is exempt, yet many do not know where to begin. This event

will offer tools to get started. Alignment with these principles can help companies save costs and become more competitive. Better corporate citizenship can help us build healthier communities and become a pillar of economic strength.

I hope that Finding the Path to Shared Prosperity brings us a step closer to a stronger, more inclusive Canada. The conversation must continue. We all have a role to play in the important, collaborative work that lies ahead. We must not falter, because healing cannot wait.

I am honoured to listen and take part.

Jennifer Turner is event director for Finding the Path to Shared Prosperity, an independent, all-day forum being held in Vancouver January 14 bringing together First Nations leaders, businesses, and governments to discuss UNDRIP and its implications.

Top: Vancouver Convention Centre (bottom centre) is site of historic gathering on Jan. 14, 2020 to embrace multiple perspectives at a time of change

PROJECT: RECONCILIATION

Delbert Wapass has a bold vision to buy the TransMountain Pipeline, resulting in a majority Indigenous-owned asset that will create opportunities in communities around Western Canada.

BY DON HAUKA

When Delbert Wapass looks at the Trans Mountain Pipeline Expansion Project (TMX), he sees a pipeline to prosperity for Indigenous Peoples. He also sees a way to put the words of the Declaration on the Rights of Indigenous Peoples (UNDRIP) into action.

Wapass is Executive Chair and Founder of Project Reconciliation, an Indigenous-led organization that wants to buy a majority interest in TMX, giving First Nations communities in British Columbia, Alberta and Saskatchewan ownership of the pipeline. He believes the revenues generated by the expanded TMX would help lift Indigenous communities out of poverty.

“It’s a way of economic reconciliation -- the fact that we’ve been economically starved out for years has led us into poverty,” Wapass said in an interview on TVO’s The Agenda.

“We believe there have to be alternative ways of realizing a better today and tomorrow for our children and for those who are not born.”

Project Reconciliation wants Indigenous peoples to use capital markets to take a majority ownership stake in TMX. Most of the \$7.6 billion in bonds needed will be underwritten by contracts with companies that will use the pipeline to ship their product.

“We’re not asking for any money from any First Nation, but the opportunity for them to sign a declaration of support so we can move on and purchase 51 per of the TransMountain Pipeline,” Wapass said in the interview.

“It’s a win-win all the way around. We’re not asking for taxpayers’ money to make the investment.”

Wapass estimates that with 51 per cent ownership, those First Nations who buy in will be entitled to between \$200 million to \$270 million in revenue annually. That money will go into a Sovereign Wealth Fund which will be used to create economic opportunities and build infrastructure in Indigenous communities across Western Canada. Wapass said the funds

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Delbert Wapass





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will be leveraged to transform impoverished Indigenous communities into prosperous ones.

“You take that \$200 million and you leverage that into a billion dollar fund, you’re now investing in creating opportunities, infrastructure opportunities where the majority are on traditional territories or reserves or P3 projects. So you’re leveraging yourself out of poverty into wealth,” he said.

The original Trans-Mountain Pipeline was built in 1953.

The expansion, launched in 2013, would see the twinning of the existing 1,150-kilometre pipeline between Strathcona County near Edmonton and Burnaby. It would nearly triple the pipeline’s capacity, increasing it from about 300,000 barrels per day to 890,000 barrels per day.

TMX has been a controversial project since

Kinder Morgan filed its application with the Canadian National Energy Board in June 2013. The Tsleil-Waututh, Squamish, Kwantlen and Coldwater First Nations were among those who filed law suits against the project in 2017. In 2018, the federal government announced its intent to acquire the TMX from Kinder Morgan for \$4.5 billion.

“I would say the majority of British Columbia [First Nations] also support the pipeline.”

The project suffered another setback in August 2018 when the Federal Court of Appeal overturned the government’s approval of the expansion. A major factor in the court’s decision was a

failure to adequately consult First Nations.

Despite this, Wapass and Project Reconciliation are seeking the support of 340 First Nations in Alberta, Saskatchewan and British Columbia to buy a controlling interest in TMX. He believes the majority of Indigenous communities are supportive.

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“All of Alberta is supportive of it, most of Saskatchewan is supportive of it and so you have those First Nations,” says Wapass.

“When you start putting the numbers together, I would say the majority of British Columbia [First Nations] also support the pipeline.”

Project Reconciliation and Wapass make the case that by buying into TMX, First Nations communities can demonstrate how UNDRIP’s principles can be put into action by ensuring the benefits of resource development flow directly to Indigenous peoples. UNDRIP states that Indigenous peoples “have the right to economic development.” The declaration enshrines the rights that “constitute the minimum standards for the survival, dignity and well-being of the indigenous peoples of the world (UNDRIP Article 43).”

The B.C. Government adopted UNDRIP into provincial law in November after MLAs passed *Bill 41-2019, the Declaration on the Rights of Indigenous Peoples Act* unanimously and was given Royal Assent.

Not only is gaining a controlling interest in TMX consistent with UNDRIP, Wapass says it will help make Indigenous Peoples leaders as the energy economy transitions to a low carbon model. He finds it unfortunate that the current debate over TMX is preventing discussions about those longer-term goals.

“[Buying TMX] is going to provide the means for Indigenous Peoples to at least create an

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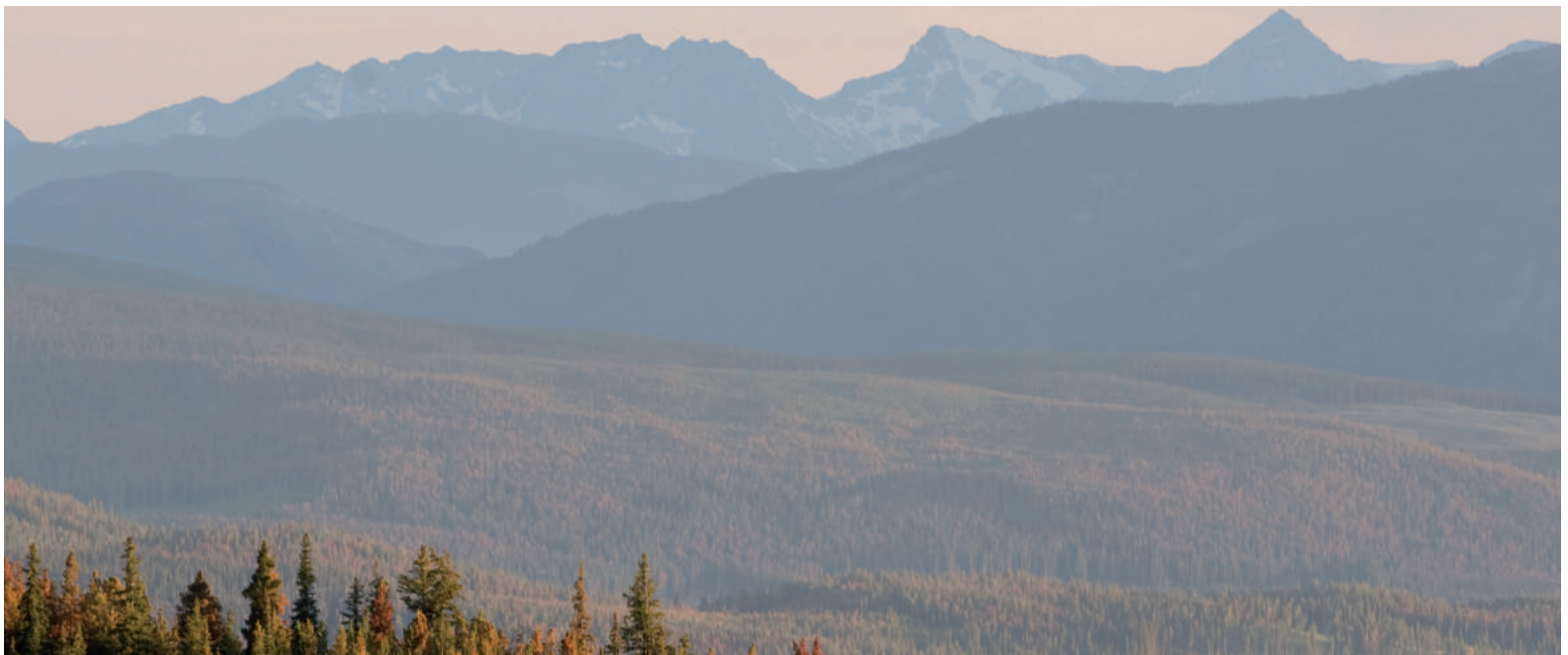
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economic opportunity for themselves to realize something better, which is working towards clean tech, green energy and so on. Right now, we can't have those discussions," he told TVO.

If Project Reconciliation succeeds, Wapass says it will also benefit the Canadian energy sector as a whole. With oil and gas in a down cycle and investors nervous about putting money into Canada given the controversy over pipelines, Indigenous investment in the sector will send a positive message, one that balances economic development and environmental protection.

"I think when we look at pipelines, Indigenous ownership will help to mitigate a lot of the problem that is out there. I think that it's high time that Indigenous Peoples be included in this," said Wapass.

"It's important that the land and the environment -- the land, air and water -- are all protected and all looked after. First and foremost, that's our position as Project Reconciliation to ensure that. I don't think that the economy and the environment have to be at opposing ends."

Another positive spinoff would be less oil being shipped by rail through rugged terrain like the Rockies and the Fraser Canyon, where the potential for spills and accidents are much higher than by shipping oil via pipelines, says Wapass. Studies indicate rail is more risky than pipelines when it comes to spills and shipping by rail also creates a larger carbon footprint than via pipelines.

Could such a partnership between Indigenous communities, business and capital markets

work? Wapass cites the example of his own Thunderchild First Nation, which developed a partnership with Husky Energy that has helped to transform the community.

"If it wasn't for the oil and gas industry, we wouldn't be building a \$24 million Wellness Centre, a hockey rink and a field house," said Wapass.

"It's through those relationships we were able to leverage. We went from borderline, third party management to an \$8 million farming operation, cannabis operation, oil and gas operation and getting into commercial property... leveraging a situation into something that is a better quality of life for our people."

And the price of not getting involved in the economy far outweighs the risks in Wapass' opinion. It means perpetuating the cycle of poverty and despair experienced in many Indigenous communities, including high suicide rates.

"Suicide is being experienced in many communities. We experience high unemployment rates, dropout rates, lack of dollars for education and so on," said Wapass.

"So where are those [dollars] going to come from? If we don't create the opportunities that exist, not by being negligent about our relationship to land, then what else? What else are we supposed to do?"

Delbert Wapass is a panelist on the Indigenous Ownership of Major Projects in the UNDRIP Era session, Showcase II, on Jan. 14, moderated by Mark Podlasly. More information is available at www.undrip2020.ca



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Myths about Indigenous consent

By Dr. Roshan Danesh

This is an abridged text of an article originally published by UBC's Residential School History and Dialogue Centre.

Public discourse about the UN Declaration and Indigenous consent typically includes the repetition of a number of myths. Often these myths are left unchallenged with many, including some political leaders and commentators, simply taking them for granted. It is timely and important to confront some of these myths.

Myth #1 – Indigenous consent is not part of Canadian law.

The fact is that Indigenous consent is part of Canadian law. It is discussed in various ways in decisions of the Supreme Court of Canada including *Haida* and *Tsilhqot'in*. Moreso, it is actually an original, core, foundational principle of the common law understanding of Indigenous-Crown relations. Former Chief Justice Beverly McLachlin explained in a speech that in Canada's history the English acknowledged the "limited prior entitlement of indigenous peoples, which required the Crown to treat with them and obtain their consent before their lands could be occupied. In Canada...this doctrine was cast in legal terms by the Royal Proclamation of 1763, which forbade settlement unless the Crown had first established treaties with the occupants."

Myth #2 – The UN Declaration creates new rights, including Indigenous consent.

The UN Declaration does not create new rights. What the UN Declaration does is affirm and express long-established human rights norms in the context of Indigenous peoples. These are human rights norms that are reflected in the Universal Declaration of Human Rights, and which Canada and Canadians have supported and advocated for over generations. These are the same norms that have influenced progressive human rights regimes across the globe, including our Charter.

Myth #3 – Consent is a veto over

resource development.

Consent and veto are not the same thing, and consent is not a veto over resource development. First, no rights are absolute. This is true in our Charter, section 35 of our Constitution, and in the UN Declaration. Article 46(2) of the UN Declaration makes this explicit in stating how the exercise of rights, including consent, may be limited. Second, countless officials as well as leading experts have explained in detail and with clarity how 'consent' and 'veto' are different.

Myth #4 – Consent will lead to uncertainty.

This is perhaps the greatest myth of them all. To assert this myth ignores the massive, and increasing, uncertainty about resource development that British Columbians are confronted with every day. To the degree such uncertainty is a product of relations with Indigenous peoples, the challenge has not arisen from respecting Indigenous rights – including consent – but from denying and ignoring them. The lack of recognition and implementation of Indigenous title and rights – and demanding that they be 'proved' in court despite them already being affirmed as existing in section 35 of the Constitution – has resulted in a culture of conflict, with over-reliance on long and expensive court processes, that rarely results in clear outcomes. In such climate partnerships are hard to forge, the rules are unclear, and the pathways one has to follow murky.

Undoubtedly the issue of Indigenous consent, and how to implement the UN Declaration, are complicated public policy issues, that have a historical and contemporary context that is often quite challenging to capture in the soundbite and tweet culture of today's social and political discourses. This does not mean, however, that we should accept myths overruling facts, or allow misunderstandings to be treated as valid information. As these matters continue to be topics of focus in British Columbia, the better path, always, will be to seek out the best, and most informed, understandings possible.



Karen Ogen-Toews

Consultation and procurement aid creating a foundation of trust

By Donald MacLachlan

Karen Ogen-Toews, CEO of the First Nations LNG Alliance, sees the Jan. 14 Declaration event as helping people learn and understand that UNDRIP is “a plus” across the board.

“UNDRIP isn’t a negative thing for us. It’s a plus, a plus for everybody and we need to communicate that, to make sure that everybody is on the same page.

“UNDRIP is about basic human rights. Indigenous people have the right to clean drinking water, education, health, you name it. We have the right to have a better quality of

“And I think UNDRIP opens the door, it opens, for certainty, not only for us, but for government, industry and businesses.”

Thus the Alliance became a partner in the Vancouver event.

“I see UNDRIP creating more certainty. I’m hoping that investors hear this message. There are mixed messages being told out there. We want them to hear from the Indigenous people that want a better life — and are open for business.”

Ogen-Toews, a councillor of the Wet’suwet’en Nation (and a former chief councillor), counters fears that a few Indigenous objectors could derail a multi-billion-dollar project.

“One thing is for certain: None of these resource projects can move forward without the consent of the Indigenous people across the land. But that doesn’t give us the authority to veto any projects.

“As far as I’m concerned, the 20 First Nations that have signed agreements along the line (the Coastal GasLink pipeline that will feed natural gas to LNG Canada in Kitimat) want to work

with both government and industry, to improve the livelihood of our people and to ensure that the highest environmental standards are being met.”

Those, she says, are “critical pieces” for the First Nations LNG Alliance.

“The Alliance was born so that we could educate and make people aware of what LNG is, in relation to Indigenous people; so we could engage these communities and others that don’t know about LNG, and give them all the information that they need to make informed decisions, on their own, without other influences.

“We have to communicate with government and industry, and a lot of our presentations and messaging has been about what these LNG projects mean in relation to Indigenous people, how they must be based on a solid foundation of trust, and how government and industry must do their part in terms of consultation and procurement and how these projects are going to move our people to have a better quality of life. And at the same time we must all make sure that we have the highest environmental standards.”

As for the Jan. 14 event: “I think that people who don’t know much about UNDRIP will come away from it knowing more about what UNDRIP means in relation to government and First Nations people and communities.

“I’m seeing a lot of Indigenous people in favour of these resource projects, and it is about our people and their land, and their quality of life. With that that come responsibilities, and those responsibilities are to make sure that all of these things are happening.”

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Global challenges and local opportunity tapped in program

By UBC Sauder School of Business

UBC Sauder Executive Education teams up to offer a new interactive program on challenges and opportunities of the global energy transition, on February 26-28, 2020

UBC Sauder Executive Education has partnered with Warwick Business School, Oxford Institute for Energy Studies, LNG Canada and the Province of British Columbia to offer LNG in Canada: Global Challenges and Local Opportunity, an interactive 2.5-day program that will explore the global challenges and local opportunities related to developing a liquified natural gas (LNG) sector in Western Canada.

Participants will explore the challenges and opportunities of the global energy transition. You will work with industry and global academic leaders from around the world to learn what you need to know to succeed in a rapidly changing environment that demands immediate action but will ultimately reward long term commitments.

British Columbia's natural gas has the potential to offset coal consumption in Asia and bridge the gap to a fully renewable global energy sector. This program will stimulate discussions and reflections on the issues that will shape the scale of economic development related to LNG exports.

You'll learn more from renowned experts and thought leaders in this field while building dialogue on the environmental, social and governance impacts. The program, will be facilitated by the following three faculty leads: Michael Bradshaw, Warwick Business School; Justin Bull, UBC Sauder School of Business, and Kevin Hanna, Centre for Environmental Assessment Research at UBC.

Faculty co-leader Justin Bull says the program will enable participants to take a deep dive into a very timely and pressing issue. "What we want to do is think deeply, connect with experts, talk

to industry leaders, get shared perspectives and have frank and sometimes challenging conversations about what the LNG industry means for British Columbia."

Professor Bradshaw says it's crucial to take a wide view on the global shift to decarbonize. "The local opportunity has to be understood against the global challenges. That's the theme of this program and we have to think about how B.C., Western Canada and Canada more generally fit into that bigger picture."

Professor Hanna notes while LNG issues in Canada are certainly complex, he believes LNG must be a key player in the shift away from more carbon intensive fuels. "We cannot instantly move to low or no carbon power production, but LNG needs to be part of the critical transition we must make for future generations."

In addition to these faculty co-leads, the program will bring together industry experts and academics from around the world to engage in meaningful and deep discussion on the role that LNG can play in the drive to decarbonize the planet.

The topics of governance, environmental sustainability and economic impacts will be the anchor points. The program is designed to be a safe haven for open discussion in a critical, constructive and friendly format.

Given that the LNG project represents the single largest private sector investment in BC's history, the program will be relevant for a wide range of stakeholders from the public and private sector.

All participants will receive a certificate of completion at the of the program. The program takes place on February 26-28, 2020 at Executive Education UBC Robson Square. For more information and to enroll, visit sauder.ubc.ca/LNG.

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The objective of this event is to provide an environment where relationships between the Coalition's members and Industry that leads to business opportunities and new economic growth can be built. The two-day event will include professionally facilitated sessions between Industry and First Nation members of the Coalition who are directly impacted by project development opportunities.

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UN Declaration means a search for broader understanding

By Donald MacLachlan

The head of the Canadian Council for Aboriginal Business sees BC and federal adoption of the UN Declaration on the Rights of Indigenous Peoples as “a real opportunity for strengthening the relationships which have been so fractured for such a long time.”

The way he sees it:

“UNDRIP is a roadmap, I think, for a renewed relationship in this country for sure. And having Indigenous people recognized as another entity, in Canada, one that is respectful of our rights and our interests is really important. And to have that ability to track towards a happier future through public policy, I think is a great thing.

“At CCAB, we obviously look at the direct-reconciliation piece through economic reconciliation, and how we and Indigenous people and communities are accommodated for in this road, this path.

“I think the most important thing in this whole process is to make sure that communities are continually engaged and supported in the process.

“The importance of not only engaging Indigenous people and having this in leadership roles, whether that be in government, whether that be in business, on boards, etc. It’s really important to have us at the table.

“But it’s also important to be flexible in our government systems to accommodate an Indigenous world view and an Indigenous governance systems because they are different; we do think about things differently.



JP Gladu

“So this is a real opportunity for strengthening the relationships which have been so fractured for such a long time now.”

The Canadian Council for Aboriginal Business is a partner in the Jan. 14 event in Vancouver that will explore the potential impact of BC’s new Declaration on the Rights of Indigenous Peoples Act. Event info and tickets.

“I’m hoping that people are going to broaden their understanding through the event. We spend too much time in our silos, in our own boxes and don’t really understand others’ positions.

“I think this opportunity to come together to understand the broader context of what UNDRIP is, what provincial governments are hoping, what First Nations are hoping, and at the federal level as well.

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“It is incredibly powerful and empowering”

CONTINUED FROM PAGE 23

“So the idea is to broaden our understanding so that we can have more robust conversations and hopefully get to a place where UNDRIP is meaningful and entrenched in policy.”

Gladu is an Anishinaabe citizen from Thunder Bay ON, and a member of the Sand Point First Nation on the eastern shores of Lake Nipigon. He is president and CEO of the CCAB, and in April will become CEO of the Bouchier Group, Alberta’s largest Indigenous-owned oilsands service company.

He continues: “If I circle back around to the economic piece, when we get the business right, both from a government perspective or an industry perspective or an Indigenous perspective, when we all come together, it is incredibly powerful and empowering, really.

“I think we’ve got a lot of learnings that we’ve seen over the last decade or so in business, from royalties in projects, to equity positions in projects, to, most recently, at CCAB, the last few years, we’ve been really pushing for better procurement policies and targets with regard to procuring Indigenous businesses.

“We’re really grateful to see the federal government put out a 5% minimum target for Aboriginal spending because that does have direct impact on a family or a business or community when the government starts targeting Indigenous businesses. And those are the types of policies that will contribute in a positive way to the UNDRIP conversation.”

Gladu addresses fears that UNDRIP gives First Nations a veto over resource development, and somehow means one lone Indigenous opponent could kill a multi-billion dollar project.

“Does UNDRIP mean a veto? I certainly hope not. . . . but if you’ve got a good process, it should never really get there.

“That’s the toughest question that we’re facing in this country. . . . It’s important to do due process, legal process. If the consultation’s been done appropriately, and accommodations are being done appropriately, at the end of the day, it’s going to come down to political will for governments, meaning Indigenous governments as well, to either get the projects through or not.

“You’ve just got to get the community to the table and then do due process and hopefully the result is something that we can all be proud of.”



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IMPLEMENTING UNDRIP

The country is watching with interest as B.C. law takes effect

By Ken Coates • Macdonald Laurier Institute

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) has been a prominent issue in Canadian politics since it was adopted by the UN in 2007. Canada voted against the measure at the time, not changing its position until 2010. More than a decade of government reticence has changed to political urgency.

British Columbia adopted UNDRIP as provincial law in October 2019 and is working on implementation. The re-elected Liberal Government of Canada is likely to re-introduce legislation pertaining to UNDRIP's implementation that stalled when the federal election was called. UNDRIP is once again a feature of Canadian and First Nations politics and law.

There are significant issues involved in introducing UNDRIP into Canadian law. It is a sweeping document, drafted by Indigenous peoples from around the world and covering widely different national circumstances. Its value – and this is a great achievement – lies primarily in articulating the shared historical experiences and contemporary realities of Indigenous peoples. Further, in a long series of clauses, UNDRIP itemizes the complex web of cultural, linguistic, social, economic and political measures needed to give Indigenous communities opportunities for prosperity and re-empowerment.

For countries that have ignored Indigenous demands for justice and fair treatment, UNDRIP highlights the mistreatment of Indigenous peoples and identifies areas for urgent government action. For those countries, Canada among them, that have taken significant steps toward addressing Indigenous needs and rights, UNDRIP provides a checklist of remaining action items.

Viewed as a list of aspirations for Indigenous peoples and government, UNDRIP is far from frightening. Much of what is outlined in UNDRIP is either obvious or tied directly to

the survival of Indigenous culture and traditions in an age of rapid globalization. Surely Canadians can see fit to share in these aspirations and agree to take steps to address them.

Where government policy and action are deficient – and even federal politicians and civil servants agree that major efforts are still needed – then UNDRIP describes what Indigenous peoples around the world have agreed has to be done. In these instances, UNDRIP provides guidance to Indigenous groups willing to use the court system to seek justice when governments refuse to act.

The country will watch the development of the UNDRIP legislation by British Columbia with great interest. The province has, by passing UNDRIP legislation, challenged itself to do much better in its relations with Indigenous peoples and invited Indigenous governments to negotiate a shared future. Indigenous communities in British Columbia see this step as a major act of reconciliation and a recognition of both Indigenous needs and rights.

But UNDRIP does not come with an owner's manual or a detailed implementation plan. Each section of UNDRIP outlines either values or areas for government action. Defining the full legal meaning of this vague and expansive international agreement requires either thoughtful committed negotiations or decades of legal battles.

UNDRIP is, in the final analysis, a much-needed call to action. It provides direction and identifies areas for urgent attention on Indigenous issues. Relations between the Government of Canada and Indigenous peoples work best when good faith negotiations are used to resolve outstanding issues.

This article, published in December 2019, was abridged for print.

ABOUT THE EVENT

Billion dollar boom

UNDRIP opens the door to First Nations partnerships

The benefits to First Nations that participate in the expanding energy sector in B.C. will be measured in billions of dollars.

The United Nations Declaration on the Rights of Indigenous Peoples — adopted unanimously by the B.C. legislature — throws open the door to “economic reconciliation” on an unprecedented scale.

The implementation of UNDRIP will reduce uncertainty for business, said Fort Nelson First Nation Chief Sharleen Gale.

A consent-based model means that business leaders will need to form partnerships with First Nations and incorporate that into their business model, she said.

“When companies come to First Nations on Day 1, it promotes certainty that projects will be built on time, that they align with our values and that there won’t be litigation,” said Gale, chairwoman of the First Nations Major Projects Coalition. “We don’t want to be in the courts, we want to take equity stakes and participate in the economy in our territories.”

Nowhere is that more apparent than in the emerging LNG export industry.

Northern B.C. has reserves of natural gas that could fuel domestic consumption and exports for the next 150 years, nearly all of it on territory that was not ceded by its Indigenous occupants, according to the First

Nations LNG Alliance.

First Nations are seizing the opportunity to get full value from those resources for the long-term benefit of their members, said Gale.

First Nations leaders and businesspeople will gather in Vancouver on Jan. 14 at the Finding a Path to Shared Prosperity conference to share lessons from an Indigenous economy that is poised to grow exponentially in the next five years. The conference will feature Indigenous entrepreneurs and First Nations engaged in property development, tourism, transportation, aquaculture and resource extraction.

The Canadian Council for Aboriginal Business is projecting Canada’s Indigenous economy will grow from \$30 billion a year today to \$100 billion by 2024. There are about 50,000 Indigenous businesses in Canada, and they are growing at nine times the rate of non-Aboriginal businesses, according to the Council.

“It gives me goosebumps to think of the opportunities that are coming over the next ten years,” said Haisla Nation Chief Crystal Smith, chair of the First Nations LNG Alliance.

Global demand for LNG is projected to grow by 45 per cent over the next 20 years, with much of that demand in China and India, according to the International Energy Agency World Energy Outlook.

Reprinted from The Vancouver Sun

WHAT IS THE BEST WAY OF REFERRING TO THE DECLARATION OF RIGHTS?

The commonly heard acronym **UNDRIP** stands for the United Nations Declaration on the Rights of Indigenous Peoples, passed in 2007. **DRIPA** (Declaration on the Rights of Indigenous Peoples Act) refers specifically to **Bill 41**, which became law in British Columbia on Nov. 28, 2019.

DRIPA is therefore a more accurate term when referring to how the principles of UNDRIP have been implemented into local law. And while all three usages are accurate when used in their correct context, in practice many writers and speakers are preferring to simply cite “**the Declaration**”.

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