



FNQSDI

FIRST NATIONS OF QUEBEC AND LABRADOR
SUSTAINABLE DEVELOPMENT INSTITUTE

CONSULTATION OF FIRST NATIONS: ACTIVITIES PLANNED IN THE NEXT YEAR

Preparation workshop on the First
Nations consultation process

September 20, 2016



Presentation outline



- The FNQLSDI's role and main activities in consultation
- Principal consultations 2016-2017: Overview of key ongoing federal and provincial consultations now in process and planned in the next year
- Coordination of participation and networking





The FNQLSDI's role and activities in consultation



- Provide a set of **resources and services** to support First Nations in analyzing federal consultations (in connection with natural resources and territory) that have been submitted to them.
- Centre of resources and expertise supported by FNQLSDI **in-house expertise** and its **network of experts**





The FNQLSDI's role and activities in consultation



- Objectives and desired results
 - ✓ Promote and optimize the **meaningful participation** of First Nations in consultations and obtain greater consideration of their rights and interest
 - ✓ Consolidate, analyze and share **knowledge and expertise** needed for First Nations to provide considered responses to consultations
 - ✓ Create **economies of scale** through the sharing of expertise and individual resources with all communities
 - ✓ Promote **mobilization, networking** and **sharing** between FN
 - ✓ Build links, **collaborations** and exchanges between governmental actors, civil society and First Nations





The FNQLSDI's role and activities in consultation



- The role of the FNQLSDI
 - ✓ **Facilitation and coordination**
 - ✓ **Will not respond to consultations** unless requested to by the AFNQL
 - ✓ The FNQLSDI's analysis of the consultation is conducted parallel to the formal process of consultation of First Nations by the government and its affiliated organizations, but does not replace it
 - ✓ Promotes best practices in terms of FN consultation
 - ✓ Puts its expertise in the service of FN
 - ✓ Establishes and coordinates FN networks, expert committees
 - ✓ Ensures information sharing between FN, and between FN and governments





The FNQLSDI's role and activities in consultation



- Types of activities
 - ✓ Monitoring of issues and strategic developments
 - ✓ Production of tools to assist First Nations decision-making: analyses, white papers, informative documentation of the projects, opinions and recommendations, etc.
 - ✓ Organization of information and work meetings between First Nations and/or with the federal departments and other agencies that initiate consultations
 - ✓ Organization and coordination of training, professional development





The FNQLSDI's role and activities in consultation



- The communities
 - ✓ Have **access to FNQLSDI expertise and tools** (white papers, analyses)
 - ✓ Can respond **in an informed way to consultations**
 - ✓ Are involved further **upstream** in the consultation process
 - ✓ Can **mobilize** more effectively on priority issues
 - ✓ Can access a network of knowledge and expertise to facilitate the consideration of their rights, interests and concerns and enable them to **develop their own skills**
 - ✓ Benefit from **improved departmental practices** in consultation and accommodation





The FNQLSDI's role and activities in consultation



- Examples of FNQLSDI work on consultations
 - ✓ Development of FN Consultations Protocol
 - ✓ Bill 43 - Mining Act (2013)
 - ✓ Quebec Commission on energy issues (2013)
 - ✓ BAPE on the issues of the uranium industry in Quebec (2014 - 2015)
 - ✓ Sustainable Forest Management Strategy - MFFP (2015)
 - ✓ Technical Select Committee on Consultation and Accommodation in forestry (2014 - 2015)
 - ✓ Strategic environmental assessment on hydrocarbons (2015)
 - ✓ Energy East (ongoing)
 - ✓ Etc.





Principal consultations 2016-2017



- Numerous consultations in parallel, particularly at the federal level (mandate letters of federal ministers). A busy autumn!
- Consultation processes still problematic
- Need to organize, to develop tools and networking





Principal consultations 2016-2017



Provincial consultations

Project	Consultation stages	FNQLSDI actions (Ex.)
<p>Bill 106 concerning the implementation of the 2030 Energy Policy and to amend various legislative provisions (MENR)</p>	<p>Tabling of the Bill: June 7, 2016</p> <p>Parliamentary Committee from August 16 to 19: AFNQL and FN not invited</p> <p>Adoption of the Act in September for the opening of Parliament?</p>	<p>Briefing note sent to Chiefs</p> <p>AFNQL press release denouncing the process and expressing concern about the project's content</p>
<p>Bill 102 – Modernization of the Environment Quality Act (EQA) (MDDELCC)</p>	<p>Targeted consultations: April 2015</p> <p>Green Paper and Parliamentary Committee consultation: August and September 2015</p> <p>Tabling of the Bill: June 7, 2016</p> <p>Parliamentary Committee: Fall 2016</p>	<p>Briefing note sent to Chiefs</p> <p>MDDELCC invitation of September 20, 2016 for FN <u>information</u></p> <p>Technical analysis of the Bill</p>



Principal consultations 2016-2017



Provincial consultations

Project	Consultation stages	FNQLSDI actions (Ex.)
Energy East – provincial process (MDDELCC)	BAPE in Fall 2016?	Model brief prepared in June (BAPE canceled) FN Energy Committee
Policy consultation on sustainable forest development guidelines (MFFP)	Consultation planned for Fall 2016	Information memo sent to FN Recommendations of the technical select committee on consultation and accommodation coordinated by FNQLSDI
Support program for Aboriginal Community Development (SAA)	SAA consultation ended September 5, 2016	Meeting with the FNQLEDC Preparation of a typical brief sent to FN Sending of a brief to SAA



Principal consultations 2016-2017



Provincial consultations

- Other provincial consultations?
 - ✓ Policy on local forests
 - ✓ Policy on mining sector consultations of Aboriginal communities
 - ✓ Act respecting wetlands or bodies of water
 - ✓ Plan Nord
 - ✓ Marine strategy





Principal consultations 2016-2017



Federal consultations

Project	Consultation stages	FNQLSDI actions (Ex.)
<p>Energy East (NEB – Major Projects Management Office of NR Can)</p>	<p>August-December 2016 initial hearings – questions to the developer – <u>process currently suspended</u></p> <p>Major Projects Management Office specific consultations of Aboriginals – NRC: Fall 2016?</p>	<p>Regular briefing of the AFNQL and of the Regional Chief</p> <p>Regular meetings of the FN energy committee, coordinated by the FNQLSDI</p> <p>Information memos sent to FN</p>
<p>Pan-Canadian framework for combatting climate change (ECCC)</p>	<p>Public consultation in process, “Let's talk climate action”: 4 working groups</p> <p>Meetings with Aboriginal communities: from May to August 2016</p> <p>Final plan: Fall 2016 (for COP 22)</p>	<p>Organization of an engagement meeting with ECCC September 21</p> <p>Other activities following the meeting</p>



Principal consultations 2016-2017



Federal consultations

Project	Consultation stages	FNQLSDI actions (Ex.)
Improving marine safety (TC)	<p>Mobilization session September 12, 2016</p> <p>“Let’s talk marine transportation” engagement closes September 30, 2016</p>	<p>Participation in the mobilization meeting of September 12</p> <p>Possible sharing of comments and questions with FN</p>
Area Response Planning Initiative for oil spills (DFO – TC – Coast Guard)	<p>Engagement meetings organized by TC in June 2016</p> <p>Consultation on the risk analysis methodology that ended July 30, 2016</p> <p>Deadline for the development of localized response plans: December 2016</p>	<p>Sending of remarks on the risk analysis methodology</p>



Principal consultations 2016-2017



Federal consultations

- Review of environmental review and regulatory processes

Project	Consultation stages	FNQLSDI actions (Ex.)
<p>Review of the Canadian Environmental Assessment Act, (L.C. 2012) (CEAA)</p> <p>Review by an expert panel</p>	<p>Consultation on the expert panel's terms of reference ended July 20, 2016</p> <p>Specific funding for Aboriginal groups – August 8 to September 9</p> <p>Beginning of consultations in September 2016 – FN presentations and discussion – expert panel in Quebec City (Oct. 25) and Montreal (Oct. 27)</p> <p>Report of the expert panel in January 2017 / Activities planned through Fall 2017</p>	<p>Sending of remarks on the terms of reference</p> <p>Information meeting of September 20, 2016</p> <p>Sending of a request for funding for the 4 components: analysis and preparation of documents, creation of working groups, provincial meetings</p> <p>Information memos sent to FN</p>



Principal consultations 2016-2017



Federal consultations

- Review of environmental review and regulatory processes

Project	Consultation stages	FNQLSDI actions (Ex.)
<p>Modernization of the NEB (NR Can)</p> <p>Review by an expert panel</p>	<p>Consultation on the expert panel's terms of reference through July 20, 2016</p> <p>Specific funding for Aboriginal groups - August 8 to September 9</p> <p>Consultations begin in September 2016</p> <p>Report of the expert panel in January 2017 / Activities planned through Fall 2017</p>	<p>Sending of remarks on the terms of reference</p> <p>Information meeting of September 20, 2016</p> <p>Sending of a request for funding for the 4 components: analysis and preparation of documents, creation of working groups, provincial meetings</p> <p>Information memos sent to FN</p>



Principal consultations 2016-2017



Federal consultations

- Review of environmental review and regulatory processes

Project	Consultation stages	FNQLSDI actions (Ex.)
<p><i>Fisheries Act</i> (DFO)</p> <p>Review by the Standing Committee on Fisheries and Oceans</p>	<p>Consultation Fall 2016 (appearance before the committee, brief and/or online and meeting with the regional office) – to be confirmed</p> <p>Specific funding for Aboriginal groups – August 22 to September 23</p> <p>Committee report (early 2017) / Activities planned through Fall 2017</p>	<p>Organization of an information meeting September 20, 2016</p> <p>Sending of a request for funding for the 4 components: analysis and preparation of documents, creation of working groups, provincial meetings</p> <p>Information memos sent to FN</p>



Principal consultations 2016-2017



Federal consultations

- Review of environmental review and regulatory processes

Project	Consultation stages	FNQLSDI actions (Ex.)
<p><i>Navigation Protection Act</i> (TC)</p> <p>Review by the Standing Committee on Transport, Infrastructure and Communities</p>	<p>Consultation Fall 2016 (appearance before the committee, brief and/or online and meeting with the regional office) – to be confirmed</p> <p>Specific funding for Aboriginal groups – August 22 to September 23</p> <p>Committee report (early 2017) / Activities planned through Fall 2017</p>	<p>Organization of an information meeting September 20, 2016</p> <p>Sending of a request for funding for the 4 components: analysis and preparation of documents, creation of working groups, provincial meetings</p> <p>Information memos sent to FN</p>



Principal consultations 2016-2017



Federal consultations

- Other federal consultations:
 - ✓ Federal Sustainable Development Strategy 2016-2019
 - ✓ Oceans Act – marine protected areas
 - ✓ Implementation of the UN Declaration on the Rights of Indigenous Peoples (INAC)
 - ✓ Specific consultations on endangered species





Coordination of participation and networking



- At the end of the afternoon we will come back to the actions to be taken and your interest in participating, especially in reviewing environmental and regulatory processes
 - ✓ Document sharing and analysis
 - ✓ Participation in working committees
 - ✓ Provincial meetings





Thank you!

Questions?

