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Chair

Mr. Andy Fillmore

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• (1535)

[English]

The Chair (Mr. Andy Fillmore (Halifax, Lib.)): We'll come to order. Thanks, everyone, for being here today.

I'll start by acknowledging that we are today on unceded Algonquin territory.

Before we get started, I also want to let the committee members know that the name change was approved in the House of Commons this morning. Our standing committee is now known as the Standing Committee on Indigenous and Northern Affairs.

The acronym is INAN, Indigenous North, Autochtones Nord, INAN. That was a good thing to get done.

We'll move right into the agenda. We're very pleased today to have the Honourable Jim Carr, Minister of Natural Resources, to speak to us.

Minister, we're happy to have you speak for 10 minutes and then we'll move into rounds of questions. As we get within a minute or so of 10, you'll see my yellow card.

Thank you very much.

[Translation]

Hon. Jim Carr (Minister of Natural Resources): Thank you very much.

[English]

It's a pleasure to spend this next hour with you.

As I said to the natural resources committee, which I have had the pleasure of appearing in front of twice, I truly believe that this is the heart of our democracy and the heart of Parliament. This is an opportunity for members to exchange views respectfully, for ministers to be accountable to colleagues, and for us to take seriously, as I know we all do, the very important issues that face us, whether in government or in opposition. I welcome this next 58 minutes or so.

I want you to know that I appreciate and acknowledge that we are on the traditional territory of the Algonquins.

I also want to talk about my mandate letter from the Prime Minister, and the priorities we have established to ensure that indigenous peoples are true beneficiaries of local resource development: economically, socially, and culturally.

I will also note, and not just in passing, that these mandate letters are public. There are 35 million Canadians who can read them and can hold us accountable. In fact, there are billions of people around the world, if they're interested, who can know what is expected of ministers. The Prime Minister has made public his expectations of us, and his expectations of our responsibility to Canadians.

As the Prime Minister himself has said, there is no relationship more important to our government than the one with indigenous peoples. His directions have been clear to every cabinet minister:

It is time for Canada to have a renewed, nation-to-nation relationship with Indigenous Peoples, based on recognition, rights, respect, co-operation, and partnership.

This is fundamental and central to our vision for developing Canada's natural resources for the low-carbon, clean growth economy ahead. If we want to attract the investment and build the infrastructure to move our resources to market, then we need to get our environmental house in order and have Canadians behind us. There's no better place to start than with first nations, Métis nation, and Inuit peoples. That is not just because there is a constitutional duty to consult, which there is, but because it affords an opportunity to include, to make real the promise of a new relationship based on trust and mutual respect as economic partners and as environmental stewards.

The importance and the urgency of these efforts has rarely been more apparent than with the tragic suicide crisis in Attawapiskat and in indigenous communities across the country. Speaking with colleagues over the last number of days, we have been reminded that these tragedies are not local or isolated to one part of our country. They exist throughout the north. They exist in remote communities. We should always be mindful of the fact that what we're witnessing in one part of the country is occurring throughout the country. Therefore, our concentration, our effort, and our focus has to be a national one.

Our government recognizes that any solutions in the short and long term must involve greater resources. That's why, through budget 2016, we have committed to historic investments totalling \$8.4 billion for first nations priorities, to improve living conditions and social and economic outcomes. Money alone, as all members know, is not the answer; it's part of an answer.

People in these communities must also have hope. Sustainable resource development can be part of that hope. It can strengthen local indigenous economies, preserve the integrity of their land, and create well-paying jobs, simply by incorporating centuries of indigenous culture and wisdom to ensure that economic prosperity and environmental performance go hand in hand.

To recount very personal experiences that I have had over the last number of months as minister throughout Canada, in conversations with elders, with community leaders, there is a generational responsibility, both retrospectively and prospectively, to make sure that we respect the relationship between the human, the land, the water, and the air. Those generations that came before us expect us to be stewards in our time. In our time, we have an obligation to make sure that we leave our planet and our environment in shape for the generations to come.

We can strengthen local indigenous economies and preserve the integrity of their land, all at the same time. Where do we start? One of the things I've been doing as minister is calling round tables, and members will be interested to know that if you put a group of industry leaders, aboriginal community leaders, and environmental activists at the same time, and you would think they would have no common ground, you find that after two or three hours of intense conversation and listening, common objectives become much clearer. In some cases there had never been these kinds of conversations before. When we realize that economic growth and environmental stewardship along with respect for indigenous background, culture, and practices is actually a shared national objective, you begin to see the contours of how we can make sense of the complexity and the layers of decision-making that are going to be in front of us.

As Grand Chief Perry Bellegarde has said so well, "Before you build anything, build positive, respectful relationships", and we are heeding that advice as follows: Implementing an interim strategy to guide decision-making for major resource projects, a strategy that emphasizes the importance of not only meaningful engagement with indigenous peoples but also concrete actions to deepen those consultations; making sure decisions are based on science and evidence and that the evidence includes traditional indigenous knowledge; and modernizing the National Energy Board so its composition reflects regional views and has deep expertise in indigenous traditional knowledge.

Our first budget supports these efforts by including \$16.5 million to implement some of these new measures.

We have a chance to change the language on resource development and to strive for consensus. We will never achieve unanimity. We don't achieve unanimity even on simple matters of public policy, and we understand that the complexities of our federation and the issues that are involved in resource development will never lead to everybody saying the same thing about the same issue at the same time. But we can develop a consensus and we can develop a process that carries the confidence of the Canadian people.

Proponents of major resource projects are coming to understand this. They are starting to take the necessary time and effort to work with local indigenous communities to build trust with indigenous leaders and communities. The mining sector, as many of you know, has long been a role model for this. By our estimates there are 380 active agreements between mining companies and indigenous communities across the country. These agreements have helped to forge strong partnerships and provide significant local benefits in key areas such as training, employment, business development, procurement, and environmental protection.

What is the result? More than 10,000 indigenous people are working in mining and mineral processing across the country. Most of them are employed in upstream jobs, but there are many others finding business opportunities in the service and supply industries as well as in environmental technology. We need to expand those efforts, as the forest sector has done over the years, and how every resource industry could work with goodwill, the right kinds of engagements, and growing experience.

Indigenous communities have waited a long time for this. I've heard it repeatedly. Yes, indigenous peoples consider the land integral to their identity. They have a sense of responsibility, but they will also tell you, often in the same breath, that they want opportunity for their children. They want economic possibilities for communities that have had very few. We need to take these two imperatives and merge them together to find new ways to develop our resources responsibly, to get them to market sustainably, all while creating good, clean jobs for indigenous communities.

It has been a very long time since we last had a better chance for consensus. That's my message to you. It's the message to us. If we take the power of industry, show respect for the land and water, acknowledge the essential role of indigenous peoples, we can be an example not only to ourselves, but to the world.

Thank you.

• (1540)

The Chair: Thank you very much, Minister Carr.

I was remiss earlier, Mr. Hamilton, in not telling the committee that you're here. We also have the deputy minister for the Department of Natural Resources, Bob Hamilton. Welcome to you as well.

We'll move right into questioning. The first round will be seven-minute questions and the first question will come from Don Rusnak.

Mr. Don Rusnak (Thunder Bay—Rainy River, Lib.): Minister and Mr. Hamilton, thank you for joining us today. As you may or may not be aware, I have under construction in my riding right now Canada's newest gold mine, New Gold's Rainy River project. It's been a shining example of co-operation between indigenous communities and the mining companies.

There's another area in northern Ontario that has become known as the Ring of Fire, which is a tremendous opportunity for northern Ontario. In fact, the potential resource development has been valued at more than \$40 billion.

How is your department engaging with the first nations communities in regard to that project?

● (1545)

Hon. Jim Carr: It's a very exciting project, and the potential is enormous. As a matter of fact, just over the last week or so I looked at the work that's being done at Canmet in our labs to have a better understanding of the process that's necessary to take out valuable minerals and move them to market.

We know that the Government of Ontario has committed \$1 billion to the Ring of Fire, and within the last number of weeks I have had the opportunity to visit with Minister Gravelle from the Province of Ontario to talk about the project and also with Grand Chief Isadore Day.

What I said to both of them and what I say to the committee is that the Government of Canada is looking to partner with provinces, indigenous communities, and municipalities on major infrastructure projects. If the Government of Ontario deems the Ring of Fire to be a priority for that government—and indigenous communities agree—and come to have a conversation with the federal government, the federal government will be open to that conversation.

The impression that I had from both of those meetings was that this truly is the case. We know that the economic potential is powerful. We know that this can be an internationally important supply of those minerals that help in the construction of stainless steel and that there is increasing international demand. It's rare. This is an economic opportunity, and when we are able to determine the priorities of the Government of Ontario and those communities, the federal government will be more than pleased to sit down and have a conversation with them.

Mr. Don Rusnak: You mentioned concrete actions in terms of what your department's doing to engage with first nations and indigenous communities. Can you elaborate or give us any examples of what your department's been doing?

Hon. Jim Carr: Well, I can certainly speak for myself in my own time and how much of a pleasure it's been for me to travel literally from coast to coast, but not the third coast yet; that's coming. We have had these round table conversations in Halifax, Saint John, Toronto, Winnipeg, Calgary, and Vancouver. At all of these round tables there have been indigenous leaders.

Then in my travels, for example, in Vancouver, I had a series of meetings with regional chiefs, as I have done wherever I've travelled across the country. This is part of my commitment to have a better understanding of those values and those issues that are important to indigenous leaders, but, more than that, our department is very active and continues to be.

As you probably know and I'm very happy to remind members, we have announced new processes as major projects continue to be reviewed, in particular, the trans mountain expansion project, and the energy east pipeline project, where we will be asking the government to extend the period of time in which we can consult with indigenous communities about those issues that will impact these communities down the line.

We're active virtually at every level, at the ministerial level within the department and with communities, and we will continue to be, as we understand that the importance of meaningful consultation is essential to move these projects forward.

Mr. Don Rusnak: You mentioned that you have been engaging with first nations communities. You mentioned you spoke to National Chief Perry Bellegarde.

Hon. Jim Carr: Yes, several times.

Mr. Don Rusnak: What are first nations communities telling you right now? What are indigenous leaders telling you?

Hon. Jim Carr: That's a little bit like asking a parliamentarian what the parliamentarians are saying.

As you know, because you sit in question period every day, I have to anticipate every now and again where questions may come from.

There is no unanimity of perspective. Why would we expect there would be unanimity of perspective with an indigenous community? Circumstances are different within local communities and across regions. Fair enough. Not all communities are very aggressive in asserting their support for resource projects; others are. It depends on their relationship with the proponents. It depends on the economic circumstances in their region or in their communities.

I can say that there is, generally speaking, a willingness to engage the Government of Canada and provincial governments in a new spirit of reconciliation.

The government can be proud of what it has accomplished in six months on this file. I am talking about acceptance of the 94 recommendations of the Truth and Reconciliation Commission. I am talking about the movement that we are making towards an inquiry into missing aboriginal women and girls. I am talking about the budget commitments that are significant and will be impactful. I am talking about our recognition of narrowing the education gap between indigenous and non-indigenous children.

We have a good start. There is much more work to do. In my experience, I find indigenous communities to be willing partners.

● (1550)

Mr. Don Rusnak: Thank you, Minister.

The Chair: Thank you both for that.

The next seven-minute question goes to Cathy McLeod.

Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC): Thank you.

I have two questions and a few interrelated concepts.

The Tsilhqot'in decision provided a lot of clarity about aboriginal title to a fairly vast area of land in British Columbia. It also left the ability for the government, be it federal or provincial, to override in the interests of all Canadians at times when a specific project is in the greater interest.

As we work toward the implementation of the UN Declaration on the Rights of Indigenous Peoples—and that is the way you have indicated you are going—it talks about free, prior, and informed consent. Some lawyers say that is a veto; others say it is not. I want to know if you believe it is a veto.

Second, if there is something critical for national infrastructure, will the government maintain its ability to move forward with it?

The next piece aligns with that. Again, I'll use this example. The Kinder Morgan pipeline crosses the territory of a number of first nations. I know there are many throughout the interior of British Columbia that have agreements with the company. They are very enthusiastic about this. I would say that, very clearly, they have free, prior, and informed consent. There is no question that, as you hit the Lower Mainland, the situation changes. Again, we have a situation where we have a number of bands that are very enthusiastic for a certain natural resource project to move forward, and others that aren't. How are you going to align that?

That's three questions in one. Is it the government's ultimate responsibility? Does the UN declaration mean a veto? How do you align competing rights of different nations with natural resource projects?

Hon. Jim Carr: The clause itself, in the United Nations declaration, talks about "obtaining", seeking to obtain, consent. Those, I think, are the important words.

Mrs. Cathy McLeod: You would say it is not a veto.

Hon. Jim Carr: I would say that the government is in the process of providing a Canadian definition to the declaration. We believe that the Supreme Court judgment, which is the last expression of Canadian law on the subject, is exactly as you have expressed it. The government will take very seriously its obligations for meaningful engagement to seek consent, and you will find that, during the course of the reviews of major projects, those efforts will be in good faith and they will be comprehensive.

The government is currently in the process of providing greater clarity to these definitions, and before too long, we will be glad to share that.

On the question of aligning competing interests, well, you are a politician. You know all about aligning competing interests. You try to find common ground. You begin to find common ground by trying to agree on where we want to be. What are the objectives?

The Prime Minister has been perfectly clear. The government's objective is to get our natural resources to tidewater sustainably, and I am sure that is an objective you share. The question is, then, how are we going to get there? We are going to get there by following a process and a regulatory regime that carries the confidence of Canadians. There is nothing ambiguous about the goal. There is nothing ambiguous about the timelines. They are laid out, in the case of all these major projects. We are moving down that road as expeditiously as we can.

Mrs. Cathy McLeod: I think it's aligning those interests. I've been watching for the past year people in the interior who see the trains carrying massive amounts of oil along the salmon-bearing river, who are very concerned, and who are comfortable and confident with a pipeline that has gone for 67 years. I would say it's a completely different perspective once you hit the Lower Mainland on that particular issue. It's certainly no question that it's going to be a challenge.

I know there also appear to be significant challenges with governance systems where you have both hereditary chiefs and elected chiefs with sometimes very different viewpoints. I look at the

whole conversation around consultations and consent. Have you been putting a lot of thinking into that particular piece of the issue?

• (1555)

Hon. Jim Carr: We think the confidence in the regulatory system is an important piece of where we have to be. You'll notice, both in the mandate letter and in the answers we've been giving to questions in the House and in speeches across the country, the National Energy Board itself has to be composed of individuals who better reflect the diversity of Canada and cultural practices among indigenous peoples. That's a very important part of it.

Beyond the transition phase we're in now, and you know the five principles that we articulated...by the way, both the Minister of the Environment and Climate Change and the Minister of Natural Resources appeared in front of the press of Canada saying the same thing. That's not something that has been routine, as you know, in the experiences with another government.

We think the process of recommendation has to include a respect for this diversity and those cultural practices, and as I said a minute ago there will be different points of view. There will be differing leadership perspectives on that, and that's something that will be accommodated and considered.

Mrs. Cathy McLeod: One thing I know is that one of your principles is measuring upstream GHG emissions. I do hope ultimately that's taken to a broader level, because as we have ships coming in from Saudi Arabia, we're not taking into account the GHG emissions and the environmental impact of bringing the oil into Canada versus our homegrown oil. I think we're missing a significant piece in the concept of how we evaluate projects.

The Chair: Thank you.

The next question is to Romeo Saganash.

Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP): I want to thank the minister and the deputy minister for being here today.

Mr. Minister, I listen carefully to the answers you attempt to give in the House to questions related to resource development. You often point out the interrelation between resource development and the environment, and I think rightly so, because in all resource development projects the environment is a fundamental component to that.

I would suggest, in doing so, we also need to add an additional component to that interrelation between resource development and the environment. That component is aboriginal treaty rights in this country, many times over recognized and reaffirmed by the highest court of the land, especially in light of the Prime Minister's pledge and commitment with respect to a nation-to-nation relationship and a partnership respect for fundamental rights.

I would like you to provide an update to this committee with respect to two projects that are presently controversial: the Site C dam in British Columbia, and the LNG project.

I think with the Site C dam, the review panel has determined there will be irreversible impacts on first nations rights and fish habitat in that case. Most recently in the LNG case, Gerald Amos, in a press conference stated, “ If they approve this project, I think Prime Minister Justin Trudeau declared war on the people who are concerned about this system.”

What are your thoughts about these two projects? Can you update this committee about those two projects and how that commitment to a nation-to-nation relationship, partnership, and reconciliation fits or is reflected in those two specific projects?

• (1600)

Hon. Jim Carr: As you know, the Site C project was approved on October 14, 2014, and it's before the courts, so there's only so much I can say about that. I'm sure you'll appreciate the constraint that this provides.

In terms of our own actions and the Prime Minister's commitment to a nation-to-nation relationship, I feel comfortable that we're well on the way to proving how serious we are given the way in which we're conducting ourselves as a government within our own time and within our own mandate.

You referred to the Pacific Northwest project, the LNG project?

Mr. Romeo Saganash: Yes.

Hon. Jim Carr: At the very end of the environmental assessment process, the proponent installed new information. The assessor has come back to the proponent with some questions, and as soon as those questions are answered, there will be a 15-day period of assessment, and then the government will have 90 days to make a decision. That's the way it will play out. You know the factors that will be included in the government's thinking, because they're laid out in the principles that we articulated on January 27. We believe that the LNG market internationally is a very important one for Canada. We also understand that prices are very low and that the world is awash in natural gas. It's a reality. It's a competitive reality, too.

That being said, the Government of Canada isn't in the business of predicting markets. We're in the business of sustainable regulation and respect for indigenous communities. There will be a science-based assessment of the evidence factoring in the best consideration of the Canadian Environmental Assessment Agency. The decision ultimately will go to the cabinet, and the cabinet has said that it will work expeditiously to provide that answer, and it will be within 90 days of the consulting period ending. First we await the final application from the proponent.

Mr. Romeo Saganash: On that final point with respect to the decision belonging to cabinet, how do you reconcile that position with what the Supreme Court has been telling us since Delgamuukw in 1987 about consenting aboriginal peoples, repeated in 2004 in the Haida Nation case, in which the Supreme Court talked about the full consent of aboriginal peoples with regard to developing projects, and again repeated in 2014 in the Tsilhqot'in case? In nine paragraphs the Supreme Court talks about the consent. In 11 paragraphs it talks about full control of land and resources, and in two paragraphs it talks about the aboriginal group being responsible to determine the land use. What is the thinking right now in your department about that notion of consent?

Cathy mentioned the free, prior, and informed consent that we find in the UN Declaration on the Rights of Indigenous Peoples, but don't you think that the notion of consent is already part of Canadian law?

Hon. Jim Carr: I think you're right. I think the judgments of the Supreme Court of Canada ought to be what guides government decision-making on the issue of meaningful consent, and that is what will be used to guide the way we go about the very important process of redoubling the capacity of the government to assess and meaningfully consult with indigenous peoples. We understand what the constitutional obligations are. We understand what the latest Supreme Court judgment says, and we will be using that as our guide.

Mr. Romeo Saganash: I want to hear the minister on what he means by the Canadian definition of free, prior, and informed consent. I find that interesting. A couple of years ago about 100 scholars and legal experts signed a letter in which they firmly claimed that the UN declaration is consistent with the Constitution and the Charter of Rights and Freedoms in this country.

Do you agree?

The Chair: Romeo, we're right out of time. We're over time, in fact. My apologies.

The next question to Gary Anandasangaree.

• (1605)

Mr. Gary Anandasangaree (Scarborough—Rouge Park, Lib.): Thank you, Minister, for joining us this afternoon.

I wanted to ask you a couple of questions on the environmental assessment process. With respect to the interim approach that we have in place, what kind of feedback are you getting from indigenous leaders and communities on whether they trust the process and whether they have confidence that this is at least on the right track towards gaining the confidence of the public and particularly of the indigenous communities?

Hon. Jim Carr: I don't really want to give a partisan answer to that question, but I may have to give an answer that some could interpret as partisan.

I will say that many indigenous leaders have said to us they welcome the new spirit of reconciliation and of meaningful engagement with aboriginal communities that is coming from this government, and the tone that has been set by the Prime Minister.

I think the environment is a healthy one—certainly a healthier one—and so we have a better opportunity now to get to the very important and complex business of defining the nation-to-nation relationship between the Government of Canada and indigenous peoples. We have a better chance now than we have had in a very long time to be respectful of those cultural practices that are so important as we make decisions on major resource projects. We have an opportunity now that we haven't had in a very long time to understand that economic growth and environmental sustainability and respect for indigenous culture are at a point in Canada at which none of those elements can move forward without the other.

So I would say that overall I find the climate to be hopeful and respectful.

Mr. Gary Anandasangaree: Minister, I recognize that we are in a partisan environment, but my question certainly wasn't attempting to be partisan.

Hon. Jim Carr: Well, better you than me.

Mr. Gary Anandasangaree: Just moving on to the permanent environmental process that we're in the process of defining, what type of input do you have? Is there an advisory board? Can you walk us through the different strands making up this consultation process that will eventually lead towards a more permanent environmental assessment process?

Hon. Jim Carr: Yes, and I welcome the question, because it gives me a chance to say that we're opening up the important reform of the National Energy Board and of environmental assessments in Canada generally speaking, to what we hope is a robust and important Canadian chat about them. We will be announcing the process that will lead to permanent reform in the next while. It will be within this mandate that those announcements are made and perhaps some decisions taken.

But I would ask the committee for its opinion—not at the moment, but to start thinking about it—about what the relationship should be between the regulator and the government. Should the regulator have the last word on major projects, or should the cabinet have the last word, and under what circumstances? What should the composition of the National Energy Board be to accommodate the diversity of the nation itself?

Members may know that we are committed to adding several more temporary members to the National Energy Board as the energy east pipeline review makes its way through the regulatory process. We know it's important that through the appointment of new temporary members to the board, indigenous background issues be important. We know that bilingualism is important.

It will be the government saying to Canadians, let's hear what you think the environmental assessment process should look like for the next generation of Canadians. This is not a precooked set of ideas. This is a sincere and open consultation and engagement with Canadians, and the principles are fundamental and they are important.

The interim process is clear, through the principles we have announced; the timelines are predictable, which is what proponents are looking for; and the future look of the process is something we will engage Canadians in through, I hope, important conversations and discussions.

Mr. Gary Anandasangaree: Thank you, minister.

Just going back to the nation-to-nation relationship, do you see in areas in which we have defined it previously—in previous arrangements or previous natural resource projects—a marked difference in getting resources to market in those areas in comparison with, obviously, the hard work that needs to be done in establishing new relationships? If so, what economic benefits can we expect from entrenching those nation-to-nation relationships in a formalized manner?

• (1610)

Hon. Jim Carr: Well we know how important natural resources are to the Canadian economy—1.8 million jobs. We know that the

natural resource sector accounts for about 20% of the country's gross domestic product. We know that economic opportunity is very promising in the energy sector in Canada.

I've had the pleasure of talking to investors internationally about their view of the Canadian economy, and particularly the energy sector within it. They remind us that commodity prices are low, but that doesn't just affect the Canadian energy sector, that affects the sectors internationally. We are not immune to this, nor can the government control it.

There is a movement towards major investment in renewable energy and clean growth. You'll know from our budget that we're making significant investments in electric vehicle demonstration, charging stations, and in natural resource technologies through innovation.

I think it's important to say that we have a lot of faith in the innovation and the genius of Canadian entrepreneurs, and especially in resource-rich provinces, where already we have seen the impact of innovation in clean growth and clean technology. The potential is impressive.

I would say that we have a better understanding now than maybe we have ever had in Canada that this potential and those benefits have to be shared with indigenous communities and indigenous people. Our chances now to get the balance right between reliance on conventional sources of energy while we invest in a transition period, maybe in some measure to be financed by conventional sources of revenue, is the way forward.

The way forward will not happen without the partnership and participation of indigenous people.

The Chair: Thank you.

We're moving to the five-minute round of questions now, and the first question is for David Yurdiga.

Mr. David Yurdiga (Fort McMurray—Cold Lake, CPC): Minister Carr, thank you for coming in today. It's much appreciated.

On April 14, the Supreme Court of Canada ruled that tens of thousands of Métis and non-status Indians are now the responsibility of the federal government. How will this affect your mandate when consulting with all indigenous groups, and is the government in the process of identifying Métis and non-status groups or organizations?

Hon. Jim Carr: We understand the importance of the Supreme Court judgment.

I'm a Manitoban, and have for a very long time had an understanding and an appreciation for the Métis nation. I know that this Supreme Court judgment is impactful. However, I also want to say that we have been consulting with Métis people and Métis communities all the way through, even before the Supreme Court judgment. The full impact of what that judgment means is not known yet to the government and to Canadians, but as we move through the meaningful consultation process with these projects, we will continue to be very conscious and mindful of our obligations to consult with the Métis nation.

It's a very important judgment, an historic judgment. We understand its importance, and we continue to take very seriously the obligations of the Government of Canada to meaningfully consult with Métis people and the Métis nation.

Mr. David Yurdiga: Thank you for that answer.

What I'm concerned about is the urban indigenous people. They really don't have a voice, so how are we going to reach out to them to get their input on what they feel the development of this resource is going to be?

Hon. Jim Carr: I think we also should be clear that we are consulting and engaging not only with Métis and first nations people, but all Canadians. When we do our meaningful round of talking to Canadians, that invitation will not be confined to any community or any group. It will be a wide open invitation for Canadians to comment on resource projects that affect us as Canadians, and affect communities where people live.

For those who feel as if they don't have a voice, I would encourage them to participate. We believe that all Canadian voices that have an interest in weighing in on these subjects should be heard.

•(1615)

Mr. David Yurdiga: We're trying to reach out to these urban indigenous people. One of the groups that has been very successful in bringing in Métis and non-status Indians is the native friendship centres. They're doing an excellent job of looking after the needs of the people who are not remote, yet are urban. That's just a comment I would like to make.

With this decision, how will this affect the natural resource industry? Will our consulting have to be wider based?

Hon. Jim Carr: As I said a moment ago, we have been consulting, where appropriate, when there are projects that travel across traditional Métis nation territory. We have been consulting and we will continue to consult. The Government of Canada over time will assess the implications of the decision on the Government of Canada's responsibilities.

Meanwhile we are doing what we have been doing, even before the judgment, and that we believe it is our obligation to do. We will be mindful of this decision and mindful of our responsibilities. As well, I think it's important to say that we have to let the process play itself out. The government has asked for more time to do its own meaningful consulting with indigenous groups, after which it will be the responsibility of the Government of Canada to make a decision and to tell the Canadian people on what basis the decision was made. We've already established a platform through those principles.

Ultimately we will be judged and held accountable by the people of Canada, not only for the decision we make but the way in which we make it and for the reasons we advance that led to it. I think we're being responsible and open in how our decision will be guided, for which we will ultimately be held responsible.

The Chair: We're out of time on that one. Thank you.

The next question goes to Matt DeCoursey, please.

Mr. Matt DeCoursey (Fredericton, Lib.): Thank you very much, Mr. Chair and Mr. Minister.

I want just for a moment to speak to the experience thus far in the riding I represent, Fredericton, where there are two first nations. The commitments and actions thus far in a nation-to-nation rebuilding atmosphere have allowed me and my office to work with the two first nations and leadership in the community on educational matters, on health improvement, and on early childhood development. I would stress that it's important that the commitment to a respectful nation-to-nation relationship remain in all areas of the government, so that in areas of social justice matters and educational attainment we can continue to do that work.

I was struck by your comments on the dual importance of respecting land, air, water, and the environment as well as allowing indigenous Canadians to partake in the economic opportunities available through the natural resource sector. You touched on this a little bit in answering Gary's question, but I'm wondering what opportunities and challenges you see currently in moving ahead with ensuring that indigenous Canadians are partaking in those opportunities.

Hon. Jim Carr: I think the opportunities are boundless, really constrained by very little, and they're motivated by goodwill and understanding that these opportunities have to be shared. I think proponents are understanding that.

I think the understanding is not even across sectors. It's not even across projects. However, the trend line is clear: proponents know that trusting relationships will be the platform upon which these projects will be built, really, and that we have to have a deeper understanding than we've had so far in Canada about those relationships, which aren't ephemeral. They're not Monday-to-Friday. They're over years, over many years. They are, with what we hope to be this new spirit of goodwill and reconciliation, generational.

I think opportunities abound, not only in the traditional sectors but also in renewables, in clean growth, in clean technology. There is an opportunity for indigenous peoples to fully participate in what those opportunities have to offer, not only in the oil and gas sector but also in forestry and mining. We have seen already that Canada in many ways leads the world in both those sectors, both for their sustainable practices and also in the partnerships they have developed over time with indigenous communities.

Just in the last day or two, I've been meeting with people from the forestry sector. I'm so impressed with how they understand how we have to move together. There's also a sustainable development focus from the mining association and within the mining industry in Canada. I had the pleasure of speaking at the prospector and developer association meeting in Toronto. Colleagues, they had 23,000 delegates from around the world. They came to Toronto because Toronto is seen as the financial centre of the mining industry globally. Canada was also showcased for some of its sustainable mining practices.

They also are very serious about developing these permanent and trusting relationships with indigenous communities. We have a lot to learn from those who have been at it a while. Canadians and proponents of projects would be well served to have a look at those best practices and deepen their own commitment to making sure that their practices too are informed by that understanding and that reality of Canada, that these relationships matter and they're ongoing.

• (1620)

Mr. Matt DeCoursey: Could you maybe comment on how some of the budgetary allocations that you have will start that process, and speak about some of the programs or policies being put in place by Natural Resources Canada to ensure that indigenous Canadians are able to take part in the present and future opportunities available through the natural resource sector?

Hon. Jim Carr: There are two buckets, one in the allocation to Natural Resources Canada, and the other in the allocation to Indigenous and Northern Affairs Canada, which combined will represent a very impressive investment from both of these departments towards that common objective.

The Chair: Thank you.

The next question goes to Arnold Viersen.

Mr. Arnold Viersen (Peace River—Westlock, CPC): Thank you, Minister, for being here today. Congratulations on your role.

Resource sector investment is down by \$60 billion. Particularly in my riding, investment has been fleeing. Shell Canada has been operating in my riding for quite a while. They had a huge project called the Carmon Creek project. It was an oil sands project. They recently cancelled it. It was a \$10-billion project. They had spent \$2 billion when they left. It was shocking to my community. They gave two reasons why they left, namely, the lack of pipelines, and instability in the regulatory framework.

What's your plan to bring that resource investment back?

Hon. Jim Carr: I think the best chance of bringing investment back into the resource sector in Canada would be a spike in commodity prices. I'm sure that any proponent of a major project who has made a decision either permanently or in the short term to suspend investment would have to say that international commodity prices were a component in that decision. After all, we are looking at prices in natural gas and oil that are historically low.

Yes, the regulatory environment and certainty are very important to proponents and investors. That's exactly why we're adding some certainty to the process with these projects that are currently under review. That's why, in any permanent environmental assessment regime for Canada, fairness to proponents is part of what we imagine as the best possible arrangement.

Also, you'll know that among the five principles that we announced would govern the transition phase, not going back to square one was the first, because that would not be fair to proponents. We understand that predictability and certainty are very important to any investment decision.

Also, on a personal note, for 16 years before I had the pleasure of representing the people of Winnipeg South Centre, I was the president and chief executive officer of the Business Council of

Manitoba. I understand the power of entrepreneurship. I understand that corporate social responsibility is fundamental to succeed and progress in the contemporary corporate world. I am very confident that most executives in companies know that too. I also understand that there is a spirit of innovation and entrepreneurship in this sector. Even the oil sands companies that are very active in trying to understand the best use of limited resources now are still investing together in sustainable practices of extraction. It's very impressive the amount of investment that has come—

Mr. Arnold Viersen: The Shell project I'm talking about was one of those projects that was cutting edge. On sustainable resource development, SAGD was the term.

It was interesting that the oil price had been down for about a year already when they cancelled the project. They had already renegotiated all the contracts. This project had become significantly cheaper for them to do and they were continuing to do it, but then, more recently, they cancelled it altogether.

You have mentioned social licence before. I'm wondering if you could try to clarify that for me a little bit. I would also like to know if you're aware of the Eagle Spirit pipeline project that's out there.

• (1625)

Hon. Jim Carr: Actually, I don't think I used the expression "social licence". I think I talked about meaningful engagement in first nations communities, which I believe is essential to moving forward.

I'm not going to comment on individual projects.

Getting back to your question, I'm happy to comment on the reasons that Shell has given for cancelling or putting a project on hold. Regulatory reform, regulatory certainty and predictability is absolutely essential. It's essential for Canada. That's why we are taking that responsibility seriously. It's unfortunate that over the last number of years we have not been able to get approval for major infrastructure projects. One of the reasons we have not been able to get approval is because—

Mr. Arnold Viersen: It was approved and it was ongoing.

Hon. Jim Carr: Yes, I'm not talking about a particular project, I'm talking about the system of regulating and the system of approving environmental assessment as a part of these projects. All I am saying is that our track record in recent times has not been successful. We're trying another way. We're hopeful that it will get us to a combined objective of moving our resources to markets sustainably.

The Chair: Thank you.

We have time for just two of Mike Bossio's five minutes.

Mr. Mike Bossio (Hastings—Lennox and Addington, Lib.): Sure.

Thank you very much, Minister, for being here today and for your thoughtful answers.

One area that you did talk about was the NEB. I am very thankful that our government is moving toward a more consultative and consent process, but part of that is making sure that we have represented stakeholders in these different bodies. You mentioned that you're going to bring the indigenous community into the NEB, but in temporary positions. I wonder if you could explain that further, as to why temporary rather than permanent positions.

Hon. Jim Carr: Temporary is only in the energy east review. There will be permanent reforms to the National Energy Board and the composition of the National Energy Board. As part of our mandate and the platform commitments, we have said that the National Energy Board should be more reflective of the diversity of the country including, in particular, the indigenous cultural background and perspective.

Mr. Mike Bossio: Is there a plan to replace diesel power in indigenous communities? Some need more available powers at source.

Hon. Jim Carr: Yes, there is. Those commitments are included in the budget. We understand there is dependence on diesel fuel in remote communities. We understand that's an issue. We also understand that there have to be viable alternatives to diesel power. The Minister of Indigenous Affairs is working diligently on that file, and so are we at Natural Resources Canada. We understand the issue. We've made initial investments in budget 2016 and we'll be very seriously looking at ways that we can be more impactful in the future.

• (1630)

The Chair: Thank you very much. We'll have to leave it there.

Minister Carr, Deputy Minister Hamilton, on behalf of the committee I want to express our appreciation for your time and comments today, and we hope to see you again.

Hon. Jim Carr: Thank you.

The Chair: I'm going to suspend briefly, for about a minute, while we invite our new witnesses to come forward.

• (1630)

_____ (Pause) _____

• (1630)

The Chair: We'll come back to order and make the most of our time here.

I am very pleased to welcome staff from the Department of Indian Affairs and Northern Development today. Joining us are Serge Beaudoin, director general, sector operations branch and regional operations; Françoise Ducros, senior assistant deputy minister of policy and strategic direction; Paul Thoppil, chief financial officer; Steven Van Dine, assistant deputy minister, northern affairs; and Joe Wild, senior assistant deputy minister, treaties and aboriginal government.

Welcome all of you. Thank you very much for making time for us today. We look forward to hearing what you have to say.

I'm happy to give you 10 minutes to make opening comments. You can share those minutes among yourselves in any way you see fit. I have a yellow card here to show you at 9 minutes, then I'll show the 10-minute card and I'd ask you to finish up then so we can maintain fairness in the questioning.

Please, the floor is yours.

Ms. Françoise Ducros (Senior Assistant Deputy Minister, Policy and Strategic Direction, Department of Indian Affairs and Northern Development): Thank you very much, Mr. Chair. Thank you for having us.

Today I'd like to provide an overview of Indigenous and Northern Affairs Canada's mandate, its responsibilities, organizational structure, and key priorities for the 2016-17 years.

• (1635)

[Translation]

Before I begin, I would note that I am also tabling a presentation entitled "Main estimates 2016-2017" for your information. The presentation contains the department's financial context and expenditure information. While I won't speak to this presentation today, Paul Thoppil, the chief financial officer, would be pleased to respond to your questions.

[English]

INAC's minister oversees a complex and challenging portfolio and provides leadership on the Government of Canada's relationship with indigenous peoples and its responsibilities in the north. The department has a dual mandate: indigenous affairs and northern affairs. In some cases there's overlap between the two areas, but as often as not the two are separate.

The minister's mandate is derived from a number of statutes. Of particular note, the Department of Indian Affairs and Northern Development Act outlines the powers and duties of the minister and the department. While the term "Indian" remains in the department's legal name because of this act, the term "indigenous" is now used in the department's applied title under the federal identity program.

Section 35 of the Constitution Act, 1982 recognizes and affirms existing aboriginal and treaty rights, and section 91(24) of the Constitution Act gives the federal department exclusive legislative authority over "Indians, and Lands reserved for the Indians".

[Translation]

The department's mission is to work to make Canada a better place for indigenous and northern people and communities. We work towards this by promoting reconciliation and fulfilling our constitutional and legal obligations to indigenous peoples. We work to improve quality of life and to support and enable indigenous peoples' participation and inclusion in Canada's economy.

[English]

In general, INAC has primary but not exclusive responsibility for meeting the federal government's constitutional treaty, political, and legal responsibilities to indigenous peoples and northerners.

The presentation before you outlines INAC's key objectives as well as a comprehensive listing of responsibilities and activities. These include engaging in dialogue with indigenous peoples about rights that have yet to be recognized or established; negotiating comprehensive and specific claims and self-government agreements, and implementing related obligations; implementing the Indian Act, which remains the primary vehicle for exercising federal jurisdiction under 91(24) and the Constitution Act, 1967 which guides how the minister interacts with first nations; implementing approximately 93 other statutes covering a wide range of subjects and responsibilities; and supporting the minister as the Government of Canada's primary interlocutor for Métis and non-status Indians.

INAC also funds the delivery of programs and services for first nations on reserve as a matter of policy, including provincial and municipal-type programming and services such as education, social housing, emergency management, and community infrastructure, often in partnership or through memoranda of understanding with provinces and territories. It is important to note that indigenous peoples residing off reserve have full access to provincial social and education programming. This context points to the need to work closely with provincial and territorial governments in developing solutions to issues facing indigenous peoples.

INAC also supports indigenous participation and inclusion in Canada's economy through entrepreneurship and community economic development programs; indigenous involvement in natural resource development and management, such as participation in commercial fisheries; key opt-in legislation, such as the First Nations Land Management Act; and indigenous labour force readiness in participation activities.

Through its northern development mandate, INAC leads federal government efforts for two-fifths of Canada's land mass, with a direct role in advancing the Northern Strategy through the political and economic development of the territories and significant responsibilities for science, land, and environmental management. In the north the territorial governments generally provide the majority of social programs and services to all northerners, including indigenous people; however, INAC serves as a focal point for Inuit issues and supports the inclusion of Inuit-specific concerns in federal program and policy development.

My presentation provides some information on the terminology used to refer to indigenous peoples today, as well as some brief demographic information on the populations we serve in executing INAC's mandate and responsibilities.

The term "aboriginal peoples" refers to the descendants of the original inhabitants of North America. The Constitution Act 1982 recognizes three groups: Indian, Métis, and Inuit. There are three separate peoples with unique heritage, languages, cultural practices, and spiritual beliefs.

The term "indigenous" is similar to aboriginal, in that it refers to all three status groups in Canada: first nations, Métis, and Inuit. Indigenous is used in the international context and is the preferred term in English. Both terms translate into French as *autochtone*.

The term "status Indian" refers to a person registered as an Indian under the Indian Act, while "non-status Indian" refers to an Indian person who is not registered as an Indian under the act.

There are legal reasons for the continued use of the term "Indian". Such terminology is recognized in the Indian Act and is used by the Government of Canada when making reference to the particular group.

"First nations people", though, is the term that refers to Indian peoples in Canada both with and without status under the act. Some communities have adopted the term first nations rather than band.

"Inuit" are indigenous people in northern Canada living primarily in Nunavut, the Northwest Territories, northern Quebec, and northern Labrador. "Métis" refers to the people of mixed first nation-European ancestry who identify as Métis.

In terms of demographics, about half of the registered Indians live on reserves, with the majority of non-status Indians and Métis living in urban centres.

INAC's program alignment architecture or PAA is an inventory of all the programs undertaken by the department for systematic reporting, from main estimates to Public Accounts. The PAA forms the backbone of each department's report on plans and priorities. Planned performance in regard to financial resources, human resources, and program results are articulated at all levels in the PAA.

INAC's 2016-17 PAA is organized by four strategic outcomes and is supported by 15 departmental programs and 37 subprograms. The four strategic outcomes are: the government, which supports good governance rights and interests of indigenous peoples; the people, which addresses individual, family, and community well-being for first nations and Inuit; the land and economy, which addresses full participation of first nations, Métis and non-status Indians, and Inuit individuals and communities in the economy; and the north.

● (1640)

[Translation]

The program alignment architecture illustrates how the work of the department has been organized in the past. This structure will be used with minor changes for the upcoming year, and will be revisited for future years.

To deliver on its responsibilities, the department is organized into nine sectors that provide services for Canadians. Key activities of each sector are referenced in my presentation. All of their activities support and align with the department's four strategic outcomes.

[English]

As well, INAC has 10 regional offices and one special operating agency, Indian Oil and Gas Canada. The regional offices are critical to the work of the department. They support the effective delivery of the wide range of programs, activities, and services that the department undertakes. They maintain direct links with the communities we serve and with the provincial and territorial governments and other partners. Although INAC's mission and objectives are similar from region to region, the economic, social, and cultural profile of indigenous peoples is diverse and varies across and within regions.

In addition, five corporate service functions support departmental activities through the provision of communication services, human resources and workplace services, audit and evaluation, corporate secretariat functions, and legal services.

[Translation]

It is becoming increasingly important for the sectors to work together to implement the department's priorities, just as different departments across the federal government need to come together to support government-wide priorities.

[English]

Here, on page 11, we have provided you with some information on how departmental staff are distributed across regions and headquarters. The proportion of staff in each region generally corresponds to the relative size of the indigenous population in each region.

Concerning the current direction, we have provided an overview of key indigenous northern commitments that have been articulated in Minister Bennett's mandate letter and the Speech from the Throne. These commitments are what will guide INAC over the next four years. Tabled in the House of Commons on March 22, budget 2016 also announced historic investments totalling \$8.4 billion over five years to implement the commitments. Proposed investments in education, infrastructure, training, and other programs will be implemented in collaboration with a number of other departments.

For the purposes of INAC's report on plans and priorities, the department has translated these commitments into five major cross-cutting themes: moving forward with rights and reconciliation; putting children and youth first; supporting stronger indigenous communities; improving quality of life for Métis, individuals, and communities; and fostering a strong and inclusive north.

All of the priorities are horizontal in nature and will require co-operation with other federal departments, with provinces and territories, with municipal governments, and, most importantly, with indigenous communities and organizations.

Just to conclude, INAC has a leading role on behalf of the federal government in advancing the reconciliation agenda and the nation-to-nation relationship with indigenous peoples, as well as a direct role in advancing the northern strategy through political and economic development.

The roles are wide ranging and they're constantly evolving. We're trying to do everything with a sense of partnership.

With that, I'll conclude and take your questions.

• (1645)

The Chair: Thank you very much Ms. Ducros.

We're going to move into a round of seven-minute questions beginning with Mike Bossio.

Mr. Mike Bossio: There's so much to ask and so many directions to go in.

We talk about how we're going to fund different parts of services and projects in indigenous communities, yet we have this grant and operational funding mechanism. Within that, the indigenous communities have to apply every year for a grant, and the grant is very restrictive as to what they can put that money towards, so it doesn't really leave a lot of room for the indigenous communities to prioritize where their real needs are.

Would you agree that a funding mechanism that works more closely with the needs of the individual community would work better so that there would be long-term sustainable funding for those communities directed toward those specific needs?

Ms. Françoise Ducros: That's a great question, and I'll let Paul elaborate.

There are various forms and ways in which we fund, including through the contribution agreements and proposal-based programs. Some of them have grants. A lot of them are done through one-year contribution agreements and some are done through five-year agreements and some are done through grants.

I think there's an undertaking or a commitment by the government to explore how we get to a better fiscal relationship to get to that predictable and sustainable funding. A grant is one way to do that. There are other overarching mechanisms, which my colleagues may want to add something on, that try to actually move towards that reconciliation agenda and move away from community-by-community funding and get into broader self-government and other agreements.

I would agree that there's work to do on how we get to a funding relationship writ large.

Mr. Mike Bossio: There's one other aspect of this that I would like to address as well. In 2015 the department announced its new approach to fiscal relations with self-governing aboriginal communities and a policy commonly referred to as fiscal harmonization that would apply to self-governing nations and Inuit communities. The policy includes formulas for determining federal funds transferred to indigenous governments, but the policy still includes the fixed amount element within the funding formula for indigenous governance. It also reduces the per capita amount given to indigenous governments with higher populations.

Some indigenous communities have complained that the provision of social services is not scalable in that the community members should not be penalized for the large populations of the communities. How would you respond to that part of that whole funding concern?

I say that because I have an indigenous community in my riding, and that's exactly the situation they're trying to deal with right now. They're really between a rock and a hard place.

Ms. Françoise Ducros: I would respond by turning it over my colleague, Joe Wild, who deals with treaties and aboriginal agreements.

Mr. Joe Wild (Senior Assistant Deputy Minister, Treaties and Aboriginal Government, Indigenous and Northern Affairs Canada): Thank you.

It is interesting that those who are in self-government have a completely different fiscal relationship than do those who are not. Typically you're talking about a 10-year agreement whereby you're providing a government transfer that funds the bulk of the operations of the self-governing first nation.

You're right in that some concerns have been noted about the fiscal approach. I think I would say two things about the fiscal approach. One is that when it was made public, we were basically being transparent about how the mandates were actually being constructed to fund self-governing first nations. We have been using the formulas that are enunciated in that policy for quite some time.

The idea was that we wanted to be completely transparent about the basis on which we were doing that so that we could have a different conversation about how to actually move forward in a way in which we could have a funding approach that would be more responsive to the actual needs of the given self-governing nation. As part of that policy, we committed to an approach under which we would work with the 27 that are under self-governing arrangements to develop together how we should shape that policy to serve the interests into the future. The policy was never meant to have a shelf life. It wasn't launched with the idea that it would be in place for x amount of time. It was launched to say here's how we've currently been doing it. We made some changes based on feedback we had received around own-source revenue, but the intent was to move forward by having a dialogue on how we could work together to develop a different approach that would help to satisfy the needs of the first nations.

• (1650)

Mr. Mike Bossio: I get that.

I'd like to turn this over to Michael McLeod. He has a question he wants to follow up on.

Mr. Michael McLeod (Northwest Territories, Lib.): Mr. Chairman, just quickly, I've been trying to wrestle this through to make some sense of the policy that overrides the agreement that was made in the land claim agreements. None of the land claim groups across the Northwest Territories, nor I believe anybody else, like the deal. It was made in isolation through a previous government. It was made without the involvement of the aboriginal people.

I'm wondering if that agreement should now be scrapped. Most of the aboriginal governments are still working under 2004 funding arrangements. It's not a good policy. It's not fair to aboriginal people. In light of nation-to-nation, will you consider removing this policy that was drafted by a previous government and starting on a new one?

Mr. Joe Wild: We have to be clear about two things. We have launched a national dialogue. We met with representatives of 11 Yukon first nations earlier this week. We are looking toward launching a national dialogue with all 27 on how to move forward

and develop together a new approach with regard to how we want the funding relationship to work. We are looking at trying to found that relationship on the basis of linking the fiscal relationship to achieving results. What I mean by that is looking at the fiscal relationship from the perspective of how we would move to work together to eliminate the socioeconomic gaps between indigenous and non-indigenous Canadians. In particular, my frame is within those that are under self-government.

Regardless of how we got to where we got, in terms of the policy that came out, the other point to make about it is the policy cannot—

The Chair: Please be brief. We are out of time.

Mr. Joe Wild: I'm sorry. I'll be very quick about this. The policy does not override what's in any treaty. The treaties continue to apply. The policy was meant to enunciate the basis on which we were calculating our mandate. It was never meant to take away from the negotiation that has to happen in terms of the fiscal renewal, but we're committed to a new approach and have launched that dialogue.

The Chair: Thank you, all three of you.

The next question is to David Yurdiga, please.

Mr. David Yurdiga: Thank you.

Minister Bennett appeared before this committee. She mentioned fixes to Nutrition North and indicated 15 more communities are being added to the program. When can we expect the names of those communities to be announced, and is the additional \$12 million in the 2016 budget to accommodate these additional communities?

Mr. Stephen Van Dine (Assistant Deputy Minister, Northern Affairs, Department of Indian Affairs and Northern Development): The number Minister Bennett referenced was with respect to the number of communities that were expected to come in to receive full funding under it. That number referred to the number that are currently receiving a partial subsidy at the moment.

Budget 2016 amounts are subject to further decisions. We're hoping those decisions will be made in a reasonable amount of time to deal with the demand for increased fairness in the program, which was one of the recommendations of the Auditor General this past year.

Mr. David Yurdiga: I didn't get a clear answer. Are there 15 more communities, or are we topping up 15 communities that are already in the program?

Mr. Stephen Van Dine: The Auditor General pointed out there is a fairness issue with respect to the application of the program. We've been tasked with doing an analysis of all communities that should be eligible for the program. Some of them were excluded from the program that previously received...what was the former program, under food mail. There will be an increase in the number of communities after we've done the analysis and after we've taken the proper decisions within the government processes. There will be an increase in the number of communities served.

Mr. David Yurdiga: There is not going to be 15. There potentially could be, but not necessarily.

•(1655)

Mr. Stephen Van Dine: I suspect the number won't be less than 15. That will be based on the analysis to date, which will be made public very soon. The number of additional communities will be known and can be discussed in the public domain.

Mr. David Yurdiga: The Minister of Indigenous and Northern Affairs indicated Nutrition North is broken. Can you elaborate on the program failures and the changes proposed to enhance the Nutrition North program?

Mr. Stephen Van Dine: I believe the Minister referred to some comments she had made prior to her current position as minister, and that was at a time when the program was in the early days of implementation.

The program itself has received quite a bit of attention and quite a bit of scrutiny, including two internal audits and evaluations from the department. The Auditor General has had the benefit of several community meetings through the advisory board committee. We will now be undertaking an engagement process to look at the program more broadly and the details of that engagement process will be known, hopefully, in the near future.

Insofar as the program working, we do know that the program up to this point has reduced the cost of food in comparison with the previous food program. We do know that the nutrition education component of the program is highly subscribed to and is of high value, and we do know that there has been ongoing criticism that the program is not doing enough with respect to country food. That is one issue that we expect to address in the coming engagement and consultations.

Mr. David Yurdiga: What I get from you is that the program is working. The original design was to ensure that food costs are reduced for northern communities. I understand that.

Has the ministry produced any studies on the impact of the carbon tax that will affect a lot of northern and indigenous communities? Is there a study happening, or is there going to be a study to consider those impacts?

Mr. Stephen Van Dine: There has been quite a bit of attention to some programming that had been announced previously and some additional funds were found in budget 2016. We're working closely with Environment and Climate Change Canada and other federal departments on the renewal of the climate change programming, of which the notion of switching from diesel-generated power as a primary supply to other forms that are less intensive in terms of emissions will be considered. We will also be looking into the notion of some of the alternative energy projects that we've funded through many communities, Colville Lake being one. This coming summer they'll be converting to relying solely on solar for four months of the year. That's an exciting project.

In terms of impacts in determining carbon emissions for the north, or the Arctic as a whole, we don't have any such study under way at this moment, but as members will know, the footprint or the generation of greenhouse gases in the Arctic, which is primarily fairly sparsely populated and small and remote, is not a number that will generate a statistical difference in terms of Canada's national emissions.

Mr. David Yurdiga: We don't really know the impact of a carbon tax at this point because, obviously, the biggest cost is transportation, and you have to bring food from the south to the north. You know that's carbon intensive. You have to power the big trucks or the planes to get there.

That's concerning. If we don't know the impact, how are we going to address the issue? The cost of everything will go up for these people and, obviously, their incomes are not. It's troubling.

The Chair: Fifteen seconds, if you can work with that.

Mr. Stephen Van Dine: I believe it's known that the first ministers' meeting committed to a series of working groups to look into the impact of different measures related to carbon tracking and minimization. We'll have to wait and see what results come out of that and assess what the impacts might be. I know territorial governments are involved.

•(1700)

The Chair: Thank you both.

Charlie Angus, please.

Mr. Charlie Angus (Timmins—James Bay, NDP): Thank you, Mr. Chair, and thank you very much for coming today.

I'm looking at the budget and the money that has been promised for indigenous peoples, but I don't see anything of a five-year breakdown of how it will be spent, other than in the area of education.

Would you be able to provide our committee with a five-year breakdown covering housing and water and so on, just so we know there is actually a plan to spend the money in an appropriate manner?

Ms. Françoise Ducros: I can't provide that to you right now. The implementation of the budget is still being worked out. We'll go through the processes, including through the Treasury Board. We can certainly keep the committee posted and come back to that.

Mr. Charlie Angus: Thank you. It would be very helpful, because if we're going to have large amounts of money, we need to know that it's on a proper plan.

I'm looking at the 2016-17 report on plans and priorities, and under elementary and secondary education you list your expected results and your performance indicators. Under expected results, you say "First Nation students progress in their elementary and secondary education", and under performance indicators, "The percentage of tested students on reserve who meet or exceed standard assessment for literacy and numeracy...". That all sounds great, but under targets it gets really vague: "Incremental increase year after year".

What are you basing this on?

Ms. Françoise Ducros: I'll have to get back to you on all the details of that, in consultation with my colleague from education and social programs, but in terms of what the targets are based on, various measures are used. Some of it is based on testing pursuant to some of the proposal-driven programs. Some of it is based on systems where their data is collected on reserve. There's a different amalgam of how we collect those indicators. I can provide those to the committee.

Mr. Charlie Angus: Could you, please? I was looking at the 2013-14 performance and priorities, and it was the first time I believe AANDC at the time had ever listed literacy and numeracy rates. In the Ontario region the numeracy rate for boys was 18%. Literacy was 21%. I don't know if you could find literacy rates that low anywhere in the world, except maybe sub-Saharan Africa.

It's stated in that performance report that you aren't going to follow up anymore. So what are you testing? If you're talking about an incremental increase year after year, when people have a numeracy rate of 18%, I mean, how many centuries will it take to get them up to a provincial standard?

Ms. Françoise Ducros: I will endeavour to provide the committee with both the tools we use in testing, which is through, as I said, some of the proposal-based programming, but also the broader data collection that has been put in place through various systems that are now being used in partnership on reserve.

In answer to your question on how we will increase those outcomes, the idea is to endeavour to continue to work in partnership through that agenda and the reconciliation agenda—

Mr. Charlie Angus: Okay. Thank you. But I'm looking at performance indicators for those who graduate from high school: "Incremental increase year after year".

Ms. Françoise Ducros: Yes.

Mr. Charlie Angus: The number of funded students who get post-secondary: "Incremental increase year after year".

I was a school board trustee. You know, people get fired if they come to the school board without performance indicators. You have to know that you have student success; otherwise we're failing.

I don't know why you don't have that. I'm looking at the 2004 Auditor General report, which said there was absolute failure on the issues of education, and in 2011 nothing had improved. If you're going to go to incremental increases, surely to God you must be able to provide us with something. I look forward to hearing from you on that. How else will we get success in this area?

I notice that the 2% cap has come off. That's certainly of great benefit, but under the new post-secondary money in the federal budget there doesn't seem to be any increase. Is the cap still on with post-secondary?

Mr. Paul Thoppil (Chief Financial Officer, Department of Indian Affairs and Northern Development): Budget 2016 provided significant monies for indigenous peoples, to the tune of \$8.4 billion over five years. When you look at that amount of money over that period of time, in conjunction with.... That comes up to 22% over that period of time, vis-à-vis....

So that is definitely an increase on the 2% escalator in comparison over that same period of time.

Mr. Charlie Angus: I guess I didn't add up the math the same way. But I'm running out of time here, so we'll have to move on.

This is certainly a big issue with the coming murdered and missing women inquiry. I saw in your performance and priorities report, under performance indicators for "Number of women and children accessing INAC-funded shelters", that the target says "N/A", not applicable. It says it's because setting a target for this indicator is "not appropriate".

You had a target for it last year. Why is it suddenly not appropriate anymore to be able to actually know if people are able to use the service?

•(1705)

Ms. Françoise Ducros: I'll have to confirm this and get back to you, but I think part of that was working out the best way to get to a better indicator in terms of access to shelters, what percentage of first nations communities have access to shelters, and how to address it in moving forward and working with the provinces and territories. But I can provide further explanation to the committee.

Mr. Charlie Angus: Okay.

Do I still have a bit of time?

The Chair: You have more than a minute.

Mr. Charlie Angus: In the Thunder Bay inquiry of the seven young people who died, which has just been heartbreaking, the Indigenous Affairs witness said that there was no funding gap between the provincial and federal systems. That certainly shocked a lot of people.

Is he correct? Is that the view of INAC, that there is no funding gap between what students receive on reserve and in the provincial system?

Ms. Françoise Ducros: I think the minister pronounced at committee that significant investments would have to be made in that area. I can't speak to the particular testimony of the witness there.

Mr. Charlie Angus: This is about whether or not young people had to leave home because they had no school, and then died in Thunder Bay. Indigenous Affairs' position at the inquest was that there is no gap in funding. That was a position taken under this new government. Is that Indigenous Affairs' position, yes or not?

Ms. Françoise Ducros: I will have to go back to the testimony before I comment on what was said.

Mr. Charlie Angus: Thank you very much.

The Chair: Thank you.

The next question is from Gary Anandasangaree.

Mr. Gary Anandasangaree: Thank you, all, for coming here. I can appreciate the level of frustration you perhaps have, being in your respective roles.

I want to take you out of your roles for a minute. From a humanitarian perspective, simply as individuals, what is the one thing you would change within your department that would have a significant impact on the whole system?

I would like to canvas everyone here, because you are all senior management. Maybe you can tell us very briefly, in 30 seconds.

Ms. Françoise Ducros: I am a loyal public servant at the service of my minister, and I am here to implement the direction they give us, so I feel a little at odds answering that question.

I don't know whether my colleagues want to....

Mr. Paul Thoppil: I would support my colleague's response. I do believe that the government direction, in terms of providing predictable, stable funding in particular areas such as infrastructure, would be very helpful in order to address the socio-economic gaps. That is something this department is working on, in consultations with first nations and indigenous peoples, in order to arrive at that outcome.

Mr. Joe Wild: The only thing I would add is that it is important that all Canadians be educated with respect to our history and the role of indigenous peoples within Canada. That probably would be the number one thing that would make all of our jobs easier.

Mr. Serge Beaudoin (Director General, Sector Operations Branch, Regional Operations, Department of Indian Affairs and Northern Development): Thank you.

I have nothing to add to what my colleagues have shared.

Mr. Stephen Van Dine: I would agree with my colleagues and add that, regardless of which government is installed, it comes down to the people I get to work with, and making sure they have the tools and the abilities to fulfill their jobs effectively. It is my responsibility to make sure they have that.

Mr. Gary Anandasangaree: Maybe we can get into the type of people you work with. You represent a very significant population, I think 1.4 million and probably growing. How reflective is the organization with respect to the various indigenous communities? What are the areas that we need to improve in terms of senior management? How reflective is that with respect to our indigenous populations, and what kinds of targets and expectations can we see in the short term and long term?

Ms. Françoise Ducros: Are you speaking specifically to the human resource component?

Mr. Gary Anandasangaree: Yes.

Ms. Françoise Ducros: At this point in time, there are policies in place in the department in the areas of recruitment, retention, and development with indigenous Canadians, and we are trying to ensure that the institution reflects it. I believe the numbers right now are anywhere from 24% to 31%, with a much higher percentage in the regions.

There are several policies and active recruitment programs in place, including development programs, one of which I have the honour to champion, the aboriginal leadership development initiative.

More and more in the Government of Canada, throughout various departments, there are champions for indigenous recruitment,

retention, and promotion. There are various things that we need to continue to address, including the issues of education and awareness throughout the public service. I think there is a real will to do that.

My colleague Joe Wild and I are working with the Canada School to deal with that. More and more we have to look at how we get out there and recruit, how we hear what it takes to make both Indigenous Affairs and the government writ large a good place to work, and how we ensure that the capacities we are building in communities and in the government work together to provide synergies.

• (1710)

Mr. Gary Anandasangaree: How are we on senior staff?

Ms. Françoise Ducros: I don't know the answer to that on senior staff. I think we can certainly provide that. There is an ebb and flow on senior staff. We can provide the exact numbers, unless you have them at hand.

Some of the things we've looked at, as we move up and down in numbers, are things happening with senior staff people moving on to other positions, including a former ADM who is now the associate deputy minister at public safety. There's a good story to tell. I don't think it's good enough, but people are endeavouring to address it.

It has to be a government-wide approach and not something that's restricted to the department.

Mr. Gary Anandasangaree: I completely agree. I do think the department does have a particular need.

Ms. Françoise Ducros: Yes.

Mr. Gary Anandasangaree: With respect to first nations and Inuit health, I know they're not part of your department. They're in Health. Strategically does it make sense for it to continue in a separate role, or is it important at some point we look at putting a holistic response to many of the challenges we see? I know oftentimes we have one department doing one thing, and you're looking at other stuff. Is it long overdue that we look at possibly putting them together?

Ms. Françoise Ducros: I think it's imperative the government works as a whole and horizontally, and that's not just health and indigenous affairs. ESDC deals with early childhood programming. I think we have to find better ways, either through programming, or approaches, or other ways to address those issues. Those are things that are being addressed very seriously with the current cabinet.

Mr. Gary Anandasangaree: I know previous witnesses have identified the lack of coordination with different levels of government. For example, if it's special education, then it's with the provincial education systems. Oftentimes there appear to be conflicts. What specific measures are you taking to address those gaps? I know with the child welfare system, that's one of the major gaps we see. With special education, it's something we see time and time again. Is there a special emphasis now on working together in collaboration and cutting through some of the red tape that points fingers at each other, as opposed to coming up with a solution-based approach?

Ms. Françoise Ducros: That's an excellent point. I think there are multiple ways in which those things are being addressed. Some of them are through tripartite agreements around enhanced prevention for child services and programs with education. There's a commitment to work on the aboriginal working group for the federal-provincial engagement, and folks are very much engaged on that front right across programs.

The Chair: Thank you, both.

We're moving to the five-minute questions now, and the first question is from Arnold Viersen.

Mr. Arnold Viersen: My area of questioning will be on the 94 recommendations of the Truth and Reconciliation Commission. I was wondering what the plan was for rolling those out. If you prioritize the recommendations, could you provide us with a list in priority?

Ms. Françoise Ducros: The minister has indicated that in order to address the 94 recommendations, we'd have to do so given all of the mandate letters of the cabinet ministers in full respect, recognition, and partnership with the indigenous communities and organizations. There are conversations taking place.

Some of the calls to action included the inquiry into missing and murdered aboriginal women. Some of it includes how do we engage on education? Others involve other aspects. There is a pretty broad engagement on some of these actions that have already been taken. There are various engagements across government that are out there. Just to name two, they are Parks Canada and Public Safety. It's a long-term process. There's definitely a view that as we engage in the TRC, we're also going to have to use the lens of section 35 to look at that and to address it.

That's currently what's happening on multiple fronts.

• (1715)

Mr. Arnold Viersen: Is there one area where we can see what progress is being made on each of those individual recommendations? Is there one person dealing with them? Is there somebody accountable for it?

Ms. Françoise Ducros: There are various people accountable for different recommendations. The missing and murdered women's inquiry would be accountable, and that would be Status of Women and ourselves. On the investments around education, and looking at new approaches to education, that would be ourselves. There are other things that address health specifically, and Health Canada is addressing them.

In answer to your question as to how we need to communicate outwards, we are looking at how we engage and how we communicate in partnership with the indigenous peoples moving forward on that front.

Mr. Arnold Viersen: Is there any cost analysis, particularly of the entire set of recommendations? Has it been done? Has somebody drawn them all together and said: to implement all 94 recommendations, this is what has to be done and this is what it's going to cost?

Ms. Françoise Ducros: There is no rolled-up cost analysis on the calls to action, because the way we address the calls to action will follow the broader engagement process. There's no place right now that you can go to. There are many actions being taken, and we're

certainly conscious of the fact that we have to engage and get to addressing those recommendations. We have to do so, as others have said, in a nation-to-nation relationship, in partnership with our colleagues.

Mr. Arnold Viersen: How about some of the recommendations individually?

Ms. Françoise Ducros: Individually, for some of the recommendations—as I said, I picked missing and murdered women, but there are others as well, around looking at parks, looking at sport—people are engaging in how we are moving to implement them. The government is very committed to working in partnership, so it's hard to cost out something that would be a unilateral action moving forward.

Mr. Arnold Viersen: I have 14 first nations in my riding; I've been in a lot of consultations—on land claims, traditional territory, these kinds of things. Have you done any study on third-party impacts of these land claims or how traditional territory deals are going to work out and how private land ownership plays into that?

Mr. Joe Wild: Generally speaking there are no direct impacts on private land ownership, in that land claims are settled through three main tools. The first is the provision of crown land, either federal or provincial, if it's available; the second is the provision of cash in substitution for providing land; and the third is that the cash enables the given indigenous nation to purchase land on a willing buyer/willing seller basis.

There's no direct impact, in that we don't expropriate or the government doesn't buy up land from third-party private individuals in order to then make it available.

Mr. Arnold Viersen: When a land claim deal has been settled, are taxation rights given with that land claim?

The Chair: Be brief. We're out of time.

Mr. Joe Wild: It's a complex answer.

The Chair: We have time for just two more five-minute questions, the first from Don Rusnak, and then from Cathy.

Mr. Don Rusnak: Thank you for coming to appear before the committee today.

I have 10 first nations in my riding, and there are a number of first nations throughout northwestern Ontario. I've been hearing, from first nations over the years and from organizations—in fact, from an organization that I worked for—that dealing with INAC is often difficult: dealing with the department on contribution agreements, infrastructure funds, and the way programs are delivered. They essentially would rather deal with another department than deal with INAC.

Certain areas and systems within the department may be broken. Is there any work being done to look into the problems, and have you heard these problems stated by first nations? I imagine you have, because we sent in—back in 2007, I believe, when I was working for Grand Council Treaty #3—complaints about the way systems are done. It seems as though there are delays and unnecessary hurdles that first nations organizations or communities have to jump over that delay important projects or delay getting to the communities funding that is needed quickly.

• (1720)

Ms. Françoise Ducros: Yes, it would be disingenuous to say that we haven't heard concerns about how the department interacts with first nations and other indigenous communities. I think there's a lot of room for improvement.

Some of the areas the committee began with, on how we deal with contribution agreements, moving to better tools, and looking at stable and predictable funding, are things that folks are looking at. On the issue around clarity of roles and responsibility, the Auditor General in 2011 raised clarity of roles and responsibilities as well as predictable funding and certain ways of moving forward. These are things the department is looking at.

So yes, we've heard this, and we're attempting to do better.

I think the move, with the current government, to looking at the nation-to-nation relationship and getting into a broader framework and addressing some of the.... There's been a lot of work done through the TRC and other groups in the last few years, and many opinions have been placed on the table. The department is looking at how we get to a better relationship.

Mr. Don Rusnak: We met with the Auditor General on Tuesday, and I spoke to his staff after the meeting. I didn't get time to ask a specific question. We were asking about some of the audits of the department over the years. I heard from communities while I worked in northern Manitoba and in mid-northern Manitoba, if you want to call it that, that there wasn't information available from the department to audit, so they couldn't do an audit on a program from the department.

Have you still been seeing those problems within the department? If so, what's the plan to deal with certain regions in which perhaps this problem still exists?

Ms. Françoise Ducros: I can't speak specifically, but there are reports on the programs. Whether or not we're asking the right questions to measure reports or to evaluate reports is certainly a valid question. We're going to have to look at improving that relationship and at how we deliver programs.

On the broader issue of audits of programming, I don't know that that's been an issue. I don't know if I understand your question.

Mr. Don Rusnak: What I've been hearing and what I've seen over the years is that there's inconsistency across the country in terms of reporting within INAC. One of the examples is from an organization I worked with. When a new regime came in or a new leader came in, all of a sudden the department focused their eyes on the organization and cut their funding off because reporting hadn't been done for three years. If that reporting hadn't been done for three years under the previous regime, why were they still getting funding? I see certain

problems with systems within your department. What's being done to address those problems?

The Chair: You have 15 seconds.

Mr. Paul Thoppil: We take your point. Consistency of business procedures across the country, as has been demonstrated through our own internal audit, is not up to snuff. We are going through a process of engagement to get more consistency and equivalency in reporting and business practices to address that deficiency.

The Chair: Thank you both.

The last question goes to Cathy McLeod.

Mrs. Cathy McLeod: I have, first of all, a comment. I would beg to differ, and I'd love to talk offline. The land claims process is having a direct impact on third-party interests as tenure is moving in, for example, the AIP, and is cutting off spring pasture from summer pasture. That's sort of an offline comment that I'd love to talk further about, because I think we do have a serious issue. I think everyone wants resolution. There's nothing about not having resolution, but it's how we ensure—I love the words of National Chief Bellegarde—peace in the valley.

The Auditor General had four very specific suggestions. He said he's done audit after audit, and it came down to some structural things. We have \$8.4 billion. We have significant numbers of new dollars going into education. Is it just going to roll out the same way it's always rolled out or is it going to follow the structure that the Auditor General suggested, in which we would need a legislative base, which includes appropriate funding mechanisms? Right now, is the plan that the new money for education is just going to roll out as it has always rolled out?

• (1725)

Ms. Françoise Ducros: In partnership with indigenous peoples and first nations, the AFN, the ITK, and others, we are actually working through how exactly we're going to roll out that funding. There's certainly a commitment by all to ensure that it's based on outcomes, to determine how we are going to deal with it, and to have the proper measures in place.

Mrs. Cathy McLeod: If you don't have that agreement in place, is it going to be another year or another two years before the money rolls out or is it going to just roll out the way it's always rolled out?

Ms. Françoise Ducros: I think everyone is confident that working in partnership we'll find a way to address that and to make those investments.

Mrs. Cathy McLeod: Okay. If you don't get there, though, is the money going to roll out the way it has always rolled out?

Ms. Françoise Ducros: I think we're going to continue to put in place the measures to ensure that the funding goes to where it's most needed and to ensure that it can be accounted for.

Mrs. Cathy McLeod: Will it be a legislative framework?

Ms. Françoise Ducros: I can't speak further at this point. I'll have to leave that with the minister.

However, nothing will be done on any of this that isn't done in partnership with indigenous peoples.

Mrs. Cathy McLeod: I come from British Columbia, and I've been to many remote communities. To be frank, many of them have very good water systems. They have good infrastructure in place that serves their community and they can be very isolated.

I know, as the government, we put significant dollars into infrastructure for a number of years. I know there's a commitment by this government to put in additional water systems. It absolutely floors me that you hear about a community like Kashechewan and the homes aren't connected to the water system.

What's going on?

To me, that would be an absolute crisis. It's something that should be a priority. There have been lots of dollars for infrastructure. Why do we have a community that doesn't have connections?

Mr. Serge Beaudoin: Indeed first nations, as all Canadians, should have access to clean drinking water for themselves and for their families. In budget 2016, additional funding was provided, that \$1.8 billion over five years, to address in particular drinking water advisories.

The department does have a priority ranking system where first nations submit their infrastructure plans, and in—

Mrs. Cathy McLeod: Sorry, I just want to clarify.

With regard to Kashechewan, we gave significant dollars over the last 10 years for water systems. Why wouldn't they be at the top of the priority list if they don't have their homes connected to the water system?

The Chair: One minute left.

Mr. Serge Beaudoin: I can certainly look into the particular circumstances of the first nation that you mentioned and get back to the committee on where they stand with respect to the ranking system.

Mrs. Cathy McLeod: Okay, because I can't imagine that there's any that could be much worse.

Thank you very much.

The Chair: Thank you all very much for making time for us today.

We're very grateful for your comments, and we'll see you another time.

There's a motion, so the newly renamed indigenous and northern affairs committee stands adjourned.

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