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# Standing Committee on Indigenous and Northern Affairs

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Chair: Mr. Bob Bratina





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• (1105)

[English]

**The Chair (Mr. Bob Bratina (Hamilton East—Stoney Creek, Lib.)):** I'd like to welcome everyone to this meeting of the Standing Committee on Indigenous and Northern Affairs. I will acknowledge, first of all, that it is taking place on the traditional lands of the Algonquin people.

Our business today will begin with the subcommittee on agenda and procedure, which met the other day. I believe all the material has been circulated to you.

Is it the pleasure of the committee to concur in the first report of the subcommittee?

**A voice:** Yes.

**The Chair:** Could I have a motion, then?

It is moved by Arnold Viersen that the first report of the subcommittee on agenda and procedure be adopted.

(Motion agreed to)

**The Chair:** Thank you very much.

It, of course, includes the study material, and so on. We can, perhaps, discuss that later on today.

Pursuant to the motion adopted earlier, the committee will now receive briefings by the Department of Crown-Indigenous Relations and Northern Affairs and from the Department of Indigenous Services.

Each department has been given up to 10 minutes to make an opening statement, and then we'll proceed with questions and answers.

I invite the representatives to come forward now.

Welcome, all.

As mentioned earlier, we'll give each of our groups up to 10 minutes to make opening statements, and then we'll move to our committee members with questions and answers.

Perhaps we could start with the Department of Crown-Indigenous Relations and Northern Affairs.

[Translation]

**Mr. Daniel Watson (Deputy Minister, Department of Crown-Indigenous Relations and Northern Affairs):** Thank you very much, Mr. Chair.

I will try not to use all of the 10 minutes, so that more time may remain for questions.

Thank you for the invitation to appear before the committee.

We meet today on the traditional lands of the Algonquin nation.

With me is Serge Beaudoin, Assistant Deputy Minister of Northern Affairs; Annie Boudreau, Chief Finances, Results and Delivery Officer; and my colleague Martin Reiher, Assistant Deputy Minister at the department.

As the committee begins its important work, we appreciate the opportunity to discuss the role of our department in promoting reconciliation with indigenous peoples.

To begin, I will describe some of my department's work and mention a few recent accomplishments.

• (1110)

[English]

Strengthening the relationship with indigenous peoples is central to the mandate of my department. In pursuit of this goal we've significantly stepped up rights-based discussions with indigenous peoples. Five years ago, most of these discussions only occurred with communities in British Columbia, the Northwest Territories and Atlantic Canada. Today, active discussions are under way with partners from every province and territory—more than 150 processes, more than 500 indigenous communities, and a total of almost 900,000 indigenous people.

Informing each one of these processes is a fundamental shift in Canada's attitude toward the rights of indigenous peoples. For many years, Canada abided by the concept of extinguishment and sought to have indigenous peoples cede, release and surrender their rights. This is no longer the case. From a legal perspective, Canada no longer interprets section 35 of the Constitution as an empty box, but rather as a box full of rights. Furthermore, Canada now considers treaties as the foundation and starting point for the work that remains to be done.

[Translation]

An important recent example of this shift toward a recognition and implementation of rights approach is the adoption, in 2019, of a new policy for treaty negotiations jointly developed by Canada, British Columbia and the First Nations Summit that replaces the comprehensive land claims and inherent right policies in British Columbia.

The policy states explicitly that rights cannot be extinguished, that treaties and other agreements can evolve over time and that negotiation mandates will be built through dialogue and collaboration between the parties. These are all key components of a rights-based approach to negotiated agreements and underpin the government's efforts to advance reconciliation.

[English]

This shift can be seen at negotiation tables, leading to tangible and timely results. For instance, last summer, July 2019, Canada and the Heiltsuk Nation signed a reconciliation agreement to address community priorities of self-government, housing and infrastructure, economic development and language revitalization and preservation. The agreement is the culmination of a three-year Heiltsuk-driven process that began with the question, what would reconciliation with Canada look like for the Heiltsuk?

Another example is the joint historic reconciliation agreement that Canada and British Columbia signed to support Tsilhqot'in self-determination five years after the landmark judgment by the Supreme Court of Canada in the Tsilhqot'in Nation decision. It is the first tripartite reconciliation agreement of its kind in the province. This agreement is a tangible expression of the UN Declaration on the Rights of Indigenous Peoples, which recognizes that every nation has unique and distinct paths to self-determination.

[Translation]

Along with rights-based discussions, this government now follows a collaborative approach to policy development. This marks a significant change from the unilateral, standardized approach followed for decades. I am pleased to say that the new approach inspired the development of the collaborative self-government fiscal policy.

Departmental officials worked directly with their counterparts from indigenous communities to co-develop this policy, which provides for the true costs of government. By following a similar approach, we hope to achieve the same success with the comprehensive land claims policy and the inherent right policy.

Co-development is also central to our approach to negotiating self-government agreements with indigenous governments. These agreements enable indigenous peoples to fully implement and exercise their rights.

[English]

A prime example is the Anishinabek sectoral education agreement completed in 2017. The agreement is the largest in history and involves some 23 first nations. Under that agreement the first nations now have jurisdiction over education from kindergarten through grade 12. Approximately 2,000 Anishinabek students now study a curriculum that promotes their language and culture.

Other recent self-government agreements of note include those with the Deline and the Cree Nation of the Eeyou Istchee.

Another indication of progress is the series of agreements-in-principle—the penultimate step before final agreements—completed in recent years. The largest of those, with the Nishnawbe Aski Nation, involves some 37 communities in Ontario.

A number of innovations help to accelerate the negotiation process and to make it more efficient. The cabinet-approved process to convert agreements-in-principle to final agreements, for example, will save all parties considerable amounts of effort and money.

Another policy change promotes the financial well-being of indigenous governments in a different way. Previously, any revenues that indigenous governments generated on their own were deducted dollar for dollar from the fiscal transfers provided by Canada. This policy was a clear disincentive, because it discouraged indigenous communities from acting to realize their potential to generate revenues of their own. We implemented a moratorium on that old policy. This will incentivize entrepreneurship and foster a spirit of self-sufficiency.

• (1115)

[Translation]

The government has also moved to strengthen relationships with national indigenous organizations. Ensuring that these organizations have the stable, predictable and reasonable funding they need to adequately represent the interests of their constituents will promote reconciliation.

To ensure that key issues are regularly discussed at the highest levels, the Government of Canada established permanent bilateral mechanisms with first nations, Inuit and Metis leaders to identify each community's joint priorities and help the government and indigenous peoples work together to develop solutions.

In recent years, we have also completed political accords with the Native Women's Association of Canada and the Congress of Aboriginal Peoples.

[English]

Canada also continues to make progress in implementing the Truth and Reconciliation Commission's calls to action. Some of the credit for this goes to Parliament for enacting a number of bills that amend Canada's laws. This government also continues to make strategic investments that directly contribute to a better quality of life for indigenous people. Budget 2016, for instance, allocated five-year funding of \$8.4 billion to first nations education, infrastructure, training and other programs.

Three additional accomplishments that I want to highlight are the actions to address historical wrongs, such as the sixties scoop and Indian day schools, the work to establish the National Council for Reconciliation, and the measures to resolve issues related to our border with the United States.

The mandate letter of the Minister of Crown-Indigenous Relations sets the stage for future progress. The letter calls on the minister to work toward developing legislation to fully implement the United Nations Declaration on the Rights of Indigenous Peoples by the end of the year, for example. The minister is also expected, in partnership with first nations, Inuit and Métis peoples, to establish a national action plan in response to the calls for justice of the National Inquiry into Missing and Murdered Indigenous Women and Girls.

[Translation]

In conclusion, there are many hopeful signs, but much more work remains to be done.

I encourage committee members to recognize that Canada's journey of reconciliation will be lengthy and sometimes difficult. We remain committed to the journey, however, because it will lead to a better place for all Canadians.

*Meegwetch.*

[English]

**The Chair:** Our second delegation will present and then we will go to questions for all of our guests today.

Monsieur Jean-François Tremblay, please introduce your group.

[Translation]

**Mr. Jean-François Tremblay (Deputy Minister, Department of Indigenous Services):** Good morning, Mr. Chair.

It is a pleasure to appear before this committee today.

Before I begin, I want to acknowledge that we are on the traditional and unceded territory of the Algonquin people.

I am joined by Gail Mitchell, Assistant Deputy Minister of Strategic Policy and Partnerships.

My goal is to give you a bit of background on Indigenous Services Canada, what we have accomplished so far, and what the road ahead looks like.

[English]

The department came into being on November 30, 2017. It brought together first nations and Inuit health services, formerly with Health Canada, with all the other services that were basically inside the old INAC. Those included education, essential social services, child and family services programs, housing, and infrastructure programs. The idea was to replace old colonial structures and to fast-track self-determination, to contribute to closing the socio-economic gaps, and to advance reconciliation.

The legislation that created this department came into force in July 2019, and clearly guides our work ahead, which is first to focus on improving the delivery of services and programs to indigenous communities across the country using a distinctions-based approach, with a particular focus on closing the socio-economic gap between indigenous peoples and non-indigenous Canadians.

Our second goal is to support indigenous peoples in delivering services and improving socio-economic conditions in their communities, because they are best placed to do so.

Indigenous Services Canada works in partnership with first nations, Inuit and Métis to improve access to high-quality services for indigenous peoples, and in doing so, improve the quality of life. The role of Indigenous Services Canada is to listen and support indigenous-led solutions and strategies. This is the only way that we can continue to build a new relationship grounded in the recognition of rights, respect, co-operation, partnership and self-determination. As my colleague noted, our approach is changing from imposing to actually moving toward co-developing.

• (1120)

[Translation]

The ultimate goal is to support the self-determination of indigenous people so that Indigenous Services Canada would no longer need to exist.

[English]

The objective is for us to disappear.

[Translation]

To this end, the department is focused on five key priorities: children and families together; quality education; improving health outcomes; reliable infrastructure; and economic prosperity.

We have made good progress in all of those areas.

[English]

I will use some examples.

On the well-being of indigenous children and keeping children and families together, which is one of the most important priorities, we have passed, thanks to Parliament, the Act Respecting First Nations, Inuit and Métis Children, Youth and Families. This legislation puts into law what indigenous peoples across the country have demanded, which is to have jurisdiction to develop and deliver child and family services, so that indigenous communities, organizations, and governments can decide themselves what is best for their children, families and communities. The goal, of course, is to drastically reduce the number of children in care.

We implemented Jordan's principle, which helps first nations children receive the assistance they need when they need it. Between 2016 and 2019, more than 508,000 products, services and supports, like tutoring, educational supports, speech therapy, medical equipment such as hearing aids, and mental health services, were approved under Jordan's principle. Probably half of that was last year, to show you how much it has grown.

We improved quality education for every first nations child by co-developing and implementing with first nations a new policy and funding approach for education on reserve that provides base funding comparable to provincial systems across the country. It also provides resources to support full-time kindergarten to four- and five-year-olds, as well as language and culture programs in first nations schools.

[*Translation*]

On improving health outcomes, Canada is working with first nations to advance indigenous-led approaches to mental wellness and to provide better access to effective, sustainable and culturally appropriate services.

There are now 63 community-led mental wellness teams serving 344 communities, up from 11 teams in 2015. In December, Minister Miller announced \$2.5 million to the Federation of Sovereign Indigenous Nations to develop an evidence-based suicide prevention strategy.

The goal is to support the development of other regional first nations strategies that would then inform a comprehensive national distinctions-based mental wellness approach.

[*English*]

On infrastructure, we are working to ensure that indigenous people in Canada have access to adequate, safe, healthy and affordable housing and clean drinking water. A joint working group, made up of the Assembly of First Nations and our department, with the support of the Canada Mortgage and Housing Corporation, is co-developing a 10-year national first nations housing and related infrastructure implementation plan. Together we have lifted, as you know, 88 long-term drinking water advisories. We are still planning to have them all lifted by March 2021. In partnership with first nations communities, we are also working toward long-term solutions to improve on-reserve water and waste-water infrastructure and ensure that water facilities operate efficiently and are maintained.

On economic development, we know that closing the gap between indigenous and non-indigenous Canadians in socio-economic conditions could boost Canada's GDP significantly. We have numbers saying that it is \$27.7 billion, according to the National Indigenous Economic Development Board. That is why, based on a recommendation co-developed with the Assembly of First Nations to provide sufficient, predictable and sustained funding for first nations, we are working on a 10-year transfer agreement so that first nations can count on predictable funding and have the freedom to design and deliver services based on their priorities. This past year, 85 first nations signed 10-year transfer agreements.

We are also working with all partners and stakeholders to have at least 5% of federal contracts awarded to businesses managed and led by indigenous people. We continue to capitalize aboriginal financial institutions, a key source of funding for indigenous entrepreneurs. Last year alone, these institutions provided \$125 million in development loans to indigenous entrepreneurs, helping to establish 1,158 new businesses, 36% of which are owned by indigenous women.

• (1125)

[*Translation*]

For hundreds of years, indigenous peoples have been calling on the Canadian government to recognize and affirm their jurisdiction over their affairs, to have control over their land, housing, education, governance systems, and services.

There is still a lot to be done. And as we have seen in recent weeks, there will be stumbling blocks along the way, but the work will be worth it.

[*English*]

It is worth it for all of us.

*Meegwetch.*

**The Chair:** Thank you very much.

Once again, we will go to our committee. Members have six minutes in the first round of questioning.

Our first speaker will be from the Conservative Party.

Mr. Zimmer.

**Mr. Bob Zimmer (Prince George—Peace River—Northern Rockies, CPC):** It's Mr. Vidal.

**The Chair:** Oh, I'm sorry.

Mr. Vidal, please go ahead.

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

My questions will mostly be for the indigenous services group, because that's the file I'm looking at.

As you mentioned in your report, in June of 2019, Bill C-92, an act respecting First Nations, Inuit and Métis children, youth and families, became law. It was implemented on January 1, 2020. Jeffrey Schiffer, director of Native Child and Family Services of Toronto, Canada's largest urban indigenous child welfare organization, is quoted in a CBC article as saying, "I think it was quick and it was hasty." He went on to say, "Honestly, it's a little bit reckless to have this legislation come into force without regulations that guide its implementation, and we still have so many different ideas across Canada about what's going to happen [with this]."

I have two questions in that regard. What is the status of creating the regulations to guide the implementation from coast to coast? How many indigenous communities have currently given notice of intention to the Minister of Indigenous Services to assume responsibility for their children?

**Mr. Jean-François Tremblay:** This legislation was co-developed with first nations, Inuit and Métis organizations. It was not the intention at the time to come up with regulations the day the legislation started. The objective was to work with them on what regulations would make sense for them, as we have to understand that we're not looking for legislation that would provide a one-size-fits-all model for everybody. What we're looking for is more legislation that opens the discussion between the parties to engage at the local and regional levels on what solutions are best. We have to be careful in developing regulations that would impede the capacity of the local and regional levels to develop solutions they prefer.

What we are doing now is re-engaging with first nations, Inuit and Métis organizations. They have expressed, as you can imagine, a desire to have a distinction-based approach at national, regional and local levels. We're looking at different formulas and different processes to put in place that will also involve and engage the provinces and territories, because that's key. That's basically the next step.

In terms of how many have basically self-declared, we have some who have said they want to go ahead. We haven't necessarily seen a lot of legislation per se. Sometimes we have discussions with first nations who say they want to go ahead, but it will be five years from now when they really start. What we're seeing now is people thinking about what the next step is for them.

What we're trying to do, as much as possible, is engage with them early on and ask what they're looking for. You have to remember—and Daniel can probably confirm this—even self-governing first nations have jurisdiction in many areas don't necessarily pass laws in those areas. That's the case for the Nisga'a and for a lot of other first nations.

The act itself of going with the law is something that first nations sometimes will not necessarily do. With a lot of the people who say they're interested in legislation, suddenly the discussion becomes about their desire to have an agreement with the province on this, not necessarily legislation. Therefore, it's really too early to know, but what we are seeing is clearly an interest that is picking up across the country by first nations as well as Métis and Inuit. We've had some of them tell us they will send us something by that date, and we'll have to look at it.

As you know, when we have that draft legislation ready, it would be our duty to make that information public.

• (1130)

**Mr. Gary Vidal:** Thank you.

As a follow-up to that, I had the opportunity earlier in January to meet with representatives from the Government of Saskatchewan, and they expressed some concerns about a lack of consultation at the provincial level. I'm sure you've heard that before.

Why weren't the provinces consulted or engaged earlier? The social service minister in Saskatchewan expressed an honest concern about no child falling through the cracks. Is there an intention to get the provincial departments more involved in the process going forward than they maybe were during the development of the legislation?

**Mr. Jean-François Tremblay:** It's always been an objective to do that. Developing legislation like that is quite a challenge, especially with three groups at the same time. We have kept provinces informed as much as possible. As I've always told them, I never refuse a call when they call me. I've always told them not to hesitate to do that; I invite them to do it. We continue to have those discussions. We had, for example, a meeting for technicians in Toronto in January. Provinces were there. First nations, Inuit and Métis representatives were there, and we were implementing a process to make sure that they would be part of the discussion.

The fact that it brings some nervousness, I think, is normal. It means that we're challenging the status quo. The fact that people are worried that kids will fall in-between the cracks.... I am concerned too, but they were already falling between the cracks at too high a rate. We have to understand that the status quo was not great and that we're trying to move to something different. It creates some turbulence. It creates some challenges and concerns, but at the same time, I think it's the objective to force that discussion and to make sure the discussion is happening. We are engaging with provinces, and we'll continue doing that.

Also, this uncertainty that they feel sometimes, I think, comes from the fact that neither of us wants to impose a one-size-fits-all approach. If I were doing that, they would probably be telling me that it's not the right approach. I think people must have the authorities and actually manage the situation.

**The Chair:** Thank you very much.

That's your time.

Our next speaker is from the Liberal party, Mr. Jaime Battiste.

**Mr. Jaime Battiste (Sydney—Victoria, Lib.):** Thank you, Mr. Chair.

Thank you, invited guests, for coming to this meeting.

I want to ask two questions, one around education and one around reconciliation.

In Nova Scotia, the Mi'kmaq took control of their education system 20 years ago with Mi'kmaw Kina'matnewey, which we call MK for those who are not linguistically gifted. We saw a 30% graduation rate increase to where we are today at about 90%.

The evidence seems to be clear that first nations-led and first nations-governed education systems achieve better results for first nations students. I also understand that there are 23 Anishinabek nations who have signed a historic self-government agreement on education.

Can you provide an update on the implementation of the Anishinabek education agreement and how MK is viewed by the department? Also, how are you supporting additional first nations to take control of the education of their young people?

I have one question after that, Mr. Chair.

**Mr. Jean-François Tremblay:** With regard to the Anishinabek one, we may want to send you detailed information because I'm not sure that I have all the details on the implementation of the self-government at this stage.

As for MK—because I'm not linguistically good; you heard my French already—we have a few of them in the country that are, for us—how can I say it?—guiding our actions. They're basically what inspires us in our day-to-day life and in our work. The other one, of course, is the First Nations Health Authority in B.C.

In some cases, it's the first nations under the 10-year grants who are taking control of their funding. MK, as you mentioned, in 20 years closed the gap, and in some aspects they're doing better than the general population in the Atlantic provinces. As you mentioned, even though some people sometimes contest it, that is because it's managed by first nations for first nations.

I met recently with the Cree of Quebec on other issues, and you can see the kind of progress that first nations are making when they actually make the decisions for themselves. That's why, for us, it's a model. That's why I said that the objective of my department is to become obsolete. I say to the staff on a regular basis that we are a species at risk that is looking for its own extinction. The way that it's going to happen cannot be directed from the centre. It's going to be different from place to place, but those are the models that inspire us.

NAN in the north of Ontario is an interesting one. We're doing some work in northern Ontario on health, on what we call “health transformation”. There's work being done in Quebec on health and social services. What we want everywhere, without imposing a model, is to say to the ones who want to take it up, “Let's do it.”

With regard to education, one thing that we've been doing is focusing on the funding formula because if you want to take over the education system, you need to make sure that you have a sufficient amount of money to manage it. We have been developing this formula, which was not easy, in co-development with first nations. It actually provides comparability with provinces, plus funding for some aspects that are not in the provincial formula. As soon as we have the funding formula, the funding, what we say to the first nation is, “Now do you want to take it and how?” MK becomes a model. It's not the only one. Some will say they're not ready to go that far. As you know, some nations would not necessarily work at this regional level, but others, of course, are looking at it.

We see it now becoming more and more evident. The First Nations Health Authority is inspiring people in northern Ontario and people in Quebec, but their solutions will probably be different at the end.

● (1135)

**Mr. Jaime Battiste:** Before I was elected an MP, I was the treaty education lead for Nova Scotia. I was really happy that one of the places that took me up on treaty education and training in cultural competency was the Amherst Indigenous and Northern Affairs office.

In the era of the Truth and Reconciliation Commission's calls to action, a lot of which mention education and training for creating awareness, and which are really a blueprint for reconciliation in Canada, what kind of education and training are staff of the department doing so that they can have the understanding and empathy for the people they are serving? What training are they doing in Ottawa, and are there any best practices you're utilizing?

**Mr. Jean-François Tremblay:** We have some programs. We have an introductory course on first nations, Inuit and Métis issues. Staff who arrive would have some training. We are now reviewing material to make sure that more and more people get detailed information. We also work on something in the department that is a new idea, which is to put mandatory training in everybody's learning plan every year. That does not necessarily mean going to a course. It could be an activity. It could be reading books. It could be leading with elders. It could be something different. We want people to engage with first nations, Inuit and Métis.

To be very honest and direct on this, I find the best practice is when the relationship is real. It's making sure that our employees have relationships with first nations, Inuit, and Métis and that they see exactly what's going on on the ground. It's more difficult in the headquarters, but the more we can have employees having discussions, having relationships with first nations, Inuit, and Métis leaders, the more it's important. I sometimes call it “indigenization” of the departments. It also means bringing more indigenous people into the department. The department is now at probably 27% or 28% indigenous people. Some of the regions are doing very well. For example, Ontario is now at 50%. We have places where it's easier. There are some challenges related to languages, but also getting people in Ottawa is not always easy. It is something that we're working on, figuring out how to systematically develop hiring processes that will actually target first nations, Inuit, and Métis at all levels.

**The Chair:** Thanks very much.

[*Translation*]

Ms. Bérubé, go ahead.

**Ms. Sylvie Bérubé (Abitibi—Baie-James—Nunavik—Eeyou, BQ):** I will use my time to give notice of a motion:

That, in accordance with Standing Order 108(2), the Committee undertake a study on the current Indigenous crisis in Quebec and Canada; that it invite the key stakeholders at the centre of this crisis: the Wet'suwet'en hereditary chiefs, the ministers concerned and experts on Indigenous affairs; and that it report back to the House.

I also have questions.

Mr. Tremblay, you say that you are ensuring that indigenous people in Canada have access to adequate, safe, healthy and affordable housing, as well as drinking water.

I represent the Abitibi—Baie-James—Nunavik—Eeyou riding, where situations are currently escalating in terms of access to drinking water and to housing. I know that you have a joint task force, one of whose members is the Assembly of First Nations. Which among the first nations is involved in that joint task force?



• (1140)

**Mr. Jean-François Tremblay:** First nations are made up of 634 communities in Canada. I do not have the exact figures, but 98% of the money we invest in infrastructure is intended for reserves.

As for drinking water, Quebec is one of the best provinces for aboriginals. Quebec currently does not have a long-term drinking water advisory and has not had any in a long time.

We are now working hard to decrease the number of long-term and medium-term advisories, which are likely to become long-term advisories. Over the past two years, there have been 150 advisories, and we have set up projects to prevent the situation from deteriorating.

We are now putting in much more time to provide people with the training they need to take care of drinking water systems. For example, in Quebec, first nations have implemented an initiative called the “Eaulympiques”, which compensates people who take care of water processing and recognizes their work.

In Quebec, the gap between wages on and off reserve is smaller than in other provinces. We are figuring out how we can provide better funding for training. It should also be ensured that they have the necessary financial resources for long-term repairs.

Institutions are another key element to take into consideration. First nations are increasingly implementing water processing initiatives. In the Atlantic, for example, the authorities in charge of water have made proposals.

We are also considering the proposals of the First Nations Infrastructure Institute. We are looking into how we can create infrastructure that is not only based on a single community, but on intermediate parties, who are experts and aboriginals.

**Ms. Sylvie Bérubé:** Does the joint task force include all the first nations you just mentioned?

**Mr. Jean-François Tremblay:** Yes. We are working with the Assembly of First Nations and the Canada Mortgage and Housing Corporation, or CMHC, which is an important partner. We are in constant discussions with regional and local organizations because this cannot only happen at the national level. We start with that and try to gather all the information.

In Quebec, there is a great deal of collaboration among first nations, the CMHC and our department. For instance, there are tripartite tables that discuss housing a lot. It differs from one region to another. The objective is always to determine what solution works the best.

**Ms. Sylvie Bérubé:** I assume that it varies from one province to another.

**Mr. Jean-François Tremblay:** Yes.

**Ms. Sylvie Bérubé:** I have another question.

You say that your policy explicitly states that rights cannot be extinguished, that treaties and other agreements can evolve over time and that negotiation mandates will be built through dialogue and collaboration between the parties. You say that you are making efforts to advance reconciliation.

I know that the situation is very difficult, even critical, right now. Are you still contributing to the advancement of reconciliation?

**Mr. Jean-François Tremblay:** Always. The obstacles are there, as they have been in the past. Canada has its grey areas. It's not all just the nice story we sometimes like to tell ourselves. This has led to a great deal of frustration over the years. Reconciliation requires certain issues to be addressed. It is definitely not easy, but, yes, we are still working on it.

[English]

I think my colleague is more responsible than I am on this, and he's way better.

[Translation]

**Mr. Daniel Watson:** I would like to add that it is important not to consider all of the nearly one million indigenous people in Canada from the same perspective and through a single action.

There is a broad spectrum of situations in the country. There are situations that are going very well, situations that are giving rise to serious concerns, and there are even concerns that are related to conflicts. We are working on all of those situations.

We are continuing to negotiate a number of agreements successfully. Even this week, people from various first nations, Metis and Inuit communities, talked about important issues that they have resolved.

Of course, there are other situations, as mentioned in the news, that must be resolved. Dialogue has always been a key element for addressing all those differences and understanding the perspectives brought to this conversation. Yes, we are continuing to work on this.

• (1145)

**The Chair:** Thank you.

[English]

Next we have the member of Parliament for the New Democratic Party.

Ms. Qaqqaq, please go ahead.

**Ms. Mumilaaq Qaqqaq (Nunavut, NDP):** *Mat'na.*

I have a couple of comments, and then some very basic questions.

To start, I'm pretty disappointed with the lack of mention of the Inuit and Métis in both of these presentations.

Eighty-five percent of my constituents are Inuk, and my colleague from the Bloc Québécois also has a lot of Inuit in her constituency. We continually see the lack of services for Inuit and Métis. It's hard to talk about things like training for maintaining water system infrastructure when that infrastructure isn't even there to begin with.

There is also a lot of inconsistency with the wording in the document. Sometimes it refers to “indigenous peoples”, and sometimes to “indigenous people”. Sometimes the word is capitalized; sometimes it's not. I would recommend going by the UN declaration and mimicking whatever wording is used there.

I would like to know from both departments how many individuals in each department are indigenous, and how many of those indigenous peoples are in actual leadership roles where decisions are being made.

Then in both departments, are there definitions for things like, what is reconciliation? What is reconciliation to the Department of Indigenous Services and Department of Crown-Indigenous Relations and Northern Affairs? How do both departments define a reserve, a first nation, an Inuit or Métis community?

I will leave it there for now.

**Mr. Jean-François Tremblay:** Maybe I can start.

First all, if we didn't reflect first nations, Inuit and Métis as much as you would have liked, I'm sorry. I must say, though, that if you look at the period since 2016, you see many initiatives that never existed before that are distinction-based, which before were only “first nations”. For example, we developed a first nation, Inuit and Métis housing strategy that for the first time included 10 years of funding for the Inuit organizations, as well as the Métis one.

The last budget also included a post-secondary education or PSE strategy that included specific funding dedicated to the Inuit as well as the Métis. We never had one that way before.

On Jordan's principle, we're working now with the Inuit with the child first initiative in the north. We also try to make sure that as much as possible the kids are getting services. This year we're starting and have already addressed 5,000 cases through this strategy.

We are thus really first nation-, Inuit- and Métis-focused, much more than we were before. That said, there's been traditionally a role for the federal government—this answers a bit your questions about reserves—that has been focused on first nations communities or first nations reserves.

The reason is that under subsection 91(24) of the Constitution Act, 1867, the reserves are Indian land and are federal territory, basically. That's the way the lands that were provided to the first nations—or “Indians”, as it was written at the time.... It raised an issue of the fiduciary role and the responsibility that the federal government has.

There is also the fact that provinces, most of the time, don't fund infrastructure in those communities. Exceptionally they do, but most of the time they do not. The fed is directly there. That explains, or it's one of the reasons that a significant percentage of the budget would be dedicated to the first nations. It's not because we are not first nation-, Inuit- and Métis-focused per se. It's also because of this traditional, historic role that we have.

On the issue of the people in the department, as I mentioned before, 28% of my staff are indigenous. It's by far not enough. In terms of people in positions of authority, I don't know; I would need to find out. I need to also know exactly how I would define it.

I can tell you, however, that we have among probably seven assistant deputy ministers three who are indigenous. At the director and DG level, we have some.

As I said before, however, it's actually more difficult at the executive level. I would be very frank with you: the most difficult issue is the language barrier. When you come to be in a position of managing people, the law says that you have to speak both official languages. This is an issue that we have. We're trying to make programs, as much as possible, for people to learn their French or English, but this is one of the challenges.

● (1150)

**Mr. Daniel Watson:** May I add to that, Mr. Chair, very quickly?

I take your point on the remarks.

There are a number of things that we're doing. Remembering that we are the Department of Crown-Indigenous Relations and Northern Affairs, there are a number of different angles. I will list a few that we're working on at the moment.

One important thing we're working on is devolution in Nunavut, which will have a significant impact on Inuit control of various conversations and regulatory decision-making in Nunavut through any one of a number of different structures.

We are in the process of resolving a number of the overlapping claims that come out of the Nunavut Final Agreement and that deal with other parts of overlaps into the Northwest Territories and Manitoba and other places.

The minister's mandate letter talks about responsibility for working on an Inuit Nunangat policy, which is something that the Prime Minister has tasked her with continuing to develop. That will obviously be of great significance to people not only in Nunavut but throughout the Arctic and the North.

The Arctic and northern policy framework document, while not specifically related to Inuit, will have a significant impact over time. A lot of work continues to be done on it, although the framework is out now. We think this is an important step.

Significant steps have been taken in nutrition north, which again is not specifically an Inuit program, but Natan Obed and others from ITK have had an awful lot to contribute to it. The harvesters grant that has been announced is a very important contribution to recognizing things that Inuit people have been saying for a considerable period of time and that we will do.

The final item that I would note, Mr. Chair, is the implementation of the Nunavut Land Claims Agreement. It's obviously critical, and the department has significant responsibilities for it.

**The Chair:** Thank you.

That's our time on that round. We go to the five-minute round and come back to the Conservative member Mr. Zimmer.

Go ahead, please.

**Mr. Bob Zimmer:** Thank you, Mr. Chair.

Mr. Watson, I'm glad you brought up the devolution agreement. I'm just looking at the minister's mandate letter to "Continue to work on the Nunavut Devolution Final Agreement".

We all know it's been going on for the last 20 years. Some territories have had more success than others. Nunavut is still an outstanding...and it hasn't been finalized or, it sounds like, even come close.

That's my question: where are we? It's a policy that we've supported and we believe that it's key to the economic success of Nunavut and its people.

One reason it is current this week is the article titled, "No more protected areas until devolution, Nunavut premier tells Ottawa", which states in part:

The Government of Nunavut won't support any new marine protected areas, or any other federal conservation areas in the territory, until after a devolution deal between Canada and Nunavut is completed, says Nunavut Premier Joe Savikataaq.

The reason this is a particularly sore spot for me, as a member of Parliament for northern B.C., is that we just saw a huge tract of land—700,000 hectares in northern B.C.—close with little to no consultation with the local indigenous and non-indigenous people in my area. We tried. We tried to have a seat at the table, to have some input. We said if they really wanted to see caribou populations increase, they needed to talk to us.

I understand. I can completely relate to the premier's concern about this, and that's my little statement there, you could say, but the question is, where is devolution at? If this is what's holding up so many things in Nunavut, where is devolution at, from your perspective today?

**Mr. Daniel Watson:** I can at least say that on August 15 of last summer we signed an agreement in principle with the Government of Nunavut and NTI, Nunavut Tunngavik Incorporated, representing the Inuit. I think that's very important. It's a critical step and as you say, the negotiations have been going on for a considerable period of time.

Agreements in principle, both historically and in my experience, are the ones that are the hardest to get because that's the point at which you decide that a number of things that all the parties hoped they would have, maybe at the beginning, are not going to be possible and they have actually landed within a zone where it's really figuring out the details from there to the end.

I obviously can't give a time frame—it's a multi-party event—but that very significant milestone has been crossed, and the important thing is that it involved all three parties—the federal government, the territorial government and the Inuit—and that leaves basically everybody who needs to be in agreement around that there.

I think—

• (1155)

**Mr. Bob Zimmer:** My challenge to you is on the bureaucracy that implements what the government wishes to do. My challenge to you would be to listen to the people on the ground, both indigenous and non-indigenous, and listen to what they're trying to say.

What we had was a prescriptive document that said, "This is what it's going to look like, whether you like it or not." There was a ruse that they were going to listen to what we had to say. Nothing was substantively changed in the document, which we wanted to change. I just challenge you to listen more closely to the people on the ground.

I'm going to pass the rest of my time, if there is any, to Mr. Schmale.

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

I'll just keep going with you, Mr. Watson, if I may.

Based on your experience at WD, you're very familiar with economic activity and how to spur that. Having said that, I'd like to get your thoughts on economic development as a whole.

Is it really a thing in your department? By that I mean would Finance not be better suited to handle such things as infrastructure for other agreements that your department might not be best suited for?

**The Chair:** We have a minute for that answer.

**Mr. Daniel Watson:** We don't handle infrastructure agreements, but—

**Mr. Jamie Schmale:** Right, but promoting economic development is what I meant. Sorry.

**Mr. Daniel Watson:** I'll speak for 20 seconds and then I'll leave my colleague with 40 seconds because he has a program.

One of the critical things is certainty—and with absence of certainty there is very little prospect for economic development—and support. Those are two key things.

Agreement after agreement that we've worked on over the country has tried to create certainty and has tried to create the conditions that allow people to feel comfortable supporting things. To me, that would be a key ingredient.

Economic development programming is with my colleague, so maybe I can leave the other 30 seconds to him.

**Mr. Jean-François Tremblay:** Quickly, first, Finance is always involved because they see everything that goes through the budget, and at the end of the day it's a budget ask.

I think at the end, to be fair, there are a lot of first nations, Inuit and Métis business people and associations and organizations so, over the long term, we should actually make sure that they do it by themselves.

When you look at the biggest successes we have on economic development, those come from some of the first nations institutions that have been created over the years; for example, the First Nations Management Board, and others that have been created. I think that's, for me, where it should be, because they have more capacity and more knowledge about economy than my departments would ever have.

**The Chair:** We're in a five-minute round. I apologize. We might be able to pick that up next.

We do have, from the Liberal Party, Ms. Zann.

You have five minutes.

**Ms. Lenore Zann (Cumberland—Colchester, Lib.):** Thank you very much for being here and for your presentation. I'd just like start by telling you something, and then I want to ask you about it.

Maurina Beadle was a Mi'kmaq mother and a friend of mine from Pictou Landing First Nation in Nova Scotia. She's the woman who took Canada to court over Jordan's principle, and she won, in an effort to help her disabled son, Jeremy. Sadly, she died recently, but not before she made a huge impact on this country.

When Canada told her to place her young son Jeremy, who needed round-the-clock care, in an institution because of his high special needs while she recovered from a stroke, Maurina famously said, "No way!" Instead, she tried to get services through Jordan's principle, and her case landed in Federal Court, where a federal judge agreed that Canada had a duty to help pay for medical care for Jeremy at home.

The legal precedent foreshadowed the finding by the Canadian Human Rights Tribunal that sparked the delivery of over a quarter million in Jordan's principle services, and that was in 2016. She received the Queen Elizabeth II Diamond Jubilee Medal in 2012 in recognition of all of her work. I really miss her. She was an amazing woman.

I want to ask you about Jordan's principle. Minister Miller's mandate letter includes a commitment to continue to fully implement Jordan's principle, and it was determined that we need a renewed approach. In 2016, the Government of Canada was told that the way it was looking after services for first nations children was discriminatory.

Can you tell the committee more about what the government is now doing to ensure the continued proper implementation of Jordan's principle?

• (1200)

**Mr. Jean-François Tremblay:** We have put in place everything needed to make sure that we are able to respond quickly to any demands. As you know, in many cases we have 48 hours, for example, to respond. This means that the number of demands is skyrocketing, which is good. This proves there's a gap, and the gap needs to be addressed. We are probably now at more than \$500 million this year on Jordan's principle. I suspect it's going to continue to grow.

I think that, for us, what is needed now is a discussion with first nations on how to do it in a sustainable way. I'm not talking about funding. I'm talking more about the way we do that, because at the moment we respond to demands. We don't anticipate the demand. If

you have, for example, a problem at school, and kids need breakfast in the morning, it's not about program for providing breakfast, but a list of names for whom I have a decision to make to provide breakfast.

When we see those gaps now, more and more, I think that phase two would be engaging with first nations on a sustainable way of doing it and making sure that we're not just responding to the gaps, but actually addressing the gaps in terms of services. For me, that will be the most important thing with Jordan's principle over the next few years.

I would say that we're discovering it as we go, not because we didn't know when we saw it ramping up, but it continues to ramp up, and I think, like all partners, we'll discover at the end what exactly should be the way to address it.

Most of the demands now are community demands. They're group demands. They're not necessarily individual. We still have significant numbers of individuals, which is quite demanding, but more and more, what you see are communities or groups coming and saying that they need funding for mental health to address the needs of so many kids.

**Ms. Lenore Zann:** Thank you. I have one more quick question.

One of our most important priorities is reducing the number of indigenous children in care. I was pleased to see Bill C-92 receive royal assent in 2019.

Can you tell the committee how C-92 will return jurisdiction over child and family services to indigenous communities so that they can decide what's best for their own communities?

**Mr. Jean-François Tremblay:** As I said before, the legislation is part of a larger reform, so they don't necessarily have to use jurisdiction. They have the authority to do it if they want to exercise their jurisdiction. If they decide to do so, they can do it without telling me, but their law will be under the provincial one at the end. They won't necessarily have the...I don't remember the legal term we use, but they will not necessarily have the first. They're not going to win before the court in-between a provincial law.

We're suggesting to them if they want to have the *primauté* of their legislation, they have to tell us and they must have at least one year of agreeing with provinces and us on the coordination for the implementation. It's not because we question their jurisdiction; it's to make sure that the kids will not fall through the cracks. After a year, if we've done that in good faith, they can go directly with their legislation. That's the way to do that. It's only if they choose to go with this legislation. A lot of them are looking more at taking prevention services, for example, not necessarily the in-care services. A lot of them are looking for solutions that are more about how you make the ones who manage their kids more accountable at this time and how you get the information for family reunification.

There's really no one-size-fits-all for this. It's first nation by first nation, Inuit by Inuit and Métis by Métis.

**The Chair:** Thank you.

These are five-minute rounds now.

Mr. Viersen.

**Mr. Arnold Viersen (Peace River—Westlock, CPC):** Thank you, Mr. Chair.

Thank you to our guests for being here today. It's good to see you all again.

Mr. Tremblay, one of the concerns that keeps arising in my riding is about band elections and due process for band members when they feel there is an irregularity or a change of date, these kinds of things. In one case where there is no quorum because people have resigned from the band council, they're unable to make quorum anymore and there's an expectation that INAC will step in to fill the void. Because they can't make quorum, they can't sign cheques and people aren't getting paid. I'm speaking about Kapawe'no First Nation.

What is the process for allaying some of these concerns around due process when it comes to elections?

• (1205)

**Mr. Jean-François Tremblay:** For those managed under the Indian Act, there's a process whereby they can contest an election. The federal government continues to be the one making sure there's an investigation. The minister or delegated authority under the minister conclude if the election was valid or not. In those cases it's Elections Canada.

A lot of first nations choose to get out of the Indian Act for their elections. In their case, it's their own law and rules. As far as I remember, they have to go through court, like anybody else, if they want to contest an election.

**Mr. Arnold Viersen:** And in the case of there not even being a quorum to hold a band meeting, would your department not step in and manage that?

**Mr. Jean-François Tremblay:** We make some arrangements on this. Sometimes a third party will do that, but we try to find a way to make sure that services.... I know a case where there is an issue with the election. That said, at the moment they continue to manage the reserve or the band or the community. But it is done with closer eyes, if I could put it that way.

**Mr. Arnold Viersen:** With the Kapawe'no First Nation, the letter is in the mail. I'm looking forward to communicating with you on that for sure.

The other issue around the rule of law is the First Nations Financial Transparency Act. I was just on your website and clicked on the link to see the financial statements releases, and it's not working right now. I don't know if that's on purpose or not. I'm just hoping it goes. This page is not available.

**Mr. Jean-François Tremblay:** When did you go? Was it yesterday?

**Mr. Arnold Viersen:** I just double-checked it a moment ago.

**Mr. Jean-François Tremblay:** Okay. Because I asked them to remove it today. No, please, I'm joking!

**Voices:** Oh, oh!

**Mr. Arnold Viersen:** Okay.

**Mr. Jean-François Tremblay:** Sorry.

**Mr. Arnold Viersen:** That, for me, is important. Band members reach out to me and often ask where the money is going, and I can say there's the link with the financial statements for their first nation. That usually allays their concerns. I want to make sure that's not a decision that's been made, but it's just because the Internet's not working for me today.

Finally, for Mr. Watson, the KTC, the Kee Tas Kee Now Tribal Council, in northern Alberta, has an arrangement for education—and the letter is also in the mail for you—and they're concerned about finalizing that agreement. Would you explain the process a little? This whole negotiation has happened without my involvement. Is there an opportunity or need for me to be involved in that? How does a member of Parliament help a first nation community, or a group of first nations in this case, get resolution on some of these arrangements that are being made?

**Mr. Daniel Watson:** If I could turn it over to my colleague, Mr. Tremblay, it's not that I don't want to answer the question, but I want you to get the right information.

**Mr. Jean-François Tremblay:** We do try to negotiate regional education agreements across the country. They take different forms. Sometimes they're at the provincial level, like FNESC, for example, which exists in B.C. Sometimes they're with tribal councils, and sometimes it's different. I think it's one that is on their minds. I don't have the specific information on KTC. We'll be happy to read and make sure that we respond to your letter.

I think that you're doing the right thing, which is to raise it. I think at the end of the negotiations, of course, it's between the Crown and the first nations on this. We try to eliminate the money variable by having a formula now. The question becomes more about what kind of services they want to deliver. Sometimes it also comes to issues around infrastructure that are not necessarily linked to the funding formula, but are also key in terms of if they—

**Mr. Arnold Viersen:** That's precisely what they're concerned about.

**The Chair:** The time is up.

Thank you very much.

Let's go for another five-minute session with Mr. van Koeverden.

• (1210)

[*Translation*]

**Mr. Adam van Koeverden (Milton, Lib.):** Thank you, Mr. Chair.

I thank the witnesses for joining us today.

My first question is for Mr. Watson.

[*English*]

It's about progress. You stated that five years ago there were only discussions going on in communities in three regions, and today there are active discussions. With respect to the boil water advisories, to take one example, if you use broad strokes we're about halfway there, as we know. Oftentimes, the first half an objective is the easier half of an objective—I'll use an analogy of a race—so perhaps the second half of the remaining objective will be more difficult.

My first question is—and I'll ask you both—what is your strategy for accomplishing the second, potentially more difficult, half of that very significant undertaking?

My second question is for Monsieur Tremblay. It is around power in indigenous communities. As we all know, many communities continue to rely on diesel-fuelled power as a primary energy source. We've heard from many communities that this is becoming increasingly challenging as the impacts of climate change affect their ability to access diesel, as well as the cost.

Can you update this committee on the work that your government is doing to support a transition to clean, renewable and reliable energy in the context of a climate change strategy and energy security in indigenous communities?

**Mr. Daniel Watson:** On the agreements, first of all, we've been able to convince people that there's something worth talking about. This was one of the major steps in what we call the right to recognition table, or RIRSD.

For 30 years, we said to people that if they wanted to talk about anything related to rights, they had to talk about everything. That was a comprehensive claims process. If they only wanted to talk about child and family services, we said they had to talk about policing, administration of justice and everything else, or that would be the end.

We're able to say now that if they want to talk about just two or three of these things, we will do that. One of the other things that was a significant change is we had said that once you lock it down, you never get to open it up again, period. A lot of first nations, Métis people and Inuit people found that very difficult. They wondered how they would know what might make sense in 70 years from now or a hundred years from now. Those changes have led to many people, who sat on the sidelines before, saying that they'd now like to talk to us about the things that they want to talk to us about in the knowledge it's not locked down forever.

I think it will fall upon us in government, in particular, to demonstrate that we actually reach agreements. I think that the way we implement our existing agreements will cause people to watch and see if this makes sense and once the federal government signs, they'll actually deliver on these things.

I think that we need to make sure that we just continue to demonstrate our willingness to have these conversations and, most importantly, to demonstrate that they can be real in the lives of communities because they have many things going on. A theoretical conversation doesn't accomplish anything. It's not going to be something they will invest a lot in. They want to see practical results.

**Mr. Jean-François Tremblay:** On the diesel, there are 56 diesel-dependent first nations communities across the country. Thirty-eight of them receive funding from us. The others actually receive services from provincial utilities.

We are working and investing in trying to find alternative solutions. One of the biggest projects we developed over the last few years is the Watay project in northern Ontario, which is a big electricity line project that will take more than 16 communities off diesel, and potentially more if others want to join at some point. It's a project that has treaties of partnership between private sectors and first nations private sectors.

The good news is also that the indigenous business community is very active in renewable energy. That's something that we're looking at: How do you actually link both? As you can imagine, a lot of those communities are small. Ending complete dependency on diesel could be difficult, but the issue is how you would use the percentage.

**Mr. Adam van Koeverden:** Permit me to interject, because we only have a moment.

You mentioned there are 56 or 57 first nation communities. They do not include Inuit communities, so that question, I believe, you have just answered.

Have small modular nuclear reactors been considered for very remote communities?

**Mr. Jean-François Tremblay:** That would be a question to ask my friends at Natural Resources Canada. They would have more information on the timing for deploying such initiatives. I'm dreaming about it sometimes.

For the Inuit community, it's managed by northern services. It's not something I do, but it is the same thing.

What we're trying to do on diesel is to connect the few departments that have authorities over this, which include NRCan or Natural Resources, Environment and ourselves, and Infrastructure Canada. We are trying to have a map of the situation, thinking how to reduce it, and what is the cost and what is the most efficient way of doing it.

• (1215)

**The Chair:** We will now go to questioning for two-and-a-half minutes.

Ms. Bérubé.

[Translation]

**Ms. Sylvie Bérubé:** Thank you, Mr. Chair.

Mr. Tremblay, you said earlier that, for first nations, access to drinking water was not so bad in Quebec. However, according to the latest news, nearly 300 Kitigan Zibi households have to settle for bottled water. Since the early 1990s, water has been contaminated occasionally.

What is the plan to resolve this situation?

**Mr. Jean-François Tremblay:** As I said, those situations exist everywhere. In terms of performance in Quebec, we see that the situation is not really the most critical. It is worse in other places. As I mentioned, funding is intended for building water infrastructure and repairing existing infrastructure, but also for capacity and training. That comes both from us and from indigenous organizations that can do the work themselves.

There is no miracle solution. Situations will have to be managed like this over the long term. Major investments have been made in water infrastructure, but it was in 2015 that they really started to increase. Catching up in this area takes time. That is really one of the key priorities for the department. All of our regional directors are working with first nations to determine which communities have the most urgent needs and to ensure that the funding is provided to them.

There will always be boil water advisories. There are some in non-indigenous communities, as well. Of course, when advisories are extended, it becomes unacceptable. In spring and fall, situations of that sort can occur anywhere, including here, in the region. We want to make sure that those situations are very limited and that they are due to special circumstances.

**Ms. Sylvie Bérubé:** Do you already know which cases are special?

**Mr. Jean-François Tremblay:** We analyze drinking water systems. In all reserves and first nations communities, we are responsible for carrying out those analyses. We do them regularly, as the case should be across the country. You can see the results. That data is also communicated to community chiefs.

Before the advisory even changes, we have to know what condition the infrastructure is in. The advisory can be very good and suddenly become very bad. So it must be determined how the infrastructure in place can be replaced on time. Obviously, it is recom-

mended that infrastructure be replaced before such a situation arises.

[English]

**The Chair:** That's our time in that round.

Ms. Qaqqaq, from the New Democratic Party, for two-and-a-half minutes.

**Ms. Mumilaaq Qaqqaq:** To clarify Jordan's principle, is it something that applies right now to first nations?

You mentioned there would be a more specific Inuit one. Is there also one for the Métis? Will there be three different types or forms of Jordan's principle for our indigenous groups?

**Mr. Jean-François Tremblay:** Jordan's principle was first developed for first nations on-reserve, and the reason the federal government was asked to jump in was that we were seen as the responsible jurisdiction.

Normally, Jordan's principle applies to all jurisdictions. Jordan's principle says that whoever you are, when you get the call, you should act, and not question whether you have or don't have the jurisdiction. So it also applies to the provinces. You may want to remind them.

For Inuit, we're working with ITK on the child first initiative in the north. We're working with them on ways to address the needs of the Inuit kids in the north. It is not necessarily Jordan's principle, which is the way we apply it with first nations. It is an initiative that is more dedicated to the Inuit.

In some ways, Jordan's principle gives back authorities to the federal government, which I'm not sure is necessarily where we want to go in the long-term, because it implies that people should call the federal government when a decision has to be made. It's not necessarily totally aligned with self-government, so we need to make sure that when we implement Jordan's principle, we respect the fact that first nations, Inuit, and Métis want to make those decisions for themselves. That, for me, is the next step for Jordan's principle. It includes the Inuit, because they have, as you know, an agreement.

• (1220)

**Ms. Mumilaaq Qaqqaq:** I would also suggest that "Inuit" directly translates to "people", so when you say "Inuit people", you're just saying "people people".

**Mr. Jean-François Tremblay:** I know, and if I include an "s", it doesn't make sense because it's already "people". I know that, and I don't use the "s" in French, even if I'm told I should.

Thanks.

**Ms. Mumilaaq Qaqqaq:** I've heard of ITK a lot. I'm wondering if there are any other groups that are Inuit organizations or representing communities that are majority Inuit, or is it just ITK primarily that you work with?

**The Chair:** You have 10 seconds for that.

**Mr. Jean-François Tremblay:** No, for example, on the housing initiatives I mentioned before, the money goes directly to the regions; it doesn't go to ITK. ITK doesn't deliver services for Inuit people—

**Ms. Mumilaaq Qaqqaq:** I know, I worked there.

**Mr. Jean-François Tremblay:** We engage with them, but we don't necessarily go through ITK to manage those services.

**Ms. Mumilaaq Qaqqaq:** You didn't mention any other organizations.

**The Chair:** I'll have to leave it there—

**Mr. Jean-François Tremblay:** We work with Makivik, NTI, the Inuvialuit...and we also work with others.

**The Chair:** Just let me interrupt for a moment.

We try to stay on time with the length of the questions because on very busy days, we will in fact run out of time. We have a little extra time today, so is it the pleasure of the committee to continue with further rounds of questioning? Do we have more questions?

**Some hon. members:** Agreed.

**The Chair:** Okay. We'll do another round of five minutes, beginning with the Conservative Party.

Who would like to go? Mr. Schmale.

**Mr. Jamie Schmale:** Thank you very much, Chair.

I appreciate the departmental officials hanging in there—nicely done.

I want to start with your departmental plan for 2019-20. On page 17, it reads:

In respect to health, social and education services, there is a risk that the Department will not sufficiently address the needs and aspirations of Indigenous communities, such as adopting processes and services, in a way that is supportive of partnerships and nation-to-nation building.

It goes on to talk about your departmental result indicators, your targets and your dates to achieve those targets. When talking about tuberculosis and the incidence rate among those living on first nations reserves, you have your target of a three-year average of 22 cases of TB per 100,000 of population, and you have a date to achieve that target of 2028.

Maybe a point of clarification for me is that there are active vaccines and medications that can combat TB. According to your website, there are 40% more cases of TB among those living on reserve than for non-indigenous people. Can you explain why it is taking so long to get to zero and what the barriers are?

**Mr. Jean-François Tremblay:** Overcrowded housing is probably the most important one. Yes, housing issues are probably the most significant one. We see it in many communities, but what you see sometimes in some communities is that there's almost a crisis. In most cases you also see it with the Inuit population in the north, in Nunavut. Most of the time it's related to housing, which is one of the reasons we need to focus on housing across the country. That explains why the government has also focused on housing at the same time it has set this target for tuberculosis, because if you really want to address the long-term issues with tuberculosis, you need prevention, you need people to know and to address the situation.

We have cases where kids were sent to the hospital and it took too much time for people to discover that they had tuberculosis because people at the hospital didn't believe it. We need awareness among the population and also in the health services. We also need to make sure that the housing issues are addressed. If you have houses with mould and overcrowded housing, and if people smoke too, there are different factors as you can imagine that contribute to that.

**Mr. Jamie Schmale:** This housing issue did just start today. It's been going on for decades.

**Mr. Jean-François Tremblay:** Yes.

**Mr. Jamie Schmale:** What is being done? I know you mentioned what the government is doing, but what is the schedule to get these units built and actually functioning so you don't have these overcrowded situations.

**Mr. Jean-François Tremblay:** If you look at our numbers at the moment with CMHC, you will see probably close to 16,000 houses repaired and built. That's basically what we have in terms of funding. Our annual budget on housing has almost been doubled. Is it enough? We're still talking about what the 10-year plans for housing would be, and that's, of course, for first nations on reserve. We have developed for the first time a 10-year initiative with the Inuit organizations for Inuit people, and we have one for the Métis. It's also going to take a dedicated effort by provinces and territories. As I said, we are catching up from being underfunded for years and years. There's a gap there, which some have assessed at 40,000 units, that needs to be addressed before we catch up. It's going to take a few years. We are building at a rhythm that we have not built for years and years.

• (1225)

**Mr. Jamie Schmale:** Continuing on the health care part of it, on page 11 of your departmental plan, it reads, "Making further investments to provide nursing services 24/7 in remote and isolated communities".

Could you give this committee an update of where you are on that goal?

**Mr. Jean-François Tremblay:** We have nurses stationed in all communities. Some are our employees, and some are employees of first nations. We provide primary health care services in communities that are too far from the provincial system; otherwise, we provide public health.

Our challenge in this is recruitment and retention. It's making sure that we find nurses. It's making sure that, as much as possible, we find nurses who are first nations, Inuit and Métis, and making sure that they stay there. Indeed, one of the biggest objectives is making sure that we have nurses who will stay there. I've seen beautiful examples of people who have been working for more than 35 years in the same places in Nunavik, for example, but that's not always the case. How do you make sure that you've got enough nurses and that they can operate 24-7?

**Mr. Jamie Schmale:** Do you find that same challenge with health care professionals, tracking and retaining health care professionals as, say, with skilled trades or teachers, and that kind of thing?



**Mr. Jean-François Tremblay:** It's the same with teachers and less so, maybe, with skilled trades. Of course, for health professionals it is a challenge, and you need to make sure that nurses and teachers have a house or place to live and find it to be a value proposition that they want. A lot of them do that because they like it. They find it interesting and different.

A lot of first nations, Inuit and Métis who have diplomas would like to go back to their community or communities, but how do you make sure there's more for them with a diploma, and how do you make sure that you recruit more and you keep them there? It's a relationship of trust, as you know, that health professionals develop with their clients or the people they work with. It's not different from what it is with doctors in my area.

**Mr. Jamie Schmale:** I have more questions, Chair.

**The Chair:** I know, but that's our time.

**Mr. Jamie Schmale:** Maybe the Liberals would like to share their time with me.

**The Chair:** Our next speaker is Mr. Powlowski for five minutes, please.

**Mr. Marcus Powlowski (Thunder Bay—Rainy River, Lib.):** First, maybe this is an observation, and I don't know if you will have much of a response to this. A number that jumped out to me from your speaking notes is the \$2.5 million for an evidence-based suicide prevention strategy.

To me, having worked as a doctor either in indigenous communities or communities like Thunder Bay, which have large indigenous populations, that doesn't seem like a lot of money. If you consider that there are a million indigenous people in Canada, that's \$2.5 per person, yet so many communities and families have been devastated by suicide. Is that enough money? What else are you doing to try to address that major problem with suicide in indigenous communities?

**Mr. Jean-François Tremblay:** That's a very good point that it's only \$2.5 million. We have this \$2.5 million because the FSIN, the Federation of Sovereign Indigenous Nations in Saskatchewan, asked for the development of a regional strategy and its implementation. The amount of \$2.5 million doesn't fund, necessarily, the initiatives per se. At the moment we spend something like \$425 million on mental health services a year. We also respond directly under Jordan's principle to mental health demands, as we also do in the context of an emergency or crisis.

What we want to do with those initiatives now is not just put more money on the table, but make sure that the money is more proactive and driven by prevention and culturally sensitive, adapted and community-driven initiatives. For example, sometimes when there's a crisis, what we hear from first nations is that a lot of people come forward when there's a crisis, but when the crisis seems to be disappearing, people just leave. How do you make sure that you prevent those crises? You're a doctor, so you know that it's more about work on prevention than in reaction to a situation.

There's already a national strategy on suicide prevention or mental health that was developed by first nations that is really well done. I would invite you to look at it. The question now is: How do we support the implementation of such initiatives?

• (1230)

**Mr. Marcus Powlowski:** I am from Thunder Bay, a community—I think one of many like Winnipeg, Edmonton, Saskatoon—that's recently experienced a large influx of indigenous people from northern communities. A constant refrain that I hear in Thunder Bay is that we have this large community here, but we're not getting the funding to provide services for that community. I know there's Jordan's principle that says nobody should fall between the cracks, but it seems like that's just filling in the cracks and not really a plan.

What is being done to assist indigenous people coming to these kinds of communities to get the services they need to integrate, if they so chose, into the society?

**Mr. Jean-François Tremblay:** Most of the funding in urban areas is through the friendship centres. We work with friendship centres. On the housing strategy, there are also possibilities in the future, working with provinces and their social housing allocations and making sure it benefits first nations, Inuit and Métis in urban areas.

It is a phenomenon that is increasing. It is a place where the jurisdictional challenge is probably the most significant one. What we see more and more now is locally driven initiatives trying to combine funding from different sources. That's something we're looking at.

If you look at the last budget, I think we received \$70 million for urban infrastructure precisely to help organizations that try to support first nations, Inuit and Métis living in difficult situations.

Thunder Bay is a good example. Winnipeg is another one. There are places such as that in the country, for sure.

**The Chair:** You have less than one minute.

**Mr. Marcus Powlowski:** Lastly, let me express a bit of frustration.

Fort William First Nation wants to build a chronic-care home to put up 100 elderly people so they can stay in the community. In trying to find funding for this, they got money from the province. We're looking for federal money, but it doesn't fit into any category.

It doesn't fit into Indigenous and Northern Affairs. It doesn't fit into CMHC. It doesn't fit into Health. It's a frustrating exercise to try to find funding for something such as this, which seems to be good on so many different levels. It unburdens the health care system and it provides something for first nation community employment.

Anyhow, I don't know if you have any response. It's my frustration.

**The Chair:** You have two seconds. Keep it very brief.

**Mr. Jean-François Tremblay:** I fully understand your frustration.

Send me the projects. It is something we should talk about in the context of a 10-year infrastructure plan. First nations are raising it: The population is aging, and having the population age outside the community is not necessarily in their best interest. It is something that we need to look at.

**The Chair:** Thank you.

Next we'll go to a five-minute round with Mr. Vidal.

**Mr. Gary Vidal:** Thank you, Mr. Chair.

Mr. Tremblay, I have a question for you about the funding provided to the FSIN in Saskatchewan. I had the privilege of being at that announcement. I joined your minister there, and I was pleased to do that.

Subsequently, I've had a number of conversations with first nation leaders in my riding. There are three first nations in my riding that are not part of the FSIN. What's our answer to those people in the sense of how they access some of this help?

They're facing the same crisis in their first nations as the ones that are part of the FSIN.

**Mr. Jean-François Tremblay:** It's not the FSIN or those communities; it's both. We're multiplying the effort. We'll see what's going to come out of this process with FSIN.

They had significant support from communities in terms of going ahead with a regional approach. The activities remain at the local level.

I know communities are sometimes concerned about it. They know more than I do. They know that if you really want to address the situation, you need to be on the ground and you need to do it with the community.

The FSIN proposal is not one to develop everything from the centre and to decide. It's more a coordination of actions. I think we should give the process a chance and see what's going to emerge from that.

The fact that we are doing this work with FSIN doesn't stop us from working with communities in terms of having a mental health unit, for example, or groups helping those communities. It doesn't stop Jordan's principle. It doesn't stop the money that was already flowing on mental health to continue to flow that way.

• (1235)

**Mr. Gary Vidal:** Can I give your phone number to the leaders of those first nations that are concerned that they're getting left out on this, or left on the side?

**Mr. Jean-François Tremblay:** You can give them our address and our phone number. I'm sure they know my RDG. They have to express those concerns. It's their right to express those concerns.

Just engage in the process. We'll see what's going to come out.

**Mr. Gary Vidal:** Very definitely, the intent is not to have all those dollars funnelled through the provincial leadership, so to speak.

Thank you.

I have some history of being part of a provincial-level water agency. We hear lots of talk about limiting the long-term drinking water advisories. There is some question about a number of these being put back on short-term advisories after they've been lifted. Can you quantify that for me at all?

**Mr. Jean-François Tremblay:** It's not the objective; that's for sure.

We have sometimes heard people say we're going with the short-term solution, because they would like to have a new system. We assess all the systems to make sure we have a sustainable approach. We're not eliminating the long-term advisories just for the sake of it and thinking that in two months from now they're going to come back. That's not the objective.

The solutions differ, depending on the situation. There are cases where, yes, you need to change the system. There are situations where the system can work at the moment, where we plan to change the system in maybe only four or five years from now. It's more in regard to capacity. It's more an issue of prioritization among the different solutions but among the different cases we have.

However, our goal is clear. Our goal is really to do it for the long term. That's why, over the last few budgets, the funding we received is more about the O and M, the operations and maintenance, of the existing systems and new systems that would be built.

**Mr. Gary Vidal:** That was exactly my follow-up. We can make the capital investments, but what I found in my former life as a water utility board member is that it was the operational side that we were struggling with—getting qualified personnel and some of those kinds of things. I expect that might be some of the challenge, even though you invest the capital.

Is that a fair conclusion?

**Mr. Jean-François Tremblay:** That has been the challenge for decades in the system. As you said, it's not different from provinces. It's not different from federal infrastructure sometimes.

**Mr. Gary Vidal:** Do you have a good plan to deal with those operational—

**Mr. Jean-François Tremblay:** On water, as I mentioned, we got a significant amount of funding over the last few years that is more about O and M than just strictly capital.

**Mr. Gary Vidal:** Thank you.

If I have any time left, I'm going to pass it to Mr. Viersen.

**The Chair:** You have 45 seconds.

**Mr. Arnold Viersen:** Thank you.

Mr. Watson, in your address you talked about the Tsilhqot'in decision. One thing I learned over the last four years is that there are a lot of discussion tables. That was a term I wasn't even familiar with before I got here. One concern with the Tsilhqot'in decision is that other operators in the area were left out of the decision-making on that. How does one get involved with these discussion tables and how do we bring ranchers and hunters into those discussion tables?

**The Chair:** Give a very brief answer, please.

**Mr. Daniel Watson:** Thank you. That's an excellent question.

The conversations go to decisions that have been made, in the past, by the Crown. What we would move to is decisions made not just by the Crown—be it provincial or federal—but by Tsilhqot'in. Certainly, where they have title it's like many other types of private property, so the types of conversations they can have with other parties on private property would be similar there. There are others. The history of understanding the importance of being good neighbours and the importance of interacting well with each other where all the systems are often connected is something that all the parties need to understand and work with.

**The Chair:** I'm sorry, Mr. Viersen, the time's up.

The next speaker will be Ms. Zann for five minutes.

**Ms. Lenore Zann:** Thank you very much.

We know that when indigenous communities move toward self-governance and self-determination, they have better outcomes across the board. Jaime has talked about education, for instance, and health is the same. Part of this includes developing fiscal relations with communities that will allow them to make their own choices about where to invest. Government has proposed a new, collaborative self-government fiscal policy as a better way to address the needs of self-governing first nations.

My question is this: Can you tell the committee about government's work to establish renewed economic and fiscal relationships with indigenous communities that will ensure that the nations themselves have the fiscal capacity to govern effectively? How is funding allocation determined under this new policy?

Thank you.

• (1240)

**Mr. Daniel Watson:** Thank you very much for the question. I suspect my colleague, Mr. Tremblay, particularly appreciates it being directed my way.

One thing that is very different now is that we sat down and talked with those indigenous governments that have been delivering the things we agreed upon for a considerable period of time. We actually looked at the demands that they had, the things that we had agreed to and the financing that was available. It was concluded that there was a significant gap.

These treaties and these agreements aren't things that we simply hand over to somebody else to go and they live on their own in their own life. These are agreements where we all agree that the best way for those citizens to move forward on the issues that are important to them and their community are managed by an indigenous government. We're all interested in that success, just as we are interested in the success of all Canadians. Making sure there was the right amount of funding to do those things and the right ability to have the choices to decide that we needed to invest a bit more here rather than somewhere else—recognizing that each community was a little bit different and the circumstances they faced would vary, not only from community to community, but over time in any given community—was one of the very important pieces.

Another piece that was important, as I mentioned in my remarks, was on the own-source revenue. It turns out that if you go as a government to those who you might raising revenue from and say that you're going to take some money from them, but it will actually achieve nothing at all other than the same amount of funding that was previously available, it doesn't make you very popular in that conversation. It doesn't really incent the desire to develop those revenues and to add to get better programs and services.

To me, that was another important part of that conversation. It incented those governments to actually look at opportunities to develop revenue and to bring those revenues into the services that they were providing and to improve them for everyone.

**Ms. Lenore Zann:** Thank you.

I would like to share my time with Jaime Battiste.

**Mr. Jaime Battiste:** On the topic Lenore brought up about self-government agreements, in my riding, 36% of children live in poverty. When you look at the community I'm from, the Eskasoni Mi'kmaq, the rate is 73%. You look at that number and say it's terrible, but to put it in some perspective, there are 17 children in my 10-year-old son's grade 5 class, meaning that only three other children in that class are not living in poverty. Yet, despite this poverty, we have the highest graduation rates. When I look at that, how can the people who have the highest rates of child poverty, the highest rates of unemployment, also have the highest graduation rates?

When I had a chance to talk to Chief Leroy Denny, he said it's simple: It's because the Mi'kmaq control their own education system, whereas social services are controlled by the federal government. What is the federal government doing to give first nations autonomy to create their own self-governing agreements around social assistance so we can see the same improvements when first nations take control of their own educational organizations? What if they took control of all of these things? What strides are we making to make sure that indigenous communities, first nations communities especially, are moving in that direction for things like social services and other areas.

**The Chair:** That takes us right to time. Do you want offer a very brief answer?

**Mr. Daniel Watson:** In the agreements that we've set up with many parts of the country with the comprehensive land claims, those authorities are there. They aren't always taken up once they exist in those agreements, but that's been a great interest to many first nations for the very reasons you're talking about.

**The Chair:** Thank you.

We go to a two-and-a-half-minute round now.

[*Translation*]

Ms. Bérubé, go ahead for two and a half minutes.

**Ms. Sylvie Bérubé:** Mr. Tremblay, I would like to bring you back to the issue of drinking water in Kitigan Zibi. I heard your answer on your department's general plan to resolve drinking water issues in Canada, but, more specifically, when will Kitigan Zibi residents have access to drinking water?

In my riding, in Kitcisakik, there are no sewers or a water system. What can we do? This situation has been ongoing for years.

Earlier, you said there were priorities. You said that it depended on agreements in principle concluded with those communities, but these people must still be provided with what they are entitled to. We are in a civilized country, and these people are really affected by this situation.

• (1245)

**Mr. Jean-François Tremblay:** Yes. We have made a lot of investments to improve the situation. In some cases, like this one, it is a matter of radon contamination. Radon is a gas found naturally in the soil. It is not really something that comes from pollution. So we have to find alternative solutions. Contamination cannot always be eliminated. These things happen. Similar cases of radioactive contamination and mercury contamination have arisen in some communities.

There is no easy solutions, but there are 634 first nations communities and more than 634 water systems. There are sometimes also wells, just like in many non-indigenous communities. The problem is a complex one. As I said before, we are maintaining a close relationship with the groups to identify priorities, and we are trying to find the fastest and most effective solutions.

We have made tremendous progress, but the work is not done. We are still working on eliminating long-term advisories, as that is probably the most urgent issue. After that, it is a matter of ensuring the sustainability of systems.

[English]

**The Chair:** That's our time. I'm sorry. Thank you

[Translation]

**Ms. Sylvie Bérubé:** I just want to add something.

[English]

**The Chair:** Next is Ms. Qaqqaq.

**Ms. Mumilaaq Qaqqaq:** *Mat'na.*

I'm wondering whether the department has a role to play in looking at reserves, treaties, or territorial agreements when we have natural resource extraction happening in Nunavut.

Do you have any space at the table in decisions on where mining is going to happen?

**Mr. Daniel Watson:** Thank you for the question.

The short answer is that we don't want to have much of a role to play in that, particularly in Nunavut, and we certainly have limited roles in Yukon and the Northwest Territories.

This is actually at the core of the conversations about devolution. Historically, the federal government held virtually all of the authorities for permitting of resource development in the north. As things

moved forward, both with land claims and devolution, we got to a point that we had less and less of that responsibility. By the time we've completed the Nunavut devolution, that authority will almost exclusively be with the Government of Nunavut and NTL.

**Ms. Mumilaaq Qaqqaq:** What about on an international scale, when we're talking about things like the whitecoat ban that sent the sealskin market crashing? That's when we saw a spike in suicide. Now discussions are being held on ivory. For certain countries, but for many Nunavut communities, this means a crash in the market again, and it means yearly income decreasing drastically.

Is there a seat for your department at those kinds of discussions?

**Mr. Serge Beaudoin (Assistant Deputy Minister, Northern Affairs, Department of Crown-Indigenous Relations and Northern Affairs):** Thank you for the question.

Most definitely there are discussions internationally with Arctic nations, occurring through the Arctic Council. There's a very vibrant network of the eight nations constituting the Arctic. In particular, there are deep dive discussions on things related to climate change, marine pollution, and those types of things. Those are discussions for which Global Affairs Canada is the lead at the council; however, the department participates in the working groups through a number of fora.

**Ms. Mumilaaq Qaqqaq:** What do I have left, about 30 seconds?

**The Chair:** It's 10 seconds, but try.

**Ms. Mumilaaq Qaqqaq:** I'll try.

For the suicide prevention strategy, I notice that the Indigenous Services speaking notes refer to "regional First Nations". Once again first nations are being mentioned specifically. Are all groups involved in this suicide prevention strategy, or is it first nations-specific?

• (1250)

**Mr. Jean-François Tremblay:** We work with Inuit on the Inuit strategy, and there's funding attached to it. I don't have the details here, but I can send them. This was referred to just because it was a recent announcement that we made.

**The Chair:** Thank you very much.

On behalf of the committee I'd like to thank our guests for a very informative and interesting couple of hours. We'll never get all of the questions answered, but we'll keep trying.

Once again, on behalf of the committee, thank you so much for your presentation today.

As a reminder, we need a list of witnesses for the study on food security. That needs to be sent to the clerk today before four o'clock.

The next meeting of the committee will be held on Thursday, February 27, right here in Room 315, when we will hear from officials. The notice for this meeting will go out shortly, and we'll give you the details.

I'm sorry, Ms. Bérubé. Go ahead.

[Translation]

**Ms. Sylvie Bérubé:** Mr. Chair, I want to debate today the motion I moved earlier. Given the importance of the crisis, we have to discuss it today. I don't see why we need to wait another 48 hours, given the current critical state across Canada.

So I am asking for everyone's cooperation to discuss my motion, please.

[English]

**The Chair:** Do we have unanimous consent to suspend the 48-hour notice? This was from the routine motions that were passed on February 18.

Do we have unanimous consent?

No, we don't have unanimous consent.

[Translation]

**Ms. Sylvie Bérubé:** Can I ask you why you do not agree with the proposal, given the current critical situation?

[English]

**Mr. Gary Anandasangaree (Scarborough—Rouge Park, Lib.):** I want to put on the record that we will be glad to discuss this on Thursday.

Just to go through the process, last Thursday we met as a subcommittee. We had some extensive discussions on the motions at hand and came forward with a recommendation this morning as a subcommittee, and it passed.

We recognize that this is a very important issue, but, frankly, we don't even have the text in hand and will need some time to reflect on it. Certainly, on Thursday we will be glad to discuss it in much further detail, and I think we'll be more informed at that point.

We will be prepared to have that discussion on Thursday as the first order of business.

**The Chair:** Ms. Qaqqaq, did you have your hand up?

**Ms. Mumilaq Qaqqaq:** Yes. *Mat'na*.

I would like to say that I agree with my colleague from the Bloc Québécois that this is something we should be discussing right away. I want to have that on the record as well.

**The Chair:** Thank you very much.

The particular motion doesn't apply....

Mr. Schmale, go ahead.

**Mr. Jamie Schmale:** Before you rule, I want to reaffirm the Conservative Party's support for the Bloc Québécois motion, and that we would be in favour of discussing that today as well.

**The Chair:** Mr. Battiste.

**Mr. Jaime Battiste:** Before I was elected, I had 10 years of representing the hereditary chiefs in the Atlantic, the Mi'kmaw community. I'm not quite sure what the motion speaks to, but in terms of hereditary chiefs, there are a number in Canada that are still active.

One of the things, though, I would caution about.... I would like to see the text and have a thorough debate on what we're including in this, because we could have a deep dive into the history of hereditary chiefs, hereditary structures, and how colonization has changed that over the years, but I don't think we would be any closer to addressing the issue.

My discussions with the national chief and the regional chief from B.C., as well as some of the hereditary chiefs, were concerned with the frustration and the lack of implementation of treaty and inherent rights.

One of the things I've proposed is looking at a mechanism by which we can resolve that. We have a federal government that has an attorney general that represents their rights. We have a provincial government that has an attorney general that represents their rights. The indigenous people don't have that right now.

What has been called for by AFN and by treaty commissioners across Canada is a large look at what we can do to create a mechanism to create implementation and awareness of treaties and inherent rights.

This is something we have put in the treaty commission that we have already passed. I think that one of the things that would serve this committee well is, as part of that treaty commission discussion, to ensure that we are also calling hereditary chiefs and hearing from them on the basis of seeking solutions, rather than just looking at the history and creating more information about these groups.

• (1255)

**The Chair:** Mr. Battiste.

**Mr. Jaime Battiste:** I think it's important that we move with the commission.

**The Chair:** Mr. Battiste, we are dealing with the 48-hour issue. I love this discussion. Everybody in this room knows it's important, but what is before us now is the 48-hour waiver. We don't have that.

I'm going to rule that this motion is not in line with the business of today. I'm sure it will emerge eventually.

Is this with regard to the 48 hours, Ms. Qaqqaq? I really don't want to open a debate on this subject now.

**Ms. Mumilaq Qaqqaq:** You're not going to let me have my time for comment?

I just want to say that there are six of us here on this side saying that we want to talk about it, and five on the other side. It seems like a tactic we've been seeing from the Liberal government over the last number of months.

I agree with you, and I support that. We respect the 48 hours. Okay, sure, but I want to make sure that we're all on the same page and each voice is being heard as it should be.

**The Chair:** Thank you for those comments.

[*Translation*]

**Ms. Sylvie Bérubé:** I would like to add that we are open to amendments. What we want is to talk about it. I understand that we are talking about history, but indigenous peoples are currently going through a crisis. We have to organize talks with indigenous people and experts on indigenous affairs to resolve the situation.

[*English*]

**The Chair:** Let me ask if the committee would like to reserve some time at the end of the meeting on Thursday to discuss this motion. Would we be in favour of that?

**Mr. Gary Anandasangaree:** I'm going to suggest that we have this discussion at the beginning of the meeting.

**The Chair:** We'll have it at the beginning of the next meeting on Thursday.

All in favour of that?

**Some hon. members:** Agreed.

**The Chair:** Thank you.

This meeting is adjourned.

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