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Chair: Mr. Bob Bratina



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• (1150)

[English]

The Chair (Mr. Bob Bratina (Hamilton East—Stoney Creek, Lib.)): With quorum, I call to order this meeting of the Standing Committee on Indigenous and Northern Affairs.

In Ottawa, we always acknowledge that we meet on the traditional unceded territory of the Algonquin people. Various of us around the country are in other lands. In my case, it would be the lands of the Anishinabe, Haudenosaunee and Chonnonton peoples.

Pursuant to Standing Order 108(2) and the motion adopted on February 25, 2021, the committee is continuing its study of the subject matter of Bill C-15, an act respecting the United Nations Declaration on the Rights of Indigenous Peoples and to make related and consequential amendments to other acts.

Once again, to ensure an orderly meeting, speak and listen in the official language of your choice. At the bottom of your screen, using the globe icon—you can see it there—select either English or French. As you speak, you can change languages without changing that selection.

Ensure your video is turned on. When you speak, speak slowly and clearly. When you're not speaking, your mike should be on mute.

I must inform the committee, pursuant to the motion of March 9, 2021, that Al Benoit, Celeste McKay, Lorraine Whitman and Melanie Omeniho have not completed the technical pretest.

With us today by video conference from the Métis National Council are David Chartrand, vice-president and national spokesperson; Al Benoit, chief of staff; and Celeste McKay, consultant.

Thank you all.

Just before I ask Mr. Chartrand to present, I understand that we have a hard stop at a quarter past the hour of our meeting normal time, so we may have to adjust the time as we go along.

Mr. Chartrand, I'm asking you now to open up for six minutes on your presentation to committee.

Please go ahead.

Mr. David Chartrand (Vice-President and National Spokesperson, Métis National Council): Thank you, Mr. Chair.

Thank you for allowing us to come to this very important committee. I want to start off by saying good morning to everyone and

thank you to the members of the committee for inviting me to speak today. My apologies for a late submission that is coming your way in French translation. We don't have a lot of funding in this particular area, so we always seem to be late. I want to express my apologies to our friends in Quebec. We will never forget them for standing up for Louis Riel. We do apologize to them for not having the French translation on time.

I am pleased to speak on behalf of the Métis nation in support of Bill C-15 and the implementation of the United Nations Declaration on the Rights of Indigenous Peoples in Canada. The Métis nation is a distinct indigenous nation based in western Canada. We are a rights-holding nation under section 35 of the Constitution, and we are a partner in Canada's Confederation.

For the past year, the Métis nation has worked collaboratively with Inuit Tapiriit Kanatami, the Assembly of First Nations, and the Government of Canada to develop legislation using former Bill C-262 as the floor. Bill C-15 is the result of this process. The human rights contained in the UN declaration are the minimum standards for our survival, dignity and well-being, and Bill C-15 sets out an effective process to implement these rights in Canadian law.

In 2008, former MP Tina Keeper introduced a private member's bill to implement the UN declaration in Canada. In 2016, Romeo Saganash did the same under Bill C-262. We are here today because, unfortunately, these bills did not receive royal assent. On the positive side, we have the foundation that these previous bills have provided, and we have the momentum to make change right now. We must not allow this opportunity to slip through our fingers. We have waited for too long to see the rights of indigenous peoples fully recognized.

We believe that passing this bill into law is critical to a future that respects our rights as a nation. We urge members to expedite the process to ensure that Bill C-15 is passed in this session of Parliament. We urge members to reject proposals for amendments that would impede this objective, including the amendments put forth by the Assembly of First Nations and the British Columbia Assembly of First Nations. I will speak to this more in a few minutes.

In November 2020, we held nationwide engagement sessions, at which we heard from a broad range of Métis nation citizens from across our homeland. I think each of you has a copy of this. You can read it. Hopefully you've read it. If not, please read it. We heard from Métis nation women, elders, youth, persons with disabilities, gender-diverse persons and two-spirit persons. We heard from our leaders within Les Femmes Michif Otipemisiwak-Women of the Métis Nation, which is part of the governing structure of the Métis nation.

In our engagement processes, the citizens of the Métis nation voiced their strong support for the implementation of the UN declaration, and expressed hope that this bill will become law and positively impact their lives and futures. During these sessions, our citizens emphasized a number of areas in which their rights matter in their daily lives. These included education, language, housing, health, child and family services, jobs and economic opportunities. They also feel strongly about their right to self-determination and jurisdiction over lands, territories and resources. We are strong protectors of our land. We also understand the role that responsible resource development plays in the economic security and well-being of our communities and the prosperity of Canada as a whole.

The Métis nation is uniquely positioned to strike a balance between the environmental and economic factors of our homeland and resources. The recognition of our rights supports this. Our Métis nation governments must have a central role in implementation, and we will work in partnership with the Crown and with industry when it comes to our land.

The common theme in all of this is our inherent right to self-determination. This is our cardinal right. Much of the discussion around this bill and the declaration has centred around free, prior and informed consent. This is a natural and necessary part of our right to self-determination. I will speak more on this later.

Our lives are rich and deep, and our self-determination is exhibited in many different areas. As you can see from the priorities of our citizens and from reading the declaration itself, our self-determination fortifies our citizens, communities and nation in a holistic manner.

Bill C-92, passed in June, 2019, is a good example. It was developed in partnership with indigenous peoples and makes good progress toward implementing the UN declaration in the area of child and family services. It does this by affirming our right to self-determination and affirming our jurisdiction over our nation's children. We continue to support this approach to implementation.

● (1155)

It's also important to the Métis nation that implementation of the UN declaration, through Bill C-15, is done in a meaningful, transparent and accountable manner. The inclusion of the reporting requirements and an oversight mechanism to provide recourse for rights violations are key additions that strengthen this bill.

Likewise, the success of the action plan is crucial for meaningful implementation. The declaration affirms the right to self-determination and supports the role of indigenous governments in representing their nations. The action plan must reflect this. It must be developed in true partnership between the Government of Canada and in-

igenous governments. It must not be unduly limited in scope. It must be properly resourced so that indigenous peoples in Canada have the means to truly implement their rights.

I'd like to turn now to the issue of certainty. As with Bill C-262, claims that this bill will result in uncertainty and threaten economic opportunities has been a major point of contention. Let me be clear. Economic growth is very important to the Métis nation and to Canada. Free, prior and informed consent is not a veto. Implementing the UN declaration will result in more certainty, not less.

We must recognize that we have been living in this uncertainty for years. This has resulted in using the court system to try to find certainty. We fought for our land rights in court for 32 years in the Manitoba Metis Federation case. We'll always stand up for our homeland and our self-determination, but Bill C-15 offers us a better way forward than fighting battles in courts. This is why I call the UN declaration a blueprint for clarity.

The market always tries to find greater certainty. This point has been raised several times before this committee, but look at how the market has responded to the uncertainty we have been living in. Industry has moved towards forming more respectful relationships with indigenous peoples, and some companies such as the Mining Association of Canada have even looked to incorporate policies on free, prior and informed consent under processes. This is how they have found greater certainty. The idea that moving further towards this approach through Bill C-15 would result in less certainty is nonsense.

I would hold up the productive relationship the Métis nation has formed with industry groups, such as the Canadian Association of Petroleum Producers, the Mining Association of Canada and Enbridge, as further evidence that Bill C-15 will create greater certainty. These relationships have translated into projects that have provided tangible benefits for the Métis nation and for Canada, such as projects that the Manitoba Metis Federation has undertaken with Enbridge.

Free, prior and informed consent is key to our ability to participate meaningfully in the decisions that impact our lives, our land and our rights. This is necessary if our right to self-determination is to be upheld. We will be involved from the very beginning as partners in natural resource projects on other developments. We will look together for the best way forward in a way that builds consent.

This is not a veto. I repeat that again: This is not a veto. It does not undermine or override due process. There is no due process if we are excluded. Free, prior and informed consent ensures due process by ensuring our participation.

• (1200)

The Chair: I'm sorry, Mr. Chartrand, but we're well over six minutes.

Mr. David Chartrand: Okay. I usually don't read, Mr. Chairman. I speak off the cuff, but I wanted to give this particular committee the respect and the information it deserves on such an important message. I think it was very important for us to share as best we can.

We've made it very clear from our perspective that, in the matters the AFN brought before you regarding amendments to be made, there's obviously a misreading of the preamble and paragraph 6. I want to conclude these comments. From our view, it's crystal clear that the Métis nation existed in western Canada before Canada was ever formed.

When you look at all of this, Mr. Chairman, I'm sure you could take the time to read the rest of the report yourselves, and again I apologize to my friends in Quebec. We will get it to you hopefully by today.

I want to make it clear. Without Bill C-15 coming into play, there's going to be uncertainty. There are going to be more fights in courts. More battles will take place. Again, if I'm a shareholder, a stockholder, I sure as hell would not want to be putting my money on a particular unknown factor when I have a blueprint here in Canada.

Recently we were ranked number one in the world, Mr. Chairman. If we want to maintain that leadership, this is a good example. We need to pass this, and we need to do this together. I think we can do it together. I know that—

The Chair: Mr. Chartrand, I need to get to our other—

Mr. David Chartrand: Okay, I'll stop there, Mr. Chairman.

The Chair: I apologize with the greatest respect, but part of the exercise is to have the dialogue—

Mr. David Chartrand: Go ahead.

The Chair: We want to move ahead.

Mr. Viersen, you have six minutes. Go ahead.

Mr. Arnold Viersen (Peace River—Westlock, CPC): I want to thank Mr. Chartrand for being here today. I really appreciate it. He always says he speaks straight from the heart, and he usually does and I much appreciate that.

Mr. Chartrand, probably the main issue is, in the purpose of the act there are just two parts—that's in clause 4 of the act. The second part of it is to provide a framework for the Canadian government to implement the declaration. I don't have a problem with that part. Where Conservatives have a problem is where it says, in paragraph (a), that the declaration will be a universal “human rights instrument with application in Canadian law”. I don't doubt that it has application in Canadian law, but we can't just insert the declaration as Canadian law. We can't just declare it to be Canadian law, because it's much more of a framework. It's an aspirational document.

I use UN documents and UN protocols often to identify.... I've been recently quoted in the media as saying that duty to consult is sufficient. I think it's a system that's working. It's a system that con-

tinues to work its way out. I would recognize that I used the Palermo protocol, which is a UN document, for identifying victims of human trafficking. I want to bring Canada in alignment with the Palermo protocol. I used the UN Convention on the Rights of the Child as a framework to give me an idea of how we bring Canada into alignment. I also would use the UNDRIP. Okay, this is a framework. How do we bring Canada in alignment with it? It just doesn't translate into Canadian law directly.

This is to you, Mr. Chartrand. This is where I go with every witness. The duty to consult, as it's been worked out over generations, and free, prior and informed consent, are we on the same wavelength with these two terms, or are we going to be introducing a whole new concept into the way we do relationships between first nations, Métis people and the Government of Canada?

Mr. David Chartrand: Thank you for that question.

As I said in my earlier references, this is the blueprint that gives clarity for everyone. I think when you look at it from the context.... That's why, if you heard me loud and clear, this is not a veto. You could record me over and over, and we would have courts that can use that as a clear example of my statement. We do not see it as a veto. We see it as clear guidance, a blueprint.

We'll look at the domestic law process of our situation in this country and the laws that are impacted. Section 35 has a clarity of duty to consult and sets an establishment, but usually it's after the fact that we're finding ourselves in the duty to consult process in this country. Already, by that time, legal arguments are being filed in courts, positions are being tagged or blockades are happening, and people have not started any discussion.

I think this particular aspect of having this bill will provide assurance and clarity. Let's understand this. No business is going to come in and.... Let's look at mining, for example. Let's choose that one. If you're going to invest in mining, you're not coming in and starting a mine tomorrow morning. It would take about 10 years or 20 years of planning before you ever go down that road.

I think this sets a clear foundation for industry, which will now have more comfort. If I'm a shareholder, an investor, I sure as hell won't want to put my money in some industry that I'm going to find out will be held up in the courts for the next 10 years. This will set the foundation of clarity between section 35 and ensuring free and prior consent. It gives you the blueprint of how industry will work with indigenous governments. It's very clear. It sets out the two. The two work actually very well together, and there will be clarity for both parties to understand, as well as provincial and municipal governments.

• (1205)

Mr. Arnold Viersen: You don't think that there will be any muddying of the waters. The language is so different. "Duty to consult" and "free, prior and informed consent" are quite different terms.

Mr. David Chartrand: No, they're not. I don't see it that way, because I see duty to consult as responsibility. It's a legal responsibility that industry and governments have. Free and prior—

Mr. Arnold Viersen: It's unique to Canada. Your entire lifetime has been consumed with the duty to consult, the discussion around duty to consult, the court challenges, the government decisions that have taken place with that. Now to introduce some new terms into that discussion, are you not at all worried that it will just set us back some more, cause new court cases, all this kind of stuff?

Mr. David Chartrand: I think I'm much older than you. During my lifetime, duty to consult just resonated itself into the works of our language today.

Mr. Arnold Viersen: Yes.

Mr. David Chartrand: I mean, 30 or 40 years ago you didn't even see this happening. Only in the last several decades has the duty to consult been grabbing at better footing in this country. When you start to translate free and prior consent, let's understand really clearly what is actually....

I deal with industry a lot. We're very strong economic thinkers in the Métis nation. I meet with Enbridge, for example, every second month. The president and I have a discussion on the future and on how our relationship looks. We have that relationship. What we make very clear is that these types of bills, like this particular one, are setting the blueprint for us on how we come together, how we quit fighting in the courts and how we quit holding up production and opportunity. In Manitoba, for example, our mining institutions have gone down. They should be going up. There should be more investment. If you're shy to come and invest because you don't know what will happen to your investments, you won't come knocking on the door of a province in western Canada, for example.

I think these two will work together. There will be a lot of clarity between the two. I think one of the strongest issues you have as a Conservative is the issue of veto. I am making it very clear, right here before you, before this country, that this is not a veto. You can take that to any courtroom. This is not a veto for indigenous people. It's a blueprint between us, industry and government. We should have done it 20 years ago or 50 years ago. We'd have been further ahead in this country, beyond anybody else.

I think it's very clear.

The Chair: Thank you.

Mr. Powlowski, you have six minutes.

Mr. Marcus Powlowski (Thunder Bay—Rainy River, Lib.): I think this is probably one of the most interesting panels in discussing this.

Let me first ask this. In UNDRIP is there any mention of people of mixed descent? I was looking through it, and I don't think so. I do see in article 33 that indigenous peoples have the right to deter-

mine their membership. Is there any other reference to people of mixed descent?

If you have to look, don't worry.

Mr. David Chartrand: No, I don't have to look. I can tell you right now. I think the message in UNDRIP is very clear. It allows indigenous governments to be governments. It sets the clarity of recognizing them as governments. The Métis nation has the responsibility—governments have the responsibility—to establish who the Métis nation is and who belongs to the Métis nation. It's up to us to decide, not you. It's very clear that the particular style of language in here assures us as indigenous people that we will govern ourselves, government to government. That's what it's all about, nation to nation.

On the question of whether it allows mixed ancestries inside there, or allows that group or this group, allow us as governments to establish our own challenges of how we overcome some of these unknowns that this Constitution in Canada has created for all of us.

Mr. Marcus Powlowski: The reason I ask this is that I know this is a United Nations document. Throughout the world, there are a lot of people of mixed descent. For example, in Mexico the majority of the people are mestizo, which is a combination of indigenous and white descent. My wife is Filipina. In the Philippines they have their indigenous groups too. They're often intermixed with the other local populations.

In developing UNDRIP, I would have thought that the various countries around the world would consider where people of mixed descent lie with respect to UNDRIP. I don't know if you were part of the development of UNDRIP at the United Nations, but I was wondering what the discussion was at the United Nations about people of mixed descent and where they fell in that. I know that a number of other countries throughout the world have enacted some kind of legislation giving legal power to UNDRIP in those jurisdictions.

What has been the interpretation in those jurisdictions as to people of mixed descent? I throw that open to any of you out there.

• (1210)

Mr. David Chartrand: Let me start off this way, Mr. Powlowski.

I travel the world quite a bit. I'm doing some work with indigenous people in Colombia. I've been going back and forth for a number of years now. We've been involved in the United Nations declaration since 1984-85, when the first discussions were taking place at that level, and of course, our president, Clément Chartier, is still really actively involved in international matters.

If you look at the mestizo, as you call them, in their own countries, they are working out their details of who's who. It's no different if you go to Australia, where they call them "yellow". They're saying they're a mixed people. They're not really us because they have different blood in their veins and a different colour to their skin. There are different versions of how people are looking at it, but what I do recognize when I travel the world is that they're working towards it. They're working out how they all interrelate, understand each other and respect each other's jurisdictions, and each of them is formulating their own levels of voices and levels of positions.

No matter where you travel in the world, you see that happening. It's even in Japan, where they came to see me regarding the Ainu, who are fearful they're going to be leaving this world and losing their very existence—there are only about 20,000 of them left—so they came to ask us how we survived.

There are people out there trying to formulate their existence, their legal rights, and as the world proceeds, if we're still going to be ranked number one, I think we let the indigenous governments figure out our own problems. Nobody should tell us how our government should look.

Mr. Marcus Powlowski: Let me bring it closer to home now. I think we've discussed this before. I worked in Norway House for a while, and in Norway House, there are people who are status and then there are people who are non-status, so I think basically Métis.

Is there any difference in what UNDRIP will mean to those two different communities, or are they basically the same under UNDRIP?

Mr. David Chartrand: In western Canada, you're first nation, Métis nation or Inuit. Those are the three peoples that you will find in western Canada. From our perspective, there are a lot of similarities in the matters that we look for in the environment and the lands and mutual sharing of how we work on the lands. Our governance systems are somewhat different and our electoral systems are somewhat different, but at the end of the day, we each recognize our own jurisdiction.

It's very clear that this has been worked out. This has been going on for a long, long time. I think where the challenge lies for many is when legislation comes and changes, whether it's first nations under the Indian Act.... It changed a lot of their challenges, and they're struggling to get the balance of control away from Canada.

When you look at it, there's a clear understanding between both parties. You come to the Prairies, and you'll see they know who the Métis nation are, they know who the first nations are and they know who the Inuit are, especially. There's not a big population, but they're in Manitoba, for sure.

The Chair: That brings us pretty much to time, Marcus. Thank you.

[*Translation*]

Ms. DeBellefeuille, you have the floor for six minutes.

Mrs. Claude DeBellefeuille (Salaberry—Suroît, BQ): Thank you, Mr. Chair.

Mr. Chartrand, thank you for your excellent and clear presentation. I also wanted to thank you for taking the time to point out the delay in the translation of your speaking notes into the other official language. It means a lot to me that you did this.

I know that your organization hasn't suggested any amendments to Bill C-15. Maybe I wasn't paying close enough attention and I missed this, but could you tell me whether there are any amendments that you don't support among the amendments suggested so far?

• (1215)

[*English*]

Mr. David Chartrand: Let me say this. There is one particular amendment that we would support as long as it doesn't.... I'll tell you why.

Thank you for your kind words.

The reason we're not making any amendments.... This is not a perfect document—all of us in this room know that—but it's a good document. It's a starting document. For us, we can change it as we move forward. It's no different from.... We're still fighting the Constitution in this country, in Canada right now, and how it will work for all of us, and we still have work to do on that issue for sure.

This particular document is not a perfect document. I did make reference to it in my report. You'll find it on page 7 at the second bullet. If there were to be any changes, there is only one amendment that the Métis nation would support—the addition of the term "racism" and "systemic racism and discrimination" to subparagraph 6(2)(a)(i), which speaks to the measures contained in the action plan to be developed. This is consistent with our priority to address systemic racism, discrimination and violence against indigenous peoples and indigenous elders, youth, children, women, men, persons with disabilities, and gender-diverse persons and two-spirit persons.

That's as long as it does not hold up this bill. This bill needs to get in and get royal assent for us to make history and for us to show the world why this country is ranked number one.

For me, the reason you're not seeing amendments from the Métis nation is that we want this to get through royal assent first. We can still fix it in the future, because it's not a perfect document.

[*Translation*]

Mrs. Claude DeBellefeuille: Thank you.

I have another question for you, Mr. Chartrand.

In practical terms, could you describe how you see your role and involvement in the whole process of developing the action plan?

[English]

Mr. David Chartrand: From our perspective, the way I see it, it's a transformation that's occurring in this country right now. I hope all governments would support that transformation and not say, "Oh, the Liberals started it, so we can't support it" or "The NDP started it, so we can't support it" or "The Bloc started it, so we can't support it".

There's a transformation, a change, toward action and toward an ideology in this country for nation to nation and government to government that's really resonating for change. It's going to change the future. I'm telling you, as a leader with 40 years' experience in fighting for indigenous rights, this nation-to-nation and government-to-government transformation has already fundamentally changed where we're going. It's going to see massive change, and I hope every party supports this.

When you look at this particular process and action plan, we will be involved, as long as it's respected and nation to nation and government to government. We are governments in the Prairies. We operate governments. We are democratically elected like anybody else. In fact, we're probably more democratically elected than the leaders of this country, based on the structure of our constitution.

When you look at it from that context, as long as there's a clear respect for us as a government, we will be involved and should always be involved. If you're going to leave us out, I don't care what party you are, then it's a failure. You're going to fail. I don't care who you are or how smart you think you are or how good you think you are, you will fail if you don't have an inclusionary ideology attached to it: government to government and nation to nation is the right approach.

I assure you that in this country 10 years from now—if I look around at the crowd, we're still going to be alive, I hope—with the actions that you see today on government to government and nation to nation and the funding formulas, you're going to see changes.

I'll give you one example. In Manitoba, ever since the transformation of our power to make decisions on the basis of housing, in a year and half we had 600 families who bought their own houses. Six hundred families—young families—bought their own houses. They own them. Think about this. Twenty years from now, those kids will have an asset from their parents, who are going to leave it behind for them. They're going to have a head start.

When you start looking at this, as long as we're treated as a government, respected as a government and included as a government, then there should be no problems in the action plan.

[Translation]

Mrs. Claude DeBellefeuille: Do I have any time left, Mr. Chair?

The Chair: You have one minute left.

Mrs. Claude DeBellefeuille: Thank you.

We fully understand your desire to speak about nation to nation. Let me assure you that the Bloc Québécois understands and supports this concept.

Mr. Chartrand, do you have any concerns about what will happen before or after the bill is passed? Could you identify some of your concerns about the aftermath of Bill C-15?

• (1220)

[English]

Mr. David Chartrand: Let's start first with what happened before. Right now, my biggest fear is that this document could be used as a weaponized tool for political purposes, not for what its good intentions will do for industry, for us, for indigenous people, for governments and for this country. If it's not used as a weaponized political tool and everybody just does it, being conscious of all the education and information received, I think it should go smoothly.

Second, in the aftermath, you will see greater participation between industry and us. It's already slowly happening, because they see it coming. Industry sees it. Industry always thinks years ahead. They see it coming. There's a transformation coming, so let's not use it as fearmongering that it's going to kill industry, that it's going to kill businesses. It's actually going to enhance it and assure shareholders and assure everybody that the doors are open for business. At the same time, we're going to protect the environment, and if we work together on that, there's no way that we're going to fail in this country.

The Chair: Thank you, Mr. Chartrand.

Ms. Blaney, you have six minutes.

Ms. Rachel Blaney (North Island—Powell River, NDP): Thank you, Chair.

I want to thank you, Mr. Chartrand, for your speech today. I thought it was very important. I want to especially thank you for clarifying that all other government structures have free, prior and informed consent. This is just about making it fair.

In 2019, the Government of British Columbia introduced Bill 41, the Declaration on the Rights of Indigenous Peoples Act. Bill 41 authorizes provincial governments to enter into agreements with indigenous governing bodies for the purpose of establishing joint decision-making or consent with respect to the use of statutory powers.

What are your thoughts on that? Do you believe there are benefits with this approach? Should Bill C-15 be amended to include this provision?

Mr. David Chartrand: I actually complimented Premier Horgan and the rest of them in British Columbia for their far-reaching vision of moving on this pathway. If you look at the first nations in British Columbia, they are very well spoken and very well versed on the rights and issues of their matters, and so are the Métis trying to find their place in British Columbia.

When you look at it, overall, I think it's a true setting of the foundation for what B.C. is going to do for business, and how everybody's going to be a player and a partner. I think it's really going to assure comfort for industry. Hopefully, as that balance grows, we'll see less and less hostility. If we go to the east coast, there's a fight on lobsters, for example, right now.

If we could find a balance for how we work together, so that people are not going to be fearful of a change.... As you know, everybody is scared of change, everybody. I don't care who you are. You hear change, and you get your back up, but it's very clear, I think, that B.C. is setting the path forward. It's putting out an example that it can work and it will work, but everybody has to be committed to it.

Ms. Rachel Blaney: Thank you.

Brenda Gunn, a law professor from the University of Manitoba, shared with the committee that Bill C-15 was “an important step toward reconciliation, toward recognizing inherent human rights, toward a fairer and more just Canada for all.”

Do you agree with this assertion?

Mr. David Chartrand: I agree 100%. I think it's truly a blueprint that sets a foundation of clarity for everybody to work together. I think everybody wants that. Industry wants it. Political parties want it. Governments want it. Provincial and municipal governments and just people want it.

I think she's absolutely right. It sets the foundation of clarity for how we could all come together. It becomes a win-win situation instead of win and lose. I think it's a great opportunity for us to embrace this, but we need to make it happen. We can't let it not happen.

It has to get royal assent, or we're going to lose it. If something happens now.... We're in a minority government state. There could be an election and then it will die again. We have seen three examples already, Tina Keeper, Saganash and now we have this new bill.

If it dies again, what are we telling the rest of the world Canada stands for? Reconciliation is nothing but a word after that.

Ms. Rachel Blaney: Thank you. I think that's a really important thing for all of us to be considering.

I'm curious if you could just talk about how Bill C-15 would support the advancement of Métis rights in Canada, and if so how that's going to roll out. What that's going to mean for those communities, for your communities?

Mr. David Chartrand: I don't think it advances Métis rights because we already have those rights. I think what it does is sets the clarity of the process, sets the clarity for how people and industry need to work with us.

I will give you a perfect example. I speak highly of Enbridge. People have criticized Enbridge in the past, but I speak highly of them because they knocked on our door and said, “Look, we want to work with you, we want to sit down together, we want to partner with you, but we don't want a one-year agreement.” It's typical of industry to come in, get their product done, get the pipe in line, walk away and say, “See you 50 years from now.”

Enbridge has changed that ideology, and actually are changing their method of hiring, their method of procurement, all of these things they are working on right now. We have a 50-year agreement we're working towards right now.

I think he said it right, the president of Enbridge. I will say it very clearly. He said, “You know what? We all know I will be gone and so will you, David, but we have to come back in 50 years to change that pipeline again no matter what, or we have to take it out. One way or another it only lasts 50 years and we have to come back. That's the law.”

At the end of the day, he said he would rather have a relationship now and stay with us for 50 years so that when we come back there's not a fight, there's not a disagreement and we're all working on the same path.

This is the kind of ideology that's slowly being embraced by industry. They see that partnership is the way to go. I believe that in my leadership. I believe that's what made us very successful. I had three people on staff. I have 900 on staff now, and I run a lot of businesses. When you look at it overall, you can see that from a partnership perspective it's always good to be win-win.

• (1225)

Ms. Rachel Blaney: In the last committee, the national chief from the AFN recommended that our committee get rid of the preamble's paragraph 6, which states:

Whereas First Nations, Inuit and the Métis Nation have, throughout history and to this day, lived in the lands that are now in Canada with their distinct identities, cultures and ways of life;

Do you have any comments about his proposed amendment?

Mr. David Chartrand: First, I was quite surprised that they're making amendments because I know how strongly Perry has been advocating for getting this thing to royal assent. It's his dream and his aspiration to get it there. By making amendments, you hold everything back, so I was taken a little aback on why amendments would be coming in so late in the game.

The statement they're trying to make is that the Métis do not have land across Canada, which is true. However, we are a nation, and we had land, owned land, ran land and controlled land in the Prairies before Canada became Canada. We have been around for 300 years. We have battles from 1816 on, with 10 battles we fought for this country, so when you look at it overall, we have a long existing place in the history of western Canada. If you look on page 6, you'll find the first bullet where I make it crystal clear that the Métis nation existed in Canada before Canada was formed.

Their position was that the preamble should not state that the Métis nation, Inuit and first nations have similarly lived in all of the land. That I agree with, but in the land of the Prairies, there's not a doubt. History has shown us, and the Supreme Court has recognized that. I think that was their intent, but I was a little bit taken aback by the amendments coming in. I didn't expect that from AFN because I know they want royal assent as badly as I do.

The Chair: Thank you very much.

We move now to five-minute rounds of questions.

I have on my list, Mr. Schmale, Mr. van Koeverden, Ms. DeBellefeuille, Rachel Blaney, Eric Melillo and one other.

Mr. Schmale, you have five minutes. Please go ahead.

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

Good afternoon, Mr. Chartrand. I appreciate the contribution.

I appreciate the conversation we're having today. There's a lot of great input. I may need some additional clarification, because you did talk about free, prior and informed consent not being a veto. I appreciate that.

Grand Chief Bellegarde of the AFN has been quoted a number of times as saying, "You simply cannot tell a people that they have no right to say 'no' to what happens to them. Imagine a system where you cannot say no. That's what we have had for more than a century under the Indian Act. That's what led us to the mess we are in today." I do agree with that.

Based on what you said, based what Chief Bellegarde said, what do we do when we're in a conflict situation, say for a major infrastructure project? If we have one nation against another nation, one that wants it and one that doesn't, who makes that final decision? Is that still the Government of Canada? I think that's the clarification we're looking for. I know that could be the next step after C-15 too.

Mr. David Chartrand: The best way to answer, Jamie, is this: We have indigenous governments already, and if you look at [*Technical difficulty—Editor*] challenges that we've faced in this country for a while, you have the hereditary chiefs and the elected chiefs. What's important is to let them work it out. That's their business, not ours. It's not yours. It's not mine. It's their business. They need to recognize that. We need to respect their governments and their structures.

From that perspective, I think, as we move forward, we're just making transitional ideology changes in this country, recognizing indigenous governments to be truly equal governments. We're not even there yet, but we're getting our mindset to move towards that. It's like me getting a group of Canadians together and saying, "I represent Canada now. I'm now the new Prime Minister of Canada because I have a group of citizens behind me now." You would tell me, "You're crazy. Go to the hell. I got elected as an MP. I sit in the Conservative Party. We are the opposition at this point in time, maybe a future government." You would not accept that I get a group of people together overnight, call myself a new name and become Prime Minister.

We have indigenous governments. Let them do their jobs, and let them clarify their own issues. That's up to them. When we try to stick our noses into their business, that is where trouble lies.

For example, in the federation, in 1967 we created our Constitution. It's been standing strong since 1967. We are recognized by the Supreme Court of Canada as the rightful voices of our government for our people, so from that perspective I think it's very clear that we're getting there. We still have a way to go unfortunately for citizens to recognize that indigenous people have governments that are equal to federal, provincial and municipal governments, that we have the same jurisdictional powers as their own governments. Once we get there, I think we'll solve that problem.

• (1230)

Mr. Jamie Schmale: Okay. I appreciate that, and I do accept that. Each nation has their own way of governance, and I accept that. Absolutely, I agree.

The issue still is, I guess, that if one says yes and one says no to infrastructure projects, and if I'm a company and I still can't get consensus, who makes that final decision?

Mr. David Chartrand: The government, just like you would.

Mr. Jamie Schmale: Okay.

Mr. David Chartrand: If you were sitting as a government, the government makes that decision. Everybody has opinions. If I'm the president of my government, my cabinet and my government will make that decision for all of us.

To show our advanced thinking on it, Jamie...and this could be something people could look at. We have what is called resolution number 8. I have 140 locals from all the villages and communities right across this province that make up our grassroots voices and then compile themselves to give us direction at our regional assemblies and annual assemblies. Resolution number 8 was unanimously adopted by 3,000 leaders and people in this province to say this: that no industry, no indigenous local or Métis local on its own can negotiate with the ministry without the Métis government sitting at the table to ensure all citizens are being protected. From that perspective, it's been adopted by all our local, regional and provincial leaders.

We're going on that pathway. I think many will follow. It's a matter of getting there, allowing governments to do their job like we allow you as a federal government. We have no choice but to allow you. You're the government, and we have to let you and fight with you and argue with you until we get our way, maybe, but at the end of the day, we have to respect you as a government, and we'll get there. Let the governments grow—they're growing—but treat them as one.

You'll call me an organization, but don't call me that. Call me a government. I am a government. I take that personally, because we work so hard to ensure that we operate and are responsible as a government.

Mr. Jamie Schmale: I think the chair is going to cut me off very shortly.

The Chair: You have one minute. Go ahead.

Mr. Jamie Schmale: Oh, I do have a minute. That's perfect.

The Chair: No, you don't. I'm sorry.

Mr. Jamie Schmale: How much time do I have?

The Chair: You're a five-minute guy. We're past.... I had you in for six.

Mr. Jamie Schmale: Can I make one quick comment?

The Chair: Sure, go ahead.

Mr. Jamie Schmale: If I had more time, I was going to get you to elaborate on the acquisition of private property, but thank you for that.

The Chair: We have more to come.

Mr. Jamie Schmale: Thanks, Chair.

The Chair: I'm sorry about that.

Mr. van Koeverden, you have five minutes.

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

President Chartrand, thanks for coming back. It's always nice to hear from you. Whether you're speaking from well-prepared notes or you're speaking from the heart, I think you make your point really clearly. Your knowledge and your wisdom on this file and your work is very evident, so I can't thank you enough.

I'm struck with the reality of the transition in how the Conservatives are portraying this bill. They've stopped talking about a veto, and now they're talking about a duty to consent or a duty to work with. I'm struck with the reality that I feel people on this committee and elsewhere are telling indigenous people what they should be happy with or that things have been fine for the last 20 or 30 years.

I was quite struck with the comment from Mr. Viersen that things have been fine for the last 30 years, in his lifetime, or something like that. I have to speak up about that. I disagree. I don't think the status quo is good enough, and I don't think you do either. Based on your comments, I don't think the status quo is what we want to hold ourselves to as a standard for a country or as a government. I think progress is necessary, and we have to change and do better.

I would love your reflections on a better future for everybody in this country, and that has to include not just participation and not just telling communities how we're going to manage their lands, which they are the rights holders of, but truly working together and what co-operation and collaboration actually mean.

• (1235)

Mr. David Chartrand: There's a sad part about all this, when you look at the history of it and why we're where we are today in society: All that history is a reflection. My mom used to always

teach me this. I speak fluent Saulteaux, and when I used to leave, my mom always told me:

[Witness spoke in Saulteaux and provided the following text:]

Gaawin-wiikaa waniik ke kan aan-di dibi ka ondaad izi ian.

[English]

She said, "Never forget where you come from", and I never will. I grew up very, very poor, and I was raised by a single mother. I understand what poverty is. I understand what struggle is. However, we lived a life, and I'd never change it in a million years. I love the way we grew up, even though we were very poor.

At the end of the day, if you look at where we are in society, we shouldn't be here. I'll give a perfect example, and it's such a pictorial way to look at it.

In 1870, when Manitoba was created, the Métis leadership at the time set aside 1.4 million acres of land for the children. Section 32 of the Constitution was for the parents, but the 1.4 million acres of land was set aside for the children.

The Mennonites were given 586,000 acres. I mention them because they're a perfect example of what production can do and what the future can give you if you work as a community, and if we allow it to be run as a community and don't interfere. We can look at the progress of the Mennonites. They had less than half the land set aside, but today in Manitoba they're the richest, most powerful people in many aspects. I'm very proud of them. I'm seriously proud of them.

When you look at the Métis nation, we were chased off our lands, pushed away to live wherever we could find. We were called the "road allowance people". Imagine for a second if our lives did not have interference, and we didn't get chased off our land. We'd be the most powerful and richest people in Manitoba today. There's no doubt. We're very strong thinkers economically and strong business people. We're hard-working people.

When you look at where we are today, a change needs to happen. We can't keep having society or Canadians as a whole say, "We're tired of paying for the indigenous people," and then we just say, "You're using our land, you're using our assets and you're taking all our riches." There's an imbalance that happens in ideologies with the growth of Canada and educating everybody. We need to find a balance in how we come together. This is the future. The future we're talking about today is taking us there.

I speak to industry, and I guarantee you that once they really see and hear you, they're not afraid of this anymore. They've gone past that. They're ready for business. They're ready to sit down. Trust me. I invest millions in shareholder institutions in this country and outside this country, and any shareholder who's investing wants to be sure their money is being well planned and well protected and that they're going to make money that will return to them. Industry knows now that they can trust a new pattern, a new process, a blueprint. It is where this is going to take us.

We cannot make a change, as I said earlier, nation to nation and government to government that is going to change things 10 years or 20 years from now. I guarantee you that right now. I've been fighting this since I was 18 years old and I'm 61 years old today. When you look at it from that perspective, change is coming and UNDRIP is another pathway that's going to really let us play catch-up so that indigenous and non-indigenous people can compare economically, educationally and so forth. It's about catching up. We're slowly catching up, which is something we should have done 50 years ago or 80 years ago.

Mr. Adam van Koeverden: Thank you, Vice-President Chartrand.

The Chair: Thank you very much, Adam.

Mr. Chartrand, thanks for the reflection on the Mennonites. I lived for a few years in a Mennonite community, and some of the first boat people in Canada were in the village of Wellesley, near Kitchener, brought in by the Mennonite relief society. They're quite a remarkable group.

Thanks for that, sir.

[*Translation*]

Ms. DeBellefeuille, you have the floor for two and a half minutes.

Mrs. Claude DeBellefeuille: Thank you, Mr. Chair.

I also want to thank you, Mr. Chartrand.

Let's pick up where we left off in the first round of questions. You said that you were afraid that the bill would be used as a political tool, that it would be co-opted and that it wouldn't lead to real concrete changes.

What real impact do you really hope to see as a result of the passage of Bill C-15?

• (1240)

[*English*]

Mr. David Chartrand: Again, recognize that I saw this, from my eyes, and many of our cabinet and other people in the west see this, as being used as a tool to scare industry—that if we support this it will kill their future and their opportunity. That is not true. I guarantee that it's not true.

However, in terms of how I see change, let's look at the educational aspect of the Métis people in Manitoba. Let's look at the health situation in Manitoba. We're behind everybody else. We're highest in chronic illnesses, higher than everybody else. People have to understand this and say, "Okay, we'll fix that." But if you don't start putting a plan in action that's inclusive, that ensures that

the people you're speaking of are actually part of it, then you're not going to solve the problem.

At the end of the day, Métis pay billions of dollars in taxes annually. Every year we pay billions in taxes, but when you look at the services that come to us, because of the jurisdictional debate that still happens in this country between the province and the federal government, we're left out. When you look at it from that concept, we are pushed out of the process of being included.

I think in this process, the country and the governments will now have a responsibility to include the Métis nation to be part of the process in doing the right thing. At the end of the day, I'm still a Canadian. I'm still going to use these hospitals, but I'm going to cost you 10 times more. It will be 10 times more the taxpayer bill. When you look at it overall, if we work together, we can stop and prevent this type of situation, including for our children.

We did a study, and our kids—zero to three, three to five—are falling further behind than anybody else. That shouldn't be. Why should we be the ones falling behind education-wise? We're doing all these studies now. I have evidence, if anybody wants a copy of it, from the University of Winnipeg. They're doing studies. Our children are falling behind every other child when it comes to education in this country.

It shouldn't be. That's our future. That's our investment. We want them one day to be working and paying taxes to make sure we get an old age pension in this country. We want to make sure there's a process established where the next generation will have it better than we do. All of us as parents think that way. All of us as leaders think that way. In order to do that, we need to make sure this bill passes. I can see the future changing. It's coming. The mindset is changing in this country.

The Chair: Thanks very much, Mr. Chartrand.

Ms. Blaney, you have two and a half minutes. Go ahead.

Ms. Rachel Blaney: Thank you.

I really appreciate this conversation. One of the chiefs in my riding once said to me that one of the most frustrating parts is this process of incremental justice. It's a little bit, a little bit, and you're just not getting to the place that I really hear clearly from you is where you want to get.

I appreciate so much what you're talking about, that this is a government. As a government, all other governments in Canada have the right to free, prior and informed consent. Why is that indigenous governance structures are not the same? You talked a lot about industry. I know that an industry isn't going to do well in my riding when they come to see me to ask for an introduction to indigenous communities. Their leadership comes to see me and their indigenous manager goes to see the government of the nation.

I'm wondering if you could talk about what you think this bill will do to start to get other industries and other governments in Canada to understand that this is a governance structure that they are talking to.

Mr. David Chartrand: I think you're hitting the nail on the head when you talk about why other governments are recognized in this country for free, prior and informed consent and not indigenous governments. Again, that is absolutely true. We are governments. I think it's very clear that if there's any blueprint we can start to look at, it's what is already starting to happen. The mining institutions, the petroleum institutions, Enbridge—all these big companies are massive companies worth billions upon billions of dollars. They too are seeing the future and saying, "Okay, there's a change coming in this country." If you go to other foreign countries, as I'm sure you know, they can go....

I got a call from Colombia. They're asking me to go and assist them—I have to be careful—because they found a bunch of gold, they say, in their lands. They're worried as indigenous people. What if the Colombian government just comes in and sweeps it off them now? They're asking if I can help them and give them advice and so forth. [*Technical difficulty—Editor*] are exactly a holdback to the late 1800s and 1900s.

There's a transitional change happening in Canada. We can see it. All we have to do is play catch-up amongst ourselves. I read all the party platforms. I read the 2019 platforms for all parties. Erin O'Toole is saying he's going to bring reconciliation under his government also. He's going to bring it under his party. I see the NDP is powerful in that particular aspect. I see the Liberals are powerful in that. The Bloc Québécois will always support the Métis. That I can count on.

Anyway, it's very clear from our perspective that we look towards the future, and I think the future is telling everybody that there's a blueprint being established here. If we all follow this blueprint, nothing but positive change will be coming. It's a win-win for everyone.

• (1245)

The Chair: Thanks, Mr. Chartrand.

Mr. Melillo, you have five minutes.

Mr. Eric Melillo (Kenora, CPC): Thank you very much, Mr. Chair.

I thank Mr. Chartrand for his comments.

You've given us a lot to think about already. In one of the comments that I picked up on—I don't remember when you were saying this—you stressed the importance of being included in the process, I believe perhaps in response to the questioning from our friend from the Bloc.

I'm just wondering if you can speak a bit about the process of consultation on Bill C-15 to this point. Do you feel there has been adequate consultation with the Métis nation?

Mr. David Chartrand: In Manitoba, unfortunately we're in a very peculiar position, one that I've not seen in a long time, where the government is trying to avoid consultation. What's happening is that I'm filing matters in the courts, so I'm going to be holding up process and criticized for holding up the diversion between Lake Winnipeg and Lake Manitoba, but I'm not holding it up. I'm not opposed to it. I need to understand and ensure for my people, my fishers, that our economic engines out there, the land and the water,

will not feel a dire effect 10 or 20 years from now, so we need proper consultation.

Now, in my province, it's not happening. I know there was a question that was going to be raised earlier, that was raised by Jamie, I think, about Crown lands. When you look at Crown lands in Manitoba, a lot of the ranchers are really getting a hold of me, and a lot of the farmers are getting a hold of me. They're very concerned about what's happening with their Crown land. The prices have gone up threefold in two years. They can't afford it anymore, but what's happening is that they're putting them up for private sale.

Guess what's going to happen now, Mr. Melillo: I'll be filing it in courts. I'll be telling them they can't sell Crown land. They didn't consult. There was no proper consultation, but if they just followed the UN declaration, we wouldn't be there. The premier and I would be sitting at a table somewhere. We'd be coming to terms with how we look towards the future of this province that we both like, love and support, and how we work together to achieve that.

I think the issue here, when you look at it, is that there's a situation where, if the UN declaration were in place and respected, we'd avoid the courts many more times in the future, and I can't say that enough. Judges have said in Ontario, and everywhere else where you're from: "Get out of it. You got elected. Do your job. Quit bringing matters to us to adjudicate on your behalf."

From our perspective, we're saying very clearly that consultation is the way to go. This gives you a blueprint of how we get together. Once we respect each other, there's no doubt it's going to be successful.

Mr. Eric Melillo: Thank you very much. I can appreciate those comments. I think maybe you're looking a little farther ahead than I was when I asked the question, and I'll try to bring it back to just when the government was developing Bill C-15 itself. Do you feel there was an adequate consultation, an adequate dialogue?

I understand what you're saying about once it's in effect, but what about at this point?

Mr. David Chartrand: Yes, okay. I understand the question. I thank you for that. It's a good question.

Yes, definitely there was. What, of course, took a lot of it away from all of us is COVID. COVID was restraining us from doing what we traditionally would do. As I said, one day you should come to my assembly. It'll be in October this year, if COVID allows me to have it. You'll see 3,000 citizens coming from across Manitoba to listen to government, and that's a big convention, probably bigger than some of the conventions you guys have. It's a massive group of people, leaders, coming together. When you look at it from that concept, our consultations.... I gave a document. I believe I included it. You could check on it.

We talked with many different people from diverse sectors of our society, trying to get their opinions and views, but I assure you, if COVID were not there, we'd have more of a robust process. Our style, I'm sure like yours.... I like to be with the people. I like to be there as a leader. I like to talk to them, see their faces and see their body language, but I can't do that, of course, as we can't here in the Zoom world that we're in, but yes, there was good consultation. There was adequate funding for us to do what we had to do.

• (1250)

Mr. Eric Melillo: Thank you.

Before I ask my last question, maybe I'll just take the opportunity, Mr. Chartrand, as the member of Parliament for Kenora, to thank you for the work you're doing, the advocacy you're doing there. Obviously there are many Métis people living in the Kenora region, and I just want to express my appreciation for the work you're doing to represent them.

Very quickly—I know you've touched on it already—but coming back to the questions around consent and who's able to give consent, that process, could you explain more clearly anything you haven't been able to add in your comments thus far?

Mr. David Chartrand: The same process, Mr. Melillo, is this. When we have to get approval, we have to go through the Government of Canada, when it's a federal jurisdiction. We have to go to the provincial government for their approval and their decision as to how they are moving forward. The same thing goes for the Métis government. I expressed to you very clearly earlier that we have already thought of a lot of these things ahead of time. Our structure is so grassroots driven and we so wish to protect democracy that the voices of the people are essential.

For example, as president, I report to seven regional assemblies across this province on the annual operations of this government. Then I report to the provincial assembly with 3,000 people at the end to show the full aspect of where we're going. When you look at it from that standpoint, I think the issues of our governments are outstanding. First nations have practised their operation of government for many years, and we go back hundreds and hundreds of years using the same style of governance that Louis Riel had and Cuthbert Grant had when he was a leader at one time.

When you look at the rules and laws of our nation, we're well set in governance formats, and I think if people will give us that respect and let us do our job, I think we'll get consent faster than the federal government and the provincial governments of our country would.

The Chair: Well, I'm not consenting to any more time on this answer. I'm sorry, but we have to move on. We have another panel coming in and we want to make sure everybody gets their chance.

Ms. Zann, you have five minutes.

Ms. Lenore Zann (Cumberland—Colchester, Lib.): Thank you, Mr. Chair.

First of all, I just want to say hello to President Chartrand. It's so nice to see you. I can see you face to face here, even though it's on Zoom. I just want to say I really admire the Métis people and your nation for everything that you've accomplished.

When I first landed in Canada as an eight-year-old child, we came to Regina, Saskatchewan. My dad was a professor at the university there. There was an unveiling of the statue of Louis Riel in 1968, and we went to that as one of our first events as a family. Actually we met Prime Minister Trudeau, Sr., there, so Louis Riel and his rebellion and his fight for the rights of his people has meant a lot to me and to my family. Thank you for all you do.

You talk about UNDRIP being a blueprint. I also want to stress the fact that the United Nations Declaration on the Rights of Indigenous Peoples has made clear reference to the consideration and protection of indigenous women. By its commitment to implement UNDRIP, Canada also agrees to measures to improve the economic and social conditions of indigenous peoples by taking into account the special needs of elders, women, youth, children and persons with disabilities.

You mentioned subparagraph 6(2)(a)(i), regarding racism and violence towards indigenous peoples. Can you expand a little on that and on how you feel that Bill C-15 will help the people in this regard?

Mr. David Chartrand: I think to answer your question...and it was “resistance” and not “rebellion”.

Ms. Lenore Zann: I'm sorry.

Mr. David Chartrand: That's just in case.

Anyway, from my perspective, I think if you look at the issue of racial discrimination, you'll see right now that our young population are out there screaming about police brutality. They're watching what's happening in the United States, and there is some happening here in western Canada and in Canada.

Our people are asking why it is a Black person or why it is an indigenous person who's getting killed. Why is it happening to those particular groups of people? Why are Asian people now being beaten, and why is it still happening in this beautiful country in our mosaic of a beautiful multicultural society? Riel had that vision. It's good you complimented him, because he did have that vision, if you look back in his writings, of bringing all people to such a rich, prosperous land.

When you look at it from the view of racism and discrimination, we have to come back together. In terms of actual clarity, it's the responsibility of the government to make sure it's included in the blueprint of their mandate, not that it happens to be this government or that government that will hopefully put in their campaign that they are going to be committed to this, but that a process will actually be set in law that makes it clear that whoever is sitting as a government has the responsibility to ensure they combat racism, that they find a way to stop this and that we do not allow this in the country.

We have a beautiful country. I'm so proud of my country of Canada. I will go to war still at age 61 if people asked me to defend it. I love Canada, but from my perspective, we're losing our pathway. We need to get back to the basics of it. We can't get lost in the politics of it at times. We need to know that parties are going to be assuring all society, all Canadians, that when they take over the realm of this country, they have a responsibility and there's a bill that tells them they have to combat racism and try to stop it and do everything in their power to prevent it and to try to find a solution to overcome it.

I think this bill actually gives a lot of guidance and protection, but it also sets the mandate. We don't have to worry whether it's going to be in their political party platform or not. It's actually going to be very clear to them that they have an obligation and a legal obligation to do it.

• (1255)

Ms. Lenore Zann: Thank you.

I believe it's about human rights really, isn't it? It's about the fact that we need to accept everybody as equal and not some people more than others.

Mr. David Chartrand: Yes.

Ms. Lenore Zann: It sounds to me that this is why you also would feel it's important to establish a legislated framework to move forward with implementing the principles of the United Nations declaration here in Canada.

Is that correct?

Mr. David Chartrand: For sure, without doubt.

We believe we need to find a solution. We have the issue of missing and murdered women coming up again. It will come to Parliament very soon. There's an announcement coming up.

Ms. Lenore Zann: I'm looking forward to that.

Mr. David Chartrand: Just to give you a heads-up, our Métis government in Manitoba has committed a million dollars to this particular program to find missing families. The name we gave it is "Bring Me Home". In Michif, it's called *Pey Key Way Ta Hin*. We're giving a voice to those lost souls who are buried or hidden somewhere in this world.

The MMF on its own, not the federal or provincial governments, put up a million dollars as a reward to find all of them, not just Métis but first nations and non-indigenous. I think we all have a responsibility, and we need to work together to help that situation. That's part of racism, what created that situation that killed those innocent people, and we have to find a way to help bring them back.

Ms. Lenore Zann: I agree.

Mr. David Chartrand: Again, we all have to take responsibility.

I'm showing you from my government. We put up a million dollars. I'm walking the walk. I'm not just saying it.

The Chair: Thank you.

Ms. Lenore Zann: I agree.

Thank you.

The Chair: Ms. Zann, we need a motion to extend the meeting past one o'clock.

Could I have a motion to that request?

Ms. Lenore Zann: Certainly, Mr. Chair.

I would like to make that motion to extend the meeting.

(Motion agreed to)

The Chair: I see no opposition so we will extend, and we will now suspend as we have to set up our next panel.

I want to thank Mr. Chartrand, and Mr. Benoit and Ms. McKay. I know you were slipping text notes to Dave to give him his punch lines.

Great job, everyone. Thank you so much.

We'll now suspend for a few minutes.

• (1255)

(Pause)

• (1305)

The Chair: I call this meeting back to order. We have our panel ready to go.

Ms. Whitman, Ms. Kudloo, Ms. Sharpe and Women of the Métis Nation President Omeniho, thank you for taking the time to appear.

We have six minutes for opening statements, followed by rounds of questioning. I'm not sure who will open.

Ms. Whitman, will you begin now, for six minutes?

Ms. Lorraine Whitman (President, Native Women's Association of Canada): Thank you.

Good afternoon. *Kwe Kwe. Wela'lin.*

My name is Lorraine Whitman, Grandmother White Sea Turtle, and I am speaking to you today from Mi'kma'ki, the unceded traditional territory of the Mi'kmaq L'nu people.

I would like to thank the members of this committee for asking us to appear before them to talk about Bill C-15.

NWAC is the voice of the grassroots indigenous women, girls and gender-diverse people in Canada. As such, we have different perspectives from the male-led national indigenous organizations when it comes to issues like the UN Declaration on the Rights of Indigenous Peoples.

I am going to turn the floor over to Adam Bond, legal counsel for NWAC, who will be going into the technical details of the bill and the UN declaration.

Before I do, I would put on the record that considering the importance of UNDRIP and the implementation of it in Canada, we are more than disappointed at how the consultation, or I should say the lack of consultation, has occurred. Indigenous women were not meaningfully consulted. Where is the honour of the Crown?

I want to bring this to your attention, because this is not an exception but rather the norm. This must stop. UNDRIP is about us, our families, our communities, the thousands of pages of the national inquiry testimony and its calls for justice. Specifically, call to action 1.3 demands that government end the political marginalization of indigenous women. Our exclusion from this important consultation flies in the face of these demands.

On saying that, I am going to ask our legal counsel Adam Bond to take over from here.

Wela'lin.

• (1310)

Mr. Adam Bond (Legal Counsel, Native Women's Association of Canada): Thank you, President Whitman.

My name is Adam Bond. I am legal counsel with the Native Women's Association of Canada.

I'm here with President Whitman in a support capacity, and I'm happy to answer and respond to any questions of a more technical nature as they relate to NWAC's interests and concerns for Bill C-15.

I think that it was a very thorough discussion in the first panel. I'm pleased to have been able to listen in and hear your questions and the responses. I think this is a great dialogue. We're addressing some of the concerns that have been raised. I feel that those concerns generally gravitate towards some of the same concerns that were prevalent during the discussions on Bill C-262, particularly whether or not FPIC constitutes a veto and whether the changes brought in under Bill C-15 will essentially undo some of the jurisprudence with respect to section 35 rights.

I don't want to take up too much time here, because I'm sure that these questions will be brought up shortly. I look forward to hearing your questions and hope to have an opportunity to respond to some of these very important issues.

Thank you.

The Chair: If that's the presentation, then we can go to our questions.

I appreciate the opportunity to start our first six-minute round of questions, starting with Mr. Viersen.

Mr. Arnold Viersen: Thank you, Mr. Chair.

There are two more groups on the notice, as well. Do they have separate presentations, or are they not here today?

The Chair: I may have—

Mr. Arnold Viersen: I see on our list the Native Women's Association, the Pauktuutit Inuit Women of Canada and the Women of the Métis Nation.

The Chair: I'm sorry about that.

Ms. Sharpe, are you going to make a presentation?

Ms. Gerri Sharpe (Vice-President, Pauktuutit Inuit Women of Canada): Yes, I am.

The Chair: I'm sorry about that. Please go ahead.

Also, thank you, Mr. Viersen.

Ms. Gerri Sharpe: [*Witness spoke in Inuktitut and provided the following translation:*]

Good morning. I am joining you from Yellowknife and I am happy to be here.

[*English*]

President Kudloo has connectivity challenges this morning and sends her regrets.

The passage of Bill C-15 is important to all Inuit women and girls in Canada. Thank you for the invitation to appear before your committee on this legislation—

[*Translation*]

Mrs. Marilène Gill (Manicouagan, BQ): Mr. Chair, I have a point of order. The interpreter says that the sound seems very distant and that this is making the interpretation difficult. Perhaps the witness can bring her microphone closer to her.

The Chair: Thank you, Ms. Gill.

[*English*]

The Clerk of the Committee (Mr. Naaman Sugrue): Ms. Sharpe, if you wouldn't mind bringing the microphone closer to you and speaking just a little more slowly and clearly, we hope we can continue with your testimony accordingly.

Ms. Gerri Sharpe: I'll continue.

Thank you for the invitation to appear before your committee on this legislation. With me today is Beth Symes, Pauktuutit's legal counsel.

I was born in Yellowknife to David Sharpe and Maudie Qitsualik. My mother is the oldest of 17 children born to Gideon Qitsualik. My grandfather Qitsualik helped shape Nunavut's land claims agreement, in which education and self-determination were key. He is also one of the seal hunters on the back of the 1972 two-dollar bill.

My childhood was spent in Nova Scotia and Gjoa Haven, an Inuit hamlet in Nunavut—

• (1315)

The Chair: Ms. Sharpe, I'm sorry to have to interrupt this remarkable testimony from your history. Unfortunately, to have a properly conducted meeting, testimony has to be clearly interpretable so that our francophone members can get an accurate translation. Because of the technology—not because of you—it's not coming through in such a way that we can actually translate it.

Mr. Clerk, I'm going to ask you to comment on whether we should move to our next speaker while we see if we can resolve the issues with Ms. Sharpe.

The Clerk: Yes, I can have some folks reach out, but in the event that we're not able to get back to her, as with previous witnesses, it's my assumption that the committee wishes to receive the speaking notes as evidence.

The Chair: To the president of the Women of the Métis Nation, you've heard our discussion. Can you present for six minutes now?

Mr. Gary Anandasangaree (Scarborough—Rouge Park, Lib.): Before you continue, Mr. Chair, I have a technical issue. I am going to have to reboot. I'm unable to be on camera. For some reason, it's not allowing me, so I will come back into the committee in a couple of minutes.

The Chair: That's fine. Thank you.

I apologize for all of this, but please go ahead, Ms. Omeniho.

Ms. Melanie Omeniho (President, Women of the Métis Nation - Les Femmes Michif Otipemisiwak): Good afternoon. Thank you for the opportunity to come and present to the committee on behalf of Les Femmes Michif Otipemisiwak, which is the Women of the Métis Nation.

It's a continuing journey to ensure equality of rights, of treatment and of access to education, health, employment, justice and democratic leadership among Métis women and two-spirit and gender-diverse people across the Métis motherland. Les Femmes Michif is actively engaged with its grassroots constituency in exploring options of the equitable and meaningful implementation of the United Nations Declaration on the Rights of Indigenous Peoples in Canada.

Elders and representatives from across the Métis motherland have noted that this historic piece of legislation, if implemented according to its spirit and intent, could have the transformative power of an indigenous bill of rights. Bill C-15, the proposed UNDRIP act, represents a once-in-a-lifetime opportunity to reset both the scales of justice and the balance of power so that indigenous women, children and two-spirit and gender-diverse people are protected, safe and free.

Accomplishing the equitable implementation of UNDRIP domestically will be no easy feat. It will require a distinctions-based approach that recognizes no hierarchy of rights among the first nations, Inuit and Métis. Moreover, within each of the three distinctions-based groups, the unique experience of indigenous women, girls and two-spirit and gender-diverse people will also require specific analysis and attention, given their precarious and vulnerable positions in Canadian society. Indeed, taking a distinctions-based and gender-based approach to UNDRIP implementation will help ensure equality of outcomes for all indigenous women, girls and two-spirit and gender-diverse indigenous people.

Accordingly, diligent implementation of the UNDRIP will demand a whole-of-society acknowledgement, recognition and respect for the basic human rights and the constitutionally protected aboriginal rights of the indigenous people of Canada, with particular protections for first nations, Inuit and Métis women, children and two-spirit and gender-diverse people. From LFMO's perspective, the UNDRIP act holds up the hope and promise of equality of treatment and outcomes for all Métis women, girls and two-spirit and gender-diverse folks from our Métis motherland.

LFMO is a national indigenous women's organization that serves as a democratically elected representative and gives a national and international voice to Métis women across the Métis motherland. LFMO is mandated to represent the economic, social and political needs, interests and aspirations of Métis women and two-spirit and gender-diverse people.

LFMO acknowledges and appreciates the comments on Bill C-15 provided to the government thus far that have been incorporated into the draft legislation. We've been included in many of the engagement sessions that the Department of Justice held prior to the legislation [*Technical difficulty—Editor*] coming into existence, and we support the process of moving the bill forward. We're not asking for any amendments or changes to the bill.

We believe that the implementation of UNDRIP will only be meaningful when the development of a national plan comes into being. Based on Stats Canada reports and the reports we have for missing and murdered indigenous women in this country, we think it's imperative that the action plan be all-encompassing and support the engagement of ensuring that there is consultation and process available to help support the activities and engagement of indigenous women, girls and two-spirit and gender-diverse people throughout the process.

We think that employing a culturally relevant, distinctions-based and gender-based lens to the development of Bill C-15's action plan and its implementation will be critical to the act's success. To accomplish this, LFMO calls for an indigenous-first, gender-based analysis plus approach to inform the development of the action plan and the annual reporting to Parliament.

• (1320)

National, regional and community indigenous women's organizations, as well as indigenous two-spirit and gender-diverse representatives and organizations, must have as equal a seat at the table to other national indigenous organizations for the implementation of Bill C-15. Anything less than equality in representation would democratically detract from the honour and meaning of the sense of inherent equality contained within UNDRIP.

Before colonization, many indigenous nations were either matrilineal, matriarchal or matrilineal, with women holding important equal positions with their male counterparts.

Our women of the Métis nation were highly respected and central to the functioning of our society. They held essential roles in buffalo hunting brigades, subsistence trapping and fishing, voyaging expeditions, governance, raising children and passing down cultural, spiritual and social knowledge.

With colonization, imported Euro-Canadian notions of inequality, racism and gender norms radically transformed our society. Displacement, land dispossession, residential and day schools, and child apprehension have left Métis women marginalized, vulnerable and subject to targeted violence and negative societal attitudes. An important part of decolonization is in empowering the voices and roles of women and two-spirit and gender-diverse people in decision-making for our Métis motherland.

An honourable implementation of UNDRIP requires that the process be inclusive and incorporate the perspectives, aspirations and lived experiences of first nations, Inuit, Métis women and two-spirit people in planning and decision-making.

While male-led and male-dominated national indigenous organizations have been canvassed and consulted at length on C-15, the NIOs and the two-spirit and gender-diverse representatives also need to have an equal role in all planning and decision-making.

The Chair: We're at time, Ms. Omeniho. Are you close to concluding?

Ms. Melanie Omeniho: I am.

In conclusion, I support the work of this committee. We're hoping that Bill C-15 moves forward and will become an act that we can all start working on building an action plan for that we can be proud of.

I thank you for this opportunity today.

The Chair: Thank you for your presentation.

Mr. Clerk, I am assuming that there is still a technical issue with Ms. Sharpe. My understanding is that we will do a simultaneous interpretation of her notes, if she begins to read again.

Let me know how we're going to handle this.

• (1325)

The Clerk: Yes, Mr. Chair.

Interpretation will work off Ms. Sharpe's notes. She will give her opening statement in that way.

While I have the floor, I'll also ask everyone else in the meeting to make sure the volume on their cellular devices is turned off, as it's disruptive to interpretation if it goes off while their mike is on.

The Chair: Okay, so turn down your cells.

Ms. Sharpe, you began with such a fascinating story, but we need you to start again. We'll do the interpretation as you go along.

Please go ahead.

Ms. Gerri Sharpe: [*Witness spoke in Inuktitut and provided the following translation:*]

Good morning. I am joining you from Yellowknife, and I am happy to be here.

[*English*]

President Kudloo had connectivity challenges this morning and sends her regrets.

The passage of Bill C-15 is important to all Inuit women and girls in Canada.

Thank you for the invitation to appear before your committee on this legislation. With me today is Beth Symes, Pauktuutit's legal counsel.

I was born in Yellowknife to David Sharpe and Maudie Qitsualik. My mother is the oldest of 17 born to Gideon Qitsualik. My grandfather Qitsualik helped shape the Nunavut land claims agreement in which education and self determination were key. He is also one of the seal hunters on the back of the 1972 two-dollar bill.

My childhood was spent in Nova Scotia and Gjoa Haven, an Inuit hamlet in Nunavut. I was among one of the first Inuit women in

60 or 70 years to receive facial tattoos to strengthen my connection to my Inuit culture and identity. I work towards the advancement of Inuit for my children and my grandchildren.

Inuit women in the mining industry are an example of the larger issue of the lack of respect for the voices of Inuit women and the partnership that is needed with all members of our community for the future resource development in Inuit Nunangat and to make progress on reconciliation with Inuit. Progress with Bill C-15 will advance by supporting Inuit and project developers to find a common ground.

Pauktuutit is the voice of Inuit women wherever they live in Canada. I am the vice-president of Pauktuutit. Our board has representatives from each of the four regions of Inuit Nunangat as well as representatives from urban centres and youth representatives.

For 36 years, Pauktuutit has been the national voice for the rights of Inuit women and girls, working towards our health and education and economic, physical, emotional and social security. Pauktuutit had legal standing at the MMIWG inquiry and was at every hearing where Inuit families told their stories. Pauktuutit and ITK are co-chairing the Inuit working group that is writing the Inuit chapter on the MMIWG national action plan.

Pauktuutit is also active on the international stage on the rights of indigenous women. Every year, Pauktuutit participates in the session of the UN Commission on the Status of Women and the UN indigenous peoples permanent forum.

In October 2020, Pauktuutit was invited to two consultations with CIRNA and Justice on a preliminary draft of Bill C-15. As well, Pauktuutit filed a brief asking for changes to the draft legislation. Bill C-15 incorporates many of the changes that Pauktuutit sought.

Bill C-15 is a step forward for Inuit women and all Canadians on the journey towards reconciliation. It is important because it states that Inuit women will have the right to participate in decision-making in matters that affect them; the right to improvement of economic and social conditions including education, housing, health, employment and social security; the right to the highest attainable standard of physical and mental health; and the same rights and freedoms guaranteed to Inuit men. As well, Inuit women are able to enforce all their rights in the UNDRIP act wherever they and their children live in Canada.

For all of these important reasons, Pauktuutit is not seeking any amendments to the legislation. Pauktuutit asks members of this committee to work towards a quick passage of Bill C-15.

I conclude by addressing the development of the action plan to implement UNDRIP. The action plan must be distinction based. Gender equality is a deeply held value for all Canadians. The federal government must use a GBA+ lens to develop the action plan. The voices of all Inuit women must be heard.

• (1330)

Bill C-15 is critical to closing the gaps for Inuit women with other women in Canada in education, culture, language, health, housing and economic security. It is also critical to realizing the hopes and aspirations we have for our children and our grandchildren. The passage of C-15 is also a historical opportunity for Canada to advance the path of reconciliation with Inuit and other indigenous people.

Qujannamiik. Thank you.

The Chair: Thank you so much.

Thanks to all of you for remarkable testimony. I think I can speak for our committee about the honour we feel in having a role to play in matters that are so important to you, your families and your people.

We'll have a chance for one round of questioning due to time constraints. A six-minute round of questioning will be with Mr. Viersen, Ms. Zann, Ms. Gill—who is with us now—and Ms. Gazan.

Arnold, please go ahead for six minutes.

Mr. Arnold Viersen: Thank you, Mr. Chair.

I want to thank each of the witnesses for coming here today and, despite the technical difficulties, getting their testimony on the record. I very much appreciate it.

Ms. Sharpe, the story about the two-dollar bill and your family being on it is really cool. I like that a lot.

I have spent most of my time in Parliament battling against the scourge of human trafficking that happens here in Canada. Human trafficking is happening within 10 blocks of where most of us live. We don't necessarily see it. We know that the victims of human trafficking are typically young women between the ages of 15 and 35. We don't really have a good handle on how many victims we have in this country. The stats of the ones who we are able to help and to rescue from human trafficking indicate that 50% of them are first nations, Inuit or Métis—indigenous people from Canada.

I want to thank each of your organizations. I know particularly the indigenous women's association has been at the forefront of that battle working with me to bring forward a bill. They supported my Motion No. 47 back in 2017. For all of your organizations, I'm sure that it's a big part of what you do around battling human trafficking. I really appreciate all of the things that you do on that.

Today, we're talking about Bill C-15. It's a somewhat controversial bill in that.... In the areas I work in on the human trafficking front, I use the UN document called the Palermo protocol that was adopted in the year 2000. Canada is a signatory to it, and we use it. Although not all of our laws are in line with the Palermo protocol, I still have a private member's bill on the record right now to bring

Canada in line with the Palermo protocol. There's one aspect of the Palermo protocol that Canada isn't fully aligned with yet.

I also use extensively the UN document on the rights of the child. That, as well, is something that we use. Again, Canada is a signatory to that document; however, our Canadian laws don't necessarily fully align with the aspirations of that document.

To me, it feels that the UNDRIP—the UN Declaration on the Rights of Indigenous Peoples—is a similar document to the Palermo protocol and the rights of the child. I am wondering how this is different. Probably Mr. Bond is the likely guy to take a crack at this one first. How would legislating UNDRIP have application in Canadian law? Is that different from the Palermo protocol and the rights of the child, or am I just imagining that?

• (1335)

Mr. Adam Bond: It's a really important question. I think there is a lot of confusion about how this operates. I don't think many people are under the assumption that Bill C-15 would elevate UNDRIP to the extent where it would create new actionable grounds.

However, what you're speaking to is the interpretation in clause 4 that recognizes that UNDRIP... As a declaration, it's not a binding treaty under international law, as I'm sure you're aware. The purpose of this clause would be to say that, for Canada, this declaration is now considered to be an international human rights instrument with application in Canada. That means it becomes an interpretive tool under the presumption of conformity. When a charter challenge is brought or when some action or judicial review is brought before the courts, this would allow the courts to use UNDRIP as an interpretive tool. The presumption of conformity is a well-established legal principle that says the courts will work to interpret our legislation in a way that conforms with international law that is binding on Canada.

What does that do? One of the main concerns is article 32 of UNDRIP. If we now have UNDRIP elevated to an interpretive tool, and article 32 requires that governments consult in order to obtain free, prior and informed consent before approving projects that can have adverse effects on indigenous rights, how does this fit into the legal test?

I wish we had more time. These are obviously complex issues. I don't know that I'll be able to boil it down too quickly, but the Coles Notes version is essentially that it's not that large of an effect. The existing jurisprudence we have with respect to the duty to consult, and that most people refer to in the Haida Nation case, still stands. Whether or not there is an existing claim, what the content of the duty to consult might be based off of an unresolved claim—all of that jurisprudence is still relevant. In fact, even the jurisprudence that deals with the test for justification for an infringement of a section 35 right will still remain relevant right up until the step for justification, where the reverse onus turns to the government to justify any infringement.

For example, if you have a proposed project and you have—

Mr. Arnold Viersen: I'm afraid we have to leave it right there. I appreciate it, but my time is up.

The Chair: Thanks, Mr. Viersen.

Ms. Zann, you have six minutes.

Ms. Lenore Zann: Thank you so much. *Wela'lin*. Like Ms. Whitman, I come to you today from the unceded territory of the Mi'kmaq in Nova Scotia.

First of all, I want to say thank you to all of you for your tireless efforts on behalf of indigenous women and girls, making sure they have a voice in these important matters.

In addition to the specific Truth and Reconciliation Commission's calls to action 43 and 44, which call on governments to fully adopt and implement the declaration and develop an action plan to achieve its goals, the declaration is referenced throughout the calls to action. It's also referenced in the final report of the National Inquiry into Missing and Murdered Indigenous Women and Girls.

I'll start with Ms. Whitman, but I'd like to hear from each of you regarding this final report. Can you expand on why you think the Truth and Reconciliation Commission and the national inquiry both emphasized the declaration as such a key part of reconciliation? Can you perhaps offer some views on why this international document is so essential to advancing reconciliation here in Canada from coast to coast to coast?

Ms. Whitman.

● (1340)

Ms. Lorraine Whitman: Thank you. I appreciate the question.

First of all, I'd like to go back. What has taken place with the TRC, as well as the national inquiry is so important. When we look at UNDRIP and human rights and the violence that has occurred with our women, our girls and our gender-diverse, these calls to action are there, and in the process that we're going through, we need to be able to consult the grassroots people. These are the people we're working for.

As a leader with NWAC, we haven't had the time or even the respect to be able to meet and consult with the people who truly count. These are the people who gave their testimonies, their stories of their heartache of their loved ones being taken away by another person or not even knowing where they are at this time. Both of them work together because of all the calls with the TRC as well as the national inquiry. The findings stated at the very end that it is a genocide, and the genocide is part of this UN declaration. That's why the women need to be consulted and be able to be at the table with our men leaders.

We have a different lens on what's happening. We speak to our women, our girls and our gender-diverse, and we need to be there with the men so that we can have a healthy community and so the women aren't marginalized as they are today, because it goes back to the history, the economics, the whole bit. It's very important that we look at all these rights and if it's going to be true consulting, then there should be proper consultation.

Ms. Lenore Zann: Thank you.

Ms. Whitman, I'm so sorry, but I need to hear from the others as well, and I have another question, if that's okay.

Ms. Lorraine Whitman: Okay. Thank you.

Ms. Lenore Zann: Thank you.

The Chair: Ms. Omeniho.

Ms. Melanie Omeniho: Thank you for the opportunity.

We believe that UNDRIP provides the issues and a lens on human rights that haven't been addressed. The TRC and the missing and murdered report clearly identify that there are many significant issues that really haven't been addressed that are required for us to move forward in trying to create reconciliation and equality in this country. We see evidence of that in all the work we're doing, including racism in the health care system and the issues that we are trying to engage on with the police services, trying to change the lens on how those kinds of things are happening.

Bill C-15 is just a cornerstone piece of legislation. It will help build the foundation for a better future and more reconciliation.

Ms. Lenore Zann: Thank you.

I'm sorry, but Ms. Sharpe....

The Chair: Ms. Symes will take the call on her behalf because of the technical issue.

Ms. Beth Symes (Legal Counsel, Pauktuutit Inuit Women of Canada): I'll try not to repeat what Mr. Bond or Ms. Omeniho has said.

For Pauktuutit, the UNDRIP bill is hopefully a dramatic change in the relationship between Canada and Inuit women, indigenous people. It provides a new pathway forward in terms of that relationship.

I listened to you last Tuesday and read the transcripts of previous witnesses. You focused very much on natural resources and free, prior and informed consent, but I ask you to take a different lens—the lens of women—and in sections 21 and 24, the UNDRIP act promises a commitment to an improvement in the economic and social conditions: education, housing, health, employment and social security.

A young Inuk girl right now will live 10 years less than my daughters. That's not acceptable. It's not acceptable. There is a way to do things differently. Please focus as much on the social, economic and human conditions, because they're just so important.

● (1345)

Ms. Lenore Zann: Thank you so much.

Was that my time?

The Chair: Thanks, Ms. Zann. That was your time. I'm sure that Ms. Gill and Ms. Gazan will build on that.

[*Translation*]

Ms. Gill, you have the floor.

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

I want to thank all the witnesses: Ms. Omeniho, Ms. Whitman, Ms. Symes, Ms. Sharpe and Mr. Bond.

I'm very pleased today that we're shedding this additional light on Bill C-15. Of course, everyone spoke about GBA+, meaning gender-based and inter-sectoral analysis. This issue came up in your presentations along with the issue of consultations.

I have a two-part question for you. We still don't have much time. However, if possible, I would like to hear all of you speak about GBA+. Hypothetically, what do you think we could find on this topic, in the bill? How would this improve the bill? Also, how would you like to be consulted and really be part of the consultation?

[English]

The Chair: Ms. Whitman, do you want to start?

Ms. Lorraine Whitman: Certainly, thank you.

First of all, I'd like to be respectfully consulted in that we would be contacted at our national office so that we would be able to have clarifications on different questions, so that we would be able to meet with our grassroots, our PTMAs. Those are the provincial and territorial members who sit on our national board. Then we would be able to go from there to meet with the grassroots to have their input, because it's their input that's so important and to hear their words as well, because it deals with them. That's the process we are going to.

Wela'lin and thank you.

The Chair: Is there anything further, Ms. Symes and Ms. Omeniho?

Ms. Melanie Omeniho: I can go.

Actually, why it's important for there to be a gender-based analysis used when we're working with Bill C-15 is that in the onset of the development of the UNDRIP within the United Nations, at that time, there was never a lot of work or process in looking at things from a gendered perspective. I think that in the development and the work, especially in the process of the implementation of Bill C-15, we can do a better job of ensuring that there is a lens for all the intersections that make up the indigenous community.

As far as consultation is concerned, the biggest thing I want to say about consultation is that very often as indigenous women we're an afterthought in being engaged. We're brought in at the 11th hour and only given a very marginal opportunity to have proper engagement. In equal and fair process, everybody would have the same opportunity and be given the same capacity to be able to engage fully on any conversations or discussions on all matters going forward.

Ms. Beth Symes: Mr. Chair, if I could add, let me give you a legal foundation for what Ms. Omeniho and Ms. Whitman have said.

Article 44 of the charter says that the rights and freedoms in the declaration are guaranteed equally to, and I'll say, Inuit women as well as Inuit men. That's where we must begin. How can you guarantee those rights without hearing from them?

We say that Inuit women must be there at the beginning as the action plan is being developed and they have to be there at all ta-

bles because, otherwise, no GBA analysis will be done and the rights of indigenous women will not be protected.

Thank you.

[Translation]

Mrs. Marilène Gill: I have a more general question.

You spoke about the history of Métis women, first nations women and Inuit women, and the history of colonization, which was terrible for women in particular, and in different ways. There's no way to fix what happened. However, how can Bill C-15 contribute to reconciliation, by also including women? Would you like to point out anything specific for women?

My question is for everyone. I'll leave it up to you to respond.

• (1350)

[English]

The Chair: Ms. Whitman, why don't you go ahead for one minute?

Ms. Lorraine Whitman: Thank you.

First of all, when we look at Bill C-15, it's like any piece of legislation; it's not perfect. In this case, however, perfection is not simple. The enemy of the good, I guess you could say, is demanding perfection of Bill C-15, as this operates directly against the rights and the interests of the indigenous women and girls who have every right to be as free from violence and discrimination as you or any other woman would love to be.

That's why we're saying that we need to be there. We don't want women to be just a token or an afterthought, which has happened.

I feel if the respect is truly there, I can certainly appreciate that we would be able to go much further than we are going and move forward in such a way that our women, our girls and our gender-diverse people will be appreciated and respected, because we are a large marginalized group of women who are dealing with the violence.

The Chair: Thanks very much.

Thanks, Ms. Gill.

Ms. Gazan.

Ms. Leah Gazan (Winnipeg Centre, NDP): Thank you so much, Mr. Chair.

Many of you have spoken about the marginalization of women and of diverse-gendered voices. Even in Bill C-15 that's certainly what I have heard. I would agree that there has been a clear lack of representation of indigenous women's voices during the consultation on Bill C-15.

My first question is for Madam Omeniho.

How do you think this can be improved moving forward?

Ms. Melanie Omeniho: I have an easy answer to that. There can be no real reconciliation around our indigenous population and the work that we do, including with Bill C-15, unless indigenous women, girls, children and 2SLGBTQ are included in the conversations and the consultation. We make up the majority of the indigenous community, and we have to be a part of all conversations because we see things from another perspective.

One of the things I've been taught is that, when you resource and support women, you resource and support a community. When you resource an infrastructure and those other mechanisms, you only resource a few. I think we need to support having women and the 2SLGBTQ being involved.

Thank you.

Ms. Leah Gazan: Thank you so much.

My next question is for Madam Whitman.

The federal government, as you know, recognizes AFN, ITK and the Métis National Council as national organizations to consult on important matters. Should there be an equivalent for indigenous women's organizations, and why?

Ms. Lorraine Whitman: Yes, I certainly do believe that there should be equality in there. NWAC represents, advocates for and defends the rights of the indigenous, the Métis and the Inuit. The women who are part of our membership choose who they'd like to be part of.

With this, we do the best we can to advocate for them. I feel that we should be at the tables, because we are there supporting and defending the women. These are their voices that we're speaking with and bringing forth. Also, with the national inquiry, the TRC, we're bringing the voices that the women want us to bring forth to the table, and we can't do well without having our voices there.

Ms. Leah Gazan: I would agree with you. Silencing is not a good way to engage, for sure.

My last question is for Madam Symes, the legal counsel. I just want to ask about something specific to article 22 of the UN declaration, which states the following:

1. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities in the implementation of this Declaration.

2. States shall take [all] measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.

A vile human rights violation we see occurring in Canada is that we currently have over 5,000 murdered and missing indigenous women, and there has been little or no action from the federal government. As you know, in the inquiry, that was noted as an act of genocide resulting from human rights violations. A key call to justice that came out of the inquiry was to ensure the full adoption and implementation of the United Nations declaration into Canadian law.

Why is this so critical? Could you focus your response—and I know you can't read the article separately—specifically on women and uplifting the rights of indigenous women and girls and the diverse-gendered?

• (1355)

Ms. Beth Symes: Thank you for the question.

The UN declaration has the social and safety and security clearly in it, in articles 18, 21, 22 and so on. These now, when C-15 becomes law, are enshrined in Canadian law. It's much easier for judges, for tribunal members, for public servants and for people like you to say, "Well, it's now Canadian law, and we must achieve these. They are not merely aspirational. These are real rights."

I picked the lifetime just as an example because it shows so graphically the enormous gap between what Canadians enjoy and what indigenous Canadians enjoy. It's a gap that's unacceptable. It's a gap that's caused by lack of housing, by lack of policing, by lack of education, economic.... All of these things, in a Canadian statute, will make them much more effective, much more compelling.

Ms. Leah Gazan: As a quick follow-up, would you say a violation of these basic human rights—housing, access to clean drinking water—is directly related to the epidemic of violence and murder of indigenous women and girls and two-spirit individuals in this country?

Ms. Beth Symes: Absolutely. We were at the missing and murdered indigenous women and girls inquiry and called evidence to show that the lack of housing, the lack of health care, the lack of policing all increase, significantly, the risk of missing and murdered Inuit women and girls, who are 14 times more likely to be murdered than non-indigenous women and girls.

Yes, absolutely, all the social determinants of health are key to keeping indigenous women, Inuit women, safe, secure and healthy.

Ms. Leah Gazan: Do I have time?

The Chair: We're out of time. I apologize for that, and I should apologize for the colonization that, when it came from Europe, diminished and almost eliminated the voices of women, which traditionally had equality and autonomy among the first nations at the time. Perhaps our work will resolve that.

I want to thank all our witnesses so much. I'm sorry about the technical aspects. We had an amazing group of people and testimonies. You are much appreciated.

With that, I will ask for a motion to adjourn.

Ms. Gazan, will you give me that motion?

Ms. Leah Gazan: Yes. Thank you, Chair. I move to adjourn.

(Motion agreed to)

The Chair: Thank you once again.

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