



## Opinion

# Canadian Parliament should pass UNDRIP, let's not make the same mistakes as in the past

There will always be some disagreements about how we move forward with economic development projects in Canada. But if we get it right, Bill C-15 can set us the right path to create the partnerships between First Nations, governments and investors that will help make reconciliation a reality.

**Ernie Daniels**

*Opinion*



By passing legislation that would breathe life into the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Canada would be taking a step forward on the bumpy road toward reconciliation.

However, some investors, political, and business leaders are uneasy about Bill C-15 and the implications of harmonizing Canadian laws with UNDRIP. They worry that requiring Indigenous people's "free, prior and informed consent" could lead to

a veto over resource and other economic development projects.

The assumption here appears to be that Indigenous peoples are opposed to resource development in their territories. This is wrong. They are opposed to projects in which they have no say, that destroy the environment, defile their sacred places, and deny them their fair share of the employment opportunities and revenues that such projects bring.

The reality is that Canada has a poor track record in consulting Indigenous peoples when it comes to resource development on their lands. The result has been a lack of trust, prolonged litigation, and some high-profile projects have been stymied or stalled. Failing to get agreement on how to proceed on these projects benefits no one—not industry, not Canada, and certainly not Indigenous peoples.

Now that we know what has not worked, it is time to embark on a new approach that will remove rather than increase uncertainty and spark the kind of collaboration that will make progress possible.

So, we need to ask ourselves, will more of the same lead to better outcomes? Or can the implementation of UNDRIP become the basis for the new and evolving fiscal relationship between Canada and Indigenous Peoples. A relationship that recognizes Indigenous peoples as partners in progress and share in the revenues that will flow from the economic development taking place in their territories.

I believe that if done correctly, the UN declaration can be a key tool in reaching the government's goal of reconciliation and improving quality of life for First Nations, Inuit, and Métis.

Even before Canada decided to adopt UNDRIP, in many ways it had already laid the ground-

work to support its implementation by creating three Indigenous financial institutions to promote sound governance, good management and economically viable nation rebuilding among First Nations and potentially other indigenous groups.

I believe that our organization, the First Nations Finance Authority (FNFA) embodies the spirit and vision of UNDRIP. Created by an Act of Parliament in 2005, we are Indigenous governed and designed to provide First Nations with access to capital markets to rebuild their economies, infrastructure, and financial management capacity in ways that align with their inherent rights.

To date, FNFA has financed more than \$1.3-billion in loans on global capital markets to First Nations to support upgrades to water treatment systems, new housing, roads, schools, as well as health and wellness centres. These loans, which First Nations repay using their established own-source government revenues, have also helped to fund economic development projects such as a wind energy centre that is currently powering 100,000 Ontario homes while creating jobs and millions of dollars in revenues on and off reserve.

In making the case for Bill C-15, Justice Minister David Lametti told a parliamentary committee that the legislation will offer hope to Indigenous youth who, "see a future in which strong, self-determined Indigenous peoples thrive and are connected to the land and culture," and where, "Indigenous-Crown relations are truly nation-to-nation, reflecting equality and respect, and not colonial attitudes."

But if the next generation is to escape poverty, we must close the \$30-billion infrastructure gap between First Nations and

the rest of Canada. At this point, First Nations' own-source revenues and government grants are not sufficient to prevent the gap from widening even further.

In addition to federal transfers, First Nations need broader access to capital markets so they can borrow funds needed to finance their futures just like any other level of government in Canada and globally. This is a key step in closing the gap once and for all.

It is also part of the larger process of nation rebuilding as First Nations move beyond the Indian Act to the enhanced autonomy envisioned by UNDRIP where Indigenous peoples have, as Article 4 states, "the ways and means to finance their autonomous functions."

A coalition of Mi'kmaq First Nations in Atlantic Canada used a \$250-million loan from FNFA to help purchase a 50 per cent stake in Clearwater, one the largest seafood companies in the world.

We need to do more of these kinds of deals so that First Nations become active owners rather than bystanders to create wealth, build critical infrastructure and eliminate the poverty that has scarred our people.

There will always be some disagreements about how we move forward with economic development projects in Canada. But if we get it right, Bill C-15 can set us the right path to create the partnerships between First Nations, governments and investors that will help make reconciliation a reality.

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