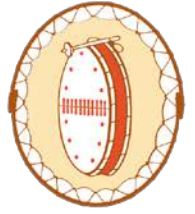




G. C. C. E. I.
est. 1974



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TESTIMONY

BY

GRAND CHIEF DR. ABEL BOSUM

TO THE

SENATE COMMITTEE ON ABORIGINAL PEOPLES CONSIDERING

BILL C-15

[VIA ONLINE PLATFORM MAY 14, 2021 10:00 A.M.]

Thank you Mr. Chair, and thank you to the Committee for inviting me to share some thoughts with you today about this extremely important bill that you are now studying.

As I have done at the House of Commons Standing Committee on Indigenous and Northern Affairs, I would like to focus my remarks today on what I believe is fair to say has become the most contentious issue related to Bill C-15 and UNDRIP itself—the concept of “Free, Prior and Informed Consent”.

You have heard a great deal of testimony about “free, prior and informed consent” including views which have attempted to cast this notion as nothing more than a potential veto over proposed projects involving the lands and the natural resources on traditional Indigenous lands. Because of this alleged veto power, witnesses have told you that the implementation of UNDRIP in Canadian law would be catastrophic for the Canadian economy.

The experience of our Cree Nation in northern Quebec provides clear evidence to the contrary. Over the course of over four decades, we have gradually and incrementally put into place a number of processes which provide for our deep involvement in the decision-making around proposed economic development projects on our traditional land. These processes

take into account our people's environmental and social concerns, and the processes result in our involvement in such projects, including environmental monitoring, establishing protected areas, employment, training, contracting, and financial benefits.

The processes we have established in northern Quebec are also about broad engagement; they are about dialogue; they are about serious conversations. When we are at the table, with our rights acknowledged, we all come to the more mature perspective that there is so much more that we all have in common than what appears to separate us.

The experiences which I share with you are not theoretical; they are not ideological; they are not rhetorical wishful thinking. Very few of the witnesses who have expressed concerns about FPIC speak from lived experience. Our views are based on the very hard work of, firstly, gaining acknowledgement of our rights, and then rolling up our sleeves to do the hard work of translating those rights into meaningful processes that put us squarely at the table of decision-making, along with others, about projects proposed to take place on our traditional territory. These processes are not about any player making unilateral declarations about the fate of a project. Indeed, unilateral declarations about resource development projects have historically been the norm and they have excluded Indigenous people.

We must move away from the entrenched colonial perspective that Indigenous peoples can only have the right to say 'yes'. Genuine inclusion must be robust and effective enough to permit a full airing of real concerns, real issues, and serious views about projects, policies and laws that affect Indigenous people, and then these must be incorporated, through dialogue, into eventual decisions.

We, in northern Quebec, have implemented our version of free, prior and informed consent and the sky has not fallen, the investment climate has not been negatively affected—in fact, it has improved—and we continue to create 'win-win' situations for rights holders and others with whom we must engage. We have improved all the relevant relationships around us—with the non-Indigenous communities, with industry, with the Province of Quebec. It has been precisely because our rights have been acknowledged, and precisely because we are recognized to be fully legitimate participants in the economy and the political life of our region that we have contributed to the journey toward peaceful co-existence and social harmony.

Nothing is more detrimental to the Canadian investment climate than the *status quo*. It is the *status quo* that has created, and continues to create, uncertainty and an unstable investment environment.

The fundamental issue in all of the debates around Bill C-15, UNDRIP and FPIC, is whether Canada will adopt an honourable approach to respecting our human rights and addressing the conditions of Indigenous peoples—and whether that approach will be based on the full “inclusion” of Indigenous peoples in the political and economic life of Canada. It is about whether we are genuinely prepared to close the long and painful chapter of our collective history which has been based on, and perpetuated by, outdated colonial practices. The real question before you, Senators: Is Canada prepared now to recognize our historic exclusion as a relic of a colonial past and to move in the direction of inclusion, honour, good faith and respect? This is what Bill C-15 is about. Now is the opportunity for us all to be on the right side of history.

Miigwetch, thank you, merci.