



“
Securing a brighter future
for all Indigenous nations”

- Mark Podlasly (*Nlaka'pamux*), Chief Sustainability Officer,
First Nations Major Projects Coalition

Findings and Report

Our Collective Advantage:
Indigenous Consent Conference
April 22-23, 2024

SEPTEMBER 2024 PREPARED BY:

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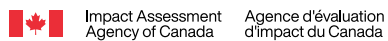
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About the First Nations Major Project Coalition (FNMPC)

FNMPC is a national 170+ First Nations non-profit collective working towards the enhancement of the economic well-being of our members, understanding that a strong economy is reliant upon a healthy environment supported by vibrant cultures, languages, and expressions of traditional laws. FNMPC supports its members to:

- » Safeguard air, land, water and medicine sources from the impacts of resource development by asserting its members' influence and traditional laws on environmental, regulatory and negotiation processes;
- » Receive a fair share of benefits from projects undertaken in the traditional territories of its members; and,
- » Explore ownership opportunities of projects proposed in the traditional territories of its members.

FNMPC is currently providing business capacity support to its members on 17 major projects located across Canada, each with a First Nations equity investment component, and a portfolio exceeding a combined total capital cost of over CAD\$30-40 billion. FNMPC's business capacity support includes tools that help First Nations to make informed decisions on both the economic and environmental considerations associated with major project development.



First Nations Major Projects Coalition | Suite 300, 100 Park Royal | West Vancouver, BC, V7T 1A2 Canada, on the lands of the Sk̓wx̓wú7mesh Úxwumixw.

website www.fnmpc.ca | email admin@fnmpc.ca

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FNMPC would like to acknowledge, with gratitude, the original stewards of the lands on which we held our Annual Conference in Toronto in 2024. As guests in the traditional and treaty territory of the Mississaugas of the Credit, Michi Saagig, Anishnabeg, we also acknowledge this area is home to the Chippewa, the Haudenosaunee and the Wendat peoples and their ancestors. We commit to respecting local protocols, upholding inherent and treaty rights, and we enter these territories with humility as learners, allies, family and friends.

Executive Summary

The First Nations Major Projects Coalition (FNMPC) hosted our 7th annual conference, *Our Collective Advantage: Indigenous Consent* in Toronto, Canada on April 22-23, 2024. This conference brought together nearly 1,700 Indigenous, industry, and government leaders to learn, share and discuss how First Nations are positioned to collectively move Canada's economy forward.

Over the past 50 years, there have been significant advances in the inclusion and application of Indigenous rights in major projects. Most recently, the free, prior, and informed consent provisions of the *United Nations Declaration on the Rights of Indigenous Peoples* has made Indigenous consent a baseline requirement for major project success in Canada.

The opportunity to mobilize Indigenous consent at all levels of a major project—including the competitive advantage it can bring—was repeatedly emphasized by panelists. This wove an unbreakable thread throughout the overall conference narrative, and anchored all other topics connected across the 17 sessions.

This post-conference report focuses on expert insights from the following four main topics:

1. **Indigenous Consent-driven Project Governance and Policy**
2. **Critical Minerals and the Imperative of Consent**
3. **The Energy Transition**
4. **Financing Indigenous Ownership in Major Projects**

From upcoming investment opportunities for First Nations, to the launch of new resources developed specifically to support capacity for Indigenous nations and communities—expert knowledge, experiences and insights at *Our Collective Advantage: Indigenous Consent* continually demonstrated that Indigenous nations are poised to be at the helm of Canada's current and future major projects. Regardless of project phase or stage—Indigenous free, prior, informed consent remains the bedrock on which all upcoming projects should be built.

Co-Hosts

This OCA conference was co-hosted by



Mark Podlasly
Nlaka'pamux Nation
Chief Sustainability Officer,
FNMPC
Board Director, CIBC
Board Director, Hydro One



Jolain Foster
Gitksan & Wet'suwet'en
Managing Partner of Nation
Building, Deloitte



“You’ll likely hear a common thread: Indigenous consent is of value to enhancing our relationships with companies and investors. You will see that prioritizing Indigenous consent really sells itself. There are many success stories, including projects that the First Nations Major Projects Coalition has helped to support our members. We are living proof: if we walk this common path together we will create new ideas and perspectives.”

—**Chief Sharleen Gale** (Fort Nelson First Nation)
Chair, First Nations Major Projects Coalition

“

The Assembly of First Nations continues to advocate for economic policies and programs that respect First Nations’ self-determination. In the national and global markets, and the traditional economies of First Nations, the advancement of economic growth, prosperity, inclusion, and sustainability for First Nations is critical to supporting First Nations’ well-being.”

-National Chief Cindy Woodhouse Nepinak
(Pinaymootang Nation)
National Chief, Assembly of First Nations



 **FIRST NATIONS
MAJOR PROJECTS
COALITION**

 **OUR COLLECTIVE
ADVANTAGE**
INDIGENOUS CONSENT CONFERENCE

PART ONE

Indigenous Consent-driven Project Governance and Policy

Watch the Day 1 Sessions of the *Our Collective Advantage: Indigenous Consent Conference*

<https://youtube.com/playlist?list=PLJy2Ip-N1eDrD1FsvAsYIwDAq0RQTiTss&si=M281DAbegA10V8PK>

The inclusion of Indigenous leadership and values—in any major project planning or implementation—can lead to more sustainable, ethical and profitable outcomes. The first part of *Our Collective Advantage: Indigenous Consent* focused on how centering Indigenous rights and knowledge into project decisions has potential to benefit our collective social, economic and environmental futures.

Reconciliation and the Role of the Financial Sector

“You need to get free, prior and informed consent from Indigenous nations to build projects on their lands ... you need to ensure Indigenous people have access to good meaningful jobs, with benefits and vacation. We want the same standard of living as all Canadians.”

-Chief Sharleen Gale (*Fort Nelson First Nation*), Chair, First Nations Major Projects Coalition

In the opening discussion of *Our Collective Advantage: Indigenous Consent*, panelists reviewed the role the financial sector has in advancing economic reconciliation. This included an emphasis on supporting Indigenous nations to become partners in deal structures that not only reflect the Nation’s priorities and vision, but that also create fair economic returns.

The following figure illustrates a selection of important considerations and increasingly used deal structures and practices—interrelated between the financial sector and industry—that have potential to elevate Indigenous prosperity, as noted by panelists.

Access to
Competitively-Priced
Capital



More
Financial
Options &
Flexibility

50-50
Ownership



Fair Economic
Returns

Capacity
Building



Value-driven
Capital

Deal
Structures
that Reflect
Community
Priorities



Early Inclusion
on Projects



Indigenous-led
Projects



Free, Prior,
Informed
Consent

**Traditional Welcome from Ogiima Kwe,
Chief Clair Sault** (*Mississaugas of the Credit*)



Opening Remarks by Dominic Barton, Chair, Rio Tinto

Panelists brought forward a number of themes—highlighted in following pages—that were continuously echoed throughout the both days of conference.

Theme 1: Set New Standards for Future Generations



-Chief Sharleen Gale
(*Fort Nelson First Nation*)
Chair, First Nations Major Projects Coalition

“We need access to competitively-priced capital ... if we all work together on moving forward ... we’ll see more success within our nations, and more opportunity for our young ones and those that aren’t born.”

“Industry needs to understand that equity is important, and 50-50 is the start, with the thought process that, over time, we can fully own this project.”

Theme 2: The Competitive Advantage

At one time, First Nations were considered “high risk” to investors. As panelists pointed out, that perception has been replaced by a sense of opportunity shared by many First Nations, governments, industry and the financial sector. Panelist Niilo Edwards, CEO of the First Nations Major Project Coalition, highlighted that over the next decade, “473 major projects will be proposed or built in this country on Indigenous lands, representing a total capital outlay of about \$525 billion. From around that, about \$50 billion or more will need to be financed in Indigenous equity.”



“The need for First Nations to have more options and more flexibility under which projects can be financed has never been greater.”

-Niilo Edwards, CEO, First Nations Major Projects Coalition

“We in Canada have a competitive advantage and that is our Indigenous communities. We have an opportunity to really advance our economy for all Canadians.”

-Angie Bruce (Red River Métis), Vice President (Indigenous),
University of Manitoba



“When you think about repositioning our energy, building our energy corridors, developing our resources—the land—we have to be guided and led by First Nations on that. The opportunity for that economic inclusion is so important to the success of those projects.”

-Dave McKay, President and CEO, RBC




Theme 3: Indigenous Involvement—From the Start

Panelists highlighted that working together—right from the start—is critical to the success of any major project partnership.

“Let’s work together from day one, and talk about incorporating our values in the project, about how we can be involved.”

-Chief Sharleen Gale (Fort Nelson First Nation), Chair, First Nations Major Projects Coalition



“We have limited ourselves, as a country, because we haven’t worked together. Now that we work together, we should take on bigger and bolder ideas. What are some of the learnings that we’ve had, and how can we make this a little quicker and better in the future? Like everything, it starts with working together early and early inclusion.”

-Dave McKay, President and CEO, RBC

Theme 4: Capacity-Building Leads to Future Business

Looking to the future, panelists acknowledged that despite the amount of work required to increase the capacity of many First Nations, meaningful participation is a critical component of present and future partnerships.



“There’s a lot of things that still need to be done within our community so we can make decisions at the speed of business. I’m looking forward to the challenge. I know that our people are strong, healthy, proud, self-reliant—and that they’re going to make sure we’re meaningfully involved. We’ve always stuck up for our rights.”

-Chief Sharleen Gale (Fort Nelson First Nation), Chair, First Nations Major Projects Coalition

Indigenous-Corporate Partnerships

“It is necessary to get Indigenous peoples at all decision-making tables... planning strategies and different ways of doing things so that we all have less impact on the things that sustain us most— the land and water.”

- **Perry Bellegarde** (Little Black Bear First Nation), Special Advisor Fasken; Special Advisor, SMI; and Former National Chief, Assembly of First Nations

At the *Our Collective Advantage: Indigenous Consent* conference, a spotlight was shone on Indigenous-corporate sponsorships—with a focus on the **Sustainable Markets Initiative**—as well as the importance of centering Indigenous rights within any major project.

To learn more about the Sustainable Markets Initiative visit sustainable-markets.org



“The private sector must be at the forefront of leading the change to a just energy transition. This includes strong and effective corporate-Indigenous partnerships. And those partnerships [need to] ensure that Indigenous governance, values, rights and knowledge systems are reflected in the projects, the policy, and the consent to those projects... [this] helps us to build more responsible and inclusive futures for all of us.”

- **Brian Moynihan**, CEO, Bank of America; Co-chair, Sustainable Markets Initiative (SMI)

Speakers recognized no single sector can deal with the enormity of issues currently facing the planet, in particular, the still-unfolding impacts of climate change. To effectively address complexities, cross-sectoral collaboration was noted as not just essential, but an opportunity to center Indigenous rights to self-determination while still balancing environmental-economic priorities.

Involvement of First Nations - with any major project - was strongly advised to step beyond high level commitments to meaningful and practical engagement strategies focused on the power of Indigenous equity partnerships.



“Rights are so important when it comes to look at the balance between the environment and the economy. Seeking to always balance, to find that sweet spot between the environment and the economy. That right to self-determination—very important.”

“To all the CEOs and the Chairmans of the board in the room, to the different sectors—be it forestry, mining, whatever it is—we have always had this message: before you try to build anything, build a respectful relationship with the Indigenous peoples first. Involvement and inclusion. Go beyond diversity-equity-inclusion dialogues, go beyond corporate social responsibilities, go beyond ESG dialogues that have to be in place now. And yes, Impact Benefit Agreements are important. But now, equity ownership, equity inclusion are there now: powerful tools.”

“We are at a transition as two-leggeds, as human beings. [King Charles III] recognized that we need to come together and start focusing our energy and efforts on decarbonization, on lowering our greenhouse gas emissions, and knowing full well that the government sector alone cannot deal with this issue. We need all three sectors working collaboratively together: the public sector... the private sector... and the philanthropic sector, if we’re going to have an impact on this issue that faces all of us. And it’s climate change, climate degradation.”

-Perry Bellegarde (Little Black Bear First Nation), Special Advisor Fasken; Special Advisor, SMI; and Former National Chief, Assembly of First Nations

“

This is an important and momentous moment ... we're looking at the empowerment of our communities ... [we are] empowering our own leadership to be a part of economic growth and development through a framework of free, prior, informed consent.”

- Saga Williams (Curve Lake First Nation)
Senior Advisor, External Relations,
FNMPC Assembly of First Nations



UNDRIP and Free, Prior and Informed Consent: The Making of the Declaration

The *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) has been ground-breaking for Indigenous rights that have significant resonance now that it is the law in Canada. This session gave insight into the formation of this important document, including the emphasis on free, prior, informed consent.

To learn about how Finland, Norway, Canada, Australia and New Zealand have approached the implementation of UNDRIP differently see:

https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Aboriginal_and_Torres_Strait_Islander_Affairs/UNDRIP/Report/Chapter_3_-_International_Applications_of_UNDRIP

Panelists noted that the basic principles of free, prior and informed consent are positioned to:



Respect Indigenous rights to self-determination

“Companies, it is now well understood, have responsibilities to respect human rights. And with that responsibility comes a like standard of consent—if companies are going to respect peoples’ rights to self-determination, lands, and resources—they have to get consent in order to affect those lands and resources... that Indigenous nations have traditionally used and occupied and have traditional ownership over historically, and still have today relationships with.”

- S. James Anaya (Apache and Purépecha), Former UN Special Rapporteur on the Rights of Indigenous Peoples

Safeguard the future

“We live with the land. We look after the land. We have a lot of respect for it. Whereas industry doesn’t because they don’t own the land. 90% of our creeks are dead, there’s no more water, there’s no more glaciers... there are no more beaver dams, there are no more lakes, in some cases ... Our concern is mother earth. We are not against industry: but they have to do it in a safe way.”

-Simo’git Delgamuukw (George Muldoe) (Gitxsan), Wilps Delgamuukw



Be adjunct to Indigenous rights

“Consent [is] an element of self-determination, it [is] a part of Indigenous peoples’ capacity to determine the course of their own destinies, to make choices about their lives, their communities, their lands and resources. It’s important to think of free, prior, informed consent as really an adjunct to [Indigenous] rights.”

- James Anaya (Apache and Purépecha), Former UN Special Rapporteur on the Rights of Indigenous Peoples

Not be ignored

“In December we got a warning from the federal government [that] if any group of people, Nations, are trying to stop the economy of Canada, we will not hesitate to use force. That was right from Ottawa. And a good example is the Wet’suwet’en the pipeline. And yet the law spelled it out in [the] Delgamuukw [court case]: the land and the resources are ours. Total disregard by governments.”

- Simo’git Delgamuukw (George Muldoe) (Gitxsan), Wilps Delgamuukw

Provide collective benefits

“There are risks for companies if they don’t get consent ... reputational risks, shareholder challenges ... but the benefit is the same kind of benefit companies get from having any partner ... If companies are going to operate on Indigenous lands ... [Indigenous people] have to be partners and they have to be treated as partners. That partnership can only work if it’s mutually-beneficial.”

-**James Anaya** (*Apache and Purépecha*), Former UN Special Rapporteur on the Rights of Indigenous Peoples

Demonstrate the minimum standard

“[The declaration] provides a minimum standard for the safeguarding of Indigenous people’s rights and provision of their well-being ... there are nation states around the world that still don’t recognize Indigenous peoples [or] that only recognize some Indigenous peoples, where they don’t have access to legal recourse, access to remedy when businesses go wrong. They don’t have the ability to say ‘yes’ or ‘no’ when environmental NGOs come onto their land. This is an international consensus for a reason, this is the way that Indigenous peoples want to move forward.”

-**Kate Finn** (*Osage*), Executive Director, First Peoples Worldwide



Rebalance the power

“At the global scale, Indigenous peoples typically are at a disadvantage ... So that imbalance of power has to be addressed. That has to be done by allowing Indigenous peoples sufficient time, and that is an element in all cases, not to rush the process. Indigenous peoples have their own timeframes by which to make decisions, and those can’t be circumvented...especially where there is a [steep] learning curve for Indigenous peoples in order to be fully engaged in an informed discussion. We can’t forget that informed part of the free, prior, and informed consent standard.”

- **James Anaya** (*Apache and Purépecha*), Former UN Special Rapporteur on the Rights of Indigenous Peoples

Unravel colonial structures

“We don’t have a great record as a country with the respect to the way we’ve treated Indigenous peoples. We don’t have a great record in this country with respect to what we have done with resources on Indigenous land. But I hope that we are turning the page and I hope that UNDRIP is one of the markers that we will be able to look back on and say we began to reverse the structures of colonialism and the terrible devastation that they have wrecked on Indigenous peoples.”

-**The Honourable David Lametti KC PC**, Indigenous Law Counsel,
Fasken Martineau DuMoulin LLP



Be implemented

“The declaration has really become part of—not just the policy landscape—but the legal landscape within the international system. And the rights it articulates are accepted. We don’t hear a debate about the rights themselves, it’s about how they’re implemented or not implemented. And so that really is the task today to see the declaration made reality in the lives of Indigenous people across the globe.”

-James Anaya (Apache and Purépecha), Former UN Special Rapporteur on the Rights of Indigenous Peoples

Take time

“Pay attention to [Indigenous ceremony]. Respect ceremony and the role it plays ... Build trust. It only gets easier over time. You build trust day by day, you build trust through respect, through listening, adapting, trying to understand, and filling in those gaps when we can’t.”

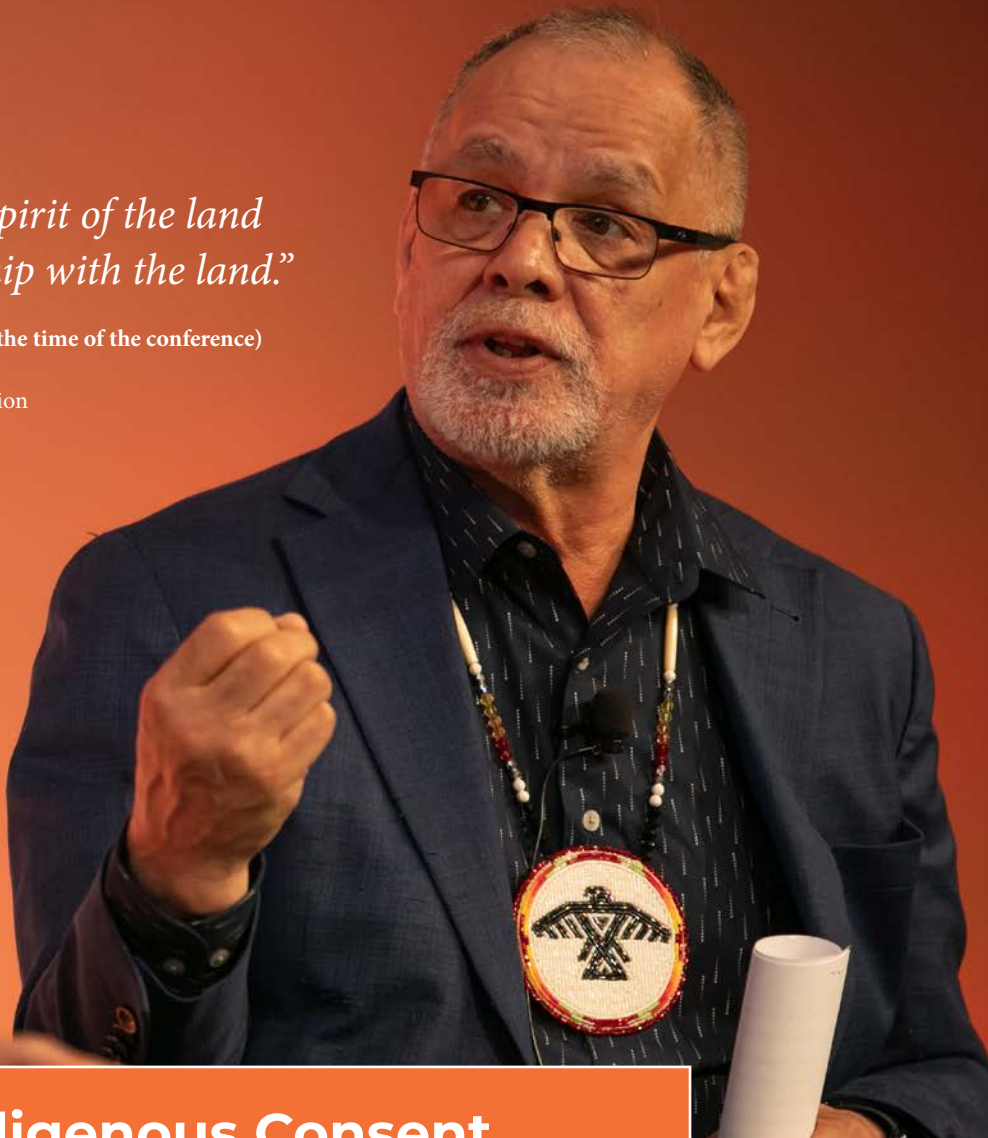
-The Honourable David Lametti KC PC, Indigenous Law Counsel, Fasken Martineau DuMoulin LLP



“

You can't understand the spirit of the land until you have a relationship with the land.”

-Deputy Grand Council Chief Mel Hardy (at the time of the conference)
(Biinjitiwaabik Zaaging Anishinaabek)
Northern Superior Region – Anishinabek Nation



Environmental Indigenous Consent

Around the world, countries are rallying to meet global objectives required to transition to a net-zero future. Enroute, Indigenous lands, waters and resources continue to be impacted. To take the lead on decision-making and help influence major project outcomes, Indigenous nations need to be equipped with a unique set of tools specifically geared towards the inclusion of Indigenous rights and interests.

This session opened with the launch of a new FNMPC member-led tool—the **Spirit of the Land Toolkit**. This toolkit was created “by Indigenous for Indigenous” to support Indigenous nations and communities to take the lead on assessments for projects that may have significant, long-lasting or irreversible impacts on Indigenous cultural rights or interests.

FNMPC’s Spirit of the Land Toolkit is now available at:

https://fnmpc.ca/wp-content/uploads/FNMPC_SOTL_Toolkit.pdf





“We recognized that culture is a very sensitive and important topic to our people. This wasn’t intended to be about selling culture or valuing culture, but about recognizing that when we do allow projects to be built in our backyards, that there are going to be impacts, and that might impact our ability to practice our traditions.”

-Angel Ransom (Nakazdli Whut'en First Nation), Senior VP, Environmental Services FNMPC

In discussion, panelists emphasized how the toolkit’s principles can be applied by First Nations during regulatory and negotiation processes and can help to address cumulative impacts of major projects on the cultural rights of Indigenous nations.

“We took the lead in really wanting to create a toolkit—by Indigenous for Indigenous—to fill a public policy gap, but also to ensure we are upholding approaches that recognize self-determination, Indigenous design, and processes.”

-Angel Ransom (Nakazdli Whut'en First Nation), Senior VP, Environmental Services FNMPC

Expert panelists articulated the importance of Indigenous consent, particularly when it comes to Indigenous cultural rights.



“We are working towards a place where Indigenous peoples are involved throughout the development of major resource projects ... Simply put, the transition to net zero cannot happen without collaboration and economic reconciliation—it must be built on a foundation of partnership, consent, and respect for Indigenous cultural rights.”

-John Hannaford, Clerk of the Privy Council, Government of Canada

This toolkit is designed to support Indigenous-led Impact Assessments (ILIAs) thereby facilitating Indigenous nations to conduct assessments based on their own worldviews and legal systems.

To learn more about FNMPC Indigenous-led Impact Assessments visit <https://fnmpc.ca/tools-and-resources/environmental-tools/>

Panelists pointed out that meaningful inclusion and empowerment of Indigenous nations in the assessment process has numerous benefits, a selection of which are presented in the following table:

ILIA BENEFIT	PANELIST COMMENT
OFFERS A MORE INCLUSIVE, EQUITABLE AND RESPECTFUL PROCESS	 <p><i>“Every year we are facing worsening devastation caused by climate change: floods, fires and other extreme weather events. What strikes me is the evolution of how we are approaching these issues over the course of the years... We weren’t at the stage of concrete sector by sector emissions reduction targets, or substantial nationwide investments—including clean growth projects—looking back on it now, I can also see the mirroring absence of meaningful inclusion of Indigenous perspectives and decision-making.”</i></p> <p>-John Hannaford, Clerk of the Privy Council, Government of Canada</p>
FOSTERS MORE SUSTAINABLE AND CULTURALLY RESPECTFUL PROJECT OUTCOMES	 <p><i>“When our people used to travel, whenever you came to an area where waters meet, rivers, that’s where we used to bury our people when they were traveling. When a dam comes in, and they just plow everything out, they move our ancestors’ bones.”</i></p> <p>-Deputy Grand Council Chief Mel Hardy (Biinjitiwaabik Zaaging Anishinaabek) Northern Superior Region – Anishinabek Nation</p>
CREATES A PATHWAY TOWARDS RECONCILIATION AND MUTUAL BENEFIT	 <p><i>“There are examples in the business worlds where consent was not agreed to: one example is in Oklahoma [where the company] lost in court after the Osage nation sued them over their disrespect of their land rights in Oklahoma. Now they’re forced to remove a \$350 million wind farm. That is a massive risk. Those kinds of things are what these toolkits are designed to [address] long before we get to that kind of catastrophe, ... making this work, making this have long-lasting positive socio-economic legacies for First Nations. That is what is sorely needed, and to me that’s the basic definition of reconciliation.”</i></p> <p>-Jennifer Bennett (Wiikwemkoong Nation), Client Program Manager & Senior Environmental Engineer, Arcadis</p>
BRINGS GREATER EFFICIENCY AND PROJECT LEGITIMACY	 <p><i>“As a regulator, when we started talking about consent, it made me nervous. But seeing the evolution and what it means in practice...it’s changed the game...It hasn’t materialized in the fear that some people have had—in that it could drag out the process and extend the length of time it takes to realize consent—it’s actually had the opposite effect of seeing projects move forward much more efficiently.”</i></p> <p>-Terence Hubbard, President, Impact Assessment Agency of Canada</p>

**IMPROVES CONSULTATION
QUALITY BETWEEN
GOVERNMENTS,
INDUSTRY, AND SPECIFIC
INDIGENOUS PEOPLES**



“It sure makes my life a lot easier, going to Ministers, going to Cabinet and being able to indicate to those decision-makers that the project has consent of the community.”

-**Terence Hubbard**, President, Impact Assessment Agency of Canada

**ENSURES EVALUATIONS
ARE CARRIED OUT
ACCORDING TO
INDIGENOUS LAWS,
CULTURES, AND
PERSPECTIVES**



“In using these tools ... this is a big opportunity for education, to teach about our history, our traditional teachings. The Spirit of the Land—in my mind—represents ceremony. Because when you talk about ceremony...it protects those spirits, especially on our lands. It is teaching people about who we are and what we do, and why it is important for us to have our knowledge.... If we don't remember those things and don't protect those sacred areas, we'll lose it all.”

-**Deputy Grand Council Chief Mel Hardy** (Biinjitiwaabik Zaaging Anishinaabek)
Northern Superior Region – Anishinabek Nation

**ALLOWS FOR
MORE HOLISTIC
UNDERSTANDING
OF ENVIRONMENTAL
IMPACTS, GLEANED
THROUGH TRADITIONAL
KNOWLEDGE ALONGSIDE
SCIENTIFIC DATA**



“[At Arcadis] we have people who understand our concept of humility, and when they go to engage with First Nations that they work with, they understand what it is to be humble and to listen with both ears, and to have patience when engaging with First Nations people. The [environmental impact assessment] industry is very transactional, and the Impact Assessment Act is a step in the right direction, but a lot of people need more guidance on how to implement this.”

-**Jennifer Bennett** (Wiikwemkoong Nation), Client Program Manager
& Senior Environmental Engineer, Arcadis

**ALIGNS WITH
PRINCIPLES OF FPIC, AS
OUTLINED IN UNDRIP**



“When you apply the [Spirit of the Land] Toolkit, you are getting that critical information to decision-makers, so that they can make a decision using free, prior and informed consent.”

-**Scott Smith**, Partner, Gowling WLG

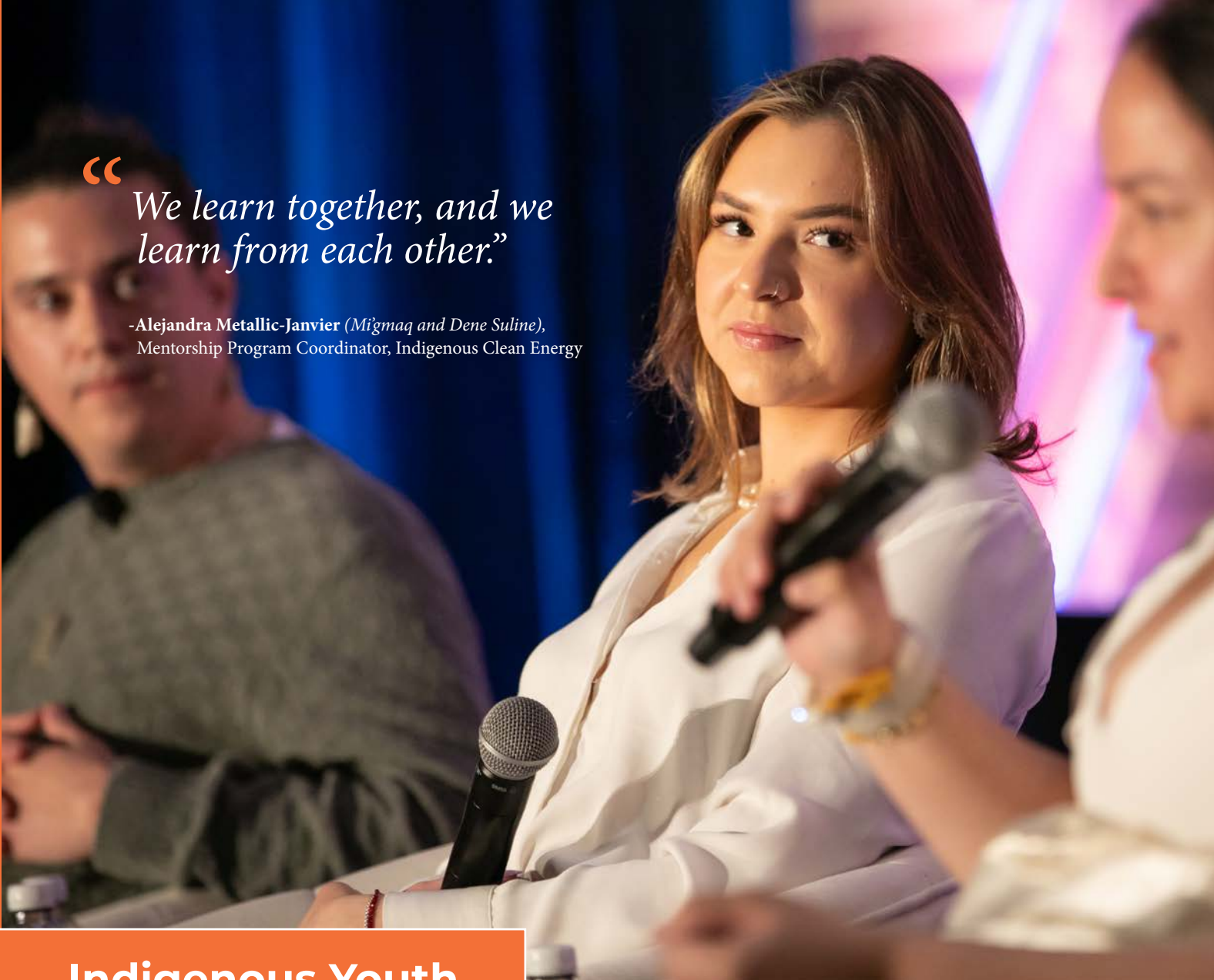
A number of notable examples exist where Indigenous-led impact assessments have already taken place in Canada—both at federal and provincial levels. This movement aligns with the principles of UNDRIP and demonstrates a more inclusive, equitable, and respectful process.

To learn more about Indigenous-led Impact Assessments in action, visit the OCA Conference primer pages 21-22: https://fnmpc.ca/conference/wp-content/uploads/sites/6/2024/04/OCA-Primer_04172024.pdf

“

We learn together, and we learn from each other.”

-Alejandra Metallic-Janvier (*Migmaq and Dene Suline*),
Mentorship Program Coordinator, Indigenous Clean Energy



Indigenous Youth

In this panel presentation, young Indigenous leaders spoke about the inclusion of Indigenous values into investment practices.



“As an engineer, our paramount value is safety. And it’s beautiful to me that when the world is asking for an energy transition and the industry values safety above all else, that our people can answer that call with our sophisticated understanding of a world where the safety of the land is the same as our safety. So the inclusion of our people in this work is not just the right thing to do, but the lawful thing to do.”

-Kaella-Marie Earle (*Anishinaabekwe - Ojibwe, Odawa, and Potawatomi*),
Hydraulic System Design Engineer, Enbridge



“No matter the age, we really aim to connect our youth who are seeking leadership, and seeking the skills, capacity, and training to achieve their goals and better their community with industry leaders, with sacred knowledge-holders, with a support system that they build.”

-Alejandra Metallic-Janvier (*Migmaq and Dene Suline*)
Mentorship Program Coordinator, Indigenous Clean Energy

“Consent is a way to come together [not just] as Indigenous peoples, but also the broader community. It’s about sharing wisdom and making decisions that really benefit the whole collective. It’s about really recognizing that decisions regarding our lands and resources should involve us from the get-go. And it’s our deep connection that we have to this land and how... we should be equitable partners in development of this land.”

-Sinéad Teevan (*Curve Lake*), Intern, Indigenous Energy Policy, Ontario Ministry of Energy



“There are a number of tools investors can use to align their portfolios with Indigenous rights and risks:

- 1. Indigenous rights-risk framework*
- 2. [Environmental, social and governance] ratings and scores*
- 3. Impact investing platforms*
- 4. Engagement with Indigenous communities.”*

-Kevin O’Neal-Smith (*Tlingit*), Impact Strategies, Adasina Social Capital





“In the spirit of collective advantage and collective consent, is mobilizing and integrating knowledge across all stakeholders and all types of people relations—human and non-human. It is really important to acknowledge that we humans are the most recent relations on this earth, and it’s really important to recognize that our impact extends beyond just our daughters and our [next] generations, it extends to our non-human relations as well... The strength of our community is so vital and integral to the health of our community.”

*-Alejandra Metallic-Janvier (Mi'gmaq and Dene Suline)
Mentorship Program Coordinator, Indigenous Clean Energy*



“When I am an old woman, I would like to be sipping tea and telling stories to young Anishinaabekwe professionals that we used to vent gas into the atmosphere to maintain pipelines. And I want them to respond as if I am this crazy old fossil, because they would never dream of doing that now.”

-Kaella-Marie Earle (Anishinaabekwe - Ojibwe, Odawa, and Potawatomi), Hydraulic System Design Engineer, Enbridge



“Our value is to look seven generations ahead, and that is how we think and designs projects. But also, the way to do that is to build the creativity of Indigenous youth now, and to hear the expertise and energy now.”

-Kate Finn (Osage), Executive Director, First Peoples Worldwide

“Yesterday I heard the phrase ‘equity equals consent’ and I disagree with that. Equity doesn’t mean that much if you don’t know what the asset is, or how it is operated. Just like any good investment, when you buy an investment you need to know what it is.”

-Kaella-Marie Earle (Anishinaabekwe - Ojibwe, Odawa, and Potawatomi), Hydraulic System Design Engineer, Enbridge

“To make informed consent—including in an equity deal—our Nations should be acutely aware of the following:

- » *What emissions are occurring due to the energy asset and its operations and maintenance?*
- » *How are these tracked and measured?*
- » *How are we going to deal with the asset in the event of an emergency?*
- » *Do we have capacity to deal with those emergencies?”*
- » *What is the entire life cycle of the [asset]?*
- » *What happens when its life is over, do we have a plan for that?”*

-Kaella-Marie Earle (Anishinaabekwe - Ojibwe, Odawa, and Potawatomi), Hydraulic System Design Engineer, Enbridge

“When it comes to legislative changes in Canada, I want to encourage First Nations to engage in those things. There is a lot of new legislation coming up that impacts the way energy decisions are made, and the process of how energy decisions are made.”

-Kaella-Marie Earle (Anishinaabekwe - Ojibwe, Odawa, and Potawatomi), Hydraulic System Design Engineer, Enbridge

“Having that Indigenous consent really gets you ahead of the game, being on the right side of the law, both at the federal level or at the local level, or at a community level. You won’t know what’s inappropriate to do unless you ask, or unless you break the rules. And it’s way better to ask first.”

-Kevin O’Neal-Smith (Tlingit), Impact Strategies, Adasina Social Capital



“

Indigenous partnerships and leadership...are... essential to the success of our energy projects across Canada. And that's certainly true here in Ontario where partnerships with Indigenous communities in the energy sector are vital to meet Ontario's energy needs, and realizing our shared economic development and reconciliation goals... Many First Nations communities currently own or are partners in energy generation projects across the province, and are involved in several existing and planned major transmission lines. This leadership is driving new economic and community development opportunities for First Nations.”

**-The Honourable Todd Smith, MPP,
Minister of Energy, Province of Ontario**



“

What is working the best is actually an environmental assessment led by First Nations communities. That's a determination that I don't think folks have come to fully appreciate in other jurisdictions, that Ontario has put at the forefront of anything that's going to be advanced in the Ring of Fire, but also in a number of other areas in northern Ontario.”

**-The Honourable Greg Rickford,
Minister of Northern Development and
Minister of Indigenous Affairs Ontario**

PART TWO

Critical Minerals and the Imperative of Consent

Canada's future economic growth relies on an increase in the supply of critical minerals: lithium, copper, nickel, cobalt, manganese, graphite, tellurium, and others. These minerals are used to build clean technologies such as electric vehicle batteries and solar power systems—their extraction is seen as a necessary step towards electrification. However, as new and existing mines ramp up operations to meet global supply and demands, the role of Indigenous free, prior, and informed consent is taking centre stage.

The second part of *Our Collective Advantage: Indigenous Consent* brought experts together to discuss how Indigenous consent is key to getting critical minerals projects approved and built, and how it gets put into practice along the critical minerals values chain.

Mining as a Community Development Engine



“Mines can’t go forward without the input and voice of Indigenous peoples... Our people need to be the forefront of that... We are going to be living on that land, as we have, for thousands of years. Once that mine is gone, we are still there.”

-Dawn Madahbee Leach (Aundeck Omni Kaning First Nation),
Chair, National Indigenous Economic Development Board

What role does the mining industry play in prioritizing Indigenous leadership or advancing economic reconciliation? How can mining companies become more responsive societal partners, and act as collaborators in catalyzing an equitable future? In this first session, panelists explored answers to these questions, particularly in light of increasing critical mineral demands and access challenges.

“As a society, and as an industry, we really have underestimated and not been fair in our dealings with our local communities—and in particular with Indigenous and First Nations people. That equation is being changed, but it’s a broader society issue that we all need to work on, because at the end of the day the world needs mining to survive...”

-Mark Cutifani, Chair, Vale Base Metals



Panelists recognized that the mining industry is in a state of rapid transition shifting how it does business and the way it is perceived by governments, investors and Indigenous nations.



“Mining can be transformational for communities. I have seen much change over my 20+ years in the industry, and in the last few years a significant shift to truly work in partnership for a more sustainable and equitable future period.”

-Dr. Silvana Costa, Social Performance Director, Teck Resources



“Value shouldn’t be estimated in our minds, it’s actually for those that we work with to tell us what value is, in their worth. And that is something that the industry is only really starting to get its head around in terms of making recommendations and having those conversations, and at the least providing more balance in the conversations, which is why FPIC so important.”

-Mark Cutifani, Chair, Vale Base Metals

A SHIFT TOWARDS ECONOMIC RECONCILIATION



“The mining industry is at an interesting pivot point. The energy transition is driving insatiable demand for certain minerals, particularly copper and nickel. But interestingly, in a very compressed time frame. And at the same time, society is asking mining to perform responsibly in terms of its extraction and processing, at a whole new level.”

-Peter Bryant, Chair, Development Partner Institute



“This is a unique moment in time. Best practices are evolving really fast, and we need to continue pushing the boundaries. We need to be bold, we need to be relentless, and we need to know that consent is just the baseline. We know that combining the power of Indigenous knowledge and innovation with responsible mining practices is fundamental to the transition to the low carbon future.”

-Dr. Silvana Costa, Social Performance Director, Teck Resources

Given the shift currently underway in the mining industry—the increase in critical mineral demand, paired with a demand for stronger environmental and social standards—panelists emphasized the imperative for sustainable mining to include practices that respect Indigenous rights and knowledge.

A number of practices were shared, all of which have potential to reorient the mining industry towards prioritizing Indigenous rights, knowledge and prosperity.

BUILD IN A LONG-TERM LEGACY BY HAVING A SAY TODAY



“Mines don’t last that long, we’re talking about 20 to 30 years.... The thing about Indigenous peoples is that we like to think seven generations ahead, so if we’re looking at a mining project in our region, we want to see what kind of legacy can we add to this?”

How can we look at this as an opportunity to build proper roads, broadband connectivity,.. hydroelectric power. We can use these opportunities to build the type of infrastructure our communities need....participation is having a say in what happens now.

-Dawn Madahbee Leach (Aundeck Omni Kaning First Nation),
Chair, National Indigenous Economic Development Board

ENSURE PROSPERITY WILL LAST BEYOND A PROJECT’S LIFETIME



“How does mining act as a catalyst to grow social and economic prosperity for communities and Indigenous peoples wherever they are around these mining projects? Not during the life of mine, but beyond the life of the mine. How do we leave behind communities that are thriving, with economic

sectors thriving beyond mining, with the social infrastructure, education, health, and energy needed to be thriving communities beyond the life of the project.”

-Peter Bryant, Chair, Development Partner Institute



“Once that mine is gone we are still there, so we’re going to want to make sure that the lands are there for future generations.”

-Dawn Madahbee Leach (Aundeck Omni Kaning First Nation),
Chair, National Indigenous Economic Development Board

HAVE INDIGENOUS WOMEN IN LEADERSHIP



“Indigenous women should be at those [mining decision-making tables].”

-Florence Drummond (Dauareb Wuthathi – Australia),
Executive Director, Development Partner Institute

ENCOURAGE MULTI-PARTNER DIALOGUE, FROM THE START



“Success is communicating, having that multi-stakeholder dialogue at the very beginning... having everyone come to the table that’s probably the most important, and from there we can navigate forward.”

-Florence Drummond (Dauareb Wuthathi – Australia),
Executive Director, Development Partner Institute

FREE, PRIOR, AND INFORMED CONSENT



“People are starting to understand that Indigenous people— from time immemorial—have authorities on these land. They understand that we have a valid social license that does carry value. That’s been confirmed here, and also in places around the world through Supreme Court decisions. We heard earlier today about the UN Declaration of the Rights of Indigenous People, and now in Canada we’re making sure that the laws comply. I always believe that we have a social license which is really another word for: people need to get their permits or consent from Indigenous people.”

-Dawn Madahbee Leach (Aundeck Omni Kaning First Nation),
Chair, National Indigenous Economic Development Board

UNDERSTAND—AND COMMUNICATE—THE TERMS



“Working with different regions, it is quite important to understand and to be able to communicate what participation means and what consultation means. The common ground and common understanding is important.”

-Florence Drummond (Dauareb Wuthathi – Australia),
Executive Director, Development Partner Institute

This conversation also brought to the forefront examples of how Indigenous nations in Canada are becoming more involved in mining developments. As Dawn Madahbee Leach, Chair of the National Indigenous Economic Development Board identified, “that social license encompasses all kinds of things: equity ownership, royalties, business opportunities, ownership of the goods and services that supply the mines—including energy sectors and connections through broadband and transportation corridors.”



Exercising Social License: Examples

“For many years, our communities have been on the outside looking in, and not involved in a lot of the mining developments throughout Canada. But now our people are exercising the social license that we have, and realizing what value we have in our traditional territories.”

-Dawn Madahbee Leach (Aundeck Omni Kaning First Nation),
Chair, National Indigenous Economic Development Board



Equity Ownership



Royalties



Ownership of Goods & Services



Business Opportunities

Free, Prior, and Informed Consent as a Collective Advantage

“As a requirement for projects going forward, it goes without saying that consent of Indigenous peoples and Indigenous governments is absolutely critical.”

-Sumkwaht Shayla Jacobs (Squamish Nation), Council Member, Squamish Nation

If a project is proposed to take place on Indigenous land, project proponents—be it government or industry—need to obtain free, prior, informed consent (FPIC) from the Indigenous nation upon whose land the proposed project is being built. This is the minimum standard as enshrined in UNDRIP. The process of securing FPIC upholds the authority of Indigenous nations to either consent to or refuse projects that could impact territories, resources, and cultural heritage.

This session invited panelists to explore their understanding of FPIC principles and share examples of how FPIC has been applied, within the context of their own experiences. Panelists explored the importance of FPIC—not just in the initial stages of a proposed project, but throughout its entire life cycle—including the need to include preliminary discussions around legacy infrastructure development.

Growing Prosperity through Shared Priorities

I didn't know what consent was until I got elected to council... It is not a veto, it is not a negotiation. It is about listening and learning, and being responsive to what is possible, to address community concerns, and find solutions to priorities. We hope in many cases those are shared priorities—such as gender safety or net zero or being nature-positive... You can't just give or withhold consent, it needs discussion. Detailed listening, hearing and healing. I want to highlight that, that is what consent looks like to me.”

“We—as people and as governments—have come so far, and the business community and regulatory frameworks have adjusted to enable the prosperity to continue to grow. But it certainly doesn't happen on its own. It takes a lot of capacity to be able to live up to our end of things, and to ensure that things are being implemented as intended.”

-Sumkwaht Shayla Jacobs (Squamish Nation)
Council Member, Squamish Nation





Discuss Legacy Infrastructure Today, Not Tomorrow

Each project in this country is probably within 200 kilometers of a First Nation community, and definitely within their territory. It is very important that these discussions happen not only at a government level, but at the community and individual level— they are the ones it affects the most.”

“In terms of free, prior, and informed consent, Indigenous people are working very hard. We’ve come a long way... You need to convince the government and developers to provide capacity at the front end of the initiative, not halfway through, and not at the back end.”

“In the north, the infrastructure deficit is huge. We have to consider the defense of our nation here. We have to consider the cost of living in our smaller communities where ... 4 liters of milk is \$30 or \$40 —whereas you can buy it for \$6 in Toronto. That’s the impact that no infrastructure is having in the north. And of course, investment into mineral development and resource development is not going to happen without that infrastructure.”

-Darrell Beaulieu (Yellowknives Dene First Nation)
Board Director, FNMPC & President and CEO, Denendeh Investments Incorporated (DII)

Many businesses now recognize that by prioritizing Indigenous consent, they not only avert conflict and support project longevity, they are also able to create respectful, mutually-beneficial partnerships with Indigenous nations. This practice ensures commercially-driven initiatives are aligned with human rights standards, and are able to operationalize social and environmental justice into ethical business operations.

A Big Step for Industry

“FPIC is such an important thing that in the US it’s a little bit scary for industry, especially when it comes to the consent piece. And there’s a lot of examples of where projects have gone well and have not gone well.”

-Collette Brown-Rodriguez (Confederated Salish Kootenai Tribe)
Director of Community & Tribal Relations; Director, Avantus; Apollo Silver Corp





Becoming a Better Company

“We tend to start all of our strategies from our principles. If someone is really challenging something that is core to our principles, then they are either right or wrong. If they are right, we will adapt our principles to include and improve them. If they are wrong, we will stay and defend our principles and explain why our principles are the way they are, and why perhaps they are not considering a broader scope in terms of how those principles are being applied to a win-win scenario for all stakeholders.”

“I look forward to well thought out good criticisms that make us a better company, one that is more responsible and a better partner to our stakeholders. Bring it on.”

-Keith Morrison, CEO & Director, Premium Nickel Resources



The Collective Certainty of FPIC

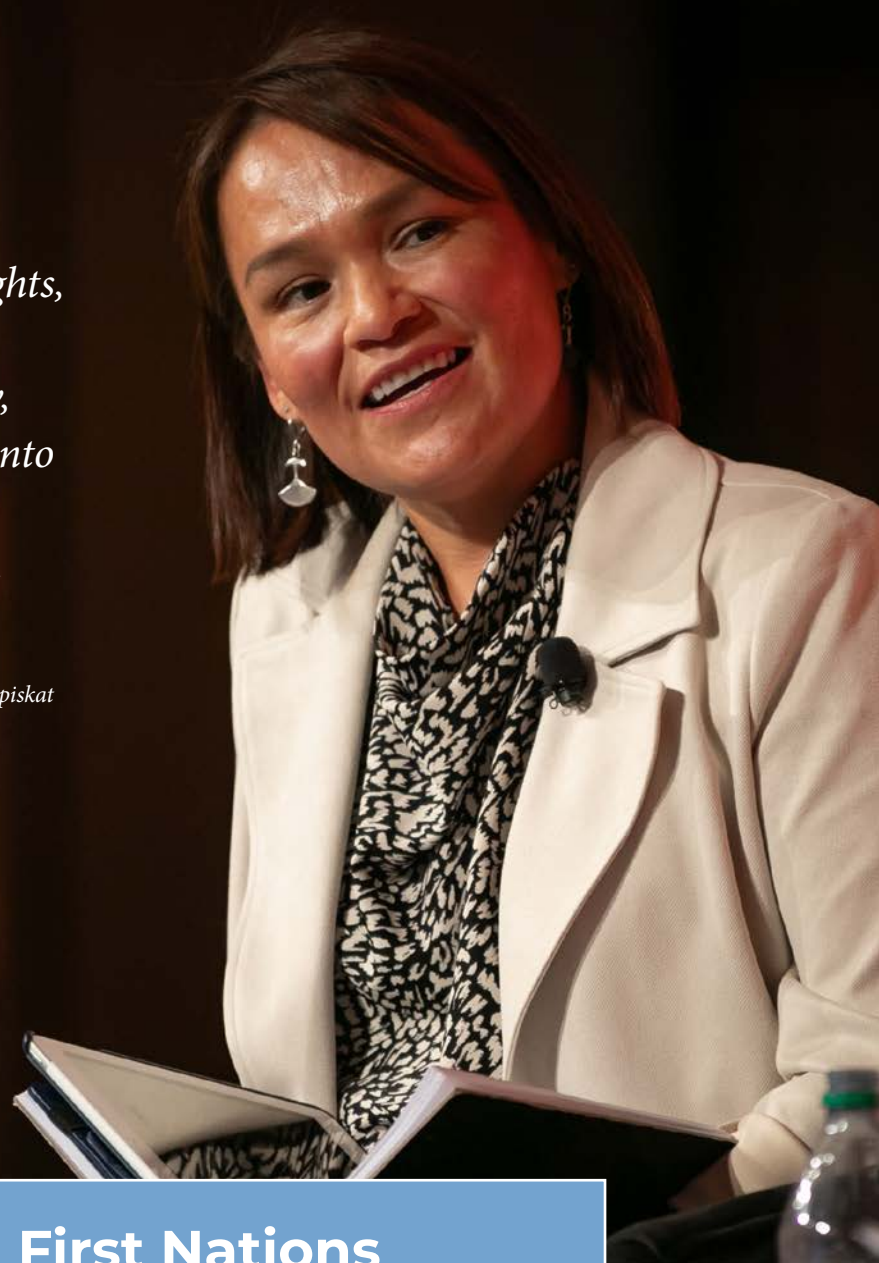
“It’s got to happen at the front end—there has to be free, prior, and informed consent—it’s got to happen right from the beginning and right to the life cycle. This idea is centered around providing certainty to all: to Canada, to Indigenous governments, and to developers.”

-Darrell Beaulieu (Yellowknives Dene First Nation)
Board Director, FNMPC & President and CEO,
Denendeh Investments Incorporated (DII)

“

We don't just have Section 35 rights, we are actually implementing international instruments of law, and we are incorporating them into domestic law and ensuring that Indigenous peoples have a say in these major resource projects.”

-Katherine Koostachin (Mushkegowuk Cree from Attawapiskat First Nation), Vice President of Indigenous Relations and Reconciliation at Sussex Strategy Group



Canadian Mining and First Nations

When the mining industry aligns its practices with community development interests, economic and social benefits have potential to extend beyond mining companies, to investors and Indigenous Nations. In this session, panelists discussed how mining operations in northern Canada could be reimaged to support First Nation self-determination goals.

Geographic context for this discussion was Ontario's Ring of Fire—a region in the James Bay Lowlands of Northern Ontario, Canada known for its significant deposits of chromite, nickel, copper, and platinum group metals. Although this area has gained attention for its potential to benefit the Canadian mining industry—total economic value of the Ring of Fire is estimated between \$30 to \$60 million¹—barriers to future development include environmental concerns, infrastructure deficits, and negotiation with 33 First Nations who have inherent and constitutionally protected rights to the land².

¹ Klassen, Veronica. “The Significance of Ontario's Ring of Fire to Canada's Climate Goals.” GeoscienceINFO, 24 May 2022, geoscienceinfo.com/the-significance-of-ontarios-ring-of-fire-to-canadas-climate-goals/.

² Schalk, Owen. “From Ontario to Panama, Indigenous Communities Are Rising up to Resist Canada's Mining Industry.” Ricochet, 14 Dec. 2023, ricochet.media/international/from-ontario-to-panama-indigenous-communities-are-rising-up-to-resist-canadas-mining-industry/.

COLONIAL LEGACY NEEDS TO BE ADDRESSED



“It is hard to get to free, prior, and informed consent when you’ve been denied so much in the past that you are clamoring for some resources or recognition or infrastructure. Is it FPIC and UNDRIP at that point? Or is it that you’re being coerced into doing it, you’re being pressured into doing it, you have no choice but to do it. We need to start addressing some of those issues and making an equalization for First Nations before we can even get to the level of free, prior, and informed consent where we can say ‘yes’ from a position of equality or ‘no’ from a position of coercion once again.”

-Grand Council Chief Reg Niganobe (*Mississauga First Nation*), Anishinabek Nation
Grand Council Chief



“We have been dispossessed of our lands and the sovereignty over them. That’s contributed very negatively to the socioeconomic issues that are present, not just in our own First Nation, but across the board. Those are all symptomatic of that. With saying that, if you want to approach mining from a sustainability perspective, then you have to work with First Nations.”

-Jennifer Constant, Ogimaa Kwe (*Mattagami First Nation*),
Chief, Mattagami First Nation

TO EVOLVE, MINING SECTOR MUST PRIORITIZE INDIGENOUS SELF-DETERMINATION



“Over the course of our 172-year history, a wide range of companies of all sizes and operating in all regions of the world, have gained access to capital to fuel their success through our country’s sector-savvy ecosystem. The mining sector is vital to Canada, to our communities across Canada, and to our capital markets and to the many individuals and businesses who support—and are supported—by this industry. As the sector evolves and transforms to remain vital into the future, it is also evolving how it engages with Canadian Indigenous communities.”

- Loui Anastasopoulos, CEO, Toronto Stock Exchange and Global Head, Capital Formation



“We’re getting involved in a pivotal time, in terms of how we are moving toward a greener economy, and what that means in the context of critical minerals. When I was in office and we were developing the critical minerals strategy, we had to take a step back because I didn’t see any consideration for Indigenous participation. We needed to work on that, getting officials to think about how we can ensure there’s Indigenous participation in how we move forward in critical minerals. Because, obviously we can’t simply bulldoze communities and just go in and access those resources.”

-Katherine Koostachin (*Mushkegowuk Cree from Attawapiskat First Nation*),
Vice President of Indigenous Relations and Reconciliation at Sussex Strategy Group



“There is still litigation going on in terms of accessing those resources—between industry, government, and our Indigenous nations. We’re asserting our jurisdiction and we will litigate.”

-Katherine Koostachin (Mushkegowuk Cree from Attawapiskat First Nation), Vice President of Indigenous Relations and Reconciliation at Sussex Strategy Group

**LEGACY
INFRASTRUCTURE IS
FOUNDATIONAL TO
DEVELOPMENT**



“Winter roads are fast becoming not just unreliable but unworkable. Now we are talking about all-season roads, and many of these communities see firsthand—whether it’s energy or road access—the key tenets of building sustainable infrastructure depend on those pieces. When we develop those conversations, that level of engagement evolves to a place where there’s an understanding that there may be other opportunities and that may include resource development... Led by First Nations communities, leading environmental assessments, and putting those priorities of responsible legacy infrastructure development as the foundational pieces where a conversation can begin about the prospect of a given resource project.”

- The Honourable Greg Rickford, Minister of Northern Development and Minister of Indigenous Affairs Ontario

**FPIC CANNOT
BE IMPOSED**



“Coming from a territory where a lot of development has happened without our permission, our involvement, and without our views— [FPIC] is certainly something that we have to work towards, but I don’t think it’s something that can be developed and imposed. So much of our history and the development—and I’m speaking specifically about my territory—has been done in a very prescribed manner, and that hasn’t proven to be successful for us. Speaking on behalf of Mattagami... we have really positioned ourselves to be able to be ahead of whatever is going to be taking place, because we really want to be the ones who are directing what’s happening in our territory.”

-Jennifer Constant, Ogimaa Kwe (Mattagami First Nation), Chief, Mattagami First Nation

**THINK LONG-TERM,
BEYOND PROJECT
LIFECYCLE**



“Mining is only here for a very specific amount of time, which seems like a long time, but when you look at how long our people and our ancestors have occupied our territories, it’s a much smaller time. So, within that timeframe, they have to do it right and they have to do it with our involvement so that instead of being on the backend of it, and hearing us protest or complain about what is happening, we can be at the frontend, helping navigate more sustainable approach to development within our own territories. Because we care, because it is our territory and we are the ones who are going to inherit whatever is left once the mine is gone.”

-Jennifer Constant, Ogimaa Kwe (Mattagami First Nation), Chief, Mattagami First Nation

**MAKE INDIGENOUS-LED
ASSESSMENTS
THE STANDARD**



“The water is warmer at a certain time of year, the ice might not come in each year for a week later, and it may go out a week earlier, and it’s affecting the patterns of fishing that [our First Nations neighbors] subsist on...Our Traditional Ecological Knowledge that we hold as Indigenous people needs to be included in a lot of these assessments. I know these assessments are based upon the best decision that they can make, but if it’s only inclusive of western science and not of our traditional knowledge, are we getting the full scope of what decision needs to be made, are we getting the full information?”

-Grand Council Chief Reg Niganobe (Mississauga First Nation), Anishinabek Nation Grand Council Chief



Welcome from Enbridge: Greg Ebel, President & CEO, Enbridge

Highlights from Conference Keynotes

Our Collective Advantage: Indigenous Consent featured two keynote speakers: Mark Carney and Chana Martineau. This report offers highlights from each presentation—both of which offered insights into the immense economic opportunities available for First Nations accompanying the global energy transition.

From COP to Collective Prosperity: Mark Carney

Introduction of Mark Carney by: Benjamin Cooper-Janvier (Denesuġin ), Senior Associate in Transaction Diligence, Kalos LLP


“I am honored to be here today, to represent the next generation of leaders who will continue to do the work you have all done, in laying the foundation for economic success in this country for Indigenous peoples and non-Indigenous peoples alike.”

Mark Carney is the United Nations Special Envoy for Climate Action and Finance, and Co-Chair of the Glasgow Financial Alliance for Net Zero (GFANZ). Carney focused on how countries around the world—with an emphasis on Canada—can collectively decarbonize the economy by following global climate action, as identified at the global summit Conference of the Parties (COP28).



“Our challenge today isn’t just to build a model for a more sustainable and inclusive economy—although it is very much that—but it’s to put it to work fast. Because, to be blunt, our planet is burning, literally. Last year record-breaking wildfires burned through an area twice the size of Portugal and released three times our annual emissions. That’s the definition of a tipping point.... Worldwide last year was the warmest on record with temperatures averaged 1.5°C above preindustrial levels and each of the last nine years has been the warmest year on record.”

-Mark Carney, United Nations Special Envoy for Climate Action and Finance and Co-Chair of the Glasgow Financial Alliance for Net Zero (GFANZ)



“Over the past two decades, wind and solar have been the fastest growing sources of electricity in history, and battery redeployment is growing even faster. Recent global investments in solar EV heat pumps and battery storage have all gone parabolic. This momentum is being driven by multiple factors:

- » Superior economics;
- » Imperatives of energy security, and;
- » The realities of geopolitics.

And they are all reinforcing the importance of Canada becoming a clean energy superpower.”

“There is a new bottom line. Decarbonization is becoming a fundamental driver of valuation and competitiveness. Those valuations have steadily increased for low carbon companies relative to their peers.... The money is there for the transition if countries, companies, major projects want it. And it’s our collective responsibility to get those flowing.”

“Annual demand for critical minerals is expected to surpass USD\$400 billion by the middle of this decade, period. To put that in context, that’s greater than the current demand worldwide for global coal. And we can help change that game with the vast resources spread across this country.... It’s a major opportunity for us.... And Indigenous guidance and leadership will be essential. Any projects must be developed responsibly, sustainably, and in solidarity with First Nations.”

- Mark Carney, United Nations Special Envoy for Climate Action and Finance and Co-Chair of the Glasgow Financial Alliance for Net Zero (GFANZ)



Government Loan Guarantees: Chana Martineau

Introduction of Chana Martineau by: Rhona DelFrari, Chief Sustainability Officer & EVP, Cenovus

“The National Indigenous Loan Guarantee Program will benefit Indigenous communities, and it’s going to benefit the entire Canadian economy: that is something we should all be celebrating. It’s advancements like these that are a model for the rest of the world to follow.”

Chana Martineau is a member of Frog Lake First Nation and the CEO of Alberta Indigenous Opportunities Corporation (AIOC). Martineau discussed how government loan guarantees can transform the economic opportunities for Indigenous nations, and Canada, by providing interested Indigenous nations with access to capital to invest in large-scale infrastructure projects.

“The [Alberta Indigenous Opportunities Corporation’s] success has been a beacon of hope and progress. We are leading the way nationally and globally and we are not done yet. The model we have developed is a blueprint that can be adopted and adapted by other jurisdictions. The AIOC has worked very collaboratively with FNMPC, NRCan, the province of BC, and other organizations to help build their programs. We believe this exemplifies our commitment to inclusive growth and development right across our country. We stand ready to share our experiences and insights with anyone who wants to walk along this journey with us. We’ve seen the power of partnerships and collective progress.”

“Each one of these transactions is transformative. It brings immense financial gains. We build bridges, we foster trust and relationships, and we are creating sustainable impact that will benefit for generations to come. As we move forward, let us carry away these takeaways, creativity, and openness to partnerships. I tell corporate partners all the time, don’t send your dev-corp teams in on their own and let them box with someone else’s dev-corp teams, that is not how this works. You need patience, commitment, and perseverance by all sides.”



“It is an exciting time for Indigenous people in Canada today. After more than a century of being held back from economic participation due to restrictions in the Indian Act, we are now seeing a path forward.... There was a time, just a few short years ago, where it was said that major projects could not be done in our country, that our relationships with Indigenous people were too contentious, too fraught with risk. And today the Alberta government proudly talks about Findings a way through all of that, and they are doing it by supporting Indigenous partnerships to our program. What once was a significant challenge, has now become a core strength, and the world is watching.”

-Chana Martineau (Frog Lake First Nation), CEO, Alberta Indigenous Opportunities Corporation



“Over the past 50 year, court decisions, constitutional inclusion, investor sentiment, regulatory changes, and—most recently—the free, prior, informed consent provisions of the United Nations Declaration of the Rights of Indigenous People have shaped how society views the inclusion of Indigenous rights in major projects. Indigenous consent with major projects is now a baseline requirement for major projects’ success in Canada.”

- Mark Podlasly (*Nlaka’pamux*), Chief Sustainability Officer, First Nations Major Projects Coalition

PART THREE

Indigenous Consent-driven Project Governance and Policy

Watch the Day 2 Sessions of the *Our Collective Advantage: Indigenous Consent Conference* <https://www.youtube.com/playlist?list=PLJy2Ip-N1eDoywFUzrVhtdRxIQm-dKyv->

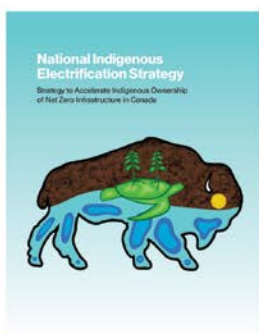
National Indigenous Electrification Strategy

“There is no more important issue in our world today than decarbonization and electrification.”

-JP Gladu (Bingwi Neyaashi Anishinaabek), Founder and Principal, Mokwateh

In this session, the First Nations Major Projects Coalition and Mokwateh³ launched a joint initiative funded by the Clean Economy Fund, the National Indigenous Electrification Strategy. This strategy centers Indigenous nations as leaders in decarbonizing Canada’s electricity generation, transmission and distribution systems, while creating economic opportunities for Nation members.

The National Indigenous Electrification Strategy has two main objectives: (1) to establish Indigenous nations as central figures in Canada’s journey towards net zero emissions, and (2) to identify and dismantle the economic, political, and regulatory obstacles that hinder the progress and promotion of clean energy projects led by—and in partnership with—Indigenous nations.



Scan the QR code to view the entire

National Indigenous Electrification Strategy

online at fnmpc.ca



³Mokwateh is an Indigenous-owned consultancy For more information, see: <https://www.mokwateh.com>

As part of this launch, panelists shared key opportunities presented in the strategy, with a focus on how Indigenous nations should be supported to help Canada's energy transition.

Opportunity 1: Full Indigenous participation in country-wide decarbonization



“With the [National Indigenous Electrification] Strategy as a guide, we must continue to work together toward our shared goals of decarbonization, empowerment of Indigenous communities, and economic reconciliation. This requires a concerted effort from Indigenous communities, from government agencies, and our industry partners. We are at a time where the industry transition is leading to tremendous economic opportunity. So let us take this moment and turn it into momentum: momentum to support and empower your communities by improving the availability of clean, reliable, and affordable energy through every corner of this country.”

-Lesley Gallinger, President and CEO, Independent Electricity System Operator



“[The National Indigenous Electrification Strategy] is something that was long held within FNMPC. We wanted to do it, and to be frank, we couldn't get it funded anywhere because I think various provincial and federal systems knew that the electrification situation in Canada wasn't optimal for Indigenous participation. And so, I'd like to start off by acknowledging the Ivey foundation and the Clean Economy Fund, and various different other contributors to the study, because you've made it possible. [In this work] we have found some very constructive and helpful avenues to go down, to ensure that—as we look to electrify Canada and the infrastructure that is required—we can do it with full Indigenous participation, and that's the ultimate goal.”

-Niilo Edwards, CEO, First Nations Major Projects Coalition

Opportunity 2: Economic reconciliation



“Electricity has been largely generated on the backs of our communities. And it’s a really difficult conversation to have. With taxes and carbon taxes and inflation and the cost of living, Canadians have enjoyed the low cost of energy because of [the use, displacement, and flooding of] our Indigenous territories.... There is a price to pay for that. And that price now is going to be added to the bottom line of electricity, and that’s the cost of doing business, and if you want to call those reparations, it’s reconciliation. But [Indigenous nations] want to be there, and we have to do things differently... But we need to meet the transition demands, and that’s what it’s going to cost.”

-JP Gladu (Bingwi Neyaashi Anishinaabek), Founder and Principal, Mokwateh

“For a lot of utilities in Canada: be prepared to deal with historic redress. And that’s a difficult conversation to have in the context of new projects, but always remember why you were at the table, and the history of it... while we look to the future, we are all here because of the past too, and we have to take that into account.”

-Niilo Edwards, CEO, First Nations Major Projects Coalition



“One of the values that a lot of people don’t understand, is that the current electricity system is built in this country on Indigenous lands. And the cost of that was not properly factored in.”

-Valerie Helbrunner, Partner, Torys

Opportunity 3: New infrastructure, built with Indigenous leadership and ownership



“Current forecast tells us that our grid may need to double by 2050. We are in a shared mission, not only to expand our electricity system, but also to reduce the emissions it produces. And decarbonizing our electricity system is not just a goal: it is an imperative. We recognize the urgency of this task, and we also understand the importance of achieving it thoughtfully, and carefully.”

“We are all shared stewards of our environment, and it is our collective responsibility to ensure its preservation for future generations. To achieve our goals, we are going to need to build a significant amount of new infrastructure which we estimate could require an investment of up to \$400 billion over the next 25-year period. It’s an enormous task, and we know that other provinces are experiencing similar challenges as they consider the future of their electricity system. When it comes to the success of the energy transformation it is abundantly clear that Indigenous participation and leadership will be essential.”

-Lesley Gallinger, President and CEO, Independent Electricity System Operator

“Nobody should understate the importance of Indigenous leadership in the electrification sector.”

-Niilo Edwards, CEO, First Nations Major Projects Coalition

Opportunity 4: Indigenous ownership in electrification projects

“Currently Indigenous ownership in energy projects lags behind where it needs to be, but that is starting to change.... We must build on this momentum and increase Indigenous ownership in energy projects across the board. You all possess unique knowledge of your lands ecosystems and traditional practices. Your involvement ensures that projects respect cultural heritage, minimize environmental impacts, and benefit local communities.”

-Lesley Gallinger, President and CEO, Independent Electricity System Operator



“We are going to see more that full Indigenous ownership of projects, going forward. And that’s what FNMPC is preparing for in terms of our capacity support to our members, is not only the partnership with the private sector, the ability of Indigenous nations to become proponents and lead their own projects.”

-Niilo Edwards,
CEO, First Nations Major Projects Coalition



Opportunity 5: Transmission line expansion, in partnership with Indigenous nations



“One of the biggest challenges in this country is the energy grid [runs] north-south across the country. There’s a really big opportunity to think differently and act differently to drive electricity east-west. Interprovincial and international transmission: we don’t see enough of that. We are giving away energy at a very low cost to the United States, but yet we can’t decarbonize the oil sands with clean renewable electricity.”

“Let’s find the pinch points before we start going ad hoc, let’s find out where the communities are that are in a position to help build the transmission lines: get a real sense of what the opportunities are first. And then, with the Loan Guarantee Program, and depending on what province you’re in... look at all the financial instruments that are around, and go to communities with the menu instead of going to the communities with pre-baked ideas of what you would like to see.”

-JP Gladu (Bingwi Neyaashi Anishinaabek), Founder and Principal, Mokwateh

Opportunity 6: Support wheeling/retail access to the transmission grid for First Nations

*“The **wheeling**⁴ opportunity for First Nations to be able to sell excess power to the grid—is going to be a really important part of financing projects. It’s odd to me that in our territories we still can’t figure out a way to create opportunities for communities to develop their generation opportunities. Because the generation is so desperately needed in some of our communities that are still reliant on diesel. But it’s very difficult to make a business plan for a small community to invest in infrastructure that is only going to service one community. We’ve got to figure out ways to create hub and spokes for a number of communities to get online and generate clean electricity for their communities and put access to the grid. The frameworks have to be a lot more flexible than they are right now.”*

-JP Gladu (Bingwi Neyaashi Anishinaabek), Founder and Principal, Mokwateh

WHAT IS WHEELING?

In electric power transmission, wheeling is the “movement of electricity from one system to another over transmission facilities of interconnecting systems.”⁵ “[Independent power producers] generally do not own the transmission lines that they need to deliver the electricity produced by their power plants to their customers. They must therefore enter into agreements with the owners of these lines to meet their obligations to their customers.”⁶

⁴ Wheeling refers to the transfer of electricity from one electrical grid to another, outside of its boundaries.

⁵ WÄRTSILÄ Encyclopedia of Marine and Energy Technology, 2024, [wartsila.com/encyclopedia/term/wheeling-electric-power-transmission-](https://www.wartsila.com/encyclopedia/term/wheeling-electric-power-transmission-)

⁶ U.S. Energy Information Administration, n.d. <https://www.eia.gov/tools/glossary/index.php?id=w>.

Opportunity 7: Accelerate capacity-building through knowledge-sharing



*“The sharing of knowledge [among Indigenous nations] is an important way to accelerate capacity-building in any sector, but particularly in electrification. Governments, and their agencies and utilities, do something called an **Integrated Resource Plan**⁷ around the electrification needs. What we’re starting to say is perhaps Indigenous nations want to include that kind of perspective in their land use planning and community plans. What electrification resources do you have on your territory and what capacity requirements are you going to need to develop in order to take advantage of those opportunities in the future?”*

-Niilo Edwards, CEO, First Nations Major Projects Coalition

Opportunity 8: Partnership structures led by Indigenous priorities

“The key thing is where the [Indigenous] nation’s priorities are at. Does the First Nation want to own the [project] 100%? Or are you fine with having a partner for the life cycle of the project? If the objective is to own it 100% then make sure that you negotiate a way to take your partner out later on in the deal when you have generated enough income from your own portion of the project.”

-Niilo Edwards, CEO, First Nations Major Projects Coalition

⁷ An Integrated Resource Plan is a place-based management plan that identifies long-term objectives for a specific landscape.

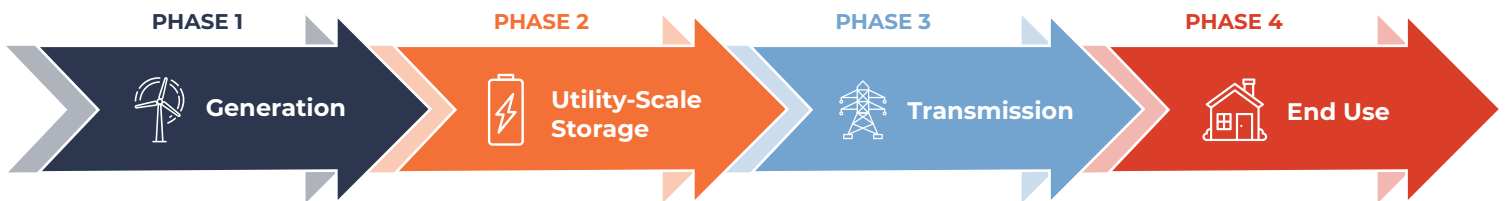
Energy Storage



“We are in a new age where we know that generating power is step one. The power needs to get places and needs to be efficiently used. The concept of storage and redeploying power at different times has become a critical part of the system. The other part of the system is engaging with First Nations that are rightsholders in the territories where these projects are located.”

-John Rowinski (Mohawk - Bay of Quinte),
CEO, Hiawatha First Nation Economic Development Corporation

As Canada—and the world—moves towards clean energy sources, one of most pressing questions is how this energy will be stored. More reliable energy storage solutions are needed to support the integration of clean energy into the grid. Because of this gap, utility-scale energy storage has become a fast-growing areas for Indigenous equity partnerships. In this session, expert panelists discussed how Indigenous partnership and ownership in energy storage can support overall infrastructure development and offer participating First Nations economic returns.



“Utility-scale energy storage are large systems capable of storing significant amounts of electricity, generated at one time and distributing it for use later. It is one of the fastest growing areas for Indigenous equity, partnerships, and large-scale energy storage. Indigenous partnership and ownership in energy storage improves overall infrastructure development for these communities, while providing—most importantly—economic returns to participating First Nations. First Nations must be included as owners of these infrastructure projects to support Canada’s national electrification strategy.”

-Aaron Genereux, National Director for Indigenous Projects, Colliers Project Leaders

Considering the increasing addition of utility-scale energy storage projects across Canada, and the associated opportunity ahead for First Nations’ participation, panelists shared a number of insights that underscore the importance of Indigenous consent, partnership, and ownership.

Insight 1: Scale of the Opportunity Must Never Exclude Consent

“We know that Canada must double capacity by 2030, we know that the US is leading... We know that these battery storage projects and broader utility projects can bring reliability into the system. But these projects must also obtain financing, these projects will also need consultation processes to be carried out, and they will need willing partners.”

-**Cherie Brant** (Mohawk - Bay of Quinte/Ojibway - Wikwemkoong), Partner and National Leader, Indigenous Law, BLG Law

“[A rushed project] would be a complete derailment, in the worst-case scenario. Consultation is important. We need to make sure that our political and administrative leaders in the First Nations are perfectly comfortable with the projects, with whom they are dealing with, with the proponents, and with the process by which we get there. Because ultimately, those folks are responsible to their community members, and the community members need to be satisfied.”

-**John Rowinski** (Mohawk - Bay of Quinte), CEO, Hiawatha First Nation Economic Development Corporation

“If you start things off on the wrong foot with mistrust, and you’re not so transparent: it is going to be like that all the way through. If you start to get things right, right from the get-go, and start collaborating, being transparent and building trust, then it is going to be like that all the way through. If we’re going to get real, and get serious, and work together and collaborate, then we have to be willing to have those hard conversations with each other.”

-**Ogima Conrad Ritchie** (Chippewas of Saugeen First Nation)

Insight 2: Nation by Nation, Project by Project

“It’s not that every First Nation is walking in sync on these things. We made it very clear with proponents that we are here to talk on the economic development side. We want to participate economically, but that doesn’t mean a green light. It’s not just a roll over and show our belly every time they go and put a project in. Battery storage is relatively innocuous in the grand scheme of things, but it’s also very new and so there’s a lot of uncertainty and unknowns with battery storage projects—what the potential impacts are. When some of our proponents are successful on the bidding process in the next month, the next phase is going to be how can we build this project in a way that is consistent with the Indigenous values.”

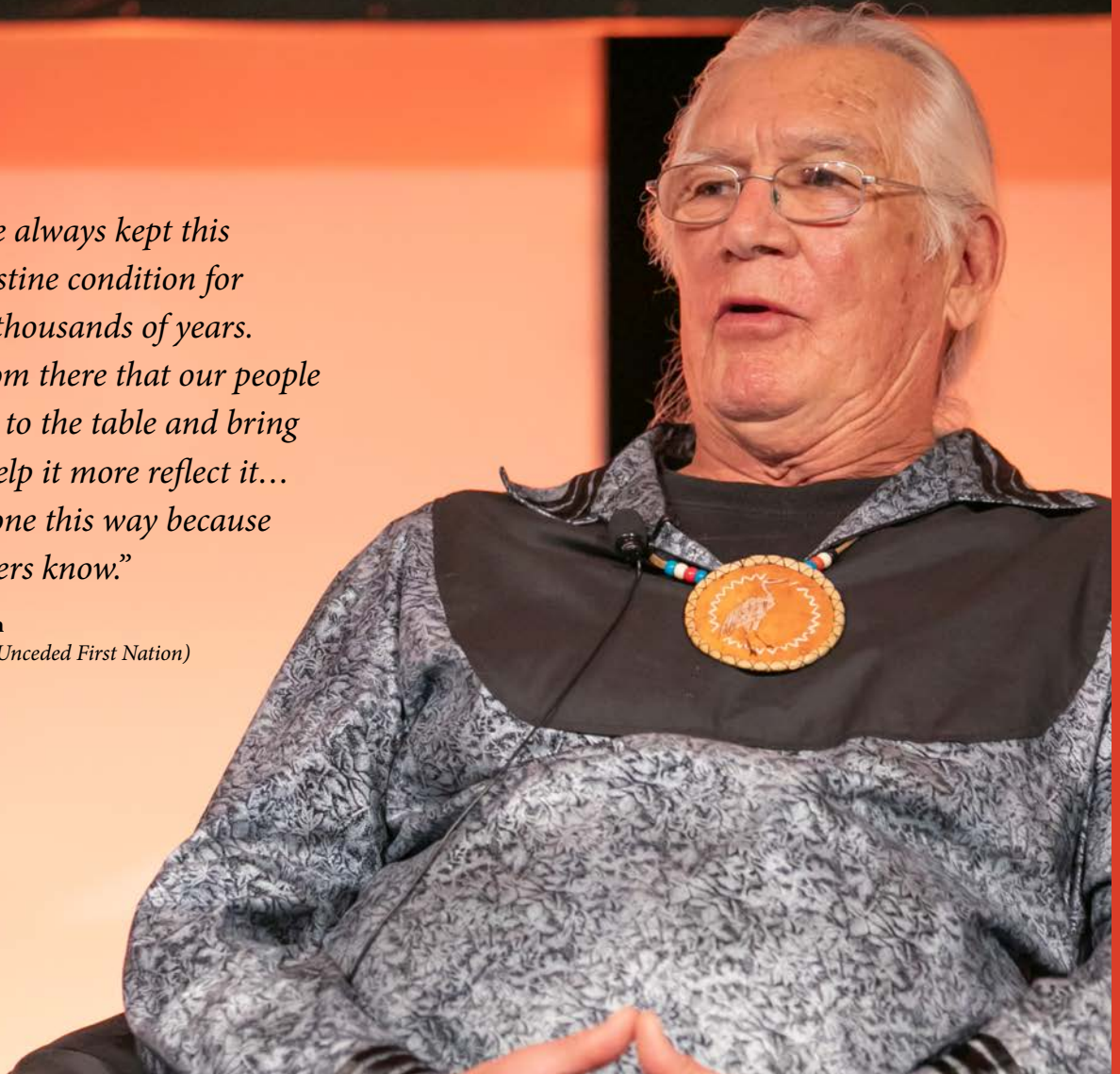
-**John Rowinski** (Mohawk - Bay of Quinte), CEO, Hiawatha First Nation Economic Development Corporation

Insight 3: Bring Forward the Spirit of the Nation

“

Our people have always kept this continent in pristine condition for thousands and thousands of years. There is a wisdom there that our people carry and bring to the table and bring to industry to help it more reflect it... this has to be done this way because of what our Elders know.”

-Ogima Greg Nadjiwon
(Chippewas of Nawash Unceded First Nation)



“Pumped storage is what I consider to be a net-zero project.... The federal government has set the standard by 2050 they want to achieve net-zero. The province is on board with net-zero to achieve that same goal. But to achieve that goal you [need] projects that address providing energy with net-zero as the goal. And I think that this project does that. That’s why we’re still at the table. That’s why we’re still in discussions, so that they can hear who we are as a people. Our expectations are to put their employees through the blanket exercise and ... looking at a common issue through the First Nation’s perspective and the settler perspective. This doesn’t separate us, it brings us closer together. It educates us on who we are as a people.”

“One way with Nawash—when we work together—is just remembering our ancestors, remembering who we are as Anishinaabek people, that we’re one Nation and one family, remembering that peace that when we’re working with our sister community here and just bringing that spirit of who we are as a nation of people working together.”

-Ogima Greg Nadjiwon (Chippewas of Nawash Unceded First Nation)

Small Modular Reactors (SMRs)

“We don’t plan to sit on the sidelines and see energy projects pass us by again.”

-**Jim Ward** (*Natooganeg*), North Shore Mi’kmaq Tribal Council, New Brunswick and Member, Indigenous Advisory Council SMR Action Plan

Global demand for energy is on the rise. At the same time, the world is ramping up efforts to decarbonize energy sources. To meet the required demand of energy, Canada’s energy sector is exploring the potential to expand clean-source options by incorporating **small modular reactors (SMRs)**—a downscaled form of nuclear energy.

For more information on SMRs, please read FNMPC’s **Primer on Nuclear Energy, SMRs and First Nations**. https://fnmpc.ca/wp-content/uploads/FNMPC_SMR_PRIMER_for_email.pdf

Panelists in this session discussed the role SMRs can play in the global energy transition, with a focus on the role that Indigenous consent and ownership needs to have in the development, operation, and end-of-life cycle for new SMRs.



“Nuclear energy is one of our most important sources going forward in the fight against climate change. It is considered a low-carbon energy with almost no GHG emissions once in operation, and is now fundamentally recognized in Canada, as well in other parts of the world, as absolutely necessary in order to achieve net zero. The sector is at a really important point today. Prior to five years ago nuclear was at a steady state in Canada. Around the world, there wasn’t a lot of growth. Today with the combined efforts against climate change, as well as the geopolitical situation that requires country to reconsider their energy security strategies, nuclear is at a point where it’s never been at before in terms of growth.”

-**Jill Baker**, Vice President, Regulatory, Affairs, Policy and Corporate Events,
Canadian Nuclear Association

The word modular refers to the fact that SMRs can be manufactured in a factory and transported to a site for assembly, which means there is less need for on-site construction, less waste (spent fuel) management, and therefore potentially lower capitol costs at the onset.⁸

“Small modular reactors have to play a part of the journey. To decide if it plays a part of the journey, [the question is] does it meet the economic viability? At the end of the day, in Canada, ratepayers pay for power, and so we all pay for power... When [Ontario’s] independent electricity system operator determined how we were going to build out Ontario to double the grid capacity, they used the economics of the different technologies to determine that what that was going to look like. And nuclear is going to play 18,000 megawatts of that future, and in that it’s going to be both large and small modular reactors.”

-**Aida Cipolla**, Chief Financial Officer, Ontario Power Generation



During Canada’s first wave of nuclear power generation, the rights of Indigenous nations—and the impacts of development on their lands—were given minimal or no consideration. However, UNDRIP and Canada’s acknowledgement of Indigenous and treaty rights, have created different conditions for the coming growth of nuclear development to take place within. As potential benefits to this energy source continue to be explored, a number of First Nations (and some First Nations-owned businesses) are exploring associated opportunities. In this session, panelists brought forward specific considerations for nuclear development taking place on Indigenous lands.

CONSIDERATION

PANELIST COMMENTS

EQUITY OWNERSHIP

First Nations may have the opportunity to not only enter into equity partnerships with utilities that purchase the nuclear reactors, but to own SMRs and sell heat and power to partners or the grid.



“We understand that all of us are depending on energy and electricity for our daily lives, and our First Nations community are no different. We are looking at these opportunities in our territories. And, if they’re going to be in our territories we really should have a stake in these projects. With our communities and our leadership, this kind of stake is equity. That is the first thing right off the top that we need to talk about in the SMR space, because [in] the nuclear space First Nations’ communities are left out.”

-**Jim Ward** (Natooganeg), North Shore Mi’kmaq Tribal Council, New Brunswick and Member, Indigenous Advisory Council SMR Action Plan

⁸ Primer on Nuclear Energy, SMRs and First Nations. FNMPC. November 2023. https://fnmpc.ca/wp-content/uploads/FNMPC_SMR_PRIMER_for_email.pdf

ENERGY PRODUCTION IN INDIGENOUS NATIONS

Microreactors are poised to provide an alternative heat and power source to remote communities that currently rely primarily on diesel generators.



“SMRs can provide baseload power for off-grid for remote rural communities that currently rely on diesel fuel. In addition, they can provide high temperatures so they have an industrial use for organizations and oil sands and mining companies... they can be shipped to wherever they’re needed so you don’t need to build a large plant.”

-**Jill Baker**, Vice President, Regulatory, Affairs, Policy and Corporate Events, Canadian Nuclear Association

ADDRESSING NUCLEAR WASTE

First Nations engagement is critical to successfully implement Canada’s plan for the long-term management of used nuclear fuel.



“First and foremost, when you’re talking about safety, you have to have a good relationship with the communities we’re working with. And for managing used nuclear fuel permanently, you need to have resilient relationships with communities... We have been engaging with these communities— both on-reserve and off-reserve members, and neighboring communities— to talk about the reality of managing this fuel, and why deep geological repository is the best practice.”

-**Dakota Kochie** (Anishinaabe), Director of Government and External Relations, Nuclear Waste Management Organization

CONSENT & CONSULTATION

A consent-based framework needs to be at the core of nuclear development.



“We recognize that all of OPG’s facilities sit on the treaty and traditional territories of Indigenous people. And we recognize that any deployment of growth for the industry for the grid or for energy infrastructure needs to have participation by Indigenous people. So our focus on this is really on the inclusion of Indigenous people in this process.”

-**Aida Cipolla**, Chief Financial Officer, Ontario Power Generation Canadian Nuclear Association



“We need the federal government, the provincial government, utilities, the companies to understand that the situation we are in is: we don’t have a lot of knowledge. We need a lot of support and capacity. When we have that support, we can make informed decisions and decide, ‘Is this a good decision for our communities? Or is it not?’”

-**Jim Ward** (Natooganeg), North Shore Mi’kmaq Tribal Council, New Brunswick and Member, Indigenous Advisory Council SMR Action Plan



“We can help start the process... working with Tribes you need involvement from the beginning.”

-**Clarice Madalena** (Pueblo of Jemez/Acoma), Natural Resources Director, Pueblo of Jemez, Member of the Nuclear Energy Tribal Working Group



“The NWMO had consent at the core of its program before it was sexy, before the introduction of UNDRIP legislation a few years ago. Industry and major projects and proponents are starting to wake up and say, ‘Well, this is law, we have to do this.’ But we need communities to be working with proponents in a way that advances the project, [where] communities get benefits, have control over the future and have a say in how the project is implemented.”

-**Dakota Kochie** (Anishinaabe), Director of Government and External Relations, Nuclear Waste Management Organization



Ministerial Panel on Indigenous Loan Guarantees and Economic Growth

“Access to competitively priced capital for equity investments has been a driving cause of our founding members, many of whom are in the room. And people told us we would never get it done.”

-**Mark Podlasly** (*Nlaka'pamux*), Chief Sustainability Officer, First Nations Major Projects Coalition

The federal government announced the launch of the Indigenous Loan Guarantee Program as part of their Budget 2024. In this session of *Our Collective Advantage: Indigenous Consent*, panelists highlighted the immense amount of time and energy that lay the foundation for this program's development and emphasized the importance of providing Indigenous nations with access to capital. This was a major success for the FNMPC, highlighted by many of the speakers at the conference.



“Last Tuesday’s federal budget announced the creation of an Indigenous Loan Guarantee Program in the \$5 billion range. For FNMPC members—you are right—this has been a cause for us from the beginning. It is one of the founding reasons for the creation of the FNMPC nearly a decade ago.”

-**Mark Podlasly** (*Nlaka'pamux*), Chief Sustainability Officer, FNMPC

“This \$5 billion Indigenous Loan Guarantee Program is a first in Canadian history.... I want to especially acknowledge Chief Sharleen Gale and Niilo Edwards who have worked on this for so long.”

-**The Honourable Chrystia Freeland**, Deputy Prime Minister & Minister of Finance, Government of Canada



First Nations have historically been excluded from benefits rising out of major projects taking place within their territories. Panelists pointed out that the *Indian Act*—and the enduring legacy of colonialism—severely limited First Nations’ ability to secure capital, hobbling involvement in any proposed natural resource or energy project. An Indigenous Loan Guarantee aims to reverse this, by offering a viable path forward for Indigenous equity participation.

“Our First Nations have historically been precluded from capital markets for accessing assets because of the colonial structures of the Indian Act. The Indian Act deems us as wards of the state, and all of our assets are then held in trust by the government. Which makes it very difficult for us... we know that there are billions and billions of dollars of projects waiting to happen in this country, which will be unlocked by this program. So, thank you.... I would like to congratulate you and your government for taking the biggest step towards economic reconciliation we have ever seen as a country.”



-Mark Podlasly (*Nlaka'pamux*), Chief Sustainability Officer, FNMPC

For more information, please read the First Nations Major Project Coalition's primer on Government Loan Guarantees. https://fnmpc.ca/wp-content/uploads/FNMPC_Loan_Guarantee_Primer_01172023_v3.pdf

Panelists noted the importance of Indigenous loan guarantee programs to advance economic reconciliation, and called out both short- and long-term benefits potential for both Indigenous nations, and all Canadians.

“It is so important for us to be doing work that unlocks that promise of a secure, comfortable, prosperous middle-class life for every single person in Canada, with a particular focus on younger Canadians. Disproportionately Indigenous people in Canada— 25% are under 15—a lot of those younger Canadians are Indigenous people in Canada. We need to unlock the promise for them.”

-The Honourable Chrystia Freeland, Deputy Prime Minister & Minister of Finance, Government of Canada

Panelist Shannon Joseph, Chair of Energy for a Secure Future pointed out, that for any major project to be successful it needs to address a number of elements, as illustrated below.



“A federal Indigenous Loan Guarantee Program is vital because it will lower borrowing costs and increase returns to participating communities. The federal borrowing rate is about 1% lower than that of provinces, and this difference will mean additional millions of dollars of benefit flowing back to Indigenous nations who access it, supporting the buildup of their economies and a more secure future for their peoples through ownership and major projects.”

-Shannon Joseph, Chair, Energy for a Secure Future

COMPONENTS OF A SECURE FUTURE

“[In our report] we articulate three components of a secure future including:

Strong energy fundamentals—of affordability, reliability, security, resilience;

Broad social acceptance—including alignment with reconciliation;

And finally, the achievement of our environmental goals.

This is a tall order but it is one in which Indigenous peoples are playing a leadership role in, as workers, partners, regulators—and now more than ever as equity owners.”



Strong Energy Fundamentals



Broad Social Acceptance



Achievement of Environmental Goals

WHAT ARE THE BENEFITS OF INDIGENOUS PARTICIPATION IN MAJOR PROJECTS?

“Indigenous economic participation in the major projects that are going to build our country and our economy going forward is an essential step, and I’m going to say the essential step, in building Indigenous economic prosperity and economic reconciliation.”

This is going to mean our major projects are better. I really believe that Indigenous participation in these projects is going to mean we do them the right way, from the start.

I also am absolutely convinced, for that reason, that those projects are going to get built faster. This is an approach that is going to first and foremost, advance Indigenous economic prosperity, it is going to advance prosperity for all of Canada and all Canadians.”

-The Honourable Chrystia Freeland, Deputy Prime Minister & Minister of Finance, Government of Canada



Economic Reconciliation



Projects Built Right, From the Start



Faster Timelines



“These are projects that take a long time to get build... These are generational projects that people around this room are building, and they are going to be the projects that create great jobs, that create the growing economy, that create the prosperity, for the children of everyone here, for our children’s children, and for our children’s children’s children.”

-The Honourable Chrystia Freeland, Deputy Prime Minister & Minister of Finance, Government of Canada

“

Everyone has to prosper and grow. That commitment begins with building relationships, building partnerships that respect the province’s constitutional obligation, including our duty to consult, and it starts with acknowledging that when it comes to expanding opportunities in First Nations the approach should be ‘never assume that government knows best’. Instead, we need to work together in a true partnership that puts First Nations leaders in the driver seat to ensure First Nations communities secure economic growth.”

- The Honourable Doug Ford, Premier, Government of Ontario



FIRST NATIONS
MAJOR PROJECTS
COALITION



PART FOUR

Financing Indigenous Ownership in Major Projects

Indigenous economic reconciliation relies in part on ensuring Indigenous nations have access to competitively priced capital. The final afternoon of *Our Collective Advantage: Indigenous Consent* allowed expert panelists to discuss tools that have facilitated Indigenous-industry partnerships, and to focus on challenges and barriers to making this happen.

Indigenous Women in Finance



“I am so proud when I see our Indigenous people, and particularly Indigenous women, moving into these positions where there is the opportunity to have so much influence, and to make so many decisions that can really change the future of our communities and of the country as a whole.”

-Jaimie Lickers (Onondaga), Senior Vice President of Indigenous Markets, CIBC

During this panel presentation, Indigenous women leaders in the financial field discussed the importance of centering Indigenous values to improve sustainable investment practices. This included a conversation on the opportunities and challenges ahead, and what can collectively be done to bring forward the full potential of First Nations across Canada.



“I want to congratulate FNMPC for the outstanding work they are doing, and the very clear and positive impact that they are having right across this country. As someone who is living in Australia, I think FNMPC’s impact is going to go well beyond Canada.”

- **Caroline Cox**, Chief Legal, Governance and External Affairs Officer, BHP

Panelists shared insights on their journey as Indigenous women working in the financial space, and the power of sponsorship, mentorship, asking hard questions and speaking their truths. As well, they shared insights on opportunities that could further support Indigenous nations on their path to generate wealth for their communities.

INSIGHT

PANELIST COMMENTS

STACKING TOOLS IS A POWERFUL, EFFECTIVE STRATEGY



“The reason that the national Indigenous Loan Guarantee Program is so powerful is its ability to stack with other tools that we have within our finance space. Whether that is sustainable finance, loans from CIB, whether that is procurement—so small to medium sized business loans as well— we’re talking about the layering of these tools, and how we funnel capital through these different channels at the right time. That, for me, is something that is starting to come to the forefront, whether it is federal or provincial national loan guarantee programs, direct loans, funding, credits, and understanding the unique characteristics that are needed for this to be successful—and that includes capacity.”

-**Alanna LaRose** (Nakhóta), Senior Manager, Enterprise Strategy and Transformation, RBC

OWN-SOURCE REVENUE CAN GROW INDIGENOUS PROSPERITY



“About 10 or 12 years ago the discussion was how do we move from impact benefit agreements to equity ownership. It’s incredible to see the movement from those discussions, over to how we can use the right tools for these partnerships and investments, where we can have meaningful participation from our Indigenous communities in projects. I’ve seen a number of developments in programs—loan guarantee programs, great funding vehicles.... One of the opportunities that I’ve seen is developments in own-source revenues. I’m looking forward to more in that area, both from what we saw in future opt-in tax jurisdiction frameworks, but other beneficial revenue-sharing. Opportunities to leverage those are going to further support our nations in their journey for future wealth generation at large.”

-**Tiffany Murray** (Haudenosaunee), Partner, Banking and Financial Services Group, BLG Law

**IN-PLACE ECONOMIC
DEVELOPMENT
SUSTAINS
COMMUNITIES**



“We are starting to see Indigenous business people get engaged in a whole new realm within the Indigenous conversation, and that is in the likes of private equity, venture capital, and this is about fund management and investment... When we talk about social impact, we talk about equity-deserving groups, and the Indigenous peoples of Canada are part of that. But what is really promising to me is that we’re seeing Indigenous-owned and -led fund managers begin to emerge and their focus is on supporting and investing in Indigenous entrepreneurs all over the country. And the beauty of that is that it means there is an opportunity for in-place regional economic development, so Indigenous people don’t feel like they need to move to Calgary or Vancouver or Toronto or Montreal in order to drive prosperity for their families.”

-Alicia DuBois (Métis), Chief Investment Officer, Boann Social Impact LP

**CAPACITY LEADS TO
OPPORTUNITY**



“Private sector is doing things differently, private sector is starting to lean in. They are no longer checking a box, it is not a box-checking exercise anymore. They are actually leaning in and looking for, ‘How do we partner? How do I use the tools that are now made available from government? How do I help Indigenous communities to have capacity, so they can understand what equity ownership means, what those risk are going to be to the community? ... We’re seeing a huge shift, we’ve got a ways to go. But by and large we’re seeing a lot of positive movement with private sector, and that goes back to capacity-building. [We’re] seeing negotiations with community, and communities are standing up and starting to really build that expertise where they didn’t have it before.”

-Hillary Thatcher (Métis), Managing Director, Investments: Indigenous and Northern Infrastructure, Canada Infrastructure Bank

**MORE INDIGENOUS
REPRESENTATION ON
FUNDING DECISIONS IS
NEEDED**



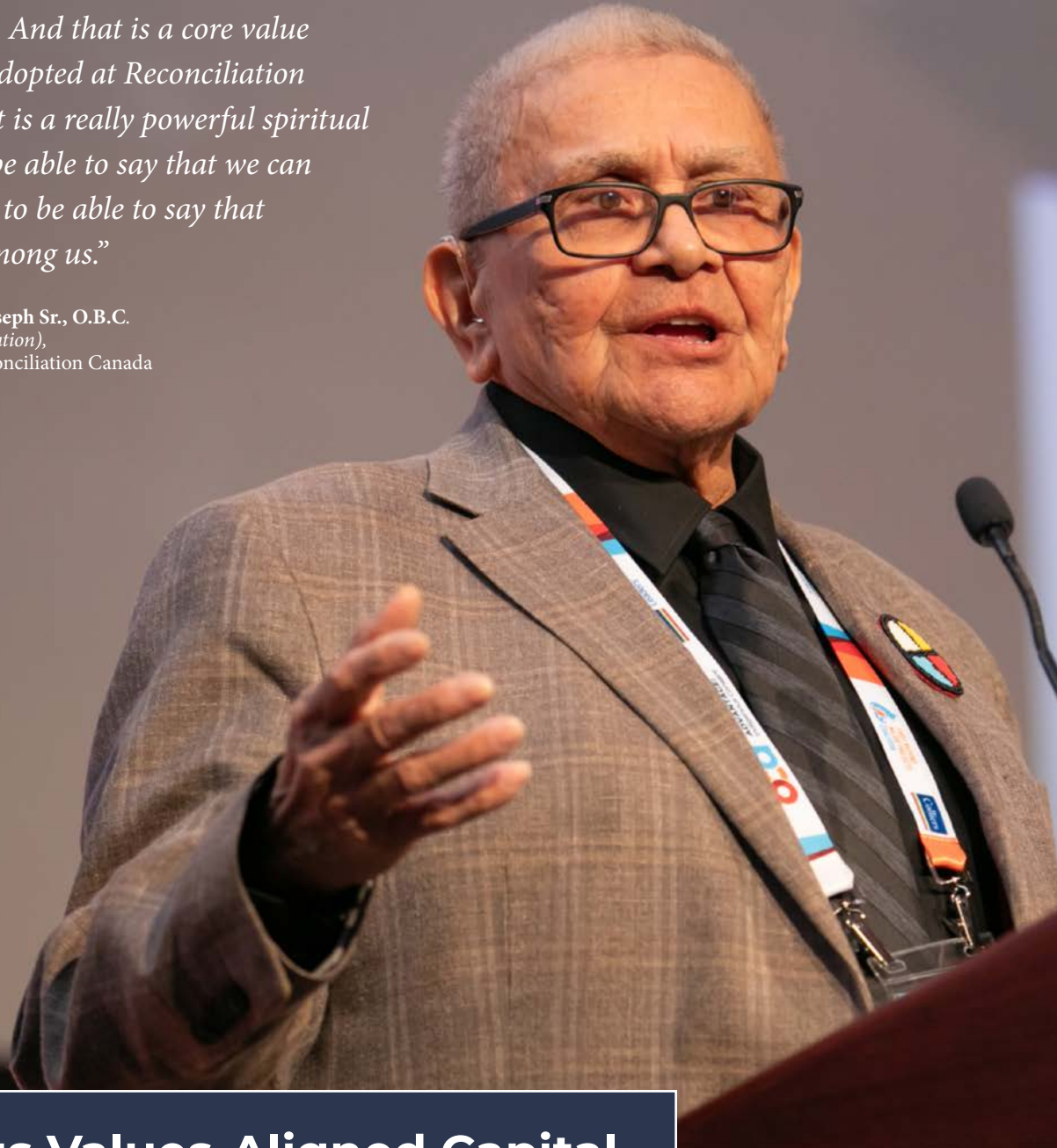
“What we want to see is not only more representation in community—our leaders Indigenous-led, financial, economic, development boards—but we also want to see them on corporation boards as well. We want to see them on boards of banks, we want to see them on boards of finance, we want to see them leading negotiations, leading funding, because there is an understanding there that a lot of people can’t replicate. There’s a language there, there’s an importance there.”

-Alanna LaRose (Nakhóta), Senior Manager, Enterprise Strategy and Transformation, RBC



We are all one. And that is a core value that we have adopted at Reconciliation Canada, and it is a really powerful spiritual imperative to be able to say that we can when we want to be able to say that there is love among us.”

- Chief Dr. Robert Joseph Sr., O.B.C.
(Gwawaenuk First Nation),
Ambassador for Reconciliation Canada



Indigenous Values-Aligned Capital

As more Indigenous nations source and access capital for major projects, finding capital that aligns with Indigenous values can be challenging. This session brought financial experts together to share thoughts on values-based investing that supports Indigenous nations to further self-determination.

During their conversation, panelists discussed a shift in the financial sector’s perspective—where Indigenous nations are perceived to be a ‘business imperative’ rather than a ‘business impediment’—and emphasized a focus on investments that look beyond financial benefits and bring Indigenous values into the mix.



A NEW WAVE OF INVESTING



“The millennials have managed to shake things up. Over the past decade the millennials have gotten serious about investing, asking themselves, ‘What investments help build wealth and have a positive social impact?’ Investment decisions have traditionally been driven by financial returns, but a new area of investors have shifted to values-aligned investing. These investors are not only interested in maximizing returns but also considering environmental and social impact which are fundamental to relationships with Indigenous peoples.”

-**Dan George** (Wet’suwet’en), President & CEO, Four Directions Management Services



“Economic inclusivity really is an all-hands-on-deck. We see all levels of government engaged, we see corporate Canada and various industries engaged, we also of course see Indigenous communities and entrepreneurs engaged, and we’re starting to have conversations about multiple tools in the toolbox with respect to professional services and access to capital. When you have that type of partnership and collaboration, it means there is more room for prosperity and shared outcomes.”

-**Alicia DuBois** (Métis), Chief Investment Officer, Boann Social Impact LP

DRIVING PROSPERITY IN PLACE



“When we look at the impact of serving Indigenous entrepreneurs, it means that they are not looking to some of the major centres in order to drive prosperity and be successful, and earn a living. They actually have an opportunity to be entrepreneurs in place, and that in turn drives regional economic development that has a much more positive echo effect beyond just the activity of those Indigenous entrepreneurs, because they become engaged in the local economy.”

-**Alicia DuBois** (Métis), Chief Investment Officer, Boann Social Impact LP

VALUES-ALIGNED IMPACT FOR THE LONG-TERM



“The challenge about the social impact space in Canada is that it’s been really beholden to donations, and philanthropic dollars. A really important component of the Social Finance Fund is that we create a self-sustaining social impact sector in Canada that lives long. The government has injected these funds, and the purpose of these funds is to create impact, but to do so in a way that no longer requires and is beholden to grants and donations.”

-**Alicia DuBois** (Métis), Chief Investment Officer, Boann Social Impact LP



“We need hard decisions made about infrastructure. Yes, it’s going to cost more to build roads, transmission lines, power generation for northern Canada, it’s going cost more to educate our young people in those regions, but it’s something we need to do...”

-**Sean Willy** (Denesųłíné), President and CEO of Des Nedhe Group of Companies



“For me [implementing the Federal Indigenous Loan Guarantee Program] is about engagement, and understanding some of the experiences from provincial [Indigenous loan guarantee] programs, and recognizing that I do not need to rebuild the wheel. We can leverage off of that good knowledge, and also look for opportunities to stack with those provincial programs. It’s about learning and hearing directly from communities, this is about self-determination.”

-**Elizabeth Wademan**, President and CEO, Canada Development Investment Corporation



“Rather than there being that single bottom line for corporate Canada, we’re really seeing a shift toward the triple bottom line where the communities that are impacted by projects or the work are highly engaged and equity owners, and have a chance to be a part of the supply chain so they have that positive echo effect, and we’re having conversations about the environment.”

-**Alicia DuBois** (Métis), Chief Investment Officer, Boann Social Impact LP

NATION TO NATION PARTNERSHIPS



“We look long-term, on everything we do as a community, long term investment... We want to work with other First Nations... We think nation-to-nation is the way forward in this country, and by having a financial institution—you know I grew up in the north, my community hunts, traps, and fishes still—we want to work with other First Nations that still have that. We know where you’re coming from, and we know how hard it is to go through and the barricades that have been put up for us.”

-Sean Willy (Denesųłłné), President and CEO of Des Nedhe Group of Companies

RECONCILIATION IN ACTION



“I’m always thankful for the past chiefs, elders, leaders who set the table for my vintage... who are now taking the next step, and we have another generation now coming up in schools that are going to take it forward. To me, it’s an opportunity. We have done a lot of work to remove barriers... that’s a momentum we have all created. Reconciliation is underway. Keep putting up those barriers because I know my people will knock them down.”

-Sean Willy (Denesųłłné), President and CEO of Des Nedhe Group of Companies



“Reconciliation is underway in this country, it is underway. And it is really important for us to be able to affirm that.... One of the things about reconciliation is that it has to call us together so that we can have dialogue. Before we move anywhere from where we are, we have to create dialogue that creates meaning—otherwise transformation can’t happen. As we have dialogue, we have a deeper understanding of each other, and we recognize that we share this place together, we share Canada together.”

-Chief Dr. Robert Joseph Sr., O.B.C. (Gwawaenuk First Nation), Ambassador for Reconciliation Canada



“Corporate Canada wants to spend money on Indigenous businesses. They want to be part of reconciliation. The sad part is that a lot of CEOs tell me that many of our companies just aren’t there yet. So, we want to go out and create ‘easy’ buttons... you want nice, easy foundational investments.”

-Sean Willy (Denesųłłné), President and CEO of Des Nedhe Group of Companies



“We know that speaking across Indigenous contexts —while different in their own ways—can help enrich this dialogue from a strength-based approach.”

-Dara Kelly-Roy Kw'ekw'exós (Leq̄:mel First Nation, Stó:lō), Assistant Professor, Indigenous Business, Beedie School of Business, Simon Fraser University

Integrating Indigenous Values into Sustainability Reporting (New Zealand)

Sustainability reporting frameworks are used by organizations to report out their environment, social, and governance performance. These frameworks are functional tools that help organizations to demonstrate accountability, transparency and progress—as shown in predetermined framework areas. However, Indigenous perspectives are often excluded in conventional reporting frameworks.

To address this gap, New Zealand's External Reporting Board has developed a non-financial conceptual framework that is built on Māori principles of value and impact, and pushes organizations to measure beyond financial metrics. In the final session of *Our Collective Advantage: Indigenous Consent*, panelists discussed how deep collaboration with Māori entities has transformed New Zealand's reporting frameworks, and how this type of partnership has relevance within the Canadian context.

“He Tauira [our Impact Reporting Framework] is about allowing organizations to share their journey through stories. He Tauira is more than a framework, it embodies our [Māori] worldview. The use of a metaphor is important to effectively organize and visualize an entity, and underscores the interconnectedness and holistic importance central to te ora Māori in our reporting practices to those we serve: our families.”

-Joe Hanita (Ngāti Kuia, Te Ātiawa, Rangitāne and Ngāti Kahungunu), Chair - Ngā pou o te kawa ora Kaitiaki Group, New Zealand External Reporting Board



“How do you report intergenerational impact and do it in a meaningful way to ensure trust, confidence, transparency and accountability? The External Reporting Board turned to the people who knew the most about intergenerational impact. And we established a project called Ngā pou o te kawa ora... which is a project that aims to establish a non-financial reporting framework from an Aotearoa New Zealand perspective, that is based in te ora Māori... In other words it’s deeply based in the holistic worldview and encompasses Māori knowledge.”

-April Mackenzie, Chief Executive, New Zealand External Reporting Board

The Value of Intergenerational Thinking

“Māori entities have always embodied a holistic approach to decision-making and reporting, with an interconnectedness of people, our natural world, and our spirituality [guiding] our actions. This framework mirrors our natural inclination towards:

- » *Considering the well-being of future generations;*
- » *Ensuring that our actions today foster sustainability and prosperity for tomorrow;*
- » *Being intergenerational in thought and action.*

The whole process is to ensure that it resonates both across Māori and non-Māori contexts. The structured approach allows for reporting practice to be more transparent and accountable, enhancing how we communicate the holistic value impact beyond mere financial metrics.”

-Joe Hanita (Ngāti Kuia, Te Ātiawa, Rangitāne and Ngāti Kahungunu),
Chair - Ngā pou o te kawa ora Kaitiaki Group, New Zealand External Reporting Board



A FRAMEWORK THAT RESPECTS, UNDERSTANDS AND RECOGNIZES INDIGENOUS RIGHTS



“From the inception of this project we consciously chose not to simply tack on the Māori perspective, or to have Māori ‘participate’ in ‘our’ project, instead the principles of te ora Māori and [Māori word] are the foundations upon which we built it. This approach informs every single decision we make, ensuring our actions and strategies are deeply aligned with respect, understanding, and recognition of Indigenous rights and wisdom from the very start. This is not by Māori for Māori: this is a partnership for everyone.”

-**April Mackenzie**, Chief Executive, New Zealand External Reporting Board



“The concept of ownership was only introduced to New Zealand when we were colonized. Our people have always had the view that we are stewards only. We are here for a period of time, and we have a responsibility to look after what is under our protection, under our stewardship. We never had this legal concept of ownership. So, while we are operating in a western construct, and we own things, we continue to maintain an Indigenous perspective of ‘we have a role to look after it, because we are only here for a millisecond of a very long journey.’”

-**Joe Hanita** (Ngāti Kuia, Te Ātiawa, Rangitāne and Ngāti Kahungunu), Chair - Ngā pou o te kawa ora Kaitiaki Group, New Zealand External Reporting Board



“Many of our Elders will never see the outcome of their work today, but they need to head it in the right direction. That is what we are trying to incorporate in this framework—what is the direction and how are you going to show progress towards it.”

-**Joe Hanita** (Ngāti Kuia, Te Ātiawa, Rangitāne and Ngāti Kahungunu), Chair - Ngā pou o te kawa ora Kaitiaki Group, New Zealand External Reporting Board

THE JOINT RESPONSIBILITY OF INDIGENOUS AND NON-INDIGENOUS PEOPLES



“I constantly hear from non-Māori, ‘We look to Māori for solutions for the biggest challenges we have in the world today, because the way in which you look after your environment, you look after people, you think about the continuum of time—within that there are solutions.’ And my response to that is, ‘Yes there are, but for those solutions to become real, there has to be an openness to engage to change.’... “We as a people have changed, but we want to return to the way that our ancestors lived in harmony with the natural world, and sustained our communities. The obligation on Māori entities is to lead the way, and the obligation for non-Māori is to have an open heart and an open mind to look at the world through a different set of eyes.”

-**Joe Hanita** (Ngāti Kuia, Te Ātiawa, Rangitāne and Ngāti Kahungunu), Chair - Ngā pou o te kawa ora Kaitiaki Group, New Zealand External Reporting Board

THE CANADIAN CONTEXT



“The [Canadian Sustainability Standards Board] recognizes that advancing reconciliation with First Nation, Metis, and Inuit Peoples is fundamental to its work. Including the way that the Board engages with Indigenous businesses, communities and governments during both its strategic planning and its standard setting work.”

-**Lisa French**, VP Sustainability Standards, Financial Reporting and Assurance Standards Canada



“Top of mind here in Canada is how we grapple with these questions about how set standards that are in alignment with our federal UNDRIP act. Globally, this question opens the opportunity for us to consider how both Canada and New Zealand can step forward as global leaders to inform financial disclosures to the International Sustainability Standards Board.”

-**Dara Kelly-Roy Kw'ekw'exós** (Leq̓:mel First Nation, Stó:lō), Assistant Professor, Indigenous Business, Beedie School of Business, Simon Fraser University





Recognizing and integrating Indigenous rights into decisions about the environment and the economy is now not only crucial for project success, but essential for Canadian society and businesses to gain a collective benefit that positively influences the entire economy.”

-Jolain Foster (*Gitxsan & Wet’suwet’en*)
Managing Partner of Nation Building, Deloitte

“The impact of He Tauira will lie in its ability to authentically represent the values of an Indigenous worldview that has always been central to us as Māori. We acknowledge we are all part of a continuum of time, we have an intergenerational perspective. Our purpose is fundamentally driven by our strong sense of identity, and we are accountable for the future, not just now, or the past, for our impact.”

-Joe Hanita (*Ngāti Kuia, Te Ātiawa, Rangitāne and Ngāti Kahungunu*), Chair - Ngā pou o te kawa ora Kaitiaki Group, New Zealand External Reporting Board



“We talk these days a lot about reconciliation. We the First Peoples of Canada know the truth but it’s going to take a long, long time to reconcile of what has happened the First Peoples of this land.”

- Chief Keith Knott, *Curve Lake First Nation*





FIRST NATIONS
MAJOR PROJECTS
COALITION

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*An Anishinaabe Onyota'a:aka artist from Beausoleil First Nation
and Oneida Nation of the Thames*



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