



# Summary of the Second Meeting of the Indigenous Advisory Committee November 6-7, 2019 Ottawa

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## Meeting Objectives

The objectives for the Committee's second meeting were to discuss priority areas the Committee had identified related to Indigenous Participation and Indigenous Knowledge as well as to develop a work plan for the Committee.

### DAY 1 – November 6, 2019

#### **Agenda item: Welcome and opening remarks**

The meeting began with an opening prayer by Elder Claudette Commanda from the Algonquin community of Kitigan Zibi Anishinabeg. The Agency's Ex-Officio member of the Committee provided an update on how advice provided to the Agency has been used thus far.

#### **Agenda item: Overview of Impact Assessment Act (IAA)**

The Agency provided an overview of phases of the Impact Assessment process.

#### **Agenda item: Indigenous Elements in the Impact Assessment Act**

The Agency provided an overview of the Indigenous elements in the Act and discussed the related guidance in the Agency's Practitioner's Guide to Federal Impact Assessments. The Agency then provided an overview of Indigenous engagement on this work to date.

#### **Agenda item: Overview of the integrated review panel process**

The Agency provided an overview of the approach to integrated assessments under the IAA and the ongoing collaboration with lifecycle regulators, including the Memorandum of Understanding developed with CER and the Canadian Nuclear Safety Commission, under which the Agency will lead Crown Consultation activities with Indigenous peoples during integrated impact assessment.

#### **Agenda item: Collaboration & Ways of Working Together**

The co-chairs led this discussion with the objective to finalize the Terms of Reference (TOR) and provide clarity on how the Committee and the Agency will work together. Several models for Committee collaboration with the Agency on policy development were outlined including: review of Agency-drafted materials; development of new products to inform Agency policies; the creation of sub-committees or working groups, as well as joint working sessions between face-to-face Committee meetings to elaborate on specific topics.

- Members agreed the most realistic approach to providing input on specific topics is through sub-committees or working groups. The approach for how the working groups will roll-out will be determined in January.

Members discussed the following issues throughout the course of day one:

### **Funding**

- Members were interested to know about the new grant funding available during the early planning phase.
- Coordination was highlighted as a priority with other Federal Departments to ensure a one-window approach.

### **Engagement**

- Members were interested in further exploring:
  - approach to ensure a more holistic engagement with communities;
  - needs of communities to prepare for engagement and identify potential impacts on rights;
  - Agency structure/operational process for delivery; and,
  - Policy, process and tools for supporting early community cooperation

### **Impact on Rights**

- Members were interested in further exploring the process for early engagement during the planning phase, recognizing the need to address community capacity to identify issues and concerns including potential impact to Indigenous rights, related to proposed projects.

## **DAY 2 – November 7, 2019**

### **Agenda: Welcome & Housekeeping**

David McGovern, President of the Impact Assessment Agency provided opening remarks, which highlighted priority areas for which advice from the Committee could be very valuable, including: Indigenous Knowledge, Indigenous participation in Impact Assessment and

assessing the potential impacts on rights in Impact Assessment. The Committee acknowledged the importance of working in these areas and considered them later in the day during the forward planning discussion.

### **Agenda item: Indigenous Knowledge Policy Framework - Engagement**

The Agency provided an overview of the engagement process for IK thus far including the discussion paper that supported national engagement undertaken this past year by the Task Team on Environment and Regulatory Review and a “What we heard report” from those consultations..

- The objective is to collaborate with the Committee on a draft Framework by Spring 2020.
- Members agreed on an approach for informing the work on the framework which included a dedicated working session on this topic at the next face-to-face meeting which would feed into drafting an IK Policy Framework.
- Following the Committee’s draft framework, the product would be circulated and used to engage indigenous communities and organizations. It was noted that the Agency will be seeking the Committee’s advice in January on the approach for indigenous engagement on the IK Policy Framework.
- Members were expressed interest in having a joint working session with the Technical Advisory Committee on the topic of Indigenous Knowledge and Western Science at a future meeting.

### **Agenda item: Planning for the Forward Work Plan**

- Members identified a number of important topic areas as part of their forward work plan including:
  - Indigenous Knowledge;
    - Development of the IK Framework
    - Review of interim guidance on Indigenous Knowledge in impact assessment; and additional work to address the broader topic of IK and Western Science in the IA process.
    - The First Nations Principles of OCAP (ownership, control, access, and possession) in the context of IK.
  - Cooperation regulations and collaboration approaches;
    - Committee interest in working with Agency on a potential discussion paper and plans for collaborative work with Indigenous peoples in developing the relevant regulations.
  - Assessment of Impacts on Rights;

- The Committee indicated interest in providing feedback on Agency's guidance on the assessment of impacts to rights following a national workshop on this topic in December.
- Research topics for the Committee's internal research budget were also discussed including areas including:
  - Indigenous Knowledge (Ethical space and OCAP principles);
  - review of rights-based assessments;
  - development of an early engagement toolkit (best-practices, resources, capacity), and,
  - cultural competency training and tools.

### **Agenda item: Closing Remarks and Next Steps**

- Members agreed that the next meeting will be a working session on the Indigenous Knowledge Policy Framework and advice on engagement approaches.
- The next meeting will occur January 29-30, 2019, in Montreal, QC.

## **Indigenous Advisory Committee**

### **Action Items from November 6-7 Meeting**

#### **Secretariat Action Items:**

- Prepare meeting minutes for Members to review and finalize (complete).
- Share Engagement Strategy for IK Policy Framework with members (December 20).
- Finalize and circulate forward work plan to members. (December 20)
- Develop and circulate list of topics for IAC research budget (complete).

#### **Members' Action-items:**

- Members to finalize comments on Terms of Reference. (December 6, 2019)
- Provide feedback on forward work plan. (January 6, 2019)
- Provide input on IAC research budget topic for project this fiscal year (Complete)
- Member attending Impacts on Rights Workshop to report back to Committee in January.

### **Attendees**

#### **Co-Chairs**

- Elmer Ghostkeeper
- Sue Chiblow

#### **Committee Members**

- Stanley Oliver
- Suzie O'Bomsawin
- Kyle Vermette
- Angel Ransom
- Deana Sappier
- Paul Jones
- Melody Lepine
- Jocelyn Gosselin
- Rachel Olson

### **Impact Assessment Agency**

- David McGovern
- Brent Parker
- Erin Groulx
- Colette Spagnuolo
- Allan Clarke
- Janice Zeitz
- Emily Fairbairn
- Alana Green

**Date modified:**

2020-06-04