

Summary of the Indigenous Advisory Committee (IAC) Meeting

November 21-23, 2023, and December 1, 2023

Virtual Meeting

The Impact Assessment Agency of Canada's (Agency) Indigenous Advisory Committee (IAC) had a virtual meeting November 21-23, 2023 and December 1, 2023. On the first day, a co-chair opened the meeting with a territorial acknowledgment and opening remarks.

Overview of the SCC decision

The ex-officio member provided background on the Supreme Court of Canada's (SCC) decision That the federal impact assessment scheme was largely unconstitutional because it is "ultra vires" of Parliament's powers under the Constitution. The Agency is moving quickly to propose targeted and meaningful amendments to the Act.

During the first two days of the meeting a representative from the Agency's Legislative and Regulatory Affairs team presented the key points of the opinion to IAC . The Agency representative and Ex-officio member explained that there was still uncertainty with regards to next steps post decision..

Main questions/concerns raised by IAC members:

- How will the federal Crown ensure Indigenous rights are respected where the province is taking on more of a role.
- Ensuring that respect for rights, and strong consideration for Indigenous views in the final decision are maintained and strengthened.
- Maximizing the degree to which the federal government maintain ability to protect the environment and enhancing federal and provincial cooperation.
- Concerns where raised around land animals falling outside of Federal jurisdiction. There would need to be a link to an Indigenous right for this to now be considered by a federal authority.

Discussion of IAC's role in IAA Amendments

Co-chair proposed a two-pronged plan: 1) IAC provide high-level advice at the upcoming January 2024 meeting; and 2) . A small subcommittee of IAC members is formed to work closely with Agency on specific amendments.

Discussions followed on the scope and timeline of the subcommittee's work, as well as the scope of the IAA amendments.

Many of IAC members expressed concerns around the timeframe of engagement, and that the subcommittee would have limited ability to report back to the broader committee. As the members did not come to a consensus, the co-chair withdrew its second prong of the plan via email on December 4th, 2023 following the meeting.

Attendees

IAC Co-Chairs

Kyle Vermette
Rachel Olson

IAC Committee Members

Paul Jones
Angel Ransom
Jocelyn Gosselin
Julia Kennedy-Francis
Stanley Oliver
Sue Chiblow
Melody Lepine
Jennifer Campbell
Chevaun Toulouse
Florence Catholique
André Michel
Walter Andreeff

Impact Assessment Agency

Ian Ketcheson
Janice Zeitz
Daniel Ducharme
Sara Quaile
Sarah Jackson
Erin Gilmer