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Brief submitted by: **Derek Nighbor, Chief Executive Officer, Forest Products Association of Canada**

To: the **Standing Committee on Indigenous and Northern Affairs (INAN)**

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Regarding the study: **Bill C-262, An Act to ensure that the laws of Canada are in harmony with the United Nations Declaration on the Rights of Indigenous Peoples**

INDIGENOUS PEOPLES AND THE FOREST INDUSTRY IN CANADA

Forests play a central role – culturally, spiritually and economically – in the lives of many Indigenous communities across Canada.

The forest industry has long been an important part of the economic and social fabric of Canada and has a long history of engaging and collaborating with Indigenous peoples. Indigenous peoples and the forest products industry have co-existed over a large portion of Canada's forests for several decades. FPAC and FPAC members recognize that Canada's forests are uniquely important to Indigenous peoples and communities, and are a vital component of the cultural, spiritual, economic and social relationships that Indigenous peoples and communities have with the land.

About 70% of Indigenous communities are situated in or near forested areas. For all Canadians, this proportion goes down to 33%. This means that a single company might operate in an area of millions of hectares and interact with dozens of different Indigenous communities.



FPAC and FPAC members believe that business relationships, investment, procurement and employment, in general and in the forest products industry in particular, are critical to the well-being of Indigenous communities and peoples. The forest industry is proud of its Indigenous connection and employs 12,500 Indigenous peoples, which makes it the largest employers of Indigenous people in Canada. The forest industry is also contracting and working with over 1400 Indigenous businesses. These firms typically employ 10–30 people, and many earn revenues of more than \$1 million a year.

Also, since FPAC members manage forests – a renewable resource – over large areas with a long-term perspective, they need to ensure effective communication on forest management activities that involve Indigenous areas of interest. FPAC members recognize that each Indigenous community is unique. To engage adequately, it is important to engage Indigenous communities regularly and on an ongoing basis as well as to understand specific Indigenous communities' capacity to engage.

RECONCILIATION

It is important to recognize that Indigenous communities view natural resource development as linked to a broader reconciliation agenda.

Working closely with Indigenous communities will help to ensure that those communities, our industry and the Canadian economy thrive. Through existing and expanding relationships with Indigenous peoples and communities, the industry aims to attract more Indigenous workers, contractors and suppliers to the sector.

The forest sector transformation underway in Canada over the last two decades hasn't been limited to making changes in technology, products and markets. These changes are also improving Indigenous peoples' access to forest resources and increasing their participation in decisions about how forests are used, harvested, and managed.

Forest tenure arrangements in Canada are changing. Over the past decade, many provinces and territories have engaged in tenure reform efforts to encourage greater local and Indigenous community participation in the forest sector – creating new economic development opportunities for these communities. Between 2003 and 2013, Indigenous interests increased their share of total Canadian tenure volume from 5% to over 10%.

Land claim settlements, modern treaties, and inclusive forest management practices are all creating opportunities to meaningfully advance the process of reconciliation with Indigenous peoples in this country.

Recommendation: *In the Canadian context, implementation of UNDRIP should ensure means of subsistence and development to Indigenous peoples by progressing towards land claim settlements, modern treaties and inclusive decision-making.*



FPAC LEADERSHIP AND INDIGENOUS RELATIONS

FPAC and FPAC members work with Indigenous communities to identify strategies to promote the participation of Indigenous individuals and communities in the forest industry. To guide these efforts, FPAC has developed a Framework, which addresses four focus areas:

1. Building positive relationships
2. Business opportunities and partnerships
3. Education and Training
4. Employment

Building positive relationships

FPAC members are committed to building, maintaining, and enhancing positive working relationships with Indigenous communities.

In order to guide decision-making and to provide more certainty, it is important that FPAC members seek to engage with Indigenous communities to understand their preferred engagement protocols, culture, values, and rights and to jointly define commonly, agreeable engagement and consultation processes, strategies and approaches.

In support of these engagement efforts, FPAC is currently developing an ***Indigenous Engagement Best Practices Compendium*** in collaboration with the Laval University Research Chair on Indigenous Forestry as well as with Indigenous Works.

FPAC will also be joining Indigenous Works project of ***Corporate/Indigenous Partnership Benchmarking*** intended at making Indigenous communities and mainstream companies being better able to grow their partnerships together and thereby build incremental Indigenous employment, business and community development.

FPAC also raises public awareness of some of the numerous example of positive relationships that exist between Indigenous communities and the forest industry (see some examples at the end of this submission).

Recommendation: *Federal Government should play a key role in appropriately funding building of capacity within Indigenous communities to engage and participate in consultation and/or co-development processes.*

Business opportunities and partnerships

FPAC and FPAC members are committed to seeking to facilitate substantive economic participation by Indigenous Peoples in Canada's national and global economy.

FPAC members work with Indigenous communities to identify strategies to promote the participation of Indigenous individuals and businesses in the forest industry. Notably, FPAC members promote productive partnerships and seek to develop commercial relationships



through joint ventures, contracting, cooperative agreements and collaborative initiatives with members of the Indigenous communities which consistently meet their specifications for quality, service, and price, and build partnerships on trust, mutual benefit and understanding of each other's interests.

To celebrate the numerous example of business partnership and Indigenous owned companies in the forest sector, each year, FPAC and the Canadian Council for Aboriginal Business (CCAB) jointly offer the **Aboriginal Business Leadership Award**. The \$5,000 award recognizes and celebrates Indigenous entrepreneurs for their success in a forest products business that exemplifies business leadership, exceptional environmental and safety performance and the delivery of high-quality products and services. The recipient must also demonstrate a strong, long-term commitment to the Indigenous community, particularly in supporting Indigenous employment.

FPAC also intends to work with the Canadian Council for Aboriginal Business (CCAB) on the subject of Aboriginal Procurement. Notably, we will be providing FPAC members with examples of policies and best practices from the forest sector and other sectors and work with them towards Indigenous supplier diversity in our sector.

Education and Training

FPAC and FPAC members provide education to their employees to support a work environment in which our strategies to build Indigenous relationships are understood, supported and implemented.

FPAC and FPAC members support learning and training opportunities so Indigenous peoples can fully participate in forest sector-related jobs.

In recognition of the important role that Indigenous youth play in the future of Canada's forest sector, every year FPAC and the Canadian Council of Forest Ministers (CCFM) jointly offer the **Skills Awards for Aboriginal Youth**. These awards recognize and celebrate selected Indigenous youth for their skills development and career aspirations in Canada's forest products industry. The two \$2,500 awards are given to First Nations, Metis or Inuit individuals.

In support of FPAC members' efforts to provide education for management and staff on the history of Indigenous peoples, FPAC worked with NVision Insight Group to develop **Indigenous Cultural Awareness Training Materials**. These materials are used by FPAC members to provide face-to-face training to their employees and an online version is also provided in shorter modules to broaden the number of employees that will have access to such training. We would be happy to provide any of these products to MPs on this Committee should there be interest in learning more.

Recommendation: *Government and Industry should develop internal capacity to engage effectively with Aboriginal groups and individuals by providing cultural awareness training.*



Employment

FPAC members provide direct and indirect employment and contract opportunities to Indigenous peoples. FPAC members also work with Indigenous communities to identify strategies to promote, increase and support the participation of Indigenous individuals in the forest products sector.

FPAC has developed an internal guide regarding ***Hiring and Retaining Indigenous Peoples in the Workforce***. This guide provide facts, tools, resources, best practices, information on funding programs and partnership opportunities, existing awards, and references. This guide is provide to human resources manager in each member company to support their objective to increase and support the participation of Indigenous individuals in the forest products sector.

FPAC will also be running a promotional campaign targeting Indigenous youth on The Greenest Workforce job matching online tool¹ to foster their participation in the sector. Job seekers can use this site to browse or search current openings to find a job online. They can also register as a job seeker, after which they'll be matched with the right jobs as they become available, along with a getting a range of other services.

THE FOREST SECTOR MAKES A DIFFERENCE

Examples of collaborations with Indigenous communities are numerous across Canada. They include initiatives related to business development, skills training, capacity building, infrastructure, and others.

The ***Opitciwan Joint-Venture Sawmill*** partnership between Resolute Forest Products and the Atikamekw Council of Obedjiwan Quebec First Nations stands out as a model for other First Nations/forest industry partnerships across Canada. The Council has a 55% controlling interest in the facility, and Resolute owns the remaining 45%. The sawmill located on reserve land has been the heart of the community for nineteen years employing 125 people or 60% of community residents. The company's relationship with the Council is a true partnership with shared responsibilities. Resolute provides its sawmilling, forest management, and sales experience, while the First Nation provides its local knowledge regarding traditional land use; sawmill employees, as well as woodlands employees for both logging and transportation.

Alberta-Pacific Forest Industries Inc. is one of Canada's leaders in Indigenous business development. There are approximately 26,000 Indigenous people living in Al-Pac's Forest Management agreement area and another estimated 16,000 who are affected by the company's operations. Under this unique initiative, Al-Pac has recruited ***economic development officers (EDOs)*** to work in three communities (Bigstone Cree, Chipewyan Prairie First Nation, and Heart Lake First Nation). Although the EDOs are paid by Al-Pac

¹ <http://thegreenestworkforce.ca>

and carry out specific duties on the company's behalf, they do not work solely for the company. They report to the Chief and Council, and work directly with them on economic development issues that are not related to Al-Pac. The program and results are reviewed annually by Al-Pac and the community. Each EDO is evaluated based on return of investment back into the communities.

Last year, Canfor signed a ***collaborative agreement with the Prince George Nechako Aboriginal Employment and Training Association*** (PGNAETA) to formalize Canfor's commitment to support and encourage job matching for First Nations job seekers who are interested in a career opportunity with Canfor. In the last two years, PGNAETA awarded Canfor with the Leadership Excellence Award at their Spirit of Unity award gala in Prince George. This award acknowledges Canfor as a leader in their efforts to advance First Nations citizens in the field of employment development, and celebrates their vision and focus toward building a diversified workforce. This includes Canfor's development of Aboriginal Cultural Competency training, a tool that is being rolled out within the company to help educate Canfor employees in the areas of culture diversity and sensitivity.

LAND-USE DECISIONS RELATED TO FORESTRY

Since the 1990's, public participation has become a key component of forest planning and policy development. Public participation ensures that the planning process is transparent and gives Canadians real influence in decision-making. Public participation processes vary from jurisdiction to jurisdiction but the parties include Indigenous peoples, environmental groups and community representatives.

In many provinces, advisory groups must be involved in forest management planning for public lands and the plans must be made available to the public for review and comment.

More specifically, Indigenous peoples and communities are an important focus of all consultation on forest management plans. Although, the ultimate responsibility for consultation and accommodation rests with the Crown, it remains that companies do play a very useful role in consultations.

Canada's forest products companies hold detailed knowledge about their own projects, their impacts, available means of impact mitigation and potential accommodation options. It is appropriate and useful that they discuss these matters directly with the communities affected, which also frequently possess intimate local and traditional knowledge, which can be put to good use by the companies in adapting the forest management plan.



Recommendation: *Efforts to ensure Indigenous rights are recognized, respected, implemented and upheld should focus on fostering dialogue and relationship building through building capacity within Indigenous communities to engage and participate in consultation and/or co-development processes.*

Regards,



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About FPAC: FPAC provides a voice for Canada's wood, pulp and paper producers nationally and internationally in government, trade, and environmental affairs. Canada's forest products industry is a \$67 billion dollar a year industry that represents 2% of Canada's GDP. Canada's forest industry operates in more than 600 forest-dependent communities from coast to coast, and directly employs 230,000 Canadians across the country.

