



Business, First Nations and Environmental Organizations Advocate Free, Prior, and Informed Consent

Advancing Indigenous rights is the key to advancing business, says new report

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Ottawa, September 21, 2015: The Boreal Leadership Council – a coalition of resource companies, financial institutions, First Nations and conservation organizations – has today released a report calling for industry and governments to recognize and adopt the principle of free, prior, and informed consent when working with Indigenous communities.

“Free, prior, and informed consent – the right of Indigenous peoples to offer or withhold consent to development that may have an impact on their territories or resources – is the key to development – not a barrier,” said Boreal Leadership Council (BLC) member Robert Walker of NEI Investments.

“Recent developments in law and practice show that FPIC is advancing and can bring companies project certainty that is grounded in long term benefits for Indigenous communities.”

The BLC report, *Understanding Successful Approaches to Free, Prior, and Informed Consent in Canada*, provides concrete examples of how successful partnerships between business and First Nations communities can provide benefits to communities and allow profitable resource extraction.

“Our report dispels a prevailing myth in Canada that there is nothing but conflict between resource development and Indigenous communities,” said Chris McDonell of Tembec, Inc. “It helps bring Canadians up to speed on the rapid developments in this area, looks at how agreements are advanced or impeded and offers constructive roles and tools for industry, communities and governments to keep the momentum going towards win/win outcomes.” A follow up report will explore recent FPIC developments and practical examples of companies and communities engaging in extractive sector development consent agreements.

“Canada is establishing an international reputation for conflict with high profile examples of protest, legal action and community opposition,” said Dave Porter of BC First Nations Energy and Mining Council. “This report shows there is a different way forward and demonstrates growing recognition of the need and expectation for effective and lasting agreements with affected Indigenous communities as part of project developments.”

“Getting FPIC right is a critically important foundation of balanced and sustainable land use in the BLC’s Boreal Forest Conservation Framework vision,” said Alan Young, Director of the BLC Secretariat.

The trend of recognition through international law, national court decisions and the increasing number of voluntary industry codes and policies has already begun to see the role of FPIC-related processes become an increasing part of the landscape.

“It is a rapidly evolving field of knowledge and practice and it is vitally important that the practical means for achieving agreement and consent be better understood and embraced at many levels of our society and our governing institutions,” said François Meloche of Bâtirente pension fund.

The BLC recognizes FPIC as:

- Central to building trust, transparency and jointly-negotiated decision-making frameworks that will support responsible and sustainable development;
- Constituting best practices in Indigenous community engagement that reduces the risks and increases benefits for communities, companies and investors
- Providing tools for governments, industry and First Nations to achieve meaningful consent and to help bridge public policy and private sector best practices.

“It is our hope this report will encourage others to engage in a broader dialogue to further explore the issues around FPIC implementation in Canada, and will provide guidance for assessment of FPIC in finance and investment evaluations,” said BLC member Karen Clarke-Whistler, Chief Environment Officer, TD Bank Group.

Understanding Successful Approaches to Free, Prior, and Informed Consent in Canada can be found at <http://www.borealcouncil.ca/reports>

About the Boreal Leadership Council

The Boreal Leadership Council, first convened in December 2003, is comprised of leading conservation groups, First Nations, resource companies and financial institutions, all of which have an interest and a stake in the future of Canada’s Boreal Forest. Members of the Council are signatories to the Boreal Forest Conservation Framework and are committed to implementing this national vision in their own spheres of activity. The national vision articulated in the Framework calls for the establishment of a network of large interconnected protected areas covering about half of the country’s Boreal Forest and the use of leading-edge sustainable development practices in remaining areas.

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