

Canadian Council for  
**ABORIGINAL  
BUSINESS**



**BUSINESS  
RECONCILIATION  
IN CANADA  
GUIDEBOOK**

## ACKNOWLEDGMENTS

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# TABLE OF CONTENTS

<b>1.0 Executive Summary</b>	<b>4</b>
1.1 Introduction	5
The Growing Indigenous Economy and Opportunities for Partnership	6
<b>2.0 What is Reconciliation and Why Does it Matter</b>	<b>9</b>
2.1 Why Business Reconciliation Matters	11
Business Reconciliation as a Business Best Practice	11
<b>3.0 The Economic History of Indigenous Peoples in Canada</b>	<b>14</b>
3.1 History of Commerce and Trading Networks	14
3.2 History of Colonialism in Canada	15
Covenant Chain, 17th century	15
Royal Proclamation 1763	15
The Indian Act, 1876	16
Residential Schools	16
Land Rights and Treaties: Past and Present	17
Indigenous Engagement and the Legal Obligations of Duty to Consult	18
What Does this Mean for Business?	19
<b>4.0 Engaging with Indigenous Peoples</b>	<b>21</b>
4.1 Understanding Indigenous Culture	21
First Nations	21
Métis	21
Inuit	21
4.2 Community Protocol	22
4.3 Understanding Indigenous Political Systems	22
4.3.1 First Nations Political Organizations	22
Band Council	22
Tribal Councils	22
Provincial and Territorial Organizations	23
National Political Body	23

4.3.2 Métis Political Organizations	23
National and Provincial/Territorial Political Organizations	23
Regional Political Organizations	
Settlements and Communities	24
4.3.3 Inuit Political Organizations	24
National Political Body	24
Regional and Provincial Political Organizations	24
<b>5.0 What Can My Company Do?</b>	<b>26</b>
5.1 Fundamental Actions Toward Business Reconciliation	27
5.2 Fundamentals for Connecting with Local Indigenous Communities	27
Understand your Local Community	28
Building Community Relationships	28
5.3 Fundamentals for Engaging with Indigenous Businesses	29
5.4 Business Reconciliation for Small and Medium-Sized Enterprises	30
5.5 Business Reconciliation for Large Corporations	31
<b>6.0 Conclusion: Beginning Your Journey to Business Reconciliation</b>	<b>35</b>
6.1 Resources for Further Learning on your Business Reconciliation Journey	35
Literature	35
Organizations	35
6.2 Terms and Definitions	36
6.3 References	37



# 1.0 EXECUTIVE SUMMARY

There have been several large-scale calls to action regarding reconciliation with Indigenous Peoples and respecting Indigenous rights, both internationally and in Canada, in recent years. The Truth and Reconciliation Commission of Canada (TRC) emphasizes that it is everyone’s responsibility to improve relationships between non-Indigenous and Indigenous communities. A 2015 report released by the TRC included 94 ‘Calls to Action’ to specific audiences<sup>1</sup> and further demonstrated that all Canadians have a role to play in reconciliation. Through this report the TRC specifically calls on Corporate Canada to engage in reconciliation through specific actions in *Business and Reconciliation*.

**To support these principles the Business Reconciliation in Canada guidebook is a starting place for building respectful and sustainable business partnerships – whether you’re a large corporation or startup. To promote learning, awareness and action, this guidebook provides an introduction to the historical and cultural context of business reconciliation, steps for building relationships with Indigenous businesses and communities, and steps to foster sustainable economic partnerships.**

The following is intended to provide a brief history and general overview of the Indigenous Peoples of Canada, including a glimpse into the distinctive culture, histories, and identity groups found across Canada. As there are over 700 Indigenous communities across Canada, each with unique histories and protocols, this guidebook is not intended to provide community specific information, but instead, a broad overview of best practices in working with Indigenous businesses and communities. The history of economic relations in Canada will also be presented to develop an understanding of the current economic realities of Indigenous businesses and communities as they continue to secure and safeguard their traditional values, lands and rights. The guidebook explores the meaning of and opportunities for reconciliation in Canada and offers practical steps for working effectively with Indigenous Peoples through the principles of business reconciliation. It describes the fundamentals of building a respectful business relationship in the spirit of reconciliation.



Fundamental steps in business reconciliation have been developed and based on a process of:

- *Educate*
- *Reflect*
- *Act*

The guidebook breaks down the differences between economic partnerships with Indigenous communities and private businesses. Recommendations for each are organized around four main themes:

- *Leadership Actions*
- *Business Development*
- *Procurement*
- *Community Relationships*

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<sup>1</sup> Truth and Reconciliation Canada, Honouring the Truth, Reconciling for the Future: Summary of the Final Report of the Truth and Reconciliation Commission of Canada (Winnipeg: Truth and Reconciliation Commission of Canada, 2015), [trc.ca/assets/pdf/Calls\\_to\\_Action\\_English2.pdf](http://trc.ca/assets/pdf/Calls_to_Action_English2.pdf).

While every business and Indigenous business or community will have different paths toward business reconciliation, these themes will assist in starting the journey toward building respectful business partnerships. Some immediate actions your business can take include:

- Acknowledge traditional lands through territorial land acknowledgments;
- Sponsor, volunteer and/or participate in local Indigenous events and ceremonies;
- Observe special dates commemorating and celebrating Indigenous history and culture;
- Respect community protocols;
- Explore capacity-building through employment, procurement, business development, and leadership actions;
- Engage with Indigenous communities and businesses early and often; and
- Co-develop a research and communications strategy to disseminate environmental, social and economic impact solutions.

An inclusive Canadian economy based on respect for Indigenous rights and titles, inclusive supply chain practices, authentic community engagement, and transparent business practices is a new way forward – a path to building a prosperous Canada, together.

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## 1.1 INTRODUCTION

Recently, there has been a renewed recognition of Indigenous rights and reconciliation efforts in Canada and internationally. The Truth and Reconciliation Commission of Canada (TRC) emphasized that it is everyone's responsibility to improve relationships between Indigenous and non-Indigenous communities. It provided individuals affected by the legacy of the Indian residential school system an opportunity to share their stories and experiences with the rest of Canada. The 2015 report included 94 'Calls to Action' to specific audiences and further asserted the role of all Canadians in making reconciliation work.<sup>2</sup> The TRC called on Corporate Canada to actively engage in reconciliation through a specific call on Business and Reconciliation.

In 2019, the National Inquiry into Murdered and Missing Indigenous Women and Girls concluded that persistent, deliberate, continuing violations of rights perpetuate Canada's epidemic of violence against Indigenous women, girls and 2SLGBTQQIA people. The report takes a gender-based approach to reconciliation based on the testimony of experts, survivors and Knowledge Keepers<sup>3</sup> and makes 231 individual Calls for Justice aimed at governments, institutions, social services, industry and all Canadians.

The responsibility is great but economic reconciliation can be achieved through a sincere intention to be fair, respectful and honest in business transactions. There is often confusion around the relationship between Indigenous Peoples and the rest of Canada. In the business context, many view an Indigenous partnership to be no different than partnering with any other group that makes up the multicultural fabric of Canada. As the First Peoples of Canada, Indigenous Peoples have long played a key role in the history of commerce in Canada. While the economic contributions of Indigenous people have been immense, it cannot be denied that full participation in the Canadian economy was prevented due to the colonial history in Canada and legal restrictions provided by the Indian Act.

Based on this history, the Government of Canada has a unique relationship with Indigenous Peoples and different obligations to ensure their rights and titles are respected. The First Peoples of Canada are so called because they

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<sup>2</sup> Truth and Reconciliation Canada, Honouring the Truth, Reconciling for the Future: Summary of the Final Report of the Truth and Reconciliation Commission of Canada (Winnipeg: Truth and Reconciliation Commission of Canada, 2015), [trc.ca/assets/pdf/Calls\\_to\\_Action\\_English2.pdf](http://trc.ca/assets/pdf/Calls_to_Action_English2.pdf).

<sup>3</sup> Truth and Reconciliation Canada, Honouring the Truth, Reconciling for the Future: Summary of the Final Report of the Truth and Reconciliation Commission of Canada (Winnipeg: Truth and Reconciliation Commission of Canada, 2015), [trc.ca/assets/pdf/Calls\\_to\\_Action\\_English2.pdf](http://trc.ca/assets/pdf/Calls_to_Action_English2.pdf).

were here long before English and French settler societies. Their legal rights were negotiated with the British Crown before the formation of the Government of Canada. Depending on the circumstances, consultation and the duty to consult are a mandatory part of an evolving legal framework. Depending on which Indigenous group or community the government is working with, this can be a nation-to-nation relationship, Inuit-Crown relationship, or Government-to-Government relationship. These are important distinctions that can be lost in ordinary conversations but are important in understanding the unique recognitions and relationships that Indigenous Peoples hold within Canada. When building your engagement strategy with external stakeholders, it is important to recognize that Indigenous Peoples are rightsholders and have a special constitutional relationship with the Crown.

## THE GROWING INDIGENOUS ECONOMY AND OPPORTUNITIES FOR PARTNERSHIP

Long before first contact, Indigenous Peoples led dynamic and diverse economies. Today, the Indigenous economy in Canada is growing at an exponential rate. Indigenous Peoples contribute over \$30 billion annually to Canada's GDP and, based on this growth, the CCAB estimates this is expected to increase to \$100 billion by 2024.<sup>4</sup>



The Indigenous private economy alone contributes roughly \$12 billion annually, and these numbers only continue to increase.<sup>5</sup> The Indigenous population is also younger and growing faster than Canada's population as a whole<sup>6</sup> – thus, questions of skills, labour and innovation are of key importance to both Indigenous communities and the Canadian economy. Impressive gains are being made in the areas of entrepreneurship and individual economic achievement.

Indigenous Peoples are creating new businesses at 9 times the Canadian average. The Indigenous business community is over 50,000 strong and an estimated 12% of those are large<sup>7</sup> community-owned firms. In 2016, approximately 5% of the Canadian population identified as Indigenous. Between 2006 and 2011, there was a 21% increase in the number of Indigenous workers<sup>8</sup> and 38% of the Indigenous population has some type of post-secondary accreditation. Although access to capital and the general acceptance of Indigenous small business and entrepreneurship remain problematic, with the right experience and connections to realize their career and business-ownership aspirations – **the future of Canada's economy is Indigenous.**

4 Indigenomics Institute. 100 Billion (Vancouver: Indigenomics Institute, 2019), [indigenomicsinstitute.com/100-billion](http://indigenomicsinstitute.com/100-billion).

5 Gulati, Sonya and Burleton, Derek, Estimating the Size of the Aboriginal Market in Canada (Toronto: TD Economics, 2011), [ccab.com/wp-content/uploads/2016/11/TD-Economics-Estimating-the-Size-of-the-Aboriginal-Market.pdf](http://ccab.com/wp-content/uploads/2016/11/TD-Economics-Estimating-the-Size-of-the-Aboriginal-Market.pdf).

6 Statistics Canada. First Nations People, Metis and Inuit in Canada: Diverse and Growing Populations. (Ottawa: Minister of Industry, 2018), [www150.statcan.gc.ca/n1/pub/89-659-x/89-659-x2018001-eng.htm](http://www150.statcan.gc.ca/n1/pub/89-659-x/89-659-x2018001-eng.htm).

7 More than 500 employees.

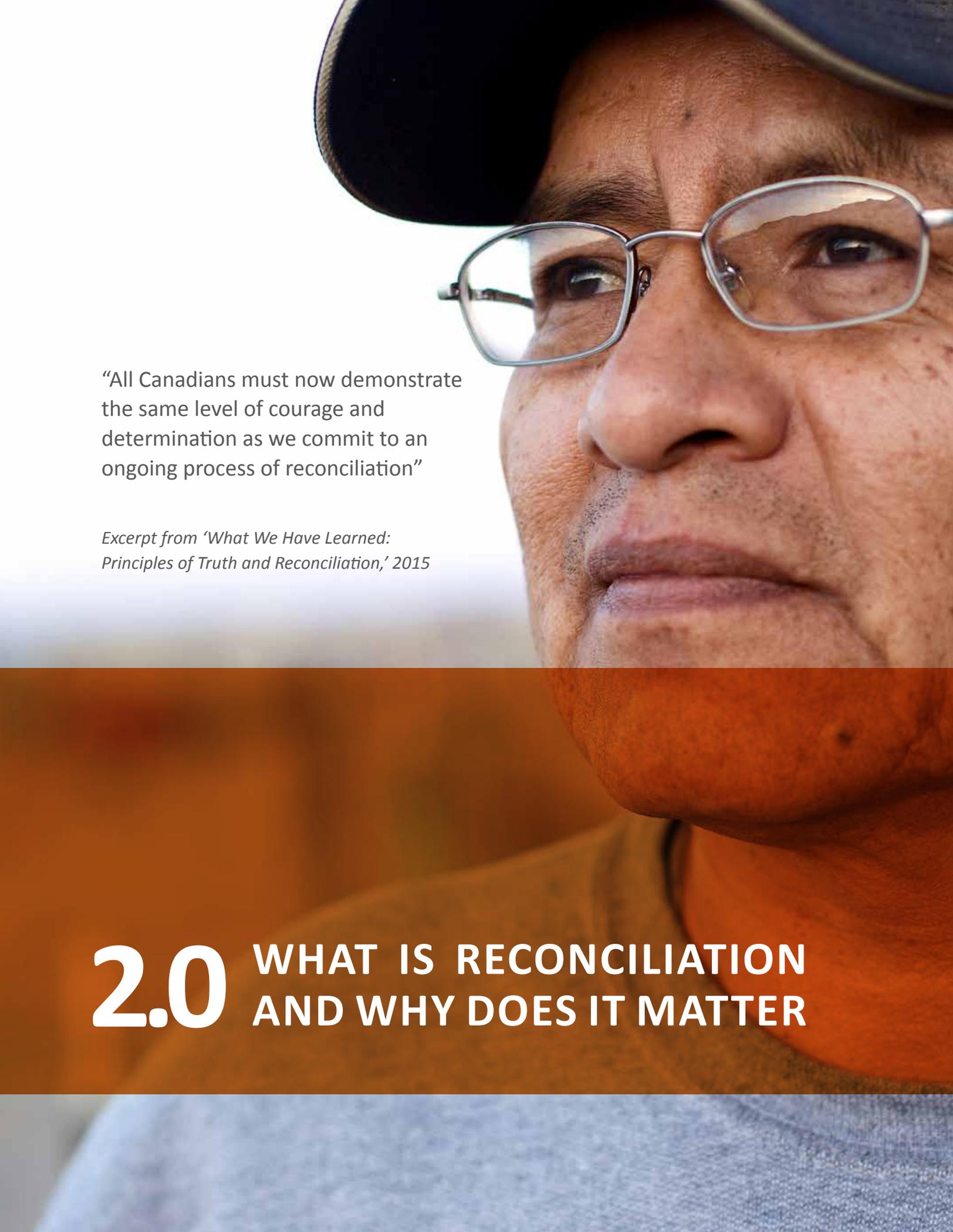
8 Working age (25-64).

The growth in the number and scale of Indigenous business in recent decades has been remarkable. Many Indigenous communities have established Aboriginal Economic Development Corporations (AEDC). These community-owned corporations create and manage businesses on behalf of the community, manage millions of dollars in assets and allocate community funds to provide stable revenue streams for advancing community interests for generations to come. The number of AEDCs in Canada is estimated to be close to 500.<sup>9</sup> AEDCs, Indigenous-owned companies and communities are operating and investing in major industrial projects across Canada, including natural resources, energy, construction, hospitality, travel and tourism, the arts, professional services and tech. There are opportunities for partnerships in all sectors and industries.

Commercial partnerships with communities may be possible as well as directly engaging with Indigenous private businesses. Arranging partnerships with Indigenous privately-owned firms can be pursued in a more straightforward way, though they may require a higher level of confidence than other partners. When working with Indigenous communities there is a special order of operations that must be followed and will always involve engagement with the governance structures of that particular community. Business capacity in communities varies widely; with some communities having many mature and active businesses, and others having very few. Overall, AEDCs, Indigenous community- and privately-owned businesses are the types of business structures you will encounter in the realm of the Indigenous economic landscape and on the path to building a prosperous Canada, together.

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<sup>9</sup> CCAB used the number of AEDCs identified in the 2013 Community and Commerce report of AEDCs in Ontario to make estimates of the AEDC population nationally.



“All Canadians must now demonstrate the same level of courage and determination as we commit to an ongoing process of reconciliation”

*Excerpt from 'What We Have Learned: Principles of Truth and Reconciliation,' 2015*

## **2.0** WHAT IS RECONCILIATION AND WHY DOES IT MATTER

The TRC was developed in 2008 to bring awareness and recognition to the dark history of colonialism in Canada. Through the voices of former students (Survivors) of the Indian residential school system (residential schools), the TRC commissioned a series of reports detailing the impacts of Canada’s colonial history and actionable steps toward healing for Indigenous Peoples and all Canadians, including 94 Calls to Action asking all Canadians to support reconciliation and healing for Indigenous Peoples through education, respect and empathy.

The effects of colonialism in Canada—including the limitations placed on the rights of Indigenous Peoples by the Indian Act and the legacy of residential schools—resulted in intergenerational trauma that continues to impact the lives and livelihoods of Indigenous Peoples today.

Ensuring Indigenous Peoples play a meaningful and substantial role in the economy is the most relevant and impactful way forward for economic and business reconciliation in Canada. This guidebook is meant to provide a starting point for your journey to business reconciliation as a corporate or business partner.

*While all Canadians have a role to play in reconciliation, the term will have differing meanings across Indigenous Peoples, Indigenous communities and all Canadians. The 94 recommendations made by the TRC covered a wide range of possible paths to reconciliation. They provide a guide to cultural, academic, and historic healing, as well as reconciliation based on art, sport, language and business, to name just a few.*

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## 2.1 WHAT IS BUSINESS RECONCILIATION

Business reconciliation means actively promoting equal economic opportunity for all Canadians, as outlined in the TRC Call to Action 92.

### CALL TO ACTION 92 CALLS ON CORPORATE CANADA TO:

*Commit to meaningful consultation, building respectful relationships, and obtaining the free, prior, and informed consent of Indigenous Peoples before proceeding with economic development projects.*

*Ensure that Aboriginal peoples have equitable access to jobs, training, and education opportunities in the corporate sector, and that Aboriginal communities gain long-term sustainable benefits from economic development projects.*

*Provide education for management and staff on the history of Aboriginal peoples, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal–Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.*

Recognizing that reconciliation is the duty of all Canadians gives all economic actors a role in supporting the participation and meaningful engagement of Indigenous Peoples in economic opportunities. The process of business reconciliation is an opportunity for meaningful collaboration and mutual prosperity. Drawing attention to the historic and legal barriers that marginalize Indigenous Peoples is not intended to discourage future relationships. Instead, truth is a necessary step toward an inclusive economy built on respect and understanding. By understanding the history and the current Indigenous business environment, corporate and small business partners will be better equipped to seek out and maintain strong economic partnerships.

Improving the way non-Indigenous companies view and interact with Indigenous Peoples is critical to the process of reconciliation, long-term business success and the economic success of all Canadians. Business reconciliation requires a change in mindset away from risk management toward one of shared vision, strategic cooperation and business best practices that support the broader Canadian economy. Organizations must analyze their own culture and processes and find innovative solutions to address systemic bias. Instead of viewing Indigenous investment exclusively through a risk-lens, companies have a moral and economic obligation to expand their business arrangements beyond what is existing and convenient. The Indigenous marketplace represents the fastest growing demographic and a fertile ground for investment and partnership opportunities that all Canadian businesses would be well-advised to explore.<sup>10</sup> Developing mutually beneficial economic relationships with Indigenous Peoples can be a profitable endeavor that redresses past wrongs and assists in building a prosperous Canada for all.

## NOTE ON INDIGENOUS IDENTITY TERMINOLOGY

It is important to clarify the different definitions regarding identity used in this guidebook.

The term Indian refers to the legal identity of a First Nations person who is registered under the Indian Act. The term Indian is used only when referring to a First Nations person with Indian status under the Indian Act, and only within this legal context.

This term is considered offensive due to its colonial origins and implications. First Nation was introduced to replace Indian, however, it does not have a legal definition.

The term Inuit refers to specific groups of Indigenous people inhabiting Canada's arctic and northern regions. The term Métis refers to a collective of cultures and ethnic identities resulting from unions between Aboriginal and European people in what is now Canada.

Aboriginal refers to the broad three groups of inhabitants emerging on this land before and during colonization, which are explicitly defined as First Nations, Inuit, and Métis in the Constitution Act, 1982. This term is becoming more outdated; thus, it is only used when referring to legal documents and rights such as the Aboriginal rights protected in the Constitution. Indigenous has become the most common and politically correct term that is accepted to replace Aboriginal and encompasses all Aboriginal identity groups.

*The CCAB gives thanks to the University of British Columbia for guiding our Indigenous identity terminology.*



<sup>10</sup> Gulati, Sonya and Burleton, Derek, Estimating the Size of the Aboriginal Market in Canada (Toronto: TD Economics, 2011), [ccab.com/wp-content/uploads/2016/11/TD-Economics-Estimating-the-Size-of-the-Aboriginal-Market.pdf](https://ccab.com/wp-content/uploads/2016/11/TD-Economics-Estimating-the-Size-of-the-Aboriginal-Market.pdf).

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## 2.2 WHY BUSINESS RECONCILIATION MATTERS

Non-Indigenous firms reap prosperity from the lands, territories and natural resources that Indigenous Peoples have occupied and utilized for millennia. Reciprocal relationships with mutual respect and appreciation for the common goal of a sustainable world for future generations are required if an agreement is to be reached on sharing the abundance of resources.

More companies, governments and consumers are interested in making a social impact in addition to financial gains from the dollars they spend and the work they do. Engagement with Indigenous Peoples is sometimes seen as another box to check with the greater aim of carrying a project to completion, but meaningful engagement requires a strong commitment to Indigenous partnerships and mutual prosperity.

In some cases, there is a legal requirement to consult with Indigenous communities to understand the impacts of the project on traditional and treaty rights and agreements negotiated with the Government of Canada. Indigenous communities are more likely to be supportive if they have been consulted on all aspects of the project and if the relationship contributes to a sustainable legacy with significant economic, social and cultural benefits to the wider community. Before beginning a project, companies must understand community needs and resources through the engagement of key community groups, including Elders, youth and political leadership. When firms have understood the current and historical conditions and identified areas for action, they should collaborate with community partners to co-develop services and solutions that support the community on a path to self-sufficiency.

The Seventh Generation Principle, based on the Iroquois oral tradition, encourages us to make choices that enable us to meet the needs of the present generation without compromising the quality of life and health of local ecosystems seven generations into the future. This principle guides modern “green” initiatives and informs the current social and political notions of sustainability. Non-Indigenous industry should apply itself to working with communities in ways that meet existing needs while ensuring that resources are available for future generations. This requires a holistic approach co-created by the corporate actor and the community of interest.

### Business Reconciliation as a Business Best Practice

For businesses across all sectors, the benefits of business reconciliation are numerous including tangible outcomes in the form of Corporate Social Responsibility (CSR) principles and business best practices.

**1. The Business Case for Business Reconciliation.** The Indigenous economy contributes over \$30 billion annually to the Canadian economy and includes more than 50,000 Indigenous firms across Canada.<sup>11</sup> Indigenous businesses have expanded rapidly in recent years, tripling in number from 20,195 in 1996 to 62,330 in 2016. The rapid growth of the Indigenous economy aligns with demographic trends of Indigenous Peoples, with this population growing at a rate four times faster than the non-Indigenous population in Canada – having grown by 42.5% since 2006.<sup>12</sup> Considering these trends, there is considerable pressure on non-Indigenous partners to strengthen their Indigenous engagement efforts to ensure the continued prosperity of future generations.

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<sup>11</sup> Statistics Canada, Census Profile. 2016 Census. Statistics Canada Catalogue no. 98-316-X2016001 (Ottawa: Statistics Canada, 2017), [www12.statcan.gc.ca/census-recensement/2016/dp-pd/prof/details/page.cfm?Lang=E&Geo1=PR&Code1=01&Geo2=PR&Code2=01&Data=Count&SearchText=01&SearchType=Begins&SearchPR=01&B1=All&Custom=&TABID=3](http://www12.statcan.gc.ca/census-recensement/2016/dp-pd/prof/details/page.cfm?Lang=E&Geo1=PR&Code1=01&Geo2=PR&Code2=01&Data=Count&SearchText=01&SearchType=Begins&SearchPR=01&B1=All&Custom=&TABID=3)

<sup>12</sup> Statistics Canada, Aboriginal peoples in Canada: Key results from the 2016 Census (Ottawa: Statistics Canada, 2017), [www150.statcan.gc.ca/n1/daily-quotidien/171025/dq171025a-eng.htm](http://www150.statcan.gc.ca/n1/daily-quotidien/171025/dq171025a-eng.htm).

**2. The Corporate Social Responsibility (CSR) Case for Business Reconciliation.** By demonstrating a genuine commitment to business reconciliation, your company can address the widening socio-economic gap between Indigenous and non-Indigenous Peoples. The ethical values of your CSR strategy will filter down to internal and external stakeholders, addressing community challenges, educating staff and distinguishing your company as a thought leader. CSR initiatives can ensure that your company is adapting to changes in government policy and local and national culture.

A commitment to business reconciliation provides opportunities for new partnerships and business and investment opportunities. It allows corporations to connect with a large and impressive group of professionals and businesses that can offer unique perspectives, knowledge and expertise. Fostering sustainable business relations between Indigenous Peoples and Canadian business leads to greater profitability, supply chain agility and flexibility, variety of economic opportunity, and social and cultural outcomes. All parties benefit.

Ignoring Call to Action 92 has implications for a company's operations and bottom line. The risks to companies that fail to develop positive Indigenous relations include reputational damage, regulatory intervention, litigation, project delays and disruptions, shutdowns and financial loss. All business owners and leaders have a direct role to play in supporting business reconciliation.

The image features two wooden carvings of human faces in profile, facing right. The top carving is light-colored wood with a weathered texture, showing a prominent nose and a slightly closed mouth. The bottom carving is dark blue or black wood, also showing a prominent nose and a slightly open mouth. The background is blurred, suggesting a collection of similar carvings.

**3.0** THE ECONOMIC HISTORY  
OF INDIGENOUS PEOPLES  
IN CANADA

Indigenous Peoples had a thriving system of commerce—thriving with the resources available to them pre- and early post-contact with Europeans, while ensuring that they left enough behind for future generations. However, the trade relations among Indigenous Peoples has changed dramatically over the colonial history of Turtle Island. The Indian Act, 1876, systematically deprived Indigenous Peoples of economic opportunities by denying their rights to their land and livelihood, including rights to sell their agricultural items and business ownership.<sup>13</sup> First Nations people lost status for receiving a university education, practicing law, serving in the military, or becoming a Christian minister, among other reasons through a government policy entitled “enfranchisement”. The reserve system designated land for First Nations Peoples but, development of those lands, including leasing for commercial purposes, is still administrated by the Crown for all but a few communities. Indigenous lands continue to be appropriated by government and industry through conflict, policy and bad-faith negotiations.

However, Indigenous Peoples are now the fastest growing and youngest demographic in Canada, often participating in both the formal labour market and traditional activities. In 2016, there were 1,673,785 Indigenous Peoples in Canada, accounting for 4.9% of the total population. Since 2006, this number has grown by 42.5% and is expected to continue to increase.<sup>14</sup> Indigenous workers can alleviate the workforce shortage as Canada’s working-age population declines.

*Turtle Island refers to the vast traditional lands of the First Peoples of Canada. For most Indigenous Peoples, the term is inclusive of the lands encompassing the continent of North America and all that live and have lived within these lands.*

*Turtle Island comes from Indigenous oral traditions with differing variations among Indigenous Peoples, notably the Algonquian, Iroquoian and Anishinaabe or Ojibwe. This traditional story represents the turtle as an icon of life and creation.*

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## 3.1 HISTORY OF COMMERCE AND TRADING NETWORKS

Long before Europeans arrived, Indigenous communities had robust trading networks with both neighbouring and distant peoples, solidifying commercial, military and diplomatic relationships. When the Europeans arrived, Indigenous Peoples quickly adapted to the Euro-centric economy —the cornerstone being the fur trade. Indigenous Peoples participated as trappers, traders, suppliers, and labourers until engagement tapered off after World War II.

The first European explorers relied on the Indigenous Peoples’ knowledge and skills to navigate and survive in this challenging land. Agreements and actions were forged on a nation-to-nation basis, creating economic, military and political alliances that benefited both parties. This changed in the mid-1700s with the 7 Years War (Conquest) and Britain claiming sovereignty over Indigenous Peoples with the Royal Proclamation of 1763.<sup>15</sup> The Indian Act of 1876 then created laws to further control and assimilate Indigenous Peoples.

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<sup>13</sup> Hinge, G, Consolidation of Indian Legislation. Volume II: Indian Acts and Amendments, 1868 – 1975 (Ottawa: Department of Indian and Northern Affairs, 1985), [gc.ca/collections/collection\\_2017/aanc-inac/R5-158-2-1978-eng.pdf](http://gc.ca/collections/collection_2017/aanc-inac/R5-158-2-1978-eng.pdf)

<sup>14</sup> Statistics Canada, First Nations People, Métis and Inuit in Canada: Diverse and Growing Populations (Ottawa: Minister of Industry, 2018), [www150.statcan.gc.ca/n1/pub/89-659-x/89-659-x2018001-eng.htm](http://www150.statcan.gc.ca/n1/pub/89-659-x/89-659-x2018001-eng.htm).

<sup>15</sup> Hall, Anthony J. and Albers, Gretchen, “Treaties with Indigenous People in Canada,” The Canadian Encyclopedia, September 11, 2017, [thecanadianencyclopedia.ca/en/article/aboriginal-treaties](http://thecanadianencyclopedia.ca/en/article/aboriginal-treaties).

“Aboriginal cultures and economies are highly diversified and unique to their lands and resources...”

*Hall, Anthony J. and Albers, Gretchen, “Treaties with Indigenous People in Canada,” The Canadian Encyclopedia, September 11, 2017, [thecanadianencyclopedia.ca/en/article/aboriginal-treaties](https://www.thecanadianencyclopedia.ca/en/article/aboriginal-treaties).*

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## 3.2 HISTORY OF COLONIALISM IN CANADA

The relationship between Indigenous Peoples and the Crown has been recognized in many ways throughout the years. The Crown has inconsistently fulfilled its many promises, agreements and treaties. It is important to understand the legal agreements and obligations between different levels of government and Indigenous Peoples, and what that means for non-Indigenous businesses operating on treaty land and/or traditional territories.

### Covenant Chain, 17th century

The Covenant Chain of Silver was a series of agreements and treaties in addition to the Great Law of Peace<sup>16</sup> between Indigenous Peoples of Western Canada—the Haudenosaunee and the Anishinaabe—and the Crown (later to be acknowledged as the Government of Canada). It represented diplomacy, goodwill and friendship and ensured sovereignty, independence and continued trading relations for Indigenous Peoples. The chain is represented in various wampum belts, with the white shell beads symbolizing the sacredness and purity of treaty agreements.<sup>17</sup>

“We shall each travel together, side by side, but in our own boat.  
Neither of us will steer the other’s vessel.”

*Excerpt from description of The Guswenta (Two-Row Wampum) presented to the British at the signing of the Treaty of Albany, 1664*

### Royal Proclamation 1763

The Royal Proclamation of 1763 was issued by King George III and defined the government’s view of the relationship between the Crown and Indigenous Peoples in the territories of North America. This document also established that the crown legally recognized Aboriginal rights to land and title in Canada. However, as the King claimed dominion over the region, the Crown became the “essential agent in the transfer of Indigenous lands to colonial settlers.” The legal impact of the Royal Proclamation was de facto authority over the entire land of what is today called Canada in leaving only portions of lands designated to Indigenous Peoples. Section 25 of the Constitution Act 1982 referenced the Royal Proclamation in formalizing the modern rights and recognitions of Aboriginal Peoples:

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<sup>16</sup> The Great Law of Peace and story of the Great Peacemaker are the traditional principles of governance of the Haudenosaunee Confederacy and sets precedence for governance by Indigenous nations today.

<sup>17</sup> Assembly of First Nations. The Silver Covenant Chain of Peace and Friendship Belt (Ottawa: Assembly of First Nations, 2019), [afn.ca/uploads/files/cfng/sccpfb.pdf](https://www.afn.ca/uploads/files/cfng/sccpfb.pdf).

25. The guarantee in this Charter of certain rights and freedoms shall not be construed as to abrogate or derogate from any aboriginal, treaty, or other rights or freedoms that pertain to the aboriginal peoples of Canada including:

- a. any rights or freedoms that have been recognized by the Royal Proclamation of October 7, 1763; and
- b. Any rights or freedoms that now exist by way of land claims agreements or may be so acquired.<sup>18</sup>

## The Indian Act, 1876

The Indian Act was established to combine the many laws affecting Indigenous Peoples into one document. It included general provisions to limit and control traditional ways of life, including:

- The Reserve and Band Council systems for the Crown administration of First Nations.
- Forcing families to abandon traditional names and adopt European names.
- Denying or retracting the ‘Indian status’ of First Nations women (and their children) who married a non-Indigenous person.
- Crown rights to use portions of reserve lands for public purposes, such as roads, and railways, and to move reserve lands away from a municipality if deemed appropriate.
- Restriction on the use of traditional language and practicing traditional religion.
- Declaring potlatch and other cultural ceremonies illegal.

The Indian Act 1876 and subsequent amendments included provisions that excluded Indigenous Peoples from meaningful participation in the economy, including:

- Requiring a license from the Superintendent General to solicit funds for legal claims.
- Requiring permission from an Indian Agent to leave reserve lands.
- A permit system to control First Nations ability to sell products from farms.
- Enforced enfranchisement for those admitted to university, triggering a loss of status.
- The lease of uncultivated reserve lands to non-First Nations for farming or pasture.
- Denying Indigenous Peoples the right to vote.

To learn more about the Indian Act, visit: <https://laws-lois.justice.gc.ca/eng/acts/i-5/>

## Residential Schools

From 1831 to 1996, more than 150,000 Indigenous children were removed from their homes and communities to attend government-sponsored and religious-based residential schools. The purpose was to assimilate Indigenous Peoples into Euro-Canadian (or “westernized”) culture. On June 11, 2008, Prime Minister Stephen Harper, on behalf of the Government of Canada, delivered a formal apology to Survivors of the schools and the families and communities who were impacted. The TRC delivered a series of reports confirming the impacts and legacy of the schools, including stories of physical and sexual abuse, neglect and denial of Indigenous identity. An estimated 3,200 Indigenous children are reported to have died while attending these schools.

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<sup>18</sup> The Constitution Act, 1982, Schedule B to the Canada Act 1982 (UK), 1982, c 11 (Ottawa: Government of Canada, 2019), canlii.ca/t/ldsx.

## Land Rights and Treaties: Past and Present

There are two types of treaties with Indigenous Peoples:

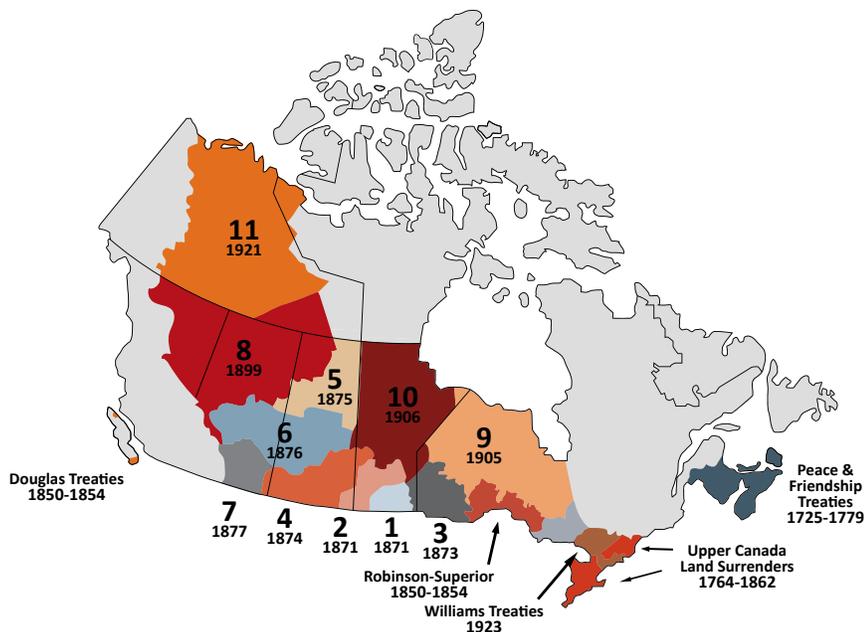
- **Historic treaties** agreed to peace, co-existence and sharing of resources with the Crown and defined European and Indigenous rights to the land (such as the Royal Proclamation);
- **Modern Treaties** with the Government of Canada were enacted through Comprehensive Land Claim Agreements that were not covered by historic treaties but provided similar rights and obligations.

Historic treaties were used by the Crown to justify the dispossession of Indigenous land. For the Crown<sup>19</sup>, treaties essentially meant the 'surrendering' or selling of the land. However, land ownership is antithetical to the Indigenous worldview and signatories agreed to sharing the land. Supreme Court decisions are increasingly recognizing this error.

Modern treaties are based on the Comprehensive Land Claims Policy (1973), and the Constitution Act (1982). Twenty-five modern treaties are recognized today.

While much of Canada is covered by historic and modern treaties, many areas remain unceded (not surrendered in any treaty or statute).

Below is a map of some of the historic treaty agreements found within Canada. There are numerous additional treaty agreements and comprehensive land claims, both historic and modern. This map does not represent official or legal boundaries of any Nation. You are encouraged to contact the community directly for further understanding.



### Key Case:

#### *Calder v. British Columbia, 1973*

*Frank Calder, a Nisga'a Chief, asked the Supreme Court to recognize Nisga'a title to land. The case was dismissed on a technicality, but three of the judges recognized that the Nisga'a right to land was never surrendered by a treaty or statute. This case created precedent for later land claims legislation.*

*This led to the development of the Comprehensive Land Claims Policy and the first modern treaty, the James Bay and Northern Québec Agreement 1975.*

<sup>19</sup> Asch, Michael, Borrows, John, and Tully, James, eds. *Resurgence and Reconciliation: Indigenous-Settler Relations and Earth Teachings* (Toronto: University of Toronto Press, 2018).

Many of the rights and obligations outlined by historic and modern treaties have not been honoured by the Crown. Those that have been honoured include:

- Recognition of the traditional inhabitants, land and territories of Indigenous Peoples;
- Rights of self-governance and political recognition for Indigenous Peoples;
- Access to resource and development opportunities; and
- Capital transfers to Indigenous communities of over \$3.2 billion in land claim agreements.

Section 35 of the *Constitution Act, 1982* recognizes the treaty rights of Indigenous Peoples. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), a comprehensive international legal instrument to protect and fulfill the individual and collective rights of Indigenous Peoples, further affirms these rights. UNDRIP outlines minimum standards for the survival, dignity and well-being of Indigenous Peoples and defends rights and principles that may not be addressed by other human rights charters.<sup>20</sup>

Section 35 of the Constitution Act, 1982 defines the treaty rights of Indigenous Peoples as constitutional rights, and states as follows:

*35. (1) The existing aboriginal and treaty rights of the aboriginal people of Canada are hereby recognized and affirmed.*

*(2) In this Act, “aboriginal peoples of Canada” includes the Indian, Inuit and Métis peoples of Canada.*

*(3) For greater certainty, in subsection (1) “treaty rights” includes rights that now exist by way of land claims agreements or may be so acquired.*

*(4) Notwithstanding any other provision of this Act, the aboriginal and treaty rights referred to in subsection (1) are guaranteed equally to male and female persons. (96)*

## Indigenous Engagement and the Legal Obligations of Duty to Consult

The Government of Canada has the duty to consult and accommodate Indigenous Peoples when its projects or activities may infringe on Aboriginal or treaty rights.<sup>21</sup> The Supreme Court of Canada affirmed this in five case decisions between 2004 and 2010.

Meaningful consultation takes time and resources. The Government of Canada has created consultation guidelines, but it is important to recognize and abide first by the consultation process of the Indigenous community. As a part of reconciliation, governments and private organizations need to prioritize the wishes and needs of Indigenous Peoples. Information on Indigenous-led consultation is available on the websites of many Indigenous communities.

20 United Nations, Department of Economic and Social Affairs (New York: United Nations, 2017), [un.org/development/desa/indigenouspeoples](http://un.org/development/desa/indigenouspeoples)

21 Indigenous and Northern Affairs Canada, Government of Canada and the duty to consult (Ottawa: Government of Canada, 2019), [aadncaandc.gc.ca/eng/1331832510888/1331832636303](http://aadncaandc.gc.ca/eng/1331832510888/1331832636303).

## What Does this Mean for Business?

The government must provide direction for corporations to consult with Indigenous communities when their operations may infringe on Aboriginal rights.<sup>22</sup> There are three main areas of engagement that should be taken into consideration.

- Industry representatives often engage in the Consultation process when delegated, but the Government of Canada is ultimately responsible for ensuring meaningful consultation has occurred. This is most common in extractive industries where environmental impacts can prevent access to land, air and water.
- Projects that affect Indigenous Peoples and communities but do not trigger a duty to consult still require the consent of Indigenous Peoples.
- The third type is required under legal and administrative acts and takes effect during environmental assessments and regulatory reviews, such as in resource development where the environment and Indigenous rights, like the right to fish and hunt, are at risk.

Consultation is a formal and mandatory process. Engagement is the less formal communication that should happen early, and often when building and maintaining relationships with Indigenous Peoples and communities. Meaningful engagement is necessary by Indigenous standards. Both will help companies build strong relationships based on trust and mutual respect.

“...the duty to consult arises when government knows about, or ought to know about, the potential existence of an Aboriginal right or title and contemplates a decision that might adversely affect it.”

*John Olynyk, The Haida Nation and Taku River Tlingit Decisions: Clarifying Roles and Responsibilities for Aboriginal Consultation and Accommodate*

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<sup>22</sup> Bob Joseph, “Aboriginal Engagement vs Aboriginal Consultation Here’s the difference,” Working Effectively with Indigenous Peoples (blog), Indigenous Corporate Training Inc, January 21, 2013, [ictinc.ca/blog/aboriginal-engagement-vs-aboriginal-consultation-whats-the-difference](http://ictinc.ca/blog/aboriginal-engagement-vs-aboriginal-consultation-whats-the-difference).



**4.0** ENGAGING WITH  
INDIGENOUS PEOPLES

Canada recognizes three distinct groups of Indigenous Peoples—First Nations, Métis and Inuit— all with unique histories and cultures. A cross-section of Indigenous Peoples in Canada reveals over 70 languages, many political structures and a variety of economic drivers and hurdles.

## 4.1 UNDERSTANDING INDIGENOUS CULTURE

### FIRST NATIONS



First Nations people have inhabited this land for thousands of years, encompassing six core regions in Canada, each with various linguistic, historical and cultural ties. These regional groups included the Woodland First Nations, the Iroquoian First Nations, the Plains First Nations, the Plateau First Nations, the Pacific Coast First Nations, and the First Nations of the Mackenzie and Yukon River Basins.

Today, there are more than 634 First Nations communities made up of roughly 50 broader nations. While Ontario has the largest First Nations population (24%) and the second-largest number of First Nations (134 communities), British Columbia (17.7%, 198 communities), Alberta (14%), Manitoba (13.4%), and Saskatchewan (11.7%) also have large First Nations populations.

To learn more, visit the Assembly of First Nations: [www.afn.ca](http://www.afn.ca)

### MÉTIS



The Métis are the descendants of the French and Scottish settlers in the 1700s and the First Nations people of Canada, particularly the Cree and Anishinaabe. These unions resulted in a distinct collective culture and nationhood along the central and prairie regions of Canada.

Distinct Métis communities were formed along the historic fur trade routes, especially along the Red River in Manitoba. Today, there is a wide array of Métis communities across Canada. At present, Manitoba, Saskatchewan and Alberta have the highest density of Métis people.

To learn more, visit the Métis National Council of Canada: [www.metisnation.ca](http://www.metisnation.ca)

### INUIT



The Inuit are Indigenous Peoples of Arctic Canada. Inuit communities are located in regions based on modern land claims known as the Inuvialuit Settlement Region (the Northwest Territories), Nunavut, the Northern Québec region of Nunavik, and the Northern Labrador region of Nunatsiavut. Collectively, these regions are referred to as Inuit Nunangat.<sup>23</sup>

The Inuit people have a rich and celebrated history and culture based on the ability to utilize the scarce resources of the Arctic. They also share close cultural ties with other Indigenous cultures of the polar region—the Yupik and Inupiat of Alaska and Russia and the Inuit of Greenland. Within Canada, the diverse groupings of Inuit people have a wide range of similarities—and important differences—based on language, environments, political structures and colonial histories.

To learn more, visit [www.itk.ca](http://www.itk.ca)

<sup>23</sup> Inuit Tapiriit Kanatami, Inuit History and Heritage (Ottawa: Inuit Tapiriit Kanatami, 2016), [itk.ca/wp-content/uploads/2016/07/5000YearHeritage\\_0.pdf](http://itk.ca/wp-content/uploads/2016/07/5000YearHeritage_0.pdf).

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## 4.2 COMMUNITY PROTOCOLS

Protocol reflects the different traditions and cultural guidelines of each community. However, the underlying universal principle is respect. This means being mindful of the community—respecting the distinct histories, cultures, traditional territories and goals for their community and the next seven generations. Respectful partnerships begin with respectful liaisons with community leadership, including Elders, Chief, President, Councillors, regional or youth representatives, etc. Asking what is appropriate is the best way to navigate protocol and engagement with an Indigenous community. The opportunity for knowledge sharing on culture, protocol and traditions is welcomed and respected.

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## 4.3 UNDERSTANDING INDIGENOUS POLITICAL SYSTEMS

The Indian Act westernized Indigenous political structures. Modern Indigenous political systems involve multi-lateral governance structures that can include a Band Council, Provincial and Territorial Organizations (PTOs), and National Political Bodies.

### 4.3.1 FIRST NATIONS POLITICAL ORGANIZATIONS

#### Band Council

Before first contact, bands were typically a group of families, between 20 and 50 people, who thrived through trade, respect for territorial boundaries, an egalitarian division of labour and cooperative harvesting and sharing of food. During annual cycles of hunting, fishing and gathering, many bands would come together to celebrate—the predecessor of modern Powwows.<sup>24</sup>

The terms *band* and *First Nation* now describe the administrative division overseen by Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC). The Band Council consists of the Chief and at least two Councillors. The two-year election cycle under the Indian Act makes foundational and lasting change in communities challenging. *The First Nations Elections Act* and *First Nations Elections Regulations* came into force on April 2, 2015, to address this issue by allowing Band Councils to create a custom election code and extend their term up to 4 years.

#### Tribal Councils

Tribal councils are larger groupings of bands, which can be a central organizing tool to advance cultural, political and economic agendas. These are not obligatory; single bands can choose to leave tribal councils or remain politically independent. There is also variation in how tribal councils can act on behalf of their member nations.

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<sup>24</sup> Price, John A. and Gadacz, René R., “Band (Indigenous Peoples in Canada),” *The Canadian Encyclopedia*, April 10, 2019, [thecanadianencyclopedia.ca/en/article/band](https://www.thecanadianencyclopedia.ca/en/article/band).

## Provincial and Territorial Organizations

Political Territorial Organizations (PTOs) are forums and secretariats for collective decision making, action and advocacy, representing all First Nations of a specific geographic region who choose to participate, e.g., Chiefs of Ontario (COO). They are guided by an elected Grand Chief and Deputy Chiefs. Many provinces have organizations that are guided by an elected Regional Chief, the Political Confederacy made up of the Grand Chiefs of the PTOs, and independent First Nations in the province. Direction is provided through resolutions that are voted on by all member nations during formal meetings of the constituent Chiefs.

## National Political Body

The Assembly of First Nations (AFN) is the national political Indigenous organization in Canada. Its role includes facilitation and coordination of national and regional dialogues, advocacy efforts and campaigns, legal and policy analysis, and knowledge dissemination while affirming the relationship and responsibilities between First Nations and the Crown. The AFN acts as a national representative body to First Nations who vote on its guiding resolutions.

### 4.3.2 MÉTIS POLITICAL ORGANIZATIONS

The Métis have a unique governing structure and system. Although the Métis are included as Aboriginal Peoples under Section 35 of the *Constitution Act, 1982*, it wasn't until 2003 that the Métis were confirmed as rights-bearing Aboriginal Peoples.<sup>25</sup> Métis citizens mandate national and provincial government structures and elect their provincial and regional leadership. Regional leadership governance structures and titles differ across provinces but include a system of elected locals and/or community councils.

## National and Provincial/Territorial Political Organizations

The Métis National Council (MNC) was formed in 1983 to “secure a healthy space for the Métis Nation’s on-going existence within the Canadian federation.”<sup>26</sup> The MNC is represented through the following democratically-elected governance structures: the Métis Nation of Ontario, the Manitoba Métis Federation, the Métis Nation – Saskatchewan, the Métis Nation of Alberta and the Métis Nation British Columbia.<sup>27</sup>

## Regional Political Organizations

Regional Métis organizations advocate for the rights of the local Métis people and communities. For example, the North Slave Métis Alliance represents the direct descendants of the Métis from the North Slave Region of the Northwest Territories prior to the signing of Treaty 11 in 1921. There are also many independent organizations and councils for Métis youth and urban Métis.

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25 Métis Nation, Métis Nation Citizenship (Ottawa: Métis Nation), [metisnation.ca/index.php/who-are-the-metis/citizenship](https://metisnation.ca/index.php/who-are-the-metis/citizenship).

26 Ibid.

27 Métis Nation, Governments (Ottawa: Métis Nation), [metisnation.ca/index.php/who-are-the-metis/governments](https://metisnation.ca/index.php/who-are-the-metis/governments).

## Settlements and Communities

Some Métis communities are recognized by different levels of government and others are independent and still fighting for recognition. The 1989 Alberta-Métis Settlement Accord between the province and the Métis Settlements General Council recognized Alberta as the only Métis land base in Canada. Two years prior, the Alberta Legislature endorsed a resolution to transfer lands to the Métis Settlements and establish new legislation giving Métis Settlements greater local autonomy.<sup>28</sup> Eight Métis settlements in Alberta are formally recognized by the government. But, there are many historic and independent Métis communities that are recognized by the MNC but not the federal government. The settlements in Alberta elect their own council members, consisting of three Councillors, one Vice Chair and one Chair.<sup>29</sup> The historic and contemporary Métis communities across the country are governed in a variety of ways, usually with an elected council, board of directors, and/or Senators.

### 4.3.3 INUIT POLITICAL ORGANIZATIONS

#### National Political Body

Inuit Tapiriit Kanatami (ITK), established in 1971, is the national organization representing Inuit voices and asserting Inuit rights in Canada. ITK's governance structure is closely tied with Inuit signed land claims. The board members are representatives of the Nunatsiavut Government (Nunatsiavut, Northern Labrador), Makivik Corporation (Nunavik, Northern Quebec), Nunavut Tunngavik Incorporated (Nunavut), and the Inuvialuit Regional Corporation (Inuvialuit Settlement Region, NWT).<sup>30</sup> The four voting board members of ITK are responsible for land claims implementation in their province/territory.

#### Regional and Provincial Political Organizations

Inuit people participate in all types of government structures in Canada. In each of the four Inuit land claim regions there are Inuit and public governments, however, the regional Inuit governments are often limited in scope and authority.<sup>31</sup> Inuit communities do not have Chiefs and Councillors nor reserve land, thus they are structured as municipalities and the members of the communities are referred to as citizens, not band members.

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28 Government of Alberta, About Metis Settlements (Edmonton: Government of Alberta, 2019), [alberta.ca/about-metis-settlements.aspx?utm\\_source=redirector](http://alberta.ca/about-metis-settlements.aspx?utm_source=redirector).

29 Metis Settlements General Council, Settlements (Edmonton: Metis Settlements General Council, 2019), [msgcweb.ca/settlements/peavine/](http://msgcweb.ca/settlements/peavine/).

30 Inuit Qaujisarvingat: The Inuit Knowledge Centre, Inuit Governance (Ottawa: Inuit Tapiriit Kanatami), [inuitknowledge.ca/inuit-research/about-inuit/inuit-governance](http://inuitknowledge.ca/inuit-research/about-inuit/inuit-governance).

31 Bonesteel, Sarah, Canada's Relationship with Inuit: A History of Policy and Program Development, (Ottawa: Indigenous and Northern Affairs Canada, 2006), <https://www.aadncaandc.gc.ca/eng/1100100016900/1100100016908#chpiv>.



**5.0** WHAT CAN MY  
COMPANY DO?

Canadian companies can engage independently with Indigenous communities and businesses, with the guidance of consultants or an Indigenous-focused CSR program. The four basic principles that underpin successful business relations across all sectors includes a dedication to inclusive leadership actions, Indigenous business development, transparent and accessible procurement initiatives, and proactive actions in strengthening community relationships. Corporate and community support for all four pillars should be evident.

Buy-in from senior management, and board members if applicable, is important. As is cultural competency training for all levels of management. A top-down approach is essential for company-wide buy-in.

When doing business with communities, it is useful to think about the groups that make up the community itself. From a business perspective, this means the political representation of the community, including Chief and Council and membership living on and off reserve. After researching the culture, traditions and protocols of the community of interest, you need to identify the appropriate point of contact. For instance, the Economic Development Officer (EDO) who handles the community's business affairs or the AEDC who manages community-owned businesses. Perhaps, the Chief or a Councillor is particularly involved in making business decisions and building strategic partnerships.

**Contact the community administration office to ask who oversees the economic development file for the community. If there has been no official role established, it is appropriate to ask who has the most experience in this area.**

## PROGRESSIVE ABORIGINAL RELATIONS (PAR) PROGRAM

The Progressive Aboriginal Relations (PAR) program is CCAB's trademarked certification program that confirms corporate performance in Aboriginal relations. PAR certification provides a high level of assurance to communities that corporations are:

- good business partners that promote good business practices;
- great places to work; and
- committed to the prosperity of Aboriginal Peoples in Canada.

The program confirms corporate performance in Aboriginal relations at the bronze, silver or gold level. The certification process involves an independent, third-party verification of company reports and community input on outcomes and initiatives in the areas of employment, business development, community investment and community engagement.

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## 5.1 FUNDAMENTAL ACTIONS TOWARD BUSINESS RECONCILIATION

Economic reconciliation **requires considering both the Indigenous community and Indigenous businesses.** Relationship building requires recognizing the unique history and culture of each community and the varying degrees of business development and capacity. The nature of a business-to-business relationship is often different from a business-to-community relationship and there will be many paths to reconciliation. Starting out in the right way requires time and research.

### Educate

- Learn about local Indigenous communities and businesses. Educate yourself on the relevant history, culture and protocols, and the current business environment.
- Understand local business capacity, how many Indigenous-owned companies exist, in what sectors, and the size of projects these firms can deliver on.

### Reflect

- What do Indigenous communities and businesses want out of an economic partnership?
- Which Indigenous business needs and goals can your company address?
- How can your business activities contribute to reconciliation?
- What makes sense in terms of your resources, location and industry?

### Act

- Acknowledge traditional lands through a territorial land acknowledgement.
- Sponsor, volunteer or participate in local Indigenous events and ceremonies.
- Observe special dates commemorating and celebrating Indigenous history and culture.
- Respect community protocols.
- Explore local capacity-building through employment, procurement, business development and leadership actions.
- Engage with Indigenous communities and businesses early and often.
- Co-develop a research and communications strategy to disseminate environmental, social and economic impact solutions.

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## 5.2 FUNDAMENTALS FOR CONNECTING WITH LOCAL INDIGENOUS COMMUNITIES

There is no “one-size-fits-all” approach to engaging with Indigenous communities: the economic needs and goals will differ as each community has its own values, traditions, history and strengths. But by getting to know the similarities — Indigenous Peoples’ worldview and experience of colonialism — the differences can be better understood. Research and communications strategies should consider varying levels of capacity, language barriers and cultural differences.

To ensure these values are respected, best practices when engaging with an Indigenous community should include:

- 1. Education on the unique and varied customs, values and business practices of Indigenous communities.** Do the research first, then seek the insights and suggestions of individuals and organizations within the community. Be respectful of local protocol—ask the advice of community representatives if unsure. Asking for clarity is an important part of relationship building. Show respect for community leadership, acknowledge the land or traditional territory, and do not interrupt Elders.
- 2. Engaging with Indigenous communities early, well before final project decisions have been made.** This allows for a community to build a relationship with the project partner, assess the social and environmental impact of the project, articulate their interests, take community concerns into account and raise funds to develop appropriate partnership and financing agreements.
- 3. Engaging with Indigenous communities often** through periodic touch-base sessions to listen to concerns and priorities and get updated on local events and calendars. Ensure community members are aware of project goals and have regular opportunities to voice concerns and build community consensus.
- 4. Ensuring senior leadership is committed to creating authentic engagement** with the community through town hall meetings or direct connections with the appropriate community leader(s). During project discussions, it is important to correspond with the appropriate counterpart within the Indigenous community. As an example, a First Nations Chief should have direct contact with the owner or CEO/President of the company.

## Building Community Relationships

Relationships with communities take time, patience and face-to-face communication. Each community has different strengths, goals and economic priorities. Developing positive economic or business relationships begins with respect and effective listening. Actions for building respectful and sustainable partnerships with an Indigenous community will include:

- 1. Cultural awareness training** to build support for economic reconciliation while promoting awareness of Indigenous communities. Reconciliation begins with self-education, then training and mentoring staff and non-Indigenous partners. This ensures that everyone has baseline knowledge of Indigenous culture, history and key issues. Encourage sincere and productive dialogues about Truth and Reconciliation in the workplace so employees feel comfortable about asking tough questions. Develop an understanding of the lasting impacts of colonization, Indian residential schools, the '60s Scoop, and the targeted policies that suppress and marginalize Indigenous culture and economic activities. Consider how the company's path may intersect with Indigenous issues.
- 2. Visible actions by senior leadership** in support of Indigenous reconciliation will set the tone for the whole company. Ensure buy-in throughout organizational hierarchies by communicating commitment to Indigenous relations to all employees. Demonstrate corporate values and reflect those values in leadership actions and commitments. Those positive behaviors will trickle down to every department, including procurement, human resources and communications. Leadership actions, such as visiting communities, speaking publicly about the importance of Indigenous relationships, and setting clear expectations for Indigenous engagement will demonstrate that the firm is committed to economic reconciliation and supports Indigenous business.
- 3. Convene an Indigenous engagement committee representing key departments**, such as HR and procurement, to implement engagement and report on the effectiveness of Indigenous relations. This committee facilitates buy-in, clarity of goals and accountability.

- 4. Be respectful of community timelines** for engagement, consultation and decision-making. Chief and Council are responsible for managing community affairs and taking part in events and ceremonies. Consultation on proposed projects is another demand on their time and can stretch administrative resources. This is compounded by the frequent transition of newly elected Indigenous governments that is enforced by the Indian Act.
- 5. Community capacity** is important when considering timelines and setting expectations. The community may need significant time to develop governance structures, consult with experts, research, train the local workforce and build business capacity. Capacity building will be required for many communities to fulfill the requirements of a project. Be prepared to build the time and resources into the project budget from the outset.

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## 5.3 FUNDAMENTALS FOR ENGAGING WITH INDIGENOUS BUSINESSES

Inclusive leadership actions, a dedication to Indigenous business development and Indigenous-focused procurement initiatives can significantly impact the Indigenous economy. In Alberta, three companies jointly procure over \$1 billion in goods and services from Indigenous businesses. An aggressive procurement strategy and the employment of local community members contribute to a higher household income in Fort Mackay First Nation compared to the national average. This was achieved without compromising on cost, quality or safety.



Indigenous businesses vary by size, sector and location, and have different ownership structures, social missions and export capabilities. On-reserve Indigenous businesses have different challenges and opportunities than non-Indigenous businesses, but generally carry out business as usual and speak the same corporate language as all Canadian companies.

Indigenous entrepreneurs have a variety of economic goals and connections to community. In Canada, there are over 50,000 Indigenous-owned businesses representing diverse industries in every province and territory. Thus, it shouldn't be a challenge to find a valuable Indigenous partner to help grow your business network and list of suppliers.

Indigenous SMEs can leverage partnerships with established companies to help fuel growth and increase participation in supply chains. Establishing these types of business arrangements with communities generates new wealth and provides a sustainable economic base for self-reliance. With these principles in mind, the fundamental pillars of successful Indigenous relations include:



However, every organization has a different reconciliation journey and a different approach. Some suggested approaches include:

- **Educating yourself** on the Indigenous business landscape and contemporary barriers to economic participation through business reports, policy notes, news stories and academic journal articles.
- **Being mindful and respectful** of the history and culture of communities in your business jurisdiction. For example, including a territorial land acknowledgment in a meeting.
- **Identifying local Indigenous businesses** through business associations, Aboriginal Financial Institution (AFI) directories and company websites.
- **Doing your due diligence** to diversify your supply chain beyond convenient procurement channels.
- **Being respectful of protocol** by recognizing that Indigenous businesses may include Traditional Knowledge or cultural expression in their business model, product or service.

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## 5.4 BUSINESS RECONCILIATION FOR SMALL AND MEDIUM-SIZED ENTERPRISES

Even entrepreneurs or small and medium-sized enterprises (SMEs) have a role to play in business reconciliation. Your day-to-day operations likely will not require a duty to consult process or consultation with a community, but there are many ways to support the Indigenous economy. Actions that can advance business reconciliation include:

### Inclusive Leadership Actions

- **Develop a cultural learning model for you and your business** to ensure that everyone is on the same page in an ever-evolving learning process. This could involve hiring a consultant, attending a talk or event, participating in a Kairos Blanket Exercise, or contacting a local Indigenous organization with a program suited to your organization.

- **Conduct an internal review** of business practices and policies to ensure support for minority and Indigenous-owned businesses. CCAB's Progressive Aboriginal Relations (PAR) program can be useful for laying the groundwork for achieving your Indigenous relations goals and confirming your corporate performance in Aboriginal relations.
- **Become a member of an Indigenous business association.** While CCAB is the largest and only National Aboriginal business group, there are many regional organizations that are excellent at making connections between non-Indigenous and Indigenous companies.

## Business Development

- **Build business-to-business relationships** by contacting local chambers of commerce and Indigenous-led organizations. These organizations will know many of the businesses operating in your local area. CCAB houses the largest directory of Indigenous businesses in Canada with over 10,000 firms. Since Indigenous businesses offer services in all areas of business, there is capacity to work with Indigenous printers, caterers, contractors, security, designers, consultants, etc. to help grow your business.
- **Attend networking events.**

## Procurement

- **Use Indigenous-sourced products.** Stock them in your store, use them in your office, or display a local artist's work in your workspace. Purchasing authentic goods and services from Indigenous businesses promotes Indigenous knowledge and values.
- **Promote Indigenous businesses to your staff, business partners or customers.** This is a proven method of building an Indigenous presence in your local economy.

## Community Relationships

- **Take part in community activities** such as Indigenous-run events, or even donate your own time, resources, or volunteer support for cultural activities. Beyond improving community wellness, this can create potential networking and business opportunities.
- **Hire Indigenous staff.** Reach out to community offices, economic development corporations or other Indigenous organizations with your job postings.
- **Offer on-the-job training or mentorship** to help youth or new employees to succeed. Government grants may subsidize Indigenous hires that benefit your company's bottom line and the Indigenous employee.

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## 5.5 BUSINESS RECONCILIATION FOR LARGE CORPORATIONS

Partnering successfully with an Indigenous community or business relies on the intent to build deep, lasting relationships. Business reconciliation requires a long-term strategy to ensure that business decisions result in more than simply a business transaction or a box to check. Large companies, including those that are historically considered low trust and high risk, have the resources and opportunity to make a difference. Exploring Indigenous business partnerships can be profitable exercise as these firms represent significant players in the Canadian economy. Considerations for long-term engagement, procurement, employment and partnership strategies are elaborated on below:

## Inclusive Leadership Actions

- **Initiate cultural awareness training for all staff.** Many Indigenous businesses and non-profits provide training to help understand and appreciate Indigenous culture and history. This should be made available to all employees so both leadership and front-facing staff know how to conduct business respectfully.
- **Participate in a third-party assessment**, such as the **Progressive Aboriginal Relations (PAR)** certification program that confirms corporate performance in Aboriginal relations.
- **Celebrate local holidays** and National Indigenous Peoples Day.
- **Sponsor or volunteer** time and support for cultural activities. Ask a community representative to help figure out the best way to get involved.
- **Become a member of an Indigenous business association.** While CCAB is the largest and only national Aboriginal business group, there are many regional organizations that are excellent at making connections between non-Indigenous and Indigenous companies.
- **Incorporate Indigenous-focused corporate social responsibility (CSR)** practices into business operations.
- **Create targets and track progress** on employment, investment, and procurement.
- **Convening an Indigenous engagement committee** representing key departments, such as HR and procurement, to ensure firm-wide alignment with economic reconciliation.
- **Be respectful of community timelines and capacity** for engagement, consultation and decision-making. Chief and Council are responsible for managing all community affairs and taking part in events and ceremonies. As such, they may have limited bandwidth for deliberating on proposed development projects.

## Business Development

- **Find out** if the local community has an Economic Development Officer (EDO) or an Economic Development Corporation that handles the community's business affairs—they can be a good contact for projects or partnerships.
- **Partner** with Indigenous businesses and communities to view opportunities on both sides.
- **Develop a plan** with Indigenous businesses and communities for local development.

## Procurement

- **Ensure transparency** in procurement processes, policies and community and stakeholder relationships.
- **Create and promote awareness of upcoming procurement opportunities** so that local firms have adequate time to prepare.
- **Train all procurement staff in cultural competency** to ensure that individuals working on the front lines of purchasing are working with Indigenous Peoples in a respectful manner.
- **Make the procurement and contract system accessible**, including making the procedures for entering into supply agreements streamlined and transparent to Indigenous suppliers.

## Community Relationships

- **Employing Indigenous staff** is one of the most important steps a company can take toward economic reconciliation. Creating an Indigenous employee support group will help foster a safe and attractive work culture for staff.
- **Create scholarships, mentoring, internships and on-the-job training** to produce an effective workforce for years to come. Highlight job opportunities and career paths to youth in communities. Create opportunities for mentorship and career development programs to ensure that Indigenous team members can succeed.
- **Hire Indigenous consultants** when a new project may impact a community.
- **Track employment, retention, workforce composition and training** to measure their impact on the local labour market and community social indicators. This has benefits for job creation, poverty reduction and managing the risk of labour shortages.

## SUPPLY CHANGE: THE ABORIGINAL PROCUREMENT STRATEGY

The Aboriginal procurement strategy was developed following a Canada-wide survey of Aboriginal and non-Aboriginal businesses conducted by the Canadian Council for Aboriginal Business (CCAB), in partnership with Environics Analytics. The Aboriginal Procurement Marketplace incorporates two key concepts developed from the needs of Aboriginal and non-Aboriginal partners.

1. Aboriginal Procurement Marketplace – Companies can join the two-way directory consisting of:
  - Certified Aboriginal Businesses (CAB), who have been pre-certified as at least 51% Aboriginal ownership and control, that can be readily engaged by corporations;
  - Procurement opportunities posted by corporates to connect Aboriginal businesses to opportunities they are seeking that aren't available on conventional procurement platforms.
2. Aboriginal Procurement Champions – The Aboriginal procurement champions group aims to create an unprecedented, national approach to Aboriginal supplier diversity. Procurement champions are corporations committed to increasing opportunities for Aboriginal businesses to participate in their company's supply chains and growing their internal directory of Certified Aboriginal Businesses.

## BUSINESS CASE STUDY: CIVEO

"Civeo recognizes the value of strong ties and partnerships with Aboriginal communities and business ventures and uses local contractors and suppliers for many of our operations. As a strong supporter of CCAB's "Supply Change" initiative, Civeo implemented an Indigenous procurement policy that gave us key performance indicators to maximize opportunities with Aboriginal business vendors. This has allowed us to develop a robust process of Aboriginal business engagement, and to work with communities to ensure safety, pricing and performance are the key drivers of success. We are proud to say that over the last three years alone, this process has supported over 46 million dollars in Aboriginal business spend."

A close-up photograph of a red and blue baseball bat lying diagonally across a wooden surface. The bat has a red barrel and a blue handle with a white grip. The background is dark and out of focus.

**6.0**

**CONCLUSION:  
BEGINNING YOUR  
JOURNEY TO BUSINESS  
RECONCILIATION**

This guidebook will be helpful as a starting point for reconciliation and building a comprehensive Indigenous engagement strategy. However, meaningful Indigenous engagement requires a concerted and ongoing effort throughout all departments and levels of staff. The advice given in this guidebook cannot simply be integrated into existing structures like other corporate values. A unique approach developed by senior leadership and, ideally, an Indigenous relations working group and involving collaboration with employees, internal stakeholders, Indigenous community leaders and businesses to identify joint priorities and innovative approaches to community challenges is required. By engaging Indigenous businesses and communities early and co-creating your engagement strategy, Indigenous business partners will be more likely to view the outcome as respectful and of mutual value.

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## 6.1 RESOURCES FOR FURTHER LEARNING ON YOUR BUSINESS RECONCILIATION JOURNEY

### Literature

- 21 Things You Didn't Know About the Indian Act – Bob Joseph
- Indigenous Relations: Insights, Tips & Suggestions to Make Reconciliation a Reality – Bob Joseph with Cynthia F. Joseph
- The Inconvenient Indian – Thomas King
- Up Ghost River: A Chief's Journey Through the Turbulent Waters of Native History – Edmund Metatawabin, Alexandra Shimo
- Across Time and Tundra: The Inuvialuit of the Western Arctic – Ishmael Alunik
- The Inuit Way: A Guide to Inuit Culture – Pauktuutit Inuit Women of Canada
- Métis in Canada: History, Identity, Law and Politics – Gloria-Bell, Dr. Glen Campbell et al.

### Organizations

- National Centre for Truth and Reconciliation (Truth & Reconciliation Commission of Canada)
- Assembly of First Nations (AFN) and the affiliated Provincial and Territorial organizations
- Métis National Council (MNC)
- Inuit Tapirit Kantami (ITK)
- Congress of Aboriginal Peoples (CAP)
- Native Women's Association of Canada (NWAC)
- National Association of Friendship Centres (NAFC)
- Indspire
- Indigenous Works
- National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG)
- Northeastern Alberta Aboriginal Business Association (NAABA)
- National Aboriginal Capital Corporation Association (NACCA)
- Council for the Advancement of Native Development Officers (CANDO),
- National Aboriginal Trust Officers Association (NATOA)
- Aboriginal Financial Officers Association (AFOA)
- Indigenomics Institute
- The First Nations Major Project Coalition

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## 6.2 TERMS AND DEFINITIONS

**Aboriginal** – the three groups of original inhabitants of the lands known today as Canada. These groups are defined as First Nations, Inuit, and Métis in the Constitution Act, 1982.

**Aboriginal Economic Development Corporation (AEDC) Or Economic Development Corporation (EDC)** – the economic and business development arm of an Indigenous government. The community-owned corporations invest in, own and/or manage subsidiary businesses with the goal of benefiting the Indigenous citizens they represent.

**Aboriginal Financing Institution (AFI)** – An Indigenous community-based organization that provide business financing, including business loans and non-repayable contributions, and resources to First Nations, Métis and Inuit-owned businesses.

**Band (Nation/Community)** – the collective First Nations community, including band members or citizens who reside both on and off reserve.

**Band Council** – the administrative/political organization of a First Nations community overseen by Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC).

**Band Councillor** – an elected council member of a First Nations band under Section 74 of the Indian Act.

**Band Councillors** administrate all aspects of the community. Special appointments of band councillors are sometimes made to specific policy areas that are relevant within their community and may include band councilors who are responsible for the administration of economic development and partnerships for their community.

**Chief** – an Elected Chief is the political leader of a Band Council of a First Nation under the Indian Act electoral system. Some First Nations have Elected and/or Hereditary Chiefs, while some self-governing First Nations use the term Executive Director or President.

**A Hereditary Chief** is not an elected official under Section 74 of the Indian Act. A Hereditary Chief is the traditional leadership system of First Nations communities, with title passed down within family bloodlines following either a matriarchal or patriarchal system.

**First Nation** - First Nation people have inhabited the lands of Canada for thousands of years and were the first Indigenous identity group to be recognized under the Indian Act. Today, there are more than 634 First Nations communities made up of roughly 50 broader nations.

**Indian Status** – the “legal status of a person who is registered as an Indian under the Indian Act. Under the Indian Act, status Indians, also known as registered Indians, may be eligible for a range of benefits, rights, programs and services offered by the federal and provincial or territorial governments.”<sup>32</sup>

**Indigenous** – this has become the more common and politically correct term to refer to the three Aboriginal groups— First Nations, Inuit, and Métis.

**Inuit** - The Inuit are Indigenous Peoples of Arctic Canada. Inuit communities are located in regions based on modern land claims known as the Inuvialuit Settlement Region (the Northwest Territories), Nunavut, the Northern Québec region of Nunavik, and the Northern Labrador region of *Nunatsiavut*.

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32 <https://www.aadnc-aandc.gc.ca/eng/1100100032463/1100100032464>

The diverse groupings of Inuit people have a wide range of similarities—and important differences—based on language, environments, political structures and colonial histories.

**Métis** - Métis are the descendants of European settlers and the First Nations people of Canada, particularly the Cree and Anishinaabe. These unions resulted in a distinct collective culture and nationhood along the central and prairie regions of Canada.

Today, there is a wide array of Métis communities across Canada, with Manitoba, Saskatchewan and Alberta having the highest density of Métis people.

**Reserve (Reserve Lands)** – land set aside under the Indian Act and treaty agreements for the exclusive use of an Indian band. Band members possess the right to live on reserve lands, and band administrative and political structures are frequently located there. Reserve lands are not “owned” by bands but are held in trust for them by the Crown.”<sup>33</sup>

**Turtle Island** - refers to the vast traditional lands of the First peoples of Canada (Indigenous Peoples). For most Indigenous Peoples, the term is inclusive of the lands encompassing the continent of North America and all that live and have lived within these lands.

Turtle Island comes from Indigenous oral traditions with differing variations among Indigenous Peoples, notably, between Algonquian, Iroquoian and Anishinaabe or Ojibwe. This traditional story represents the turtle as an icon of life and creation.

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