

GUIDANCE FOR INDIGENOUS ENGAGEMENT AT FEDERAL-PROVINCIAL-TERRITORIAL TABLES

Further to mandate direction from the Prime Minister on the importance of building nation-to-nation relationships with Indigenous Peoples that are based on recognition of rights, respect, cooperation, and partnership, this document sets out advice to ministers and federal departments concerning when, how, and under what circumstances National Indigenous Organizations (NIOs) or other Indigenous groups should be involved in Federal, Provincial, Territorial (FPT) processes.

High-level guidance is provided below to assist individual departments in making decisions concerning federal engagement of Indigenous groups in FPT meetings, working groups, and other fora. This guidance has two parts: 1) core principles that should guide ministers and departments in making decisions concerning Indigenous participation in FPT activities; and 2) guiding questions to assist ministers and departments in making case-by-case decisions concerning how to ensure appropriate Indigenous engagement in their respective FPT processes.

Core Principles

- 1) **Federal leadership** is required to ensure meaningful engagement with NIOs and Indigenous Peoples more broadly, while at the same time addressing PT views and maintaining effective FPT fora;
- 2) **Early Indigenous involvement** in a manner that is appropriate to the context of the issues being considered by FPT ministers or senior officials;
- 3) **Roles or mechanisms** for Indigenous engagement should be considered in discussion with PTs and Indigenous organizations - NIOs are not de facto members of FPT tables; and,
- 4) **Individual departments are responsible** for their own Indigenous engagement strategies and related funding, with advice from INAC and PCO as necessary.

Guiding Questions:

- **To what degree do the issues for discussion at an FPT table have an impact upon Indigenous peoples?** Impacts upon Indigenous peoples could be direct in nature (i.e. on Aboriginal rights or title) or more indirect through subject areas with particular implications for Indigenous communities (e.g. climate change, health, forestry, fisheries, mines, tourism, housing, status of women, and so on).
- **Which organizations should be engaged?** It is important to consider which groups of Indigenous peoples are affected both directly and indirectly by the issues. Considerations should be inclusive rather than exclusive, leading to the inclusion of a broader range of organizations than simply those directly impacted. Where impacts vary among groups, a tiered approach can allow both focused engagement with select organizations as well as broader engagement with a wider group. Key organizations for consideration include rights and title holders, and the NIOs representative of them (for example, the Assembly of First Nations, Inuit Tapiriit Kanatami, the Métis National Council). INAC should be consulted on questions related to the impact of the *Daniels*

Supreme Court decision on engagement design and engagement with urban Indigenous organizations.

- **How will an approach to Indigenous engagement be discussed with PTs?** Working with PTs as early as possible before an FPT meeting in discussing approaches to engage NIOs is an important step in understanding their perspectives and furthering partnerships around the collaborative work of a table in general. Consideration should be given to how to demonstrate federal leadership and meet federal objectives while considering perspectives of PTs.
- **Is there an opportunity to involve NIOs in engagement design?** Early discussions with NIOs on the proposed engagement approach can be beneficial, including identification of linkages to existing networks and processes, understanding requirements for organizations to develop consensus within their membership, and understanding of the relative importance of issues for their constituencies. Early assessment of the implementation details for engagement need to be given thoughtful consideration, including whether agendas will be jointly developed, the level and nature of NIO involvement, and whether cultural elements will be incorporated.