

devastating consequences that building a pipeline through the North would have for Dene and Inuvialuit peoples and for the fragile ecosystems. His observations, made almost forty years ago, foreshadow similar controversies and conflicts over proposed pipelines still occurring in various regions of Canada as the TRC has prepared this final report.²⁶⁹

The political and legal landscape has shifted significantly since Justice Berger issued his report in 1977. As Canada maps its economic future in regions covered by historical Treaties, modern land-claims agreements, and unceded Aboriginal title, governments and industry must now recognize that accommodating the rights of Aboriginal peoples is paramount to Canada's long-term economic sustainability. Governments aim to secure the necessary economic stability and growth to ensure prosperity for all Canadians. Corporations invest time and resources in developing large-scale projects that create jobs and aim to produce profits for their shareholders. Although the corporate sector is not a direct party to Treaty and land-claims agreement negotiations, industry and business play an extremely significant role in how the economic, social, and cultural aspects of reconciliation are addressed, including the extent to which opportunities and benefits are truly shared with Indigenous peoples and the environment of traditional homelands is safeguarded.

The 1996 *Report of the Royal Commission on Aboriginal Peoples* noted that, historically, land and resource development activities, such as hydroelectric dams, mines, and agricultural and urban development, have had many adverse impacts on Aboriginal communities. Communities were not consulted before they were relocated from their vast traditional territories to much smaller, more remote, and more crowded reserves to make way for government and industrial land and resource development projects. Even when they were not relocated, Aboriginal peoples were economically marginalized in their own homelands when irreversible environmental damage was done in the name of 'progress.' All too often, economic development has disrupted Indigenous peoples' cultural, spiritual, and economic ties to the land, resulting in the devastation of traditional economies and self-sufficiency, community trauma, public welfare dependency, and poor health and socio-political outcomes.²⁷⁰

In the post-RCAP period, the Supreme Court of Canada has developed a body of law on the federal, provincial, and territorial governments' duty to consult with Aboriginal peoples where land and resource development might infringe on their Aboriginal or Treaty rights.²⁷¹ The court has ruled that governments can still infringe on Aboriginal rights if it can demonstrate that it is in the broader public interest to do so. In the *Delgamuukw* case, the court described the nature of that public interest:

[T]he development of agriculture, forestry, mining and hydroelectric power, the general economic development of the interior of British Columbia, protection of the environment or endangered species, the building of infrastructure and the settlement of foreign populations to support those aims, are the kinds of objectives