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 Comité consultatif de l'environnement Kativik
 Kativik Environmental Advisory Committee

April 4, 2018

François Dupuis
 Director
 Aboriginal Affairs Branch
 Ministère de l'Énergie et des Ressources naturelles
 5700–4^e Avenue West, Suite C-422
 Quebec City QC
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SUBJECT: Comments regarding the Aboriginal community consultation policy

Dear Mr. Dupuis,

As you are aware, the Kativik Environmental Advisory Committee (KEAC) is the preferential forum for the Gouvernement du Québec, the Government of Canada, the Kativik Regional Government and the northern villages in matters relating to environmental and social protection in Nunavik. As part of its mandate to strengthen the environmental and social impact assessment and review procedures in Nunavik, the KEAC has previously underlined the importance of improving public consultation in the region and hereby wishes to provide feedback on the draft Aboriginal community consultation policy of the Ministère de l'Énergie et des Ressources naturelles (energy and natural resources, MERN).

First, the KEAC fully supports the government's objective to improve consultations with Aboriginal communities. According to the document, it seems that the MERN wishes not only to focus on consultations that fulfil the government's duty to consult Aboriginal communities regarding development projects (in the energy, lands and mining sectors), whether or not the projects are subject to environmental and social impact assessment and review, but to highlight the expected role of project proponents during community consultations organized by the MERN (or the government). The policy also aims to encourage project proponents to voluntarily engage with Aboriginal communities in a transparent manner and to share information with them outside of the consultation process.

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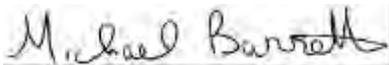
Despite the document's good intentions, the KEAC questions how the policy will be applied in Nunavik. Although the document states that the policy does not replace treaties between the Gouvernement du Québec, the Government of Canada, Inuit and Naskapi, including the *James Bay and Northern Québec Agreement (JBNQA)*, it lacks sufficient detail on the specific actions that the MERN will undertake to meet its objectives in accordance with existing institutions, governance regimes, and environmental and social impact assessment and review procedures in Nunavik. The MERN should clearly present the roles and intended actions regarding consultations with Inuit and Naskapi communities.

As well, in order to eliminate any confusion between the different applicable legal frameworks, the KEAC strongly suggests that the policy outline, for information purposes, the assessment and review procedure established by the environmental and social protection regime under Section 23 of the JBNQA applicable to development projects of interest to the MERN.

The KEAC believes it is important that development projects comply with the procedural aspects applicable to public consultation in Nunavik and recognize the different uses of the territory and the knowledge of residents regarding environmental and social issues. Nunavik communities will better understand the impacts of their contributions to consultations if they have access to up-to-date information and observations. The KEAC therefore encourages the MERN to provide clear information to project proponents to enable them to understand exactly what should be done and how best to do it, over the course of their projects until the termination of activities. Project proponents should also be provided with tools and background information to effectively engage with Aboriginal communities, and the communities themselves must be kept adequately informed according to their expectations.

The KEAC intends to monitor developments in this file and remains interested in participating in future exchanges with the MERN.

Respectfully,



Michael Barrett
Chairperson