

March 2021

Indigenous Climate Action

# Decolonizing Climate Policy in Canada

Report from Phase One



**INDIGENOUS**  
**CLIMATE ACTION**

# Table of Contents

About Indigenous Climate Action .....	3
Acknowledgments.....	4
Executive Summary .....	5
1. Introduction .....	8
1.1 The Methods we Used for Phase 1.....	10
1.2 What we Found .....	11
2. Overview of Climate Policy and Plans in Canada .....	12
2.1 The Pan-Canadian Framework (PCF).....	12
2.2 A Healthy Environment, A Healthy Economy (HEHE) .....	12
2.3 Pre-existing Critiques of the PCF .....	13
2.4 Pre-existing Praise and Critiques of the HEHE.....	15
3. Analysis of the Process by which these Climate Plans and Policies were Developed .....	17
3.1 The Process of Developing the PCF .....	17
3.2 The HEHE Development Process.....	25
4. Analysis of the Contents of these Climate Plans and Policies.....	26
4.1 Mentions of Indigenous Peoples and our Rights in the PCF.....	26
4.2 Mentions of Indigenous Peoples and our Rights in the HEHE .....	27
4.3 Analysis of the Main Pillars of the Two Plans .....	29
4.3.1 Carbon Pricing .....	29
4.3.2 Complementary Actions to Reduce Emissions .....	35
4.3.3 Adaptation and Climate Resilience .....	40
4.3.4 Clean Technology, Innovation, and Jobs (Building Canada’s Clean Industrial Advantage) .....	43
4.3.5 Nature-based Solutions .....	47
5. Conclusion .....	50
6. Moving Forward .....	53
7. Sources.....	55
Connect with ICA .....	63

*Cover art: Allan Lissner for Indigenous Climate Action. Indigenous youth protesting for the inclusion of Indigenous rights in Article 6 of the Paris Agreement Rulebook at COP25 in Madrid, Spain.*

## About Indigenous Climate Action

Indigenous Climate Action (ICA) is an Indigenous-led organization guided by a diverse group of Indigenous knowledge keepers, water protectors and land defenders from communities and regions across the country. We believe that Indigenous Peoples' rights and knowledge systems are critical to developing solutions to the climate crisis and achieving climate justice.

ICA works on connecting and supporting Indigenous communities to reinforce our place as leaders driving climate change solutions for today and tomorrow. We model our work and organizational structure on systems of free, prior and informed consent and self-determination. By providing our communities with knowledge and resources, we can inspire a new generation of Indigenous climate leaders building solutions centred around our inherent rights and cultures.



# Acknowledgments

This research was designed and conducted by Indigenous Climate Action, led by Eriel Deranger, and in close collaboration with Dr. Jen Gobby and Rebecca Sinclair.

Rebecca Sinclair (Merasty) is a nêhiyaw-iskwêw, wife and mother of three, she is from Barren Lands First Nation and a member of Little Saskatchewan First Nation, she moved from Treaty 5 in northern Manitoba to Winnipeg, Treaty 1 territory to obtain a Bachelor's degree (Environmental and Native Studies) from the University of Manitoba.

Jen Gobby is a settler climate activist-researcher based in Abenaki territory in rural Quebec. She completed her PhD at McGill University in 2019 and is a postdoctoral fellow at Concordia University. She is the author of the book [\*More Powerful Together: Conversations with Climate Activists and Indigenous Land Defenders\*](#).

We'd like to thank knowledge keeper Victor Tsessaze, student researcher Carlie Kane and research assistant Rachel Ivey for their immense help on this project. The research team would also like to offer our heartfelt thanks to Graeme Reed, Deborah McGregor, Daniel T'seleie, Beze Grey, Marc Lee, and Tamra Gilbertson for peer reviewing this report and offering constructive and insightful feedback and guidance. Thank you for bringing your wealth of expertise to this project. We'd also like to thank Tamra Gilbertson and others at Indigenous Environmental Network for the very powerful training on false solutions.

Jen would like to acknowledge support from the Social Science and Humanities Research Council of Canada (SSHRC), which has made her work on this project possible. Rebecca would like to acknowledge the Canadian Center for Policy Alternatives (CCPA) and the Corporate Mapping Project (CMP) for supporting her work on this project. CMP is a research and public engagement initiative investigating the power of the fossil fuel industry, and is jointly led by the University of Victoria, Canadian Centre for Policy Alternatives and the Parkland Institute. This research was supported by the Social Science and Humanities Research Council of Canada (SSHRC). Eriel and Indigenous Climate Action would like to acknowledge all of those that contributed and supported the vision for this project including our supporters, allies, partners, and members of the ICA national Steering Committee.

We would also like to give thanks and honor the land defenders, water protectors and other folks on the frontlines of resistance. We hope that this work can be of benefit to the fight for climate justice and Indigenous-led climate solutions.



Image from the 2013 Tar Sands Healing Walk

## Executive Summary

### **Colonialism caused climate change. Indigenous rights are the solution.**

As the climate crisis intensifies and greenhouse gases (GHGs) continue to rise, national efforts to curb GHG emissions are failing and oil and gas continue to be extracted, imported, exported and burned. Indigenous Peoples in Canada and across the world are among those that contribute the least to the growing climate crisis, yet remain among those being impacted the first and hardest by intensifying climate change. Amidst this massive injustice, Indigenous Peoples are leading movements for climate and environmental justice as we defend our lands and waters from ongoing colonial encroachment and extractive development.

In an effort to respond to the climate crisis, governments around the world are setting targets, making plans, and creating policies to reduce their emissions. In Canada, over the past five years, two federal climate plans have come out under the Liberal Government led by Justin Trudeau: the Pan-Canadian Framework on Clean Growth and Climate Change (PCF) in 2019 and A Healthy Environment, A Healthy Economy (HEHE) in December 2020.

To effectively address climate change, policies and solutions need to take aim at the ongoing drivers and root causes of the crisis and should center the voices, needs and leadership of the people most impacted by the crisis.

This report shares the findings from Phase One of a research project that has investigated whether climate policy and planning in Canada has been including Indigenous rights and addressing the root causes of the climate crisis. This project has been a collaborative effort between the team at Indigenous Climate Action (ICA), Dr. Jen Gobby, Rebecca Sinclair, and Rachel Ivey.

The project includes two phases. In the first phase - the focus of this report - we conducted an in-depth critical analysis of the PCF and the HEHE to investigate whether they take aim at the root causes of climate change and both respect and meaningfully include Indigenous Peoples and our rights, knowledge and approaches to climate action. We also aim to understand how all this impacts the ability of the PCF and the HEHE to actually drive meaningful climate action.

As the following pages explain in detail, Indigenous Peoples and our rights, knowledge, and climate leadership were mentioned again and again in both plans, yet we were structurally excluded from the decision-making tables where these plans were made. In fact, representatives from a few provinces actively opposed Indigenous inclusion in this process. This active exclusion constitutes a violation of Indigenous rights to self-determination and to free, prior and informed consent (FPIC), as defined by the United Nations. Additionally, this blatant exclusion conflicts with the Liberal government's commitments to reconciliation and Nation-to-Nation, Inuit-Crown, and government-to-government relationships. It also ignores many of the Calls to Action emanating from the Truth and Reconciliation Commission report and other important government-led inquiries, including the Royal Commission on Aboriginal Peoples (RCAP) and the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG).

While these reports repeatedly state intentions to work in real partnership going forward, this “real partnership” has yet to materialize from words into action.

Going beyond the process by which the plans were developed, the policies and proposed actions contained in them are also problematic. Firstly, both plans allow for the continuation of fossil fuel production – a primary source of GHG emissions and a major contributor to Indigenous rights violations in Canada. Secondly, some of the solutions proposed ignore the realities faced by Indigenous communities and Nations, and fail to address the structural inequalities continually reproduced through ongoing colonial relations and policies in Canada. Moreover, some of the proposed actions and initiatives in the PCF and the HEHE may lead to disproportionate negative impacts to Indigenous Peoples and violations of Indigenous rights. Finally, there are many ways that these climate policies may serve to perpetuate the drivers and root causes of climate change.

The PCF and the HEHE are the strongest climate policies in Canada, to date, and there are signs that the HEHE plan is an improvement to the PCF, but both have significant flaws that have important implications for:

- the efficacy of the plans to actually drive real action
- the ability for this to drive a just energy transition
- the relationships between Canada and Indigenous Peoples.

These problems need to be addressed if climate policy in Canada is to be just and effective. In addition to providing this critique, in the final section of this report, we offer calls to action for an Indigenous-led climate policy agenda in Canada, which we are mobilizing as we enter Phase Two of our project. Following the release of this report, through the spring and summer of 2021, Indigenous Climate Action, Rebecca Sinclair, and Dr. Jen Gobby will be gathering Indigenous-led climate policy ideas and plans through conversations with Indigenous Peoples across the country, inviting all Indigenous folks to contribute to this important work. To find out more about this process or how to get involved you can contact Rebecca at [climatepolicy@indigenousclimateaction.com](mailto:climatepolicy@indigenousclimateaction.com).

Non-Indigenous people and organizations who would like to actively support the second phase of *Decolonizing Climate Policy in Canada* can donate to ICA on our website ([IndigenousClimateAction.com/donate](https://IndigenousClimateAction.com/donate)).



Image: ICA's first Steering Committee meeting in 2017

# 1. Introduction

The global climate crisis is worsening with the intensifying impacts of wildfires, floods, droughts and massive storms devastating lives, communities, and ecosystems across the world. Canada, a major contributor to the greenhouse gas (GHG) emissions driving the crisis, is also facing more and more occurrences of extreme weather. The *Canada's Changing Climate Report* released in April 2019 by Environment and Climate Change Canada, shows Canada warming at twice the global rate and that the North will warm at *three times* the global rate. This report also confirms that most of the warming is the result of burning fossil fuels.

Despite the clamouring of alarm bells being urgently sounded by Indigenous Peoples, scientists, communities and activists across the world, international efforts to reduce GHG emissions and transition to clean energy are failing to slow the crisis. In Canada, climate policy has not led to meaningful reduction of emissions, nor has it driven a transition away from fossil fuels.

Indigenous Peoples in Canada and across the world, are among those being impacted first and hardest by climate impacts, while being among those least responsible for causing the crisis (Salick & Byg, 2007; Parks & Roberts, 2006).

Amidst this massive injustice, Indigenous Peoples are leading social movements for climate and environmental justice and are defending our lands and waters from ongoing colonial encroachment and extractive development (Scheidel et al., 2020; Gobby, 2020; Gedicks 1994, 2001).

Kyle Whyte, Potawatomi scholar, explains that “Colonialism often paved the way for the expansion of capitalism” (2017, p. 154). Inherent to capitalism is the “assimilation, depopulation, removal, and erasure of Indigenous Peoples; and the dispossession, expropriation, and territorial occupation of Indigenous resources, land, property, homes...all toward the end goal of profit” (Waldron, 2018, p. 41).

Inextricably tied together, colonialism and capitalism have laid the groundwork for the carbon-intensive economics which is driving climate change (Whyte, 2017).

**These systems intersect with patriarchy and associated gender-based inequities, rendering women, especially Indigenous, Black and other women of Colour, “more likely to be negatively impacted by climate change and less likely to be ‘heard’ in climate change strategy-making than members of culturally dominant groups”** (Williams et al., 2018, p. 8). Colonization has led to the devaluation of Indigenous knowledge; it has “negatively impacted gender roles, culture, the safety of Indigenous women as well as the health of the land that sustains Indigenous Peoples” (Quebec Native Women, 2019, p. 6). Climate change and environmental destruction continues to harm the lives of Indigenous women and 2SLGBTQIA+ folks.

While ongoing colonial capitalism is driving both the climate crisis and intensifying racial and gender-based inequality, Indigenous communities and Nations, often led by Indigenous women, are offering rich, diverse and urgently needed alternative values, worldviews, social organization and economic systems. To Indigenous



Peoples, “Everything is connected in a web of relationships. Nothing exists in isolation. Indigenous people over millennia have strived to live in harmony with all living things in their environments” (Snively & Williams, 2016, n.p.). Indigenous worldviews that centre interdependence, reciprocity and respect offer alternatives and act as a counterforce and antidote to the extractivist worldviews that are driving the climate crisis (Kimmerer, 2013; Simpson, 2017; Wildcat, 2010).

Yet, it appears that Indigenous women and 2SLGBTQIA+ folks, and Indigenous Peoples in general, and our rights, our knowledges, and our approaches to climate change are systematically excluded from the creation and implementation of climate policies and plans.

Indigenous Peoples, our rights, our knowledges, and our approaches to climate change are systematically excluded from the creation and implementation of climate policies and plans.

To effectively address climate change, policies and solutions need to take aim at the ongoing drivers and root causes of the crisis and need to be centering the voices, needs and leadership of the people most impacted by the crisis. This report shares the findings of a research project that has investigated whether climate policy and planning in Canada has been doing so.

This project has been a collaboration between the team at Indigenous Climate Action and Dr. Jen Gobby, postdoctoral fellow at Concordia University, with support from co-researcher Rebecca Sinclair and research assistant Rachel Ivey.

The project includes two phases. In the first phase, which is the focus of this report, we conducted an in-depth critical analysis of Canada’s recent climate policy and plans - the *Pan-Canadian Framework on Clean Growth and Climate Change* (PCF) and *A Healthy Environment, A Healthy Economy* (HEHE) - to investigate whether they take aim at the root causes of climate change and respect and meaningfully include Indigenous Peoples and our rights, knowledges and approaches to climate action. We also seek to understand how all this impacts the ability of the PCF and the HEHE to actually drive meaningful climate action.

Phase Two of the project will take place between February and June 2021. ICA and Nehiyaw researcher Rebecca Sinclair, guided by an Advisory Council of Indigenous experts across the five biomes of so-called Canada, will be gathering Indigenous-led climate policy ideas and plans through conversations with Indigenous Peoples across the country. We enthusiastically invite all Indigenous folks in Canada who would like to contribute to this important work to get in touch with Rebecca at [climatepolicy@indigenousclimateaction.com](mailto:climatepolicy@indigenousclimateaction.com).

Non-Indigenous people and organizations who would like to actively support the second phase of Decolonizing Climate Policy in Canada can donate to ICA on our website ([IndigenousClimateAction.com/donate](https://IndigenousClimateAction.com/donate)).

We view Phase Two of our project as movement in the right direction when it comes to seeking input from Indigenous community members on future climate policy, embracing this effort not as a rigid process, but rather as a pilot effort to inform future engagement for Indigenous-led climate policies.

A second report sharing this Indigenous-led climate policy is planned for release in summer 2021.

## 1.1 The Methods we Used for Phase 1

Our critical policy analysis has been guided by an Intersectionality-Based Policy Analysis (IBPA) Framework (Hankivsky et al., 2012). Applying an intersectional lens to policy analysis is a political act; it aims to critique and develop policy that contributes to transforming the inequitable relations of power that maintain inequality. Generally, relations of power remain unquestioned in dominant approaches to policy analysis. IBPA holds those relationships as central to policy and policymaking (ibid.). IBPA also pays close attention to the complex contexts and root causes of the social problems that the given policies aim to address (Wiebe, 2019).

Although the intersectional approach attends to many forms of power relations, including race, gender, and class, our primary focus on this project has been to understand the PCF and HEHE in relation to Indigenous Peoples, our rights and perspectives, and the ways that climate policy is reproducing colonial relations in Canada. It's important to note that Indigenous rights are defined, upheld and recognized through various Treaties, Section 35 of the Canadian Constitution (1982) and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). In particular, Section 35 of the Canadian Constitution, in conjunction with rulings of the Canadian courts created “a statutory, contractual and common law obligation” that outlines the federal government’s fiduciary responsibilities, including the duty to consult and accommodate “prior to taking actions or making decisions that may have consequences for the rights of Indigenous peoples in Canada” (Irwin, 2018).

In order to review the various aspects and pillars of the PCF and the HEHE in relation to these rights, we developed a critical framework matrix to analyse and review a multitude of legal recognitions and articulations of Indigenous rights, including Section 35 of the Canadian Constitution and UNDRIP, to bring various dimensions and pillars of Canada’s climate policy into light. In addition to these legal instruments we analysed and reflected the many Recommendations and Calls to Action stemming from several government inquiry reports, including The Truth and Reconciliation Commission (TRC), The Royal Commission on Aboriginal Peoples (RCAP), and the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG).

Through this critical framework matrix, we asked the following key questions:

- Do the PCF and the HEHE, and the processes by which they were developed, serve to reinforce settler colonial structures and relations? How?
- Are they in conflict with the federal government’s commitments to reconciliation and government-to-government, Inuit-Crown, Nation-to-Nation relationships? How?
- Do these plans violate inherent, Treaty, constitutional and international Indigenous rights? In what ways?
- Do they ignore and erase Indigenous perspectives, knowledges, and approaches to climate action? How?
- What are the implications of the answers to all the above questions for Canada’s ability to meaningfully address the climate crisis?

Information about how the PCF and the HEHE were developed was not available online, so we also conducted a short series of telephone interviews with federal public servants who were involved in the creation of the plans.

## 1.2 What we Found

The findings of our analysis, as presented in Section Two, make clear that federal climate policies and plans in Canada, specifically the PCF and HEHE, **violate Indigenous rights** from the development process all the way through to content, plan, and policies. Many of the policies put forth in the PCF and HEHE **ignore the realities faced by Indigenous Peoples, communities, and Nations** and **promote climate solutions that may lead to disproportionate, negative impacts for Indigenous Peoples**.

Furthermore, in failing to uphold Indigenous communities' and Nations' rights to self-determination, the plans are **in conflict with Federal commitments to Nation-to-Nation, Inuit-Crown, government-to-government relationships and with many of the calls to action** in RCAP, TRC, MMIWG, etc. Additionally, there are many other examples wherein these **plans ignore the structural inequalities and injustices** that are continually reproduced through ongoing colonial relations in Canada, creating the very conditions by which Indigenous communities and Nations are disproportionately impacted by and vulnerable to climate change.

The Federal climate plans egregiously fail to address the fossil fuel industry as a driver of climate change, a violator of Indigenous rights, and a major contributor to the vulnerabilization of Indigenous communities and Nations by way of impacts on waters, lands, livelihoods and food systems.

While there are indications that the HEHE plan is an improvement to the PCF, both have significant flaws that have important implications for the ability of the plans to actually drive real climate action, promote a *Just* energy transition, and move forward on Canada's reconciliation promises. While these climate plans are doing some important work and there is some sign of improvement, serious problems remain; these need to be addressed if climate policy in Canada is to be just and effective.

The following sections explore these pertinent issues. Section Two provides overviews of the PCF and the HEHE and the existing critiques that have been laid against them. Section Three describes and examines the process by which these plans were created. Section Four provides a critical analysis of the contents of these climate plans. Section Five unpacks the implications of our findings. Finally, Section Six offers some key commitments that need to be embraced to move forward in creating just and effective climate policy.

Going beyond critiques of climate policy, it is also important to have actionable steps to remediate centuries of colonial harm to build pathways of collective and collaborative climate solutions and alternative paths forward. This will be the aim of Phase Two of this research project.

## 2. Overview of Climate Policy and Plans in Canada

### 2.1 The Pan-Canadian Framework (PCF)

Canada's efforts, since 2015, to reduce GHG emissions and take action on climate change is encapsulated in the [Pan-Canadian Framework on Clean Growth and Climate Change](#), which was released in 2016 by Trudeau's Liberal government, following 30 years of failed attempts by the Canadian government to develop climate policy. Political scientist Robert MacNeil described the signing of the PCF accord in 2016 as "one of the more remarkable feats of intergovernmental cooperation in recent history" (2019, p. 36). Echoing this sentiment, Ed Whittingham (2016), the former Executive Director of the Pembina Institute called it "a critical turning point in Canada's response to climate change." The PCF was launched through a formal agreement signed by the Premiers of all provinces and territories, except Saskatchewan.

According to the document, the PCF is Canada's "collective plan to grow our economy while reducing emissions and building resilience to adapt to a changing climate" (n.p.). The plan is intended to help meet Canada's emissions target: a 30% reduction in greenhouse gas (GHG) emissions (below 2005 levels) by 2030. It was developed through the leadership of the First Ministers, through a process of several working groups and consists of four pillars: Pricing Carbon Pollution; Complementary Actions to Reduce Emissions; Adaptation and Climate Resilience; and Clean Technology, Innovations and Jobs.

Since the launch of the plan, the Federal Government has been issuing periodic status reports on the progress in implementing the plan.

### 2.2 A Healthy Environment, A Healthy Economy (HEHE)

In December 2020, the federal government released the plan [A Healthy Environment and A Healthy Economy](#). A [news release](#) from the Office of the Prime Minister explained that "Canada's strengthened climate plan builds on continuing work with provinces and territories through the Pan-Canadian Framework on Clean Growth and Climate Change (PCF), which was released in 2016. When coupled with the PCF, the strengthened plan will do more to cut pollution in a practical and affordable way than any other climate plan in Canada's history" (2020, n.p.).

The HEHE builds on the PCF through 64 new measures and \$15 billion in investments, and proposes policies and plans presented through five pillars. The first is focused on energy efficient homes and buildings - "Making the Places Canadians Live and Gather More Affordable by Cutting Energy Waste." The second pillar is called "Making Clean, Affordable Transportation and Power Available in Every Canadian Community" and focuses on increasing supplies of clean energy and cleaner modes of transportation. HEHE's third pillar - "Continuing to Ensure Pollution Isn't Free and Households Get More Money Back" - continues the PCF's emphasis on carbon pricing. The fourth focuses on industry and jobs and is called "Building Canada's Clean Industrial Advantage." The fifth and final pillar centres on nature-based climate solutions - "Embracing the Power of Nature to Support Healthier Families and More Resilient Communities."

Both of these federal climate plans have been analysed, assessed and critiqued by others before, and included below is a brief overview of these critiques.

## 2.3 Pre-existing Critiques of the PCF

The PCF has been subject to numerous critiques on various bases and from different perspectives. As policy analyst Marc Lee states, “plan’ is too generous a term” for this framework (2016, n.p.). To begin with, **it’s built around a GHG emissions target that is too weak to lead to effective climate mitigation**. The target of 30% reduction below 2005 levels by 2030 was set by the Harper Conservative government and critiqued nationally and internationally by the environmental community, rendering the PCF fundamentally flawed. Various independent scientific analyses have shown clearly that this target is insufficient (Climate Action Tracker, 2019; Burck et al., 2018; MacNeil, 2019) and “not remotely inline with the international community’s goal of limiting global warming to 1.5°C” (MacNeil, 2019, p. 156).

To weaken the promise of the PCF further, it’s been shown that the policies and plans which are specified in the framework **will fall short by 79 tonnes of greenhouse gas (GHG) emissions, being too weak to even meet the insufficient target it is designed around** (CANRAC, 2019; OAG, 2018; Lee, 2016). Furthermore, the PCF repeatedly refers to “additional measures” necessary to meet the 2030 target, which amounts to about 44 million tonnes of unaccounted for carbon reductions. These “additional measures” remain unspecified or unfunded (Lee, 2016) and thus will likely mean the purchasing of carbon credits from outside of Canada (Marshall, 2016). As will be discussed in Section 2.5, carbon trading schemes have significant social justice implications and will extend the reach of Canada’s carbon pollution.

Perhaps the most significant weakness of the PCF, which has been widely critiqued, is the fact that **the framework essentially gives the oil and gas industry a pass**, with no measures set to actually keep carbon in the ground (Lee, 2016; O’Manique, 2017; Marshall, 2016).

The framework focuses on reducing the demand for energy while almost completely ignoring the supply side of the equation (CANRAC, 2019). The PCF includes regulations to reduce methane emissions coming from the oil and gas industry, for which the industry was given \$50 million to invest in the necessary technology (O’Manique, 2017), but beyond that, the PCF lets this huge and massively polluting industry off the hook (Marshall, 2016). The PCF’s failure to include regulations to curb the expansion of the oil and gas industry has meant that the federal government, while taking great pride in its climate framework, has been able to approve various new fossil fuel infrastructure, including the TransMountain and Line 3 pipelines. These projects further facilitate the expansion of the tar sands, contributing significantly to the climate crisis (Lee, 2016), while locking-in fossil fuel dependency making it even more costly, difficult, and less likely for Canada to achieve its emission target by 2030 (Marshall, 2016).

Not only does the PCF lack any regulations to curb the expansion of the fossil fuel industry, it **allows for the continuation of government subsidies to the industry** until 2025 (Lee, 2016). The PCF thus allows the government to support the continuation of an industry that is undermining the whole world's efforts to curb GHG emissions (CANRAC, 2019). This extends the reach of pollution far beyond Canadian borders and contributes to global climate injustice.

---

*“It should seem glaringly obvious...that Canada cannot simultaneously promote the expansion of the oil and gas sector and the decarbonization of its economy” (MacNeil, 2019, p. 158).*

**The PCF was also criticized for completely lacking any considerations of gender in the plan and policies** (see Chalifour, 2017). Women, especially those in the North and those facing poverty, are generally more impacted by the effects of climate change. It is important to ensure that climate policy does not exacerbate existing inequalities, yet there is no evidence that this was considered at all in the PCF (Chalifour, 2017).

Climate change is largely the result of the tightly interwoven forces of colonialism, patriarchy, and neoliberal forms of development. These conditions are constraining women's knowledge, expertise, and unique agencies in addressing what is probably the most defining issue of our age. Yet women, including Indigenous women, have significant roles to play in the articulation of feminist and Indigenous worldviews, and aligned climate action strategies. (Lewis et al., 2018, p.3)

Integrating gender into climate policy requires decision makers to understand how gender and climate intersect and how climate policy can be shaped to promote gender equality. It is crucial to include a diversity of Indigenous women's voices in the process of climate policy-making and It is clear that the PCF did not do that.

The PCF has proven to be **“extremely politically fragile”** (MacNeil, 2019, p. 156).

It was developed within the context of a long history of ambiguity as to whether environmental policy lies in the jurisdiction of the federal or the provincial governments. This reflects larger tensions stemming from Canada being a federated state – meaning it is made up of provinces with their own constitutional authority to make and enforce laws (MacNeil, 2019). All of this has contributed to deep and ongoing tensions between provincial and federal governments, and provinces have been typically very resistant to climate regulation being imposed on them from the federal government. This is further embedded by the federal government's reluctance to enforce the already failing targets. For these reasons, the PCF included the caveat that the framework can be implemented through equivalency agreements, whereby provinces can design and adopt their own regulations, in place of the federal ones. This process has rendered the implementation of the PCF “highly political” while the signing of equivalency agreements has lacked transparency (Péloffy et al., 2019). This has led to the adoption of less aggressive emission reductions (CANRAC, 2019), and in some provinces a lack of effort to reduce emissions.

Underlying many of the weaknesses outlined above, is the fact that the PCF fails to address, or even name, the drivers and root causes of the climate crisis.

For example, not only does it not name endless economic growth as a driver of climate change, the term “clean growth” is built right into the title of the framework; “Growth” appears 114 other times in the 86-page document (O’Manique 2017). This signals the PCF’s central focus of trying to reduce emissions while ensuring increased fossil fuel production. Though on the surface this may seem like a reasonable goal of balancing various interests, ecological economists and others make it abundantly clear that this is just not possible.

Capitalist economic systems require endless economic growth to survive, and economic growth requires ever increasing amounts of energy and material throughput, driving ecological devastation and carbon pollution (Gilbertson, 2017; Whyte, 2017; Kohn & Reddy, 2017; Clark & York, 2005). Although some people argue that clean growth – the decoupling of economic growth from GHG emissions – is possible, clean growth puts all its hope in technological solutions and the ability of the market to generate these innovations. The PCF’s focus on technological innovations to somehow magically decouple economic growth from extraction and pollution is not only failing to bring the solutions it promises, but it masks the root causes and drivers of climate change and allows them to carry on driving the crisis (O’Manique, 2017).

## 2.4 Pre-existing Praise and Critiques of the HEHE

Since the release of HEHE, there have been many responses from economists, environmentalists, policy analysts, and others in Canada reflecting on whether and how this new plan is indeed a ‘strengthened’ climate plan.

One improvement is that the HEHE proposes a stronger emissions reduction target than did the PCF. Where the PCF target had been 30% reduction below 2005 levels by 2030, the HEHE sets out a plan to exceed this target and aims for net-zero emissions by 2050. Meyer (2020) explains that if all the proposed actions in the HEHE are fully implemented, this will lead to emission reductions of at least 85 million tonnes beyond what the PCF aimed for.

Where the PCF’s proposed actions did not line up with its inadequate targets - leaving a large emissions gap to be addressed through ill-defined additional measures - the new plan offers a complete strategy for meeting its targets (Lee & Mertins-Kirkwood, 2020; Beugin, 2020). Furthermore, the HEHE proposes a higher price on carbon. Under the new plan, the carbon price will not be frozen at \$50/tonne in 2022 as proposed in the PCF but will increase by \$15/tonne per year starting in 2023, until it reaches \$170 in 2030. According to Lee and Mertins-Kirkwood (2020), “This is the boldest and most ambitious policy in the [new] federal plan, especially given the politically challenging politics of carbon pricing in Canada” (n.p.). The HEHE has also been celebrated for proposing border tax adjustment to compensate for a lack of carbon pricing on imported goods (ibid.).

Another improvement is that, in response to the critiques of the PCF failing to take into account gender and other social equity aspects of climate policy, the HEHE features an Annex on Gender Based Analysis Plus.

A final aspect of the HEHE that has been lauded is that unlike the PCF, the HEHE is not dependent on the provinces to cooperate and take action. This plan lays out what is necessary for the target to be met through federal measures alone, and “Any additional climate policies brought in by the provinces and territories in areas of their jurisdiction will allow Canada to meet the target faster and/or exceed it even further” (Lee & Mertins-Kirkwood, 2020, n.p.). Due to all these improvements on the PCF, the HEHE has been called “ambitious...brave” (Wherry, 2020, n.p.) and the “most serious piece of climate policy we’ve yet seen from this government” (Lee & Mertins-Kirkwood, 2020, n.p.).

All that said, there remain serious weaknesses of the HEHE which have been identified in various responses to the plan since it was released in December 2020. Firstly, the HEHE is clearly more of a proposal than a definite plan (Meyer, 2020); it is a vision for what kind of actions it would take to reach the target (Wherry, 2020).

Secondly, much like the PCF, the HEHE relies mostly on creating incentives to shift spending patterns, but it fails to propose concrete measures to regulate the major sources of carbon pollution (Lee & Mertins-Kirkwood, 2020). Like the PCF, the new plan lets the oil and gas industry off the hook once again. While the plan aims to incentivize the reduction of fossil fuel use in Canada, it remains committed to producing oil and gas to export to other countries, allowing a 20% increase in oil production and a 17% increase in gas production over the next few decades (ibid.). Green Party leader Annamie Paul has made clear that in releasing the new plan while refusing to cancel the Transmountain (TMX) pipeline or to end fracking, the federal government has rendered the HEHE nothing more than a “PR exercise” (Silver, 2020). With the HEHE, the federal government “continues to skirt around the inevitability of a global transition away from fossil fuels” (Lee & Mertins-Kirkwood, 2020, n.p.).

---

*“Canada can’t keep pretending that we can solve the climate crisis while expanding oil and gas production and building new pipelines” (Bergamo, 2020, n.p.)*

While the HEHE commits to phasing out all “inefficient subsidies” to the oil and gas industry by 2025 (Dyck et al., 2020), the federal government takes the liberty of being able to define for itself what ‘efficient subsidies’ might mean, manipulating discourse to allow for the continuation of the extractive status quo in Canada.

Indeed, the HEHE actually includes a number of potential new fossil fuel subsidies (Lee & Mertins-Kirkwood, 2020).

The findings presented in the remaining sections contribute to this chorus of critiques that have been laid against the Canadian Government’s climate plans and policies, by providing an in-depth analysis of the PCF and the HEHE from an Indigenous lens, and our rights and approaches to climate action. A significant aspect of our critique is the process by which these plans were developed.





*Image: Chief Gerry Cheezie of Smith's Landing First Nation speaking at a Reject Teck press conference in Vancouver, BC on January 20, 2020*

## 3. Analysis of the Process by which these Climate Plans and Policies were Developed

### 3.1 The Process of Developing the PCF

The Vancouver Declaration of March 2016 set out the PCF development process. Four working groups were established, one for each of the four pillars: Pricing Carbon Pollution; Complementary Climate Actions; Adaptation and Climate Resilience; and Clean Technology, Innovation and Creating Jobs. Each working group was made up of officials from federal, provincial and territorial governments and led by First Ministers. The working groups were then tasked “to work with Indigenous Peoples; to consult with the public, businesses and civil society; and to present options to act on climate change and enable clean growth” (PCF, 2016, p. 2).

Indigenous Peoples were to be consulted merely as stakeholders rather than central rights holders, and not given seats in the actual working groups.

In the PCF Section 1.1, How we developed the Framework, it states that “Representatives of Indigenous Peoples contributed their knowledge and expectations for meaningful engagement in climate action and provided important considerations and recommendations either directly to working groups or to ministers, which helped shape this framework” and also mentioned that “Ministers also reached out to Canadians, businesses, non-governmental organizations, and Indigenous Peoples to hear their priorities” (2016, p. 2).

This is the extent to which the PCF offers details about engagement with Indigenous Peoples and about what ways this engagement concretely shaped its actual contents. We dug deeper, beyond the PCF itself, and read the final reports from the four working groups. When this, too, uncovered unsatisfactory details about engagement with Indigenous Peoples, we searched for and read through public statements made by Indigenous government bodies about the PCF process. In a final effort to understand how Indigenous Peoples were engaged in the process and to what effect, we reached out to various MPs and public servants and others who were actively involved in the development of the PCF. This led to several email conversations and a few phone interviews.

**From the reports from the four working groups, we were able to access the following information.**

According to the report from the [Working Group on Carbon Pricing Mechanism](#), which was overseen by Ministers of Finance, the working group met with representatives from Assembly of First Nations (AFN), Métis National Council (MNC), and Inuit Tapiriit Kanatami (ITK), and received online input from “various organizations and individuals who identified issues relevant to Indigenous interests” (2016, p.5). No further detail was provided about who specifically was consulted.

The final report from the [Working Group on Specific Mitigation Opportunities](#) was explicit that the membership of the working group was limited to federal, provincial, territorial (FPT) officials, but they added that co-chairs of the working group held regular teleconference calls and face-to-face meetings with AFN, MNC, and ITK with updates on their work. These National Indigenous Organizations (NIOs) were invited to three roundtables in 2016, hosted by the Mitigation and Carbon Pricing Mechanism working groups, a process which included invited stakeholders such as NGOs, think tanks and industry associations.

They also state that “in parallel to the working group process, the AFN, MNC, and ITK engaged with their respective memberships to develop input on climate change solutions that meet the needs and priorities of Indigenous peoples” (Working Group on Specific Mitigation Opportunities, 2016, p. 17). They admit, however, that the process’s timeline and the working group structure presented significant challenges to this engagement and that ongoing engagement would be needed to ensure priorities of Indigenous Peoples would be reflected in the framework. They did not state what these ongoing engagements would be.

The final report from the [Working Group on Adaptation and Climate Resilience](#) provides notably more information than did the other working groups, about their consultation processes including those with Indigenous Peoples. They provide specifics such as “engagement was carried out through a multi-day stakeholder engagement event held in Toronto on June 2-3, 2016. The Working Group invited approximately 50 organizations that represent the broad range of adaptation stakeholders and are national in scope” (Working Group on Adaptation and Climate Resilience, 2016, p. 34).

They also include a list of stakeholders that were engaged (it's worth noting this included the Canadian Association of Petroleum Producers) as well as a list of the questions that were asked and a summary of the answers they received. These efforts to make the consultation process transparent stood out in comparison to the previous two working groups.

In terms of engagement with Indigenous Peoples, they specify that the co-chairs of the working group participated in weekly teleconference calls with AFN, ITK and MNC, who were also given the opportunity for two three-hour discussions at face-to-face working group meetings. They explain that “[f]ederal co-chairs also offered to make themselves available for discussions” (Working Group on Adaptation and Climate Resilience, 2016, p. 33). They make mention of reports submitted by the NIOs and state that “where possible, the issues, ideas, and recommendations have been integrated throughout this report” (ibid., p. 33, emphasis added). However, they don't describe how and by whom it was decided which such inclusions were ‘possible,’ and which were not.

Also of note, this is the only working group report to directly quote an Indigenous person. All other findings from the consultations were included in paraphrased, summarized ways, without names, communities, or Nations specified.

The final of the four working groups was the [Working Group on Clean Technology, Innovation and Jobs](#). As with the Adaptation and Climate Resilience working group, the Clean Technology Working Group's final report provides specifics about their stakeholder involvement:

In June 2016, a national industry roundtable in Toronto involved about 50 representatives from the transportation, natural resources, construction, agriculture, energy and public utilities sectors. Representatives from NIOs participated in this event to hear directly from industry. Many Working Group members also held provincial or regional roundtables to solicit input from local experts and private-sector stakeholders. (Working Group on Clean Technology, Innovation and Jobs, 2016, p. 6)

They provide less detailed information about consultations with Indigenous Peoples, stating only that an “important feature” of the consultations they did “was regular communication with National Indigenous Organizations (NIOs), representing Canada's First Nations, Métis and Inuit peoples, to obtain their valuable input” (ibid., p. v). They held three in-person meetings with AFN, MNC and ITK and held “weekly telephone calls with them during the consultation process” (ibid., p. 6).

Given that input was gathered from Indigenous People through the Working Groups, who then relayed this input through their Final Reports, it is interesting to note the relative frequency with which the word “Indigenous”<sup>1</sup> was included in the various Final Reports and how that compares to the inclusions of the word in the PCF (reference Table 1 below).

Note that while the four Working Group Final Reports average 1.3 uses per page of the word “Indigenous,” the PCF document itself has a lower average of 1 mention of the word “Indigenous” per page (85 times in an 86-page document). As such, the PCF brings Indigenous Peoples into its frame less often than the working group reports did.

<b>Document</b>	<b>Total number of mentions of the word “Indigenous”</b>	<b>Average mention per page</b>
Final Report for <i>Working Group on Carbon Pricing Mechanism</i>	55 times in 66 pages	0.8 times per page
Final Report for <i>Working Group on Specific Mitigation Opportunities</i>	118 times in 61 pages	2 times per page
Final Report for <i>Working Group on Adaptation and Climate Resilience</i>	79 times in 61 pages	1.3 times per page
Final Report for <i>Working Group on Clean Technology, Innovation and Jobs</i>	119 times in 116 pages	1.03 times per page
Average for all Working Group Final Reports		1.3 times per page
PCF	85 times in 86 pages	1 time per page

*Table 1: Showing the relative number of mentions of the word “Indigenous” in the PCF and in the Final Reports of the Working Groups*

**From public statements and press releases from MNC and ITK, we were able to glean the following information about the process by which the PCF was developed.**

In March 2016, MNC President Clément Chartier, AFN National Chief Perry Bellegarde, and ITK President Natan Obed, were invited to join the Prime Minister and Premiers to discuss the involvement of Indigenous Peoples in developing Canada’s Climate Change and Clean Growth Strategy. In that meeting “President Chartier told the First Ministers that the path forward on addressing climate change for the Métis people required respect for their

<sup>1</sup> We use the word “Indigenous,” and the frequency with which it comes up as an indicator of consideration of Indigenous Peoples, issues and rights in these documents.

Section 35 Aboriginal rights, including the inherent right to self government” ([Métis Nation](#), 2016, n.p). According to Chartier,

If Canada is serious about adopting a truly national framework on climate change, we as the Métis Nation, along with the First Nations and Inuit, must be *full participants* at the table. This means our *full inclusion* in the four working groups that are expected to develop the Climate Change and Clean Growth Framework – on carbon pricing, sectoral mitigation, adaptation and clean technology and jobs – as well as *ensuring a nation-to-nation approach* to solutions. (ibid, emphasis added)

In August of 2016, as the working group process was transpiring, ITK President Natan Obed made clear that “ITK, along with other National Indigenous Organizations, receives regular updates on the discussions of the four working groups, but *does not have membership in the four groups*” ([Above & Beyond](#), 2016, n.p., emphasis added). And in September 2016, ITK released [a statement](#) making clear that “while the Vancouver Declaration recognizes that Indigenous peoples have an important role to play in ensuring a sustainable and prosperous future for Canada, the federal-provincial-territorial working groups that developed policy options for Canada’s Climate Strategy *did not include Indigenous representatives.*” (ITK, 2016a, n.p., emphasis added).

In September 2016, ITK released a report called [Inuit Priorities for Canada’s Climate Strategy](#), providing First Ministers with an outline of Inuit expectations and policy recommendations for Canada’s climate action strategy. These Inuit-specific policy calls to action included 23 recommendations in five categories (p. 6). ITK also put out a statement urging the Federal, Provincial and Territorial Ministers who were then drafting Canada’s Climate Strategy to “consider these Inuit policy recommendations in full and in parallel with the policy options developed by four federal-provincial-territorial working groups” who would be reporting to First Ministers in the fall (ITK, 2016b, n.p., emphasis added). The report and statement contend that “Inuit must be included as *equal partners* in the federal, provincial and territorial (FPT) tables that are shaping Canada’s evolving climate strategy and its implementation” (ibid., p. 3, emphasis added).

### **Interviews and correspondences with politicians and public servants about the PCF process provided us with the subsequent information.**

Having dug this far into researching the process by which the PCF was created and still not fully understanding how it came to be that Indigenous Peoples did not have seats on the working groups, we sent dozens of emails to the people who had been actively involved in the process. These emails resulted in several phone interviews with public servants who had helped lead the development of the PCF. They opted to have their answers to our questions remain anonymous.

In one interview we were told that while MNC, ITK, AFN, and other organizations and people representing Indigenous interests were consistently, and from the start, clear that they should have official seats on the working groups, with full decision-making power, this did not happen because representatives of one or two provinces actively blocked this from happening. Because individual decision-makers representing a small group of provinces did not want Indigenous Peoples on the working groups, it was decided, as a work-around, to have the working groups meet regularly with MNC, ITK, and AFN leadership.

**There are many important conclusions to be drawn from this analysis of the PCF development process.**

In several places in the PCF, the importance of Indigenous Peoples as leaders in addressing climate change is acknowledged. For example, in the forward of the PCF, it states that “We acknowledge and thank Indigenous Peoples across Canada for their climate leadership long before the Paris Agreement and for being active drivers of positive change” (2016, n.p).

However, in the process of developing the PCF, Indigenous Peoples’ agency was ignored and disrespected by the government’s refusal to bring us to the working group tables.

Similarly, in the working groups’ final reports and the PCF itself, it is made clear that including and respecting Indigenous knowledges is key to tackling the climate crisis. The Principles listed at the beginning of the PCF include: “recognizing the importance of Traditional Knowledge in regard to understanding climate impacts and adaptation measures” (2016, p.3).

Yet, Indigenous knowledges were systematically excluded, through not allowing Indigenous Peoples to participate in the working group tables as full partners.

The Trudeau government has repeatedly made statements expressing their commitment to deepening the relationships with Indigenous Peoples. Trudeau has said, “No relationship is more important to Canada than the relationship with Indigenous Peoples. Our Government is working together with Indigenous Peoples to build a nation-to-nation, Inuit-Crown, government-to-government relationship – one based on respect, partnership, and recognition of rights” (PMO, 2017). And indeed, the PCF reiterates the federal government’s “commitment to renewed nation-to-nation, government-to-government, and Inuit-to-Crown relationships with First Nations, the Métis Nation and Inuit, based on the recognition of rights, respect, cooperation, and partnership” (2016, p. 4). However, by failing to include Indigenous Peoples in the government FTP-only working groups, they were clearly and explicitly not respecting Indigenous Peoples’ right to self-governments. **In the process of developing the PCF, Indigenous Peoples were treated more like interest groups and stakeholders, rather than as sovereign entities.**

This erasure of Indigenous self-determination and blatant violation of the commitment to Nation-to-Nation, Inuit-Crown, government-to-government relationships is also evidenced in wording used in the PCF and the working group final reports. For example, in the preamble of the Final Report of the Clean Technology, Innovation and Jobs Working Group, it is stated that “efforts to coordinate and focus this work must go beyond governments and involve industry, stakeholders, academia and Indigenous Peoples” (2016, p. vi). Here, Indigenous Peoples are lumped in, not with governments, but with stakeholders, industry and academia. This failure is not just poor process, it constitutes a violation of Indigenous Peoples’ rights to self-determination and to free, prior, and informed consent.

In May 2016, around the same time the PCF was being developed, the [Minister of Indigenous and Northern Affairs announced](#) that Canada was now “a full supporter, without qualification,” of the United Nations Declaration on the Rights of Indigenous People (UNDRIP).

Article 3 of UNDRIP states that “Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development” (United Nations, 2007, p. 4). Article 18 further states that “Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions” (ibid, p. 8). And furthermore, in Article 19, it is made clear that “States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them” (ibid, p. 8).

The process by which the PCF was developed constitutes a clear violation of Indigenous rights as affirmed by UNDRIP.

For the federal government to begin to walk its talk on equitable relationships and upholding procedural rights under UNDRIP, it would have meant, at the very least, including Indigenous Peoples in the working groups as equal partners. This was not done. Indigenous rights to self-determination were further violated by adopting and implementing legislative and administrative measures that may affect us without obtaining free, prior, and informed consent (FPIC). **The working group consultations that took place with AFN, ITK and MNC were not consent-based.** While AFN, ITK and MNC were given regular updates and were asked for input, there was no clarity on how their contributions would be incorporated. This process was not created through anything resembling consent of Indigenous Peoples. Furthermore, there were no processes put in place to ensure that AFN, ITK and MNC were meaningfully gathering input about the PCF from the Indigenous Peoples they purportedly represent. **This effectively allowed Canada to bypass Indigenous communities and Nations, misleading the public about the involvement of Indigenous Peoples in climate strategy and creating a facade of FPIC** (Diabo, 2017).

It is important to note that in order to respect the procedural rights set out in UNDRIP, any government consultation, engagement, or process of obtaining FPIC needs to allow for an Indigenous community to select its own representatives to deal with government, according to the Indigenous community’s decision-making procedures. These procedures will not necessarily be Indian Act Chief and Council elections, or other state-sanctioned processes for selecting local or regional leadership of government-recognized organizations.

This is particularly important in the context of climate change, which is a land-based issue. It is unreasonable to expect that, for example, AFN can represent hundreds of culturally and linguistically distinct Nations spanning the breadth of a continent on an issue where impacts, experience, and knowledge are intimately tied to their unique territories. Knowledge and recommendations from different Indigenous communities and Nations are going to vary greatly, and that input can’t be centralized through National Indigenous Organizations (NIOs).

**Consultations solely through national-level Indigenous organizations is simply not sufficient to meet the Federal government’s commitments to implement UNDRIP Articles 3, 18, and 19.**

For climate policy to be created in ways that respect Indigenous communities and Nations’ rights to free, prior and informed consent, there needs to be engagement beyond the NIOs.

The PCF process has not only violated Indigenous rights, but also conflicts with many of the calls to actions coming from various government reports. Over and over the Canadian federal government has conducted expansive and expensive inquiries that produced a wealth of recommendations about how they can and should improve relations with Indigenous Peoples. In the 1990s, the Royal Commission on Aboriginal Peoples (RCAP) was established by an Order in Council and was mandated to “investigate and propose solutions to the challenges affecting the relationship between Aboriginal peoples...the Canadian government and Canadian society as a whole” (RCAP, 1996, n.p.). The final report from the commission stated that

The time has come...to start afresh, to put the relationship [Indigenous Peoples and Canada] on a more secure foundation, based on the following four principles: A) mutual recognition (three facets of which are equality, co-existence and self-government); B) mutual respect; C) sharing (based on the long overdue recognition that Canada’s past and present prosperity rests on a relationship of sharing extended by Aboriginal peoples); and D) mutual responsibility (involving the transformation of a colonial relationship into a partnership with joint responsibility for the land). (1996, n.p.)

These principles are not reflected in the process by which the PCF was developed.

Decades after RCAP, another commission, the Truth and Reconciliation Commission (TRC) was launched to advise the Canadian government on righting relations with Indigenous Peoples.

The Truth and Reconciliation Commission (TRC) states:

We call upon federal, provincial, territorial, and municipal governments to fully adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples as the framework for reconciliation (Call to Action 43).

We call upon the Government of Canada to develop a national action plan, strategies, and other concrete measures to achieve the goals of the United Nations Declaration on the Rights of Indigenous Peoples (Call to Action 44).

We call upon federal, provincial, territorial, and municipal governments to repudiate concepts used to justify European sovereignty over Indigenous peoples and lands, such as the Doctrine of Discovery and *terra nullius*, and to reform those laws, government policies, and litigation strategies that continue to rely on such concepts (Call to Action 47). (2015, p. 4-5)



Our analysis shows again and again that the process by which the PCF was developed has reproduced colonial, unjust relations through the development of climate policy and plans that violate Indigenous rights to self-determination and FPIC. Furthermore, there was blatant disregard of the many recommendations from Commission inquiries and even the principles laid out in the Vancouver Declaration itself to “strengthen the collaboration between our governments and Indigenous Peoples on mitigation and adaptation actions, based on recognition of rights, respect, cooperation, and partnership” were disregarded (PCF, 2016, p. 3).

The procedural injustice in the crafting of the PCF was closely observed and fiercely contested by the NIOs and Indigenous Peoples across so-called Canada, as shown in the statements made by NIOs cited above. In response, [three Senior Level Bilateral Tables](#) were launched in 2017 between the federal government and each of the three NIOs.

It is unclear whether these bilateral tables are leading to more just, decolonial climate policy processes. From what we can tell, the HEHE was drafted through even less engagement with Indigenous Peoples than was the PCF.

The process by which the PCF was developed shows a glaring disregard for the TRC recommendations. The Canadian federal government clearly acted under the assumption that they hold sovereignty over Indigenous Peoples and lands, and as shown above, the PCF process clearly violated UNDRIP.

## 3.2 The HEHE Development Process

The relative transparency offered in the PCF document about how the plan was developed enabled us to provide the analysis above. For example, the PCF explained its plan had been drafted through the four working groups who each consulted in various ways with NIOs. In contrast, the HEHE document does not provide any explanation of how it was developed and by who. Nor was there any indication that Indigenous Peoples had been consulted.

As we explain in the section below, the wording around Indigenous Peoples, our rights and our leadership is stronger in the HEHE than it was in the PCF. However, there appears to be no evidence that the promises made in the PCF to start working in real partnership, on the basis of Nation-to-Nation, Inuit-Crown, government-to-government relationships going forward happened in the process of developing the HEHE. **To the contrary, it seems that Indigenous Peoples, Nations, communities, and organizations were represented less in the drafting of the HEHE than in the PCF.**

The ways that the PCF has perpetuated ongoing colonial relations in Canada is not just evidenced in the process by which the framework was developed. It can also be seen in the content of the framework. We critically analyse each of the main pillars of the two plans, in turn, in the following section. But first we overview how Indigenous Peoples, our knowledge, rights and leadership are discussed in the two plans.

## 4. Analysis of the Contents of these Climate Plans and Policies

### 4.1 Mentions of Indigenous Peoples and our Rights in the PCF

The term “Indigenous” appears 83 times in the 78-page PCF plan and 98 times in the 79-page HEHE document. This indicates that the people drafting these plans understood the importance of *mentioning* Indigenous Peoples in relation to climate action and policy in Canada. But as shown, both plans lacked any substantive action toward inclusion of Indigenous Peoples within their development. Essentially, these mentions appear to be little more than lip service in place of the fiduciary obligations of the federal government to engage in meaningful consultation and accommodation.

In the forward of the PCF document, it states:

In the Paris Agreement, Parties agreed that they should, when taking action to address climate change, recognize and respect the rights of Indigenous Peoples. As we implement this Framework, we will move forward respecting the rights of Indigenous Peoples, with robust, meaningful engagement drawing on their Traditional Knowledge. We will take into account the unique circumstances and opportunities of Indigenous Peoples and northern, remote, and vulnerable communities. We acknowledge and thank Indigenous Peoples across Canada for their climate leadership long before the Paris Agreement and for being active drivers of positive change. (2016, n.p.)

This paragraph acknowledges the need to engage “robustly” with Indigenous Peoples. It names Indigenous knowledge as valuable to climate policy and plans and that Indigenous Peoples are leaders in taking action on climate change. However, as illustrated in the next section, it appears these are empty sentiments. There is a clear absence of the inclusion of Indigenous knowledges and approaches to climate change in the PCF.

Not only did the drafting of the PCF not constitute “robust engagement,” Indigenous Peoples were structurally excluded from the process by which the document was developed.

Indigenous rights are mentioned six times in the PCF document, and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), including the right to “free, prior and informed consent” (FPIC) is evoked once. With that said, neither UNDRIP nor FPIC were integrated in any meaningful way into the actual policies and plans that are included in the PCF (CANRAC, 2019). Further, the process by which the PCF was developed was carried out in ways that did not provide Indigenous Peoples with opportunities to give or withhold consent about the framework.

While UNDRIP was mentioned, other sources of Indigenous rights, such as inherent, Treaty, and constitutional rights were not mentioned at all. Put simply, Indigenous rights were mentioned repeatedly in the PCF but appear to have had no influence on the actual policies and plans developed.

Along similar lines, the PCF recognizes that Indigenous Peoples will be and are disproportionately impacted by climate change. It states:

Indigenous Peoples, northern and coastal regions and communities in Canada are particularly vulnerable and disproportionately affected. Geographic location, socio-economic challenges, and for Indigenous Peoples, the reliance on wild food sources, often converge with climate change to put pressure on these communities. Much has been done to begin addressing these challenges, including by Indigenous Peoples. (2016, p. 1)

Despite these words put forward by the PCF, it fails to recognize the ways that the Canadian state continues to systematically and actively place Indigenous Peoples in a vulnerable position through ongoing colonial relations, land dispossession, impacts of extractive industries and failure to take meaningful action on climate change (O'Manique, 2017). As our analysis of the four pillars shows, there is a notable lack of initiatives in the PCF aiming to address the disproportionate burden Indigenous Peoples are enduring from climate change and the extractive industry. Further, many of the policies and plans in the PCF serve to reinforce and/or exacerbate these systemic inequities and injustices.

Indigenous rights were mentioned repeatedly in the PCF but appear to have had no influence on the actual policies and plans developed.

## 4.2 Mentions of Indigenous Peoples and our Rights in the HEHE

The HEHE also makes repeated mention of Indigenous Peoples and our rights. Like the PCF, the HEHE acknowledges that while “[g]reenhouse gas emissions originating from Indigenous communities are modest... the impacts of climate change on Indigenous peoples are disproportionately greater” (2020, p. 67). The HEHE, much like the PCF, includes acknowledgement of climate injustice and the “unique circumstances” Indigenous Nations and communities face, but fails to recognize the ways that the Canadian state has created these conditions.

Canada continues to systematically and actively place Indigenous Peoples in these “unique circumstances” and *vulnerablized* positions through ongoing colonial relations, land dispossession, impacts of extractive industries, and a consistent failure to take meaningful action on climate change.

Not only is the federal government not taking responsibility for the ongoing colonial relations that are driving the disproportionate impact of climate change on Indigenous Nations and communities, but wording in the HEHE places the burdens for fixing these impacts on Indigenous People themselves. For example, on page 67,

the HEHE states that the federal government “will help ensure that Indigenous peoples have the tools and resources *they need to address* the disproportionate impacts of climate change experienced by First Nations, Métis and Inuit across Canada” (emphasis added).

“Indigenous knowledge” is mentioned two times in the new plan and the importance of Indigenous leadership is emphasized repeatedly in wording, such as: “Indigenous rights-holders, and their representatives and organizations are critical partners to conversations about addressing climate change at all levels of Canadian society, and have demonstrated their commitment to advancing positive climate outcomes through Indigenous-led solutions” (2020, p. 67).

The HEHE mentions UNDRIP and Indigenous Peoples’ rights to free, prior, and informed consent precisely one time (exactly the same number as in the PCF), but again the process by which this plan was developed did not provide Indigenous Peoples opportunities to give or withhold consent about the plan. And again, while UNDRIP was mentioned, other sources of Indigenous rights, such as inherent, Treaty, and constitutional rights were not mentioned at all.

Despite these commonalities with the PCF, there are several notable differences in the ways Indigenous Peoples were discussed in the new plan. Where Indigenous Peoples’ rights to self-determination was not mentioned at all in the PCF, Indigenous self-determination is mentioned five times in the HEHE. There are other examples of strengthened wording in terms of recognizing Indigenous leadership and Indigenous-led climate solutions, such as commitments to working in direct partnership and other promises to work together on an equal footing going forward. For example, on page 69, it states,

[r]ecognizing Indigenous climate leadership means investing in the agency of Indigenous peoples and communities, supporting Indigenous-led and delivered solutions, equipping Indigenous peoples with equitable resources, and ensuring appropriate access to funding to implement self-determined climate action” and that “to help support Indigenous peoples advance their climate priorities and adapt to the changing climate, the Government of Canada is committed to renewed nation-to-nation, Inuit-to-Crown and government-to-government relationships with First Nations, Inuit, and Métis peoples, based on the recognition of rights, respect, cooperation, and partnership.

Furthermore, the HEHE claims to build on the *foundational principles of Indigenous climate leadership*, which they outline as including,

Respecting and promoting self-determination; Advancing early and meaningful engagement; Incorporating inclusiveness-by-design principles in all of its climate actions; Advancing co-development and other collaborative approaches to find solutions; Creating a space for Indigenous voices across and within distinctions; Positioning Indigenous peoples to have a say at governance tables; and Supporting Indigenous approaches and ways of doing, by acknowledging traditional, local, and Indigenous Knowledge systems as an equal part in policy development, programs, and decision-making. (2020, p. 69-70)

While these appear to be progress towards decolonizing and Indigenizing climate policy in Canada and are indeed something to acknowledge and celebrate, we must be cautious. The PCF repeatedly committed to working with Indigenous Peoples in real ways going forwards, and then proceeded to draft the HEHE with even less consultation with Indigenous Peoples than they did for the PCF. There is evidence that the federal policy makers are getting better at their choice of words, but it remains to be seen whether this is translating to actual action.

It is one thing to claim to respect Indigenous Peoples’ rights to self-determination, it’s another altogether to actually respect Indigenous Peoples and our rights in the actual drafting and implementation of policy.

### 4.3 Analysis of the Main Pillars of the Two Plans

PCF Pillars	HEHE Pillars
1. Pricing Carbon Pollution	1. Making the Places Canadians Live and Gather More Affordable by Cutting Energy Waste
2. Complementary Actions to Reduce Emissions	2. Making Clean, Affordable Transportation and Power Available in Every Canadian Community
3. Adaptation and Climate Resilience	3. Continuing to Ensure Pollution Isn’t Free and Households Get More Money Back
4. Clean Technology, Innovations and Jobs	4. Building Canada’s Clean Industrial Advantage
	5. Embracing the Power of Nature to Support Healthier Families and More Resilient Communities

Table 2: Main pillars of the two plans. Colouring represents overlap in content across the respective plans’ pillars.

#### 4.3.1 Carbon Pricing

Carbon pricing is a central component of Canada’s approach to climate policy and is at the heart of both the PCF and the HEHE. The PCF refers to putting a price on carbon as “the most effective, transparent, and efficient policy approach to reduce [greenhouse gas] GHG emissions” (2016, p. 7). This pillar of the PCF is only documented in a mere two pages and does not provide much detail on Canada’s carbon pricing policies and plans. Rather, we had to look elsewhere to find enough detailed information about the policies to analyse them.

Indigenous Peoples are mentioned three times in the carbon pricing section of the PCF. The last of eight principles listed to guide the pan-Canadian approach to carbon pricing states that “[c]arbon pricing policies should include revenue recycling to avoid a disproportionate burden on vulnerable groups and Indigenous Peoples” (2016, p. 8). It also mentions that “[t]he federal government will also engage Indigenous Peoples to find solutions that address their unique circumstances, including high costs of living and of energy, challenges with food security, and emerging economies” (2016, p.8).

The first thing to note about this carbon pricing pillar is that provinces/territories are given the autonomy to design their own carbon pricing policies through equivalency agreements; they are supposed to receive all the revenue generated by carbon pricing in their “jurisdiction.” The autonomy of Indigenous communities and Nations to do the same is not recognized, but instead communities and Nations are subsumed within whatever carbon pricing policies are adopted by the province or territory they are in. This is a blatant erasure of Indigenous sovereignty, a violation of the Indigenous right to self-determination and another example of how the PCF disregards the government’s commitments to government-to-government, Inuit-Crown, and Nation-to-Nation relationships.

In 2019, as the federal and Saskatchewan governments were facing off in court over Saskatchewan’s failure to implement a carbon pricing program that meets the federal benchmark, the Athabasca Chipewyan First Nation (ACFN) intervened in the case arguing that Saskatchewan, in introducing its climate framework without consulting any First Nations, violated ACFN’s Section 35 rights, and Saskatchewan’s failure to adopt an effective climate change plan violated ACFN’s rights given the severe impacts that climate change poses to their community (Barrera, 2019).

### **What is Carbon Pricing?**

Carbon pricing refers to programs that involve attaching monetary value to units of carbon dioxide pollution. These can include carbon taxes; cap-and-trade; carbon offsets; REDD+ (Reducing Emissions from Deforestation and Forest Degradation) and cap-and-dividend; baseline and credit; baseline and offset, and so on (Gilbertson, 2017). The PCF includes two approaches to carbon pricing: carbon tax and cap-and-trade.

A carbon tax refers to a tax placed on greenhouse gas (GHG) pollution through surcharges on carbon-based fuels and other sources of pollution, such as industrial processes. The idea here is that carbon taxes increase the price of polluting fuels and processes. In theory, this creates incentives for households, businesses, and industry to choose cleaner options, which drives the demand for energy-efficient products, and also helps spur innovation and investment in green solutions ([DSF, n.d., n.p.](#)).

In a cap-and-trade system, on the other hand, a government can put “a firm limit, or cap, on the overall level of carbon pollution from industry and reduces that cap each year in order to reach a set pollution target” (DSF, n.d., n.p.). The total amount of emissions is left in the hands of polluting industries to report. At the same time, “pollution quotas” are handed out or auctioned off by the government to polluters within that system. The polluters then trade these quotas amongst themselves, allowing emissions to be “cut” wherever that can be done most cheaply. **This essentially creates a market in which to buy and sell the right to pollute.**

Additionally, the price of quotas is determined by the market. Under most cap and trade systems, polluters can buy additional carbon credits from external jurisdictions and this can involve carbon offsets (Gilbertson, 2017). The theory behind cap-and-trade is that it will create an incentive for firms to reduce their emissions and therefore be able to sell rather than purchase pollution quotas (DSF, n.d.,n.p.).

A significant problem with carbon pricing schemes is that they can have greater economic impact on low-income individuals and families compared to those with higher income (Lee, 2011). In 2010, the Canadian Centre for Policy Alternatives estimated that the BC carbon tax represented 1.3% of income for low income households, but only 0.3% of income for households in the top tenth of the population decile (Lee, 2011).



### Canada's Carbon Pricing Plan

In October 2016, the Prime Minister announced the Pan-Canadian Approach to Pricing Carbon Pollution (the federal benchmark), which gave provinces and territories the flexibility to develop their own carbon pollution pricing system and outlined criteria all systems must meet. The PCF's benchmark outlines the carbon pricing systems that are acceptable, including a carbon tax or a cap-and-trade system. The government also committed to implementing a federal carbon pollution pricing system (i.e. the Backstop) in provinces and territories that request it or do not have their own carbon pollution pricing system that meets the federal benchmark. Provinces and territories were given until September 1, 2018 to outline their plans. The stringency of each of the provincial and territorial systems was assessed against the federal benchmark stringency criteria (Government of Canada, 2019). The overall approach is set to be assessed in 2022.

In June 2018, the Greenhouse Gas Pollution Pricing Act was adopted. This Act includes a carbon trading system for large industry (Government of Canada, 2019). Some major industrial emitters, instead of being covered by the pricing system, are covered instead by the federal output-based pricing system (OBPS), which applies a carbon price only to emissions above a certain threshold. The OBPS is ostensibly intended to preserve "competitiveness," but ultimately serves as an excuse for heavy emitters to decarbonize slower than the rest of the economy (Lee & Mertins-Kirkwood, 2020).

British Columbia, Quebec, Nova Scotia, Prince Edward Island, Newfoundland and Labrador, and the Northwest Territories have their own systems and are “either already implementing or are on track to implement carbon pollution pricing systems that meet the federal benchmark” (Government of Canada, 2019). In Saskatchewan, Ontario, Manitoba, Alberta, New Brunswick, Yukon, and Nunavut, the federal government has implemented the federal fuel charge (ibid.). In Ontario, Manitoba, New Brunswick, Prince Edward Island, and partially in Saskatchewan, there is also a federal pricing system for industry (ibid.).

In terms of where carbon pricing revenue goes, provinces and territories that voluntarily adopted their own carbon pricing systems “receive these proceeds directly from the federal government and can decide on how to use them” (Government of Canada, 2019). For provinces that have not committed to pricing carbon pollution (Ontario, New Brunswick, Manitoba, Saskatchewan and Alberta), “the federal government will return the majority of direct proceeds (approximately 90%) from the fuel charge directly to individuals and families in the form of tax-free Climate Action Incentive payments” (ibid.).

The BC carbon tax is viewed as one of the most developed amongst the Canadian provinces; it has a higher starting benchmark than most other provinces. It also includes government intervention, specifically, to remove the burden of the tax on Indigenous and low-income individuals and communities (PCF, 2016).

### **The Impacts of Carbon Pricing on Indigenous Peoples in Canada**

The final report of the Carbon Pricing working group of the PCF states that representatives of AFN, MNC and ITK that were consulted had “emphasized that climate action should support, rather than jeopardize, the well-being of Indigenous communities” (2016, p. 2). The report also makes clear that “Indigenous representatives explained the need for governments to respect the principles of the United Nations Declaration on the Rights of Indigenous peoples, and to take into account Indigenous rights and interests in the development of all climate change-related policies. The importance of establishing Free, Prior, and Informed Consent was particularly highlighted for guiding all local, provincial, and national interactions with Indigenous peoples” (p. 32).

There is no evidence that these demands were heeded in the actual drafting of the PCF’s carbon pricing policies. Only aspirational wording is included in Pillar One where Indigenous rights and the potential of the disproportionate impacts of carbon pricing on Indigenous Peoples is mentioned. Furthermore, in lieu of using the word “commitment” in the PCF policy, non-committal words and phrases, such as “should,” “the need for,” and “will find solutions” are used.

Since Indigenous Peoples have lower median income than non-Indigenous Canadians (Bubna-Litic & Chalifour, 2012), the impact of a carbon tax on Indigenous communities and Nations is of significant concern.



For example, in BC, prior to the current pricing regime that came into force, the provincial government created a low-income tax credit to help reduce the impact of the carbon tax on low-income individuals and families. This tax credit was set to increase by 15.5% over the first five years of the tax, however, the tax itself increased by 150% over that same period (Lee, 2011). Further, given that many Indigenous Peoples don't earn enough income in the first place to pay income tax, tax credits cannot benefit them, and as such, are a useless intervention for the most vulnerable (Bubna-Litic & Chalifour, 2012).

First Nations (or more specifically, most "registered Indians") are exempt from paying the tax on fuel when the purchase of the fuel happens on reserve land. However, the majority of First Nations people in BC live off reserve, and so that exemption does not benefit them. Of particular concern are the potential *indirect* costs of the carbon tax on these Nations, such as how the carbon tax leads to increasing food prices (Bubna-Litic & Chalifour, 2012). According to one high ranking public servant we spoke with, there have been studies done on the indirect effects of a carbon price on consumables like food, but it has proved to be very difficult to properly account for these. This puts into question whether the aforementioned interventions to reduce the impact of the carbon tax on Indigenous Peoples are effective or sufficient. Further, it demonstrates clearly how the carbon tax is expected to be paid for by consumers and not the polluting corporations. This calls into question the objective of the tax.

Most of the government interventions in BC put in place to protect Indigenous Peoples and low-income communities from being disproportionately affected by the carbon tax do not seem to be working, but at least in BC there is discussion of reducing the regressivity of the tax. According to the public servant cited above, the PCF, while requiring all provinces to adopt carbon pricing mechanisms, does not require any intervention to reduce the impacts of the mechanism on Indigenous and low-income communities.

Some First Nations have negotiated exemptions from carbon pricing on reserves (e.g. Alberta), but other provinces have not necessarily followed suit (Six Nations Council, n.d.). Ontario does not have this exemption and First Nation citizens there are reporting increased hydro bills, natural gas, and auto gas prices (Six Nations Council, n.d.). The exemptions that have been successfully negotiated are in provinces that have developed and implemented their own carbon pricing regimes. In the backstop jurisdictions – the provinces where the federal government has implemented the carbon pricing system – there are no such exemptions for Indigenous communities and Nations despite there being some exemptions for farmers, fishers, and some northern communities.

Indigenous Peoples face the full force of the regressive policies without any interventions to reduce or mitigate this impact.

It is important to note that any real policy to reduce emissions is going to increase fuel and other costs, and this can have a disproportionate burden on Indigenous Peoples. However, as climate policy expert Marc Lee argues, carbon pricing could be a huge benefit if the revenues are used in a progressive manner to address issues facing low-income households or Indigenous communities (personal correspondence, 2020). Presently, they are not.

Currently in the backstop provinces, 90% of the revenues made from the carbon tax are returned to households. The remaining 10% goes into a category that is split between small and medium businesses (2/3 of the 10%) and the remaining 1/3 of 10% goes to municipalities, universities, schools, hospitals, and Indigenous communities (Forrest, 2018). This further demonstrates that as climate impacts are impacting Indigenous Peoples disproportionately, it seems that carbon pricing-based climate policy is doing so as well.

**The HEHE’s plan to significantly increase the price of carbon pollution has been widely applauded, but the major implications this may have on Indigenous Peoples urgently needs to be considered.** In addition, there is no clear plan for how revenues generated from carbon taxes will be equitably distributed in ways that mitigate the disproportionate impact of carbon pricing and the climate crisis on Indigenous Nations and communities.

### **Impacts of Carbon Pricing on Indigenous Peoples around the World**

As mentioned in Section Two, there is a 79 mega tonnes gap between the amount of carbon emissions reduction the PCF policies can drive and the actual reductions target set by the federal government. This gap is likely to be bridged through the purchasing of credits or offsets (Wilt, 2016). This is very problematic given that there is much evidence showing that carbon offset schemes are not actually reducing emissions but are actually increasing global inequality by violating human rights of local communities and Indigenous Peoples (Glibertson, 2017; see also Goldtooth, 2010; Dillon, 2015).

For some, carbon offsets and related schemes are being described as a “new form of colonialism” (Indigenous Environmental Network, 2010). Indigenous Peoples around the world have been mobilizing and attending international climate negotiations to defend our lives, lands and rights from these so-called “climate solutions.”

Carbon offsets are purchased by polluting companies so that they can avoid reducing their own emissions and instead support carbon sequestration projects elsewhere.

Given that intact forests sequester carbon and most of the world’s forests are found in Indigenous Peoples’ territories, many offset projects are being implemented on Indigenous lands and in many of these programs, implementation is leading to “land grabs, killings, violent evictions and forced displacement” of Indigenous Peoples (Goldtooth, 2010).

Carbon offset schemes have been leading to sources of revenue to coastal First Nations (e.g. BC) and in some contexts these schemes are welcomed by and of benefit to Indigenous communities (Dillon, 2016). However, in many parts of the world, putting a price on carbon is incentivizing the removal of Indigenous Peoples from our traditional lands and territories and increasing corporate control over the forests (Dillion, 2016). Indigenous Nations and communities are often pressured into signing contracts around carbon offsets and are not informed that the objective of the contract is to facilitate the continued pollution rights for industries and business sectors in other parts of the world (Gilbertson, 2017). Indigenous Peoples’ right to free, prior and informed consent is

rarely upheld by conservation NGOs, aid organizations, carbon brokers, corporations and governments in the negotiation and implementation of these programs (Indigenous Environmental Network & Climate Justice Alliance, n.d.). Indeed, **it's been shown that carbon offset schemes such as REDD result in violations of UNDRIP Articles 10, 26, 27, 28, 29, 30, and 32, while leading to the criminalization of Indigenous agriculture and lifestyles** (Indigenous Environmental Network, 2010).

The commodification of forests is leading to benefits for wealthy, polluting countries and corporations - oil companies are actively lobbying in favour of the carbon markets - while eroding the ability of local communities and Indigenous Peoples to continue to sustain themselves in these ecosystems. Commodifying forest carbon is inherently inequitable since it discriminates against people who had previous free access to forest resources but cannot afford to buy forest products or alternatives (Indigenous Environmental Network, 2010).

As Tom Goldtooth has argued

Carbon trading, offsets and other market-based systems...turn the sacredness of our Mother Earth's carbon-cycling capacity into property to be bought or sold in a global market.... Carbon trading will not contribute to achieving protection of the Earth's climate. It is a false solution with many risks, including the dangers of entrenching and magnifying social inequalities and human rights abuses. From the Indigenous mindset, it is a violation of the sacred, plain and simple. (quoted in Dillon, 2015, n.p.)

The PCF and the HEHE's focus on market-based climate solutions is driving the disproportionate impacts of carbon pricing on Indigenous Peoples in Canada. Furthermore, carbon offset schemes that are also part and parcel of market-based climate solutions are driving violations of Indigenous Peoples' rights across the globe. Meanwhile, it's not even clear that market-based schemes are capable of achieving the scale of reductions of emissions necessary.

The HEHE proposes a new Federal Greenhouse Gas Offset System which Lee and Mertins-Kirkwood describe as a

get-out-of-jail-free card for heavy industrial emitters because it allows them to purchase credits from other emissions-reduction initiatives rather than reducing emissions themselves. Canada has long been attracted to 'solutions' that do not require the country to fundamentally change how it does business. Offsets have long been criticized for supporting initiatives that would have happened anyway or that do not provide durable, long-term emission reductions. (2020, n.p.)

It appears that both the HEHE and the PCF rely heavily on carbon pricing mechanisms which, as we've argued above, are questionably effective and decidedly unjust.

#### **4.3.2 Complementary Actions to Reduce Emissions**

The second pillar of the PCF centres on complementary actions that can be taken to further reduce emissions within the following sectors: transportation, electricity, industry, forestry, agriculture and waste, government leadership, and international leadership. Proposed actions include: increasing renewable and non-emitting energy sources; improving the energy efficiency of new and old buildings; investing in public transit infrastructure; reducing methane and hydrofluorocarbon emissions from the oil and gas sector; protecting

carbon sinks; setting more ambitious government targets; and acquiring internationally transferred mitigation outcomes, amongst others.

The HEHE reframes these kinds of emissions reductions efforts in two sections: “Making the Places Canadians Live and Gather More Affordable by Cutting Energy Waste” (focusing on energy efficient homes and buildings) and “Making Clean, Affordable Transportation and Power Available in Every Canadian Community” (increasing supplies of clean energy and cleaner modes of transportation).

The second PCF pillar mentions Indigenous Peoples notably more than in the Carbon Pricing Pillar, including multiple mentions related to reducing remote Nations’ reliance on diesel as a fuel source. Indigenous communities are also identified as having particularly pressing housing concerns that would be addressed by increasing the efficiency standards of new and existing buildings. The importance of partnering with Indigenous Peoples to design programs for this sector is also mentioned. Despite these statements, **the actions proposed in this pillar ignore the realities of Indigenous communities and Nations, negatively impacting us and violating Indigenous rights.**

For example, much of the transport-related action promoted in the PCF revolves around electric vehicles and public transit as a low emitting mode of transportation. These climate solutions fail to address the realities of many remote and northern Indigenous communities and Nations where public transport is generally not viable, has never existed or has been abandoned (Nutley, 2003). The PCF’s focus on increasing the number of zero-emission private vehicles on the road is another climate solution that excludes Indigenous Peoples living in remote places where charging stations are few and far between (Ghaosh, 2017).

Additionally, the prohibitive costs of purchasing an electric car renders this climate solution inaccessible to many. We mention this not to discourage the promotion of electric vehicles, but rather to point out that many of the climate solutions presented in the PCF and the HEHE are not designed with low income and remote communities in mind and championing these “solutions” is misleading. **This all brings into focus the important questions of whose needs and realities Canadian climate policy solutions are meant to serve.**

Both plans emphasize the need to support remote Indigenous communities and Nations in transitioning away from diesel. The claim is made in the PCF that “investing in clean energy solutions will advance the priorities of Indigenous Peoples” (2016, p. 12). Supporting Indigenous clean energy leadership is of the utmost importance, but it is not clear how the PCF and the HEHE are positioning themselves to do that.

While there are incredible Indigenous-led clean energy projects happening on the ground in communities across the country (e.g. [Indigenous Clean Energy](#) and [Sacred Earth Solar](#)), it’s been shown that renewable energy policy and programming in Canada systematically excludes Indigenous Peoples. One study exposed how a mere 14% of provincial and territorial renewable energy programs make any reference to Indigenous rights and only 18% of programs consulted or included Indigenous Peoples in their development (A SHARED Future Research Team, 2019).

The problems centre on two key concerns. First, in terms of outcomes, renewable energy policy and programming fails to acknowledge Indigenous contexts as unique and demonstrates a widespread neglect and/or ignorance of Indigenous issues and Indigenous rights. Second, in terms of process, even when Indigenous peoples are recognized and specified as potential stakeholders, partners, or beneficiaries, this is mostly in terms of tokenistic recognition that rarely impacts the policy and programming development process...In this regard, it is overwhelmingly clear that provincial/territorial policy and programming related to renewable energy in Indigenous contexts is in dire need of significant overhaul. (A SHARED Future Research Team, 2019, n.p.)

The PCF has perpetuated this trend of excluding Indigenous Peoples from renewable energy policy and programming. In the introduction to Pillar Two it states that “Indigenous Peoples will be involved in defining and developing policies to support clean energy in their communities” (2016, p. 10). However, Indigenous Peoples were not included at the decision-making table to “define and develop” this very plan to reduce emissions, nor the plan that followed it.

Meanwhile, there are indications that **these federal climate plans allow for, and even promote, certain forms of energy that are far from clean, and actually contribute to environmental injustice and the violation of Indigenous rights.**

One source of electricity promoted by the PCF and the HEHE as a “non-emitting” climate solution is hydroelectricity.

Hydro dams have been shown to destroy carbon sinks in wetlands and oceans, deprive ecosystems of nutrients and destroy habitats, increase sea levels and depend on the displacement of local, often Indigenous communities (Indigenous Environmental Network & Climate Justice Alliance, n.d.).

There is also a link found between building dams and higher levels of toxic methylmercury in fish and mammals, including humans (Wilt, 2016). Hydro reservoirs have even been shown to release high levels of carbon dioxide and methane (Indigenous Environmental Network & Climate Justice Alliance, n.d.). Additionally, much of the hydro development in Canada has taken place in Indigenous territories in the North, adding social injustice to this list of impacts.

Hydro development in Northern Manitoba, for example, has led to devastating ecological and social impacts in Cree territories. Benefits are accruing to southern Manitobans while the costs are being borne by the Cree Nations in the North (kulchyski, 2012). Although the Cree Nations’ opposition efforts have been strong, united and generated enough public support within the province to force a modern treaty on Manitoba Hydro, the terms of this agreement have been systematically violated by the province (kulchyski, 2012).

In Quebec hydro development has disproportionately impacted Indigenous communities and Nations. Co-author of this report, Jen Gobby, interviewed an Indigenous person, who explained, “the current Quebec hydro

grid caused the removal of both Cree and Inuit from their ancestral territories” (2020). Another interviewee explained that “vast areas were flooded, people were displaced, wildlife was impacted, and the land upon which they relied, and their ways of life, were permanently altered. This is an ‘out of sight, out of mind’ consequence in Quebec’s claim to green energy” (2020).

A third interviewee made clear that one needs to “recognize the impact that being renewable in Quebec has had on other people. [Settlers] did that at the cost of Indigenous Peoples’ land, burial sites, traditional hunting sites” and “without understanding these historical processes, you contribute to the erasure. Especially now that a lot of the hydro facilities need to be revitalized and refurbished.” Indeed, currently many hydro dams across Canada are coming to the end of their life cycle and will need to be refurbished. This raises critical questions of consent, environmental racism, uneven impacts, and what counts as “clean energy.”

Towards the end of the PCF, there is a list of key actions to date from various provinces and territories. This list celebrates that “B.C.’s electricity is already 98% clean or renewable...Going forward under the Climate Leadership Plan, 100% of the supply of electricity acquired by BC Hydro for the integrated grid must be from clean or renewable sources. The \$8.3 billion Site C Clean Energy Project is a major part of B.C.’s clean energy future and will create enough electricity to power 450,000 homes” (2016, p. 53). The Site C project has been fiercely resisted by the Indigenous Peoples in Treaty 8 territories surrounding the site and has been shown to pose massive ecological and social impacts (Cox, 2018). Yet, Site C is applauded in the PCF as a success in climate action.

To refer to hydro as a clean energy solution, as is done in both the PCF (2016, p. 3, 53) and the HEHE (2020, p. 21) is to ignore the Indigenous lives and lands negatively impacted so that Canadians can enjoy cheap and easy access to electricity.

In the same list of key actions to date in the PCF, it is stated that “B.C. has an abundance of natural gas, which is a lower carbon fuel that will play a critical role in transitioning the world economy off of high carbon fuels such as coal” (2016, p. 53). And on page 11 of the PCF, it is celebrated that “Provinces and territories have already taken action on moving from traditional coal-fired generation to clean electricity.” It explains that the phasing out of coal will be compensated by a new capacity that “will come from non-emitting sources—including hydro, wind, and solar—as well as natural gas.” These are two examples of how the use of natural gas is being promoted in the PCF.

Natural gas is often touted as a clean fossil fuel and as a “bridging” fuel to help societies move from dirty to clean energy (Cheon & Urpelainen, 2018; Howarth, 2015). However, the recent move to unconventional extraction techniques such as hydraulic fracturing (fracking) whereby water and chemicals are injected at high pressure to break up rock deep underground is leading to severe impacts to ecosystems and communities (Cheon & Urpelainen, 2018; Union of Concerned Scientists, 2014). Currently, a large majority of Canadian natural

gas is derived from fracking and that figure is expected to rise (Powell, 2017). Proponents argue that natural gas emits less carbon dioxide than other fossil fuels per unit of heat energy. However, when methane is considered, there is evidence that fracked natural gas may actually lead to higher greenhouse gas (GHG) emissions than conventional natural gas, coal, and oil (Howarth, 2015). **The impacts of fracking, including climate change, earthquakes, water contamination, and more, are driving communities across the world to stand up in opposition to fracking**, resulting in moratoriums, new legislation, and withdrawal of company investment (Temper et al., 2020).

In Canada, natural gas extraction, pipelines and transportation projects have been approved and built on Indigenous territories against the will and without the consent of Indigenous Peoples. That the PCF and the HEHE allow for the continuation of the extraction of natural gas, when it violates Indigenous rights and has severe ecological and climate impacts, is another example of how **Canadian climate policy is not only failing to address climate change but is actually contributing to climate injustice**.

As a final and alarming example, note that on page 21 in the HEHE, in the section called “Making Canada a World Leader in Clean Power,” it is stated that the plan includes the Launch of a “Small Modular Reactor (SMR) Action Plan by the end of 2020...to lay out the next steps to develop and deploy this technology...utilizing these technologies to reduce emissions, decarbonize heavy industry and spur economic development”. To be clear, SMR is nuclear energy technology.

Though some policymakers and organizations promote nuclear energy as a solution to climate change, nuclear is expensive, dangerous, and pollutive.

On the webpage of [Canada’s Small Modular Reactor Action Plan](#), it states that “Innovation in the nuclear sector plays a critical role in reducing greenhouse gas emissions and delivering good, middle-class jobs as Canada moves toward a low-carbon future.” The HEHE specifies that “the Government of Canada intends to work with interested parties to advance this important work, including Indigenous communities and organizations” (2020, p. 21).

The PCF and the HEHE promote climate solutions in ways that ignore the disproportionate and devastating impacts the energy sources they promote have had and continue to have on Indigenous Peoples. Furthermore, the future projects they advocate for are likely to perpetuate these injustices. Canadian climate policy is not only failing to meaningfully address climate change but is actually contributing to climate injustice, while promoting false solutions like natural gas and nuclear energy.

### 4.3.3 Adaptation and Climate Resilience

The third pillar of the PCF is about adapting to current and future climate impacts and building resilience in communities across Canada. Five key actions are centred: translating scientific information and Traditional Knowledge into action; building climate resilience through infrastructure; protecting and improving human health and well-being; supporting particularly vulnerable regions; and reducing climate-related hazards and disaster risks.

Specific sub-actions of the third pillar range from providing authoritative climate information; investing in infrastructure to build climate resilience, particularly in vulnerable regions; supporting healthy Indigenous communities; and advancing efforts to protect against floods. The Arctic's disproportionate warming is made clear, as are the risks and impacts this warming is posing to Canada's northern and coastal regions and to the Indigenous Peoples who live there.

Indigenous Peoples are mentioned in almost every action of this pillar, with the first action focused on the need to consider Indigenous Traditional Knowledge in guiding decision-making. For example, page 30 states, "To develop regional expertise and build regional capacity, the government aims to work with regional partners, including Indigenous Peoples through community-based initiatives, respectfully incorporating Traditional Knowledge to mobilize action" (PCF, 2016).

Though the third pillar centres Indigenous communities and Nations and Indigenous knowledge more than the other pillars, there are several reasons for being critical of this inclusion. One key reason is that though it's repeatedly mentioned that Indigenous communities and Nations, especially in the North, are particularly vulnerable to and disproportionately impacted by climate change, there is a remarkable absence of any attention to the drivers of these vulnerabilities and of the ways the Canadian state is responsible for creating and perpetuating them.

In terms of infrastructure adaptation, there is mention of the vulnerability of Indigenous Peoples' infrastructure to climate change, but no mention of any collaboration with Indigenous communities and Nations to develop more resilient infrastructure. The PCF promises infrastructure investment to "enable greater climate change adaptation and resilience and ensure that more communities can provide clean air and safe drinking water for their citizens" (2016, p. 48) but does not make any mention of the reasons for this ongoing lack of access to clean drinking water. Baijius and Patrick make clear that the ongoing crises in the many First Nations who do not have access to clean drinking water is driven by historical and ongoing injustices and that only by addressing the ongoing colonial systems and relations in Canada will these injustices be addressed (2019). **They also emphasize that the water crisis is being reproduced again and again as Indigenous Peoples have been excluded from decision-making and land use planning practices of the federal state** (2019).





*Image: protest against the Kinder Morgan Pipeline in 2018*

We see the same dynamics at play with the way the PCF is addressing the climate crisis. To try to establish a plan for reducing vulnerability while excluding the most impacted communities in the decision-making process renders such plans both ineffective and unjust (Ratelle & Paquette, 2019).

The PCF egregiously fails to address the fossil fuel industry as a main force driving climate change, violations of Indigenous rights, and the vulnerabilization of Indigenous communities and Nations – through the impacts of fossil fuel development on Indigenous Peoples’ waters, lands, livelihoods and food systems.

The PCF gives the fossil fuel industry a pass, and in doing so, actively contributes to the perpetuation of social and ecological impacts which increase the ways that Indigenous Peoples are particularly vulnerable to climate change. In short, the PCF – in failing to take on the fossil fuel industry as a primary cause of climate change – is contributing to the problems that this pillar aims to address.

There is a considerable focus in this pillar on including Indigenous Knowledge into adaptation efforts, but there is no indication that this is any different than other problematic, failed attempts to incorporate Indigenous Knowledge in governmental decision-making and planning in Canada. As Eckert et al. (2019) show, attempts to bring Indigenous Knowledge into the Environmental Assessment process in Canada have failed due to multiple structural barriers, including the way knowledge is often extracted, misinterpreted, de-contextualized or

misused by western scientists and decision-makers. Perceived knowledge hierarchies, political power structures and the refusal to recognize the historical and ongoing impacts of colonization also underlie this failure (Eckert et al., 2019). According to Ellis (2005),

Simply stated...traditional knowledge threatens the stability of conventional power structures rooted in the Western industrial complex. The driving force behind this complex is growth and, consequently, industrial development...To empower traditional knowledge and its [Indigenous] holders on their own terms necessarily means to give voice to a system of understanding that may oppose the objectives and practices of Euro-Canadian institutions.... (p. 74)

There is every indication that this is the case with the PCF as well; Indigenous Peoples and our rights and knowledge are brought in superficially and in ways to ensure that these forms of knowledge cannot hinder the ongoing extractive economy that is the foundation of the Canadian colonial state.

This may explain why Indigenous Peoples' knowledge is being sought in lieu of consent and/or full partnership in a co-creation process of climate policy and plan making in Canada. It may also explain why Indigenous knowledge is sought for adaptation (addressing the impacts of climate change) but not mitigation related actions (stopping the causes of climate change).

If mitigation were to be the focus, the extractive industry would be heavily implicated, which the federal government doesn't want to happen, therefore, a focus on adaptation is less threatening to the colonial capitalist status quo.

Finally, there are problems with the way the PCF frames Indigenous communities as vulnerable and the ways it frames the need to build resilience in these communities. Illustrating this type of problematic framing, Cameron writes about the diagnosis of Inuit as vulnerable and in need of state support. This not only fails "to account for the most significant and pressing dimensions of climatic change in the region" but it also reinforces the colonial relations and "intellectual formations that underwrite a new round of dispossession and accumulation in the region" (2012, p. 104). In this way, the state's initiatives to address climate vulnerability is leading to the strengthening and extension of colonial relations in the North (ibid.).

The PCF fails to acknowledge the colonial origins of climate vulnerability in Indigenous communities and Nations, and as such, its policies and plans to foster resilience will fail and/or make worse the problems they set out to "solve." Further, "resilience" is a term often used in regard to Indigenous communities and other communities of Colour. "Resilience" suggests that the communities must be stronger, tougher and take on more responsibility for their survival in the face of ongoing settler colonial structures of oppression. This focus on resilience should be shifted to the corporate drivers of climate change and on corporations adapting their capitalist extractive and economic practices.

Acknowledging the colonial origins and other root causes of social and ecological problems is crucial for developing the appropriate responses and strategies to address these problems (Cameron, 2012).

The HEHE doesn't not have adaptation or resilience as one of its pillars. However, the HEHE does commit to "developing Canada's first-ever National Adaptation Strategy" (2020, p. 9). Interestingly, where the PCF used the words "vulnerable" or "vulnerability" 29 times, in the HEHE, the word "vulnerable" only appears twice, and "vulnerability," not at all. This could be evidence that federal policy makers are questioning, or have received push back on vulnerability framing.

#### **4.3.4 Clean Technology, Innovation, and Jobs (Building Canada's Clean Industrial Advantage)**

The fourth and final pillar of the PCF focuses on clean technology, innovation, and jobs, with sections on early-stage innovation; commercialization and growth; fostering adoption; and collaboration and metrics for success. In the introduction it states:

To effectively compete in the global marketplace and capitalize on current and future economic opportunities, Canada needs a step change in clean technology development, commercialization, and adoption across all industrial sectors. Clarity of purpose, investment, and strong coordination that leverages pan-Canadian regional and provincial/territorial strengths are essential to seizing the economic growth and job-creation opportunities of clean technology. International research, development, and demonstration collaboration is also essential. Governments, Indigenous Peoples, industry, and other stakeholders all have a role to play and must be engaged. (2016, p. 37)

The HEHE covers similar ground in its pillar called "Building Canada's Clean Industrial Advantage." This pillar discusses proposed actions around: supporting local economies and small and medium sized businesses; eliminating pollution from natural resource development and heavy industry; producing and using cleaner fuels across the economy; and others.

Indigenous Peoples are referred to multiple times in the fourth pillar of the PCF, often in relation to clean technology and innovation providing Indigenous communities with economic opportunities. It also mentions plans to support Indigenous Peoples in adopting and adapting clean technologies through community ownership and operation of clean technology solutions.

The importance of Indigenous Peoples' leadership and the importance of working with Indigenous Peoples on clean tech and innovation is mentioned multiple times in the Pillar Four of the PCF, as is the importance of working with Indigenous Peoples on clean tech and innovation. On page 42, "[e]ffective engagement and partnership with Indigenous Peoples" is referred to as "essential to this effort." These words ring hollow given that partnership with Indigenous Peoples was undoubtedly essential in drafting the PCF, yet we were structurally excluded from that working group table.



Image by Desiree Wallace. March in Ottawa during the 2019 Powershift conference. The banner on the left was designed by Christi Belcourt and Isaac Murdoch. It says "Obinin Kida Onakinegewin," an Anishinaabeg phrase that translates to "lift our laws"

Additionally, as with other PCF Pillars, Indigenous Peoples are referred to in this section as one of many stakeholders, and not as self-governments. For example, on page 38, it is stated that “[e]fforts to coordinate and focus investment must go beyond governments and involve the collaboration of industry, stakeholders, academia, and Indigenous Peoples in the innovation process.”

In the HEHE’s “Building Canada’s Clean Industrial Advantage” pillar, it is explained that the strategy “to become a world-leading supplier of hydrogen and hydrogen technologies... is the result of three years of research and analysis including recent engagement with 1,500 leading experts, stakeholders, provincial and territorial partners, Indigenous businesses and communities” (HEHE, 2020, p. 40). That mention of Indigenous businesses is the sole mention of the word “Indigenous” in this section of the HEHE.

Digging deeper, woven through the words used, there are several fundamental assumptions underlying these pillars of the PCF and the HEHE, which are problematic from the perspective of Indigenous lives and rights. One, the insistence on economic growth and two, the interpretation of climate change as a technological issue.

The 2018 Intergovernmental Panel on Climate Change (IPCC) report makes clear that stabilizing the climate will require “rapid, far-reaching and unprecedented changes in all aspects of society” and that an important part of this is “to negotiate societal values, well-being...and to determine what is desirable and fair, and to whom” (p. 22). More and more it is being acknowledged by scholars and activists alike that what is needed is a profound transformation in mainstream economic, political, and thought systems that are driving the ecological crises (Moore et al., 2014; Beddoe et al., 2009; IPCC, 2018). This will require radical shifts in mainstream values and beliefs, patterns of social behaviour and governance (Westley et al., 2011). This requires that we confront not just the symptoms but the *root causes* of crises we face and this includes unequal power relations (Temper, 2018; Gobby, 2020).

Despite this resounding call for systems transformation, in these sections of the PCF and the HEHE, we can see the Canadian federal government - rather than aiming for the transformative change required - is taking aim at the symptoms, the surface layer of the crisis.

They are perpetuating the idea of climate change as, at its base, a technical or technological problem, and promoting solutions that lie in the innovation of new technology. This is a problem because it fails to acknowledge the limitation of technological solutions. For example, in what is known as the rebound effect, increases in efficiency do not end up reducing emissions but can actually lead to increases in consumption rates (Druckman et al., 2011; Khazzoom, 1980). The technocratic approaches of the PCF and the HEHE are also an issue because they divert attention and resources away from the deeper structural changes that are necessary.

This approach also fails to acknowledge or address the ways that clean tech can have unintended consequences and disproportionate impacts and benefits, in the same ways that dirty energy has. A 2020 article by Temper et al. reviewing thousands of cases of environmental conflicts around the world showed that clean energy climate solutions such as wind and hydro were disproportionately impacting vulnerable groups and driving human rights abuses and the violations of Indigenous rights. Many of these cases involve violent repression and even the assassination of those defending their lands and rights.

Climate solutions must not replicate the kind of unjust relations and oppressions that the fossil fuel industry is notorious for.

Failing to attend to the unequal power relations and other root causes of the crisis - promoting false solutions, instead - has rendered the PCF and the HEHE ineffective and unjust, perpetuating the systems and relations driving the climate crisis. It seems as though these aforementioned pillars are less about actually tackling climate change and more about finding ways for energy transition solutions to drive profit-making and economic growth.

And indeed, that is the second problematic assumption underlying this pillar and the PCF, in general, the insistence that economic growth is part of the solution to climate change.

As mentioned previously, the word “Indigenous” appears 85 times in the PCF. The word “growth,” on the other hand, appears 223 times, through mentions of economic growth and clean growth. The title of the document: *Pan-Canadian Framework on Clean Growth and Climate Change: Canada’s Plan to Address Climate Change and Grow the Economy* underscores the centrality of economic growth to this climate framework.

The fundamental flaw with this approach is that it fails to address or even acknowledge the very real ways that economic growth drives climate change, economic inequality, the violation of Indigenous rights, and the dispossession of Indigenous lands.

Capitalist economies have certain inherent characteristics, including the continuous need to expand in order to survive. This perpetual growth requires the increasing flows of raw material, natural resources, energy and labour (Whyte, 2017; Kohn & Reddy, 2017; Clark & York, 2005). Given that capitalism requires increasing use of energy to continually increase production, the use of fossil fuels — as an abundant form of cheap energy to drive the machines of production — has become locked in. According to Clark and York (2005), “Capital’s constant demand for energy necessitates the continual plundering of the Earth for new reserves of fossil fuel” (p. 409). The material demands of endlessly expanding economies have been outpacing the Earth’s ability to regenerate the raw materials needed and absorb the wastes being produced (Steffen et al., 2015). **To tackle the climate crisis, our economic systems need to be transformed away from growth-driven capitalism** (Clark & York, 2005; Klein, 2014).

Proponents of economic growth commonly cite it as necessary for bringing marginalized communities out of poverty, and indeed, many income redistribution mechanisms - at least in theory - depend on growth. However, this seems to be more myth than reality, for what we see in practice is that “economic growth is usually accompanied by increases in both economic and political inequity, and worsening income distribution” (Perkins, 2019, p. 186; see also Piketty, 2014; Wilkinson & Pickett, 2009; Causa et al. 2014; Ray, 2010). To put it simply, “[e]conomic growth nearly always heightens inequities” (Perkins, 2019, p. 183).

A lack of policies and institutions to ensure that increased GDP is equitably distributed across society creates an endless cycle whereby “wealth begets more wealth and political power.... The tendency...for the powerful to keep coming out better off, and for exploitation of less-powerful people and of nature to accelerate, is the prime driver of climate change” (Perkins, 2019, p. 183; see also Klein, 2014; Douthwaite, 1993; Tokar & Gilbertson, 2020; Wu, 2018; Whyte, 2018).

Capitalism promotes not just economic and political inequality and the exploitation of nature; it also depends on racial discrimination. Racism justifies the hierarchies of labour and employment, which distribute the benefits of economic systems unequally across people in society (Waldron, 2018). Capitalism's drive for endless growth and expansion has manifested in slavery and the ongoing subjugation of Black bodies and labour, colonization, and the theft of Indigenous lands and territories in the pursuit of new markets and new lands to exploit (Coulthard, 2014).

Kyle Whyte, Potawatomi scholar states it simply, "Colonialism often paved the way for the expansion of capitalism" (2017). Inherent to capitalism is the "assimilation, depopulation, removal, and erasure of Indigenous Peoples; and the dispossession, expropriation, and territorial occupation of Indigenous resources, land, property, homes...all toward the end goal of profit" (Waldron, 2018, p. 41). **Inextricably tied together, colonialism and capitalism have laid the groundwork for carbon-intensive economics, which is driving climate change** (Whyte, 2017).

"Seeing capitalism and colonialism as structural forces generating exploitation and ecocide" is of critical importance as we need to be able to acknowledge that colonial capitalism *will not* and *cannot* solve the crises it is causing (Dawson, 2016, p. 63). This understanding is completely lacking from the PCF, the HEHE, and their proposed policies.

Federal climate policy appears stuck in a capitalist policy paradigm that is fundamentally incompatible with real climate action and respect for Indigenous Peoples and our rights. What we see in the inclusions of Indigenous Peoples in the PCF and the HEHE is that **Indigenous Peoples are referred to as climate leaders and invited to participate in taking action on climate but only within the limits of an economic system created by others and imposed upon us and which was built at the expense of our lives, lands and cultures.**

#### 4.3.5 Nature-based Solutions

One big difference between the PCF and the HEHE is that the HEHE brings in a whole new approach to climate solutions. The new plan includes a whole section on Nature-Based Solutions (also called "Embracing the Power of Nature to Support Healthier Families and More Resilient Communities"). Nature-based Solutions (NBS) are land-based offsets (e.g. soils, livestock, and trees). The HEHE argues that

Nature-based solutions unlock the power of nature to reduce emissions in the atmosphere through things like planting trees, restoring grasslands and wetlands, and improving agricultural land management to capture and store much more carbon. Large amounts of carbon are stored in Canada's forests, soils, wetlands, grasslands and oceans today, and nature-based solutions can increase that storage, keeping harmful emissions out of the atmosphere. (2020, p. 52)

The plan proposes to plant two billion trees, restore and enhance wetlands, peatlands, grasslands and agricultural lands to boost carbon sequestration, and to establish a new Natural Climate Solutions for Agriculture Fund. It intends to spend about 4 billion dollars on these NBS initiatives. HEHE also claims that

combined, “these actions to accelerate nature-based climate solutions will reduce Canada’s carbon emissions by an estimated four to seven million tonnes annually in 2030” (2020, p. 55).

In this section of the HEHE, they also commit to continue to support partnerships with Indigenous communities across the country through the establishment of new Indigenous Protected and Conserved Areas (IPCAs) and Indigenous Guardians programs (2020, p. 55), although unlike the other NBS initiatives, there is no dollar amount associated with this commitment.

Indigenous leadership in conserving ecosystems is emphasized in the plan, stating that “Indigenous peoples and their ancestors have long been stewards and managers of the land and waters, and leaders in ecosystem conservation in Canada” (2020, p. 55). Indigenous Peoples currently steward around one-fifth of the total carbon sequestered by forests and Indigenous territories encompass 40% of protected areas in the world (Rights and Resources Initiative, 2019). As such, Indigenous territories are critical for sequestering carbon (Walker et al., 2014; Carlson et al., 2015) on the scale envisioned by NBS advocates.

---

*“Given the overlap of Indigenous territories and carbon sinks in Canada, it is unlikely that NbS could be widely implemented without upholding Indigenous rights to lands and resources and respecting Indigenous governance and knowledge systems in climate change policy” (Townsend et al., 2020, p. 552).*

Indigenous leadership is at the heart of the transformative and systemic change that the climate crisis demands (Townsend et al., 2020; IPCC, 2018; Díaz et al., 2019). However, there are many reasons to be concerned that NBS will follow the patterns of previous forms of carbon offsets, leading to displacement of Indigenous Peoples and violations of our rights.

Although NBS initiatives hold potential to support Indigenous-led economic development and Indigenous governance and cultures, this is unlikely unless initiatives are led by Indigenous Peoples (Nitah & Craig, 2020). There is every reason to be cynical about whether this would be the case in Canada where, as elsewhere in the world, Indigenous Peoples’ ability to take care of the lands and waters has been systematically undermined (McCarthy, 2020) through extractive development and ongoing settler colonial power relations (Manuel, 2017). Despite Indigenous Peoples successful leadership in protecting the lands and waters, power and funding is rarely turned over to Indigenous Peoples for conservation and other environmental projects (McCarthy, 2020).

In a 2020 article about NBS and Indigenous rights in Canada, Townsend et al. make clear that NBS initiatives globally are negatively affecting Indigenous Peoples through displacement, restriction to livelihood practices, and cultural impacts. They also argue that these impacts of NBS can exacerbate disadvantages already faced by Indigenous communities and they emphasize that “how NbS are developed, on whose territories and with what outcomes matter deeply to their success and to the rights of Indigenous Peoples” (Townsend et al., 2020, p. 551).



If NBS are to be successful in sequestering carbon, they must be designed with Indigenous participation and Indigenous consent (Townsend et al., 2020; see also Energy Future Forum, 2020).

However, as our report and the Townsend et al. article both show, the inclusion of Indigenous Peoples in development of NBS and climate change policy is sorely lacking.

Though the impact to Indigenous rights posed by NBS is the key point to be made here, it's important to note the other problems associated with NBS. Seddon et al. (2020) point out that there are major uncertainties about the cost-effectiveness of NBS, which leads to under investment in NBS. Additionally, the inflexible and highly siloed forms of governance (i.e. bureaucratic barriers in which different sectors relevant to NBS are managed by different governing bodies) significantly hinder uptake of NBS (ibid.).

Lee and Mertins-Kirkwood point out that the HEHE relies on about 27 megatonnes of greenhouse gas (GHG) reductions to come from tree planting and related initiatives, and while this is “intrinsically important, measures to protect and enhance natural carbon sinks should not be counted on to substitute for climate policies that reduce emissions from fossil fuels in absolute terms” (2020, n.p.). In other words, planting trees to sequester carbon cannot be used to justify the continued extraction and burning of fossil fuels. According to Lee and Mertins-Kirkwood, “These loopholes are especially important as we consider the goal of net-zero emissions by 2050. A plan that relies on offsets, nature-based solutions and denial about the future of export markets is not a full plan—too much ‘net’ and not enough ‘zero’” (2020, n.p.).

It appears that NBS may be a new green-washed version of carbon offsets that allow big polluters off the hook.

Tamra Gilbertson of Indigenous Environmental Network explained to our research team,

[Nature-based Solutions] are rapidly gaining traction across the globe. The premise allows polluting industries to finance soil or agriculture projects to ostensibly ‘compensate’ for their ongoing emissions. For example, corporations like Royal Dutch Shell have created an internal NBS unit investing \$300 million into mostly purchasing lands for NBS. In this way, NBS constitutes a new land grab and if expanded for more fossil fuel offsets, perhaps a new cycle of primitive accumulation. In other words, an offset. The concept has been pushed by conservation NGOs and Oil Majors in the UN climate change arena, and is now expanding into national and subnational policy. (personal correspondence, 2021)

There are compelling reasons to be concerned that Nature-based Solutions may not be the right direction to follow. They may maintain the patterns of other colonial capitalistic solutions that already drive the climate crisis, such as market-based offsets.

## 5. Conclusion

Through this analysis of the content of the PCF and the HEHE and the process by which these two plans were developed, we have shown that there are deeply troubling ongoing problems with climate policy and plans in Canada. We summarize these problems below.

### **Indigenous Peoples were structurally excluded from the process of developing the PCF and the HEHE.**

Though the plans seem to be getting better and better in their wording around Indigenous rights and self-determination, the fact still stands that Indigenous Nations and communities were structurally excluded from the decision-making tables where the plans were developed. This exclusion happened because representatives from a couple of provinces actively opposed the inclusion of Indigenous Peoples at that table. They know very well the powerful threat posed to the extractive economy by Indigenous Peoples and our rights, resistance, and relations with lands and waters. It seems that it is precisely because Indigenous Peoples are such powerful climate leaders that we are excluded from climate policymaking in Canada. Again and again, it seems that climate policy in Canada is determined to maintain, rather than transform the colonial, capitalist status quo.

As one of this report's peer reviewers, Tamra Gilbertson, states:

Indigenous Peoples were kept off the working group tables deliberately so they would not impact the politics of keeping fossil fuels coming out of the ground by implementing carbon pricing... Keeping Indigenous Peoples off the working group tables and treating Indigenous Peoples as stakeholders is a violation of national and international law. This gross violation impacts Indigenous sovereignty and blatantly clarifies the intent to reduce Indigenous Peoples to stakeholders in an attempt to coerce and strongarm participation in order to push through carbon pricing systems and other mechanisms that can violate land rights and sovereignty. (personal correspondence, 2021)

### **By excluding Indigenous Peoples from the decision-making tables, the PCF and the HEHE processes violated the rights of Indigenous Peoples. This is in direct conflict with federal commitments to Nation-to-Nation, Inuit-Crown, government-to-government relationships and the many Calls to Action emanating from federal inquiries and reports.**

Although Indigenous Peoples and our rights, knowledge, and climate leadership were mentioned again and again in both plans, we were structurally excluded from the decision-making tables at which these plans were made. This exclusion constitutes a violation of Indigenous rights to self-determination and to free, prior and informed consent. Additionally, this blatant omission conflicts with the Liberal government's commitments to reconciliation and to government-to-government, Inuit-Crown, and Nation-to-Nation relationships. This also contravenes many of the Calls to Actions emanating from the Truth and Reconciliation Commission and other government led-inquiries, including the Royal Commission on Aboriginal Peoples and the National Inquiry into

Missing and Murdered Indigenous Women and Girls. Each of those reports repeatedly indicate the need for real partnership between Indigenous Peoples and non-Indigenous governments. Yet within current climate change policy, there are again many words, but little concrete action.

---

*“Indigenous people have long ties to caring and protecting the lands and are original care takers. Indigenous people have always been here and caring of the land and yet have no place in making rules and restrictions for the land”*  
(Beze Gray, report peer reviewer, personal correspondence, 2021)

**Some of the proposed climate change solutions ignore the realities faced by Indigenous Peoples and discount the structural inequalities that are continually being reproduced through colonial relations and processes in Canada.**

Section Four of this report brought forward the issue that some of the climate solutions proposed in the PCF and the HEHE, such as electric vehicle usage, are not feasible for many Indigenous and remote communities. Many of these communities do not have access to the resources needed to implement these “solutions.” This raises the question of whose needs and realities Canadian climate policy solutions are meant to serve.

Furthermore, there are multiple mentions of Indigenous Peoples’ unique circumstances and increased “vulnerability.” Indeed, it’s repeatedly mentioned in the PCF that Indigenous communities, especially in the North, are particularly susceptible to and disproportionately impacted by climate change. However, there is a remarkable absence of any attention to the drivers of these burdens or of the ways the Canadian state and the extractive industry are responsible for creating and perpetuating massive racial inequality. In essence, the PCF is ignoring and erasing the ongoing colonial relations and structures causing and upholding inequality and uneven “vulnerability” to climate change in Canada.

**Some of the proposed actions and initiatives proposed in the PCF and the HEHE will lead to disproportionate negative impacts on Indigenous Peoples and violations of Indigenous rights.**

Both plans have a notable lack of initiatives to address the disproportionate burden Indigenous Peoples, particularly Indigenous women and 2SLGBTQIA+ folks, are bearing from both climate change and the extractive industry. Further, some of the policies and plans serve to reinforce and/or exacerbate systemic oppression. Multiple examples of the ways that some climate “solutions” could lead to disproportionately negative impacts on Indigenous Peoples are outlined in this report. These range from the financial impacts of regressive carbon taxes on Indigenous families to the ways that Nature-based Solutions can lead to new forms of land grabbing and violations of Indigenous rights.

**These climate policies may serve to perpetuate the drivers and root causes of climate change in a variety of ways.**

As explained in Section Two, these plans allow for the continued resource extraction and export. As shown in Section Four, the PCF indirectly promotes natural gas as “lower carbon fuel that will play a critical role in transitioning the world economy off of high carbon fuels such as coal” (2016, p. 53). Both plans rely on incentives to reduce fossil fuel consumption in Canada, with no regulations to actually keep carbon in the ground. This allows for the continued extraction, processing and export of oil and gas. The plans do nothing to constrain the fossil fuel industry, rather, they allow for continued subsidies to these industries. This limits the plans’ abilities to actually drive real climate mitigation. It also has huge implications for Indigenous rights.

Throughout Canada’s history, Indigenous rights have been violated and Indigenous lands and territories have been stolen in order for state and industry to extract resources.

---

*“We have to actively stop extracting fossil fuels because Canada is a petrostate and, without conscious intervention, will blindly and zealously promote the fossil fuel industry despite any and all scientific, economic, or public policy rationale that suggests it shouldn’t” (Daniel T’seleie, report peer reviewer, personal correspondence, 2021).*

These climate plans fail to address violations of Indigenous rights as a root cause of climate change, and instead perpetuate their existence. Canada would not have the massive carbon footprint that it does if Indigenous Peoples’ rights to self-determination and free, prior and informed consent were respected and upheld. The disregard of inherent, Treaty, and constitutional rights, along with the dispossession of Indigenous Peoples from our lands, has allowed for the Canadian state to extract resources at an alarming scale and rate. Rather than creating climate policy in ways that address and transform these ongoing colonial relations, the PCF and the HEHE were developed in ways that actively violate Indigenous Peoples’ rights to self-determination (as explained in detail in Section Three).



## 6. Moving Forward

This report has made clear the ways that climate policy in Canada is perpetuating colonial capitalist relations and structures. We offer this report not to negate the work that has been done to improve climate policy so far, particularly by Indigenous folks, but as a call to action for climate organizers, researchers and policy-makers to do better and engage in the following:

Acknowledge that the exclusion of Indigenous climate leadership and denial of our rights to self-determination actually forecloses on some of the most powerful forces for transformative, systemic change in Canada

Recognize that climate policy can be made more just and effective through the meaningful and full inclusion of Indigenous Peoples and the upholding of our rights, knowledges, and sovereignty

Addressing the climate crisis will require the transformation and undoing of colonial relations and structures in Canada. This will require a deep and broad relinquishment of power from settler colonial structures and systems to ensure meaningful co-creation of climate policy that is rooted in Indigenous self-determination.

It is clear that mainstream worldviews and economies are not equipped to lead the transformative change away from colonial, capitalist extractive economies, but Indigenous communities are.

### **Actively work towards climate policy in Canada that (unlike the PCF and the HEHE):**

1. includes Indigenous communities and Nations as full partners at policy decision-making tables. National Indigenous Peoples Organizations are advocates for our communities and Nations and should not be treated as decision makers;
2. raises up the leadership from Indigenous women and 2SLGBTQIA+ folks;
3. respects Indigenous rights to self-determination and FPIC in the process of developing policy and in the *contents* of the policies and plans, as well;
4. adheres to federal commitments to Nation-to-Nation, Inuit-Crown, government-to-government relationships;
5. upholds the Calls to Actions emanating from the Truth and Reconciliation Commission and other government led-inquiries, including the Royal Commission on Aboriginal Peoples and the National Inquiry into Missing and Murdered Indigenous Women and Girls;
6. promotes climate solutions that take into account the realities faced by Indigenous communities and Nations, both rural and urban;
7. will not disproportionately impact Indigenous Peoples, negatively;
8. acknowledges and actively addresses structural inequalities that are continually being reproduced through colonial relation, processes, and structures in so-called Canada;
9. addresses the root causes of climate change (e.g. colonial capitalism and extraction);
10. engages an intersectional understanding of climate to design *intersectional climate solutions* that reduce emissions while undoing systemic oppressions.

These are some of the key principles that will guide our process going forward as we embark on Phase 2 of our Decolonizing Climate Policy in Canada project. Following the release of this report, through spring and summer 2021, Indigenous Climate Action and researcher, Rebecca Sinclair, are gathering Indigenous-led climate policy ideas and plans through conversations with Indigenous Peoples across the country, inviting all Indigenous folks to contribute to this important work. To find out more about this process or how to get involved you can contact Rebecca at [climatepolicy@indigenousclimateaction.com](mailto:climatepolicy@indigenousclimateaction.com).

Non-Indigenous people and organizations who would like to actively support the second phase of Decolonizing Climate Policy in Canada can donate to ICA on our website ([IndigenousClimateAction.com/donate](https://IndigenousClimateAction.com/donate)).

**Colonialism caused climate change.  
Indigenous rights are the solution.**

## 7. Sources

- Above and Beyond. (2016, August 30). Inuit voices key to Canada's climate strategy. *Arctic Journal*. <http://arcticjournal.ca/inuit-forum/inuit-voices-key-to-canadas-climate-strategy/#respond>
- A SHARED Future Research Team. (2019, September 26). "Decolonizing" Clean Energy Policy In Canada? Yellowhead Institute. <https://yellowheadinstitute.org/2019/09/26/decolonizing-clean-energy-policy-in-canda/>
- Baijous, W., & Patrick, R. (2019). "We don't drink the water here": The reproduction of undrinkable water for First Nations in Canada. *Water*, 11(5), 1079. <https://doi.org/10.3390/w11051079>
- Barrera, J. (2019, February 13). *Aboriginal rights an issue in carbon tax court battle between Ottawa and Sask., says First Nation*. CBC. <https://www.cbc.ca/news/indigenous/athabasca-chipewyan-carbon-pricing-sask-court-1.5017648>
- Beddoe, R., Costanza, R., Farley, J., Garza, E., Kent, J., Kubiszewski, I., Martinez, L., McCowan, T., Murphy, K., Myers, N., Ogden, Z., Stapelton, K. & Woodward, J. (2009). Overcoming systemic roadblocks to sustainability: The evolutionary redesign of worldviews, institutions, and technologies. *Proceedings of the National Academy of Sciences*, 106(8), 2483-2489. <https://doi.org/10.1073/pnas.0812570106>
- Bergamo, I. (2020, December 11). *Greenpeace Canada reaction to the federal climate plan*. Greenpeace. <https://www.greenpeace.org/canada/en/press-release/45138/greenpeace-canada-reaction-to-the-federal-climate-plan/>
- Beugin, D. (2020, December 11). *Canada's new climate plan is a big deal. Here's why*. Canadian Institute for Climate Choices. <https://climatechoices.ca/canadas-climate-plan/>
- Bubna-Litic, K. & Chalifour, N. J. (2012). Are climate change policies fair to vulnerable communities? The impact of British Columbia's carbon tax and Australia's carbon pricing policy on indigenous communities. *Dalhousie Law Journal*, 35(1), 127-178.
- Burck, J., Hagen, U., Marten, F., Höhne, N & Bals, C.. (2018, December). *Climate Change Performance Index*. CCPI. <https://ccpi.org/download/the-climate-change-performance-index-2019/>
- Cameron, E.S. (2012). Securing Indigenous politics: A critique of the vulnerability and adaptation approach to the human dimensions of climate change in the Canadian Arctic. *Global Environmental Change*, 22(1),103-114. <https://doi.org/10.1016/j.gloenvcha.2011.11.004>
- CANRAC. (2019). *Getting Real about Canada's Climate Plan*. Climate Action Network. <https://climateactionnetwork.ca/2019/06/14/getting-real-about-canadas-climate-plan/>
- Carlson, M., Wells, J., & Jacobson, M. (2015). Balancing the relationship between protection and sustainable management in Canada's boreal forest. *Conservation & Society*, 13(1), 13-22. <http://www.conservationandsociety.org/text.asp?2015/13/1/13/161209>

- Causa, O., de Serres, A., & Ruiz, N. (2014). *Growth and inequality: A close relationship?* OECD. <http://www.oecd.org/economy/growth-and-inequality-close-relationship.htm>
- Chalifour, N. (2017). How a gendered understanding of climate change can help shape Canadian climate policy. In M.G. Cohen (Eds.), *Climate change and gender in rich countries* (pp. 233-249). Routledge.
- Cheon, A. & Urpelainen, J. (2018). *Activism and the fossil fuel industry*. Routledge.
- Clark, B., & York, R. (2005). Carbon metabolism: Global capitalism, climate change, and the biospheric rift. *Theory and Society*, 34(4), 391–428. <https://www.jstor.org/stable/4501730>
- Climate Action Tracker. (2019, September 19). *Canada*. Climate action tracker. <https://climateactiontracker.org/countries/canada/2019-09-19/>
- Coulthard, G. (2014). *Red skin, white masks: Rejecting the colonial politics of recognition*. University of Minnesota Press.
- Cox, S. (2018). *Breaching the peace: The site C dam and a valley's stand against big hydro*. UBC Press and On Point Press.
- David Suzuki Foundation. (n.d.). *Carbon Tax or cap-and-trade*. <https://david Suzuki.org/what-you-can-do/carbon-tax-cap-trade/>
- Dawson, A. (2016). *Extinction: A radical history*. Or Books.
- Diabo, R. (2017). Pipelines, climate and Indigenous consent. *Indigenous Policy Journal*, 27(3). <http://www.indigenouspolicy.org/index.php/ipj/article/view/418/408>
- Dillion, J. (2016, August 17). *Carbon trading threatens Indigenous peoples*. Kairos Canada. <https://www.kairoscanada.org/carbon-trading-threatens-indigenous-peoples>
- Dillon, J. (2015, December 10). *Will Canada listen to Indigenous peoples on carbon offsets*. Kairos Canada. <https://www.kairoscanada.org/will-canada-listen-to-indigenous-peoples-on-carbon-offsets>
- Douthwaite, R. (1993). *The growth illusion: How economic growth has enriched the few, impoverished the many, and endangered the planet*. Council Oak Books.
- Druckman, A., Chitnis, M., Sorrel, S. & Jackson, T. (2011). Missing carbon reductions? Exploring rebound and backfire effects in UK households. *Energy policy*, 39(6), 3572-3581. <https://doi.org/10.1016/j.enpol.2011.03.058>
- Dyck, T., Mahony, D., Fortier, M. & Ren, H. (2020, December 16). *Government of Canada releases new federal climate plan*. Mondaq. <https://www.mondaq.com/canada/climate-change/1016788/government-of-canada-releases-new-federal-climate-plan>
- Eckert, L.E., XEMFOLTW\_ Claxton, N., Owens, C., Johnston, A., Ban, N.C., Moola, F. & Darimont, C.T. (2020). Indigenous knowledge and federal environmental assessments in Canada: Applying past lessons to the 2019 impact assessment act. *FACETS*, 5(1), 67-90. <https://doi.org/10.1139/facets-2019-0039>



Ellis, S. C. (2005). Meaningful consideration? A review of traditional knowledge in environmental decision making. *Arctic*, 58(1), 66-77. <https://doi.org/10.14430/arctic390>

Energy Future Forum. (2020, November 11). *Nature-based solutions: Some of the answers to climate change come naturally*. Public policy forums. <https://ppforum.ca/publications/nature-based-solutions-some-of-the-answers-to-climate-change-come-naturally/>

Forrest, M. (2018, October 23). *Here's how each province stands to be affected by the federal carbon tax*. National Post. <https://nationalpost.com/news/politics/heres-how-each-province-stands-to-be-affected-by-the-federal-carbon-tax>

Gilbertson, T. (2017, October). *Carbon pricing: a critical perspective for community resistance*. Indigenous Environmental Network and Climate Justice Alliance. <https://www.ienearth.org/wp-content/uploads/2017/11/Carbon-Pricing-A-Critical-Perspective-for-Community-Resistance-Online-Version.pdf>

Gobby, J. (2020). *More powerful together: Conversations with climate activists and Indigenous land defenders*. Fernwood Press.

Goldtooth, T. (2010). *Carbon markets violate Indigenous Peoples' rights and threaten cultural survival*. Global Justice Ecology Project. <https://globaljusticeecology.org/carbon-markets-violate-indigenous-peoples-rights-and-threaten-cultural-survival/>

Government of Canada. (2016). *The pan-Canadian framework on clean growth and climate change*. Publications.gc.ca [http://publications.gc.ca/collections/collection\\_2017/eccc/En4-294-2016-eng.pdf](http://publications.gc.ca/collections/collection_2017/eccc/En4-294-2016-eng.pdf)

Government of Canada. (2019, August 28). *How we're putting a price on carbon pollution*. Canada.ca <https://www.canada.ca/en/environment-climate-change/services/climate-change/pricing-pollution-how-it-will-work/putting-price-on-carbon-pollution.html>

Government of Canada. (2020). *A healthy environment and a healthy economy*. Canada.ca [https://www.canada.ca/content/dam/eccc/documents/pdf/climate-change/climate-plan/healthy\\_environment\\_healthy\\_economy\\_plan.pdf](https://www.canada.ca/content/dam/eccc/documents/pdf/climate-change/climate-plan/healthy_environment_healthy_economy_plan.pdf)

Hankivsky, O. (Ed.). (2012). *An intersectionality-based policy analysis framework*. Institute for intersectionality research and policy. <https://data2.unhcr.org/en/documents/download/46176>

Howarth, R. (2015). Methane emissions and climatic warming risk from hydraulic fracturing and shale gas development: Implications for policy. *Energy and Emission Control Technologies* 3, 45-54. <https://doi.org/10.2147/EECT.S61539>

Indigenous and Northern Affairs Canada. (2021, February 26). *United declaration on the rights of Indigenous Peoples*. <https://www.aadnc-aandc.gc.ca/eng/1309374407406/1309374458958>

Indigenous Environmental Network & Climate Justice Alliance. (n.d.). *Land*. CO2colonialism. <https://co2colonialism.org/land/>

Inuit Tapiriit Kanatami. (2016a, September 28). Inuit call for meaningful consideration in federal-provincial-territorial climate decision making. <https://www.itk.ca/inuit-call-for-meaningful-consideration-in-federal-provincial-territorial-climate-decision-making/>

Inuit Tapiriit Kanatami. (2016b). *Inuit priorities for Canada's climate strategy: A Canadian Inuit vision for our common future in our homelands*. [https://www.itk.ca/wp-content/uploads/2016/09/ITK\\_Climate-Change-Report\\_English.pdf](https://www.itk.ca/wp-content/uploads/2016/09/ITK_Climate-Change-Report_English.pdf)

Díaz, S., Settele, J., Brondízio, E., Ngo, H.T., Guèze, M., Agard, J., Arneth, A., Balvanera, P., Brauman, K., Butchart, S., Chan, K., Garibaldi, L.A., Ichii, K., Liu, J., Mazhenchery Subramanian, S., Midgley, G.F., Miloslavich, P., Molnár, Z., Obura, D., ... Zayas, C. (2019, May 29). *Summary for policymakers of the global assessment report on biodiversity and ecosystem services of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services*. IPBES. [https://www.ipbes.net/sites/default/files/ipbes\\_7\\_10\\_add.1\\_en\\_1.pdf](https://www.ipbes.net/sites/default/files/ipbes_7_10_add.1_en_1.pdf)

Allen, M., Babiker, M., Chen, Y., de Coninck, H., Connors, S., van Diemen, R., Pauline Dube, O., Ebi, K.L., Engelbrecht, F., Ferrat, M., Ford, J., Forster, P., Fuss, S., Guillén Bolaños, T., Harold, J., Hoegh-Guldberg, O., Hourcade, J-C., Huppmann, D., Jacob, D., ... Zickfeld, K. (2018). *Summary for policymakers*. IPCC. [https://www.ipcc.ch/site/assets/uploads/sites/2/2019/05/SR15\\_SPM\\_version\\_report\\_LR.pdf](https://www.ipcc.ch/site/assets/uploads/sites/2/2019/05/SR15_SPM_version_report_LR.pdf)

Irwin, R. (2018, October 12). *Duty to consult*. The Canadian encyclopedia. <https://www.thecanadianencyclopedia.ca/en/article/duty-to-consult>

Khazzoom, J. (1980). Economic implications of mandated efficiency in standards for household appliances. *Energy Journal*, 1(4), 21-40. <https://www.jstor.org/stable/41321476>

Kimmerer, R. (2013). *Braiding sweetgrass: Indigenous wisdom, scientific knowledge and the teachings of plants*. Milkweed Editions.

Klein, N. (2014). *This changes everything: Capitalism vs. the climate*. Simon and Schuster.

Kohn, M., & Reddy, K. (2017, August 29). *Colonialism*. Stanford Encyclopedia of Philosophy. <https://plato.stanford.edu/entries/colonialism/>

kulchyski, p. (2012, February 28). *Flooded and forgotten - Hydro development makes a battleground of northern Manitoba*. Briarpatch. <https://briarpatchmagazine.com/articles/view/flooded-and-forgotten>

Lee, M. (2011, February 23). *Fair and effective carbon pricing: Lessons from BC*. CCPA. <https://www.policyalternatives.ca/publications/reports/fair-and-effective-carbon-pricing>

Lee, M. (2016, December 14). *A critical guide to the pan-Canadian framework on clean growth and climate change*. Policy note. <https://www.policynote.ca/a-critical-guide-to-the-pan-canadian-framework-on-clean-growth-and-climate-change/>

Lee, M., & Mertins-Kirkwood, H. (2020, December 15). *New federal climate plan hindered by commitment to fossil fuel production*. Policy Note. <https://www.policynote.ca/new-climate-plan/>

- MacNeil, R. (2019). *Thirty years of failure: Understanding Canadian climate policy*. Fernwood Press.
- Manuel, A., & Grand Chief Derrickson. (2017). *Reconciliation manifesto: Recovering the land, rebuilding the economy*. James Lorimer.
- Marshall, D. (2016, December 15). *The pan-Canadian climate framework: Historic and insufficient*. Environmental Defence. <https://environmentaldefence.ca/2016/12/15/pan-canadian-climate-framework-historic-insufficient/>
- McCarthy, J. (2020). Indigenous activists are championing nature-based solutions to climate change. *Global Citizen*. <https://www.globalcitizen.org/en/content/conservation-international-indigenous-voices/>
- Métis National Council. (2016, September 16). *Métis national council meets first ministers on climate change*. *Métis Nation*. <https://www.metisnation.ca/index.php/news/metis-national-council-meets-first-ministers-on-climate-change>
- Meyer, C. (2020, December 11). *Trudeau goes it alone with new climate plan, proposes carbon price hike*. National Observer. <https://www.nationalobserver.com/2020/12/11/news/trudeau-new-climate-plan-proposes-carbon-price-hike>
- Moore, M.L., Tjornbo, O., Enfors, E., Knapp, C., Hodbod, J., Baggio, J.A., Norström, A., Olsson, P., & Biggs, D. (2014). Studying the complexity of change: Toward an analytical framework for understanding deliberate social-ecological transformations. *Ecology and Society*, 19(4), 54. <http://dx.doi.org/10.5751/ES-06966-190454>
- National Inquiry into Missing and Murdered Indigenous Women and Girls. (2019). *Reclaiming power and place: The final report of the national inquiry into missing and murdered Indigenous women and girls*. <https://www.mmiwg-ffada.ca/final-report/>
- Nitah, S., & Craig, MK. (2020, July 8). *Indigenous-led nature based greenhouse gas offsets: One route towards reconciliation in Canada*. Conservation through reconciliation partnership. <https://conservation-reconciliation.ca/crp-blog/indigenous-led-nature-based-greenhouse-gas-offset-one-route-towards-reconciliation-in-canada>
- O.A.G. (2018). *Perspectives on climate change action in Canada - A collaborative report from auditors general*. Office of the auditor general of Canada. [https://www.oag-bvg.gc.ca/internet/English/parl\\_otp\\_201803\\_e\\_42883.html](https://www.oag-bvg.gc.ca/internet/English/parl_otp_201803_e_42883.html)
- O'Manique, C. (2017, June). *The fallacies of clean growth: Neoliberal climate governance discourse in Canada*. Corporate mapping. [https://www.corporatemapping.ca/wp-content/uploads/2018/03/CMP\\_Fallacies-Clean-Growth\\_June2017.pdf](https://www.corporatemapping.ca/wp-content/uploads/2018/03/CMP_Fallacies-Clean-Growth_June2017.pdf)
- Parks, B. & Roberts, J. (2006). Globalization, vulnerability to climate change, and perceived injustice. *Society and Natural Resources*, 19(4), 337–355. <https://doi.org/10.1080/08941920500519255>
- Péloffy, K., Thomas, S., Marshall, D., & Abreu, C. (2019). *Setting expectations for robust equivalency agreements in Canada*. Climate action network. <https://climateactionnetwork.ca/wp-content/uploads/2019/04/CAN-Rac-Equivalency-Paper-2019-web.pdf>

- Perkins, P. (2019). Climate justice, commons, and degrowth. *Ecological Economics* 160, 183-190. <https://doi.org/10.1016/j.ecolecon.2019.02.005>
- Pickett, K., & Wilkinson, R. (2010). *The spirit level: Why equality is better for everyone*. Penguin UK.
- Piketty, T. (2017). *Capital in the twenty-first century*. Harvard University Press.
- Powell, T. (2017, October 30). *Is your “natural” gas actually fracked? What we know about the Cascadian gas supply*. Sightline. <https://www.sightline.org/2017/10/30/is-your-natural-gas-actually-fracked/>
- Quebec Native Women Inc. (2019). *2019 climate change report*. [https://www.faq-qnw.org/wp-content/uploads/2019/06/CC\\_report2019.pdf](https://www.faq-qnw.org/wp-content/uploads/2019/06/CC_report2019.pdf)
- Ratelle, M., & Paquette, F. (2019, December 2). *Climate policy should reflect the resilience of northern Indigenous communities*. The narwhal. <https://thenarwhal.ca/climate-policy-should-reflect-the-resilience-of-northern-indigenous-communities/>
- Ray, S. (2010). Economic growth and social cost: Need for institutional reforms. *Economic and Political Weekly*, 45(14), 17-20. <https://www.epw.in/journal/2010/14/commentary/economic-growth-and-social-cost-need-institutional-reforms.html>
- Rights and Resources Initiative. (2019). *Indigenous + community response to IPCC report: A statement on the Intergovernmental Panel on Climate Change (IPCC) special report on climate change and land from Indigenous Peoples and local communities from 42 countries spanning 76% of the world’s tropical forests*. Indigenous + Community Response to IPCC Report. <https://ipccresponse.org/home-en>
- Royal Commission on Aboriginal Peoples. (1996, October). *Report of the royal commission on Aboriginal Peoples*. Library and archives Canada. <https://www.bac-lac.gc.ca/eng/discover/aboriginal-heritage/royal-commission-aboriginal-peoples/Pages/final-report.aspx>
- Salick, J., & Byg, A. (2007). *Indigenous Peoples and climate change*. Tyndall Centre Publication.
- Seddon, N., Chausson, A., Berry, P., Girardin, CAJ, Smith, A., & Turner, B. (2020). Understand the value and limits of nature-based solutions to climate change and other global challenges. *Philosophical Transactions of the Royal Society B* 375(1794). <https://doi.org/10.1098/rstb.2019.0120>
- Scheidel, A., Del Bene, D., Liu, J., Navas, G., Mingorría, S., Demaria, F., Avila, S., Roy, B., Ertör, I., Temper, L., & Martínez-Alier, J. (2020). Environmental conflicts and defenders: A global overview. *Global Environmental Change* 63, 102104. <https://doi.org/10.1016/j.gloenvcha.2020.102104>
- Silver, J. (2020 December 11). *Ottawa announces new climate plan with no GHG-reduction targets*. iPolitics. <https://ipolitics.ca/2020/12/11/ottawa-announces-new-climate-plan-with-no-ghg-reduction-targets/>
- Simpson, L.B. (2017). *As we have always done: Indigenous freedom through radical resistance*. University of Minnesota Press.

Six Nations Council. (n.d.) *Summary analysis of federal & provincial initiatives*. [http://www.sixnations.ca/SN\\_Federal%20Analysis\\_of\\_Federal\\_Provincial\\_Initiatives.pdf](http://www.sixnations.ca/SN_Federal%20Analysis_of_Federal_Provincial_Initiatives.pdf)

Snively G., & Williams, W.L. (2016). *Knowing home: Braiding Indigenous science with western science, Book 1*. University of Victoria.

Steffen, W., Richardson, K., Rockström, J., Cornell, S. E., Fetzer, I., Bennett, E. M., Biggs, R., Carpenter, S.R., de Vries, W., de Wit, C.A., Folke, C., Gerten, D., Heinke, J., Mace, G.M. Persson, L.M. Ramanathan, V., Reyers, B., & Sörlin, S. (2015). Planetary boundaries: Guiding human development on a changing planet. *Science*, 347(6223), 1259855. <https://science.sciencemag.org/lookup/doi/10.1126/science.1259855>

Temper, L., Avila, S., Del Bene, D., Gobby, J., Kosoy, N., Le Billon, P., Martinez-Alier, J., Perkins, P., Roy, B., Scheidel, A., & Walter, M. (2020). Movements shaping climate futures: A systematic mapping of protests against fossil fuel and low-carbon energy projects. *Environmental Research Letters*, 15(12), 123004. <https://doi.org/10.1088/1748-9326/abc197>

Temper, L., Walter, M., Rodriguez, I., Kothari, A., & Turhan, E. (2018). *A perspective on radical transformations to sustainability: Resistances, movements, and alternatives*. Sustainability Science. <https://doi.org/10.1007/s11625-018-0543-8>

Tokar, B., & Gilbertson, T. (Eds.). (2020). *Climate justice and community renewal: Resistance and grassroots solutions*. Routledge.

Townsend, J., Moola, F., & Craig, MK. (2020). Indigenous Peoples are critical to the success of nature-based solutions to climate change. *FACETS*, 5, 551-556. <https://doi.org/10.1139/facets-2019-0058>

Trudeau, J. (2017, June 21). *Statement by the Prime Minister of Canada on national Aboriginal day*. Justin Trudeau, Prime Minister of Canada. <https://pm.gc.ca/en/news/statements/2017/06/21/statement-prime-minister-canada-national-aboriginal-day>

Truth and Reconciliation Council Commission of Canada. (2015). *Truth and reconciliation council commission of Canada: Calls to action*. [http://nctr.ca/assets/reports/Calls\\_to\\_Action\\_English2.pdf](http://nctr.ca/assets/reports/Calls_to_Action_English2.pdf)

United Nations. (2007, September 13). *United nations declaration on the rights of Indigenous Peoples*. [https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP\\_E\\_web.pdf](https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf)

Waldron, I. (2018). *There's something in the water: Environmental racism in Indigenous and Black communities*. Fernwood Publishing.

Walker, W., Baccini, A., Schwartzman, S., Ríos, S., Oliveira-Miranda, M.A., Augusto, C., Romero, Ruiz, M., Soria Arasco, C., Ricardo, B., Smith, R., Meyer, C., Jintiach, J.C., & Vasquez Campos, E. (2014). Forest carbon in Amazonia: the unrecognized contribution of indigenous territories and protected natural areas. *Carbon Management*, 5(5-6), 479-485. <https://doi.org/10.1080/17583004.2014.990680>


- Wherry, A. (2020, December 12). *Canada finally has a plan to meet its climate target- and maybe now there can be a real debate*. CBC. <https://www.cbc.ca/news/politics/net-zero-carbon-climate-trudeau-1.5838736>
- Whyte, K. (2017). Indigenous climate change studies: Indigenizing futures, decolonizing the anthropocene. *English Language Notes*, 55(1), 153–162. <https://ssrn.com/abstract=2925514>
- Whyte, K. (2018). Way beyond the lifeboat: an indigenous allegory of climate justice. In D. Munshi, K.K. Bhavnani, J. Foran, & P. Kurian (Eds.), *Climate futures: Reimagining global climate justice*. University of California Press
- Whyte, K. (2020). Too late for indigenous climate justice: Ecological and relational tipping points. *WIREs Climate Change* 11(1), e603. <https://doi.org/10.1002/wcc.603>
- Wiebe, S.M. (2019). Sensing policy: Engaging affected communities at the intersections of environmental justice and decolonial futures. *Politics, Groups, and Identities*, 8(1), 181-193. <https://doi.org/10.1080/21565503.2019.1629315>
- Wildcat, D. R. (2010). *Red alert!: Saving the planet with indigenous knowledge*. Fulcrum Publishing.
- Williams, L, A. Fletcher, Neopole, J., & Pollack, M. (2018, February). *Women and Climate Change Impacts and Action in Canada*. Canadian Research Institute for the Advancement of Women. [https://www.criaw-icref.ca/images/userfiles/files/Women%20and%20Climate%20Change\\_FINAL.pdf](https://www.criaw-icref.ca/images/userfiles/files/Women%20and%20Climate%20Change_FINAL.pdf)
- Wilt, J. (2016, December 13). *The carbon offset question: Will Canada buy its way to the climate finish line?* The narwhal. <https://thenarwhal.ca/carbon-offset-question-will-canada-buy-its-way-climate-finish-line/>
- Working Group on Adaptation and Climate Resilience. (2016). *Working Group on Adaptation and Climate Resilience: Final Report*. Canada.ca. [https://www.canada.ca/content/dam/eccc/migration/cc/content/6/4/7/64778dd5-e2d9-4930-be59-d6db7db5cbc0/wg\\_report\\_acr\\_e\\_v5.pdf](https://www.canada.ca/content/dam/eccc/migration/cc/content/6/4/7/64778dd5-e2d9-4930-be59-d6db7db5cbc0/wg_report_acr_e_v5.pdf)
- Working Group on Carbon Pricing Mechanism. (2016). *Working Group on Carbon Pricing Mechanism: Final Report*. Canada.ca. [https://www.canada.ca/content/dam/eccc/migration/cc/content/6/4/7/64778dd5-e2d9-4930-be59-d6db7db5cbc0/wg\\_report\\_carbon-20pricing\\_e\\_v4.pdf](https://www.canada.ca/content/dam/eccc/migration/cc/content/6/4/7/64778dd5-e2d9-4930-be59-d6db7db5cbc0/wg_report_carbon-20pricing_e_v4.pdf)
- Working Group on Clean Technology, Innovation and Jobs. (2016). *Working Group on Clean Technology, Innovation and Jobs: Final Report*. Canada.ca. <https://www.canada.ca/content/dam/eccc/migration/cc/content/6/4/7/64778dd5-e2d9-4930-be59-d6db7db5cbc0/working-20group-20on-20clean-20technology-20innovation-20and-20jobs-20final-20report-20engl....pdf>
- Working Group on Specific Mitigation Opportunities. (2016). *Specific Mitigation Opportunities Working Group: Final Report*. Canada.ca. [https://www.canada.ca/content/dam/eccc/migration/cc/content/6/4/7/64778dd5-e2d9-4930-be59-d6db7db5cbc0/wg\\_report\\_specific\\_mitigation\\_opportunities\\_en\\_v04.pdf](https://www.canada.ca/content/dam/eccc/migration/cc/content/6/4/7/64778dd5-e2d9-4930-be59-d6db7db5cbc0/wg_report_specific_mitigation_opportunities_en_v04.pdf)


## Connect with ICA

4 ways to support Indigenous-led climate action and solutions:

1. Follow ICA and share our work
2. Volunteer with the network
3. Support Indigenous communities taking climate action
4. Donate and/or become a monthly sustainer

To learn more about Indigenous Climate Action, connect with us at:

 @IndigenousClimateAction

 @IndigenousClimateAction

 @Indigenous\_ca

 Indigenous Climate Action Network

 Indigenous Climate Action

[IndigenousClimateAction.com](https://IndigenousClimateAction.com)

[info@IndigenousClimateAction.com](mailto:info@IndigenousClimateAction.com)

Indigenous Climate Action c/o Polaris Institute

601 - 331 Cooper St.

Ottawa, ON K2P 0G5

Unceded territories of the Algonquin, Haudenosaunee, Huron-Wendat and Anishinabek

