

MEMBER STATEMENT—KEVIN O'REILLY MLA FRAME LAKE

PROJECT ASSESSMENT POLICY

September 26, 2017

MR. O'REILLY: Merci, Monsieur le President. Cabinet approved the Project Assessment Policy on April 13th, 2017, after a review by standing committee. The policy applies to all GNWT departments, boards, and agencies and establishes the administrative procedure for assessing any "seismic surveys, exploration, extraction and/or production of natural resources, development of infrastructure, or remediation of past resource or infrastructure activity that might have environmental impacts within the Northwest Territories."

Although it was improved as a result of standing committee review, it is still not a good policy. It makes no reference to the rights of Indigenous peoples to free, prior, and informed consent for resource development as recognized in Article 19 of the UN Declaration on the Rights of Indigenous Peoples, which was unanimously endorsed by this House on February 18th, 2008.

The policy is established on the principle that the GNWT "should support resource management board processes and carry out project assessment in a manner that is transparent and accountable". Yet the operational direction is that "any technical advice and evidence provided to boards by their respective staff is in line with legislation, Cabinet direction, and ministerial policies".

Some may say that this sort of approach may lead to the muzzling of scientists and withholding of information that Cabinet does not agree with or that this policy could lead to policy-based evidence making. I'll give a concrete example. Cabinet has already endorsed and is actively seeking funds for an all-weather road into the Slave Geological Province. Will technical advice and evidence about the state of the Bathurst caribou herd, no matter how bad it is, be brought forward by our government if and when an environmental assessment is held on the proposed road?

The way this policy could operate is not at all consistent with evidence-based decision-making and transparency principles that it contains. The policy does not honour the spirit of reconciliation and recognize the rights of communities to free, prior, and informed consent. This policy is not why Northerners fought hard for devolution, and it's time to send it back. I will have questions for the Minister of Lands on how this policy is to be implemented and whether there is any appetite for greater transparency. Mahsi, Mr. Speaker.