



FIRST PEOPLES WORLDWIDE

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First Nations Turn to Corporations for Funding

As Canada slashes federal funding for Aboriginal programs and services, First Nations are increasingly turning to corporations as a funding source for governance, education, and other initiatives. Examples include Vale Canada Limited's support for the Centre for Indigenous Governance, the Nuclear Waste Management Organization's support for the Metis Nation of Ontario, and Enbridge and Syncrude's support for the Truth and Reconciliation Commission.

Some Indigenous groups, such as the Canadian Council for Aboriginal Business, view this as an opportunity to build positive relationships between First Nations and the extractive industries, while others, such as the Indigenous Environmental Network, assert that “companies are able to exploit organizations and native people generally because they know we don't have any resources...Indigenous Peoples need to ask themselves why companies are approaching them in the first place and how the company might be benefitting.”

Companies should deliberately align their financial or technical support to Indigenous Peoples with the principles of UN Declaration on the Rights of Indigenous Peoples, especially “the right to self-determination” and “the right to determine and develop priorities and strategies for exercising the right to development.” Doing so diminishes perceptions that their support is fueled by ulterior motives, and ensures that communities retain full control of their development destinies.

Sources: Vice

Changing Political Landscapes Create Risks and Uncertainties

The results of India's recent national elections, which awarded landslide victories to the Bharatiya Janata Party (BJP), could have detrimental impacts to Indigenous Peoples (Adivasis)

in the country. The BJP's electoral mandate includes conflicting promises to "empower" and "work for the welfare" of Adivasis, while framing environmental regulations in a manner "that will lead to speedy clearance of projects without delay." It appears more likely that the latter will be prioritized, as regional governments under the BJP's control have historically displayed little interest in enforcing legal protections for Adivasis, resulting in abusive and reckless practices towards communities.

The ease with which changing political landscapes can strengthen or weaken the standards for operating on Indigenous territories creates risks and uncertainties to both companies and communities, increasing the chances of conflicts. Rather than subjecting their operations to unpredictable political undercurrents, companies should adopt and adhere to their own stringent standards, and, to the extent possible, use their influence in countries to promote stronger and more consistent legal protections for Indigenous Peoples.

Sources: [The Guardian](#)

Chinese Presence in Ecuador Affects Indigenous Peoples

Since 2009, China has loaned \$9 billion to Ecuador, and has promised to loan an additional \$7 billion to the country. These loans amount to nearly one-fifth of Ecuador's GDP, and their conditions and stipulations give China access to approximately 90 percent of the country's oil reserves, most of which are on Indigenous territories. Despite China's recent adoption of Green Credit Guidelines and Foreign Investment Regulations, the country has a sustained record of resource extraction with little to no regard for the environment or human rights. For this reason, Chinese investments in Ecuador are expected to have negative implications for Indigenous Peoples, including communities living in voluntary isolation.

Despite China's rapidly growing demand for energy, approximately 70 percent of the oil it produces in Ecuador is sent to the US via private shipping and trading firms. Because the actions of state-owned and/or private companies are generally more difficult to monitor and regulate, stronger public awareness and transparency protocols are needed to enable US consumers and investors to "trace" oil derived from Chinese investments in Ecuador, and take the actions necessary to ensure that operators respect the principles of Free, Prior, and Informed Consent.



Sources: [Amazon Watch](#)

Respond to Grievances at the Earliest Point Possible

In June 2014, members of the [Pictou Landing First Nation](#) blocked a road leading to an effluent leak at a pulp mill owned by [Northern Pulp Nova Scotia Corporation](#) (a subsidiary of Asia Pulp and Paper), to protest the company's dumping of untreated toxic waste into their fishing and sacred burial grounds. By preventing the company from fixing the leak, the community effectively shut down operations at the pulp mill, costing the company approximately \$500,000 per day. The blockade ended when the provincial government promised to introduce legislation proposing an alternate location for the dumping by June 2015.

The Pictou Landing First Nation had peacefully voiced its concerns about the dumping since the 1960s, yet it was not until they grabbed headlines by erecting a physical blockade that these concerns were properly addressed. Responding to communities' grievances at the earliest point possible mitigates the chances of escalation to these types of situations.

Sources: [The News](#), [Intercontinental Cry](#), [Truth-Out](#)

Be Wary of Breakdowns in Communication

A village in Karonga District, Malawi is accusing Eland Coal Mine Company of renegeing on social responsibility promises entrenched in a Memorandum of Understanding (MoU) between the parties. These promises include a school, a hospital, and clean water. According to the chief, "the MoU we signed is very clear and explicitly states that if these things are not fulfilled by this month, then the mine has to close." According to the company, the "delay in fulfilling the promised social responsibility initiatives has partly been a result of delays by those occupying the land targeted for mining to move...by February 2014, half of the stakeholders that were supposed to relocate still occupied land which was compensated for...by May, five percent had still not moved."

Companies must be strategic in their community engagement tactics, and be wary of breakdowns in communication that jeopardize local support. In this case, the company's inability to fulfill its



commitments to the community in the proposed timeline, however legitimate the reasons, has turned the majority of community members against the project.

Sources: [Maravi Post](#)

Media Spotlight Shines Brighter on the Bakken

In June 2014, the Wall Street Journal reported on state and local governments' efforts to "curb fracking to protect residents and scenic areas" in the Bakken, and a Reuters article predicted that North Dakota's flaring crackdown will slow economic growth in the state. Meanwhile, the Huffington Post published an open letter to Barack Obama, inviting him to visit the Fort Berthold Indian Reservation and witness the environmental damages caused by oil and gas activities in the region.

Articles about the Bakken are appearing in the mainstream media with increasing frequency. If companies do not take swift action to address impacts to communities and the environment, these controversies could begin to mirror those in the Canadian oil sands, where activist groups and communities have launched global campaigns against the industry. While Fort Berthold's elected leaders remains supportive, continued development will likely be stymied by regulatory, legal, and operational burdens, as opponents pursue various methods of decelerating the rapid pace of oil and gas activities on the reservation.

Sources: [Wall Street Journal](#), [Huffington Post](#), [Reuters](#)

Due Diligence to Mitigate Country Risk

Maasai communities in Kenya are being threatened with eviction, to make way for geothermal projects being developed by Africa Geothermal International, Hyundai, Sinopec, Toshiba, and other African and Asian companies. The communities allege that the companies "have disregarded court injunctions instituted by the Maasai, proceeding to deploy their heavy machinery to their proposed project sites without due diligence or consultations" and are calling for the "deployment of armed police" to stop the evictions.

Despite Kenya's recent adoption of landmark constitutional recognitions of Indigenous Peoples, the government's tendency to forcibly relocate Maasai, Sengwer, and other Indigenous groups



from their ancestral lands appears to be on the rise. Before beginning operations in a country, companies should research the government's track record regarding Indigenous Peoples' rights, to appropriately gauge their risk exposure to these types of scenarios. The chronic maltreatment of Indigenous Peoples in Kenya actions should have raised a red flag that these concessions would bring companies into conflicts with communities. Governments are unlikely to be transparent about the presence of disputed land claims in a concession, reiterating the need for companies to perform their own due diligence.

Sources: [Intercontinental Cry](#)

Addressing Negative Impacts During Consumption

A sharp spike in diabetes in Indigenous communities in Chiapas, Mexico is being attributed to an “invasion” of soft drinks. Researchers at Mexico's [National Institute of Medical Sciences and Nutrition](#) highlight “very aggressive commercial campaigns” in the region by [Coca-Cola](#) and other food and beverage companies, and note that shortages of potable water in communities encourage consumption of soft drinks. Soft drinks are reportedly becoming incorporated into religious ceremonies and other cultural events, sometimes replacing traditional foods and beverages.

In addition to mitigating negative impacts to Indigenous Peoples during the production stage, food and beverage companies should be mindful of negative impacts during the consumption stage. While every company needs to prioritize selling its products, food and beverage companies should note the momentous health disparities between Indigenous and non-Indigenous Peoples, and take actions to offset the chances that their products exacerbate those disparities. According to the Lancet Medical Journal, “poverty, malnutrition, overcrowding, poor hygiene, environmental contamination, and prevalent infections” are some of the root causes for Indigenous Peoples' lower health standards.

Sources: [Indian Country Today](#)

