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Municipalities and Indigenous Communities: Why and How Should They Work Together?

In recent years, Québec society has become more aware of the fact that, as in the rest of Canada, municipalities share the land with Indigenous communities. But what do terms like communities, reserves, ancestral territories, and unceded lands mean? And above all, how can municipalities and First Nations work together?

Understanding territorial realities

Québec is home to 11 First Nations, each with its own history, language, culture, traditions, and, of course, territory. These nations are divided into over 40 communities, called “reserves” under the *Indian Act* of 1876, which is still in force in Canada. These reserves are generally small in size and are managed much like municipalities. They are administered by a band council, which is responsible for road maintenance, snow removal, and waste management. The big difference? These lands belong to the federal government, not the provincial one.

But First Nations are also the guardians of their ancestral territories, which they have occupied since time immemorial. Many use the term “unceded lands” to emphasize that they have never officially relinquished those territories and therefore retain rights over their management and use.

Unlike reserves, ancestral territories often cover massive areas. In fact, wherever you are in Québec, you are most likely standing on the ancestral territory of one or more First Nations.

Why collaborate?

This territorial cohabitation is giving rise to an increasing number of partnerships between municipalities and Indigenous communities, particularly in the areas of economic development, energy, and tourism.

But are municipalities legally obliged to collaborate with First Nations? In theory, no. However, according to the *Constitution Act, 1982*, the governments of Canada and Québec have a constitutional obligation to consult with First Nations when a project is likely to affect their territories or traditional activities.

These obligations may include various forms of accommodation, such as:

- Implementing mitigation measures to protect the territory and its natural resources
- Involving Indigenous communities in projects
- Hiring First Nations workers or suppliers

In short, all State-supported or publicly funded development projects are subject to these obligations. This makes it difficult, if not impossible, to move a project forward without the involvement of the relevant First Nations.

How can we collaborate?

There are many opportunities for collaborating with First Nations. Many communities are keen to improve their financial autonomy and are interested in projects that can generate own-source revenue. Therefore, municipalities planning economic, tourism, or energy (e.g., wind, hydroelectric, or solar) development should initiate a dialogue with the relevant Indigenous communities. Doing so can result in genuine, mutually beneficial partnerships!

Consider, for example, the Val-Jalbert power plant in Lac-Saint-Jean, which is operated by an Indigenous developer. The profits are shared between two local RCMs and the Mashteuiatsh Innu community. Meanwhile, in Saint-Narcisse, Montérégie, an old dam is going to be revived by a limited partnership, 60% of which is owned by two Indigenous communities and an Indigenous developer, and 40% by the Municipality of Saint-Narcisse and the RCM of Les Chenaux. These community-driven projects generate spin-offs that benefit both Indigenous and non-Indigenous populations.

- *First Nations are now considered integral to projects*
- *being developed in their territory, particularly when it*
- *comes to environmental, cultural, and economic*
- *matters.*

Reconciliation in action

Reconciliation with First Nations has gained significant attention in recent years. It can take many different forms, the most concrete and measurable of which is economic reconciliation. Municipalities, towns, and RCMs have a decisive role to play in this respect, either as development partners or in land-use and tourism development planning.

Here are some examples of measures that can be adopted:

- Framework agreements and collaboration protocols with the relevant communities from the earliest stages of projects
- Responsible procurement (including clauses favouring partnerships with Indigenous businesses)
- Co-development of projects (e.g., infrastructure, facilities, services) through early consultation and shared feedback mechanisms

These actions must, of course, be planned, negotiated, and communicated appropriately, but they will ultimately result in a lasting relationship. What's more, collaborations have many benefits beyond the potential for considerable economic spin-offs: better mutual understanding between Indigenous and non-Indigenous peoples, shared complementary expertise, increased social cohesion, collective economic vitality, and projects that are more widely accepted and firmly established.

In short, it's a win-win partnership.

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