

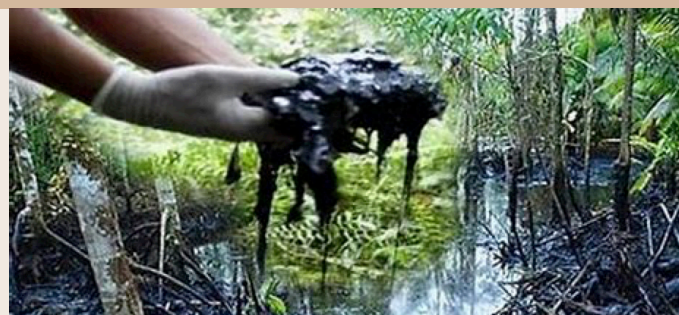


CONFERENCE

# INDIGENOUS SOLUTIONS FOR ENVIRONMENTAL CHALLENGES

November 10-12, 2018 | Banff, Alberta | Banff Centre for Arts

The conference will use the context of the historic *Aguinda v. Chevron* environmental case to consider the critical role of judicial remedies for violations of the rights of indigenous and other affected peoples and the leading systemic obstacles to the realization of remedies in particular cases, both in Canada and beyond.



## OTHER CONFERENCE ACTIVITIES:

**Mini Film Festival:** The mini film festival will present two documentaries on the conference themes.

**Hosted Networking Opportunities:** Delegates will have networking and conversation opportunities through a variety of themed tables hosted by experts attending the conference.

**Poster Display:** Graduate students are invited to present their research on relevant topics in poster displays. These posters could be displayed throughout the conference.

**Art Display:** The art show will include pieces by established and emerging indigenous artists to demonstrate how Indigenous Art challenges colonial law.

Early Bird Registration  
Deadline - October 1

Regular Registration  
October 2 - November 10

For more information:  
Penny Jacko | 613 404 1610  
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Mr. Phil Fontaine,  
Conference Co-chair



Professor Kathleen Mahoney,  
Conference Co-chair

<https://banffconference2018.com>

# Indigenous Solutions for Environmental Challenges

November 10-12, 2018 • Banff, Alberta

Banff Centre for Arts and Creativity • 107 Tunnel Mountain Drive

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## DRAFT AGENDA

### PRE-CONFERENCE ACTIVITIES

#### **FRIDAY, NOVEMBER 9, 2018**

- 6:00pm-9:00pm Registration – Max Bell Building Lobby
- 6:00pm-9:00pm Reception featuring the documentary films in the Max Bell Hall. Films will also be shown after the conference sessions and dinners.  
Fractured Land - Caleb Behn Host <http://www.fracturedland.com>  
Crude <https://chevrontoxico.com/crude> TBC

#### **DAY 1 • SATURDAY, NOVEMBER 10, 2018**

- 7:00am–9:00am Registration – Max Bell Building Lobby
- 8:30am–9:00am Opening Ceremony
- *Sykes Powderface, Elder Stoney Nakoda Nation & Drum*
  - University of Calgary *Michael Hart*, VP of Indigenous Engagement
  - Message from the Assembly of First Nations *Regional Chief of Alberta Marlene Poitras (TBC)*
- 9:00am-9:15am Introduction / Conference Goals and Objectives
- *Phil Fontaine*
  - *Kathleen Mahoney*
  - *Luis Macas*
- 9:15am–10:00am Opening Keynote Address - Setting the Bottom Line in the Anthropocene
- *Dr. David Suzuki*

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- 10:00am–11:00am      The Path Forward: Victories for Indigenous Peoples Rights in National and International Fora  
*CHAIR: Grand Chief Ed John*
- The Path to an Indigenous Rights-Respecting Jurisprudence in the Inter-American System
    - *Juan Aulestia*
  - The Indian Residential School Settlement Agreement: Effective use of Indigenous Principles
    - *Kathleen Mahoney*
  - Success in domestic litigation regarding indigenous rights.
    - *Bill Gallagher*
- 11:00am–11:15am      Health Break
- 11:15am–12:15pm      Challenges facing Ecuadorian peoples of Ecuador after the largest environmental catastrophe in the world  
*CHAIR: Luis Macas*
- Survivors talk about their relationship to resource development in their Amazonian territories, their experiences with the resource development that has taken place, how they worked with NGO's and other local rights groups over many years of struggle, what it's like to grow up in a community struggling for its life, what reparations they need to repair the harms done to them, their families, their communities, their environment, their health, their economies and their lives. There could also be workshops throughout the conference to hear and record survivors' stories through skype.
- 12:15pm-1:00pm      Lunch Break
- 1:00pm-1:30pm      A Lawyer's Experience: The history of the *Aguinda* litigation  
*MODERATOR: Charles Nesson*
- *Steven Donziger*
- 1:30pm–2:30pm      Corporate Strategies of Obstruction  
*CHAIR: Shawn Fluker*
- Corporate Accountability: From 'Here, There and Everywhere' to 'Nowhere Man'
    - *Shin Imai*
  - The New Corporate Playbook: Targeting victims and their Lawyers with harassing SLAPP lawsuits and public “demonization”
    - *Rachel Deming*

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- 2:30pm – 3:00pm                      Impediments to Achieving Indigenous Environmental Justice in the Court System  
*MODERATOR: Martha Hall Findlay*
- How courts deal with entrenched power
    - *Phil Fontaine*
    - *Glenn Sigurdson*
- 3:00pm–3:15pm                      Health Break
- 3:15pm - 4:30pm                      Building New Relationships through the use of Indigenous Principles and Processes: The Residential School Example  
*CHAIR: Lee Francoeur*
- Limiting the Range of Permissible Lies: The importance of Truth Commissions for Reconciliation
    - *Willy Littlechild*
  - Re-building Indigenous Families After Residential Schools
    - *Cora Voyageur*
  - Reconciliation, Forgiveness, and Healing
    - *Chief Bobby Joseph*
- 4:30pm–5:45pm                      The Political and Operational Dimensions of Reparations  
*CHAIR: Michael Hart*
- Methodology for Bottom Up Engagement for Victims of Institutional Abuse: The Northern Ireland Experience
    - *Patricia Lundy*
  - Maintaining Solidarity in Grassroots Organizations
    - *Jon McCourt*
  - Methodology Problems with the Missing and Murdered Indigenous Women Inquiry: Lessons learned
    - *Marilyn Poitras*
- 6:30pm–11:00pm                      Country and Western Barbecue and Cultural Night  
A country and western venue in Banff will be the location for a “hoe down” western bar-be-que complete with hay bales, country music and line dancing. Transportation Provided

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## **DAY 2 • SUNDAY, NOVEMBER 11, 2018**

9:00am–11:00am

Taking the Message to the People Through Artistic Expression

*MODERATOR: (TBC)*

- Use of Literature - The role of the arts in creating public awareness about the interrelationship between the use of natural resources, human rights, women's rights, indigenous self-determination and the planet's life support system
  - Aritha Van Herk
- Use of Pop Culture and Music to Inform the Masses
  - *Roger Waters (TBC)*
- Use of Indigenous centered documentaries
  - *Caleb Behn*

11:00am–11:15am

Health Break

11:15am–12:45pm

Human Rights, Indigenous Rights and Business: Taking the message to Corporations

*CHAIR: Brian Calliou*

- The Importance of Relationship Between Business and Human Rights
  - *Glen Murray (TBC)*
- Hearing from the Capital Markets: Calling Corporate Polluters to Account from the Inside
  - *Simon Billenness*
- UNDRIP and the Business Community: What has Changed?
  - *Basil Ugochukwu*
- Hearing from the Multinationals: The Changing Corporate Approach to Resource Development
  - *Audrey Mascarenhas*

12:45pm–1:30pm

Lunch Break

1:30pm–3:15pm

Overlapping Interests: Building Bridges Between Environmental NGO's and Indigenous Communities

*CHAIR: Iris Almeida-Côté*

- The Interrelationship Between the Rainforest, Human Rights, Women's Rights, Indigenous Self-Determination and the Planet's Life Support System
  - *Paul Paz y Miño*
- Shifting the Global Conservancy Structure to a More Supportive Role for Indigenous Groups
  - *Jenny Brown*
- Making Connections between Environmental NGOs
  - *Hannah Askew*
- Direct Action: Strategies and Successes with NGOs
  - *Rex Weyler*

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3:15pm-3:30pm

Health Break

3:30pm-5:00pm

Turning to Indigenous Law: Conceiving Harms and Reparations Through Indigenous Legal Traditions

*CHAIR: Robert Hamilton*

- A workshop for teaching Indigenous Legal Principles
  - *Val Napoleon*
- Cree responses to harms to lands/water
  - *Darcy Lindberg*
- Overview of the Indigenous Law Research Unit's Methodology and its Application in Practice
  - *Jessica Asch*

6:30pm-11:00pm

Social Activities - Dinner Away Night

On Sunday, November 11, instead of a banquet, we are organizing a “dinner away” evening at a variety of Banff’s best restaurants. Delegates will have networking and conversation opportunities through a variety of themed tables hosted by experts attending the conference. Delegates will sign up for a particular dinner table conversation theme when they register and will be assigned to an appropriate group. The hosts will lead informal conversations over dinner. Delegates would be encouraged to sign up for tables where topics of their particular interest will be discussed. The dinners will provide excellent networking opportunities, promote consciousness raising, and achieve more in-depth discussion on the conference themes.

Concurrent dinner discussions at local restaurants on:

- RICO and SLAPP suits: Fighting back
- Growing the Indigenous Coalition between Ecuador and Canada
- Shaping a model for Settling the Aguinda Claim
- Intersections between Environmental and Indigenous Rights Cases
- Indigenous Strategizing for Social Justice
- NGO’s and CEO’s – Finding Common Ground
- Understanding Indigenous Legal Traditions
- Art and Indigenous Resistance
- Aboriginal Women and Dispute Resolution
- Corporate Responsibility in the 21st Century
- Internationalization of Domestic Law
- Direct Action

Participating Restaurants:

- Chuck’s Steakhouse - [www.chuckssteakhouse.ca](http://www.chuckssteakhouse.ca)
- The Maple Leaf - [www.banffmapleleaf.com](http://www.banffmapleleaf.com)
- The Bison - [www.thebison.ca](http://www.thebison.ca)
- Park Distillery Restaurant + Bar - [www.parkdistillery.com](http://www.parkdistillery.com)
- The Balkan - [www.banffbalkan.ca](http://www.banffbalkan.ca)
- Castello Ristorante - <https://www.fairmont.com/banff-springs/dining/castelloristorante/>
- Grapes Wine Bar - <https://www.fairmont.com/banff-springs/dining/grapeswinebar/>
- Saltlik Banff - <http://www.saltlik.com/banff/>
- The Vermillion Room - <https://www.vermillionroom.com>
- Primrose Dining Room - <http://www.rimrockresort.com/primrose.html>

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## **DAY 3 • MONDAY, NOVEMBER 12, 2018**

9:00am–10:45am

The Master's Tools - Examining the Role and Promise of Existing Law Affecting Indigenous Rights and Interests

*CHAIR: Jennifer Koshan*

- Promises Hopes & Fantasies: Can Existing International Arbitration and Judgment Enforcement Mechanisms Serve Indigenous Peoples
  - *Aaron Marr Page*
- Enforcement of Foreign Judgments in Canada- Subsidiary Liability/Enterprise Liability
  - *Evar Oshionebo*
- UNDRIP Legislation and how it should be Applied to Environment, Human Rights, Interests of Indigenous peoples, and Trade Treaties
  - *Nigel Bankes*
- Building Environmental Assessment Processes that Endorses the Principles of the UNDRIP
  - *Sharon Mascher*

10:45am–11:00am

Health Break

11:00am–11:45am

Rapporteur's Report

- *Richard Devlin*

11:45am–1:00pm

Wrap Up of the Conference

- Statement of Commitment Going Forward
- Formation of a Global Movement to Fight Global Corruption
- Establish a Website to Create a Network for Indigenous and Non-Indigenous Youth Groups
- Signing Ceremony and Witnessing
  - *Phil Fontaine*
  - *Kathleen Mahoney*