

The Alberta Indigenous Opportunities Corporation: A Critical Analysis

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AS THE DUST CONTINUES to settle on the inaugural term of the United Conservative Government, many groups within the private, public and Indigenous sectors are grasping the full scope of ongoing and future harm. Given the **divisive campaign**, the questions surrounding **leadership contests**, and the increasing confusion and dismay following each new announcement or report, things are looking grim.

In typical governmental cycles, the first one hundred days are the most turbulent. I wrote a **piece for Yellowhead** on those early days of the UPC Government, not expecting the following 100 days to match them. With the current trends and conversations taking place in Alberta, it appears that the tumultuous relationship between Alberta and Indigenous communities will continue well past the two hundred day mark.

Many programs have been targeted for closure, initiatives have been re-profiled, and through Budget 2019 the Ministry of Indigenous Relations faces a cut of nineteen percent.

Some of these shifts are intended to refocus government priorities, others are messaged as opening doors for those historically marginalized. Of the most notable initiatives tailored to, as the Premier Kenney states, “**our Indigenous Peoples**”, is the Alberta Indigenous Opportunities Corporation or AIOC.

ESTABLISHING OPPORTUNITIES

Announced in April 2019 as a campaign promise, the AIOC was hailed as a “game changer” and a mechanism to allow First Nations in Alberta to participate in self-determination, “**tak[ing] charge of their own destiny**”. Intended to backstop up to \$1 billion in loans and guarantees, the AIOC is being portrayed as a doorway for greater participation of Indigenous Communities in major resource projects in Alberta and across the country.

Funds taken from the previous government’s “Oil by Rail” plan—\$24 million over four years—were earmarked for the AIOC. The **advisory committee** was then struck, comprised of Indigenous and non-Indigenous experts of varying backgrounds. Finally, *Bill 14: The Alberta Indigenous Opportunities Corporation Act* was introduced and subsequently steam-rolled through the legislature. The AIOC Act empowers the government and the Minister to establish the AIOC, a Crown Corporation.

Regrettably, in the establishment of the AIOC, there are clear indications that Indigenous control and influence will be sparse.

LACKING SELF-DETERMINATION MECHANISMS

Upon analysis of *The Alberta Indigenous Opportunities Corporation Act*, the haphazard drafting process of the legislation becomes apparent. In an attempt to define an “indigenous group(s)”, the law grasps at those defined in the *Indian Act (1876)*, Métis groups, or any entity that the Minister deems suitable within the mandate of the Corporation.

You read that correctly, any entity, Indigenous or non, that the Minister deems suitable within the AIOC’s mandate can partner and receive funds from the corporation.

Of course, this is counter to the overall goal and selling point of the initiative to empower Indigenous communities to partner in resource development. The Bill also stops short of mandating any type of minimum participation on the board. One would think that an entity designed and delegated the authority of the Crown, with intentions to allow Indigenous groups to meaningfully participate in resource development, would strive for a majority Indigenous board. This is not the reality.

Finally, section 12 of the law empowers the Minister to issue directives and investments to the AIOC that *must* be followed. This seems like an oddly placed proviso for a body designed to help Indigenous groups pursue “self-determination”. Perhaps this self-determination will be established at the board level.

UNBALANCED BOARD

With the launch of the open call for applications to the board, and a guarantee from [Minister Rick Wilson](#) that the board would be comprised of an Indigenous majority, optimism was high. However, the board was established at the end of January, revealing that this, too, has been an empty promise. Of the eight members announced, only [three are Indigenous](#). Far below a majority and unable to achieve simple parity for the AIOC leadership.

Compounding the lack of Indigenous control and authority is the fact that the Chair of the organization is non-Indigenous. Moreover, the three Indigenous leaders selected share a deep connection to the oil and gas sector in Alberta with little emphasis shown on diversifying investments or industries. These three gentlemen come from Treaty no. 6, Treaty no. 7 and Treaty no. 4 territories in Alberta and Saskatchewan.

Noticeably absent from any involvement in the board is representation from Treaty no. 8 territory, betraying the custom of all territorial bodies having representation in initiatives such as these.

This oversight could have dire consequences given the recent opposition to the proposed Teck Frontier Mine from the [Athabasca Chipewyan First Nation](#).

ESTABLISHING UNATTAINABLE OPPORTUNITIES

In spite of all of the above, the AIOC seems poised to begin creating opportunities for participating communities and entities. However, the criteria for [First Nations and Métis communities](#) requires some scrutiny as well.

First, for a project to be considered by the AIOC, they must demonstrate they can raise a minimum \$20 million investment.

There is an opportunity for communities to form coalitions to achieve this minimum investment, however, how many communities and businesses have that type of capital at their disposal?

Second, supported projects do not have to take place in Alberta, but can seemingly cross borders and boundaries, as long as the project “benefits Alberta’s natural resource sector”. In other words, eligible projects could even be out of province, the criteria is simply that they must benefit the natural resource sector in Alberta. This provision opens the door for the AIOC to direct funds towards projects which are currently facing massive opposition like the Coast GasLink and Transmountain Expansion. Although supported by some First Nations in Alberta, opposition largely sits in the territories of British Columbia. With the AIOC fund, then, the provincial could be driving further division among Indigenous people and raises questions around consultation and accommodation questions.

Lastly, Indigenous groups from outside of Alberta are eligible for AIOC projects as long as they partner with an Alberta community which owns at least 25% of said project. If we look back to the other provisions, this means that an Indigenous community must already have \$20 million invested into an \$80 million project before considering other partners from outside the province. For smaller First Nations and Métis communities, these opportunities are very likely unattainable. This in turn ensures only those with a long-standing history of industrial development will continue to benefit, while those left behind grow farther behind.

THE NEW REALITY IN ALBERTA

Further examination will occur in the months following the activation of the AIOC, however there remains little doubt that Indigenous people in Alberta are living in a new reality. While there have been few provincial governments that have worked with integrity on Indigenous issues in Alberta, the UCP is on another level.

The roll back of Indigenous participation in curriculum redesign to the spectre of privatization of Indigenous housing, reveal that the relationship between Indigenous people and Alberta will revolve solely around accessing resources, and participation in extracting them.

There are few hopes of progressive social policy or equity remaining. Rather, the new reality for Indigenous communities in Alberta appears to be a return to a troubling past. A past of firm jurisdictional boundaries, restrictions on funds unless goals align with industry and a push for coerced sovereignty at the end of a UCP leash.