



How a conservative US network undermined Indigenous energy rights in Canada

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A US-based libertarian coalition has spent years pressuring the Canadian government to limit how much Indigenous communities can push back on energy development on their own land, newly reviewed strategy documents reveal.

The Atlas Network partnered with an Ottawa-based thinktank – the Macdonald-Laurier Institute (MLI) – which enlisted pro-industry Indigenous representatives in its campaign to provide “a shield against opponents”.

Atlas, which has deep ties to conservative politicians and oil and gas producers, claimed success in reports in [2018](#) and [2020](#), arguing its partner was able to discourage the Canadian government from supporting a United Nations declaration that would ensure greater involvement by Indigenous communities.

The Canadian parliament did eventually pass the legislation to begin implementing the declaration in 2021, but observers say the government has made little progress to move it forward.

Meanwhile, Indigenous groups linked to MLI’s campaign – including the Indian Resource Council – continue to appear at conferences, testify to federal committees and get quoted in major media outlets to push the view that Indigenous prosperity is virtually impossible without oil and gas.

Hayden King, executive director of a Toronto-based Indigenous public policy thinktank called the Yellowhead Institute, called the campaign “a contemporary expression of the type of imperialism that Indigenous peoples have been dealing with here for many, many years”.

MLI directed questions about the reports to the Atlas Network, which did not respond to requests for comment.

The Atlas Network calls itself a “worldwide freedom movement” and has nearly 500 partners, including thinktanks like the Manhattan Institute. Other powerful partners include the Cato Institute, a thinktank co-founded by Charles Koch in 1977, as well as the Heritage Foundation,

which hosted a keynote speech by Donald Trump in April. Their influence on US politics includes leading campaigns to make Americans doubt if human-caused climate change is real.

Atlas members have helped influence the views of Republican politicians, including George W Bush. The Arlington, Virginia-based organization – which received more than \$1m from the oil company ExxonMobil through 2012 and \$745,000 from foundations linked to the Koch brothers through 2018, according to watchdog groups – has also exerted significant influence on conservative politics in the UK and Latin America.

Bob Neubauer, a researcher with a Canadian oil and gas watchdog organization known as the Corporate Mapping Project, said Atlas includes “a very significant number of the most influential rightwing thinktanks and advocacy organizations on the planet”.

“It should make people nervous,” he added.

Atlas and MLI have for years been pushing back against attempts by the Liberal government of Prime Minister Justin Trudeau to align Canadian laws with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), a declaration Canada endorsed more than a decade ago. That could have codified Indigenous rights to reject pipelines or drilling, the Atlas Network feared, according to their strategy documents, which were shared with Floodlight by an investigative climate research organization called DeSmog.

That’s because the treaty contains clauses affirming Indigenous peoples’ sovereignty over territories they’ve lived on for thousands of years. Implementing it would potentially make it harder for extraction companies to operate on those territories. At stake, the report explains, were Canada’s “monumental reserves of natural gas, hydro-electricity, potash, uranium, oil, and other natural resources”.

In recent years the Atlas Network has deepened its connections to Canada, setting up a Center for US and Canada that “works with local civil society organizations on both sides of the border to create positive perceptions of the role of free enterprise and individual liberty”, according to its website.

MLI is one of roughly a dozen Atlas Network partner organizations in Canada. It’s a relatively new organization, formed only in 2010, but its board members and advisors come from some of the top lobbying, legal and financial firms in the country.

In 2018, the Atlas Network created a 13-page “thinktank impact case study” report about a campaign being led by MLI called the “Aboriginal Canada and the Natural Resource Economy Project”. Atlas wanted to highlight this project at a training academy for its partners around the world.

The report is no longer accessible on the Atlas Network website but was recovered by DeSmog on an internet archive called the Wayback Machine.

“The Macdonald-Laurier Institute, its staff, and the authors affiliated with the Aboriginal Canada and the Natural Resource Economy project were the only entities that worked on that project,” MLI spokesperson Brett Byers wrote in an email.

“Questions regarding the content, nature, or interpretation of a report published by the Atlas Network are better directed toward the Atlas Network,” he added. The Atlas Network didn’t respond to a detailed list of questions about its involvement.

The report claims that this project was started “at the behest of the Assembly of First Nations”, a national advocacy group for Canada’s Indigenous peoples, which “saw potential in the natural resource economy as a major driver of transformation in Indigenous opportunity”. The Assembly didn’t respond to a media request asking if this is accurate.

The Atlas report notes that a prime objective of this collaboration was removing barriers to the production of fossil fuels. It explains that as political momentum began building in 2016 for Canada to implement the UN declaration, this “concerned the team” at MLI.

That was because the UN declaration contains a clause stating that Indigenous peoples have the right to give “free, prior and informed consent” before governments make decisions that could have a large material impact on their traditional territories.

Some legal experts see this as a reasonable way to ensure that Indigenous communities are equal partners in decision-making. But the MLI and the Atlas Network appeared to interpret this to mean that those communities could effectively veto new oil pipelines, fracking operations and other resource extraction projects.

“This provision, while well-intended, would have allowed even the most fringe groups to veto improvement projects at the expense of whole communities,” Atlas argued.

“It is difficult to overstate the legal and economic disruptions that may have followed from such a step,” the report continued.

MLI with the support of Atlas embarked on “a sophisticated communications and outreach strategy to persuade the government, businesses, and Aboriginal communities on the dangers involved with fully adopting UNDRIP,” the report says.

Early success came that November, when then Canadian Minister of Justice Jody Wilson-Raybould, who is We Wai Kai Nation, “offered her support to MLI’s view”. The report was referring to a 2016 speech where she said that fully implementing UNDRIP would be “unworkable”, creating doubt about the government’s commitment.

“MLI’s experts are always in regular communication with MPs, Ministers, and government officials,” Byers wrote. Wilson-Raybould didn’t respond to a media request.

Meanwhile, an opposition party member introduced a new bill meant to enshrine UNDRIP in law. This effort slowly gained momentum and political support, but when the bill ended up

before Canada's Senate for approval in 2019, an MLI scholar named Dwight Newman submitted written comments that the legislation's inclusion of "free, prior, and informed consent" could "have enormous implications for Canada".

"The bill was ultimately defeated," Atlas explains on its website.

"There could be some truth to that," said King, who is Anishinaabe from Beausoleil First Nation. "The bill died in the Senate because Conservative senators delayed and basically filibustered the legislation." And one of the senators accused of filibustering, Don Plett, quoted at length from a MLI report during a Senate debate about UNDRIP.

This was seen as a major victory by Atlas, which appears to have provided funding for the campaign. "Atlas Network supported this initiative with a Poverty & Freedom grant," notes a 2020 document on the Atlas website. That document also identified First Nations allies "working directly" on the campaign, such as the Indian Resource Council and the First Nations Major Projects Coalition.

"That is inaccurate," wrote a spokesperson for the First Nations Major Projects Coalition, referencing 2018 testimony its vice-chair gave in support of UNDRIP.

When the Trudeau government made yet another attempt to implement the UN declaration in 2021, Indian Resource Council president Stephen Buffalo told a standing senate committee that there should be language in the legislation preventing "special-interest groups" from being able to "weaponize" the declaration to block new pipelines.

"Whether or not you support the oil and gas industry, it is the right of the 131 nations of the Indian Resource Council of Canada to develop their resources as they see fit," he said. The organization didn't respond to a media request.

The Trudeau government successfully passed a bill starting the implementation of the declaration in June 2021. But it's been a slow process since then. "There's very little progress," King said. "It's bogged down in administrative morass."

The Atlas Network appears to be moving into a new phase of advocacy. At a conference in Guatemala earlier this year, leaders "from freedom-minded organizations, many of them Atlas Network partners", gathered to "sharpen their plans for the coming year".

At this invitation-only event, MLI "workshopped a project to improve opportunities for native populations", according to an Atlas Network write-up of the conference.

MLI wanted to apply what it has learned in Canada globally. "The goal of the project would be to promote Indigenous economic development across the world," Byers wrote.

