

Indigenous Matters: What We Heard

November 2024



Land Acknowledgment

We, the Canadian Sustainability Standards Board (CSSB), acknowledge our work is being developed on the lands of First Nation, Métis and Inuit (“Indigenous”) Peoples across Canada, whose enduring relationship with the earth, water and air has spanned tens of thousands of years.

We recognize the inherent rights and contributions of Indigenous Peoples in protecting and sustaining these lands and waters to date, and for generations to come. We recognize and respect the significance of both treaty and unceded lands, and we honour the diverse knowledges, cultures, governance structures and histories of Indigenous Peoples across Canada.

We acknowledge that advancing reconciliation is fundamental to the work of Canadian sustainability standard setting and we commit to ongoing learning, meaningful engagement and partnership with Indigenous Peoples as we serve the public interest by setting and maintaining high-quality sustainability disclosure standards in Canada.

We invite all interested and affected parties to reflect on their own relationship with the land and Indigenous Peoples, and to consider how their work can contribute to the ongoing journey of reconciliation and sustainability.

Our Commitment to Indigenous Peoples

The rights of First Nation, Métis and Inuit Peoples are inherent and specific in Canada. All interested and affected parties are impacted when Indigenous Peoples’ rights are not respected.

The CSSB is dedicated to upholding the rights of Indigenous Peoples and ensuring their meaningful participation in shaping sustainability disclosure standards in Canada. In the global context, these rights are affirmed in the [United Nations Declaration on the Rights of Indigenous Peoples \(UNDRIP\), 2007](#). In the Canadian context, these rights are recognized in [Section 35 of the Constitution Act, 1982](#) and in the [United Nations Declaration on the Rights of Indigenous Peoples Act, 2021](#). In collaboration with Indigenous Peoples, the CSSB is committed to exploring how best to address these rights in the context of Canadian Sustainability Disclosure Standards and in sustainability standard setting in general.

The CSSB recognizes that advancing reconciliation with First Nation, Métis and Inuit Peoples in Canada is fundamental to the work of Canadian standard setting for sustainability-related financial disclosures.

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Executive Summary

The CSSB included its commitment to Indigenous Peoples in the introductions to the Exposure Drafts for [“Proposed Canadian Sustainability Disclosure Standard \(CSDS\) 1, General Requirements for Disclosure of Sustainability-related Financial Information,”](#) and [“Proposed CSDS 2, Climate-related Disclosures.”](#)¹

Feedback gathered from the CSSB’s inaugural Canadian consultation has provided important insights that will contribute to advancing this commitment by informing Board members of gaps and themes of importance expressed by Indigenous and non-Indigenous respondents. Publicly sharing these insights will ensure the Board maintains transparency and accountability in advancing its commitment to Indigenous Peoples.

Indigenous respondents

Of the 529 participants who provided feedback in the consultation, 4 per cent identified themselves as Indigenous. Outside the specific feedback on the questions outlined in the documents for comment, Indigenous respondents shared recommendations related to Indigenous matters in the context of sustainability standard setting. Key themes included:

- the need for further education and cultural competency and awareness training;
- the opportunity for a leadership role both domestically and internationally; and
- the need for deeper consultation and transparency during the process of creating standards.

The CSSB carefully reviewed all feedback from Indigenous respondents and commits to carefully considering this advice as it continues to advance its work.

Non-Indigenous respondents on Indigenous matters

Notably, influential non-Indigenous interested and affected parties (e.g., pension funds, asset managers and government) explicitly expressed support for the CSSB’s stated commitment and/or encouraged the inclusion of Indigenous rights and interests in the Board’s reporting frameworks.

This feedback echoed the key themes Indigenous respondents highlighted, such as the CSSB’s opportunity to lead and the need to integrate Indigenous Peoples’ perspectives and/or worldviews in the standards. Further points include:

- support for the building-block approach and/or additions to the global baseline relating to Indigenous rights and interests;
- the need to ensure meaningful engagement with Indigenous Peoples and to prioritize their concerns;

¹ In the context of sustainability standard setting in Canada, we will use the term “Indigenous Peoples” to include First Nation, Métis and Inuit Nations, rightsholders, governments, communities, businesses and leaders.

- the need for specific sections and/or amendments in the existing standards on Indigenous matters;
- the interest in guidance on how Indigenous matters should be disclosed in the existing standards; and
- the potential for references to Indigenous Peoples' rights and interests in the Board's governance documents.

The CSSB is encouraged by the support for advancing the participation of First Nation, Métis and Inuit Peoples in sustainability standard setting in Canada. Further, the Board has heard clearly the importance of ensuring that Indigenous Peoples' rights and interests are meaningfully included in sustainability disclosure standards in Canada.

Background

On March 13, 2024, the CSSB released the Consultation Paper, "[Proposed Criteria for Modification Framework](#)," and two Exposure Drafts, "[Proposed CSDS 1, General Requirements for Disclosure of Sustainability-related Financial Information](#)," and "[Proposed CSDS 2, Climate-related Disclosures](#)." The consultation period lasted 90 days. Some of the feedback was posted publicly, while other respondents explicitly asked that their feedback remain confidential.

In the introductions to the Exposure Drafts for CSDS 1 and CSDS 2, the CSSB expressed its commitment to Indigenous Peoples and outlined its proposed next steps. Although none of the three documents for comment asked an explicit question on the commitment, respondents commented on Indigenous matters in their feedback. Further, the Board held two Indigenous-specific roundtables on April 15, 2024, and May 29, 2024, where feedback on the commitment and next steps were explicitly requested by internal facilitators.

This document aims to promote transparency by presenting Indigenous Peoples' feedback from the consultation period and highlighting key themes from the analysis. This document reflects the Board's dedication to considering and integrating feedback from Indigenous and non-Indigenous respondents in future standard-setting efforts. This approach ensures that the Board remains accountable and responsive to the evolving needs and priorities of Indigenous communities while building trust and credibility with all interested and affected parties. By addressing identified gaps and key themes, the Board aims to make sustainability standards in Canada more inclusive and responsive to the rights, interests and priorities of Indigenous Peoples.

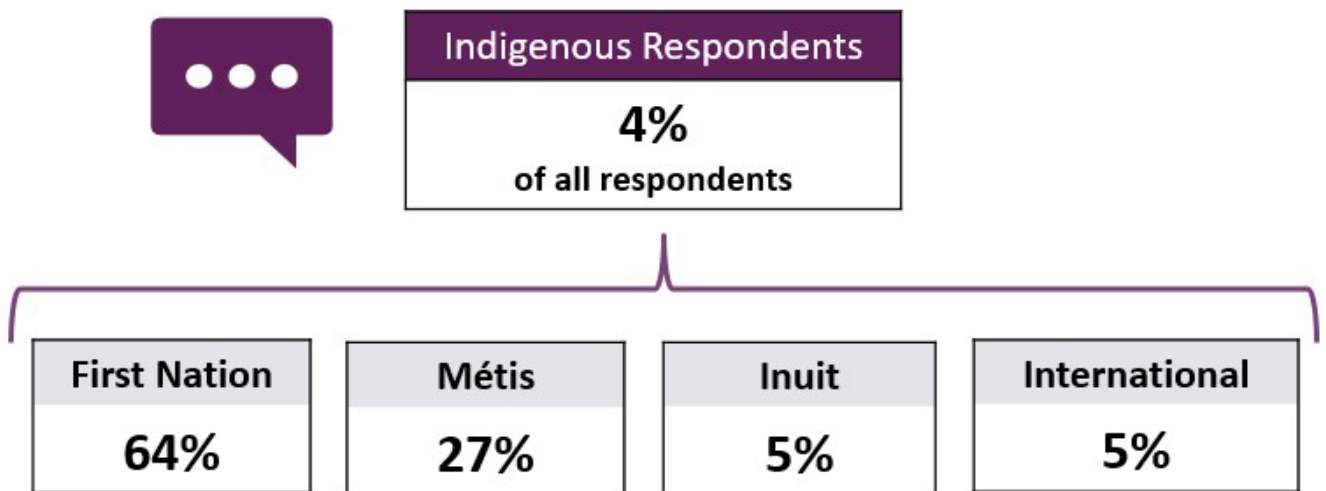
This paper is structured in three sections:

- [Section 1: Indigenous Participation Metrics](#);
- [Section 2: Thematic Analysis of Feedback Received from Indigenous Respondents](#); and
- [Section 3: Feedback from Non-Indigenous Respondents on Indigenous Matters](#).

Section 1: Indigenous Participation Metrics

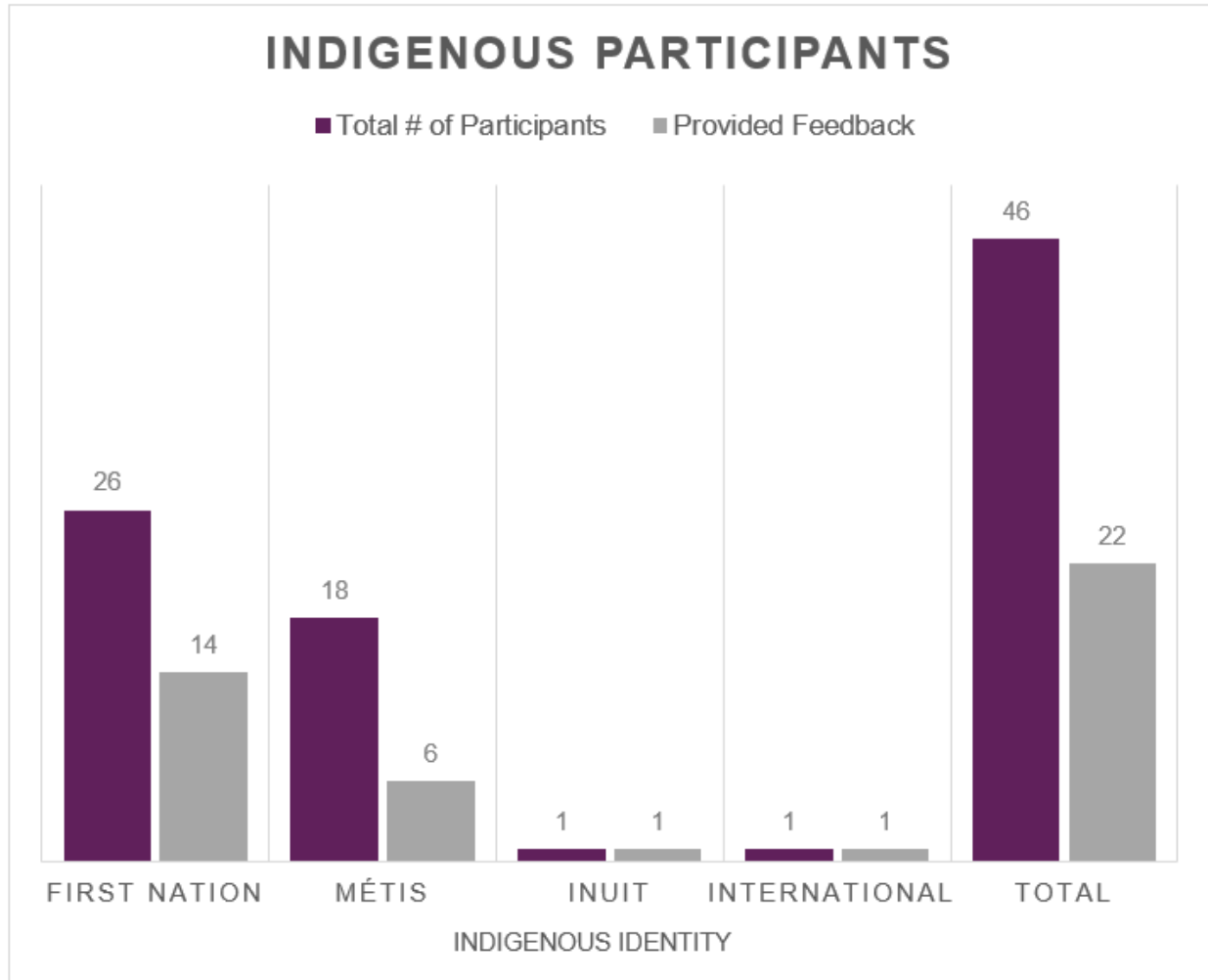
Of the 529 participants who provided feedback in the consultation, 4 per cent identified themselves as Indigenous.²

Figure 1: Indigenous respondents who provided feedback as a percentage of the whole



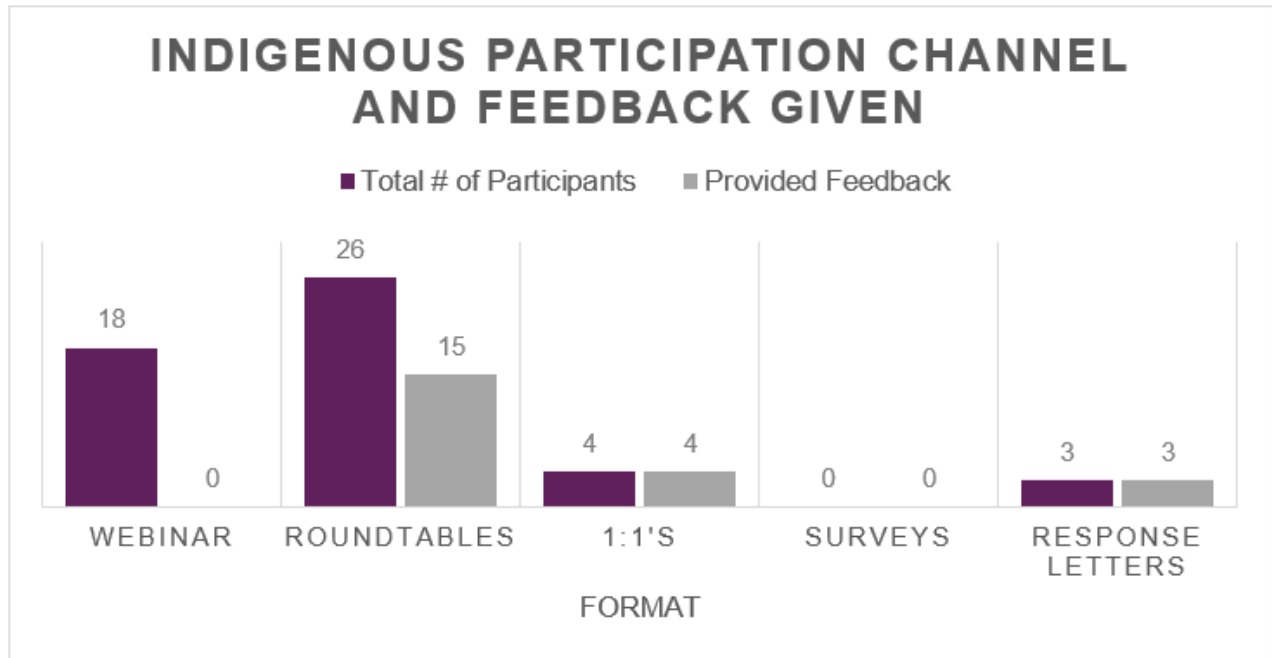
² Of the 3,900 total participants in the consultation, 46 identified themselves as Indigenous (1 per cent of the total).

Figure 2: Total Indigenous participants and feedback provided



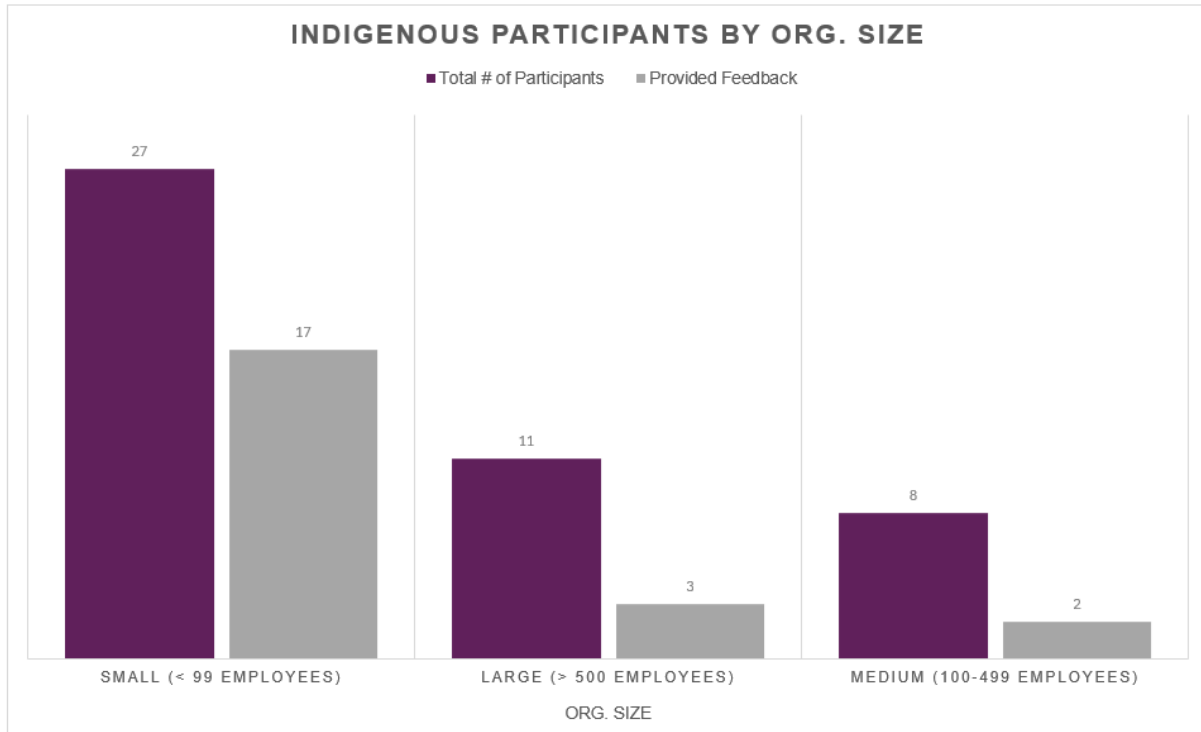
The CSSB recognizes the gap in responses from individuals identifying as Inuit, as well as from Indigenous Peoples located in the northern territories, most of the Atlantic region provinces, Manitoba and Saskatchewan. The Board is committed to addressing these gaps to ensure fuller representation and engagement from the diversity of Indigenous voices in the future.

Figure 3: Participation channel and feedback provided by individuals (not exclusive)



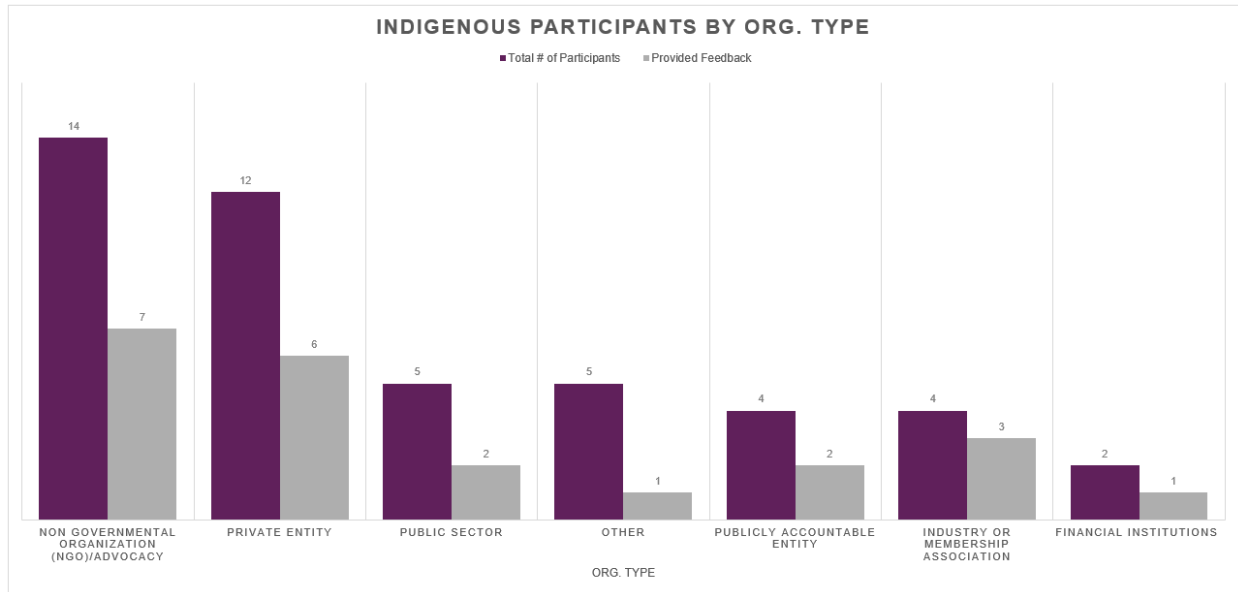
Indigenous respondents were least likely to submit surveys and response letters and most likely to provide feedback through the roundtables. The CSSB recognizes that it must create new pathways through enhanced outreach and engagement processes to ensure that Indigenous Peoples are given all opportunities and avenues to participate in standard-setting processes.

Figure 4: Participants by organization size and feedback provided



Ten Indigenous-led organizations participated in the consultation, whereas other Indigenous respondents either worked for themselves or were employed by non-Indigenous-led organizations.

Figure 5: Indigenous participants by organization type and feedback provided



Section 2: Thematic Analysis of Feedback Received from Indigenous Respondents

This section contains a thematic analysis of feedback from Indigenous respondents related to all Indigenous matters. Since no specific question was asked consistently across the consultation, feedback was analyzed more generally by themes and sub-themes.

Theme 1: Prioritize education and cultural awareness training

Some respondents emphasized the importance of ensuring the CSSB and staff undertake education and cultural awareness training. The sub-themes included:

- the need to build awareness of distinct community rights;
- an appreciation for the complexity of the disclosure situation for Indigenous Peoples;
- Indigenous Peoples as impact investors;³
- the importance of free, prior and informed consent; and
- the possible risks of taking an international rights approach versus a domestic rights approach.

Theme 2: The CSSB has a leadership opportunity

Some respondents asserted that the CSSB should take a leadership role both domestically and internationally on Indigenous rights and interests. Sub-themes included:

- the importance of the UNDRIP and international rights contexts;
- the Board's ability to influence the regulators on Indigenous matters; and
- the need to acknowledge the [Truth and Reconciliation Commission of Canada: Calls to Action](#).

Theme 3: Deeper consultation and transparency needed

Some respondents urged the need for deeper consultation and transparency during the process of creating sustainability standards. Respondents pointed out:

- Indigenous Peoples' perspectives and voices were not specifically included during the development of [IFRS S1 General Requirements for Disclosure of Sustainability-related Financial Information](#) and [IFRS S2 Climate-related Disclosures](#); and

³ CPA Canada defines "impact investing" as "a subset of responsible investing that seeks a social and/or environmental benefit in addition to financial gain." CPA Canada, "[On the Radar: The Business Impact of Environmental and Social Issues](#)," (2018), 3, accessed October 29, 2024, <https://www.cpacanada.ca/business-and-accounting-resources/financial-and-non-financial-reporting/sustainability-environmental-and-social-reporting/publications/business-impact-of-environmental-social-issues>

- the potential for unintended negative consequences and impacts of the existing standards if fulsome consultation is not done.

Respondents in this group noted that:

- more engagement was needed with Indigenous Peoples on the CSSB's [proposed Criteria for Modification Framework, CSDS 1 and CSDS 2](#);
- a report on the results of deliberations on feedback received from Indigenous participants in consultations should be released;⁴
- consultation should ensure the Board engages with a wide variety of groups (industry, organization type and size) to capture balanced views; and,
- more transparency on the impacts on Indigenous Peoples must be understood and communicated.

Theme 4: Collaboration encouraged

Some respondents urged the CSSB to seek deeper collaboration with:

- Indigenous Nations, communities, and organizations in Canada;
- international bodies, like the European Financial Reporting Advisory Group;
- other Financial Reporting and Assurance Standards Canada Boards; and
- Indigenous individuals through the creation of an Indigenous advisory body.

Theme 5: Specific recommendations

Some respondents made specific disclosure and reporting recommendations:

- emphasize the opportunities (versus the risks) entities have when working with Indigenous Nations, communities, and/or organizations;
- consider additional relief or exemptions for Indigenous entities;
- provide explicit directives to companies to mitigate “redwashing” concerns;
- do not provide relief to resource extractive organizations;
- include a rebuttable presumption clause; and
- consider an Indigenous sustainability disclosure certification process.

⁴ This paper reflects this respondent’s suggestion; however, no specific questions were asked in the consultation about Indigenous matters.

Theme 6: Must avoid “redwashing”

The Yellowhead Institute, an Indigenous-led research and education centre, writes that redwashing is similar to “greenwashing,” in that it is a “corporate response to an urgent social and or legal issue that merely co-opts language and symbols but offers little transformative or meaningful change. Redwashing is an attempt to craft an appearance of reconciliation, or being generous – reconciliation in a purely superficial conceptualization.”⁵

A few respondents asked:

- “How will accountability be measured?”
- “How will the CSSB share power with Indigenous Peoples?”

They asked for more specifics on what co-creation of standards entailed and remarked that the CSSB’s commitment to Indigenous Peoples needed more specifics.

Theme 7: Integrate Indigenous perspectives

Respondents in this group noted that Indigenous perspectives should be integrated into the CSSB’s work, noting that:

- advancing reconciliation is fundamental to standard setting;
- public interest has different meanings in different contexts and should be defined with Indigenous rights in mind;
- a paradigm shift is needed to think cumulatively, holistically, and accountably in the sustainability context;
- social impact concepts should be considered;
- Indigenous sustainability examples and topics should be used in the standards themselves;
- a focus on northern regions is needed; and
- standards should be understood as a tool to support Indigenous Peoples’ autonomy.

The CSSB is grateful for all feedback from Indigenous respondents and is deeply committed to ensuring that this advice is implemented into future work plans.

⁵ A Yellowhead Institute Special Report, pg. 4 (August 2022), accessed November 1, 2024, <https://yellowheadinstitute.org/redwashing-extraction/>

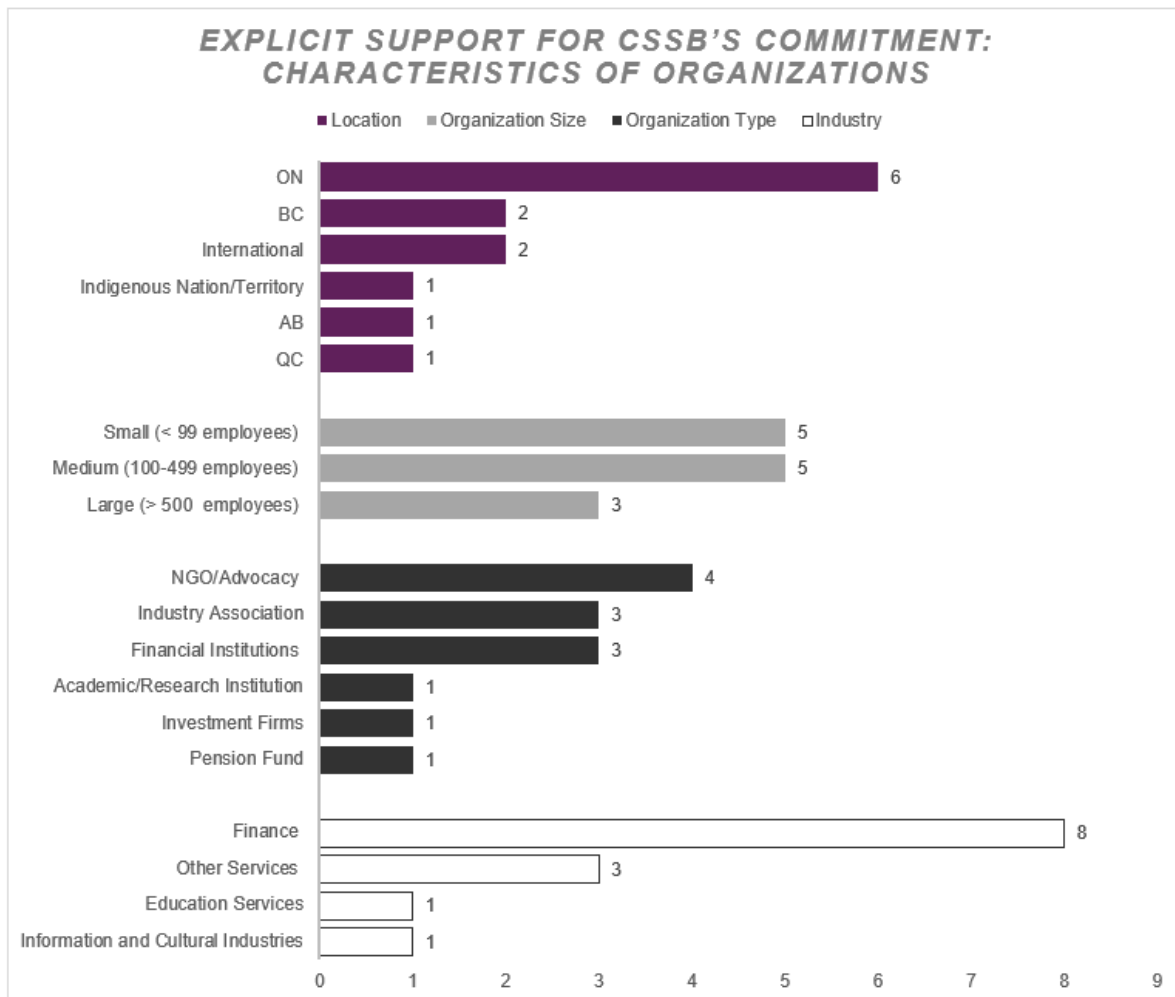
Section 3: Feedback from Non-Indigenous Respondents on Indigenous Matters

This section details feedback on the CSSB's stated commitment to Indigenous Peoples.

Non-Indigenous respondents' feedback on the CSSB's commitment to Indigenous Peoples

Although the consultation did not explicitly ask for feedback on its stated commitment to Indigenous Peoples, 13 entities expressed unsolicited, explicit support for this statement; 10 of the entities were non-Indigenous-led.

Figure 6: Explicit support for CSSB's commitment: Characteristics of organizations

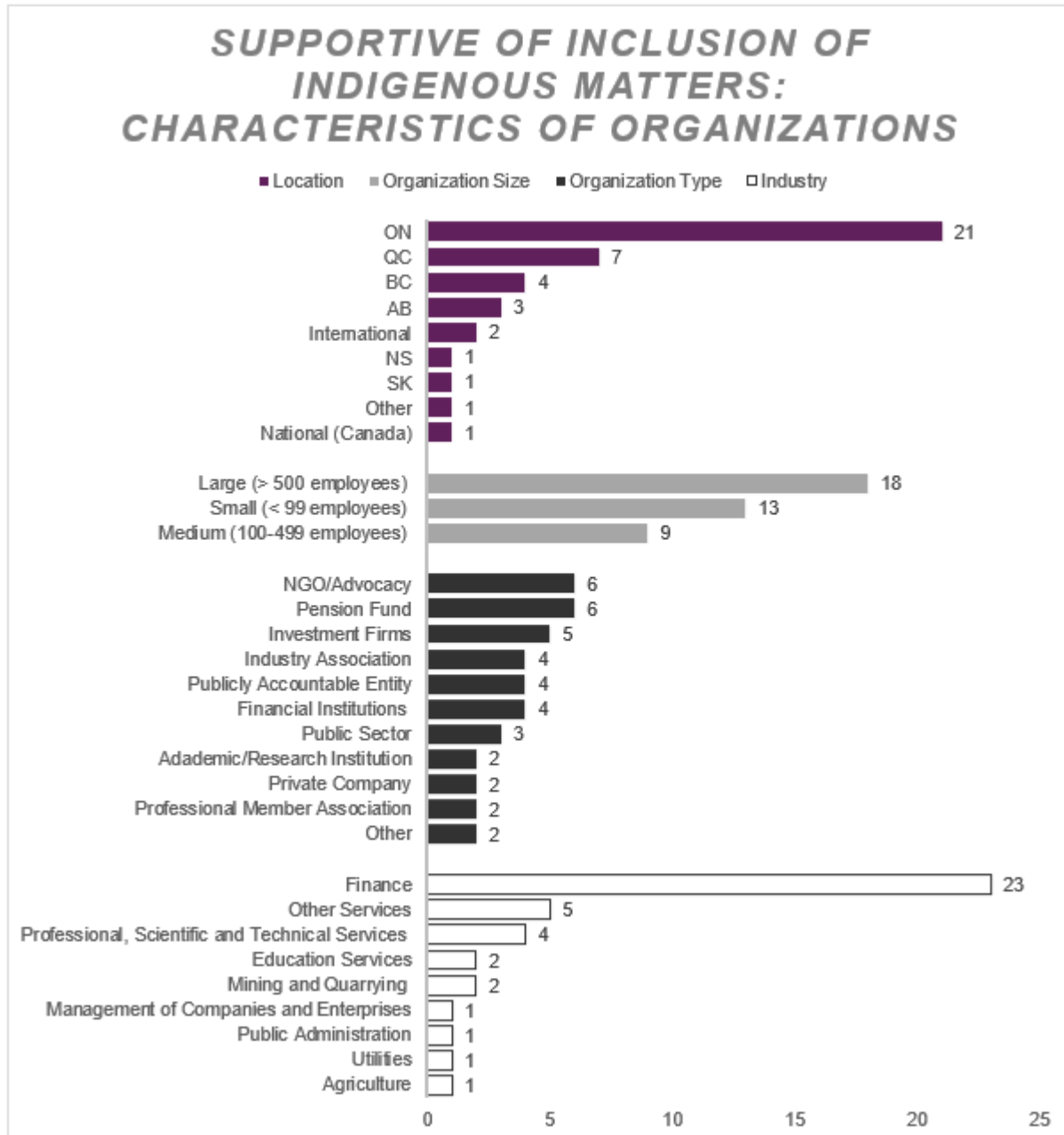


Feedback supporting the inclusion of Indigenous matters in sustainability standards

Forty entities expressed support for the inclusion of Indigenous matters in the creation of sustainability standards; of this group, two were Indigenous-led organizations.

Many of these organizations were large, located in Ontario and in the finance industry. Other characteristics of the respondent organizations are below.

Figure 7: Supporting the inclusion of Indigenous matters: Characteristics of organizations



Thematic analysis of the themes of this feedback are below.

Theme 1: Respondents support the building-block approach

Many respondents support the building-block approach and/or additions to the global baseline related to Indigenous rights. These respondents emphasized the distinction of the Canadian context within an international framing, and the connection of Indigenous matters to Canadian identity and the Canadian public interest.

Theme 2: Ensure meaningful engagement

Some respondents said the CSSB should ensure meaningful engagement with Indigenous Peoples and prioritize their concerns. Respondents mentioned the Independent Review Committee on Standard Setting in Canada's (IRCSS) [final recommendations](#) and the integral need of Indigenous Peoples perspectives to ensure a truly reflective set of standards in the Canadian context.

Theme 3: Need for specific Indigenous matters sections, amendments etc.

Some respondents said there is a need for specific sections, amendments, etc. in the standards on Indigenous matters. One respondent suggested a separate Handbook Section for Indigenous-specific reporting. Another noted that including language on Indigenous self-determination, among other items, could be made explicit.

Theme 4: Further guidance needed

Some respondents noted that guidance is needed on how Indigenous matters are material in the existing standards. Specifically, respondents noted an absence of guidance on how to translate Indigenous relationships and partnerships into reporting structures.

Theme 5: Integrate Indigenous perspectives

A few respondents said the CSSB should integrate Indigenous Peoples' perspectives and/or worldviews in the standards. Respondents saw the value of integrating Indigenous ways of thinking and knowing into standard setting.

Theme 6: Leadership opportunity

A few respondents said there is an opportunity to be both a domestic and international leader on Indigenous matters. Respondents urged the CSSB to advocate for and demonstrate leadership in Indigenous inclusion in standard-setting processes.

Theme 7: Inclusion in governance documents

A few respondents said that the CSSB's governance documents could reference Indigenous rights considerations. Respondents wanted to see specific mechanisms for the Board's dedication to upholding the rights of Indigenous Peoples and including them in processes.

Appendix: How We Quantified the Feedback

The CSSB uses the following terms to describe the extent to which respondents answered.

Term	Feedback percentages
"Almost all"	>90%
"Most"	65%-90%
"Many"	35%-65%
"Some"	10%-35%
"A few"	<10%

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