



Paul Fauteux

Member of the Québec Bar

Attorney

Accredited mediator and arbitrator

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CAREER SUMMARY

Thirty years of experience with progressively greater responsibilities in the Government of Canada, 10 of them abroad, 9 as an international law specialist and the last 15 at the executive level. Participates or heads Canadian participation in the negotiation of more than 50 international agreements. One of 6 Canadians to hold the Diploma of the Hague Academy of International Law, a very high-level diploma awarded to candidates who have a thorough knowledge of international law and who pass an extremely selective examination, and the author of some 20 articles on international law.

Begins his career in 1980 with the Department of Foreign Affairs and International Trade as Foreign Service Officer. From 1981 to 1983, is Second Secretary, Canadian High Commission to Kenya. Becomes Environmental Law Officer in 1983. In 1985-1986, is a member of the Canadian team in the Dispute Concerning Filleting in the Gulf of Saint-Lawrence (France vs Canada) before an international arbitral tribunal. In 1987, becomes Head of Section, Legal Operations Division. In 1988, is appointed First Secretary (Political Affairs) and Consul, Canadian Embassy in France. Becomes Deputy Director of Legal Operations in 1992. Is appointed Minister-Counsellor, Congressional and Legal Affairs, Canadian Embassy to the United States in 1996. Is a member of the Canadian team in the Fisheries Jurisdiction Case (Spain vs Canada) before the International Court of Justice from 1995 to 1998. Becomes Director General of Environment Canada's Climate Change Bureau in 2000. Is appointed Director General of Lands at Indian and Northern Affairs Canada in 2004. Conducts a research project on Reserve Land and First Nations Development in 2010.

In private practice since 2011 as an attorney and dispute resolution specialist. Holder of an Ontario Law Society permit for the occasional practice of law in Ontario. Has developed expertise and acquired experience in facilitation, mediation, arbitration, litigation and teaching. Continues to seek to contribute to more fairness and justice for Indigenous peoples.

PROFESSIONAL EXPERIENCE AND ACHIEVEMENTS

4 Hands Communications Inc. and CMKZ, LLP	Attorney, Mediator and Arbitrator Ottawa and Gatineau, 2011 to the present
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- As a senior international negotiator, attorney, accredited mediator and arbitrator, helps companies and individuals prevent and resolve conflicts in a climate of trust and respect, where possible, and prevail in court where necessary
- Appointed by the Governor General in Council as a part-time member of the Federal Public Sector Labour Relations and Employment Board, where he serves as an administrative judge
- Serves as an external dispute resolution specialist for the Business Dispute Management Program of Public Services and Procurement Canada
- Accredited by the *Barreau du Québec* as an arbitrator in civil and commercial matters
- Teaches international commercial arbitration at the *École du Barreau du Québec*
- Practices workplace mediation for the Kativik School Board in Kuujjuaq, Nunavik
- Founding President of the Indigenous Sector Table of the *Institut de médiation et d'arbitrage du Québec*, a regional affiliate of the ADR Institute of Canada of which he serves as a Director
- In collaboration with an attorney, mediator and member of the Mohawks of Kahnawà:ke, establishes a partnership with the Canadian Institute for Conflict Resolution and the Listuguj Mi'gmaq Government to provide training in mediation and conflict resolution to Listuguj First Nation members with a grant from the Québec government's *Fonds Accès Justice*
- Founding member of the Systems Thinking Group, which seeks to make reconciliation between Indigenous and non-Indigenous Canadians a reality through the use of Systems Analysis to understand and dismantle the Indian colonial system in Canada

Indian and Northern Affairs Canada (INAC) Lands and Economic Development Sector	Senior Advisor (EX-03) Gatineau, 2010
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- Conducts a research project on Reserve Land and First Nations Development (RLFND)
- Creates a methodology to identify more successful First Nations in Canada and determine which ones to invite to participate in the project
- Creates an interview guide designed to bring out
 - the reserve land management experience of each First Nation
 - the factors that contributed to that experience, both positively and negatively, their relative importance and the level of control of the First Nation over each one of them
 - how the First Nation assesses its success in using its reserve land for community control and economic development purposes, both under and outside the *Indian Act*
 - its recommendations to other First Nations to maximise the contribution of reserve land management to the achievement of their community control and economic development goals, and
 - its recommendations to the government of Canada to meet its commitment to modernize reserve land management
- Visits 36 reserves in all regions of southern Canada, travelling a total of 50,000 kilometres by air and 10,000 by road
- Conducts 31 interviews with the Chiefs of First Nations or their delegates, prepares a detailed report on each one of them and obtains the agreement of 25 First Nations, including Kahnawà:ke, that their report be made public
- Transmits to INAC and the Chiefs of the 31 participating First Nations the approved interview reports, his preliminary conclusions and his recommendations for the continuation of the project
- Publishes a comment in the Montreal Gazette in which he notes that First Nation participants in the RLFND project continue to see INAC as a major impediment and, despite its ongoing attempts to recast its role into that of a friendly helper, as even more of a problem than the equally antiquated Indian Act

INAC Lands Branch	Director General (EX-03) Gatineau, 2004-2010
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- Directs the transition toward First Nations governance over reserve land, resources and environment, including the implementation of the *First Nations Land Management Act*
- Responsible for compliance by the Government of Canada with its constitutional and legal obligations under the *Indian Act* with regard to the management of reserve land, resources and environment, including the provision of land management services to more than 600 First Nations on more than 2,800 reserves across Canada, totalling over 3 million hectares
- Puts in place service standards for the operation of the Indian Lands Registry and the Additions to Reserve process
- Partners with First Nations on First Nation-led legislative initiatives of an economic nature, such as the *First Nations Oil and Gas and Moneys Management Act*, the *First Nations Commercial and Industrial Development Act* and amendments to the *Indian Oil and Gas Act*

Environment Canada Climate Change Bureau	Director General (EX-03) Gatineau, 2000-2003
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- Co-heads an interdepartmental delegation of more than 100 people in international negotiations
- Participates in the conclusion of an agreement by consensus among 185 countries on 245 pages of legal and technical rules on the implementation of the Kyoto Protocol to the United Nations Framework Convention on Climate Change
- Plays a key role in the intergovernmental and industry consultations leading to Canada's decision to ratify the Protocol after the United States had decided not to

Department of Foreign Affairs and International Trade Congressional and Legal Affairs, Canadian Embassy	Minister-Counsellor (EX-02) Washington, DC, 1996-2000
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Department of Foreign Affairs and International Trade Fisheries Jurisdiction Case (Spain vs Canada)	Member of the Canadian team (EX-01) Ottawa and The Hague, 1995-1998
Department of Foreign Affairs and International Trade Legal Operations Division	Deputy Director (EX-01) Ottawa, 1992-1996
Department of Foreign Affairs and International Trade Political Affairs, Canadian Embassy	First Secretary and Consul (FS-02) Paris, 1988-1992
Department of Foreign Affairs and International Trade Legal Operations Division	Head of Section (FS-02) Ottawa, 1987-1988
Department of Foreign Affairs and International Trade Dispute Concerning Filletting in the Gulf of Saint-Lawrence (France vs Canada)	Member of the Canadian team (FS-02) Ottawa and Geneva, 1985-1986
Department of Foreign Affairs and International Trade Legal Operations Division	Environmental Law Officer (FS-01) Ottawa, 1983-1985
Department of Foreign Affairs and International Trade Canadian High Commission	Second Secretary (FS-01) Nairobi, 1981-1983
Department of Foreign Affairs and International Trade	Foreign Service Officer (FS-01-D) Ottawa and New York, 1980-1981

EDUCATION

- Diploma, The Hague Academy of International Law, 1991
- Master of Laws, McGill University, Institute of Air and Space Law, 1981
- Permit to Practice Law, Quebec Bar School, 1980
- Bachelor of Laws, University of Montreal, Faculty of Law, 1979

AWARDS AND DISTINCTIONS

- Edmond-de-Nevers Prize of the Quebec Institute for Research on Culture, Honourable Mention, 1982
- Institute of Air and Space Law Prize, 1980
- Carswell Constitutional Law Prize, 1978

Language profile: French and English (perfectly bilingual)
 Other languages spoken, written and understood: Spanish and Italian
 Security clearance: Secret
 Publications and references supplied on request