

Northern Indigenous Peoples Role in Northern Resource Governance

Implications for ESANS

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Context

- The Canadian Parliament Website states: Canada's North is first and foremost the homeland of Aboriginal peoples who have inhabited this vast region for thousands of years".
- The role of Aboriginal peoples in the governance of their traditional lands and resources has been the focus of considerable international discourse: Such as the UN-ILO Convention 169, United Nations Declaration on the Rights of Indigenous Peoples . 22 countries have ratified since 1989 (not Canada or U.S.).
- Since the mid-1970s, northern Aboriginal peoples have made important strides in re-establishing autonomy over their traditional lands and resources through the settlement of comprehensive land claims agreements
- The creation of the territory of Nunavut in 1999 as set out in the Nunavut Land Claims Agreement (1993) is a good example of the transition in Canada's North.

Free, Prior and Informed Consent

- Many international agencies/organizations have adopted principles to ensure aboriginal people's role in development decision-making (referred to as Free Prior and Informed Consent -FPIC)
- Similarly, many transnational corporations have committed to FPIC strategies. This is due in part policies associated with Land Claims Agreements and as a matter of good business.

Devolution

- Through ongoing devolution and self-government negotiations, the aboriginal peoples in the north are working to create practical, innovative and efficient governance models for their traditional territories:
 - In April 2003, Yukon became the first territory to conclude a devolution agreement on lands and resource management.
 - The Northwest Territories Lands and Resources Devolution Agreement was signed on June 25, 2013 and parties are working toward effective implementation.
 - In Nunavut, a protocol for future negotiations has been signed between Canada, the territorial Government and Nunavut Tunngavik Incorporated and work between the parties on devolution is ongoing

Devolution- Aboriginal Resource Governance

- One size does not fit all: each of the Territories (and each community) have specific administrative processes and protocols. The Territorial government is only one player since the land claims beneficiaries have well defined Aboriginal governance organizations.
- Local Aboriginal organizations, such as hunters and trappers associations, are active and important in the devolution process, and key decision-makers in resource governance –mining, offshore development, climate change adaptation, etc

Implications for ESANS

- **Client Support** (Catalyze good working relationships between local Aboriginal organizations and proponents, facilitation and project support)
- **Outreach (Consultation-FPIC)** (become familiar with new rules of engagement with Aboriginal communities and organizations)
- **Knowledge Systems** (Understand protocols on access Traditional knowledge /information collection/use and ownership)
- **Capacity building** (define strategies for skills sharing, skills development, training and education)
- **Business Development** (BD should benefit to clients AND benefit to Aboriginal communities,
 - Effective Partnerships
 - Define – for what purpose? Mutual benefit
 - Scope – clarity, transparency, ethical
 - Appropriate agreements – contracts/co-ventures/acquisition

Questions

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