



Summary of the Third Meeting of the Indigenous Advisory Committee January 29-30, 2020 Montreal

Meeting Objectives

The objective for the third Indigenous Advisory Committee meeting was to have a working session on the Indigenous Knowledge Policy Framework and to formalize a forward work plan.

Day 1 – January 29, 2020

Agenda item: Welcome and opening remarks

The meeting began with an opening prayer by Elder Elmer Ghostkeeper. The Agency's Ex-Officio member of the Committee provided an update on the Agency's Indigenous Capacity Support Program, as well as additional policy and guidance pieces that have been released on the Agency's website including guidance on the assessment of potential impacts on rights.

Agenda item: Reports Out

Committee members provided updates on workshops related to Impact assessment (IA (Impact assessment)) they had attended since the last meeting face-to-face meeting including:

1. De-brief on the third Canada-Mexico Workshop on Consultations with Indigenous Peoples for Natural Resource Based Projects in Mexico-City in November 2019.
2. Update on fourth Métis Economic Development Symposium (MEDS IV) in Vancouver March 3-5, 2020.
3. Update on Impacts on Rights Workshop, which the Agency organized with Mikisew Cree First Nation in Edmonton, Alberta, in December 2019. The event was a national roundtable with academics, First Nation participants, and technical experts, which included views from several individual communities. It was noted that the workshop report would be circulated to IAC (Indigenous Advisory Committee) members. The Committee was interested in

looking at the report alongside the Agency's guidance on the assessment of impacts on rights.

Agenda item: Working together on Policy

Members discussed how to get to results and how to bring advice together in an efficient way going forward. Members agreed that a Sub-Committee would be the most efficient way to advance priorities between meetings; ensuring outputs are provided for committee review at subsequent meetings. Based on the priorities set by the forward work plan, members set up an Indigenous Knowledge Sub-committee.

Agenda item: Sharing Experiences of Working Together

Two Committee members shared their experiences of working together with provinces. The purpose was to provide examples of how the Agency and the Committee could collaborate on the development of policies and guidance.

1. Experience of working with Alberta – examining decision-making models and creating ethical space where Indigenous communities and the Alberta Energy Regulator can work together.
 - Elmer Ghostkeeper provided an overview of his experiences working on the Indigenous Wisdom Advisory Panel to the Chief Scientist of Alberta.
 - Ensuring that Indigenous knowledge systems, languages, oral traditions, and understandings are respected equitably with Alberta's environmental science program.
 - Importance of ensuring the Advisory Panel operated to the highest ethical standards (respect for protocols, prayer, traditions, song, and ceremony).
2. Experience of British Columbia's Indigenous Implementation Committee in development of IK Principles.
 - Angel Ransom shared experiences working with the British Columbia Environmental Assessment Office.
 - Overview of BC's new legislation, Bill 51- 2018 BC EA (environmental assessment) Act focus on reconciliation. IK is included in the EA (environmental assessment) process to provide provincial and Indigenous decision-makers and participant's greater knowledge and understanding of the environment in which a project is proposed.
 - Overview of principles guiding the application of IK to EA (environmental assessment)'s including relationship based, respect, broad application, acknowledgement of context, transparency and permission of use.

- The Committee discussed the importance of engagement at the community level, and the best approach to set up an IK Policy Framework using these principles.

Agenda item: Indigenous Knowledge Policy Framework Discussion

The Agency provided an overview of the work it is leading with Natural Resources Canada, the Canadian Energy Regulator, the Department of Fisheries and Oceans and Transport Canada on the collaborative development of an Indigenous Knowledge Policy Framework for Project Reviews and Regulatory Decisions. The key principles that emerged from the national engagement were presented including: respect, consent, partnership and collaboration, capacity support, inclusion, protection and integrity of information. The IAC (Indigenous Advisory Committee) is a key forum to provide advice and recommendations to implicated departments to inform the development of the IK Policy Framework. Members also engaged on what principles should be reflected in the overarching IK Framework through breakout discussions.

Day 2 – January 30, 2020

Agenda: Reporting back to plenary from day 1 breakouts on IK Framework

Members reflected on key principles, best practices and elements for the development of the IK Framework including consideration and protection of IK, unauthorized disclosure and confidentiality. Members were interested in getting a better understanding of how the Framework will be used across Departments. Members also identified a number of key principles to inform the direction of the Framework including:

- Intellectual property rights;
- Research ethics (participation, engagement, validation);
- Timing (verification and validation);
- Interpretation of how IK is being included in the IA (Impact assessment) process;
- Equal Value of the two knowledge systems (IK & Western Science);
- Respecting communities' protocols; and,
- Integrity of information – consequences of unauthorized disclosure or breaches of protocols and confidentiality agreements.

Agenda item: Indigenous Knowledge Engagement Plan

The Agency provided an overview of engagement activities to date to develop an IK Policy Framework for project reviews and regulatory decisions. An engagement strategy to advance this work was also introduced. The objective of this strategy is to support the development of

an interim IK Policy Framework in collaboration with Indigenous partners that would be released for public comment in fall 2020.

Members provided advice on engaging Indigenous peoples nationally:

- Important to go back and present draft Framework.
- Need to include both technical and political forums; include regional approaches.
- Important to engage beyond National Indigenous Organizations.
- NIO networks may be helpful to reach member communities (e.g. environmental committees and regional bodies)
- It is important to consider specific needs for community meetings including:
 - Using different channels and tools (telephone calls, ensuring proper contacts, outreach to technicians);
 - Logistics to enhance participation (access to transportation, childcare, food provided);
 - Seasons/time of year for engagement activities; and,
 - Engagement of remote regions.

Agenda item: Indigenous Knowledge Work Plan

Members discussed the plan to establish a working group on IK and decided:

- The working group on IK is the most efficient way to advance work between meetings.
- The working group will meet bi-weekly by teleconference for 1-2 hours with support from the secretariat for organization and distribution of materials.
- The working group will present their recommendations at the next meeting in April and will provide a draft to the other members of the committee 2 weeks before the meeting.
- The secretariat will circulate an email to working group members outlining the parameters for the establishment of the working group.
- The working group will build on the principles identified at the breakout session and on what was heard during the previous engagement on the Framework.

Agenda item: Committee Business

The Agency provided an update on research underway to support IAC (Indigenous Advisory Committee)'s internal work including a comparative analysis of First Nations, Inuit and Métis standards and principles for the protection and management of IK as well as an environmental scan on examples of Indigenous-led environmental assessment processes that have occurred in Canada.

Members were also interested in advancing other priority areas such as cooperation approaches and committee evaluation/verification through the structure of a working group in the fall.

Agenda item: Planning for the Forward Work Plan

- The Agency provided an overview of the forward agenda topic on cooperation approaches, which will be the focus on the April IAC (Indigenous Advisory Committee) meeting. The Agency summarized input received on collaboration from engagement to date, enabling provisions of the *Impact Assessment Act* (IAA (Impact Assessment Act)), and what is currently contained in guidance on collaboration.
- Advice will be sought from the committee on approaches to cooperative assessments, as well as on the development of regulations on cooperation with Indigenous peoples.
- The Agency also provided an update on research that could help facilitate the discussion in June on IK and Western Science. Details on the study topic and contractors will be circulated to members.
- Members identified a number of important priority areas and considerations for their forward work plan including:
 - Timelines for prioritizing agenda items such as IK, collaboration approaches and assessing impacts on rights.
 - Agreement to continue prioritizing one topic per meeting and have appropriate space for dialogue.
 - Desire to continue with breakout sessions with focused discussion questions.
 - Interest in potential future evaluation of Committee's work.
 - The next meeting will shift towards cooperation approaches with an update from the IK Working Group.

Agenda item: Closing Prayer

- The co-chairs delivered closing remarks.
- The next meeting will occur on April 15-16, 2020 in Ottawa, ON.
- Elder Elmer Ghostkeeper delivered a closing prayer.

Indigenous Advisory Committee Action Items from January 29-30 Meeting

Secretariat Action Items:

- Meeting minutes for Members to review and finalize (Completed)

- Circulate information package to IK Working Group (link to IK Discussion Paper comments online, notes from breakout discussion, list of frameworks). (Completed)
- Circulate email to IK Working Group with parameters (structure, timeframes, and remuneration). (Completed)
- Circulate Overview deck on Collaboration (Completed)
- Organize web-ex for presentation on Firelight contract work. (TBD)

Members' Action-items:

- Review & comment on meeting summary (Completed)
- Provide 1-2 sentences on modification to IK Policy Framework engagement strategy (Completed)
- Review Table of contents for Firelight Environmental Scan of existing examples of Indigenous-led environmental assessment processes that have occurred in Canada. (Completed)

Attendees

Co-Chairs

Elmer Ghostkeeper
Sue Chiblow

Committee Members

Suzie O'Bomsawin
Kyle Vermette
Angel Ransom
Deana Sappier
Paul Jones
Melody Lepine
Jocelyn Gosselin
Rachel Olson
Stanley Oliver (teleconference)

Impact Assessment Agency

Brent Parker
Susan Winger
Allan Clarke
Emily Fairbairn

Martha Johnson

Other Government Departments

Cathy Hainsworth (Transport Canada)

Lushani Nanayakkara (Department of Fisheries and Oceans) Marc Boucher (Canada Energy Regulator)

Curtis McKinney (Natural Resources Canada)

Date modified:

2020-04-02