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Compte rendu - Proceedings

**Atelier AQÉI sur
l'évaluation environnementale et
les connaissances traditionnelles**

Montréal
20-21 mars 2001

**AQÉI Workshop on
Environmental Assessment &
Traditional Knowledge**

Montreal
March 20-21, 2001

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Ce compte rendu est le produit, d'une part, des transcriptions des conférences et échanges à partir de cassettes audio enregistrées lors de l'atelier et, d'autre part, de textes originaux de certains auteurs. Dans ce dernier cas, la présentation est indiquée comme étant le « texte original ».

Remerciements - Acknowledgements

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Cérémonie d'ouverture - Opening Ceremony

Opening Ceremony

Prayer by Joseph McGregor, Elder, Mohawk First Nation of Kahnawake

The prayer was recited in the indigenous language, and then explained in English:

I'd like to welcome you, my beautiful brothers and sisters. As a native person, I have always been instructed to be proud of who I am, to be proud of my language, and to use my language first. It is not done to be impolite, but to respect what the creator has given us.

What I just spoke about was a thanksgiving address, which our people always give twice a day. When we wake up in the morning, we like to look out, and see how beautiful it is outside, and when we step outside, and breathe the beautiful air, we give thanks that the creator for remembering us, and giving us air to breathe, and making the world beautiful. We also see the sunrise, and are grateful that once again, we wake up to see the sunlight, because one day, we will no longer see it. We never forget our grandmother the moon. She works with the women, and was given the mission of bringing life to this earth. She looks after the children before they're born. We give thanks to the stars because they say that when there is a drought, the stars bring the dew, so that even in the hardest times, the plants can grow. We also give thanks for the four winds, and all the different waters, and what they stand for. It is very important that we acknowledge things, such as the little people who were given the mission of making sure that the medicines grow everywhere. When people move in, they start to tear up the ground, and the medicines disappear. So these little people are given the mission of moving the medicines, so that we always have them, from generation to generation. We always give thanks for the thunder, because it brings the rain, and we respect it so that none of us are injured by it in a thunderstorm. That's the reason why it is so important to respect the elements. Our people always respect. It is said that long ago, in nature, there was a man who was a giant. We call him the holder of the sky. We called him our uncle. And this man always puts his hand out, and takes care of the people, so that no harm comes to them. We always make sure that we give thanks to all these things that were given to us. We always give thanks to the four winds, so that we will never be short of good air to breathe. One day, if we are not careful, this will be a serious problem. So our people always give thanks to everything that put us on this earth, and makes us well.

I would like to ask the creator to help us here today, so we may think of good mind, speak the best words we can imagine, and learn something. So I thank you for listening to me today. Now I will sit there and listen. Thank you very much. Merci beaucoup.

Welcome Address, Overview of Program and Workshop Objectives

Peter Leonard, AQEI President, and Chairman of the Workshop Steering Committee

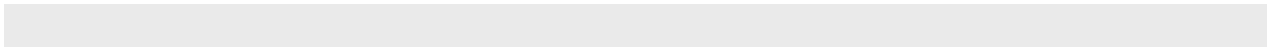
The 2001 Workshop on Environmental Assessment and Traditional Knowledge encompassed four sessions, which took place over the course of two days, to consider the following themes:

- 1) *State of the Art and Current Practices*. This session focused on defining the concepts related to Traditional Knowledge; from Traditional Knowledge at large, to its specific role in Environmental Impact Assessment. The intent of this session was threefold: to provide some background on technical and traditional ecological knowledge issues, to assess where we are today, and to discuss where we want to go, and what we want to do with these concepts. Following the presentations, the delegates were divided among four break-out work groups to discuss the issues. They were then brought back together for a short plenary session to synthesize what was discussed.
- 2) The afternoon session, *Case Studies, Experiences, and Lessons Learned*, gave examples of how Traditional Knowledge has been used in planning projects, Environmental Assessment, decision making, and follow-up. It discussed obstacles encountered, successes, and lessons learned. Each presentation was followed by a discussion period, and the session ended with a synthesis of the presentations and discussion.
- 3) On day two, the morning session: *Guidelines and Perspectives for the Future* began with a plenary session to review existing guidelines in Canada, followed by four breakout sessions, the objectives being the same as on day one – discussion and formulation of recommendations.
- 4) The fourth session *Traditional Knowledge in the Biodiversity Convention*, was a workshop session which informed participants about the first UN Convention that specifically refers to Traditional Knowledge, and recognizes the special relationship that indigenous and local communities have with their environment.

The overwhelming interest shown in the workshop demonstrates the growing importance of Traditional Knowledge in Environmental Assessment. Although the workshop was only publicised through word of mouth, it was filled to capacity (125 people in attendance). In fact, and in order to keep it small enough to facilitate exchange, the organizers had to turn away some potential delegates.

The aim was to establish the basis for a dialogue between the First Nations, government representatives and other stakeholders who are interested in the question of Traditional knowledge in Environmental Assessment. It was an opportunity for delegates to get to know one another, as well as a listening and learning exercise.

A rich and diverse mix of representatives from across Canada were gathered at the workshop. The sessions brought together Mohawk, Cree, Inuit, Mi'Kmaq, and Atikamekw representatives from Khanawake, Betsiamites, Waskaganish, Chisasibi, Mistissini, Nemaska, Nunavut, Inuvik, Wemotaci, Opitciwan, and Manouan, along with several other representatives from Ontario, Winnipeg, and British Columbia.



1. *Session 1: State of the Art and Current Practices*

- *Welcome and Introduction*
Suzy Basile & Rodney Bobiwash
- *What is Traditional Knowledge?*
Stephen Augustine
- *History and Scope of the Traditional Knowledge Concept / Reflections on Twenty Years of Research*
Martha Johnson
- *The Role and Place of Traditional Knowledge in Environmental Assessment*
Carole Lévesque
- *Parallel Break-Out Work Groups and Presentation of Results*

Chairpersons Suzy Basile, Anthropologist, and Vice-President of the Association des femmes autochtones du Québec, and Rodney Bobiwash, Director of the Forum for Global Exchange, Center for World Indigenous Studies, opened the session with a welcome and brief introduction.

Mr. Bobiwash noted that a traditional prayer in an indigenous language was an appropriate way to start a session on Traditional Knowledge, because issues like language, ceremony and ritual contain all of the ways indigenous people have of relating to the natural world and safeguarding their knowledge.

What is Traditional Knowledge?

By Stephen Augustine

About Stephen Augustine

Stephen Augustine has worked as a Researcher of Native History at the Canadian Museum of Civilization since 1996. He has a Masters Degree in Canadian Studies from Carleton University, as well as degrees in Anthropology and Political Science from St. Thomas University. He has provided consultant and research services to various organizations within the Assembly of First Nations, and has worked with native youth as an orientation councillor. He has written research reports and organized intercultural workshops for a large diversity of agencies at the federal, provincial, university, and museum level. He has been invited to participate in numerous conferences, in many countries, and was officially recognized for his knowledge of oral history, as well as historical treaties. Recently, he was accredited as an expert witness for several cases before the tribunals treating access rights of indigenous people to natural resources. He is also the hereditary chief of the Mi'Kmaq Grand Council, and has been trained since childhood by the elders in his nation. Stephen Augustine has a profound knowledge of traditional ceremonial practices, of the language, the culture, and the history of his people.

“I have lived here since the world began”

What I am about to say has been repeated many, many times by indigenous people in North America and around the world. I have seen it as the title of a book by Arthur Ray. It's a quote from a Mi'Kmaq Chief, an ancestor of mine, recorded in about 1740. It is translated into English as: "I have lived here since the world began". To get the full philosophical context of what it meant when they came upon this old chief in his wigwam which was very long, with doorways opening on both sides, and a sacred spot for the chief, and another honoured position for guests, I must translate the phrase back into my language.

The Oral Tradition

The whole notion of "I have been here since the world began" harkens back to the oral traditions that were prevalent among indigenous societies across Canada and the United States. The oral traditions and the creation stories were the foundation of knowledge for all of these distinctly different cultural groups in North America. They were nomadic tribes, who spoke different languages, lived in temporary shelters, and moved around from place to place. When the world began as we know it, it was a world that it was in motion.

The Creation Story

In the creation story, the Mi'Kmaq believe in something called "Gizouk". It is a verb which means "you have been created" or "somebody created you". In ceremonies to honour the giver of life, the elders would devote one full day to dances and feasts and ceremonies celebrating life. They would dance around and touch everybody on the top of the head and say "Gizouk" (You have been created), They would touch a tree, an animal, a flower or a plant, a fish, and say "Gizouk". The whole notion of "Gizouk" acknowledges and honours the giver of life. It was appropriated by the religious traditions of the Christians. When the Jesuit missionaries arrived here, they realized that we had a sense of the mystery of creation. They took the word "Gizouk" and gave it to God.

The Giver of Shadows

Grand-father-sun is recognised by our people as the giver of our shadows and when the sun gives you a shadow in our language we say "t'ja amige", my shadow but "t'ja amige" also incorporates my body, because my shadow wouldn't be my shadow if my body wasn't here. If I didn't have a heart that pumped blood all over my body and my lungs, my physical features would not be here, and they would not reflect. If I stood sideways, my profile would not be seen. And so grand-father-sun is attributed with giving us our characteristics, our behaviour, our heart and our lungs, because our elders teach us that the blood that flows in our bodies is connected to our feet, connected to our shadows, and it is important to have a shadow. Grand-father-sun puts spirit into our bodies, into our lives, into our creation. And not only us. everything that has a shadow, and the shadow moves, has life. During the early morning there's a long shadow. Even a rock sitting on the ground has a short shadow and a longer shadow at the end of the day. So grand-father put the spirit into life. Our elders have said "I had seen his image before he passed on into the spirit world, his image came to visit me to say goodbye or to warn me that he is going to leave".

Mother Earth

The other element of creation is the earth itself, a surface of area upon which we stand and which we share with all living entities: the birds, the plants, the animals, the fish, and the four-legged creatures, all of whom live on this world and contribute to our well being. Mother Earth sustains us. The Mi'Kmaq have several words for person. One translates into "person walking on top of the earth," another means "surface walker," but they are all based on how people relate to the earth, survive on the earth, are part of the earth, come from the earth, and how humanity somehow formed on the earth,.

The First Person

The Mi'Kmaq creation story tells of a bolt of lightning which hit the earth and caused the first person to be given his life, to speak and to enjoy a relationship with this world. His grand-mother came from the dew forming over a rock from the ground. She brought him the wisdom and knowledge that he relied upon for survival; how to obtain food, clothing, medicine, shelter, tools, and how to travel about on water, ice, snow and on mother earth. He was given seven sacred parts to his head: two ears for listening, two eyes

for observing, two nostrils for smelling, and a mouth to take in air, medicine, food, and water. These are elements of survival.

The Elements of Survival

The world came into being with all of the elements of survival: the plants, the creatures that fly in the sky, the four-legged creatures, and those that live in the water. Together, these provide everything needed to survive and exist. The elders teach us about these elements. The birds have feathers which face downward. Animals have fur which faces one direction to withstand the wind and the natural elements. The scales on a fish go in one direction. The branches and roots of a tree do the same. The elders teach us that an animal will always face the direction of the wind. If you approach him from the direction of the wind, he will sense you before you arrive, and he will rise. That is how he survives. If he faces the other direction, the wind will enter his skin. It is the same with the birds and the fish. These are lessons that our people are always observant about. They've been watching the behaviour of the world around them for thousands of years.

Mothers and Children

The most important elements in all of this are the children. They have vision for the future, physical strength and the ability to run around. They are gifted with the spirit. Mothers teach us all there is to know about caring for one and other, looking after our brothers and sisters, and providing the necessities of life to everybody that is around us.

The World in Motion

Our world is constantly in motion, with the stars and the moon, the winds, the tides, the rains, the snow, the floods, and the earthquakes. I am only capable of enjoying a relationship with it, and that relationship is grounded in the knowledge that I come from the earth and all the necessities of life come from the earth.

Traditional Knowledge vs. Scientific Knowledge

Scientia, the Latin word for science, means knowledge. The occidental scientific approach to knowledge is based on repetition and the assumption that with enough repetition, something will occur again. Aboriginal knowledge is based on thousands and thousands of years of observations and experiences. More detailed observations on this subject can be found some papers I wrote in 1997 which took a somewhat cynical approach to the way traditional knowledge was being treated.

Respect for the Oral Tradition

I was called upon to testify in four logging cases in the Maritime Provinces, as an expert on oral tradition. In my testimony I included the Mi'Kmaq creation story, and the oral traditions of our culture. I felt that the system was really very brutal, and questioned the very existence of my people and my culture. The written tradition was given far greater weight than the oral tradition, which, for a long time, was only considered as here-say evidence. The oral tradition has only been recognized in the court system for the past few years, and is not given equal weight or respect.

Ethical Guidelines

Another paper I wrote on the ethical guidelines of conducting research in indigenous and local communities examines the various approaches of aboriginal communities and different development organisations and governments across Canada, and the ethical guidelines of how traditional knowledge is treated. The paper focuses on a benchmark case in "Bambrton", British Columbia, where traditional knowledge and mainstream science were being used in an environmental assessment impact study. Unfortunately, however, due to a change in the economic environment, the development did not take place.

Dealing with Regional Traditional Knowledge

Indigenous cultures in North America are very diverse. I could not even understand my brothers the Mohawks speaking, and we are not even 200-300 miles apart as neighbours. The spiritual understanding that he has, and the relationship that he holds with the earth, is so different from mine. We have to be very careful about how we approach regional traditional knowledge. We must look at this diversity in the same way as we look at the diversity of animals, birds, fish and trees.

History and Scope of the Traditional Knowledge Concept: Reflections on Twenty Years of Research (texte original)

By Martha Johnson

About Martha Johnson

Martha Johnson is a research associate with the Arctic Institute of North America in Ottawa. She holds degrees in Anthropology and environmental studies from McGill University and the University of Toronto. She's lived in Northern Canada for ten years as a researcher and teacher. She is the former Research Director of the Dene Cultural Institute. During her years at the institute, she was responsible for developing a community-based approach to Traditional Knowledge research. She is currently a consultant on the INRS Project "Learning from Each Other: Native Knowledge and Sustainable Development, a New Approach to Decision Making". She is also pursuing a part time doctorate in Social Forestry at Laval University.

Personal Introduction to TK

Martha Johnson first became interested in Traditional Knowledge twenty years ago when she was teaching high school ecology in northern Quebec. She found that the students, as well as their parents and relatives, had more to teach than she did as they shared with her their ecological knowledge and cultural history. This experience sparked her interest in exploring Inuit perceptions of the environment, and the following year she returned to graduate school. At that time, no one at the University of Toronto had heard of TEK. In fact, one professor asked why she would even bother to study what the Inuit knew about the environment, because it could never measure up to "real science". That comment, combined with her experience of living with the Inuit was enough to make her believe that she was onto something.

Fieldwork in Povungnituk

She decided to study how the Inuit classified birds, and how their taxonomic system compared to the western scientific one. The title of her Masters' thesis was "Inuit Folk-Ornithology in the Povungnituk Region of Northern Quebec." She returned to Povungnituk the following summer to conduct fieldwork, and took field trips out on the land with people as often as possible. One species of bird she was trying to identify was what the Inuit referred to as the "dancing goose." When they were shown pictures in a field guide, they pointed to some rare and almost extinct European species – a good example of how easy it is to distort people's perception when the animal is examined outside of its natural habitat. She finally spotted the "dancing goose", and was able to identify it as a Sandhill Crane - "Tatigaq" as the Inuit called it, whose range, according to scientific observations, was supposed to be on the other side of the Hudson Bay coast.

Early "Ethnoscience" Studies

In the 1970's and 80's, "folkscience" or "ethnoscience" were the terms used to describe any knowledge system that hadn't evolved from the scientific paradigm. Many of these earlier studies focused on comparing non-western systems of classification to the scientific system. What they revealed was that all cultures recognize natural classes of animals and plants, and that traditional peoples are as concerned with classifying their world as are western scientists (Bulmer 1970; Berlin 1973; Hunn 1977).

TEK Research at the Dene Cultural Institute

Later, at the Dene Cultural Institute, Ms. Johnson worked on developing the TEK research program with the Dene communities in the Mackenzie Valley. All of their projects used a participatory action approach to research which meant that project goals were developed to meet local needs and values rather than serving the research agenda of academics, consultants or governments (Ryan and Robinson 1991, 1996; Johnson 1992). Local researchers did the interviewing and each community had a Community Advisory Council, composed mainly of elders. Their role was to direct the research, deciding what questions to ask, who should be interviewed, and how the results should be interpreted and applied. In essence, the elders were a peer review committee deciding which information was accurate and resolving the inevitable contradictions that arise from all research results.

Challenges Faced

These were exciting years for TEK research in the North, pioneering the development of participatory research methods and gaining the recognition of TEK for environmental decision-making. But they were not without their challenges. They soon found that it was not easy to translate scientific concepts into Dogrib or North Slavey and vice versa. For example, the scientific concept of ‘management’ had no Dene equivalent because the connotation of controlling nature was counter to the Dene stewardship ethic of “taking care of the land”. The other challenge was the constant pressure of having to explain the nature and value of TEK to scientists and bureaucrats. After only six months of research, people would ask “So, have you figured out yet how to integrate science and TEK ”?

Lessons Learned

One of the critical lessons learned from this early research experience was that TEK has to be understood as a whole, according to the surrounding natural environment, and tied to the language, social relationships and spiritual beliefs of its holders. It is often the ‘non-biological’ information embedded in legends and personal accounts that provides the clues to understanding environmental change and traditional ethics and practices (Johnson 1992; Gombay 1995). For this reason, it was important to work as an interdisciplinary team combining the cultural and linguistic expertise of the local Dene researchers with the expertise of social and natural scientists.

Comparing Western Science and TEK

Up until the mid-1990’s much effort was focused on comparing western science and TEK. Charts comparing TEK and western science according to scientific criteria were quite common – they showed how science is quantitative, objective and reductionist whereas TEK is qualitative, intuitive and holistic.

Power Relations Between Dominant and Minority Cultures.

While these earlier comparisons were useful in highlighting some of the differences between the two knowledge systems, they failed to recognize the uneven distribution and interpretation of knowledge within a community, and the underlying power relations that reinforce the old divisions between ‘traditional and modern knowledge’ and dominant and minority cultures. Certainly in most regions, the relationship between TEK and western science corresponds to the traditional power relationships between the state and indigenous communities. However, these power relationships are slowly changing. In 1992, the government of the Northwest Territories adopted an official policy to incorporate TEK into all government actions where appropriate. The policy fostered considerable debate among bureaucrats, indigenous groups, legal experts, industry and the general public about how to define TEK and how to implement the policy.

Participatory Research at the Canadian Museum of Nature

In her next position at the Canadian Museum of Nature, Martha Johnson suggested that they develop a participatory approach to a research project that was studying the biodiversity of the Rideau River. Including TEK and public education would make it easier to raise money and support for the project – by that time, TEK had become a hot topic. They developed a community involvement component that eventually led to a major grant from a private Canadian foundation.

A New Set of Challenges

To involve the communities along the river in the project, they decided to apply the northern model of participatory research that had been developed by the Dene. They expected that implementing the northern model in a southern Canadian non-indigenous context would be relatively easy since the usual linguistic and cross-cultural barriers did not exist. However, they soon discovered that one set of cultural barriers and power relationships had been replaced with another. Most of the Museum scientists had little knowledge or experience with TEK and participatory research. They were not used to dealing with so much qualitative anecdotal information. They preferred to be left to work in peace and not have to deal with public concerns and TEK. Unfortunately, since scientific performance measures rarely recognize efforts that do not culminate in a scholarly publication (Johnson et. al. in prep.), there was little professional incentive for them to invest their time in attending community meetings or gathering TEK. In addition to the scientific barriers, they also ran into institutional barriers when Museum managers replaced the participatory team approach of the project with a top-down, management structure. This move was greatly resented by community groups that wished to assume greater responsibility for certain activities.

Barriers and Bridges

The recognition of TEK by the scientific community in less than 20 years is a major accomplishment for people whose knowledge has long been dismissed as unscientific folklore. Nevertheless, there remains a wide gap between the recognition and application of TEK. The following are the principle barriers and bridges to achieving an interface between TEK and western science.

- (1) **Need to recognize TEK and western science as evolving knowledge systems.** All knowledge systems, like the language through which they are transmitted, either evolve and survive or decline under the influence of internal and external forces. Both western science and TEK are built upon the experience of earlier generations and influenced by technological innovations as well as the changing values and needs of the societies they reflect.
- (2) **Need to recognize the multiple domains of TEK and western science.** Just as science is made up of conflicting theories, and research questions are influenced by power relations, how TEK is interpreted and applied and who has access to it varies within a community and between communities. For example, the knowledge of women may be different from the knowledge of men which in turn may be influenced by age, education and lifestyle.
- (3) **Need for common criteria to evaluate TEK and western science.** Like western science, TEK has its own internal and culturally valid method of evaluation. However, if TEK and western science are to have legitimization beyond their cultural boundaries, both sides must work at defining common criteria to evaluate the quality of information and the appropriate applications for its use.
- (4) **Need for interdisciplinary research.** Any study that involves TEK requires an interdisciplinary approach where natural and social scientists and indigenous researchers collaborate together. The full potential of TEK cannot be realized if it continues to be treated as a separate category of information to be studied in isolation of other scientific components.
- (5) **Need for institutional arrangements to facilitate interface between TEK and western science.** Increasingly, indigenous peoples are being called upon to participate as one of many stakeholders in environmental initiatives that involve complex cross-scale issues at both ecological and socio-political levels. In order for TEK to be protected and legitimized, there must be institutional arrangements to guarantee power sharing and the protection of intellectual property rights.
- (6) **Need to support social learning and capacity building.** Ultimately, it is through working together that scientists, bureaucrats, elders, youth, men and women will become more sensitive and knowledgeable about the values and needs of one another, learn to respect differences, and focus on

achieving a common goal. Communities will not support science if they do not understand it and are not encouraged to participate in it. At the same time, unless scientists receive proper support and professional recognition for their efforts to work with communities, they are unlikely to devote the time and effort required to make the process work.

Conclusion

Compared to the scientific method, which has been around for several hundred years, twenty years is a relatively short period of time to develop a framework for resource management that bridges cultural, disciplinary and political barriers. How TEK is defined and transmitted today is up to indigenous peoples and their political and cultural organizations. The appropriate blend of traditional and scientific knowledge will depend on each case, and the decisions of the various participants involved. Ultimately, developing an interface between TEK and western science will depend on our ability to break down old barriers and build new bridges. This will be possible if we focus on our commonalities rather than our differences, learn from our past mistakes, and celebrate our successes in an atmosphere of trust and respect.

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The Role of Traditional Knowledge in Environmental Assessment

By Carole Levesque

(Présentation non disponible)

Résultats des sessions de travail parallèles

Résultats du groupe 1

Présentés par Marcelle Chabot.

Éthique
Reconnaissance de droits

Résultats du groupe 2

(texte original)

Présentés par Jean-René Proulx

À défaut de meilleurs termes, celui d'*intégration* des connaissances traditionnelles dans les évaluations environnementales est utilisé, tout en reconnaissant que ces connaissances doivent y être plus que simplement intégrées.

Les participants de cette séance de travail provenaient de divers milieux : ministères québécois et fédéraux, promoteurs, nations autochtones, universitaires. Parmi les participants, il semblait implicite qu'il était nécessaire et important d'intégrer les connaissances traditionnelles à l'évaluation environnementale.

La séance a d'abord commencé par une discussion sur la difficulté d'obtenir les connaissances traditionnelles de la part des détenteurs à cause de divers facteurs :

- Manque de confiance envers le promoteur
- Contexte de controverse – Pertinence de collaborer – Utilité des informations transmises dans la prise de décision
- Manque de temps et de fonds pour procéder à la cueillette des informations.

L'instauration d'une banque de données périodiquement mise à jour est identifiée comme une solution possible aux limites de temps et d'argent. La qualité des échanges entre les différents intervenants est un facteur important dans l'instauration d'un climat de confiance. Certains évoquent la nécessité qu'une institution favorise les échanges entre les divers intervenants et surtout fasse reconnaître l'importance de recueillir et d'intégrer les connaissances traditionnelles dans le cadre d'une évaluation environnementale.

Un autre facteur qui influence la confiance des populations concernées envers le processus d'évaluation est le mode de consultation qu'ils ont déjà expérimenté ou qui leur est proposé. Ce mode a été trop souvent rapide, voire bâclé, et il ne démontre donc pas de respect. Il faut donc faire en sorte que les activités de consultation ou de participation soient menées par des hommes et des femmes qui font preuve de professionnalisme.

Le manque de confiance envers les promoteurs provient surtout de la perception, par les communautés concernées, que les décisions importantes quant à un projet sont déjà prises et que leur participation ne saurait être déterminante.

Une approche en fonction du milieu doit être développée, approche qui prendra en compte ses besoins, qui permettra de déterminer comment doit se faire la participation à l'évaluation environnementale et plus particulièrement l'intégration des connaissances traditionnelles. Une des caractéristiques de cette approche doit être de faire en sorte que la présentation du projet facilite sa compréhension par les communautés concernées. De façon générale, elle doit tenir compte :

- des spécificités culturelles
- du mode d'expression particulier de ces connaissances (oral)
- des apports spécifiques des femmes.

Dans cette approche, le respect et l'importance accordés aux connaissances traditionnelles et à leurs détenteurs doivent être démontrés. Il en est de même pour l'apport des populations locales aux décisions

qui est un facteur déterminant de confiance. Non seulement faut-il que les connaissances traditionnelles soient prises en compte mais aussi que cette prise en compte soit démontrée aux populations locales. Il faut se rappeler – et le rappeler aux autres –

- que les populations concernées auront à vivre à long terme avec les conséquences des projets soumis aux évaluations environnementales et que ces projets soulèvent des enjeux sociaux importants
- que les évaluations environnementales doivent permettre de se prononcer sur l'acceptabilité (et ses conditions) ou non d'un projet.

Résultats du groupe 3

(texte original)

Présentés par Martin Pelletier

Au sein du groupe, on note la présence de représentants autochtones de plusieurs communautés, de représentants gouvernementaux du fédéral et du provincial de divers ministères et départements, de représentants d'Hydro-Québec et d'ONG et enfin de consultants. Les attentes exprimées par les participants ont traduit deux tendances par rapport au thème :

- Les constats sur l'état des connaissances sont partagés. En d'autres termes, le groupe de travail est composé de personnes initiées aux nombreuses opportunités et contraintes que présente l'intégration des connaissances traditionnelles autochtones, telles que présentées par les trois conférenciers en plénière. Il n'est donc pas question de procéder à une mise à niveau mais bien de se pencher sur le développement d'approches pratiques.
- Malgré l'entente relative sur le besoin de développer une interface permettant aux autochtones et aux développeurs d'utiliser leurs connaissances respectives pour l'évaluation de projets, le groupe de travail a souligné le manque de pratiques (d'outils) apportant des résultats concrets en ce sens. C'est-à-dire que l'on reconnaît l'importance de laisser une place à chaque partie, mais l'on ne sait pas comment favoriser de réels partenariats dans un contexte transculturel et transdisciplinaire.

Se fiant à leur propre expérience, plusieurs participants notent que le meilleur moyen " d'intégrer " les connaissances traditionnelles, est d'éviter de documenter l'aspect uniquement descriptif de ces connaissances (par exemple sur des cartes) pour plutôt favoriser la participation des détenteurs de ces connaissances à toutes les étapes. C'est ainsi que l'on pourrait créer cette interface pour la prise en compte des connaissances traditionnelles dans les évaluations environnementales en impliquant les autochtones, par exemple, à l'intérieur des équipes de recherche sur le terrain (niveau opérationnel) ou tout simplement en amont, en les impliquant dans la conception des projets ou la préparation des directives d'évaluation environnementale (niveau stratégique).

De façon pratique, on a noté une perception de disproportion entre la science occidentale " vérifiée " versus les connaissances traditionnelles " non validées " qui n'ont pas le même poids dans un processus d'évaluation environnementale. Même constat en ce qui a trait au caractère " flou " des connaissances traditionnelles versus le contexte " rigide " d'application des lois et règlements. Les notions de droit de propriété et d'effort de documentation ont été discutées en relation avec le temps limité alloué à un processus d'évaluation environnementale.

L'effort d'intégration a été questionné car ne s'agit-il pas d'un processus déguisé de " political correctness " puisque les évaluations environnementales se sont toujours réalisées sans les connaissances traditionnelles par le passé ? Les participants pensent que non alléguant que les connaissances traditionnelles doivent plutôt constituer un bénéfice pour l'amélioration d'un projet, que les autochtones ne représentent pas uniquement une population affectée par des projets mais qu'ils détiennent des connaissances susceptibles d'orienter la concrétisation de ceux-ci.

En résulte alors l'obligation d'apprendre à travailler, de collaborer avec les autochtones afin d'engendrer cette interface. Pour cela, les participants ont souhaité une réelle volonté de part et d'autre, ont identifié la nécessité de développer les outils pertinents favorisant la rencontre interculturelle et surtout, ont mis

l'emphase sur l'importance de développer un langage commun. Pour illustrer cette dernière notion, un participant a comparé l'incompréhension chronique à l'utilisation du système métrique versus le système impérial : on parle de la même chose avec un langage différent. La séance s'est terminée sur la question suivante : doit-on travailler avec un des deux systèmes ou en développer un troisième commun à tous ?

Results of group 4

Presented by Leanne Simpson

This working group was composed of a diverse mix of people, including scientists, ecologists, and a number of aboriginal people from different nations. The group acknowledged both western science and Traditional Knowledge are valuable sources of information, and recognized the holistic nature of Traditional Knowledge as one of the aspects that differentiates it from Western Science.

The discussion kept returning to the ability of aboriginal communities to make decisions that will affect their lands and their people, and the importance of keeping these discussions linked to the broader issues that aboriginal peoples face in Canada. These issues don't take place in a vacuum. They are related to treaty rights, aboriginal rights, or aboriginal jurisdictions over aboriginal land.

Key Issues:

- **Weight:** The group expressed frustration that in the past aboriginal knowledge recommendations into the impact assessment process had not been taken into account. There was some concern that these recommendations would once again be disregarded.
- **Empowerment:** Aboriginal people needed to have the ability to say no to some projects, to use their knowledge to make decisions, and decide when a project can go ahead, and on what terms.
- **Capacity building:** This is necessary not just within aboriginal communities, but also for scientists and governments, to help them understand what indigenous knowledge is on indigenous terms.
- **Dialogue:** It was suggested that a mechanism, perhaps through the internet, be created to maintain contact among the conference delegates so that this dialogue can continue.
- **Early Involvement:** The importance of aboriginal communities being consulted and brought into the planning process from the very beginning stages of any project was stressed repeatedly.

Guidelines:

- **Community Specific:** Guidelines for the inclusion of traditional knowledge in the decision making process must be developed on a regional or community basis, because of the diversity of issues, geography, and aboriginal cultures. It would be impossible to come up with a consistent set of guidelines that would be meaningful and effective in all of these situations.
- **Broad Ethical Principles:** To balance that, the group suggested the development of a common set of ethical principles to ensure that Traditional Knowledge is respected and used in a good way.
- **Enforceability:** Communities will be left vulnerable if the guidelines aren't enforced, but are followed only on a voluntary basis.

2. *Session 2: Case Studies, Experiences, and Lessons Learned*

- *Welcome and Introduction*
Ginette Lajoie & Leanne Simpson
- *The Waskaganish Access Road: Experiences and Lessons Learned*
Brian Craik & Carole Lévesque
- *Past & Ongoing Experiences from Nunavik: Raglan Mine and Pingualuit Park*
Willie Adams, Charles Burgy, & Robert Lanari
- *Traditional Knowledge in the Environmental Screening and Review Process Established Under the Inuvialuit Final Agreement (1984)*
Fred Wolki and Eric Chernoff
- *Indigenous Peoples Knowledge and the Environment: The World Bank Initiatives for Latin America*
Alonso Zarzar
- *Synthesis of the presentations*
Leanne Simpson

The purpose of this plenary session was to address how traditional knowledge has been used in planning projects, environmental assessment, decision making and follow up, as well as to discuss some of the obstacles encountered, successes, and the lessons learned.

Chairpersons Ginette Lajoie, Coordinator of the Cree Regional Authority in Montreal, and Leanne Simpson, Director of Indigenous Environmental Studies in the Department of Native Studies at Trent University, opened the session with a welcome and brief introduction.

Leanne Simpson began by thanking the Elder, once again, for his powerful thanksgiving address, and for welcoming everyone to Mohawk Territory. She also thanked the Mohawk people for acting as caretakers of the land for so many generations, so that everyone could be there to focus their minds around important issues.

She stated that traditional knowledge and impact assessment are of utmost importance to aboriginal peoples. There is always a real concern about their inclusion in these processes, and that their knowledge be protected and used in a good and respectful way, to protect the land for future generations.

Ginette Lajoie introduced Brian Craik and Carole Lévesque, who made the first presentation on the Waskaganish Access Road.

The Waskaganish Access Road: Experiences and Lessons Learned

By Brian Craik and Carole Lévesque

Social and Environmental Protection in James Bay, Quebec

(texte original)

By Brian Craik

About Brian Craik

Brian Craik is a Government Relations Advisor on the Grand Council of the Crees, and has been working on Cree case files for nearly thirty years. He did his doctoral studies in the late 1970's at McMaster University. He has been a member of the Evaluation and COMEX committee for several years, and collaborated on the composition of the directive for the Waskaganish Access Road impact study, performed an analysis, and offered his recommendations to the administrators.

The James Bay and Northern Quebec Agreement

In 1970, Hydro Quebec announced the La Grande Project: phase 1 of the proposed 3 part hydroelectric development of Northern Quebec. The local Crees and Inuit, concerned about the future of the region, protested against the project. The dispute was resolved in 1975 with an out of court settlement: The James Bay and Northern Quebec Agreement

Background: 300 Years of Coexistence

For the 300 years prior to when the project was announced, the Cree coexisted with the settlers. The Cree were a people whose communities were organized around life on the land. Because they hunted and fished, they had established an arrangement with the Hudson Bay Company which involved the exchange of furs and food in return for basic manufactured items which made life easier. The HBC was accorded a piece of land by the Crees, from which the local posts could get firewood or hunt for small game, and build their installations. The employees of the Company did not go out onto the land to compete with the Cree hunters, trappers and fishermen. The Cree had a functional system for managing the animal resources of the territory, as well as the HBC. While to the rest of Canada and Great Britain, Rupert's Land belonged to the Hudson Bay Company, to the Crees, their system of governance continued.

Over-Crowding and Inadequate Facilities

Although the communities that had grown up around the HBC posts began as mere stopping-over places between seasons in the bush, they eventually became over-crowded and inadequate. By the early 1970s, people began staying in the towns throughout the year, so that children could attend day schools and to care for the elderly and the sick (This was now possible as a result of the old age pension). The towns, however, were inadequate. They lacked sewage facilities and often, one water tap served 1000 people. Because they were totally oriented to their lives in the bush, almost no one in the towns had work. Despite the inadequacies of the towns, however, the Cree remained a proud and independent people.

What did the Agreement of 1975 offer?

- The building up of services and local facilities;
- Participation in development;
- Protection so that the Indigenous people could continue their way of life on the land.

Significance of the Agreement

- It acknowledged the precarious situation of the impacted peoples
- It linked the destiny of Quebecers with that of the Cree and Inuit.
- It stated the importance of the participation of Indigenous peoples in the decisions to be made on development and in the environmental regulations that would apply in the Territory.

Results of the Agreement:

- The Agreement was essentially not implemented. The promised regulatory structure guiding the evolution of development in the Territory is non-existent. In fact, not a single environmental regulation has resulted from the Agreement process.
- Although the James Bay Advisory Committee does exist, members appointed by Quebec are not paid, and those appointed by Canada are given only minimal allotments of paid time. The Committee is left without legal counsel, and without environmental technicians.

- Successive governments have treated the Agreement as a challenge to their jurisdiction and sovereignty, rather than as a solemn commitment.
- The Cree are still struggling for their survival, as they always will.

The Current Situation

The Crees are now in court against the present forestry regime. They want to preserve their way of life and the ecological integrity of some areas. Some in the Government of Quebec are now saying that, in the case of forestry, the Cree people do not pursue their traditional way of life and therefore no longer need the protections of the lands and forests called for in 1975. “This is nothing but a convenient lie designed to justify yet again increasing the forest quotas in a region being ecologically destroyed by accelerated clear cutting of the boreal forest”.

Why does the government prefer to manage forestry by crisis, rather than implementing an agreement that would sustain the territory and the people living off it? Because the immediate cash return of unhampered forestry activities creates the increased returns and short-term employment that governments are unwilling or afraid to refuse.

Case Study: The Waskaganish access road

The Waskaganish access road, a proposed road that would make the town of Waskaganish accessible by Automobile, was a project proposed by the Cree. Community members with varying concerns were all given the chance to express their views. Through the review process, the developers demonstrated that they were concerned about both the environment, and the changes the road would bring to the community.

Judging the Effectiveness of the Review Process: A Step Too Often Overlooked

In reality, it is too soon to judge whether the review process has been successful in allowing the community to better deal with long-term impacts. It would be important to have a retrospective review of the results five years from now. If we are to avoid future unforeseen consequences, we need to have processes that allow for monitoring, auditing and independent assessment of the measures that were applied, thus allowing us, the assessors to refine our methods. Unfortunately, too often in Canada, once the proponent has the permit to build and operate, monitoring impacts and adjusting the remedial measures applied to them has been treated as a secondary and less important aspect. The result of this is that there is little data available on which measures have proven effective.

Social Impact Assessment of the JBNQA

Among other things, the JBNQA spells out measures for priority employment of the local people. However, little has been done to make this a reality. Today, the Cree make up approximately 30% of the adult population in Northern Quebec, yet they hold less than 5% of the jobs in forestry, mining, and hydroelectricity. Only 10% are employed in the private sector. The rate of unemployment plus non-participation in the workforce is 40%, and for those under 25, it may be as high as 75%.

Lessons Learned

In cases where the unintended result of development has been to exclude a racially distinct part of the population, a regulation should be passed to force proponents to come to terms with this problem. The situation of racial exclusion described for the Cree in Quebec exists across Canada, and is gradually worsening. Governments must act with prudence and forethought to implement concrete and binding measures which would allow indigenous peoples to occupy the economic space in the territories around their communities.

Indigenous Peoples are the inhabitants of the land. In many parts of Canada they are the majority or only inhabitants for hundreds of kilometres. It is this fact that makes aboriginal peoples so important to the protection of the environment and the promotion of human rights in Canada. “Who else will speak for the environment but those who have traditions and interests directly stemming from the environment? Who

else should tell Canadians about inequity and unfairness but those who are its greatest victims in our society?”

Future development must be done along the lines set out in the JBNQA so many years ago. To allow it to take place in a de-regulated framework will cause enormous environmental costs and human tragedy.

Traditional Knowledge in the Waskaganish Access Road Impact Study

By Carole Lévesque

(Présentation non disponible)

Questions to Consider:

- *In some cases, agreements between aboriginal people and government have not been upheld. In the projects that are carried out, the social aspect is often overlooked during follow-up and monitoring. How does this impact environmental assessment? What can be done about this deficiency?*
 - *Should traditional knowledge be shared freely with developers and governments? How important is it to incorporate traditional knowledge into our laws, regulatory structures, and schools?*
 - *How can aboriginal communities use technology to protect their traditional knowledge and land rights?*
 - *How important is governmental involvement in the negotiation process between aboriginal communities and corporations? Can they successfully develop agreements which adequately address all of their needs, without the assistance of government?*
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Expériences au Nunavik : mine Raglan, parc des Pingualuit et autres exemples

Par Robert Lanari avec la collaboration de Willie Adams et Charles Burgy

Notes biographiques. Robert Lanari a fait ses études doctorales en anthropologie à l'Université McGill. Après quelques années dans l'enseignement, il s'est joint au groupe de recherche du Nord du Ministère des affaires indiennes et du Nord et depuis 1979, il oeuvre au sein de la société Makivik. Ses champs d'activités incluent les études d'impacts sociales et sur l'environnement de divers projets de développement: pipelines, hydroélectricité, parcs et mines.

Charles Burgy a une maîtrise en géographie et aménagement du territoire de l'Université du Québec à Montréal depuis 1997. Il a travaillé au sein des ministères des Ressources naturelles du Québec et de l'Ontario comme technicien géographe et en environnement. En 1998, il s'est joint à l'équipe de la Corporation Makivik comme analyste en charge du service de la cartographie.

Willie Adams travaille depuis 1990 dans l'équipe de cartographie reliée au projet d'utilisation du territoire et des connaissances traditionnelles. Il a déjà été membre du Comité de coordination de la Chasse, de la Pêche et du Trappage. Depuis 1998, il est apprenti-cartographe.

Référence géographique : Nunavik est un territoire du nord Québécois d'une superficie d'environ 600,000 km carrés et compte une population de 10 000 habitants. Aucune route terrestre ne mène à ce territoire ni

ne relie entre elles les quatorze communautés côtières. On ne peut y accéder que par avion, par bateau ou en hiver, par motoneige.

Déjà en 1975, au moment de la signature de la convention de la Baie James, les représentants des Inuits du Nunavik, regroupés dans la Northern Quebec Inuit Association (NQIA), discutaient de l'importance du savoir traditionnel. À l'époque, le regretté Mark A. Gordon mentionnait « il y a plusieurs façons d'être pauvre et dans le monde moderne, ne pas avoir la bonne information représente une certaine forme de pauvreté. Aussi longtemps que ce seront les étrangers qui décideront de ce qui est important et qui poseront les questions, nous ne pourrons jamais résoudre nos problèmes. »

La Société Makivik a été créée en 1978 pour administrer les montants compensatoires (?) provenant de la Convention de la Baie James et du Nord Québécois, promouvoir le développement économique et social et enfin, protéger le milieu de vie des autochtones.

La Société Makivik a mis sur pied un programme de recherche relatif à l'utilisation du territoire et aux connaissances écologiques des Inuits du Québec. L'idée au départ était de ne pas perdre un savoir, qu'à l'époque les gens craignaient de perdre. C'est un programme qui, au fil des ans, a nécessité des ressources humaines et financières très importantes et une volonté peu commune de mener à bien un tel projet.

Le programme comprend deux volets principaux : 1) l'utilisation historique et actuelle du territoire et des eaux environnant Nunavik; et 2) la collecte systématique des connaissances des Inuits concernant l'environnement, l'écologie et les ressources. Dans ce programme sont intégrées d'autres banques de données provenant de diverses sources, par exemple, les données géologiques du territoire, les sites d'exploration minière, tout ce qui peut contribuer à élargir le répertoire des connaissances. En parallèle à ce programme, plusieurs travaux de recherche ont été entrepris au fil des ans sur la faune et la culture. Bref, le but recherché est de maintenir à jour une banque de données sur le savoir traditionnel des Inuits et d'élargir celle-ci grâce aux résultats de recherche, aux informations pouvant provenir de d'autres banques de données et des connaissances factuelles du territoire qui sont recueillies de façon régulière.

L'information sur les connaissances traditionnelles (via les histoires de vie, l'utilisation du sol, les lieux de vie, les lieux de chasse et de pêche, et les activités quotidiennes) est recueillie notamment par le biais d'entrevues individuelles et des entrevues de groupe avec les chasseurs et les anciens. Le comportement des animaux, les mouvements migratoires des oies, les trajectoires des baleines, tout cela est enregistré au moyen de marqueurs étiquetés sur les animaux. La plupart des informations sont cartographiées. En 1979, tout était reproduit sur des acétates. Depuis 1982, les informations sont insérées dans les banques de données informatisées et le transfert sur carte se fait par le système d'information géographique (SIG).

Cette somme d'informations a servi à plusieurs fins au fil des années. Elle a été utilisée notamment dans le cas de la gestion de la faune, dans les négociations relatives aux territoires et aux eaux territoriales, dans des études d'impact dont le projet de parc des Pingualuit, la mine Raglan ainsi que plusieurs autres projets comme les sites d'ancrage, les infrastructures maritimes, un projet de collaboration avec les étudiants. Plusieurs de ces projets sont présentés brièvement.

Projet de Parc Pingualuit. Une étude sociale et une étude d'impacts socio-économiques ont été réalisées. L'examen de l'utilisation du territoire a permis de vérifier s'il y avait conflit d'usages.

Les aires de nidification, les camps de chasse, les sépultures, les territoires de pêche, les routes d'accès d'hiver, les routes d'accès l'été, les routes de déplacement entre les villages des communautés concernées. À l'aide de cartes d'intensité d'utilisation du territoire, on a pu constater que le projet de parc n'était pas en conflit d'usages avec la communauté directement impliquée. Alors, le scénario a été répété avec les communautés environnantes Quaqta, Salluit, Ivoujivick, Aquidivick et Povonuitouk (vérifier l'orthographe), avec des cartes composites d'intensité d'utilisation du territoire. Ces cartes ont été montées sur la base d'entrevues avec les villageois.

La mine Raglan. Le processus utilisé fut le même que dans le cas du parc Pingualuit. Un village en particulier (lequel ?) pouvait être affecté par la mine Raglan et aussi Salluit (?). Ce sont les deux villages qui risquaient d'être les plus affectés par le projet. Les études démontrent que le territoire couvert par la région de la mine n'est pas tellement utilisé sauf dans le cas d'endroits de passage. On n'y repère aucun endroit de chasse et de pêche. Une grande préoccupation dans le suivi du projet Raglan consiste à examiner les répercussions environnementales éventuelles de l'exploitation minière sur le cratère du Nouveau-Québec.

Save Harbor Project : projet initié par le Kativik Regional Government. La Société Makivik a eu pour mandat de rencontrer tous les anciens pour identifier avec eux les endroits où sont localisés des lieux de mouillage sécuritaires (safe harbor), tous les lieux d'échouage (beach in sight), des lieux considérés très importants pour la population qui voyage essentiellement par bateau, notamment pour pêcher et chasser. Ce projet est un exemple concret de l'utilisation des connaissances traditionnelles pour guider les marins et les pêcheurs en cas de danger ou de tempêtes. Les endroits identifiés ont été informatisés et l'information a été transférée de façon à pouvoir être intégrée au GPS (?) des bateaux.

Marines Infrastructure Program. Projet initié par le gouvernement fédéral qui consiste à équiper Nunavik d'infrastructures maritimes. La Corporation Makivik a eu le contrat de construction de ces équipements et le Service des ressources renouvelables de la Société Makivik a eu pour mandat de réaliser les études d'impacts environnementaux. Les banques de données déjà existantes ont permis de dresser des cartes sur les lieux de chasse aux oiseaux dans la région de Kuujuaq, le long de la rivière Koksoack, sur les lieux de chasse au béluga ; une autre carte sur les types de routes de motoneige, les routes de canots.

Projet Know the Elders. Dans le sillage des interviews menés auprès des anciens pour alimenter la banque de données, un projet a été initié par la Société Makivik elle-même. Il s'agissait de répertorier des connaissances des anciens avec la collaboration d'étudiants de l'école secondaire de Kuujuaq qui ont posé eux-mêmes des questions à leur grand-père ou grand-oncle. Ce projet a permis de sensibiliser les jeunes à la transmission du savoir traditionnel et de cultiver chez eux un intérêt pour la recherche géographique et anthropologique. Les résultats du travail des étudiants ont été intégrés dans la banque de données.

Questions de l'auditoire :

Question à propos de la confidentialité et sur l'accès à l'information

Depuis plus de 23 ans, Makivik a investi des millions de dollars pour la collecte des connaissances traditionnelles. Au début, il fut difficile de faire comprendre à la population le but du projet, mais après 5 ans, les Inuits ont commencé à partager assez librement leurs connaissances avec les chercheurs. Les données ont été recueillies sur la base du fait qu'elles appartiennent à la population, qui en est le propriétaire. La Société Makivik ne fait que recueillir les informations, elle les conserve et en contrôle l'accès. La plupart des données sont classées « confidentielles ». Et toutes les personnes qui ont donné de l'information ont été payées pour le temps qu'elles ont pris. Quiconque veut accéder aux banques de données doit payer un droit de passage et sous conditions.

Est-ce que la banque de données contient toutes les dimensions dont on devrait tenir compte dans le contexte de savoir traditionnel ? ou n'est-ce qu'une banque de données très technique ?

La banque contient les deux types d'informations : d'une part les données quantitatives relatives au milieu biophysique, social, économique d'autre part, les données d'ordre qualitatif, sur les connaissances des Inuits. Par exemple, on y trouve non seulement les déplacements des animaux et des chasseurs, mais aussi la façon de disséquer un animal par les Inuits, etc. Ces connaissances n'apparaissent pas sur les cartes, mais elles sont dans la banque de données.

Est-ce que les données vous permettent de percevoir la dimension du temps. Pouvez-vous décomposer l'information par tranche de temps. Est-ce que vous enregistrez des changements ?

Oui la dimension temps est prise en compte via les interviews. On demande toujours de revenir en arrière, par exemple, où le parent allait, où est-ce qu'ils allaient eux-mêmes quand ils étaient très jeunes et où ils vont aujourd'hui. La mise à jour de la banque de données est faite depuis une vingtaine d'années. Donc le temps couvert par les connaissances recueillies est d'environ 75 ans.

Quel est le sens des changements perçus au fil des ans ?

Il y a une perte de connaissances traditionnelles, évidemment les gens bénéficient aujourd'hui de la motoneige, les gens se déplacent sur de plus courtes distances, l'arrivée de l'école, la sédentarisation, sont tous des facteurs qui contribuent à une perte de connaissances du territoire. C'est pour infléchir cette tendance que la banque de données a été créée et mise à jour régulièrement, afin qu'il y ait transmission des connaissances entre les Inuits et avec les autres.

Est-ce qu'il y a transfert de la connaissance technique vers la population autochtone afin qu'elle puisse être en mesure de prendre des décisions éclairées sur des projets qui ne sont pas initiés par elle.

Oui il y a un transfert qui se fait. C'est notre rôle de le faire et on le fait.

Traditional Knowledge in the Environmental Screening and Review Process Established under the Inuvialuit Final Agreement (1984)

By Fred Wolki and Eric Chernoff

About Fred Wolki:

Fred Wolki has been a member of the Environmental Impact Screening Committee for ten years. A long time resident of Tuktoyaktuk, he was raised in the traditional hunting and harvesting lifestyle. He is the former chairperson of the Hunters and Trappers Committee, and is involved in various other community groups, including the community corporation, and the elders committee.

About Eric Chernoff:

Eric Chernoff is a resource person for the environmental screening and review bodies established under the Western Arctic (Inuvialuit) Land Claim. His background is in environmental and fisheries biology, with experience in public environmental reviews. He has authored several reports documenting traditional knowledge, including reports on reindeer herding and caribou behaviour.

The Meaning of Traditional Knowledge

The Inuvialuit have lived in the Canadian Western Arctic for thousands of years, and have a tremendous knowledge of the environment. This knowledge, which the hunters and trappers needed in order to survive, has been passed on from generation to generation. It is part of them, their way of life, their culture.

The Western Arctic Inuvialuit Claim Settlement Act

After many years of negotiations, The Inuvialuit finally reached an agreement with the federal government in 1984, and the Western Arctic Inuvialuit Claim Settlement Act became law. A key point of the agreement is that in the case of any conflict, the agreement takes precedence over all other legislation. The goals of the agreement are to preserve Inuvialuit culture and values, to ensure that the Inuvialuit are equal and meaningful participants in northern and national economy and society, and to protect their environment and wildlife. The Inuvialuit final agreement ensures that traditional knowledge about the area, the people and wildlife is used to make decisions about the region.

The Inuvialuit settlement region covers approximately one million square kilometres of the Western Canadian Arctic, in both the Yukon and the North West Territories. There are 6 communities within the Inuvialuit settlement region: Aklavik, Inuvik, Tuktoyaktuk, Paulatuk, Holman, and Sachs Harbour.

The Resource Management System under the Inuvialuit Final Agreement is composed of Inuvialuit organisations, Co-management groups, and Government agencies.

Inuvialuit Organizations: Membership is 100% Inuvialuit. The primary organisation is the Inuvialuit Game Council (IGC). It consists of a chairman and a twelve-member board with two representatives from the Hunter and Trapper Committees of each of the six communities. The IGC represents the collective interest of the Inuvialuit in matters relating to wildlife.

Co-management Groups: This system of joint management consists of five groups whose membership is 50% appointed by the Inuvialuit, and 50% appointed by the various government agencies.

- The Fisheries Joint Management Committee (FJMC) is primarily concerned with the management of fish and marine mammals within the Inuvialuit settlement region. It provides advice to various groups and government agencies.
- The Wildlife Management Advisory Council Yukon North Slope (WMAC NS) is primarily concerned with the management of birds and terrestrial wildlife within the Yukon's North Slope. It provides advice to various groups and government agencies.
- The Wildlife Management Advisory Council Northwest Territories (WMAC NWT) has the same mandate as the WMAC NS, but within the Western Arctic regions of the Northwest Territories.
- The Environmental Impact Screening Committee (EISC) reviews proposed projects within the Inuvialuit settlement region, and assesses the potential impact on wildlife or Inuvialuit harvesting. It then determines whether the project may proceed, is subject to assessment and review, or is terminated.
- The Environmental Impact Review Board (EIRB) reviews projects that are referred to it by the EISC, advises government on whether a project should proceed, and if so, under what terms and conditions, including wildlife compensation, mitigation, and remedial measures. It may decide to recommend that a project be subject to further assessment and review.

Sources of Information Used in Decision Making

The EISC relies on the following sources of information when making a decision on a project:

- Input from government agencies, co-management groups, community Hunter and Trapper Committees, and the public;
- Data from GIS maps;
- The Community Conservation Plans (*These identify areas of cultural or environmental significance within a community's planning area. The primary authors are from the communities, but both traditional knowledge and scientific input are incorporated into the plans*);
- The Wildlife Management Plans (*These deal with the management of the various individual species within the Inuvialuit settlement region*);
- The Inuvialuit Harvest Study (*This is a collection of over ten years of data, provided by various hunters and trappers, on the harvesting locations of various species*);

In addition to the sources of information listed above, the EIRB can use the advice of a technical advisor, and/or special investigations or public meetings and hearings.

The Impact of Traditional Knowledge on the Decision Making Process:

The structure of the resource management system in the Inuvialuit settlement region ensures equal input by Inuvialuit and government in decisions made in the region, and allows traditional knowledge to be used extensively in the impact screening review process. The process meets the needs of the Inuvialuit, and helps protect their lands.

Questions to Consider:

- *How is traditional knowledge going to adapt to climate change? Permafrost is slumping, lakes are draining, and different species of fish and birds are appearing in northern regions. How are people going to build on previous systems of traditional knowledge, and adapt to the changes that are happening?*
 - *Might not the establishment of permanent villages in the North be a hindrance in terms of climate change? The Indigenous people are now unable to move their villages to the areas where they might have gone in order to adapt.*
 - *The indigenous people involved in the co-management boards are for the most part hunters and trappers. Their knowledge of the environment is in a different context from those on the other side of the board, where the representatives of government are usually scientists and biologists. Is this overwhelming or intimidating for the indigenous people? How can they deal with this factor?*
 - *Is it necessary to develop new ways of bringing traditional knowledge into the environmental assessment process? Is the co-management system enough on its own, or does it require more direction?*
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Indigenous People's Knowledge and the Environment: The World Bank Initiatives for Latin America

By Alonso Zarzar

About Alonso Zarzar:

Alonso Zarzar is the Indigenous Studies Advisor for the Environmental and Social Development Unit of the World Bank. He is a Peruvian Anthropologist, with a Masters Degree in philosophy from Cambridge University. He is currently the Social Coordinator of the Quality Assurance team of the Latin American and Caribbean region of the World Bank, in the Environmental and Social Sustainability Unit. He is also a member of the International Committee of the IAIA (International Association for Impact Assessment).

The World Bank and Indigenous Peoples

The World Bank is the largest development bank in the world. It is currently supporting a number of development projects that involve Indigenous people, either as those affected by the projects, or as the main proponents of the projects. Because many Indigenous people in Latin America currently lack the capacity to deal effectively with industry, most of the activities which the World Bank is currently undertaking support a capacity building process, and try to raise standards for all regions. Because most of the clients of the World Bank are the governments of poor countries, and not Indigenous peoples, The Bank is involved in comparatively few projects that support Indigenous peoples. This is a new and growing portfolio. The number of World Bank financed projects affecting Indigenous people has grown from one, in 1992, to more than 18 projects in 2001.

The OD420 Safeguard Policy

The Bank has ten “safeguard policies”. One of these, OD 420 (Operational Directives 420) basically requires that all Bank-financed projects that affect Indigenous people, either adversely or positively, have to include an Indigenous Peoples Development Plan (IPDP), to ensure the informed participation of Indigenous people in development decision making. OD420 can be accessed on the World Bank website: www.worldbank.org.

World Bank Projects by Country:

The majority of the projects that involve Indigenous people are located in Central America, Mexico, and the Andian countries, because that where most of the Indigenous people in Latin America are located. Most of the projects have to do with the environment, agriculture and social protection, including education, health, etc.

Lessons Learned from Initial Experience

- There is a need to focus more attention on the participation of Indigenous women. This is a complex issue, however, because it is culturally bounded. In some groups and societies it is impossible, or only possible to some extent.
- There is a need to be more systematic in the incorporation of Indigenous knowledge and culture into project designs.
- There is a need to increase learning and dissemination of Indigenous development experiences throughout the Americas.
- There is a strong need for developing culturally appropriate monitoring and evaluation indicators.

World Bank Projects involving Indigenous Peoples:

Usually the World Bank only provides partial funding to projects, most of which is provided in the form of grants, and not loans. Below are the nine World Bank projects in which Indigenous peoples are the main proponents:

1. **Argentina:** Development and biodiversity protection. This project aims to develop three pilot areas to incorporate traditional knowledge into economic activities and the protection of natural resources. It includes three Indigenous groups: The Mapuche, the Colla, and the Calchaqui. Funding: \$1 million.
2. **Belize:** Reducing land degradation and conserving biodiversity resources. This project was developed and run by five Indigenous communities: the Mayas, the Mopan, the Garifunas, the Creoles and the Kekchis. Funding: \$0.73 million.
3. **Colombia:** Conservation of the Mataven Forest, including a zone that will be administered and managed by the Indigenous people who lived there: the Sikuni, Piapoco, Piaroa, Puinave, Curipaco, and Cuebo. Funding: \$0.75 million.
4. **Ecuador:** Rescuing of ancient knowledge and the sustainable use of biodiversity in the coast: This project attempts to understand how Indigenous people from the coast of Ecuador have coped in the past with El Nino. Funding: \$0.73 million.
5. **Guatemala:** This project serves as training and demonstration for other Indigenous people attempting to integrate traditional knowledge and science into the management of natural resources. Funding: TBD.
6. **Mexico:** Indigenous conservation of biodiversity in three Mexican states. This is a large-scale project promoting the study, protection, and use of biodiversity by Indigenous people. It includes technical assistance and support for the establishment of networks. Eleven Indigenous groups are involved in the project. Funding: \$7.5 million.
7. **Peru:** Participatory Conservation and Sustainable Development in Vilcabamba: a branch of the Andies Mountain Range that goes to the Amazon, with a very unique ecosystem. The project will be co-managed with the Matsiguenga and the Ashaninka, and will establish an Indigenous reserve within the area. Funding: \$0.73 million.
8. **Peru:** A very recently approved project for the creation and co-management of five protected areas in the Amazon. It includes the rescue of traditional knowledge on sustainable

development, and the implementation of pilot projects. This is the first time in Peru, and one of the few occasions in the Amazon basin, where co-management of protected areas by the state and the Indigenous communities will take place. Funding: \$10 million.

9. **Venezuela:** Community based biodiversity conservation. This is a project for the small community of the Ye'kuana, meant to increase their capacity in environment and information planning, zoning, and sustainable development pilot projects. Funding: \$0.73 million.

The World Bank is also providing nearly \$80 million in funding to another twelve projects in which Indigenous people play a role, but are not the main proponents. The projects mainly involve the conservation of protected areas, improving management systems, maintaining traditional land use, etc. Some also include agri-industrial development, or promotion of non agricultural activities.

The Population, Energy and Environment Program (Spanish acronym: PEA)

PEA is a joint initiative, launched three years ago by the World Bank and OLADE (the Latin America Organisation for Energy), to improve the social and environmental standards of the oil industry. PEA supports government, facilitates the exchange of experiences, and develops common regional criteria for improving the management of environmental and social impacts of hydrocarbon operations in Indigenous territories. The first activity undertaken by PEA was a study of the legal, regulatory, and institutional framework of hydrocarbon activities, focusing on environment and social issues. The study determined that there was a need for a long term program with the main stakeholders: industry, governments and Indigenous groups. The program is framed by a tripartite regional dialog between National Co-ordinators from the ministry of energy and mines (MEM), ARPEL (the regional association of oil companies working in Latin America), and COICA (the only truly international Indigenous organisation that represents all of the Indigenous groups of the Amazons basin). This dialog is supported by CIDA (the Canadian International Development Agency) and includes participation from NGOs, and national and international experts.

Current and upcoming World Bank PEA Projects:

1. The establishment of national dialogs between key stakeholders, for improving norms and regulations, and facilitating conflict resolution. To date, the outcome of these national dialogs has been the production of three new regulations, in Bolivia, Peru and Ecuador, to govern the relationship between industry, government, and Indigenous peoples. These regulations define consultation, Indigenous participation, monitoring, compensation, conflict resolution, and code of conduct.
2. The development of an information system that includes a web site listing laws, regulations, events and cases studies. The project was sponsored by CAF (the Andean development Bank) and CIDA, and developed with Calgary University and OLADE. The website address is: www.olade.org.ec/redeap.
3. The development of five guidelines as regional reference documents for improving industry regulations on environmental, social and cultural aspects. The participants in this activity are ARPEL, ESAA (the Environmental Services Association of Alberta), and CIDA, as well as Canadian and Latin American consultants. The guidelines will be a consistent set of principals, which will support the integration of social and cultural dimensions in environmental assessment and environment management plans. They will improve the relationships between stakeholders by facilitating the enforcement of legal instruments and enhancing expertise. This will be done through a highly participatory process: Consultants will organize workshops with the three stakeholders, COICA, and ARPEL, to facilitate the process of creating an agreement. The national co-ordinators will comment and provide feedback to the consultants on the drafts until a final agreement is reached. The guidelines will address:
 - Relationships with Indigenous people
 - Participation and conflict resolution
 - Social, cultural, political, economic, and territorial characterization of Indigenous people
 - Indicators to evaluate, control, and follow up on companies' relations with communities

Public management in the environmental impact assessments process, including social and cultural dimensions.

4. The activity includes the dissemination of the guidelines to all stakeholders, and technical assistance with their implementation in four countries.
5. A tripartite training program to increase stakeholders' capacity for effective dialogue. This is a two-year program which has been developed in five countries. It is supported by CDG (a private German foundation), Harvard University and Foundation Futura Latin America; an Ecuadorian NGO known as Fulano. The training educates the Indigenous people about the views and the standing of industry, and educates industry about Indigenous culture. So far, models have been implemented in Venezuela, Peru, and Columbia.
6. An Inter-American Development Bank proposal to establish loans for governments for consultation and baseline studies, prior to licensing of blocks. This demand has been on the table for quite some time. Often, the oil industry knows nothing or very little about the Indigenous cultures in the areas where they wish to operate, and are met with surprises and misunderstandings. The IDB has therefore proposed that governments conduct baseline studies first, in order to inform the industries about the social and environmental situations that they will be faced with.
7. A proposal to map the exclusion zones in Indigenous lands. This is a new project being launched by Conservation International with support from the Andian Development Bank and CAF. The project will inquire with Indigenous people and organisations as to which areas should be off limits to the oil industry, and then cross-check that with biodiversity data and oil prospecting data that is already available.
8. A study on the use of oil revenue rents destined to the development of regions where the industry operates, and how rents are allocated to the Indigenous people directly affected by operations. This is a very important study because it will describe how to go about sharing rents with Indigenous people. To date, Indigenous people have not really benefited, but rather, they have been adversely affected by the oil industry.
9. A training program specifically designed for Indigenous people, on the legal, technical, environmental and social aspects of the oil industry. This CIDA-supported program trains Indigenous people to become trainers, so that they can replicate their knowledge throughout their communities. The program has already taken place in Bolivia, and is starting now in Ecuador. It is expected to be extended to more countries.

All of these activities are at different stages of implementation. Indigenous people participate in all aspects of the program, and are constantly providing feedback. The World Bank believes that Traditional Knowledge is being incorporated into the design and content of new regulations, into the curricula and modality for training, and into the new guidelines.

Questions to consider:

- *How can the World Bank mitigate damage such as the oppression and exploitation of local people in places where their stakeholders have no effective control over conditions?*
- *How can the World Bank effectively evaluate the principles of the development projects it undertakes in order to ensure the rights of Indigenous peoples?*
- *How can the World Bank ensure that agreements between aboriginal people and the Oil Industry are upheld?*
- *Is it ever acceptable to relocate some Indigenous people in order to protect biodiversity?*

Synthesis of the Presentations

By Leanne Simpson

The presentations in session II brought together a wealth of information on the experiences and lessons learned from attempts to incorporate Traditional Knowledge into Environmental Assessment. The Grand Council of Crees demonstrated the importance of upholding agreements between aboriginal people and government, and how that impacts environmental assessment. The importance of Indigenous community participation and control over decision making and environmental reviews was discussed, in terms of both the biophysical impact and the impacts on social and cultural components.

Several groups touched on the importance of transmitting traditional knowledge to outsiders and younger generations using a variety of methods, including strengthening the oral tradition, and the traditional ways that knowledge has been transmitted in the past. One group pointed out the importance of involving youth as a way of strengthening the oral tradition. By involving them in discussions with the elders, they become more interested in their culture, while learning some anthropological interviewing skills.

The presentations described the use of GIS, Land-Use, and Spaghetti maps to communicate aspects of Indigenous knowledge to larger audiences, and to make land-use decisions in Indigenous territories. There were several examples of the use of traditional knowledge, and the inclusion of Indigenous people in resource management plans. We also examined some good examples of how aboriginal people have been included in an effective way in terms of decision making in the environmental review process.

The World Bank shared some of the lessons they have learned, such as the need to increase the participation of Indigenous women in their projects, the need to incorporate more Indigenous knowledge into project design, the need to increase the sharing of experiences between North, South, and Central America, and the need for culturally appropriate monitoring and evaluating indicators.

The presentations have demonstrated the importance of the Indigenous knowledge holders, who use the knowledge that is within them to make appropriate decisions about their communities and their lands. We've seen how important it is to protect land, particularly in the face of climate change, because without that land, it's difficult to imagine being able to pass knowledge on to our children. We have realized how important it is to support those who work, often on a volunteer basis, to maintain the Indigenous language systems, and pass traditional knowledge on to the youth. Passing traditional knowledge and culture on to the next generation is a huge responsibility.

Traditional Knowledge is more than just data that can be inserted into management plans. It is a world view, a set of values and processes, grounded in spirituality. When we talk about using traditional knowledge in impact assessment, we need to understand that it's an entire knowledge system that's been serving Indigenous people for generations and generations.

3. *Session 3: Guidelines and Perspectives for the Future*

- *Co-Chairs:*
Simon Brascoupé & Robert Lanari

- *Survey of Existing Guidelines*
Barney Masuzumi

- *The Initiatives of CIDA and other Partners to Develop Guidelines*
Alan R. Emery & Peter Croal

- *Reflections on the Relevance of Traditional Knowledge Guidelines for Environmental Assessment*
Benoit Taillon

- *The Guidelines Project of the Canadian Environmental Assessment Agency*
Joe Miskokomon

- *Parallel Break-Out Groups. Recommendations Presented by:*
Deborah McGregor, Michel Tatlock, and Greg Wilburn

Survey of Existing Guidelines

By Barney Masuzumi

About Barney Masuzumi:

Barney Masuzumi is a Dene from the Western Canadian Satu Region. He is married to an Inuvialuit, and that makes him, as he says, a “Deneinuvialuit” - an adaptation to the changes of modernity.

Environmental impact assessment has always been controlled by a federal agency. In 1975, the first aboriginal majority government in Canada was elected in the Northwest Territories, where the majority of the population is aboriginal. They were hopeful that their community, through its government, could influence the bureaucracy, and the way environmental assessment took place. Unfortunately, however, the aboriginal community felt that it was largely ignored by the Federal Government. The 1987 Fort Good Hope / Chevron joint venture was the first case in Canada where a major corporation, with the involvement of the federal government, made a deal with an aboriginal community. In 1992, the government of the Northwest Territories adopted an official policy on the inclusion of traditional knowledge in government decision making. Last year, the council of the Yukon First Nations also adopted a policy on consultation and access to traditional knowledge. Despite these steps, however, we find that the role of traditional knowledge, in many cases, is still in question. In fact, the legal question of whether or not traditional knowledge actually exists is currently being debated.

Survival in the North is a question. Survival of the traditional knowledge is a very serious question. Today, little resources are being put towards documenting the knowledge. Increasingly, we are finding that children are not playing in their native tongue. This begs the question: Who is responsible, not only for documenting the knowledge, but for ensuring the continued use of it? We can tell the governments that we need more resources, but at the end of the day, who is going to take care of it?

The Initiatives of CIDA and Other Partners to Establish Guidelines (texte original)

By Alan Emery & Peter Croal

About Alan Emery:

Alan Emery has attended the Universities of Toronto, McGill, Cornell, and Miami. He completed his Ph.D. in 1968. He then worked with both the Federal Departments of Fisheries and Oceans and Natural Resources Canada. In 1983, he became President of the Museum of Nature, where he co-founded the Center for Traditional Knowledge with the late James Bourke. Since leaving the Museum in 1996, he founded his own company: KIVU Nature Inc., where he has been actively involved in consulting on the use of traditional knowledge in development projects, television documentaries with the Discovery Channel and the design of web sites for distant learning.

About Peter Croal:

Peter Croal is a senior environmental specialist with the Canadian International Development Agency (CIDA). He has nearly fifteen years of experience in traditional knowledge and indigenous people issues. As a geologist, he worked on mining, oil and gas projects in the private sector. Prior to joining CIDA, he worked with the Department of Indian Affairs and Northern Development (DIAND).

Purpose of the Guidelines:

The Purpose of the guidelines is to provide guidance for including indigenous people and their traditional knowledge in making decisions that are to the benefit of all people involved in any development project. The guidelines are intended to cover a broad, international field. They are available from CIDA and the World Bank.

Background of the Guidelines:

The first set of guidelines were on environmental assessments and they were done at the request of the Center for Traditional Knowledge, the organisation that that created this under my authorship and they were at the request of the World Council for Indigenous people and the sponsoring agencies were CIDA and the Departments of Environment within Canada.

Process:

The process required extensive consultation from a great number of people. It began with creating a document, and then sending it around to numerous people, numerous times, for critique and revision. Finally, we ended up with a document that is based on empowering indigenous people to make decisions.

The First Series of Guidelines:

The first set of guidelines, which were published in March of 1997, began with a number of assumptions. The most important was that both parties needed to trust and respect each other to some degree, in order to get started. The guidelines fell naturally into three sectors: corporate, government and indigenous people, all of whom needed to increase their capacity to understand the others. Because including indigenous people in the decision making process is a complex kind of involvement, which takes place on many levels, the guidelines did not attempt to create a step by step process. The last thing we wanted was a checklist where people could say "I did that, and I did that, so now I have done traditional knowledge".

The Second Series:

The next series of guidelines, published in May, 1999, was intended specifically for CIDA officers. CIDA (The Canadian International Development Agency) often works on projects that affect indigenous people throughout the world. These guidelines used the same principles of respect and trust, and recognised the importance of the autonomy and integrity of the cultures involved. In this case, we added a fourth sector of interest: non-governmental organisations, as well as a bibliography, so there are a number of literature citations, a list of web sites dealing with indigenous knowledge, and a list of Indigenous Knowledge Centres throughout the world (The IKCs are a network of organisation throughout 50 to 60 countries. Their organising hub is located in the Netherlands).

The Most Recent Series:

The most recent set of guidelines, published in February, 2000, was a joint publication of the World Bank, CIDA, the International Labour Organisation and KIVU Nature Inc. They outline a process of involvement and consultation using traditional knowledge.

The guidelines use a definition of traditional environmental knowledge which was derived from the work of Joanne Barnaby and the Dene Cultural Institute. It is an evolving definition with a number of key points:

Traditional Environmental Knowledge is acquired over centuries and passed on orally from generation to generation. It is used to inform people about how to use natural resources in a sustainable manner, shaping their behaviour. It is shared and integrated from a collective understanding amongst the people in the communities. It is not something that is not static, but evolves continuously.

These guidelines involve an even more extensive consultation process, and are based on a Do No Harm ideal. The goal of the guidelines is to have development projects strive to:

- Be sustainable;
- Benefit all people who are involved;
- Use the broadest possible knowledge base.

The guidelines state that the basic principles that empower people to make appropriate decisions are:

- Free and informed prior consent;
- choice of representation (not assigned by government);
- trust, respect, equity, and empowerment;
- acknowledgement of the traditional rights to resources and self-governance, and the integrity and autonomy of indigenous peoples' cultural identities and realities.

Goals for Future Guidelines:

- Collective development of a framework within which indigenous peoples can choose, on the basis of free and informed consent, whether a project should go ahead.
- If a project proceeds, indigenous people should participate in planning and implementing the project, using traditional knowledge systems to guide any decisions that will affect their future.
- In providing traditional knowledge, indigenous people should know that their knowledge and participation will be handled with respect, trust, equity and empowerment.

Lessons:

- No single document can offer solutions to all the issues and problems.
- A text document is accessible only to some indigenous people
- It is an incorrect assumption that the values of indigenous peoples are automatically negotiable.

Recommendations:

- Establish a large international cooperative partner project to carry out testing of existing guidelines, in both real and simulated projects.
- Provide the next guidelines in a variety of media, including texts, video, low tech graphic illustrations, theatre, story telling format and distance learning on the internet.
- Programs which are established within aid agencies should not be based solely on process, but should have a solid foundation of building capacity and a sense of self-identification in indigenous communities.

CIDA Programming:

This project was a touchstone in developing a network of about 30 people within CIDA who are actively engaged in indigenous issues and traditional knowledge. Outside of this project, CIDA has been involved in about 200 projects around the world where indigenous people have been involved in project development. At the moment, a new program within CIDA, dedicated to development and indigenous peoples in Canada and around the world, is undergoing the official approval process. The funding for the

program cannot be disclosed at this point, but it is expected to be somewhere in the millions. There will be three elements to this new program:

- The first will be a partnership between Canadian indigenous groups and indigenous groups in developing countries to put together project proposals for CIDA funding.
- The second element will be knowledge. Research on traditional knowledge, indigenous issues, land rights and so on.
- The third component will be youth. Ensuring dedicated funds for youth as the beneficiaries of projects.

Traditional Knowledge: “It’s all about understanding”

What we want to do is take these concepts and put them into the language and values that make sense to people who have never been involved in this before. It’s absolutely useless for people to go government and industry and say “We need to do this because it says so in legislation” or “because it is a good thing to do” or “it’s ethical”. That doesn’t have any political resonance. What we have to do is take these concepts and turn them into the language, ideas and messages that governments have to deal with. Here are some examples:

- **Persistent Organic Pollutants:** CIDA is currently operating programs in Northern China, Southeast Asia and Northern Russia. The pollutants that are coming out of those countries are settling out over the arctic system, and turning up in mothers’ milk. This is now a national health issue, and CIDA is directly or indirectly involved in maintaining health in aboriginal populations in Canada, even though they are programming in Northern Russia.
- **Biodiversity and Climate Change:** Many of the carbon sinks and biodiversity hotspots happen to be in the areas where indigenous people live. CIDA has money dedicated to climate change and biodiversity, and governments have conventions on these issues.
- **Human Rights:** In many countries around the world, indigenous peoples’ rights are being sorely neglected. Here, we can translate Traditional knowledge issues into issues of governance and civil society; topics in which CIDA is very active.
- **Fresh Water:** In many countries, indigenous peoples are located in water sheds. As other countries put demands on that fresh water, it will become a strategic geo-political element, if it is not already.

Final Note: Possible Impact of Climate Change in NWT:

If climate change continues and the Northwest Passage becomes ice free, and if President Bush is successful in opening up the Anwar oil fields, it is entirely possible that oil tankers will begin using the Northwest Passage as a transportation route to Europe. Local people have already discovered American ships going through, so we know it can be done. That would change the Northwest Territories dramatically, and is an issue that deserves our immediate attention.

Réflexion sur la pertinence de lignes directrices sur les connaissances traditionnelles dans l’évaluation environnementale

(texte original)

By Benoit Taillon

Note biographique. À l’emploi de Hatch, une firme d’experts conseils internationale, Benoît Taillon est conseiller en gestion de l’environnement. Ses mandats s’adressent principalement à l’industrie minière et métallurgique. Il est également président du COFEX-Nord et du COFEX-Sud. Ces deux organismes sont chargés de l’examen des projets assujettis à la procédure fédérale d’évaluation environnementale établie par la Convention de la Baie James et du Nord québécois. Entre 1988 et 1998, il a été président de Pigamon inc., une société offrant des services conseils dans le domaine de l’environnement. Auparavant, de 1974 à 1987, Benoît a fait partie de l’équipe de gestion d’Environnement Canada.

Il cumule plus de 25 ans d’expérience, principalement dans les quatre domaines suivants : (1) les politiques et les stratégies environnementales; (2) le renforcement de la capacité des organisations à

effectuer de la gestion environnementale; (3) l'évaluation des effets environnementaux des projets; (4) l'implantation de systèmes de gestion de l'environnement dans les organisations.

Remarques préliminaires

Le COFEX-Nord intervient à plusieurs étapes de la planification environnementale des projets qui sont assujettis, dans le Nunavik, à la procédure fédérale d'évaluation des impacts environnementaux. Ses recommandations sont adressées à un administrateur fédéral nommé par le gouvernement.

Il est composé de 5 membres

- 2 nommés par l'Administration Régionale Kativik et
- 3 par le gouvernement canadien.

Ses attributions sont :

- Définir la nature de l'étude d'impact à effectuer pour un projet donné
- Établir la directive de cette étude.
- La réviser et au besoin demander un complément d'information
- Consulter la population
- Recommander l'approbation ou l'abandon du projet étudié

La CBJNQ et les connaissances traditionnelles

La réflexion de Benoît Taillon n'est pas l'écho d'une analyse collective des membres du COFEX. Elle est toutefois faite dans le contexte du mandat du COFEX.

La CBJNQ a été ratifiée en 1975. À cette époque, l'objectif d'introduire formellement les connaissances traditionnelles dans les études d'impact n'était pas à l'ordre du jour des négociateurs. Nulle part dans les régimes environnementaux et de gestion des ressources de la faune, on ne retrouve les termes « connaissances traditionnelles ». Toutefois, ceux qui auront l'occasion de la lire en détail verront ici et là des allusions qui laissent entendre que les communautés peuvent apporter leur science à la planification environnementale des projets. Par exemple la section qui fixe le contenu d'une EI laisse au promoteur la possibilité « d'insérer dans son rapport une partie traitant des renseignements et de questions présentés par la communauté touchée ». Elle lui attribue également le choix de les commenter.

Nonobstant cette timide allusion, on doit admettre que les études d'impacts des projets lancés dans le Nord, depuis une quinzaine d'année, ont généralement comporté des apports s'appuyant sur les connaissances traditionnelles. Parfois cet apport a été significatif, parfois timide.

Réflexions sur la pertinence de lignes directrices

D'emblée, le conférencier endosse l'idée de proposer des lignes directrices sur l'apport des connaissances traditionnelles dans l'évaluation des impacts, et plus généralement dans la gestion environnementale. La raison est fort simple : des directives jouent un rôle positif dans la préparation d'une étude d'impact de bonne qualité. Elles servent bien les besoins de tous les intervenants : promoteurs, organisme de révision, public, ministères.

Proposer une telle ligne directrice semble un grand défi qui nous amène à faire quelques observations sur six principes jugés indispensables à la construction et l'application productives et fécondes de telles directives.

Des directives qui s'appuient sur un consensus

L'efficacité d'une directive semble fonction de plusieurs facteurs. La pertinence des exigences, la capacité de les mettre en pratique, le rapport entre le gain d'information pertinente et le coût pour l'obtenir, etc. Mais un facteur apparaît indispensable : faire consensus entre les parties prenantes. Dans le système de la CBJNQ, et vraisemblablement ailleurs, des directives imposées n'engendreront pas les bénéfices souhaités.

Liens entre connaissances traditionnelles et la recherche nouvelle

Une directive visant à définir la nature, la portée ou les modalités par lesquelles des connaissances traditionnelles peuvent s'insérer dans une EI devrait être pensée dans la perspective plus générale de la participation des communautés à la gestion environnementale et à la recherche.

Présentement il est convenu d'associer les communautés à la recherche scientifique. Les objectifs de ce partenariat sont variés : reconnaître que les communautés ont leur mot à dire dans la définition des études, rendre la recherche pertinente pour les communautés, procéder à un transfert bilatéral de savoir, créer de l'emploi, etc. Par ailleurs, des communautés ont lancé depuis plusieurs années leur programme de recherche. Celle-ci se fait à l'intérieur de leurs institutions.

Le principe de créer un lien entre les connaissances issues de la tradition et celles que les générations actuelles peuvent générer semble fécond. Il faut profiter de la construction éventuelle de directives pour faire en sorte qu'il se forge une dynamique qui transporte le passé dans le présent, une dynamique qui fait en sorte que les connaissances traditionnelles sont actualisées, renouvelées et enrichies au sein des communautés, à l'intérieur de leurs institutions : écoles, administration gouvernementale, institut de recherche.

Les objets de connaissance traditionnelle

Je ne suis pas en mesure d'établir les sujets pour lesquels il est utile de bénéficier des connaissances traditionnelles. On dit parfois que ces sujets se limitent à ceux qui découlent de l'observation simple des phénomènes. Des études de cas rapportent des expériences plus poussées où l'apport traditionnel a joué un rôle majeur dans l'édification d'une taxonomie. Quoi qu'il en soit, il semble, pour la première génération de directive, qu'il y ait une définition des objets sur lesquels une connaissance traditionnelle est utile et importante pour l'étude l'impact du projet. Ces objets comprennent à la fois la connaissance du milieu, mais aussi la prédiction et l'atténuation des effets, de même que le suivi des projets.

La responsabilité des communautés

Les connaissances qu'une société maîtrise et applique dans son quotidien doivent malheureusement être archivées si nous voulons qu'elles servent. La tradition orale véhicule les connaissances acquises au fil des générations. Mais voilà, si nous voulons qu'elles soient introduites dans la gestion environnementale il faut qu'elles soient transposées en écrits publics, en film, en carte, en site web, autrement, elle ne sera pas accessible à des tiers. Si l'information n'est pas accessible, elle n'aura pas le bénéfice qu'on en escompte. Les gouvernements et collectivités autochtones ont des choix à faire à cet égard.

La responsabilité des tiers

Le corollaire du principe précédent est la responsabilité des tiers. Les consultants, les promoteurs, les COFEX de ce monde, qui ont à utiliser les informations des communautés ont le devoir de reconnaître la valeur et l'utilité des renseignements générés. Ils ont à le faire dans un climat de confiance et respects mutuels. Le défi est grand.

Des directives spécifiques à un régime.

Il est utile de pouvoir compter sur un cadre général qui fixerait les principes fondamentaux. Mais il y a lieu de créer des modalités d'application qui seront spécifiques à un régime. Par exemple, il semble important de formuler des modalités qui seraient spécifiques au Nunavut.

The Guidelines Project of the Canadian Environmental Assessment Agency

By Joe Miskokomon

About Joe Miskokomon:

For the last 20 years, Joe Miskokomon has been Chief of the Chippewa Council of the Thames First Nations in South Western Ontario. Over the years, he has dealt with many environmental issues, mainly those facing First Nations in urban industrialized Canada, and resource development within treaty rights areas.

The Thames First Nations vs. the City of London

The Thames First Nations in South Western Ontario is a small community (approximately 2000 people). Over the last ten years, they have invested approximately 12 million dollars into their water infrastructure. The city of London is now planning a large sewage plant that would double the size Thames River, upon which the Thames First Nation aquifer is dependent. This would kill their aquifer system. The city has not given any guaranties about limiting the size of the system, or about the type of affluent that would be discharged into the river. A small community of 2000 people cannot spend another \$10 - \$12 million in replacing their water system. If London had to make that kind per capita expenditure to acquire fresh water, it simply could not afford to exist.

The Union of Ontario Indians

The Union of Ontario Indians (or The *Amishnabek* Nation) is an affiliation of 43 First Nations within Ontario, which represents about 45,000 First Nations people in and around the Great Lakes. As a large organization, the Union provides strength and support to its smaller communities. This type of influence is needed to protect First Nations form larger, more powerful bodies like the city of London, whose population is between 350,000 and 400,000 people. The Union is taking an aggressive approach to the city of London's plans: it is in the process of submitting a land claim to the Federal Government, claiming the bed of the Thames River.

Areas of Concern: Urban Sprawl, Fresh Water, and the Environment

The Union of Ontario Indians is mainly concerned with how urban sprawl is affecting treaty right lands, communities, and aboriginal rights. An offshoot of this is the issue of fresh water. In the face of large population growth, industrialisation, commercialisation, E-coli, and huge commercial farms that are beginning to pollute ground water, there is a growing concern about access to fresh water. Because the majority of the communities belonging to the Union of Ontario Indians face or front water bodies, the Union is trying to build a stronger environmental program, and give environmental issues a higher priority within the political sphere of their negotiations with government. In the past, it has been virtually impossible for the Union to get any kind of government funding to establish an environmental program.

Is it in the interest of Indigenous Peoples to work within the existing System?

About twenty years ago a wood product plant in Northern Ontario spilled toxins into a river, killing all of its fish. This ruined the tourism and commercial fishing industries which supported the aboriginal community living on the river. The provincial and federal governments refused to prosecute the plant, so the community decided to do it alone. It cost them \$10,000, but in the end, the plant only received a \$1,000 fine.

Because the rules that affect environmental assessment are not always very clear to First Nation people, and because the costs of involvement in EA are prohibitive for many First Nations, they are faced with the question of whether or not it is really in their interest to immerse themselves in the existing environmental

assessment system. They have put together the following guidelines for a fair, equitable, and holistic system:

Guidelines for a Holistic Framework for Environmental Assessment

- **Cultural and ecological sensitivity:** EA must acknowledge the holistic nature of traditional knowledge within the spiritual and cultural elements of Indigenous communities. It must take Indigenous concepts and language into account, and respect the relationship that indigenous people have with the environment they live in.
- **Empowerment:** The decision making process, in terms of the governance and enforceability of First Nations laws as they develop, must rest also with Indigenous peoples.
- **Cost effectiveness:** Indigenous people simply can't afford to spend hundreds of thousands of dollars on scientists to prove cases to the Supreme Court.
- **Collaborative partnerships:** EA must create an equitable, balanced, and sustainable link between traditional knowledge and the practice of science, in terms of planning, implementation and communication.
- **Capacity building:** The framework must nurture First Nations' responsibility and accountability within the context of traditional knowledge and environmental stewardship.
- **Comprehensiveness:** It must consider all past, current, and future issues involving traditional knowledge research within Indigenous territories, as well as all elements of the community, be it youth, elders, women, etc. There are different sets of responsibilities that must be defined. In our culture, for example, women are responsible for water. There is common traditional knowledge, but there are also very specific areas of expertise. We must collect all of these elements to create a more holistic, multi faceted perspective.
- **Technology:** Indigenous communities need technology to help communicate traditional knowledge to future generations. If it is not passed on, it will only be left as a record of an ancient people. But this must be done in a way that respects the concern of many elders' circles that the traditional oral element could be lost.
- **Codification of traditional laws:** While this is an important element, there must be an awareness and sensitivity to the fact that it will not be readily endorsed by many elders' circles. It will take a significant amount of time and work on both sides.
- **Participatory Research:** A holistic EA system must develop a research partnership between scientists and community members. Communities need to learn the tools to monitor and audit the systems that are being put into place. Participatory research must adhere to some general fundamental guidelines:
 - i. There must be a defined understanding of what consultation means; both a macro definition, and a specific definition within each community. Although developing the definition community by community will be a lengthy process, community buy-in is essential to a successful program.
 - ii. Some fundamentals must be present: honesty, openness, caring and mutual respect. These are intangible personal integrities that cannot be written into a document.
 - iii. Full disclosure: Informed consent, ongoing consultation, and community participation are essential.
 - iv. The usage of traditional knowledge within participatory research must be clearly defined, including who has access to it, and how it is used.

The Amishnabek Fishing Resource Centre: an Example of Participatory Research

Fifteen years ago, Indigenous people in Ontario found that they were constantly at odds with the Ministry of Natural Resources over hunting and fishing. The MNR was implementing lake closures and limiting stocks, but the First Nations felt that this was an infringement on their aboriginal treaty rights, and their access to resources. In the end, an agreement was reached, and the Amishnabek Fishing Resource Centre was established. Along with lake mapping, species identification, and water sampling, it was also a place for mediation, where knowledge, both scientific and traditional, was shared and exchanged. The Resource Centre helped the Indigenous people understand what the government was attempting to do in terms of

conservation, while helping the government to understand traditional knowledge, and what the traditional thinking was when treaties were signed. As a result, the number of charges placed against Indigenous people over the last fifteen years has been significantly reduced, because there now seems to be a growing commonality around what traditional territorial aboriginal treaty rights are about.

Questions to Consider:

- *To date, most of the Native land claims in Canada have been on surface rights. Currently, the Union of Ontario Indians is submitting a land claim on the bed of the Thames River. What role will traditional knowledge play in this case?*
 - *What has been the actual impact of traditional knowledge on planned projects? Have any projects actually been halted because of concerns based on traditional knowledge? Le projet Grande-Baleine pour certains,, le lieu d'enfouissement sanitaire de Chapais..*
-

Recommendations from the Work Groups

Participants were asked to recommend guidelines for taking traditional knowledge into account in environmental assessment, specifically in terms of content, form, and concrete application.

Underlying Principles:

- **Practicality and common sense**
The guiding principles for taking traditional knowledge into account should be based on practicality and simple common sense. They should not be laden with technical jargon.
- **A holistic approach**
A holistic approach is important because of the holistic nature of traditional knowledge. Its structure is such that all of the elements of the environment are interconnected, and have interconnected responsibilities. There is no such thing as traditional knowledge on one discrete aspect of the environment. To look at it in that way is very much a western and scientific bias.
- **Traditional knowledge**
The thanksgiving address and natural law can serve as a model for guidelines. Because they have worked for thousands of years, the principles inherent in them should be used to guide development.
- **Indigenous integrity, identity and values**
The guidelines must recognize the close link between aboriginal rights and governance and the survival of First nation integrity, values and identity. They cannot be made into separate issues.

Structure and Framework:

- **Strict regulations vs. a general code of ethics**
Some delegates felt that guidelines may be too strong or restricting, and what is instead needed is a general code of ethics. On the other hand, others felt that guidelines might not carry enough power, and should be replaced by policies, laws, or regulations. They stated that

Indigenous people need to be empowered with the right to delay, or stop projects, and that development should not be allowed to proceed until the guidelines have been applied.

- **Flexibility of processes and frameworks**

In terms of the existing regulations and guidelines, Indigenous people are working within a very confined and limiting structure. The guidelines should recognise the inequity of Indigenous people having to operate within a legal and political system where they are at a disadvantage. They should have the option of setting up their own processes and frameworks.

- **Allowing for jurisdictional governance**

Without jurisdictional governance, it is very difficult for communities to become directly involved and have an impact on environmental assessment and whether or not a project goes ahead. Although comprehensive land claims and self governance negotiations address the issue of governance and jurisdiction, they are long-term solutions which could take decades to resolve. The guidelines must allow for jurisdictional governance to occur in the immediate future.

- **Mitigation measures and legally binding agreements**

The guidelines should improve the mechanisms for determining whether mitigation measures are actually working. To ensure application and fulfillment of responsibilities, the guidelines should facilitate the creation of legal agreements between the parties, throughout the stages of environmental assessment, including the monitoring and follow-up phases. This could be done using results-based performance bonds, or by requiring that Indigenous Peoples are given some voice in the governance activities of the project proponent.

Approach:

- **Eliminating the adversarial approach**

The guidelines should move away from the adversarial approach. It was noted that to date, aboriginal people have often found themselves in the position of having to prove their rights, and this has been costly to them.

- **Building on synergies between TK and scientific knowledge**

There was a recognition of the need to structure guidelines to build on the synergies between traditional ecological knowledge and scientific knowledge. Rather than making them distinct, we should try to integrate them and put them on an equal footing.

- **Creating community-level guidelines**

Delegates recognised the value of looking at national as well as regional approaches. It is important to develop guidelines at the community level. Because all First Nations are different, no one formula will work for every community. If guidelines must be developed for a larger jurisdiction, they should apply broadly, and operate more on the level of general principles.

- **Building capacity through regional unions**

Each region needs a broad grouping of aboriginal people to help smaller First nations oversee development. These bodies should build capacity through networking and communicating with each other. The Union of Ontario Indians, which represents 43 First nations, is a good example of this. They are a model which we should monitor and evaluate in the years ahead.

- **Avoiding the “Cookie-Cutter” approach**
Fairly often, project proponents are simply looking for a recipe to get approval. They are willing to go through the necessary steps, as long as they get approval in the end. Of course, the cookie cutter recipe approach should be avoided at all costs. The guidelines should provide a flexible approach, ensuring that all parties benefit from collaborating on the environmental assessment of a project.
- **Giving weight to TK to ensure impact on decision making**
TK has been used quite often in projects to date. The information has been collected, and the studies have been made. However, some delegates questioned whether that information was actually used adequately or appropriately. They felt that it did not carry much weight in the process. Therefore, the guidelines would have to address the issue of the weight given to TK versus western science, and ensure that TK impacts decision making.
- **Recognizing traditional ideas**
There are fundamental differences between western ideas and traditional knowledge ideas. On the whole, aboriginal concepts of environment and land are not recognised in the current system. Guidelines should recognise traditional governments, for example, and not just Indian act government.
- **Recognizing traditional territories**
The guidelines should recognise traditional territories (not just reserve or settlement lands) and accept that these overlap. Prior to contact, Aboriginal people made treaties to share territories, and they continue to do so today. They must also recognize that many Indigenous people may not be near their traditional territories.
- **Including social and spiritual components**
The environmental assessment processes is usually based strictly on environmental issues. The TK guidelines should take to account not only the technical aspects and environmental considerations of TK, but also its social and spiritual components.

Content:

- **Incorporating TK early-on**
There was consensus that guidelines would need to address the inclusion of aboriginal peoples in impact evaluation as early as possible in the process. Not just in terms of planning out environmental assessment, but in planning out projects as well. Within the current context, TK is used as part of the terms of references for project impact statements. This means that TK is only considered after a significant amount of the planning process has been done. The Indigenous communities must be involved in the process from beginning to end. TK must be incorporated into the project scope, assessment, and mitigation measures, from the early planning stages.
- **Education and training**
A key component should be education and training within First nations – both within the school systems and the general public. Indigenous people need to be informed about environmental legislation. For the most part, they are not aware of their options when faced with an environmental challenge. Government and industry also need to be educated about the value of the aboriginal treaties.
- **Including all projects with strong impacts on communities**
The EA process must be customized to include the types of projects that have the strongest impact on communities. The example provided was that of the forestry projects which were not covered by the JBNQA EA process. In many areas of Quebec, it is the forestry projects

which have had the greatest impact on communities, yet they have not been part of the EA process. The guidelines should include ways to customize or modify the EA process to take those types of projects into account.

- **Participation Structure**

The guidelines should address how proponents, governments, and aboriginal people who participate in the process might structure their participation.

- **TK database**

Although environmental assessment is project specific, it was suggested by some that the guidelines lay out approaches for developing and maintaining databases and managing traditional ecological knowledge. This would require resources, perhaps in the form of government funding. Others felt that because governments, project proponents, and First nations may not have the necessary capacity (in terms of understanding, approach, and/or resources), it might not be appropriate to create a TK database.

- **Respecting treaty rights and collective rights**

The guidelines should implement mechanisms to prevent the undermining of aboriginal and treaty rights, and recognize and affirm collective rights.

- **Land use maps**

Traditional land use maps continue to be a valuable tool.

Derniers commentaires de la part des participants - Closing Questions and Comments from Delegates

Forum for Sharing and Understanding

The workshop was a forum for sharing, exchange, and gaining a better understanding of Traditional Knowledge within the Environmental Impact Assessment process. Because of the richness and diversity of participants, it was an exceptional opportunity to formulate important recommendations which must be acted upon and put into practice.

Les résultats et les recommandations de l'atelier devraient être acheminés à l'ACÉE et aux associations minières, hydroélectriques et forestières.

Not a Formal Consultation

The workshop should not be characterized as a consultation, but rather as an exercise in information gathering, and a forum for dialog and exchange. Characterizing the event as a consultation could be problematic, because the Indigenous people involved did not give their Prior Informed Consent. Although it was not the intent in this case, in the past, when Indigenous people became involved in a process which was later characterized as a consultation, they did not know who they were consulting to, what they were consulting about, or where the results were going to go.

Common Basis of Communication

It was suggested that the diversity of the groups involved in this event gave rise to the need for a lexicon which would deal with all the anagrams (TK IK TEK etc.) and terms of cultural property in a very accessible way. Right now, everyone has a different understanding of what these things mean. A multilingual lexicon, published on the internet for all to access, would initiate a common basis of

communication. Perhaps this can be realized through influencing governmental bodies, research institutes, and universities to invest in traditional knowledge.

Pour un répertoire national des connaissances traditionnelles

Recommander à des instances décisionnelles d'encourager le développement d'un projet de répertoire national des connaissances traditionnelles, dans le sillage d'initiatives prises dans les communautés autochtones comme le programme de banque de données mis au point par la Société Makivik.

Pour des convention de données qui soient soutenus par les fournisseurs des données eux-mêmes afin d'être assuré d'une mise à jour régulière des connaissances.

Terminology for "Environment"

The discussions in this workshop demonstrated that the word "environment" in the current CEEA act is a misnomer. None of the cultural or socio-economic factors are considered unless ecological or natural effects cause some change to them. Perhaps one of the basic recommendations should be that the terminology for environment should cover more than just nature, but should also include cultural, social, economic, and other issues that are affected by development projects.

Pour un code d'éthique

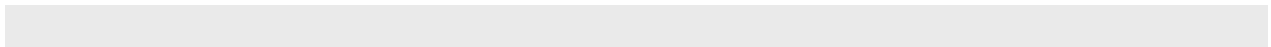
Avant de s'engager sur des lignes directrices qui pourraient être nationales ou régionales, on devrait s'entendre d'abord sur un code d'éthique sur l'utilisation des connaissances traditionnelles.

Pour une convention sur la diversité des savoirs

Que l'AQÉI rédige un texte qui pourrait s'appeler une convention sur la diversité des savoirs, sur leur préservation, leurs développements et leurs bons usages, comme on le fait pour une convention sur la biodiversité.

Pour un diagnostic sur la difficulté d'intégration des savoirs dans l'évaluation environnementale

Dans le contexte d'un atelier spécifique sur la question, il y aurait lieu de se pencher exclusivement sur les difficultés de prise en considération des connaissances traditionnelles, car il y a définitivement un consensus sur l'importance de ses connaissances, mais leur prise en compte dans l'ÉE est loin d'être réglée pour autant. Pourrait-on se pencher sur les moyens à prendre pour insérer les connaissances traditionnelles dans un processus d'audiences publiques par exemple, ou éventuellement dans les études d'impacts. On est loin d'avoir exploré à fond ces aspects dans le cadre de l'atelier.



Cérémonie de clôture - Closing Ceremony

Closing Prayer by Joseph McGregor, Elder, Mohawk First Nation of Kahnawake

The prayer was recited in the indigenous language, and then some closing words were spoken in English:

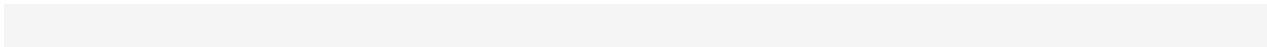
I'd like to say a few words my dear brothers and sisters. I'm greatly honoured to have this opportunity to say a few words among you great and beautiful people.

I want to share my concerns about how serious the environment is becoming. I was brought up on a farm in a rural area. I was mostly raised by my grandmother, who was a medicine woman. She used to take me into the bushes and the grass, and we would pick all kinds of medicines for people, to help those that were very sick. I am now a medicine person myself. People come to see me from all around, but now, when I go into the woods and look at the medicines, they are sick. Today, thousands of Crees are dying. If my grandmother came back today, she would be very surprised at how sick the medicines are. I have a little garden where I've been planting corn for the last few years. Today, very few corns are coming back up, they're very sick, and it's very frightening. People that live in the cities don't see this, but when you live in the country, you see that even the animals are sick. Some of the wildlife is no longer safe to eat. How are we going to fix this?

It's important to get back to the basics, and find out the cause – why this happened. As a medicine person, that's the first thing I do. When we find the cause of the illness, we stop it. You'd be surprised at the change that will come, and the healing that will take place. I have studied my surroundings, and listened to the elders and the stories that they told, what the creator told the people not to do. When the earth was first created, the creator put everything here, all the natural healers. Anyone is a healer and no one is a healer. The creator gives us everything. He gives a person the knowledge to pick something, and then to replace it.

For many years I worked on a golf course where we constantly put poison on the ground and sprayed it in the air. Both my father and my brother died from their lungs deteriorating from the poison that we mixed, and we were not told about this. The water we sprayed onto the course ran off into the rivers. Now the water's not fit to drink anywhere. It's very serious, and it happens all over the world.

I just want to tell you a little story, a little reminder. When the creator decided that he was going to create a human being, it was said that he picked up some clay, and he created a clay doll. He put his breath in this clay doll three times. The doll started to move. It got up and walked around. The creator studied this clay doll for quite a while, and found that he would not do. He became quite lonely, so the creator went back to work. He collected the finest earth, and the finest soil, and made one of the most beautiful creations: he made a female. He did the same thing. He poured his breath into her three times until that woman started to move around. He gave to them good luck. He put children in between them, and he also gave them instructions. He showed them the earth, and said "From now on, this will be your mother. Love her, respect her, She will sustain you, as long as you remember these instructions". It's time we remember these instructions. Thank you very much. Merci Beaucoup.



4. *Session 4: Traditional Knowledge and the Convention on Biodiversity*

- *Co-Chairs and presenters:*
Robert T. McFetridge & Barney Masuzumi

The Biodiversity Convention in Canada

By Robert T. McFetridge

The Convention on Biological Diversity (CBD) has 3 specific objectives: conservation, sustainable use, and equitable sharing. It is a directive which sets-up simple general principles, and allows for countries to stimulate their own communities into the discussions. In Canada, this has been done largely through the leadership of federal and provincial governments, but the intent has always been that those who wish to become involved can, in fact, participate in the work.

The CBD is the first environmental convention in which traditional knowledge was specifically identified as an important entity, and plays a significant role in its implementation. Traditional knowledge was further recognized as a specific type of knowledge coming from a global community: the indigenous people of the world.

Implementation and Enforcement

Implementation of the CBD is the direct responsibility of the state. There are obviously areas where negotiations must be carried out between states to avoid conflict, but one of the reasons for creating an international convention, and bringing countries together is because biodiversity issues have a global reach.

The CBD is international law. Canada is signatory to it, and is therefore legally obliged to carry it out. Of course, as with any international agreement, there is always a certain amount of interpretation and discussion as to how it should be implemented. At this point in time, the CBD does not have a strong regulatory aspect, and this was criticized by some as being a weakness. There is no real countervailing legal position that can be taken if someone is in direct contravention of some rule (The only exception being in the area of biosafety, where a protocol was created). The CBD is an evolving moral imperative that will become more specific and regulatory as understanding of what needs to be done is increased.

The Strong Role of Indigenous People

Article 8J specifically states that: “subject to national legislation, (we must) respect, preserve and maintain the knowledge, innovations, and practices of indigenous communities embodying traditional life styles relevant to the conservation and sustainable use of biodiversity”. Five years ago there was a very relaxed attitude toward this article, but indigenous people have made their voices heard, and made sure that their views are understood. They have been very tenacious and consistent in insisting that their voices be heard at the convention meetings. Their efforts were successful, and last May, at the fifth international meeting, countries and indigenous people were actually brought together in a formal discussion session.

The CBD insists on the participation of indigenous people and the use of their knowledge in its implementation at both the international and domestic levels. The difficulty with this is that although it’s coordinated through the government of Canada, the vast majority of the implementation will have to be

carried out locally. This is a particular concern because there are no tools within the CBD or the United Nations system that describe how individual states are to do this.

It is particularly important for indigenous people to be informed of what the CBD has to offer them, and the potential opportunities that exist. We have not yet been effective enough in getting the aboriginal communities within our country to realise the importance of their participation in this process and the strength of their potential role.

They need to be sure that what is going on is good for them. They need to know how it will benefit them, and what the impact of their choices and decisions will be. How do we emphasise the importance of their participation? What are their responsibilities? What are our responsibilities in making this work? These are difficult questions that must be answered.

One of the key aspects of the CBD is that it ensures that communities and individuals who want to participate are provided with the necessary resources. It has the potential to be an incredibly powerful tool, but it may take some time to fully understand how to use it. It has many positives, but also many risks. It is clearly a statement of potential empowerment on the part of indigenous people globally, and speaks to the value that is now being given to Indigenous knowledge, and the importance being placed on indigenous participation.

Concrete Application

For the last few years most of activity around this convention has been discussion and debate linked to political and legislative issues. We do, however, have a few examples of concrete application in Canada. The biodiversity convention office itself has been directly supportive to about 8 or 9 small test projects. We have also been trying to find existing cases of activities which support the principles of the convention. Although there are thousands of them, finding them has been a problem, because people don't know that what they're doing is applicable to this.

One of the best examples of a case which embodies the principles of this convention is a proposal which was put forth by an Inuit women's organisation. They wanted to look at the impact of the theft of what they saw as their traditional knowledge by companies that were copying the **Amauity**, the woman's coat used to carry a baby. They saw this not as an intellectual property issue, but very much as a biodiversity issue, because the coat, designed for life on the land, was based on their culture, their roots, their origins, and their sense of art, and had a profound impact on them. We supported them in putting forth an excellent proposal, and they eventually got support from Indian and Northern Affairs, Industry Canada and some other outside organisations. They now have a significant amount of money that has allowed them to carry that project forward, and figure out how to protect and control outside infringement on their rights, knowledge, language, art and culture, while at the same time, validating themselves as participants in this process. They are going straight to their own communities and asking their people "how should we do this? How should we defend this? Is it something we need to do?" They plan to put together a major report which they will submit to the convention and the Women's Intellectual Property Organisation.

Financial Costs

It is very difficult to assess how much money the Canadian federal, provincial, and territorial governments have put behind the convention on biodiversity, because there is a lack of visibility there. Within the biodiversity convention office, however, there's a strong feeling that more needs to be invested in order to include indigenous people in the work, as there has been a great deal of difficulty with that.

Responsibility

While it is important that we account for politics, clean air and clean water are unfortunately less important to politicians than other issues. Because their mandates are short, they focus on short-term goals, and are not very effective in preserving biodiversity. It comes down to responsibility. Either we take charge, or we put it back into the politicians' hands. The views and recommendations coming from this workshop are directly applicable to how the CBD will be implemented in Canada.

The Biodiversity Convention and Indigenous Responsibilities

By Barney Masuzumi

Article 8J of the Convention on Biological Diversity addresses the documentation and preservation of traditional knowledge. Article 8J makes certain promises, but if they are not implemented and supported within the home communities, they will not be effective. While the intent behind international conventions, environmental assessments, and agreements with governments may be noble, the end result of any of these processes depends on the willingness of Indigenous communities to share their traditional knowledge.

The responsibility of keeping, sharing, and continuing the practice of traditional knowledge rests with Indigenous people. Documenting the knowledge, taking pictures, and recording digital information are important aspects, but at the end of the day, if it is not passed down, whose fault is it? As a grandfather, I understand and accept this responsibility. Everyday I teach my seven grandchildren about the spirituality of traditional knowledge.

A couple of years ago I wanted to attend a discussion on biodiversity in Panama, but I had difficulty getting funding for the trip. There was this general impression that biodiversity was something that existed in the tropics, not in the Arctic. This lack of recognition has contributed to the degradation of the northern environment. In more recent years, there has been a growing understanding and interest in the complex ecology of the North, and how people and animals survive in such a harsh environment, but the Arctic is no longer as pristine as it once was.

Science is all about adaptability. The North is changing very fast, and northern communities want and need to adapt to that change. The only way we can effectively understand and protect the northern environment and communities is through the inclusion of their traditional knowledge. This process should be simple, but it is so often complicated by bureaucracy, processes, guidelines, and political issues. The bottom line is: "If you want it, ask for it. Go to the community and talk to the people. My grandfather said no less: If you ask me a good question, I will try my best to answer it, and that's what science is all about".

Annexe : Liste des participants