



# **Walking Together to Care for the Land and Water**

**NCC's Indigenous Conservation Engagement Framework**

*September 2019*



For distribution, discussion, listening and learning.

Developed with the involvement and generosity of multiple contributors, including Nature Conservancy of Canada (NCC) volunteers and staff, and Indigenous partners who contributed their time and feedback to interviews and surveys through Dr. Ginger Gibson and her team at The Firelight Group's assessment of NCC's existing Indigenous engagement activities.

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Cover photography: Martina Shovar of the Ktunaxa Nation dances at the celebration of the conservation of Columbia Lake – Lot 48 in BC. Photo by Cole Lord-May.

# Executive Summary

The dynamic of conservation in Canada is changing. Today Indigenous Peoples are increasingly being heard and recognized by others as conservation decision-makers and stewards of the land.

It is a time of shifting paradigms, “where Indigenous Peoples decide what conservation and protection means to them and to the lands and waters and are given the space to lead its implementation in their territories.”<sup>1</sup>

The Nature Conservancy of Canada (NCC) acknowledges that Indigenous Peoples have cared for the natural areas, plants and wildlife that have sustained them for millennia.

NCC has much to learn from Indigenous people across Canada to help us to become better land managers and conservationists. NCC, as a leading conservation organization, also has a unique opportunity to assist Indigenous communities and nations in achieving their conservation and stewardship goals.

We believe that through partnership we can achieve great things. Together, we can work to restore and conserve the natural environment that we collectively value.

Looking to the future, NCC plans to work more purposefully with Indigenous communities and nations, in the spirit of reconciliation, to achieve more long-term conservation.

To implement these strategic changes, we have developed this framework, which articulates:

- NCC’s vision for working with Indigenous communities and nations in a meaningful, respectful and supportive manner. Together, we will work to achieve mutually beneficial conservation goals;
- How NCC could work with Indigenous communities and nations on conservation and stewardship projects; and
- How NCC might support Indigenous-led conservation and/or co-management opportunities.

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<sup>1</sup> *We Rise Together*, 2018. Indigenous Circle of Experts: <http://www.conservation2020canada.ca/ice/>

NCC recognizes that this is a starting point. We will continue to support staff and volunteers in building new and stronger relationships with Indigenous Peoples in all aspects of our work. We will also develop tools to help staff collaborate with Indigenous Peoples in a manner that contributes to reconciliation through conservation.

## **Background**

Over the past several years, through a commitment to broadening and enhancing our collective conservation impact, NCC has been reflecting on our past experiences. We have drawn inspiration from Indigenous leaders to identify how we could engage more effectively with Indigenous communities and nations in Canada.

This Indigenous Conservation Engagement Framework proposes a series of stepping stones to guide us along a path – one that we may walk together.

Since our founding in 1962, NCC has achieved conservation success through partnership. We have collaborated in a variety of ways with individuals and communities across Canada, including Indigenous people, communities and nations.

For example, NCC has partnered with Indigenous people on conservation and land-use planning projects. We've also conducted baseline inventories and stewardship activities on conservation lands in collaboration with Indigenous communities and individuals. This has included monitoring and preserving Indigenous cultural heritage resources, such as culturally significant or medicinal plants.

We recognize the significant role that Indigenous Peoples play in land and water stewardship at the local and national level. There are increasing opportunities to grow long-term relationships between Indigenous nations and NCC. Working together, we can accelerate the rate, quality and durability of conservation projects across the country.

We recognize that effective conservation requires commitment, and that effective partnerships are founded on trust and are built over the long term, with consciousness and sustained effort. This document outlines NCC's values and principles that underpin our actions for conservation together with Indigenous communities and individuals.

# Yesterday and Today — Conservation and Protected Areas Context

NCC acknowledges the long-standing relationships that exist between Indigenous people and their traditional lands across Canada. This relationship with the land isn't just one of sustenance; it also encompasses a deep sense of community, spirituality and identity.

Over the past 200 years, Indigenous connections to, and authority over, the land have been degraded and severed through unjust government policies and interventions.

The history of conserved and protected areas in Canada is fraught with missteps. Until relatively recent times, this history was often one of displacement, loss of access to traditional territories and rights violations for Indigenous Peoples. “Perhaps the most insidious impact of historical protected areas is the disconnection they fostered between Indigenous Peoples and their territories.”<sup>2</sup>

However, there is a dynamic change happening in Canada today: Indigenous communities are reclaiming their role in respectful and sustainable management of the natural values of their traditional lands. This role is being formally recognized through the redesign of Canada's legal fabric.

Section 35 of the *Constitution Act*<sup>3</sup> (1982) enshrined the rights of Indigenous Peoples in Canadian law. Since the passing of the act, comprehensive land claims have enabled Indigenous Peoples to regain access to, and management of, land across the country. Historic treaties and relationships are being reinterpreted by the courts. This has resulted in changes to governance regimes and legal powers.

This transition to recognizing Indigenous rights over land (among other rights) in Canada is further supported by the United Nations, through its Declaration on the Rights of Indigenous Peoples<sup>4</sup>, and the calls to action developed through Canada's Truth and Reconciliation Commission<sup>5</sup>.

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<sup>2</sup> *We Rise Together*, 2018. Indigenous Circle of Experts.

<sup>3</sup> *Constitution Act, 1982*; Section 35 (1) The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.

<sup>4</sup> [http://www.un.org/esa/socdev/unpfii/documents/DRIPS\\_en.pdf](http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf)

<sup>5</sup> <http://www.trc.ca/>

In the realm of environmental protection and conservation, governments are increasingly looking to Indigenous Peoples to help achieve Canada's conservation goals. One recent and perhaps most significant shift in government engagement with Indigenous Peoples to achieve conservation has emerged from Canada's 2010 commitment under the Convention on Biological Diversity to achieve a suite of national conservation targets by 2020.

In response to the Convention on Biological Diversity, Canada created the Pathway to Target 1<sup>6</sup> process and adopted national targets, including Target 1:

*By 2020, at least 17% of terrestrial areas and inland water, and 10% of marine and coastal areas of Canada are conserved through networks of protected areas and other effective area-based measures.*

As part of the Pathway process, two advisory groups to the Minister of Environment and Climate Change Canada were created: the National Advisory Panel<sup>7</sup> and the Indigenous Circle of Experts. Reports produced by both groups call for the development of Indigenous Protected and Conserved Areas (IPCAs). IPCAs are an entirely new form of protected area recognized within Canada. They are Indigenous-led, represent a long-term commitment to conservation and elevate Indigenous rights and responsibilities. The Indigenous Circle of Experts report delved into a deeper discussion about the linkages between protected areas, culture and the future of protected area decision-making.

This work further developed ideas proposed earlier by others, including Mary Simon in her report titled *A New Shared Arctic Leadership Model*<sup>8</sup>. This report was commissioned by the Department of Indigenous and Northern Affairs to inform the development of a new Arctic Policy Framework. In it, Simon calls for accepting Inuit-proposed conservation area boundaries and establishing a legal mechanism to recognize IPCAs.

The Government of Canada has also announced new funding to support Indigenous involvement in conservation. Building on existing federal funding streams targeted to

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<sup>6</sup> <http://www.conservation2020canada.ca/home>

<sup>7</sup> NCC was represented on the National Advisory Panel by John Lounds (CEO and President, NCC), Chloe Dragon-Smith (National Board member, NCC) and Barry Worbetz (Alberta Regional Chair, NCC).

<sup>8</sup> [http://publications.gc.ca/collections/collection\\_2017/aanc-inac/R74-38-2017-eng.pdf](http://publications.gc.ca/collections/collection_2017/aanc-inac/R74-38-2017-eng.pdf)

Indigenous applicants, including the Aboriginal Fund for Species at Risk (AFSAR)<sup>9</sup>, in 2017 the federal government committed \$25 million over five years to the National Indigenous Guardians Program<sup>10</sup>.

Additionally, the 2018 Federal Budget announcement of \$1.3 billion for conservation, specifically \$500 million for a Nature Fund, expressly mentions the intention to develop and grow IPCAs. While there remains no legal basis for the establishment of IPCAs, this and other available funding streams reflect Canada’s commitment and desire to carve a future path for conservation together with Indigenous people.

NCC wishes to be a part of this journey of change, and to learn and grow as an organization by expanding our understanding of Indigenous laws and knowledge systems.

## **Tomorrow — NCC’s Vision and Values for Championing Conservation Together**

The connection with people is critical for success in all aspects of NCC’s work. NCC’s non-confrontational and non-advocacy approach to conservation enables us to build effective and respectful partnerships with a diversity of individuals and communities.

In all NCC’s conservation partnerships, including those with Indigenous Peoples, NCC recognizes political issues and opportunities as they affect conservation outcomes, but remains non-partisan.

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<sup>9</sup> The Aboriginal Fund for Species at Risk (AFSAR) supports the development of Indigenous capacity to participate actively in the implementation of the *Species at Risk Act* (SARA):

<https://www.retablissement-recovery.gc.ca/afsar-faep/index.cfm?fuseaction=home.main&lang=E>

<sup>10</sup> Indigenous Guardians are the “eyes on the ground” in Indigenous territories. They create land and marine-use plans, monitor ecological health, maintain cultural sites and steward sensitive areas and species. They play a vital role in promoting intergenerational sharing of Indigenous knowledge and cultural revitalization (Indigenous Leadership Initiative: <https://www.ilinationhood.ca/our-work/guardians/>).

NCC is committed to identifying and implementing conservation priorities through community-level engagement, so that the benefits of our achievements are felt most by those who are closest to them.

**NCC VISION:**

We envision a world in which Canadians conserve nature in all its diversity, and safeguard the lands and waters that sustain life.

**NCC MISSION:**

The Nature Conservancy of Canada leads and inspires others to join us in creating a legacy for future generations by conserving important natural areas and biological diversity across all regions of Canada.

NCC has capacity, skills and experience – including those relating to conservation planning, securement, stewardship and community engagement – to potentially support Indigenous Peoples in achieving common conservation goals. We function within a culture of shared values, and acknowledge there is more than one knowledge system that contributes to the understanding of natural systems.

NCC's values statements reflect the organization's vision and mission:

NCC VALUES:

*Durable conservation outcomes*

While respecting nature's processes, we manage lands and waters for their natural values today and for the long term. We believe future generations deserve to inherit a biologically rich world.

*Evidence-based decision-making*

We are guided by the best available conservation science. We are committed to continuous learning, and to finding practical, resourceful and innovative solutions to conservation challenges.

*Respect for nature and people*

We respect the needs, values and culture of local communities.  
We seek conservation solutions that meet the needs of nature and people.  
Conservation supports prosperous and sustainable communities.

*Integrity first*

We work to the highest ethical and professional standards. We are transparent and accountable to our donors and partners. We earn trust by living up to our commitments.

*Conservation through collaboration and cooperation*

Our commitment to community, donors, partners, volunteers and staff makes us strong. We strive to be open to the ideas of others so that together we can achieve conservation outcomes that benefit all. We work in the spirit of collaboration.  
We celebrate each other's successes.

This framework extends these foundational elements to express our commitment to working collaboratively with Indigenous Peoples:

OUR COMMITMENT:

We envision building meaningful relationships that are grounded in mutual respect and the desire to achieve significant and durable conservation outcomes.  
NCC will use its capacity, expertise and influence to act as an ally in support of Indigenous-led conservation projects and as a partner in joint initiatives.  
NCC will expand our understanding of our lands and waters and improve our stewardship by learning from Indigenous knowledge and history.

NCC will build upon our successful relationships and collaborations with Indigenous Peoples in accordance with the following principles:

- **Conservation of biodiversity and the (re)connection to Indigenous culture go hand in hand.**
  - NCC recognizes that Indigenous people and the lands on which they live are inextricably related. They have evolved together over the course of millennia. Indigenous practices of land management and knowledge systems are founded in language and culture.
  - NCC acknowledges that Indigenous people have lived on and sustainably stewarded lands across Canada from coast to coast to coast since time immemorial. This history and relationship with the land encompasses a deep sense of community, spirituality and identity.
- **Conservation achieved through collaboration with Indigenous people is an important form of reconciliation.**
  - NCC recognizes that our lands lie within Indigenous traditional territories across Canada. We therefore welcome partnerships with Indigenous nations and communities on conservation initiatives. We also respect and facilitate access to cultural heritage resources for cultural and spiritual activities as an important form of reconciliation.
  - We are open to opportunities to explore co-management of privately held lands.
- **Respecting multiple knowledge systems and creating space to listen to and learn from a diversity of perspectives is critical to our future success in conservation.**
  - NCC believes that forming positive, respectful and supportive relationships with Indigenous nations and creating space to listen to a diversity of co-existing knowledge systems and perspectives will allow us to derive mutually beneficial outcomes and achieve innovative conservation solutions.
  - Integrating these multiple knowledge systems into our culture, policies and practices will help guide our work in the future.
- **Foundational learning about Indigenous history and culture by all staff is also a form of reconciliation and will help achieve successful partnerships with Indigenous people.**

- NCC will devote capacity to increase our staff's knowledge of Indigenous history in Canada and Indigenous Peoples' relationships with the land.

## From Vision to Action

NCC has identified five initial areas of focus to advance our Indigenous conservation partnerships:

**1) Build relationships with Indigenous advisors.** We recognize that Indigenous advisors will provide critical insight and perspectives that will guide NCC's future work with Indigenous people. While NCC has worked with Indigenous advisors on a variety of existing projects, we wish to further develop and formally integrate Indigenous advisory capacity at both the national and regional levels.

**2) Institutionalize Indigenous cultural awareness and competency.** NCC will work with Indigenous advisors and institutions to develop a staff training program to provide a foundation focused on Indigenous histories. Staff will be encouraged to explore these histories in more depth to help inform potential partnerships.

We also recognize that NCC's policies for conservation planning and management were often developed without consideration of Indigenous perspectives. NCC will update its policies and practices to recognize that Indigenous knowledge is an important way of knowing the land. NCC will incorporate Indigenous knowledge into its nature conservation programs.

**3) Incorporate the care of Indigenous cultural heritage resources into our management plans and practices for NCC lands.** Where they are known, NCC is committed to developing site-specific approaches to managing and preserving Indigenous cultural heritage resources. We will also respect access to these resources by members of Indigenous communities.

**4) Explore opportunities to support the development of Indigenous land trusts as a model for conservation of Indigenous traditional lands within Canada's land tenure system.** As Canada's leading land trust organization, NCC has developed successful approaches to land securement and stewardship for the benefit of

conservation. NCC will apply our knowledge and experience to support Indigenous communities interested in exploring the land trust model to advance reconciliation through land conservation.

**5) Lend technical skills and expertise in support of establishing Indigenous Protected and Conserved Areas (IPCAs).** NCC has established specialized skills in conservation and management planning, and applies these skills to achieve community-driven conservation solutions. NCC is committed to sharing our diverse skills, where needed, to support Indigenous initiatives to designate new IPCAs across Canada.