

Joint Sub-Committee on Indigenous knowledge

Recommendations to the Agency on the braiding of Indigenous knowledge and Western science, for the Agency's advice to proponents regarding the inclusion of Indigenous knowledge in the early planning phase

Following a discussion by the members of the joint sub-committee on January 21st and subsequent exchanges, the following recommendations are presented to the Agency to help proponents and their consultants to undertake a fruitful braiding of Indigenous knowledge and western science in a project impact assessment.

1. Start negotiating an agreement with the community on IK early in the process. This negotiation should take into account the treaties and history of the communities involved. An agreement (it could be a memorandum of understanding (MOU), communication and engagement agreement, collaboration agreement, etc.) between the community and the proponent prior to a specific agreement on IK is recommended. Collaboration agreements should be rooted in, and contribute towards, building a mutual, evolving relationship between the parties that is aimed at moving further on the path of **reconciliation**.
2. Include in the agreement all the aspects necessary to ensure a good collaboration during IK studies. Without limitation, these aspects should be covered:
 - a. Role of the community members in the study
 - b. Funding: Since the communities are likely to do the IK studies themselves, funding for the community should be offered for their participation (and the eventual hiring of a consultant if needed).
 - c. Knowledge collection methods and approaches
 - d. Validation and interpretation approach
 - e. Use of the IK in the impact statement
 - f. Confidentiality and intellectual property clauses
 - g. Dispute resolution clauses
3. To ensure a good planning of the IK studies, do joint scoping with the community. The result of this scoping should be a review of the potential issues where Indigenous knowledge is critical. Develop working protocols for these issues, including the community and proponent representatives' roles, responsibilities and interactions (workshops, regular meetings etc.) Adopt a full and transparent approach, including ongoing communication about the project's developments during the IA (alternatives, variants, layout etc.)

4. Avoid using IK to simply validate findings by western science methods. Instead, consider the inclusion of IK right from the baseline data collection protocols. The proponent should recognize that IK may change the outcome of the project, and should be ready to learn from the IK without bias. The proponent should also explain and justify its' scientific approach to the community and be ready to modify it.

5. For the same purpose, include a participation of IK at the alternatives or project variant level. It is recognized, especially in linear or large footprint projects affecting land use, that most of the impacts can be avoided through a proper project location. IK is the result of current and past occupation and use of the territory. Consequently, it is most likely to make a significant contribution to optimization of a project before considering mitigation measures.

6. Favor a braiding of the two knowledge systems as opposed to parallel or separate use. Explore the areas where they complement each other. Recognize there could be circumstances where the knowledge systems disagree and examine the underlying assumptions. As an example, one of the main features of IK is its ability to identify linkages between valued components leading to an ecosystem or holistic approach, which is often lacking in typical EIAs.

When you identify a disagreement during the development of the proponent's impact statement, further collaborative evaluation can be undertaken. If a disagreement persists, it must be recognized in the impact statement, and it will be considered later during the project's authorization process, either by the Agency or by a panel evaluation.

7. Agree on the timeframe for past baseline and future impact determination, particularly in cumulative effects assessments. This will provide a common basis to analyse the project's effects.

8. About confidentiality clauses, identify as early as possible the situations where confidentiality or disclosure of IK and western science data are necessary to prevent any conflicting use. As an example, data on the location of species at risk may only be shared by a restricted group of persons from the community, the proponent and the government. Health condition data may only be shared by some representatives, etc. In all cases, the people sharing their knowledge should be aware of its use, and the mechanisms for permission of disclosure, when needed.