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INTEGRATION OF ARTICLE 8(J) AND PROVISIONS RELATED TO INDIGENOUS PEOPLES AND LOCAL COMMUNITIES IN THE WORK OF THE CONVENTION AND ITS PROTOCOLS: INDIGENOUS PROTECTED AND CONSERVED AREAS

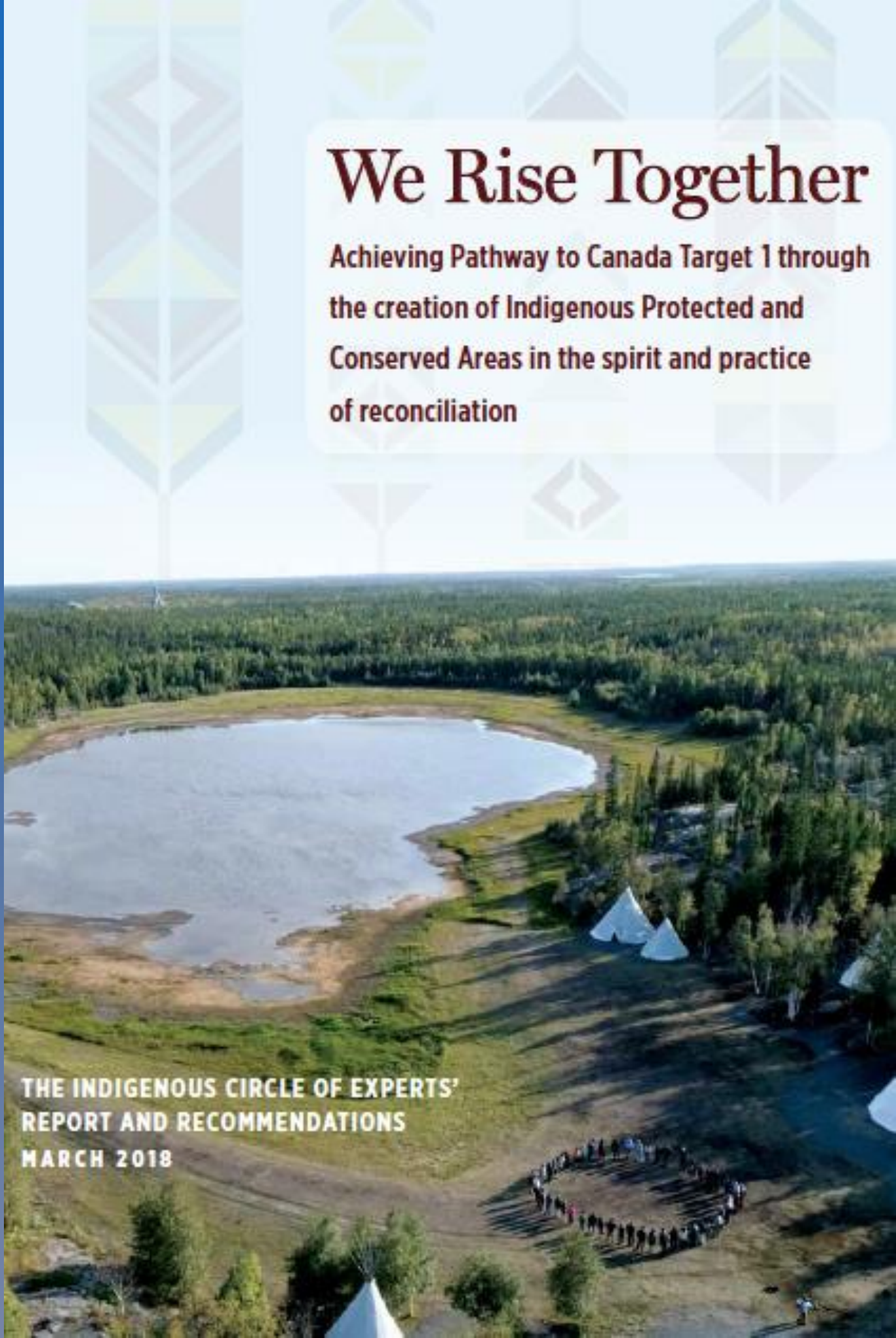


CO-CHAIR, INDIGENOUS CIRCLE OF EXPERTS, PATHWAY TO CANADA TARGET 1

- In response to the Aichi Targets, Canada adopted a suite of national targets including Target 1, which was adapted from Aichi Target 11.
- The Indigenous Circle of Experts was convened to provide independent advise to the Canadian Governments regarding the achievement of Target 1 in the context of Indigenous peoples & their lands, territories, waters and resources.
- Danika facilitates an Indigenous Advisory Circle for Banff National Park, Canada's first National Park.
- Danika is consulting legal counsel for International Indian Treaty Council, an NGO with general consultative status at the United Nations working with Indigenous Peoples from the Americas, the Caribbean and the Pacific
- Danika served as Vice President of the Canadian Commission for UNESCO from 2014-2018

We Rise Together

Achieving Pathway to Canada Target 1 through the creation of Indigenous Protected and Conserved Areas in the spirit and practice of reconciliation



THE INDIGENOUS CIRCLE OF EXPERTS'
REPORT AND RECOMMENDATIONS
MARCH 2018

FUTURE WORK - CREATE SPACE FOR INDIGENOUS LED POLICY, GOVERNANCE AND SAFEGUARDS

- Indigenous Protected and Conserved Areas
 - Strengthen Policy Framework, Safeguards, Grievance/Redress
- Don't spend as much time on the hamster wheel of trying to define every aspect of TK - which are often just snapshots of huge, complex knowledge systems. Let them exist and self-define but give more avenues of advocacy, representation, self-determination, safeguards (as a positive duty) and methods for complaints/grievance/redress that can be tied to related rights such as FPIC, Treaties, Agreements and other constructive arrangements etc..

WHY IS THIS APPROACH IMPORTANT?

- We need to move away from prescriptive methodologies to Indigenous participation, representation, inclusion and definition. There is additional complexity with overlapping work in other international bodies and it is important that this be recognized.
- Indigenous Peoples need to finally have the space to lead the way in achieving their own high standards of protection, conservation, and the full exercise of their own Indigenous systems, with appropriate recognition by UN bodies, mechanisms and processes.
- Most effective UN procedures are based on guidance that is process based and not content based, with the ability of those who engage in those procedures to define how the framework relates to them (expansively, through their own interpretive lens) as opposed to having to take a reductionist approach to their advocacy.

HOW WOULD THIS BE DIFFERENT?

- We have a tendency to think “status quo” and it can be difficult to challenge default models of what “justice”, “inclusion”, “recognition” and other such words mean in an international forum.
- We need to see a sincere, active and real implementation of the UN Declaration on the Rights of Indigenous Peoples, versus just putting it in a few sentences of guiding text here and there. The CBD and state parties have obligations under the UN Declaration Articles 41, 42 and 43 to significantly change the way Indigenous Peoples and their rights are recognized, supported, and enforced WITH Indigenous Peoples and not FOR us.
- This means being critical thinkers about systemic change versus word-smithing in a system that is and has been destructive to Indigenous Peoples.

POTENTIAL OUTCOMES

- Indigenous systems, as most others, include knowledge, law and many other functional aspects which are broadly understood as intrinsically tied to Mother Earth. Often left out is the fact that these different systems will therefore have different priorities and motivations that are also tied to a healthy and biodiverse environment. How can we lift up these different ethical and legal protections in a system that privileges states parties laws?
- Indigenous systems are about more than just bolstering science, or provide additional supporting rationale for science based approaches/solutions: it is about understanding that Indigenous led and designed solutions may ultimately be better, flipping the coin so that science is there to support Indigenous knowledge based solutions.

Can I make space for Indigenous Peoples as True Experts, Knowledge Holders, and Partners - and not just passive beneficiaries / occasional contributors? What would this look like in my work?

QUESTION FOR AUDIENCE