

Proposal for Development of Guidelines for the use of Aboriginal Traditional Knowledge (ATK) Management of Fisheries Resources in DFO's Pacific Region.

BACKGROUND

Aboriginal Traditional Knowledge (ATK) includes, but is not limited to the knowledge Aboriginal peoples have accumulated about wildlife species and their environment. DFO is committed to the use of ATK through international convention, federal legislation (SARA) and DFO policy such as the Wild Salmon Policy (WSP) (See Appendix A). While the need to embrace ATK and the potential benefits are acknowledged, the process for doing so is much less clear.

A DFO-funded BCAFC workshop entitled "Aboriginal Traditional Knowledge (traditional ecological knowledge) and the Management of Fisheries" was held on March 31, 2004. Its purpose was to draw upon the technical experiences of participants from First Nations, DFO and Environment Canada to contribute to a better understanding of how ATK is accessed, used and applied to meet common interests, or "best practices". It was hoped that this greater understanding would also contribute to broader application of ATK/TEK in the management of natural resources and their ecosystems. The workshop was a good first step. DFO and EC were looking for best practices and tools to better deal with ATK and management connections with SARA, while First Nations were looking for ways to use ATK/TEK to protect their cultures and traditions associated with fish and their ecosystems as part of a way of life. The major gap identified was a need for common guidelines and principles regarding ATK.

Several initiatives relating to ATK guidelines are beginning or underway. The COSEWIC ATK Subcommittee is beginning work this summer and will convene a workshop this fall. Parks Canada is just finalizing work that is not yet publicly available. While these initiatives will undoubtedly be useful, First Nations and DFO in the Pacific Region are in a position to take on a leadership role with respect to the development of fisheries resource guidelines for ATK. Specifically...

- First Nations in BC and the Yukon have knowledgeable and interested individuals with policy development experience related to ATK at both the international and national level.
- First Nations and DFO have ability to work together in the development of fisheries policy as demonstrated by First Nations participation in the development and implementation of the Wild Salmon Policy.
- DFO and First Nations through the development of AAROM bodies have a potential vehicle for providing First Nations with capacity for the management of ATK.
- There is also potential for an emerging structured approach that would utilize the AAROM or First Nation fisheries technical bodies to undertake a high level review prior to invoking costly measures associated with detailed ATK. This approach could reduce or eliminate much of the apprehension and uncertainty

PROPOSAL

The development of guidelines for the use of Aboriginal Traditional Knowledge (ATK) Management of Fisheries Resources in DFO's Pacific Region must be through a collaborative process that ensures that the rights and needs of both groups are met. We propose that a First Nations Team develop the draft guidelines and then follow a two stage review and revision process similar to that used in the development of the Wild Salmon Policy. Resources totaling 35K will be funded from DFO's WSP implementation budget. The draft guidelines would describe the structured/tiered approach to ATK.

The following process and timeline is proposed:

| Task | Description | Resources | Deliverable | Completion Date |
|--|---|--|------------------|---|
| 1. Draft Guidelines | Draft guidelines will be written by a First Nations team led by Fred Fortier (Secwepemc First Nation) that will include Dave Moore (<i>affiliation</i>), Brian McDonald (<i>affiliation</i>) and ??<< <i>are there knowledgeable coastal and northern folks who could be involved? Should we include a DFO participant or leave it as strictly First Nation</i> >> | 25K contract to Moore/Fortier to draft guidelines. DFO-WSP implementation funds. << <i>need to discuss who this contract would be with</i> >> | Draft Guidelines | August 31, 2006 << <i>if we want to take the document out in the fall then this is the timeline... short I know</i> >> |
| 2. Review of draft guidelines by First Nations and DFO | Draft guidelines will be reviewed by: <ul style="list-style-type: none"> Individual First Nations (provided by email or regular mail) AAROM technical teams First Nations participants in DFO community meetings to be held in approximately 10 locations throughout the Region from October-December. DFO WSP Implementation Team and Steering Committee would review the document. | 10K Contract to First Nation team members to participate in First Nations meetings and synthesize advice. Meetings funded by DFO. Presentation would be part of day planned for WSP. | | December 31, 2006 |
| 3. Revision | Draft would be revised based on | Funded at part | Revised | February |

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|---------------------------------|---|-----------------------------------|-------|----------------|
| of Draft guidelines | input received. | of contract in task 1. | draft | 28, 2007 |
| 4. Review of revised guidelines | Final review as part of WSP First Nations forum with participants invited from each First Nation in BC. | Funded through WSP implementation | | March 31, 2007 |
| 5. Produce final guidelines | Final changes made and guidelines signed off by DFO and First Nations. | | | June 30, 2007. |
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Appendix A. International convention, legislative and policy direction to DFO on ATK

1. UN Convention on Biodiversity (CBD).

Canada has committed to the CBD and played a lead role in drafting the following key articles associated with ATK/TEK.

Articles 8j (respect, use, protect and share benefits from the use of TEK)

Each Contracting Party shall, as far as possible and as appropriate:

(j) Subject to its national legislation, respect, preserve and maintain knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity and promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices and encourage the equitable sharing of the benefits arising from the utilization of such knowledge, innovations and practices;

10c (access)

Each Contracting Party shall, as far as possible and as appropriate:

(c) Protect and encourage customary use of biological resources in accordance with traditional cultural practices that are compatible with conservation or sustainable use requirements;

17.2 (information sharing),

1. The Contracting Parties shall facilitate the exchange of information, from all publicly available sources, relevant to the conservation and sustainable use of biological diversity, taking into account the special needs of developing countries.

2. Such exchange of information shall include exchange of results of technical, scientific and socio-economic research, as well as information on training and surveying programmes, specialized knowledge, indigenous and traditional knowledge as such and in combination with the technologies referred to in Article 16, paragraph 1. It shall also, where feasible, include repatriation of information.

18.4 (technology sharing).

4. The Contracting Parties shall, in accordance with national legislation and policies, encourage and develop methods of cooperation for the development and use of technologies, including indigenous and traditional technologies, in pursuance of the objectives of this Convention. For this purpose, the Contracting Parties shall also promote cooperation in the training of personnel and exchange of experts.

2. The Species At Risk Act (SARA).

Statutes relating to ATK are as follows:

SARA Definition: “status report” means a report, prepared in accordance with the requirements of regulations made under subsection 21(2), that contains a summary of the best available information on the status of a wildlife species, including scientific knowledge, community knowledge and aboriginal traditional knowledge.

10.2 The stewardship action plan must include, but is not limited to, commitments to ...
(c) methods for sharing information about species at risk, including community and aboriginal traditional knowledge, that respect, preserve and maintain knowledge and promote their wider application with the approval of the holders of such knowledge.

(2) COSEWIC must carry out its functions on the basis of the best available information on the biological status of a species, including scientific knowledge, community knowledge and aboriginal traditional knowledge.

18. (1) COSEWIC must establish subcommittees of specialists to assist in the preparation and review of status reports on wildlife species considered to be at risk, including subcommittees specializing in groups of wildlife species and a subcommittee specializing in aboriginal traditional knowledge, and it may establish other subcommittees to advise it or to exercise or perform any of its functions.

http://www.cosewic.gc.ca/eng/sct4/sct4_1_e.cfm - SauterAllMenu#SauterAllMenu

3. Wild Salmon Policy

Principle 3 Sustainable Use. Resource management decisions will consider biological, social, and economic consequences, reflect best science including Aboriginal Traditional Knowledge (ATK), and maintain the potential for future generations to meet their needs and aspirations.

Conservation Unit delineation: The delineation of CUs will be based on biological information, including genetic traits(e.g., DNA variants), polygenic traits (e.g., run-timing, life history traits, ocean distribution, etc.),and ATK where available.

Planning Process – Overview reports: As a starting point for planning, DFO staff will provide an overview report that identifies the CUs exploited by fisheries within each planning unit and gives summary information on their biological status (Red, Amber or Green). Key habitat and ecosystem constraints or threats to individual CUs will also be summarised by watershed. For CUs in the Red zone more detailed reports will also be provided as they become available. These detailedreports will consider and incorporate ATK, where available, and be subject to peer review through PSARC.

Appendix B. ATK Definitions

COSEWIC website definition of ATK: Aboriginal Traditional Knowledge (ATK)...

- Includes, but is not limited to, the knowledge Aboriginal Peoples have accumulated about wildlife species and their environment.
- Other words commonly used to describe this knowledge include: Traditional Ecological Knowledge (TEK), Inuit Qaujimajatuqangit (IQ), Indigenous Knowledge (IK) and Naturalized Knowledge Systems.
- Is a complex process incorporating aspects of culture, spirituality and history. Therefore, peoples with different backgrounds (Indian, Inuit and Métis) may define ATK in different ways.

WSP definition of ATK: *Aboriginal Traditional Knowledge (ATK)*. Includes, but is not limited to, the knowledge Aboriginal peoples have accumulated about wildlife species and their environment. Much of this knowledge has accumulated over many generations.

COSEWIC ATK Subcommittee members

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