

The Business Case for a National First Nations Guardians Network

A Model for Implementing Reconciliation, Nation-to-Nation,
UNDRIP, and *Inter-National* Ecological Conservation & Stewardship Responsibilities

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Acronyms & Abbreviations

Short Form	Longer Form
AFN	Assembly of First Nations
AHF	Aboriginal Healing Foundation
AUD	Australian Dollars
BC	British Columbia
CBD	<i>Convention on Biological Diversity</i>
CFN	Coastal First Nations
CGW	Coastal Guardian Watchmen
CHN	Council of the Haida Nation
CSN	Coastal Stewardship Network
DFO	Department of Fisheries and Oceans
ECCC	Environment and Climate Change Canada
ED	Executive Director
EPI	EcoPlan International Inc.
FPIC	Free, Prior, and Informed Consent (per <i>UNDRIP</i>)
FNHA	First Nations Health Authority
FNHC	First Nations Health Council
FNHDA	First Nations Health Directors Association
FNIHB	Health Canada First Nations and Inuit Health Branch
FTE	Full-Time Equivalent
GBI	Great Bear Initiative
GHG	Greenhouse Gas
GWSJ	Gathering Wisdom for a Shared Journey Forum
HGMC	Haida Gwaii Management Council
HGW	Haida Gwaii Watchmen
IAA	<i>Impact Assessment Act</i>
INEG	Innu Nation Environmental Guardians
ILI	Indigenous Leadership Initiative
ILMB	Integrated Land Management Bureau
IPA	Indigenous Protected Area
IPCA	Indigenous Protected and Conserved Area
JWG	First Nations-Federal Pilot Joint Working Group on Guardians
LUP	Land Use Plan
Mabo	<i>Mabo v Queensland</i> (landmark native title case in Australia, 1992)
MMIWG	National Inquiry into Missing and Murdered Indigenous Women and Girls
MoH	BC Ministry of Health
NCIED	National Consortium on Indigenous Economic Development
Network	National First Nations Guardians Network
NGO	Non-governmental Organization
NIRO	National Indigenous Representative Organizations
NMCA	National Marine Conservation Area
NWT	Northwest Territories
NZ	New Zealand

Short Form	Longer Form
OCAP®	First Nations principles of Ownership, Control, Access, and Possession of First Nations data collection processes and use
Pilot Program	Indigenous Guardians Pilot Program
RCAP	Royal Commission on Aboriginal Peoples
RMA	<i>Resource Management Act</i>
RMP	<i>Resource Management Plan</i>
RMS	Regional Monitoring System
SAS	<i>Sámi Arctic Strategy</i>
SDGs	UN Sustainable Development Goals
SROI	Social Return on Investment
STTP	Stewardship Technicians Training Program
SVA	Social Ventures Australia
TCFNH	Tripartite Committee on First Nations Health
TFA	<i>Tripartite Framework Agreement on First Nations Health Governance</i>
TRC	Truth and Reconciliation Commission of Canada
UNDRIP	<i>United Nations Declaration on the Rights of Indigenous Peoples</i>
UNDRIPA	<i>United Nations Declaration on the Rights of Indigenous Peoples Act</i>
UNGA	United Nations General Assembly
UVic	University of Victoria
VIU	Vancouver Island University
Wik	<i>Wik Peoples v Queensland</i> (major Australian native title case, 1996)
WoC	Working on Country (former program name in Australia)
WWF	World Wildlife Fund

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Key Definitions

Network – has two meanings in this proposal:

- a. Jointly, all of the components that this proposal is seeking funding to create/support; and
- b. The entity created, from the ground up, by First Nations Guardians programs to connect Guardians and Guardians programs within regions and across the country. It has two parts:
 - (i) a governance arm (Network Council) and (ii) an operations arm (Network Secretariat).

Network Council – refers to the governance arm of the Network.

Network Secretariat – refers to the operations arm of the Network.

Programs – refers to Guardians programs / initiatives created and run by First Nations in their territories.

Purpose

The Indigenous Leadership Initiative (ILI) has engaged Miles Richardson, OC, Director of the National Consortium for Indigenous Economic Development (NCIED) at the University of Victoria (UVic), and the consultant team (see Appendix D: *Contributors*) to develop and conduct the regional engagement process and research supporting the production of this business case on the need for federal funding for a comprehensive National First Nations Guardians Network.

This document describes the elements of this Network,¹ its rationale and the engagement process and research supporting this rationale. The anticipated benefits, value and return from this Network, associated budget and funding requested to create it and a proposed process for evaluating the Network to ensure its ongoing success are detailed.

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¹ This term is used to describe all of the components that are part of the program for which funding is being requested in this proposal, including investment in First Nations Guardians programs from coast to coast to coast, Network operations, training and capacity development, and Network governance.

Executive Summary

Summary

First Nations have been strong stewards of our homelands, refining and adapting our stewardship knowledge and processes – caring for our land and waters, people, and fellow species – since time immemorial. With the arrival of settlers and creation of the country of Canada, however, our evolving knowledge, stewardship processes, and authority within our homelands have been sidelined. Yet recent research has shown that the areas managed or co-managed by Indigenous Peoples have the highest levels of biodiversity, even when adjusted for numerous other variables, confirming that our traditional ecological knowledge and stewardship practices are the key for sustaining biodiversity and ecological and human health. Significant investment in a coast to coast to coast network of First Nations Guardians programs is an effective way, today, for Canada and First Nations to practice a truly *inter-National* form of conservation, ensuring the health of the land and waters and the people and species who depend on it.

Guardians are the contemporary expression of First Nations' ancestral responsibility to care for and ensure the well-being of our lands and waters. Employed as the “moccasins- and mukluks-on-the-ground,” Guardians are the “eyes-and-ears” of First Nations. They use both science and our traditional knowledge to maintain, restore and protect ecosystems through programs that are as diverse as the territories they cover.

Guardians programs build and expand capacity for addressing pressing environmental concerns across the country and offer a pathway to restored respect for First Nations' stewardship knowledge, practices, and authority.

The benefits of First Nations Guardians programs, once established, compound quickly and are felt on many levels, by the individual Guardian, the Nation, and country-wide. Essential to rebuilding First Nations' self-governance capacities and processes, Guardians programs set in motion effective First Nations land- and marine-use planning and management. While supporting revitalization of ancestral knowledge, languages, and customs, Guardians programs bring economic opportunity and engage a new generation in stewardship of their homelands.

A National First Nations Guardians Network is key to expanding and supporting First Nations Guardians programs across the country. It will connect Guardians programs across the country so Guardians can do more together than they can now on their own. Its creation will enable a Nation-based model of self-determination and a truly *inter-National* model of stewardship and conservation from coast to coast to coast.

This *inter-National* model of stewardship has the notion of Nation-to-Nation relationships at its core: a National First Nations Guardians Network would serve as a continuous forum for First Nations to share stewardship challenges and approaches with each other enabling greater insight and coordination than would otherwise be possible; and would serve as a body, through its national and regional elements, facilitating engagement and coordination between the Network of Nation-based Guardians programs and Canada, the provinces, and the territories.

What is particularly unique and valuable about the Network is the centrality enabling First Nations to come together, share observations, and collaborate in Nation-to-Nation relationships amongst First Nations. *The synergies and insights that will come from this collaboration cannot be achieved without support to create and sustain a First Nations-run body to facilitate this form of Nation-to-Nation relationship.*

Effectively bringing First Nations together in this coordinated forum will also enhance the ability of Canada, the provinces, and the territories to engage in collaborative stewardship with First Nations on a scale that otherwise would not be possible. The vision of this proposal is for a truly *inter-National* model of stewardship made possible by significant investment in a National First Nations Guardians Network.

The Network will increase the number of Guardians programs in First Nations from approximately 90 today,² to approximately 400 within five years. This will take place in a tiered approach, with 60 new programs added in Year 2, an additional 120 in Year 3, and 140 in Year 4. Nearly two-thirds of First Nations will host a Guardians program of their own by Year 5. In total, the Network will create nearly 2,500 full-time equivalent (FTE) Guardians and Guardians Program Coordinator positions.

The Network Secretariat (the Network's operational branch) will provide support to programs by providing administrative and technical support to programs, and by facilitating opportunities to network and share best practices with other Guardians and programs across the country, as will a consistent and stable funding structure. Guardians will no longer work in relative isolation, relying on short-term funding solutions.

A key component of Network operations will be to provide access to ongoing professional development, matching Guardians with a level of training and accreditation suited to the requirements of their program, location, and ability to travel. The Network will launch a robust training program, including a National Guardians Curriculum, both to train new Guardians and to offer skills development training opportunities to experienced Guardians. Training will be offered in partnership with satellite "bush campuses" throughout the country and in partnership with existing institutions currently offering land-based stewardship programs.

The development of a comprehensive National First Nations Guardians Network requires an investment from the federal government of \$831.5 million over five years, with funding ramping up as the operational capacity of the Network is established.

After that, annual financial support of approximately \$260 million will fund both Guardians programs and network operations once the Network attains its target of 400 First Nations Guardians programs active within five years. When fully developed, Guardians programs are expected to create seven FTE positions on average, resulting in a total employment impact of approximately 2,500 jobs across the country by Year 5. A detailed rationale for the proposed budget can be found in Section 5.2: *Proposed Budget*.

A substantial investment in a First Nations Guardians Network fits well within federal mandates to address climate change; to implement *UNDRIP* and the *United Nations Declaration on the Rights of Indigenous Peoples Act (UNDRIPA)*, which recently achieved Royal Assent, to implement the new impact assessment system; and to forge renewed Nation-to-Nation relationships with First Nations. And Guardians will play a critical role in meeting Canada's target of protecting 30 percent of our lands and waters by 2030.

² This number is drawn from our research compiled in Appendix A: *Environmental Scan of Existing Guardians Programs in Canada*, based on the best available information on the public record. Appendix A list 94 programs that carry out Guardians activities – of these 94 programs, 86 specifically mention employing Guardians, doing Guardians work, and/or label themselves as Guardians programs. Eight of the 94 programs, stewardship networks, and/or environmental departments do not use the Guardians designation or currently receive ECCC funding, but carry out Guardians activities.

Vision

Momentum has been growing behind calls for a National First Nations Guardians Network. Since time immemorial, First Nations have honed our knowledge of the best way to care for our lands, waters, resources, and people. Today, there is increasing recognition of the role our knowledge can play in ensuring the best stewardship. Guardians act as the moccasins and mukluks on the ground and the eyes and ears of our Nations within our territories.

Guardians programs are created and run by Nations and strengthen Nations' decision-making and self-governance capacity to engage with all land users and stakeholders, including industry and government. A Network of strong, financially stable, and well-supported First Nations Guardians programs across the country will play a vital role in the strength and well-being of our Nations, through supporting the health of the lands, waters, and species in our territories; maintaining and revitalizing our evolving ancestral knowledges, languages, cultures, laws, and governance systems; enabling meaningful economic opportunities and career paths for our people in our homelands; and facilitating to Nation-to-Nation relationships amongst First Nations and between First Nations and Canada as we build a truly *inter-National* conservation and stewardship model from coast to coast to coast.

Methodological Approach

Foundational Principles –Self-Determination, Nation-to-Nation, & Gift of Multiple Perspectives

Investing in the creation of a National First Nations Guardians Network is an immediate and effective way for the federal government to honour its commitment to renewed Nation-to-Nation relationships with First Nations by supporting:

- Revitalization of Nations' ancestral relationships with and knowledge of our territories, and accordingly with our own Nationhood, cultures, and languages.
- Nation-created and -run programs, strengthening governance capacity within Nations.
- A support and governance Network composed of and driven by Nations, facilitating the sharing of knowledge and stewardship strategies, as well as collaborating for economies of scale, amongst Nations.

This proposal takes a distinctions-based approach, seeking funding for a National First Nations Guardians Network, and is centred around fostering the rights of self-determination First Nations have as Indigenous Peoples. Over the last 100 or so years, there has been a growing recognition in international law that Peoples, as distinct from states, have a right of self-determination. Peoples, or Nations, are not mere minorities or subpopulations within states and carry different rights internationally and domestically.

UNDRIP – which Canada now supports without qualification, having just passed *UNDRIPA* to align Canada's laws with the principles of *UNDRIP* and to establish a framework to implement and achieve the objectives of *UNDRIP* – recognizes the right of self-determination of Indigenous Peoples. Section 1.2.1.1: *The Right of Self Determination of Peoples* discusses this in more detail. Section 4: *Contribution to the Government of Canada's Strategic Agenda* outlines the myriad of ways in which investing in the creation of the Network will enable Canada to meet a vast number of its obligations under *UNDRIP*.

Maintenance and revitalization of First Nations' unique ways of knowing is a key element of the right of self-determination called for in *UNDRIP*. Guardians programs and a National network of such programs is a key way for Canada to meet this obligation and others under *UNDRIP* and *UNDRIPA*, which calls for the creation of a framework to align Canada's laws with the objectives of *UNDRIP*.

Etuaptmumk or Two-Eyed Seeing - also known as the Gift of Multiple Perspectives - refers to the idea that learning to see with the strengths of both Indigenous and scientific ways of knowing will be for the benefit of all and involves consideration of how different Peoples can relate to one another. Other Indigenous approaches to understanding across ways of knowing include the *Gă•sweñta'* or Two-Row Wampum and the Dish with One Spoon. The Dish with One Spoon, for example, is a framework for cognitive and other relationships between two Indigenous Nations, the Haudenosaunee and Anishinaabe Nations.³ A National First Nations Guardians Network likewise provides a framework for relations, shared insights, and collaboration amongst the diverse knowledge systems of First Nations from coast to coast to coast.

This understanding is critical to the purpose and design of the Network: a key purpose and function of the Network is to bring First Nations together across the country, to share knowledge and stewardship approaches derived from the unique ways of knowing of their Peoples and to collaborate together on strategies relating to neighbouring territories and species that migrate or span multiple territories.

Through continual participation in / collaboration with the First Nations-Federal Pilot Joint Working Group on Guardians (JWG), the Network is uniquely positioned to facilitate *inter-National* ecological stewardship and relations from coast to coast to coast.

Regional Engagement & Interview Process

Between October 2020 and January 2021, nine regional engagement sessions were held, bringing together program managers of First Nations Guardians programs funded through the Indigenous Guardians Pilot Program (Pilot Program). Individual interviews were conducted to complement these sessions. The purpose of these regional engagement sessions and interviews was to gain feedback on the need for a Network and on how that Network should be governed, and to develop support amongst those critical to the Network's success.

Regional engagement sessions and interviews were coordinated by the consultant team and led by Miles Richardson, OC, former President of the Council of the Haida Nation (CHN), who has actively been involved in the Haida Gwaii Watchmen program and Coastal Guardian Watchmen Network, and Guardians and Indigenous Nationhood initiatives across the country over the course of several decades.

Regional engagement and interview questions solicited feedback on two primary themes: Network operations and Network governance. The operations-related questions sought feedback and advice on the types of supports Guardians programs would need or want from a National First Nations Guardians Network and its secretariat or administrative support structure. The governance-related questions sought feedback / advice relating to Nationhood and Nation-to-Nation objectives of the Network, representative structure / composition, guiding values and

³ Read more about the *Gă•sweñta'* and Dish with One Spoon approaches in Section 3.4.3: *Role of the Network in Implementing Nation-to-Nation Relationships* & *UNDRIP*.

principles, and decision-making processes. A literature review was also conducted to provide additional context and information to support this proposal.

Background

Guardians are a contemporary expression of First Nations ancestral responsibilities to manage and monitor our lands and waters. First Nations Guardians programs, which may be described by other names, including Watchmen and Rangers, undertake stewardship activities including:

- Monitoring the activities of resource users (e.g., logging, mining, oil and gas, fishing, hunting).
- Ensuring compliance with and enforcement of relevant Crown and Indigenous laws.
- Enabling effective First Nations land- and marine-use planning and management.
- Working with Crown governments through management agreements to ensure coordinated and rigorous monitoring and enforcement throughout territories.
- Gathering data on the ecological health and well-being of our ancestral territories.
- Gathering and sharing data to inform decision making about our ancestral territories.
- Providing outreach and education to resource users, tourists, and communities about the protection of cultural and natural resources.

Guardians programs share common features but each is unique, determined by the priorities of the First Nation that has created it, within its own particular ecological, political-legal, and socio-economic context.

The First Nations-led stewardship program now seen as a forerunner of Guardians programs throughout the country was the Haida Gwaii Watchmen (HGW), established in 1973 and formalized by the CHN in British Columbia (BC) in 1981. Its purpose – to protect the land, waters, and species of Haida Gwaii in accordance with Haida law and stewardship responsibility – arose in direct response to intensive resource extraction. With the signing of the Gwaii Haanas Agreement, the HGW took on primary environmental and cultural stewardship responsibility over the Gwaii Haanas Haida Heritage Site, National Park Reserve, and National Marine Conservation Area, and over their wider ancestral territories of Haida Gwaii.

Since then, numerous other First Nations-led, land-based conservation programs have been formed from coast to coast to coast, including the Innu Nation Environmental Guardians (INEG) program. Begun as a fisheries monitoring program in 1992, it has since expanded to oversee forestry, caribou and wildlife monitoring, mining, industrial development, conservation, and Innu Nation environmental research. As the scope of responsibility for the INEG increased, the Innu Nation recognized the need for a comprehensive training program in environmental monitoring and management to build Guardians' capacity and support their broadened scope of responsibility. The Innu Nation Guardian Program was created at Saint Mary's University in 2001, offering a combination of classroom-based coursework and immersive field training at active Innu co-management, monitoring, and environmental research sites bringing together Innu traditional knowledge and Western scientific and technical disciplines for environmental and resource management.

As the number of First Nations Guardians programs has grown, some have begun to form cooperative stewardship alliances, such as the Coastal Stewardship Network (CSN) in BC. The CSN has also worked with postsecondary institutions, such as Northwest Community College and UVic to provide training and produce training materials for their Guardians. The advantages of networked relationships amongst such groups include the ability to pool resources,

information and know-how, to have more influence and be more effective, and to collaborate on regional conservation initiatives.

In recent years, Guardians have played an increasingly important role in marine-use planning and monitoring in various places around the country. Three such initiatives are the First Nations-British Columbia co-led Marine Plan Partnership (MaPP), the federal Pacific North Coast Integrated Management Area, and the Eeyou Marine Region Planning Commission, established under the Eeyou Marine Region Land Claims Agreement between the James Bay Cree of Québec, and the Governments of Canada and Nunavut. Marine Guardianship is likely to be an area of substantial growth in the near future as many First Nations consider ourselves to be Peoples of the waters that are such core parts of our homelands. There is still much work to be done under the federal Oceans Action Plan and the Government of Canada's new commitment to protect 30 percent of marine territory by 2030.

Support for Indigenous Stewardship in Other Jurisdictions

The Working on Country Indigenous Rangers Program in Australia

The Working on Country (WoC) Indigenous Rangers program in Australia is the most comprehensive Indigenous on-the-land stewardship program supported by a nation-state in the world today. It supports Indigenous Rangers to combine the traditional knowledge of their Peoples with conservation training to protect and manage their lands, waters and cultures.

In 2020, 127 Indigenous Ranger groups employed a total of nearly 900 full-time equivalent positions (with a mix of full-time, part-time and casual positions). Between 2007 and 2021, the Australian government invested approximately AUD \$870 million in WoC, bolstered by an eight-year funding extension of AUD \$102 million (approx. CAD \$100 million) per year announced by the Australian government in March 2020.

Indigenous Peoples and the Australian government had been negotiating joint management of parks going back to the 1980s. Created in 2007, in part to support skilled Indigenous capacity to manage Indigenous Protected Areas (IPAs) in Australia, the WoC Indigenous Rangers program emerged, arguably, out of a form of recognition of the inherent rights of Indigenous Peoples in Australia by the Government of Australia.

The landmark court rulings of *Mabo* and *Wik* in 1992 and 1996, respectively, recognized the continued existence of native title and discredited the doctrine of *terra nullius* – the idea that Indigenous Peoples had no laws governing the lands they inhabited, that the land was ungoverned and thus available for colonial purposes.

Shortly after these rulings, in 1997, the IPA program was created as an Australian approach to recognizing Indigenous Peoples' interests in, authority over, and skilled stewardship practices in relation to their lands in Australia. The Indigenous Rangers program provides resources to support capacity in this work.

Supporting Indigenous Rangers in stewarding their homelands has generated a multitude of beneficial returns to the Rangers, their communities, and the Australian government. Studies analyzing the Social Return on Investment (SROI) yielded from investment in WoC found returns ranging from 1.5:1 to 3.4:1. Such a high rate of SROI shows that these programs can make a strong contribution to closing stark socio-economic gaps between Indigenous and non-Indigenous people in Australia. Some of the most significant benefits included:

- Increased labour productivity through improved Indigenous health and reduced alcohol consumption.
- Greater workforce participation leading to increased economic output.
- Cost savings to governments through lower expenditures on public health, policing, corrective services, public housing and welfare.
- Economic returns generated by new Indigenous business ventures, including the associated tax component of this revenue received by government.

See Section 2.2.1: *Working on Country Indigenous Rangers Program in Australia* for more detail on the wide range of socio-economic benefits that resulted from the Government of Australia's substantial investments in the WoC Indigenous Rangers program.

Legislation in Aotearoa / New Zealand

In *Aotearoa / New Zealand*, the *Resource Management Act (RMA)*, passed in 1991, requires those acting under its authority legislation to engage with both *iwis* (tribes or Nations) and *tangata whenua* (their local communities) in decision making that affects Māori territories, legislating Nation-to-Nation relationships into the country's stewardship decision-making framework and a strong grounding for respectful relations and protocols of engagement with Māori authorities, processes, and ways of knowing. The *RMA* calls for planning processes by *iwi* authorities to be part of planning and policy and decision making under the Act.

Role of Guardians in Land- & Marine-Use Planning & Co-Management / Co-Governance

Land- and marine-use planning are key processes for First Nations to exercise our responsibility for and authority over their homelands and core areas of work for Guardians. These planning processes aim to balance contemporary and future land and marine uses, yielding the best ecological, economic, intersocietal, and intergenerational outcomes.

These planning processes are undertaken by Nations on their own, supporting their own governance of their homelands, and through co-management and co-governance agreements between First Nations and provincial, territorial, and federal governments. Investment in the Network will build capacity for such *inter-National* stewardship and conservation from coast to coast.

Guardians in First Nations Land-Use Planning & in Co-Management / Co-Governance

Land-use planning draws out and draws on knowledge that has been held by First Nations over generations, and formally integrates its application into contemporary land use priorities and pressures in the form of a Land Use Plan (LUP). It enables First Nations, as stewards of our lands, to communicate with others who are interested in conducting land uses in our territories, while ensuring our cultural values are respected and that we are asserting our authority within our territories.

Land-use planning has led many First Nations to realize benefits beyond their initial planning intentions, including:

- Increased connection to and understanding of our resources.
- Renewed relationships with other governments, neighbours and businesses.
- Strengthened capacity and technical skills.
- Reinforced cultural importance and identity amongst Nations' members.
- A sense of ownership of and engagement in future development.

A foundational example of how Guardians assisting in land- and marine-use planning can lead to the strengthening of First Nations governance over our territories can be seen in the CHN authorization of a land- and marine-use plan for its territory in the first piece of legislation under its modern *Constitution* in 1981. This was a core part of the process of reasserting its authority over land and marine use in its territories, along with the creation of the Haida Gwaii Watchmen in the same time period.

This contemporary governance development work enabled the CHN to negotiate strong agreements with the federal and provincial governments to co-manage key land and marine uses on Haida Gwaii through the 1993 *Gwaii Haanas Agreement* with Canada, the 2007 *Haida Gwaii Strategic Land Use Agreement* – which established the Haida Gwaii Management Council, to co-manage high-level resource management decisions on Haida Gwaii – and the 2009 *Kunst'aa Guu — Kunst'aayah Reconciliation Protocol* with BC – which symbolizes a new era of shared decision making, or co-governance, between the two governments and acknowledges the Haida Nation's authority to ensure sustainable use of their territory of Haida Gwaii for the benefit of their people and to protect its sensitive ecosystems for generations to come. These developments have led to 70 percent of all forests on Haida Gwaii being co-managed by the CHN and BC.

In 2006, BC's Integrated Land Management Bureau announced a policy for its planning program that was “flexible and responsive to current and emerging government goals and priorities, including its commitment to a New Relationship with First Nations.” In 2018, BC announced that it would be “modernizing land-use planning” in BC, informed by BC's commitment to implement *UNDRIP* and the Truth and Reconciliation Commission of Canada's (TRC) *Calls to Action*, and to build on its commitment to a New Relationship with First Nations, carrying out land-use planning in partnership between BC and Indigenous governments.

Interest in and the practice of land-use planning has been growing amongst First Nations across the country. Guardians can help level the playing field for First Nations in land-use planning discussions with other governments, by providing their Nations with the information they need to plan as well as the capacity to ensure that plans are implemented, respected, and working.

Investment in a national Network of First Nations Guardians programs will help build capacity to meet the primary challenges faced by First Nations in land- and marine-use planning to date: the ability to conduct technical assessments; capacity for implementation of monitoring and enforcement; and, attaining the stable funding required to accomplish these things. One of the most challenging aspects of land-use planning for First Nations was finding, gathering, and organizing the data needed for technical assessments. Adequate resources and capacity were often lacking, making planning impossible.

To engage meaningfully in these processes requires funding and resources to support Nations being “able to dedicate a team of people” to this work. Investment in the Network would build such capacity.

For a more detailed discussion of land-use planning, its role in strengthened First Nations self-determination / Nationhood, and the role Guardians play in supporting their Nations to engage effectively in these processes, see Section 2.3.2.1: *The Role of Guardians in Land-Use Planning for their Nations*.

Guardians, Indigenous Protected and Conserved Areas & Marine Protected Areas

Land- and marine-use planning can identify particular areas as a high priority for protection and conservation, including in the form of Indigenous Protected and Conserved Areas (IPCAs), and important form of changing the relationships between Peoples with respect to the conservation of natural spaces from one in which First Nations have been excluded from decision making, displaced from accessing territory and continuing traditional harvesting and cultural territories in the processes of implementing a colonial vision for national, provincial, territorial and municipal parks.

A 2019 University of British Columbia study found that in Canada, Brazil, and Australia, the areas managed or co-managed by Indigenous people had the highest levels of biodiversity of all, even when adjusted for other variables such as size, suggesting that it is the land-management practices of Indigenous communities that are keeping biodiversity high.

A foundational example of an IPCA is the Gwaii Haanas Haida Heritage Site and National Park Reserve, first identified by the Haida as a priority area for protection in their land-use planning. This supported their discussions and negotiations with the federal government, ultimately leading to its protection from development in perpetuity.

Just as the Haida Gwaii Watchmen play a key role in stewarding Gwaii Haanas, Indigenous Rangers (an analogue to Guardians) in Australia are funded to help steward Indigenous Protected Areas in that country.

IPCAs play an increasingly important role in supporting Canada's ability to meet its international land and marine conservation commitments. IPCAs and marine protected areas (MPAs) are an effective way of enabling co-management and co-governance by First Nations and provincial, territorial, and federal governments of those protected areas, with Guardians playing a critical role to in those stewardship processes. A national network of trained Guardians across the country will ensure strong stewardship within IPCAs and MPAs, enabling Canada to meet these obligations.

For a more detailed discussion of the role of IPCAs in meeting Canada's domestic and international conservation priorities, building better relationships between First Nations and Canada, and how Guardians play a critical role in achieving these objectives, see Section 2.3.2.1.3: *Indigenous Protected and Conserved Areas*.

Guardians in First Nations Marine-Use Planning & in Co-Management / Co-Governance

In a country with three major coastlines, it is unsurprising that many First Nations consider ourselves to be marine Peoples, or Peoples of the water. As Nations have been rebuilding our authority for and over our territories, this has increasingly come to include planning and management processes to ensure our marine territories are well cared for, balancing the variety of marine uses and priorities, including with respect to generations yet to come.

Collaborative marine use plans have been developed on the north and central Pacific coasts between 17 First Nations and the Province of BC, through MaPP, formalized in 2011. Each plan is based on an ecosystem-based management (EBM) framework, focusing on human well-being, ecological integrity, and governance, informed by local and traditional knowledge as well as by input and advice from scientists and stakeholder advisory committees.

Guardians play an essential role in implementing these plans, drawing on their intimate knowledge of their territories, and the resources and user groups of those territories. They enable assessment of what is working with MaPP and what is not, allowing the parties to recalibrate as needed.

In 2017, building on the success of MaPP, the federal government launched the Pacific North Coast Integrated Management Area (PNCIMA) Initiative, a collaborative process led through an oceans governance agreement between the federal, BC, and First Nation governments. It covers the same area as MaPP and is complementary to it. It recognizes the importance of First Nations in the governance, stewardship, and use of ocean resources, acknowledging First Nations' laws, customs, traditions, and knowledge for the protection, management, and stewardship of marine areas within PNCIMA. PNCIMA is one of five national Large Ocean Management Areas identified in Canada's 2005 *Oceans Action Plan*.

A prominent example of an Indigenous co-managed marine planning body outside of BC is the Eeyou Marine Region Planning Commission, formed in 2013 through an agreement between the James Bay Cree of Québec, the Government of Canada, and the Government of Nunavut. Covering the islands and resources within eastern James Bay and portions of southeastern Hudson Bay, its mandate is to develop planning policies, priorities and objectives for the Eeyou Marine Region, including the development and implementation of a land use plan. Other examples are in development elsewhere in the country.

For a more detailed discussion of the role of Guardians in enabling their Nations to engage effectively in marine-use planning and management and in ensuring strong marine conservation on all of our coasts, see Section 2.3.2.2: *The Growth of Marine Guardianship*.

Investment in a national Network of First Nations Guardians programs will build capacity from coast to coast to coast for Guardians to enable their Nations to engage effectively in land- and marine-use planning, both on their own, in collaboration with neighbouring Nations, and in partnership / co-management / co-governance with federal, provincial, and territorial governments.

This is another way in which investment in the Network would enable Canada to meet *UNDRIP* obligations and begin the necessary action plan dictated by *UNDRIPA*, providing capacity support for First Nations to engage meaningfully in decision making affecting our homelands through comprehensive planning and the ability to look at the scope of existing and prospective land and marine uses in context and in reference to Nations' priorities. In this way, the Network would be an effective mechanism to achieve truly *inter-National* conservation and stewardship from coast to coast to coast.

Now more than ever First Nations are in need of trained professionals knowledgeable in marine planning and with the capacity to implement those plans through monitoring and compliance enforcement. This momentum for the establishment of MPAs, MUPs, and marine Guardianship will only continue to grow, and these mechanisms will serve as essential vehicles for co-management and co-governance of critical ecological and resource rich territory as the need to protect vital ecosystems and plan for multiple uses and priorities becomes clearer and clearer in our immediate future.

Growing Calls for a National First Nations Guardians Network

The growing number of Guardians programs in Canada and the success of the Australian WoC Indigenous Rangers program have bolstered calls for a similarly significant investment by Canada in a National First Nations Guardians Network. First Nations initiated this momentum, bolstered soon after by other sectors within Canada, including Indigenous organizations, and individuals within Crown governments, civil society, and the private sector.

The movement that had begun to grow amongst First Nations was then supported by the Indigenous Leadership Initiative (ILI) – in the form of convening Guardians Gatherings, which assembled hundreds of Guardians on multiple occasions, and the Assembly of First Nations (AFN) – in the form of resolutions calling on the federal government to support investment in a National Indigenous Guardians Network. Parliamentary backing came in the form of \$25 million in funding for the Pilot Program, while provincial / territorial support has taken the form of co-management agreements between governments and Guardians organizations. Civil society and the private sector expressed their support by investing in shared environmental projects and voicing their appreciation for the socio-economic, environmental, and health benefits that come with the programs.

As the number of First Nations Guardians programs has grown, they have continued to struggle with capacity issues, including the need for common training and shared services, and consistent funding. First Nations and their Guardians programs have envisioned that a national Network could play a critical role in providing such support to Guardians programs, both to enable them to grow and get their feet on-the-ground, so to speak, as they get started and to enable them to focus on their on-the-land and on-the-water work in their territories, turning to a common resource, grounded in their work, worldviews, and ways of being, for other support and capacity building services.

See Section 2.4: *Growing Momentum for a National First Nations Guardians Network* for more about on the broad support for the creation of a Network, including from prominent individuals who recognize that such an investment is optimally timed in terms of recovery and rebuilding. As the Honourable Ethel Blondin-Andrew, PC, the first Indigenous woman to serve as a federal cabinet minister, and AFN-Yukon Regional Chief Kluane Adamek note:

Investing in First Nations' stewardship can help the country heal — from the pandemic, from the threat of climate change, from the loss of biodiversity and from the scars of colonialism. ... It begins with supporting Indigenous leadership on the land. ... We can help make the next several months a time of healing, hope and connection, leading us into the next seasons of change.⁴

Core Elements of the Network

The term 'Network' is used to describe all of the components that are part of the program for which funding is being requested in this proposal, including: investment in First Nations Guardians programs from coast to coast to coast; Network operations, training and capacity development; and, Network governance.

⁴ Ethel Blondin-Andrew and Kluane Adamek, "Healing on the land for our people and our economy" (23 August 2020), online: *The Star*, <https://www.thestar.com/opinion/contributors/2020/08/23/healing-on-the-land-for-our-people-and-our-economy.html>.

Expansion of First Nations Guardians Programs from Coast to Coast to Coast

The fact that there are currently approximately 90 First Nations Guardians programs across the country,⁵ signals a substantial appetite by First Nations to create Guardians programs to renew our stewardship governance over our territories.

Yet there remain many First Nations who have not yet been able to create programs and who would require significant investment by the federal government in order to do so. Significant gaps remain all across the country – in environmental monitoring, cultural and ecological stewardship, and in the benefits of employment on-the-land / water and in-one's-home-territory from coast to coast to coast.

These gaps leave the Guardians and Guardians programs that do exist without a sufficient level of collegial and professional connection and knowledge exchange. A critical element of this funding request is for support to expand significantly the number and spread of First Nations Guardians programs across the country to close these gaps and bring a wide range of beneficial results and value to First Nations and Canada.

In addition to predictable and accessible multi-year funding, Guardians programs of all sizes rely on other inputs to make an impact in their territories. Access to technical equipment (like mapping software, safety equipment, radio equipment, and satellite phones) is required for on-the-land monitoring projects. Indigenous-owned and controlled maps and databases are also critical in helping Nations make informed management decisions, while ongoing skills training enables Guardians to take on new projects safely and effectively. For small teams, the ability to network regionally with other Guardians and to share best practices and resources is critical. Lastly, community outreach and engagement require access to basic communication tools like computers, internet access, and printers.

Network

Federal investment in the Network is investment in a truly *inter-National* conservation and stewardship model that will facilitate Nation-to-Nation relationships from coast to coast to coast. It provides a forum for First Nations to share knowledge and insights and collaborate with each other and provides a mechanism to enable such sharing and collaboration with the federal government and other partners.

Network Secretariat & First Nations-Federal Pilot Joint Working Group on Guardians

A modest central and regionalized Secretariat of administrative and research personnel and technical and information resources would provide shared economy-of-scale services to support Guardians programs from coast to coast to coast, supporting capacity development within programs and Nations across the country and minimizing costs across the system. More detail on the specific nature of shared services desired by existing Guardians programs is provided in Section 3.4.1: *Role of the Network in Sustaining Robust Guardians Programs*, as well as in the *Structure & Governance of the Network* section of this Executive Summary below.

⁵ This number is drawn from our research compiled in Appendix A: *Environmental Scan of Existing Guardians Programs in Canada*, based on the best available information on the public record.

The Secretariat would participate in / collaborate with the First Nations-Federal JWG on Guardians, which was created by ILI and Environment and Climate Change Canada (ECCC) in September 2018 to support the success of the Pilot Program. The JWG would continue to provide its expertise and advice, building on the foundation of the Pilot Program, in support of the Network as it develops and assumes its leadership role as a networked entity uniquely positioned to facilitate *inter-National* ecological stewardship and relations from coast to coast and as the approach to Indigenous Guardians shifts from that of a federal program to a First Nations-led Network leading this *inter-National* stewardship.

The Network Secretariat would also provide technical and administrative support to the Network governance body, or Network Council, to enable it to function effectively with the best state of current knowledge and communication tools in its representative and accountability functions, including:

- Research and preparation of backgrounders, reports, and presentations to support representatives having the best of current knowledge pertaining to their area of decision making.
- Research and drafting to support preparation of reports and presentations from the Network governance body and/or particular representatives to their constituents – Nations and Guardians programs – and to other audiences, such as when engaging in advocacy on behalf of Guardians programs.
- Support with scheduling and correspondence.
- Support with travel arrangements.
- Financial administration.

Program Start-Up Investments

Guardians need access to equipment and other resources to carry out their work effectively, depending on the nature of the program, the size and types of terrain and ecology within which they operate, and the conservation and monitoring priorities of their Nations. These include office space; vehicles; navigation, safety, communication, and monitoring equipment; cabins; tools; information technology; and so on.

Training & Capacity Development

The Network Secretariat would play a critical role in assembling a First Nations Guardians training committee to develop a core curriculum framework with institutions that have already started offering Guardians-related training. This curriculum framework would ensure core competencies are addressed and offer a level of standardization, while Nations would determine how this curriculum is applied based on our needs and priorities and ecological and regional contexts. The Network Secretariat would also play a key role in providing start-up training and capacity building for new programs or programs undergoing significant turnover and in need of such services.

University-accredited training for Guardians Program Coordinators will ensure that they have the unique mix of land and marine management, community and program leadership, and hands-on skills that will prepare them to design and implement effective community programs. As the training ramps up across the country, a network of Guardians Program Coordinators will be created.

We anticipate a mix of regional and local training for First Nations Guardians beginning as soon as they are hired. Initial training includes basic skills to ensure job readiness from both a technical and Indigenous perspective. Another component of First Nations Guardians training is learning exchanges, where Guardians can share their experiences and applied knowledge from their work on the ground and build connections with each other and amongst Nations.

Network Council

Driven from the bottom up, the Network will be constituted by and accountable to First Nations Guardians programs. Its governance arm, the Network Council, will be selected by its constituent First Nations and allocate funding to existing and new programs across the country. Participants in regional engagement sessions and interviews identified the following core themes on why the Network Council would be best placed to allocate funds to programs:

- A streamlined process and reduced bureaucracy.
- Collaborative communication between Network and programs.
- First Nations-led priorities and knowledge.
- Timing and allocation of funds better suited to realities of Guardians programs.
- Transparency of process and basis in Nationhood and Nation-to-Nation relationships.

More detail on the core reasons that the Network Council is best placed to determine allocation of funding to First Nations Guardians programs is provided in Section 3.4.2: *Benefits of First Nations Leadership in Program Funds Allocation & Administration*. Section 3.4.2.1: *Guiding Principles for Network Funding Allocation to Programs* outlines the principles that the regional engagement session and interview participants felt should be used by the Network Council in allocating funding to programs.

Benefits, Value, & Return on First Nations Guardians Programs

Investment in First Nations Guardians programs across the country will generate a wide array of benefits, value and returns, such as:

- Ecological returns, including the protection of biodiversity and species at risk, implementation of nature-based climate solutions, and reduction of gaps in environmental monitoring.
- Increased well-being of First Nations Peoples, including through strengthening connections with the land, intergenerational transfer of knowledge, revitalization of language and culture, and new economic and employment opportunities.
- Connecting and supporting Guardians, including through the formation of regional collaborations and collective problem-solving.
- Nation-to-Nation relations, advancing reconciliation between Canada and First Nations, Nationhood / self-determination by First Nations, and a framework for operationalizing the *UNDRIP* principle of Free, Prior, and Informed Consent (FPIC) within First Nations' territories (Article 32).
- First Nations governance, by strengthening our capacity and authority, including with respect to land- and marine-use planning and management.

The benefits and SROI of existing Guardians programs, and of the Australian Government's Indigenous Rangers program (established in 2007) have been well-documented. SROI studies have estimated conservatively that for every dollar invested in Guardians or Rangers programs, an average of three dollars in economic, social and other benefits are realized. More holistic

evaluation frameworks have estimated return ratios of 10:1 or higher. Read more about the observed and expected outcomes of First Nations Guardians programs in Section 3.3: *Benefits, Value & Return on First Nations Guardians Programs*.

Why a National First Nations Guardians Network?

A National First Nations Guardians Network would support and facilitate the work of Guardians on the ground, reducing the need for individual, capacity-constrained programs to operate in silos, struggle alone, or reinvent the wheel. These include: shared services, such as technical and administrative support, training curricula and accreditation; facilitating collaboration amongst Guardians, Guardians programs, and First Nations; streamlining bureaucratic processes, such as program funding applications and reporting; and, improving the consistency and timing of funding flows. The Network has a critical role to play as a catalyst, accelerating the spread and development of Guardians programs across the country, through central and regional teams of knowledgeable staff offering assistance to First Nations ready to start their own programs on a stable foundation.

As identified by regional engagement session participants from, the Network will also allow participating programs to link First Nations-owned database(s) and information systems, enabling Nations to share insights, identify patterns and changes within regions and across the country, and develop collaborative strategies from coast to coast to coast. Information systems that meet OCAP® standards will facilitate the utilization of data not otherwise available in systematic conservation and stewardship efforts. The development of such systems can only emerge under conditions where First Nations Guardians programs are networked together, from the ground up, respecting the diversity of Nations and each Nation's ownership of, access to, and possession of its own data or information.

Confidently in control of their own data, Nations can more easily collaborate with each other and other researchers to create a more complete, comprehensive understanding of ecosystem and species health than ever before. See Section 3.4.1.1: *Network-Provided Support / Resource Needs Identified by Guardians Programs* for more detail on the supports or resources (in addition to funding) First Nations Guardians programs would like to see from a national Network.

Finally, a deep investment in the Network would have system-wide benefits across the Canadian economy, providing alternate ways to address concerns or grievances. The Network would enable First Nations across the country to engage meaningfully in consultation processes under Section 35 of the *Constitution Act, 1982* and enable conditions for free, prior, and informed consent (*UNDRIP*, Article 32) to be achieved. The prevention and/or resolution of flashpoints that might result in blockades and confrontations would benefit the Canadian economy and reduce other system costs. Ending the strain on First Nations energy and resources from fighting these battles for our rights and what we hold sacred, enables these resources – financial, human and otherwise – to flow toward other important priorities in our Nations. Much of the significant taxpayer funds spent on legal battles with First Nations could be re-invested into a cleaner, more sustainable economy.

A National First Nations Guardians Network will be a benefit to the health and wellness of First Nations and all Canadians and be a powerful tool in supporting First Nations' self-determination and ability to make informed governance decisions with respect to our territories. Investment in the Network will change the fundamental relationship between First Nations and Canada,

through a Nation-based model of self-determination and a Nation-to-Nation-based model of reconciliation and partnership for the best possible land and marine stewardship.

Structure & Governance of the Network

The Network would be composed of two parts: the Network Council and the Network Secretariat. The Network Council is the body constituted by and accountable to First Nations to govern the Network. The Network Secretariat is the operational arm of the Network, which provides support, shared services and expertise, and training to Guardians and Guardians programs and which provides administrative, coordinating, and research support to the Network Council.

The Secretariat would participate in / collaborate with the First Nations-Federal JWG on Guardians. The JWG would continue to provide its expertise and advice in support of the Network as it develops and assumes its leadership role as a networked entity uniquely positioned to facilitate *inter-National* ecological stewardship and relations from coast to coast and as the approach to Indigenous Guardians shifts from that of a federal program to a First Nations-led Network leading this *inter-National* stewardship.

Network Council

Guardians programs are owned and created by their Nations. Guardians programs participate in the Network on behalf of their Nations. A national Network of First Nations Guardians programs will be informed by the needs of participating Nations as part of a transparent and horizontal, rather than vertical, decision-making model. Participants in the regional engagement sessions and interview process emphasized that governance of the Network must be “From the bottom up, not the top down.”

Guidance and lessons learned can be drawn from effective governance models of organizations of a comparable scale and function, like those outlined in Section 3.5: *Structure & Governance of a National First Nations Guardians Network*, when determining the leadership structure of the Network. To this end, this proposal draws from the governance structures of the Coastal First Nations-Great Bear Initiative, the former Aboriginal Healing Foundation, and the First Nations health governance structure in BC.

Based on feedback from the regional engagement sessions and interviews and other governance models considered, the Network Council should be composed in a way that ensures Youth and Elder representation, gender balance, and regional representation but the manner in which regions are construed need not follow colonial provincial / territorial lines. Members of the Council should be elected for defined terms, and report annually on its decisions.

Network Secretariat & First Nations-Federal Pilot Joint Working Group on Guardians

In the design of the Network Secretariat, we consider the types of supports (aside from funding) that First Nations Guardians programs have said they would like to see from the Network and the governance models and structures of organizations of a comparable scale and function including the Coastal First Nations-Great Bear Initiative, the former Aboriginal Healing Foundation, and the First Nations health governance structure in BC. Core functions of the Network Secretariat would be to:

- Provide technical and administrative support to the Network Council to enable it to perform its roles and responsibilities competently and effectively.

- Provide shared services and resources to Guardians and Guardians programs including:
 - Shared regional and national support staff providing direct program development, administrative (including funding proposal development support) and technical, specialist scientific, and complex data analysis support;
 - Serving as a clearinghouse for tools and information sharing for Guardians programs, including shared, secure First Nations-owned databases;
 - Professional development, including standardized First Nations Guardians training and accreditation;
 - Networking and collaboration opportunities; and
 - Communications and outreach support.

The Secretariat would participate in / collaborate with the JWG, which was created by ILI and ECCC in September 2018 to support the success of the Pilot Program. The JWG would continue to provide its expertise and advice, building on the foundation of the Pilot Program, in support of the Network as it develops and assumes its leadership role as a networked entity uniquely positioned to facilitate *inter-National* ecological stewardship and relations from coast to coast and as the approach to Indigenous Guardians shifts from that of a federal program to a First Nations-led Network leading this *inter-National* stewardship.

Contribution to the Government of Canada's Strategic Agenda

A National First Nations Guardians Network closely aligns with and significantly contributes to multiple overlapping strategic objectives and international stewardship commitments of the Government of Canada, including environmental, economic, and honouring Nation-to-Nation relationships with First Nations and implementing obligations under *UNDRIP* and the recently passed *UNDRIPA*.

Environmental

As Canada takes on the twin challenges of halting biodiversity loss and fighting climate change – recently committing to protect 30 percent of Canada's land and waters by 2030 and to employ nature-based solutions in the fight against climate change – the emergence of the Guardians movement and its readiness to scale up across the country presents an immense and rare opportunity to build a truly *inter-National* model of conservation and stewardship from coast to coast.

Canada has expressed the will to rise to these challenges within the next decade and Guardians are showing how it can be done. Indeed, it is difficult to imagine how better to meet Canada's ambitious targets than with a large-scale mobilization of First Nations peoples on our territories through a National First Nations Guardians Network.

By supporting the Network and Guardians programs from coast to coast to coast, Canada and First Nations will become important partners in conservation over our vast territories. This alliance will enable Canada to emerge as a global leader as it delivers on important international commitments under the Convention on Biodiversity, the Paris Agreement, and The United Nations Sustainable Development Goals, amongst others. Read more in Section 3.3.4: *Role of Guardians in Meeting International Stewardship Objectives & Obligations*, and in Appendix B: *Role of Guardians in Meeting International Commitments*.

Economic

A National First Nations Guardians Network will create thousands of good jobs and training opportunities - as well as local economic development opportunities within a conservation economy - in First Nations communities across the country where such opportunities are needed most acutely. Just as importantly, the Network will be key to the success of the new impact assessment system, which aims to create greater certainty for proposed developments by building deeper and more proactive First Nations participation into the assessment process. As the moccasins on the ground of host Nations, Guardians play a key role in enabling First Nations to exercise their jurisdiction effectively and gather the information they need to make good decisions with long-term implications. By supporting the roll-out of Guardians programs in most First Nations within five years, a National Guardians Network will rapidly foster this capacity in First Nations and support their full participation in the impact assessment system.

Nation-to-Nation Relations and Implementing *UNDRIP* & *UNDRIPA*

Federal support for a National First Nations Guardians Network will make a significant contribution to the Government of Canada's objectives of advancing reconciliation, renewing Nation-to-Nation relationships, and implementing *UNDRIP* and *UNDRIPA*. Guardians programs support First Nations' self-determination by increasing our capacity to manage our lands, waters, and resources, safeguard our Aboriginal and Treaty Rights, and collaborate in regional conservation and stewardship at the same time as they respond to TRC *Calls to Action* on addressing employment, educational, and health gaps between Indigenous and non-Indigenous people and the revitalization of Indigenous legal orders. Canada's support for the Network would serve as an important pillar of state support for the implementation of *UNDRIP* and Nation-to-Nation relationships between First Nations and the Crown.

Please see Section 4: *Contribution to the Government of Canada's Strategic Agenda* for more details on the many ways in which a National First Nations Guardians Network contributes to the Government of Canada's strategic objectives.

Budget & Funding Request

As outlined in Section 5: *Funding Request*, expenditures will ramp up over five years, beginning with an investment of approximately \$46 million in Year 1. In that year, the Network will focus on supporting existing Guardians programs while it establishes itself and begins training the next cohort of Guardians who will go on to start new programs in Year 2. Expenditures increase as new Guardians programs come on stream across the country. We are seeking a total commitment of \$831.5 million over five years in order to grow a network of 400 Guardians programs across Canada.

The greatest challenge facing existing and emerging programs is lack of core funding. Investments will be primarily focused on core employment and training costs, thereby addressing this challenge and closing a critical gap that no other government or charitable sector funding source currently fills. The scale of the program will enable it to support a critical mass of First Nations across the country, thereby creating a truly national impact and clearly positioning Canada as a global leader in ensuring healthy ecosystems and communities.

Evaluating Success of the Network

The success of investment in the Network will be evaluated for the extent to which supports First Nations self-determination / Nationhood, Nation-to-Nation relationships amongst First Nations and between First Nations and Canada, and use of the Gift of Multiple Perspectives. The methods used in the Evaluation of the Pilot Program, BC First Nations health governance structure, and the state of First Nations data governance and Nation-to-Nation relationships, and considerations of the limitations of the SROI methodology can be drawn upon in the Evaluation of the Network's success.

Accordingly, Evaluation of the success of the Network would be guided by assessment in key areas, such as:

- Effectiveness of the program theory – namely that investing in the Network will significantly improve conservation outcomes; close the socio-economic gap between First Nations and other Canadians; reduce federal, First Nations, and Canadian economic costs of the status quo; and improve relationships between First Nations and Canada.
- Integration with other land stewardship efforts.
- Continuous feedback and improvement processes.
- Suitability of funding application and assessment processes.
- Relationships with partners (e.g., quality of communication, sharing of resources, strategic alignment, and shared decision-making, etc.).

It would have utilization-focused approach, which judges a program on its usefulness to the primary intended users: Guardians, their programs, and the Nations that have created those programs. An Evaluation should be conducted every five years, contributing to a cycle of continual learning and transformation. At the same time, part of the role of the Network Secretariat would be to conduct ongoing monitoring and assessment of its success in meeting the needs of Guardians programs and the Network Council, to enable learning and adaptation as needed between Evaluations.

Given the centrality of improving the state of support for First Nations self-determination and Nationhood and Nation-to-Nation stewardship relations amongst First Nations and between First Nations and Canada to the reasons for and design of the National First Nations Guardians Network, it is essential that the Evaluation of the Network evaluate the ways in which it manifests, facilitates, and impacts those values. After more than 150 years of denial of First Nations self-determination / Nationhood and Nation-to-Nation relationships, it is urgent for Canada not only to invest in their revival, but also to invest in and support their Evaluation, to shift as rapidly as possible the view of First Nations as mere subpopulations of Canada to respect for us as autonomous Peoples.

It will be essential in this shift for the methodological orientation of Evaluation to shift from fixation on numerical statistics to a focus on fewer, but very meaningful indicators, whether numerical or descriptive. SROI analysis can reveal especially important benefits and is one critical tool in the toolbox of assessing the success of the Network, but carries significant limits, including registering the value of human and biophysical non-market benefits and goods. It is difficult to imagine how one can use the SROI methodology to assess self-determination and Nationhood. Enabling critical reflection on the current distribution of power and wealth is essential, as is the ability to recognize some things as invaluable.

By bringing together First Nations in Nation-to-Nation stewardship relations with one another and enabling the creation of a mechanism through which Canada, the provinces and territories, and other conservation partners can collaborate with First Nations on stewardship, the Network would put First Nations and Canada on the map amongst the world community as leaders in *inter-National* ecologically stewardship. The value of such a fundamental development may be truly inestimable, at least not in conventional terms expressed in dollar figures.

1. Introduction & Approach

1.1 Project Vision, Objectives & Overview

Momentum has been growing behind calls for a National First Nations Guardians Network (Network). Since time immemorial, First Nations have honed our knowledge of how to best care for our lands, waters resources, and people. Today, there is increasing recognition of the roles our knowledge and historic and current relationships to our traditional territories can play in best stewarding these territories. Guardians act as the moccasins- and mukluks-on-the-ground and the eyes-and-ears of our Nations within our territories. Guardians programs are created and run by Nations and strengthen Nations' decision-making and self-governance capacity to engage with all land users and stakeholders, including industry and government. The Network will enable a Nation-based model of self-determination and Nation-to-Nation-based model of reconciliation and partnership for responsible land and marine stewardship, and will promote, support, connect and expand First Nations Guardians programs across Canada.

The vision for the Network is to connect First Nations Guardians programs together from coast to coast to coast, so that Guardians can do more together than on their own. The Network would be driven from the bottom up, constituted by First Nations Guardians programs across the country. The Network would be governed by a representative body that would allocate funding to existing and new programs across the country. A modest central Secretariat of administrative and research personnel and technical and information resources would support a decentralized network-based model, providing shared economy-of-scale services to support these programs from coast to coast to coast, supporting capacity development within Guardians programs and Nations across the country and minimizing costs across the system. It would also support the Network governance body, to enable it to function effectively with the best state of current knowledge and communication tools in its representative and accountability functions.

1.1.1 Role Supporting the Network Can Play in Meeting Canada's Commitments

While Canada has made some vital steps towards supporting First Nations Guardians initiatives, a significant gap remains. Specifically, there is a need for a federally-funded, First Nations-led National Guardians Network across the country. Such a Network has generated broad support, led by First Nations and supported by a wide array of other actors in Parliament and civil society.

A National First Nations Guardians Network is intended to enable the best stewardship of lands and waters from coast to coast to coast, through a model based on Nation-to-Nation relationships between First Nations and Canada. After generations of a relationship of domination and assimilation, Canada has signaled its commitment to return to Nation-to-Nation relationships – the footing the relationship between the Crown and First Nations started upon in the *Royal Proclamation, 1763*,⁶ and the wave of treaty making it inaugurated beginning with the *Treaty of Niagara, 1764*. These Nation-to-Nation relationships constitute the historical and ongoing foundation of Canada, which the Royal Commission on Aboriginal Peoples (RCAP) describes as “the first confederal bargain.”⁷

⁶ George R, Proclamation, 7 October 1763, (3 Geo III), online: *The Solon Law Archive*, https://www.solon.org/Constitutions/Canada/English/PreConfederation/rp_1763.html.

⁷ Royal Commission on Aboriginal Peoples (RCAP), “Looking Forward, Looking Back,” in *Highlights from the Report of the Royal Commission on Aboriginal Peoples – People to People, Nation to Nation*, online: *Crown Indigenous Relations and Northern Affairs Canada*, <https://www.rcaanc-cirnac.gc.ca/eng/1100100014597/1572547985018>.

The RCAP, Truth and Reconciliation Commission of Canada (TRC), National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG), and others have extensively documented the harms colonization – the relationship of domination and assimilation – have imposed on First Nations Peoples, including impacts to First Nations governance processes and capacity, languages, ceremonies, and relationships with the land, waters, and species that depend on them.⁸ As Canada endeavours to honour its commitment to restore Nation-to-Nation relationships with First Nations, supporting a National First Nations Guardians Network is a timely and effective way it can support and facilitate the mending of many of these impacts, by first and foremost supporting the strengthening and rebuilding of critical capacity within First Nations, including with respect to governance, stewardship operations and relations, and ancestral knowledge, rites, and languages.

First Nations Guardians programs are created by Nations as contemporary expressions of our Nationhood and ancestral relationships with the lands and waters of our homelands. While the specific priorities for each program are determined by the Nation that has created it, First Nations Guardians programs deliver a wide range of services, such as monitoring ecological health, maintaining cultural sites, protecting sensitive areas and species, interpreting culture and heritage aspects for visitors and contributing to land and marine planning and management. They can play a vital role in collecting and promoting intergenerational sharing of traditional knowledge, and incorporating it into decision-making. They also help build capacity to engage with other land users, development and conservation proponents and Canadian governments,⁹ thus strengthening decision-making at all levels.

Long-standing Guardians programs, such as those of the Haida and Innu, have helped build capacity and leadership within those Nations, supported the negotiation of key agreements and co-management processes with Canada and the provinces and territories, and served as models for other Nations building similar programs. Many other Nations are ready to start their

⁸ RCAP, *Report of the Royal Commission on Aboriginal Peoples: Looking Forward, Looking Back*, vol 1 (Ottawa: Supply and Services Canada, 1996); *Report of the Royal Commission on Aboriginal Peoples: Restructuring the Relationship*, vol 2 (Ottawa: Supply and Services Canada, 1996); *Report of the Royal Commission on Aboriginal Peoples: Gathering Strength*, vol 3 (Ottawa: Supply and Services Canada, 1996); *Report of the Royal Commission on Aboriginal Peoples: Perspectives and Realities*, vol 4 (Ottawa: Supply and Services Canada, 1996); *Report of the Royal Commission on Aboriginal Peoples: Renewal: A Twenty-Year Commitment*, vol 5 (Ottawa: Supply and Services Canada, 1996).

Truth and Reconciliation Commission of Canada (TRC), *The Final Report of the Truth and Reconciliation Commission of Canada, Canada's Residential Schools: The History, Part 1 Origins to 1939 - The Final Report of the Truth and Reconciliation Commission of Canada*, vol 1 (Winnipeg: Truth and Reconciliation Commission of Canada, 2015); *The Final Report of the Truth and Reconciliation Commission of Canada: Canada's Residential Schools: The History, Part 2: 1939 to 2000 - The Final Report of the Truth and Reconciliation Commission of Canada*, vol 1 (Winnipeg: Truth and Reconciliation Commission of Canada, 2015); *The Final Report of the Truth and Reconciliation Commission of Canada: Canada's Residential Schools: The Inuit and Northern Experience – The Final Report of the Truth and Reconciliation Commission of Canada*, vol 2 (Winnipeg: Truth and Reconciliation Commission of Canada, 2015); *The Final Report of the Truth and Reconciliation Commission of Canada: Canada's Residential Schools: The Métis Experience - The Final Report of the Truth and Reconciliation Commission of Canada*, vol 3 (Winnipeg: Truth and Reconciliation Commission of Canada, 2016); *The Final Report of the Truth and Reconciliation Commission of Canada: Canada's Residential Schools: Missing Children and Unmarked Burials*, vol 4 (Winnipeg: Truth and Reconciliation Commission of Canada, 2016); *The Final Report of the Truth and Reconciliation Commission of Canada: Canada's Residential Schools: The Legacy*, vol 5 (Winnipeg: Truth and Reconciliation Commission of Canada, 2015); *The Final Report of the Truth and Reconciliation Commission of Canada: Canada's Residential Schools: Reconciliation*, vol 6 (Winnipeg: Truth and Reconciliation Commission of Canada, 2015); *The Final Report of the Truth and Reconciliation Commission of Canada: Calls to Action*, (Winnipeg: Truth and Reconciliation Commission of Canada, 2015).

National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG), *Reclaiming Power and Place The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls*, vol. 1a, online: *Reclaiming Power and Place The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls*, https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Final_Report_Vol_1a-1.pdf; *Reclaiming Power and Place The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls* (MMIWG Inquiry), vol. 1b, online: *Reclaiming Power and Place The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls*, https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Final_Report_Vol_1b.pdf.

⁹ This term encompasses federal, provincial and municipal governments.

own Guardians programs but do not currently have the on-the-ground capacity or funding necessary to formally establish them.¹⁰ First Nations Guardians programs will not only help ensure sound environmental management, but will also help restore the connection of First Nations Peoples to the land and our cultures, healing the intergenerational impacts of colonial policies and empowering First Nations youth to shape hopeful and successful futures.

In recent years, the Government of Canada has made a strong commitment to pursuing Nation-to-Nation relationships based on recognition, rights, respect, cooperation and partnership with Indigenous Peoples. In 2016, shortly after the Calls to Action and Final Report of the TRC calling for a return to Nation-to-Nation relationships as envisioned in the *Royal Proclamation, 1763*,¹¹ Prime Minister Justin Trudeau boldly stated:

There is no relationship more important to me – and to Canada – than the one with First Nations, the Métis Nation, and Inuit. It is time for a renewed, Nation-to-Nation relationship with First Nations Peoples: one that is based on the understanding that the constitutionally guaranteed rights of First Nations are a sacred obligation that we carry forward.¹²

Prime Minister Justin Trudeau affirmed the commitment of the Government of Canada and Environment and Climate Change Canada (ECCC) to this relationship in the most recent mandate letters issued in 2019:

There remains no more important relationship to me and to Canada than the one with Indigenous Peoples. We made significant progress in our last mandate on supporting self-determination, improving service delivery and advancing reconciliation. I am directing every single Minister to determine what they can do in their specific portfolio to accelerate and build on the progress we have made with First Nations, Inuit and Métis Peoples.¹³

Supporting the creation of a National First Nations Guardians Network is an immediate and effective way to honour this commitment. It does so by supporting:

- Revitalization of Nations' ancestral relationships with and knowledge of our territories, and accordingly with our own Nationhood, cultures, and languages.
- Nation-created and -run programs, strengthening governance capacity within nations.
- A support and governance Network composed of and driven by Nations, facilitating the sharing of knowledge and stewardship strategies, as well as collaborating for economies of scale, amongst Nations.

It is widely recognized that after over 150 years of colonization, support for the restoration and revitalization of First Nations governance structures, processes and capacity is needed to enable meaningful Nation-to-Nation relationships.¹⁴ A particularly important component of the

¹⁰ Few First Nations have the resources and capacity to go beyond providing housing, health care, education, and other basic services. Cultural and environmental issues tend to suffer as a result. Some Guardians programs have emerged from opportunities stemming from proximity to major proposed industrial development or conservation projects (such as a national park) in their territories.

¹¹ George R., *supra*.

¹² Prime Minister Justin Trudeau, *2016 Ministerial Mandate Letters*, online: *Justin Trudeau, Prime Minister of Canada*, <https://pm.gc.ca/en/mandate-letters>.

¹³ Prime Minister Justin Trudeau, *Minister of Environment and Climate Change Mandate Letter* (13 December 2019), online: *Justin Trudeau, Prime Minister of Canada*, <https://pm.gc.ca/en/mandate-letters/2019/12/13/minister-environment-and-climate-change-mandate-letter>.

¹⁴ RCAP, vol 5, *supra*, s 3.3.10; TRC, vol 6, *supra*.

recommendations of RCAP was for Crown support for Aboriginal governments in “establishing or strengthening, as appropriate, Aboriginal institutions for the management and development of Aboriginal lands and resources” and “undertaking urgent measures in education, training and work experience to prepare Aboriginal personnel in these areas.”¹⁵ Support for a National First Nations Guardians Network is an effective way for the federal Crown to provide such support, meet this call to action, and significantly transform the relationship between First Nations and Canada as the RCAP, the TRC and the MMIWG Inquiry have demonstrated is so necessary.

1.2 Project Methodology & Approach

This proposal is concerned with securing funding to support the creation of a comprehensive National First Nations Guardians *Network*. The term ‘Network’ is used to refer to what is sometimes, for clarity, referred to as the ‘Network,’ to convey that this proposal is requesting funds to commence a comprehensive program in which the Network is the centerpiece element amongst a number of essential components, including Guardians programs from coast to coast to coast and training and capacity building for Guardians and programs.

The Network itself has two components: a modest technical / administrative structure to support Guardians programs and to support the Network governance body, the other component of the Network. Guardians programs conduct and manage the on-the-land and on-the-water stewardship, and provide some training, while the Network’s representative governance body allocates funding to each of the programs for its operations, and the Network secretariat or technical / administrative support office provides technical and capacity support to the governance structure and individual programs to ensure effectiveness, economies of scale, knowledge transfer, and connection amongst often remote Guardians personnel.

The focus of this proposal is not only on the funds needed for program operations, but also, critically, for funding support for the programs’ shared services secretariat and Network governance structure. Funding this First Nations-run national Network of Guardians programs will ensure the appropriate basis for support and connection of Guardians programs across the country while enabling and strengthening collaborative conservation efforts amongst First Nations and between First Nations, Crown governments, and other partners - a truly *inter-National* form of conservation.

1.2.1 Foundational Principles Guiding This Proposal & Design of the Network

This document proposes the creation of a national Network of First Nations Guardians programs. By design, such a Network centres Nationhood / self-determination and Nation-to-Nation relationships. Authority flows from First Nations (who create Guardians programs to serve the priorities of their Nations) to the Network created by and accountable to those Nations. The Network adds value and capacity beyond what can be achieved by Guardians programs on their own, through a number of means described in more detail throughout the proposal, but on a general level through facilitating knowledge and capacity sharing across the Network of Nations’ programs. In this manner, the Network facilitates Nation-to-Nation relationships amongst First Nations, a function only a First Nations-run Network can achieve. Through bringing together First Nations in this networked capacity, enabling trends, issues, and insights to be detected and addressed that span multiple First Nations territories, creation of the Network also enables a coordinated Nation-to-Nation relationship between Canada and First Nations, building the foundation for *inter-National* conservation in this country.

¹⁵ RCAP, vol 5, *supra*, s 2.5.13 (a), (c).

Given the centrality of the notions of Nationhood / self-determination and Nation-to-Nation relationships to the Network, the sections below outline some core principles, to aid analysis of key elements of the proposal throughout the document. Centring Nationhood / self-determination and Nation-to-Nation relationships will ensure that the model for the Network proposed will carry legitimacy with First Nations and be built on a solid foundation for years to come.

1.2.1.1 *The Right of Self-Determination of Peoples*

While this proposal takes a distinctions-based approach, seeking funding for a National First Nations Guardians Network, it is born from an understanding of First Nations as Indigenous Peoples in the international law sense.

Over the course of the last 100 years, following World War I, international law has recognized that “peoples’ – as distinct from states – have a right of self-determination.”¹⁶ Typically, in international law, a People share any or all of the following in common: ethnicity, language, religion/spirituality, cultural heritage, and / or a history of persecution / colonization.¹⁷ The People in question also conceive of themselves as a distinct group. A People is distinct from a mere minority or subpopulation within a state. Across the globe, Indigenous Peoples have argued vigorously for inclusion of the ‘s’ in ‘Peoples,’ as it is Peoples who have the right to self-determination, while people without the ‘s’ generally refers to groups of individuals or subpopulations who may be studied statistically or who may have policies applied to them, but do not carry with them the same internationally and domestically recognized rights as Peoples or Nations.¹⁸

Several Articles of the *United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)* recognize Indigenous Peoples’ right to self-determination.¹⁹ In 2017, Prime Minister Justin Trudeau announced to the United Nations General Assembly (UNGA) that Canada is “now a full supporter of the Declaration, without qualification.”²⁰ This support was further bolstered by the enactment this year of the *United Nations Declaration on the Rights of Indigenous Peoples Act (UNDRIPA)*, which calls on Canada to align its laws with the principles of *UNDRIP* and to establish a framework to implement and achieve the objectives of *UNDRIP*.²¹ Stemming from the general right to self-determination recognized in Article 3, *UNDRIP* contains approximately 20 Articles articulating several manifestations of this right relevant to the creation of a National First Nations Guardians Network (considered in more detail in Section 4: *Contribution to the Government of Canada’s Strategic Agenda* below). They include rights to Nationhood; to practice our traditions and customs, including in relation to and through our relationships to the land, waters, and other resources; to our traditional knowledge and its ongoing vitality, including through our own processes for pedagogy and through our own institutions; to choose our own representatives through our own processes for decision-making

¹⁶ John H. Currie, *Public International Law, Second Edition* (Toronto: Irwin Law, 2008), 56.

¹⁷ *Ibid.*, 60.

¹⁸ Linda Tuhiwai Smith, *Decolonizing Methodologies: Research and Indigenous Peoples*, Second Edition (Dunedin, New Zealand: Otago University Press: 2012), 7.

¹⁹ United Nations General Assembly (UNGA), 61st Sess, 295th Mtg, *United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)*, UN Doc A/RES/61/295 (2007).

²⁰ Prime Minister Justin Trudeau, “Prime Minister Justin Trudeau’s Address to the 72th Session of the United Nations General Assembly” (New York: 21 September 2017), online: *Justin Trudeau, Prime Minister of Canada*,

<https://pm.gc.ca/en/news/speeches/2017/09/21/prime-minister-justin-trudeaus-address-72th-session-united-nations-general>.

²¹ Justice Canada, “Backgrounder: *United Nations Declaration on the Rights of Indigenous Peoples Act*” (2021) online: *Implementing the United Nations Declaration on the Rights of Indigenous Peoples in Canada* <https://www.justice.gc.ca/eng/declaration/about-afropos.html>. (*UNDRIPA* Backgrounder)

matters and to maintain and develop our own decision-making institutions; to have the state cooperate with us through our own institutions before making decisions that affect us; to be redressed for deprivation of our means of subsistence and development, amongst other impacts of colonization and systemic racism towards us; to uphold our responsibilities to future generations; to our lands, territories and resources themselves; to our own conservation and stewardship programs; and to support from the state in implementing these rights, including in relation to disputes between us and other parties, in accordance with our own customs, traditions, rules and legal systems and international human rights.²²

1.2.1.2 *Etuaptmumk, or The Gift of Understanding Through Multiple Perspectives*

UNDRIP recognizes the need for nation-states like Canada to affirm and support the maintenance and revitalization of First Nations' unique ways of knowing and systems for sustaining those ways of knowing. Within many Indigenous Peoples' ways of knowing is the idea that greater understanding can be gained through the insights and wisdom of multiple perspectives. The notion of *Etuaptmumk*, also known as Two-Eyed Seeing is one form of understanding through multiple perspectives. Other approaches include the model of the *Gä•sweñta'* / Two-Row Wampum and the Dish with One Spoon, amongst others.²³ Each of these approaches are unique forms of longstanding Indigenous respect for the Gift of Multiple Perspectives.

A National First Nations Guardians Network is uniquely positioned to enable the application of the Gift of Multiple Perspectives from coast to coast to coast. As a forum that brings First Nations together across Nations and across regions, and one that facilitates the collaboration of multiple First Nations' knowledge with that of Crown governments and other partners, the Network will enable the collection, analysis, and sharing of knowledge and collaboration on strategies that only a national First Nations-run Network of Guardians programs can play in addressing ecological concerns of local, regional, national, and international significance. As a Network of Guardians programs constituted and run by Nations and partnering with Canada and other stewardship partners, the Network will serve as a truly *inter-National* forum for conservation.

The concept of *Etuaptmumk*, or Two-Eyed Seeing, was coined by Mi'kmaw Elders Albert and Murdena Marshall, and refers to the long-standing appreciation in many Indigenous ways of knowing of the Gift of Multiple Perspectives and the idea that when we learn to see with both the strengths of Indigenous and scientific ways of knowing together, this will be for the benefit of all.²⁴ Bringing together multiple perspectives and ways of understanding the world and our places in it can be complementary and help us better understand and steward our ecological relationships.²⁵ Bringing multiple perspectives together will best enable us to contend with the big ecological issues we are facing today. Distinct knowledge systems can interact and innovate together as needed toward a common goal, without disrupting the integrity of the other.

²² UNDRIP, supra, Articles 3, 4, 5, 6, 8(2)(a) and (b), 9, 11(1), 12(1), 13, 14(1), 15(1), 18, 19, 20, 23, 24(1), 25, 26, 29, 31, 32, 34, 38, 39, and 40.

²³ See Reconciling Ways of Knowing Forum Society, "Two Eyed Seeing and Beyond: A Dialogue amongst Albert Marshall, Andrea Reid, Deborah McGregor, Jesse Popp, moderated by Jacquie Miller" ("Two-Eyed Seeing and Beyond") (2020), online: *Reconciling Ways of Knowing: Indigenous Knowledge and Science Online Forum Series*, <https://www.waysofknowingforum.ca/dialogue-4>.

²⁴ Institute for Integrative Science & Health, "Two Eyed Seeing," online: *Institute for Integrative Science & Health*, <http://www.integrativescience.ca/Principles/TwoEyedSeeing/>.

²⁵ Jesse Popp, "Two-Eyed Seeing and Beyond," supra.

Etuaptmumk embraces a Mi'kmaw conservation ethic called *Netukulimk*, looking forward and looking back seven generations. It is “a teaching that we all have a responsibility to once we have the privilege of knowing about it.”²⁶ That is, Two-Eyed Seeing is not just about adding the benefits of Indigenous knowledge insights to those of science. Rather, a Two-Eyed Seeing approach comes with obligations. As Elder Albert Marshall noted:

It should, especially in the current dilemma we're in at this point in time, be obvious to all of us that there is a great need for some form of transformative change in which we reflect on where we are, how we got here, and at what expense we have caused to this wonderful creation. From here on forward business cannot be as usual. That should motivate us to make every concerted effort ... because our Earth Mother really needs us.²⁷

Etuaptmumk is also a means of understanding “how we want to interact with knowledge and how different Peoples can relate to each other in relation to knowledge”²⁸ that is particularly relevant now, in our present moment of reconciliation and renewed commitment to Nation-to-Nation relationships. It recognizes that the multiple perspectives involved do not always involve Western science, knowledge, or authority, but may refer to any combination of perspectives, particularly including those of different Indigenous Peoples, such as those whose territories border one another or who may wish to work together to steward particular species or regions.

This understanding is particularly important to the creation of a national Network of First Nations Guardians programs, as one of the key purposes and functions of the Network is to bring First Nations together across the country, to share knowledge and stewardship approaches derived from the unique ways of knowing of our Peoples and to collaborate together on strategies relating to neighbouring territories and species that migrate or span multiple territories.

The importance of the Gift of Multiple Perspectives to Indigenous Peoples long before contact and colonization serves as an important reminder to guard against what Marie Battiste and James (*Sa'ke'j*) Youngblood Henderson describe as the illusion of benign translatability, where Western knowledge assumes the position of supposedly neutral arbiter amongst perspectives, a position described by them as an act of cognitive imperialism, through which Western power retains dominance and control.²⁹ This illusion and posture have very serious real world effects for Indigenous Peoples, positioning Western knowledge and languages as universal, eroding the relevance of Indigenous knowledge and languages in many contexts, rendering many critically endangered throughout Canada and worldwide.³⁰

A national Network of First Nations Guardians programs would facilitate the sharing of knowledge and capacities amongst First Nations in a way that recognizes and benefits from the Gift of Multiple Perspectives without positioning Canada or the provinces or territories as a purportedly benign interpreter amongst these perspectives, enabling Indigenous knowledges and processes to lead and flourish in this context, in Nation-to-Nation relationships amongst First Nations. At the same time, supporting the creation of this Network also facilitates a coordinated Nation-to-Nation relationship between Canada and First Nations, building the foundation for truly *inter-National* conservation in this country.

²⁶ Andrea Reid, “Two-Eyed Seeing and Beyond,” *supra*.

²⁷ Albert Marshall, “Two-Eyed Seeing and Beyond,” *supra*.

²⁸ Deborah McGregor, “Two-Eyed Seeing and Beyond,” *supra*.

²⁹ Marie Battiste and James (*Sa'ke'j*) Youngblood Henderson, *Protecting Indigenous Knowledge and Heritage: A Global Challenge* (Saskatoon: Purich Publishing Ltd., 2000), 11 and 79-82.

³⁰ *Ibid.*, 82.

Section 3.3.2: *Drawing on the Best of Indigenous and Scientific Knowledge* describes how Guardians are particularly advantageously placed to implement an *Etuaptmumk* approach to ecological stewardship.

1.2.2 Engagement and Research Process

This proposal is informed by two primary types of source information: (1) a regional engagement and individual interview process with experienced First Nations Guardians program managers and governance experts, and (2) document-based research for additional context and more detailed information in particular areas of the proposal. Both processes were conducted coterminously, alongside one another.

1.2.2.1 Regional Engagement & Interview Process

To gain feedback on what supports Guardians and Guardians programs need, the need for a National First Nations Guardians Network, and how that Network should be governed, we conducted a series of regional engagement sessions and one-on-one interviews. Regional engagement sessions and interviews were led by Miles Richardson, OC, Director of the National Consortium on Indigenous Economic Development (NCIED) at the University of Victoria (UVic) and former President of the Council of the Haida Nation (CHN), who has been actively involved in the Haida Gwaii Watchmen program and Coastal Guardian Watchmen Network, and Guardians and Nationhood initiatives across the country over the course of several decades. Richardson is well-known and highly respected within Guardians circles and amongst First Nations across the country and thus has been exceptionally well placed to convene and lead these critical and complex conversations amongst diverse participants.

Existing First Nations Guardians program managers and governance experts were asked to describe the role a National First Nations Guardians Network could / should play in stewardship across the country, and what they would need and like to see from such a Network in terms of operational support and governance. These sessions solicited feedback on two primary themes: Network operations and Network governance. The operations-related questions sought feedback / advice on what types of supports Guardians programs would need / want from a National First Nations Guardians Network and / or its secretariat / administrative support structure. The governance-related questions sought feedback / advice relating to Nationhood and Nation-to-Nation objectives of the Network, representative structure / composition, guiding values and principles, and decision-making processes.

Nine regional engagement sessions were held between October 2020 and January 2021, bringing together with Guardians, program managers of First Nations Guardians programs funded through the Indigenous Guardians Pilot Program (Pilot Program) 2018-2022, and stewardship leaders from five regions across the country: Northern, Western, Prairie, Central, and Maritimes.³¹ Individual interviews complemented the regional engagement sessions proposed, connecting with those who were unable to participate in the engagement session(s) scheduled for their region or those who it would be more appropriate to speak to individually.³² For instance, participants who had previous experience with Indigenous-led governance models and those with extensive political experience were sought out for individual interviews.

³¹ This round of engagement did not include Tier 1 applicants to the First Nations funding stream who are applying for the final tranche of funding, which will be accepting applications until November 30th, 2020.

³² Public health concerns resulting from the COVID-19 pandemic required that regional engagement sessions and interviews be conducted virtually.

A list of those who participated in a regional engagement session and/or an individual interview is provided in Appendix C: *Regional Engagement Session & Interview Participants*.

1.2.2.2 Literature Review

A review of existing research was conducted, to further illuminate the history, purposes and benefits of Guardians programs in Canada; the nature of Guardians-type programs and state support for such programs in other jurisdictions; and governance models that could be used by the Network. The documents used to inform this document are noted in the References section.

1.3 Report Organization

Section 2 provides an overview of how the Guardians movement has evolved in this country since its beginnings in the 1980s. It then looks at land-based stewardship approaches between Indigenous Peoples and nation-states in a number of other jurisdictions, with a particular focus on the WOC Indigenous Rangers program, an extensive Guardians-type program funded by the Australian Government since 2007, which has achieved impressive social, ecological and economic results and ongoing funding on the order of AUD \$100 million per year. The section then reviews the general objectives of Guardians programs, the activities undertaken by Guardians, and the inputs required to effectively carry out those activities. It looks at the role that First Nations Guardians can play in the stewardship of Indigenous Protected and Conserved Areas (IPCAs), a promising pathway to achieving Canada's increasingly ambitious land and marine protection targets. The section concludes with a review of the growing calls and support for a National First Nations Guardians Network amongst First Nations and within Parliament, provincial and territorial governments, and civil society.

Section 3 lays out the Business Case for the Network: it outlines the benefits, value, and returns that expected to flow from significant federal investment in the Network. It reviews the core elements of the proposed Network: supporting hundreds of new First Nations Guardians programs across the country, creating and delivering a standard training curriculum that serves on-the-ground programs' and practitioners' needs, and establishing a Network of these on-the-ground programs with a governance and an operational component to connect and support Guardians programs, including assisting First Nations in starting new programs within their homelands. It then proceeds to examine the wide spectrum of benefits that Guardians programs produce, ranging from ecological, cultural, economic, governance, and spiritual to those of renewed Nation-to-Nation relationships between First Nations and Canada. Next, the section turns to examine the benefits of the Network itself, as distinct from but made up of the programs. It reviews the perspectives of existing First Nations Guardians program managers and stewardship leaders on how they see the Network being essential to the thriving of Guardians programs and Indigenous-led stewardship across the country, and distinguishes the roles the operations and governance components of the Network would play, including through investigating a number of governance models with similar functions which offer a number of elements that could be useful in the design of the Network.

Section 4 outlines the alignment of the Network with the Government of Canada's strategic agenda, to illustrate how significant investment in the Network will help meet Canada's environmental and economic objectives and facilitate reconciliation and renewed Nation-to-Nation relationships with First Nations and implementation of *UNDRIP and UNDRIPA*. Section 5 details our funding request of the Government of Canada, including a budget for each element of the Network, including supporting Guardians programs, Guardians training and development, and Network operations and governance over five years. And, Section 6 outlines considerations for evaluating the success of the Network and return on Canada's investment in it.

2. Growing Movement of Guardians Programs in Canada & Abroad

As the moccasins-on-the-ground in our territories, First Nations Guardians act as stewards of the land and waters. They are contemporary representations of First Nations' ancestral responsibilities to manage and monitor our lands and waters. First Nations Guardians programs, which may be described by several other names, including Watchmen and Rangers, undertake stewardship activities including:

- Monitoring the activities of resource users (e.g., logging, mining, oil and gas, fishing, hunting).
- Enabling effective First Nations land- and marine-use planning and management.
- Ensuring compliance with and enforcement of relevant Crown and Indigenous laws.
- Working with Crown governments through management agreements to ensure coordinated and rigorous monitoring and enforcement throughout territories.
- Gathering data on the ecological health and well-being of our ancestral territories.
- Gathering and sharing data to inform decision making about our ancestral territories.
- Providing outreach and education to resource users, tourists, and communities about the protection of cultural and natural resources.³³

While Guardians programs share common features, each is unique, as determined by the priorities of the First Nations that has created it, within its own particular ecological, political-legal, and socio-economic context.

The First Nations-led stewardship program now seen as a forerunner of Guardians programs throughout the country was the Haida Gwaii Watchmen (HGW), established in 1973 and formalized by the CHN in BC in 1981 to protect the land, waters, and species of Haida Gwaii in accordance with Haida law and stewardship responsibility, in direct response to intensive resource extraction. With the signing of the *Gwaii Haanas Agreement* in 1993, the HGW were to take on primary environmental and cultural stewardship responsibility over the Gwaii Haanas Haida Heritage Site, National Park Reserve, and National Marine Conservation Area, and over their wider ancestral territories of Haida Gwaii.

Since that time, numerous other First Nations-led, land-based conservation programs have been formed from coast to coast to coast. Today, there are approximately 90 First Nations Guardians-type programs in existence across the country.³⁴ A number of Inuit and Métis communities also run similar programs. As the number of First Nations Guardians programs has grown, some have begun to form cooperative stewardship alliances, such as the Coastal Stewardship Network (CSN) in British Columbia (BC), a program of Coastal First Nations (CFN) – Great Bear Initiative (GBI), which provides programming and support to the Coastal Guardian Watchmen (discussed more in Section 3.5.2.1: *Coastal Stewardship Network* below), as well as the stewardship offices of the nine-member alliance of First Nations along the North and Central Coast of BC and Haida Gwaii. The advantages of networked relationships amongst such groups include the ability to pool resources, information and know-how, have more influence, be more effective, and collaborate on regional conservation initiatives.

³³ BC First Nations Energy and Mining Council and UVic Environmental Law Centre (BCFNEMC & UVic ELC), *The Case For A Guardian Network Initiative*. Report. (July 2020), 22.

³⁴ This number is drawn from our research compiled in Appendix A: *Environmental Scan of Existing Guardians Programs in Canada*, based on the best available information on the public record. Appendix A list 94 programs that carry out Guardians activities – of these 94 programs, 86 specifically mention employing Guardians, doing Guardians work, and/or label themselves as Guardians programs. Eight of the 94 programs, stewardship networks, and/or environmental departments do not use the Guardians designation or currently receive ECCC funding, but carry out Guardians activities.

Meanwhile, in 2007, the Working on Country (WoC) Indigenous Rangers program, a national land-based stewardship program employing Indigenous Rangers – the Australian analogue to First Nations Guardians in Canada – was launched in Australia. Australia has so far invested more than \$600 million Australian dollars (AUD) in the WoC program,³⁵ which as of August 2020 employs nearly 900 full-time equivalent Rangers and Coordinators across 127 programs.³⁶ Studies have shown that Indigenous Ranger programs increase employment in Indigenous communities, reduce welfare payments, lower crime rates and intimate partner violence,³⁷ and improve public health in Aboriginal communities,³⁸ resulting in a Social Return on Investment (SROI)³⁹ of at least \$3 for every \$1 invested in the program⁴⁰ - meaning that for every dollar invested in program by governments, non-governmental organizations (NGOs) and other partners, three dollars of economic, social and other benefits are generated by program outcomes. The program has been so successful that, in March 2020, the Australian government committed to continued annual, indexed investments of AUD \$102 million in the program from 2021 through 2028.⁴¹

The success of the Australian WoC Indigenous Rangers program has bolstered calls for a similarly significant investment by Canada in a National First Nations Guardians Network (Network), building on the success of existing, homegrown First Nations-led stewardship programs in this country. In addition to the ecological, cultural, social and economic benefits of such an investment, as demonstrated in Australia and Canada,⁴² there is a strong legal, moral and political case for significant investment in a National First Nations Guardians Network as a key action of reconciliation and recognition of Indigenous rights. For instance:

- Section 35 of the *Constitution Act*, 1982 constitutionalized Aboriginal rights and title in Canada, establishing a duty of Canadian governments to consult with and accommodate First Nations on Crown conduct, including approval of resource and other development proposals, that could affect our rights.⁴³
- Specific calls by RCAP in 1996;
- Articles 29 and 32, amongst others, of *UNDRIP*, adopted by UNGA in 2007 and by Canada in 2016;

³⁵Synergies Economic Consulting (Synergies, 2015), *Working for Our Country: A review of the economic and social benefits of Indigenous land and sea management*. Report. (2015) 17.

³⁶ Australian Government - National Indigenous Australians Agency (AG-NIAA), "The Indigenous Ranger Program," online: AG-NIAA, <https://www.niaa.gov.au/indigenous-affairs/environment/indigenous-ranger-program>.

³⁷ Allen Consulting Group (Allen Group, 2011), *Assessment of the economic and employment outcomes of the Working on Country program*. Report. (2011) 24.

³⁸ *Ibid.*, 22,36, and 48.

³⁹ SROI is an evaluation approach designed to measure the "blended value" (monetary and non-monetary) of outputs or impacts generated by an organization or program in ways that can be expressed in monetary terms and compared with the investment of inputs required, yielding an SROI ratio. It is built upon well-established evaluation approaches developed in the health and environmental economics fields. SROI Network and Hall Aitken, "Starting out on Social Return on Investment" (2014), 3, online: *SROI Network and Hall Aitken*, <https://www.betterevaluation.org/sites/default/files/Starting%20out%20on%20SROI%20FINAL%20v2%20with%20hyperlink.pdf>.

⁴⁰ *Ibid.*, 30.

⁴¹ Australian Government - National Indigenous Australians Agency (AG-NIAA, 2020), "Indigenous Rangers Program Funding Extension Update 1," online: AG-NIAA, <https://www.niaa.gov.au/news-centre/indigenous-affairs/indigenous-rangers-program-funding-extension-update-1>.

⁴² See for example Social Ventures Australia (SVA, 2016*ii*), *Analysis of the current and future value of Indigenous Guardians work in Canada*. Report (2016); EcoPlan International (EPI, 2016), *Valuing Coastal Guardian Watchmen Programs: A Business Case, Coastal First Nations Great Bear Initiative*. Report. (October 2016).

⁴³ Constitution Act, 1982, Schedule B to the Canada Act 1982, 1982, c 11 (UK) (Constitution Act, 1982), s. 35. See also *Haida Nation v British Columbia (Minister of Forests)*, 2004 SCC 73, 2004 CarswellBC 2656.

- Calls by the TRC in 2015; and
- The commitment by this federal government to Nation-to-Nation relationships with First Nations.

Investment in the Network would provide First Nations across the country - many for the first time - with the capacity to monitor and assess the impacts or potential impacts on our rights and well-being of our ancestral territories, our relations within those territories, and our Peoples, of different forms of economic activity on our territories. Networked Guardians programs can play a key role in rebuilding our Nations by strengthening our governance and stewardship over the lands and waters in our ancestral territories, revitalizing our ancestral laws and knowledge in the process.

2.1 The Beginnings of the First Nations Guardians Movement in Canada

The HGW, the Innu Nation Environmental Guardians in Labrador, and the Coastal Guardian Watchmen in BC were amongst the first Guardians-type programs created in Canada. Each of these programs grew out of its nation's need to oversee activities on its ancestral territory. Programs focused on monitoring the land, maintaining sensitive cultural and heritage sites, observing fish and wildlife populations, tracking the impacts of climate change, documenting development, and educating residents and visitors on proper land use. Undertaking this work also built capacity within First Nations, fostered intergenerational transfer of traditional knowledge, and reaffirmed ancestral responsibilities to the land and waters and species that depend upon them.

2.1.1 Haida Gwaii Watchmen

The HGW program was established in 1973 and formalized by the CHN in BC in 1981 to protect the land, waters, and species of Haida Gwaii in accordance with Haida law and stewardship responsibility to their people and their place. It was established in direct response to a period of intense industrial resource extraction (logging). The Haida Nation recognised that their own continued existence as a People depended on protecting their homelands, including their sacred and traditional village sites.

First, the Haida Nation came together to create a contemporary Haida *Constitution* in written form, based on their ancestral oral legal tradition. This *Constitution* was adopted in 2003.⁴⁴ The deep and intrinsic connection between the Haida and their ancestral homelands is expressed in the preamble of the *Constitution of the Haida Nation*:

The Haida Nation is the rightful heir to Haida Gwaii. Our culture, our heritage is the child of respect; and intimacy with the land and sea. Like the forests, the roots of our people are intertwined such that the greatest troubles cannot overcome us. We owe our existence to Haida Gwaii. The living generation accepts the responsibility to ensure that our heritage is passed on to following generations.⁴⁵

⁴⁴ Haida Nation, "Mandate," online: *Haida Nation*, https://www.haidanation.ca/?page_id=34.

⁴⁵ Haida Nation, "Constitution of the Haida Nation" (19 October 2018), online: *Haida Nation*, <https://www.haidanation.ca/wp-content/uploads/2018/10/Constitution-2018-10-signed.pdf>.

The Nation then proceeded to authorize a Haida land- and marine-use plan consistent with this *Constitution* with the first piece of legislation passed under the new *Constitution* in 1981,⁴⁶ and their fundamental stewardship responsibilities, which designated six key priorities for protection:

1. Fourteen protected areas, including Gwaii Haanas and Duu Guusd;
2. Forest lands to be managed using an ecosystem-based management approach;
3. A coastal zone where Haidas live;
4. A highway corridor including most of the fee simple land;
5. The offshore; and,
6. Fisheries, so essential to Haida life that they require their own designation.⁴⁷

The HGW first got started in 1981 as a group of seasonal Haida volunteers who patrolled the land and waters in their own vehicles and shared their first-hand ecological and cultural knowledge with visitors.⁴⁸ Later that year, the CHN passed the first piece of legislation under the written Haida Constitution, declaring that Duu Guusd “would be kept in its natural state in perpetuity.”⁴⁹ Then in 1985, legislation was passed to accord the same protection to Gwaii Haanas. As logging companies continued with plans to clear-cut these lands – after much of the cedar and other species of trees, so critical to Haida culture, had been denuded from their northern homelands, also blocking salmon spawning grounds – the Haida People stood on the line to uphold Haida law and protect Gwaii Haanas from undergoing the same fate.⁵⁰ Court hearings on contempt of court charges against 72 Haida citizens led to all sentences being suspended, widespread media coverage and solidarity actions, and eventual negotiations between the Haida Nation, BC and Canada in 1987, resulting in the South Moresby Agreement, which transferred Crown jurisdiction of Gwaii Haanas from the provincial to the federal government and \$106 million in compensation to end logging in Gwaii Haanas in 1998.⁵¹

In 1993, the CHN and Canada signed the *Gwaii Haanas Agreement* – the first Nation-to-Nation agreement between the two parties, in which each agreed to disagree on Title but came together as equals to honour the protection of Gwaii Haanas in perpetuity. Gwaii Haanas was designated a Haida Heritage Site and a National Park Reserve, with the Haida Nation and Canada co-managing the site.⁵² Upon funding from entry fees to Gwaii Haanas, the HGW has expanded its oversight and stewardship over this territory and their wider ancestral territories of Haida Gwaii. It educates visitors on cultural and ecological heritage and provides safety and marine information. It provides education and employment opportunities to Haida people of all ages, facilitating the intergenerational transfer of traditional knowledge and protecting ancestral lands and waters.⁵³

⁴⁶ Miles Richardson, “Upholding Haida Law,” in Nika Collison Jisgang, ed., *Athlii Gwaii: Upholding Haida Law on Lyell Island* (Vancouver: Locarno Press, 2018), 2.

⁴⁷ *Ibid.*, 3.

⁴⁸ Indigenous Food Systems Network, “Haida Gwaii Watchmen Program,” online: *Indigenous Food Systems Network*, <https://www.indigenousfoodsystems.org/content/haida-gwaii-watchmen-program>.

⁴⁹ Richardson, *supra*, 2.

⁵⁰ *Ibid.*, 4-5.

⁵¹ *Ibid.*, 8-9.

⁵² *Ibid.* A follow-up marine co-management agreement was ratified in 2010.

⁵³ Parks Canada, “Haida Gwaii Watchmen,” online: *Parks Canada*, <https://www.pc.gc.ca/en/pn-np/bc/gwaiihaanas/culture/gardiens-watchmen>.

2.1.2 Innu Nation Environmental Guardians

The Innu Nation Environmental Guardians (INEG) started as the Innu Fisheries Guardians program in 1992, funded primarily by the Department of Fisheries and Oceans (DFO) Canada. Forestry was added to the program in 1993 and mining in 1995. By 2000, the multidisciplinary INEG program was overseeing fisheries, forestry, caribou and wildlife monitoring, mining, industrial development, conservation, and Innu Nation environmental research.⁵⁴

As in Haida Gwaii, the INEG program was created by the Nation to uphold its sacred responsibility to care for their land, waters and all life that resides within them and developed in response to a threat posed by resource extraction within the Innu's homelands. In 1993, a nickel-cobalt-copper deposit was discovered in Labrador, leading to the Voisey's Bay Mine proposal. In 1995, facing high levels of poverty, an increasing suicide rate, and a long history of industrial development that contributed little to their people, the Innu asserted jurisdiction and authority over their lands and waters and issued an eviction notice to the proponent. After a period of conflict between the parties, negotiations between the proponent and the Nation resulted in an agreement that the Innu would be consulted as project planning advanced and that a full-time Innu environmental monitor would oversee protection of land, water, and wildlife as exploration continued. The Innu Nation then proceeded to negotiate an impacts and benefits agreement with the proponent and then reached an agreement with Canada and Newfoundland and Labrador that the Innu Nation would have direct regulatory oversight, ensure on-site compliance at the mine, and participate in cooperative monitoring, management, and planning. The Innu Nation relies on Guardians to carry out these activities. There are currently four full-time INEGs employed as monitors at the Voisey's Bay mine.⁵⁵

By 2000, combining multiple sources of funding, the Innu expanded their Guardians program to also cover environmental research, mining, wildlife, and forestry.⁵⁶ The Innu Nation recognized the need for a comprehensive environmental monitoring and management training program to build Guardians' capacity and support their broadened scope of responsibility. They wanted this training program to recognize "the importance of both the longstanding and substantial body of knowledge of the land held by the Innu, and the need for the Guardians to develop competency within scientific and technical disciplines concerned with environmental protection, management, and resource use."⁵⁷ To achieve this, the Innu Nation and the Gorsebrook Research Institute at Saint Mary's University collaborated in creating the Innu Nation Guardian Program in the fall of 2001, which has offered a combination of classroom-based coursework and immersive, field training at active Innu co-management, monitoring, and environmental research sites. Training modules include: Fieldwork in Archaeology; Caribou Management; Understanding Ecosystems; Introduction to Ethnography and Map Biographics; Migratory Birds; Statistics; Geology; and Communication, Text, and the Transfer of Knowledge.⁵⁸

Guardians now play a lead role in environmental assessment for every industrial development in Innu territory. And there are Innu-run accredited stewardship programs for the protection of fish and wildlife, and a Forest Guardians program to ensure sustainable forestry. There are 15 Innu Guardians stewarding land and waters in Labrador. By training in their language and working

⁵⁴ Saint Mary's University (SMU), "Gorsebrook Research Institute – Innu Nation Guardian Program," online: *Saint Mary's University*, <https://smu.ca/research/innu-guardian-program.html>.

⁵⁵ Land Needs Guardians, "Voisey's Bay Mine, Guardians and a Path to Sustainability – Case Study," online: *Land Needs Guardians*, <https://landneedsguardians.ca/resources/from-standoff-to-stewardship>.

⁵⁶ *Ibid.*

⁵⁷ BCFNEMC & UVic ELC, *supra*, 60.

⁵⁸ SMU, *supra*.

on-the-ground in their territory, not only are the Innu caring for their land and waters, they are also maintaining the health and vibrancy of their cultures and traditions. These programs help conserve and heal land and waters and provide meaningful employment for the Innu.⁵⁹

2.1.3 Coastal Guardians Watchmen

The CGW Network⁶⁰ was created in 2005, building on the success of the HGW and upon the creation of the CFN-GBI in response to unsustainable levels of industrial logging and commercial fishing prompted in and around the Great Bear Rainforest.⁶¹ The threat from these activities prompted First Nations leaders to come together to form the Turning Point Initiative of the Great Bear Rainforest to come together and sign the *Declaration of the First Nations of the North Pacific Coast*, in 2000, which affirmed the Nations' intrinsic relationship with the lands and waters of the region and the Nations' inherent need to protect and restore them.⁶² In response to these efforts, BC signed government-to-government agreements with the eight members of the CFN – the Haida Nation, Metlakatla First Nation, Gitga'at First Nation, Kitasoo / Xai'Xais Nation, Nuxalk Nation, the Haíłzaqv (Heiltsuk) Nation, and Wuikinuxv Nation – on land use protocol by 2001.⁶³ Each of these Nations established Guardians programs and came together as the CGW Network in 2005,⁶⁴ renamed CSN in 2012.⁶⁵

Before the CGW Network was created, each Nation's program was operated independently and often in isolation. In a consolidated effort to reclaim governance over their lands and waters, stewardship leaders from Haida Gwaii and the Central and North Coast brought their capacity together in forming the CGW Network (now CSN), to steward the lands and waters of north and central Pacific coast:

As Indigenous peoples we govern our territories and safeguard the health of our ecosystems. We are the Guardians and Watchmen of our territories. We are men and women carrying forward the work of our ancestors to manage and respect our lands and waters informed by our traditional laws to ensure a vibrant future for generations to come. We work with our neighbouring Nations to create a united and collective presence throughout our territories. From the Central Coast to the North Coast and Haida Gwaii, we are working together to monitor, protect, and restore the cultural and natural resources in our territories.⁶⁶

⁵⁹ Land Needs Guardians, *supra*.

⁶⁰ Coastal Guardian Watchmen describes the Guardians themselves, while Coastal Guardian Watchmen Network describes the nine-Nation stewardship alliance of the central and north coast of BC and Haida Gwaii, which was renamed Coastal Stewardship Network in 2012.

⁶¹ The Great Bear Initiative (legally established through land-use agreements between First Nations and the Province of BC in 2006) promotes sustainable conservation-based economic development and community self-sufficiency that protects ecosystems and cultures and recognizes Title and Rights within nine Coastal First Nations (CFN). Coastal First Nations – Great Bear Initiative (CFN-GBI), "Why a Coastal Alliance," online: *CFN-GBI*, <https://coastalfirstnations.ca/our-communities/why-a-coastal-alliance/>.

⁶² Members of the Council of the Haida Nation, Haisla First Nation, Hartley Bay Community, Heiltsuk Nation, Old Masset Village Council, Skidegate Band, Kitasoo Band, and Metlakatla First Nation, "Declaration of the First Nations of the North Pacific Coast – Turning Point Conference" (2000), online: *Haida Nation*, https://www.haidanation.ca/wp-content/uploads/2017/03/Turning_Point.pdf.

⁶³ Merran Smith and Art Sterritt (Merran Smith), "From Conflict to Collaboration: The Story of the Great Bear Rainforest," online: *Coast Funds*, <https://coastfunds.ca/wp-content/uploads/2016/02/StoryoftheGBR.pdf>.

⁶⁴ As the CFN evolved over the years, so too did the Turning Point Initiative which underwent a name change to CFN-GBI. The Declaration also came to represent all nine Nations of the CFN and not just the original signees.

⁶⁵ Merran Smith, *supra*.

⁶⁶ CFN-GBI, "Coastal Guardian Watchmen Vision," online: *CFN-GBI*, <https://coastalfirstnations.ca/coastal-guardian-watchmen-vision/>.

Coming together in stewardship, they ensure responsible management of resources; enforce and uphold traditional and contemporary Indigenous laws and land- and marine-use rules and regulations; and work contemporaneously to observe, protect, and revitalize the cultural and natural resources of their respective territories.⁶⁷ Together, the CSN maintains their individual programs but use more standardized Regional Monitoring Systems (RMS) and resource management techniques, and participate in information sharing.⁶⁸

In 2009, the CGW Network collaborated with Northwest Community College to develop and formalize Guardians training to advance technical skills and professionalize the occupation. In 2011, the CGW Network collaborated with the UVic Environmental Law Centre to produce *Environmental Laws: A Field Guide*, which is widely used in Guardians training.⁶⁹

In 2012, the CGW Network changed its name to the CSN to reflect a more comprehensive stewardship network approach, inclusive of other stewardship practitioners in addition to Guardians. In the same year, it partnered with Vancouver Island University (VIU) to update the Stewardship Technicians Training Program (STTP), which incorporates traditional knowledge, technical skills, and field practicums. The results of a year-long study evaluating the STTP show that the program's most valued outcome for graduates was the gain they made in leadership ability. Within the context of building a conservation-based economy, the study found that the STTP provided valuable technical and leadership knowledge which increased participants employability and respect for stewardship technicians, but found that due to lack of steady funding Guardian jobs are limited and often seasonal.⁷⁰

The CSN is the largest group of Guardians programs in the country. Their Nation-driven, Network-supported approach has shaped standards within the Guardians profession with the publication of the *Field Guide* and establishment of the STTP. The CSN is widely held to be the "gold standard" of Guardians programs in Canada because of these networked benefits.⁷¹

2.2 Support for Indigenous Stewardship in Other Jurisdictions

This section reviews two different case studies of Indigenous on-the-land conservation programs and systems in other parts of the world including the WoC Indigenous Ranger program in Australia, and legislation in *Aotearoa* / New Zealand. A brief summary of each approach is provided, followed by an analysis of relevance for the development of a National First Nations Guardians Network in Canada.

2.2.1 Working on Country Indigenous Rangers Program in Australia

The WoC Indigenous Rangers program was established in Australia in 2007 with the objectives of protecting and conserving the environment; protecting Indigenous heritage and knowledge; increasing public health and reducing crime rates; and increasing employment rates, education, and training for Indigenous Peoples in Australia. WoC became known as the Indigenous Rangers program in 2017, following some departmental reorganization. The program supports Indigenous Rangers in combining the traditional knowledge of their Peoples with conservation training to protect and manage their lands, waters, and cultures. This includes activities such as

⁶⁷ Coastal First Nations – Great Bear Initiative (CFN-GBI, 2020j), "About Coastal Guardian Watchmen – History," online: *Coastal First Nations – Great Bear Initiative*, <https://coastalfirstnations.ca/our-environment/programs/coastal-guardian-watchmen-support/>.

⁶⁸ *Ibid.*

⁶⁹ BCFNEMC & UVic ELC, *supra*, 60, 90.

⁷⁰ EcoPlan International (EPI, 2020), *Making a Positive Difference: Walking away with a good mind and a good spirit – Evaluation of the Stewardship Technicians Training Program*. Report. (2020), 5.

⁷¹ BCFNEMC & UVic ELC, *supra*, 60.

bushfire mitigation, protection of threatened species, and biosecurity compliance. Indigenous Ranger groups also develop partnerships with research, education, philanthropic and commercial organizations to share skills and knowledge, engage with schools, and generate additional income and jobs in the environmental, biosecurity, heritage, and other sectors.⁷² As of 2020, there were 127 Indigenous Ranger groups employing a total of nearly 900 full-time equivalent positions (including a mix of full-time, part-time and casual positions).⁷³

The WoC Indigenous Rangers program has its origins in earlier initiatives that were driven primarily by Indigenous landholders who, in the 1980s, negotiated joint management of parks in Northern Australia amongst other efforts to re-establish themselves as owners and managers of their traditional estates. These early beginnings for Indigenous land and sea management were later bolstered in the 1990s by federally funded conservation programs (Landcare, Coastcare and the National Heritage Trust, which made funding available to Indigenous organizations for environmental works) and existing employment programs (Community Development Employment Projects, and the Contract Employment Program for Aboriginals in Natural and Cultural Resource Management, which funded Indigenous Ranger positions).

The Indigenous Protected Areas (IPAs) program was first launched in 1997. IPAs are the Australian analogue of Canadian Indigenous Protected and Conserved Areas, and are established through agreements between Indigenous communities and the Australian Government to protect Indigenous lands, which is then also included in Australia's National Reserve System of protected areas.⁷⁴ The IPA program aims to support Indigenous people to manage land and sea areas through the integration of Indigenous ecological and cultural knowledge with contemporary protected area management practices. Federal funding is made available to Indigenous organizations based on a competitive, criteria-based assessment. This funding may be used to engage Indigenous Rangers, and many, though not all, Rangers groups work on IPAs. Organizations may thus apply for funding either through the IPA or the Indigenous Ranger programs.⁷⁵ Today, there 78 dedicated IPAs covering nearly 75 million hectares of land, constituting more than half of Australia's National Reserve System.⁷⁶

The WoC Indigenous Rangers program was launched in recognition that secure, flexible and streamlined funding arrangements were needed to support the success and continuity of Indigenous Ranger work.⁷⁷ Between 2007 and 2017, the Australian government invested approximately AUD \$618 million in WoC.⁷⁸ This was followed by an interim funding extension of AUD \$250 million for Indigenous Rangers from 2018-2021.⁷⁹ In March 2020, the Australian government announced an eight-year funding extension of AUD \$102 million (approx. CAD \$100 million) indexed each year from 2021 to 2028 for what is now known as the Indigenous Rangers program. In the funding announcement, Minister for the Environment Sussan Ley said:

⁷² AG-NIAA, 2020, *supra*.

⁷³ *Ibid*.

⁷⁴ Australian Government - Department of Agriculture, Water, and the Environment, "National Reserve System," online: *Australian Government – Department of Agriculture, Water, and the Environment*, <https://www.environment.gov.au/land/nrs>.

⁷⁵ *Ibid*.

⁷⁶ AG-NIAA, "Indigenous Protected Areas," online: AG-NIAA, <https://www.niaa.gov.au/indigenous-affairs/environment/indigenous-protected-areas-ipas>.

⁷⁷ Synergies, 2015, *supra*, 10.

⁷⁸ Indigenous Leadership Initiative (ILI), "National Indigenous Guardians Network Receives Funding In Federal Budget" (22 March 2017), online: *ILI*, <https://www.ilinationhood.ca/news/national-indigenous-guardians-network-receives-funding-in-federal-budget>.

⁷⁹ Helen Davidson, "Indigenous rangers to receive \$250m in funding for jobs until 2021" (27 April 2018), online: *The Guardian*, <https://www.theguardian.com/australia-news/2018/apr/27/indigenous-rangers-to-receive-250m-in-funding-for-jobs-until-2021>.

Traditional knowledge is helping to inform modern environmental science in managing our landscapes, protecting native species and in the ways we adapt to changing climates. The Morrison Government looks forward to the Indigenous Ranger Program continuing to deliver far-reaching benefits by creating jobs in regional and remote communities, contributing to local economies, as well as the social benefits that come with reliable employment. Ranger groups hold deep knowledge of their lands and our Government is proud to keep this knowledge in local hands for the benefit of Country and those who live on it.⁸⁰

While Indigenous Ranger programs receive most of their funding from the Australian government (case studies have found a range of 61 percent to 96 percent government funding), many programs also leverage additional funding from non-profit organizations and foundations, corporate partners, and other investors.⁸¹ Approximately 40 percent of Ranger groups are also generating revenues by delivering services on a commercial basis.⁸²

All indications are that the Australian government's investments in the Indigenous Rangers program are well spent. As the 2015 Synergies report pointed out, the annual cost of WoC Indigenous Rangers and IPAs in 2012-2013 (approximately \$67 million) represented just 0.2 percent of the estimated AUD \$30.3 billion spent by all governments on Indigenous services nationally, and yet has achieved outsized benefits, including:

- Increased labour productivity through improved Indigenous health, reduced alcohol consumption and other factors.
- Greater workforce participation—to the extent that the program helps Indigenous people to get jobs, leading to increased economic output.
- Cost savings to governments through lower expenditures on public health, policing, corrective services, public housing and welfare.
- Economic returns generated by new Indigenous business ventures, including the associated tax component of this revenue received by government.⁸³

An SROI analysis of four Indigenous Rangers programs found that the SROI for the programs ranged from 1.5 to 3.4:1, with returns accruing in a variety of forms to government, Rangers, communities, Indigenous communities, and other stakeholders. A more detailed list of these benefits is provided in Section 3.3.5.3: *Well-being of Peoples and People*. The largest overarching economic benefits of the Indigenous Rangers program in Australia arise from the development of jobs for Indigenous people who were otherwise / previously unemployed.⁸⁴ This subsequently results in lowered welfare expenses and increased generation of tax revenue. The program supports the creation of jobs in rural and/or less urban regions, resulting in a greater generation of employment where employment levels were previously low (i.e. new employment for previously jobless individuals)⁸⁵ and is therefore less likely to (problematically) draw employees away from other sectors, as would have been likely in more urban locations.⁸⁶

⁸⁰ Australian Government - Department of the Prime Minister and Cabinet, "Funding certainty for Indigenous Rangers" (March 10, 2020), online: *Australian Government – Department of the Prime Minister and Cabinet*, <https://ministers.pmc.gov.au/wyatt/2020/funding-certainty-indigenous-rangers>.

⁸¹ Social Ventures Australia (SVA, 2016i), *Consolidated report on Indigenous Protected Areas following Social Return on Investment analyses*. Report. (February 2016), 12.

⁸² Synergies, 2015, *supra*, 4.

⁸³ SVA, 2016i, *supra*.

⁸⁴ Allen Group, 2011, *supra*, iv.

⁸⁵ *Ibid.*

⁸⁶ *Ibid.*, v.

Benefits to participants in the Program include increased wages, rising above median gross income for non-Indigenous Australians and significantly over the national minimum wage.⁸⁷

Rangers employed through the program may be employed on a full-time, part-time or casual basis. Each type of employment comes with its own benefits – full-time positions provide greater job security and professional development opportunities and part-time and casual opportunities allowing for seasonal work and/or for flexibility to enter the workforce for those with other/existing obligations, especially women and elders.⁸⁸

The 2015 Synergies report on the WoC Indigenous Rangers program found social impact outcomes including increased general public health and reduced criminal activity.⁸⁹ There are many strong and complex interconnections between these two indicators which are likely to be similar in Canada. As recognized by the World Health Organization, employment significantly impacts health, particularly mental health. Examples of employment-related health factors include: ability to afford healthy food and access to medical care, stress levels, life satisfaction, self-esteem, etc. The effects of un/employment are likely to affect others close to the individual such as friends and family, even co-workers. There is significant statistical evidence linking unemployment with unhealthy lifestyle choices, criminal activity, and general anti-social behaviour while higher employment rates are associated with lower crime rates.

2.2.2 Legislation in *Aotearoa* / New Zealand

The relationships between the settler government and Indigenous Peoples in relation to lands and waters in *Aotearoa* / New Zealand (NZ) is shaped by the 1840 *Treaty of Waitangi*⁹⁰ between the British Crown and Māori *iwis* (tribes), and a series of settlements and legislation that have followed its implementation moving into contemporary times. While implementation has varied depending on the political will of the NZ government of the day, these legal instruments have guided relations and decision-making processes between the British Crown, settler governments, and Māori *iwis*, especially as they pertain to the natural world, environmental conservation, and other resources deemed of significant cultural and spiritual value to the Māori in a manner shaped by Nation-to-Nation relationships between the Māori *iwis* and NZ government.

Of particular note is the *Resource Management Act*⁹¹ (*RMA*), passed in 1991, which requires those acting under its authority “recognize and provide for” matters of national importance, including the “relationship of Māori and their culture and traditions with their ancestral lands, water, sites, *wāhi tapu* (sacred sites), and other *taonga* (special properties/goods/effects, etc.).”⁹² The NZ must also pay particular attention to matters such as *kaitiakitanga* (guardianship / stewardship).⁹³ S. 8, which focuses on the *Treaty of Waitangi* (*Te Tiriti o Waitangi*), requires that the principles of the treaty be taken into consideration. The *RMA* outlines other principles similar to the duty to consult recognized in Canadian common law under s. 35 of the Canadian

⁸⁷ *Ibid.*, vi.

⁸⁸ *Ibid.*, 6.

⁸⁹ *Ibid.*

⁹⁰ Britain and the Māori People of Aotearoa (New Zealand), “*Te Tiriti o Waitangi* (The Treaty of Waitangi)” (6 February 1840), online: *Museum of New Zealand (Te Papa Tongarewa)*, <http://www.treaty2u.govt.nz/the-treaty-up-close/treaty-of-waitangi/>.

⁹¹ *Resource Management Act 1991 (RMA)*, Pub. L. No. 69 (1991), online: *New Zealand Legislation*, <https://www.legislation.govt.nz/act/public/1991/0069/latest/whole.html#DLM230265>.

⁹² *RMA*, s. 6(e).

⁹³ *RMA*, s. 7(a).

Constitution Act, 1982.⁹⁴ While there are numerous differences, the *RMA* stands out as expressly calling for planning processes by *iwi* authorities to be taken into account in planning and policy and decision making and for the drafts of those plans and policies to be provided to *iwi* authorities early, and for the consultation of local *tangata whenua* (local indigenous people/hosts, “people of the land”) to occur through *iwi* authorities.⁹⁵ *Mana Whakahono a Rohe* (*Iwi* Participation Arrangements) are used to formalize *tangata whenua* participation in *RMA* decision making.

In 1993, the *Whakatohea iwi*, whose ancestral lands are on the North Island of *Aotearoa / NZ*, developed their own *Resource Management Plan (RMP)*, *Tawharau O Nga Hapu O Whakatohea*.⁹⁶ It was created to stop continually having to develop ad-hoc responses to Crown and private initiatives, coming instead from a place of *Kaitiakitanga* (stewardship) and *Tino Rangatiratanga* (sovereignty) to:

provide a systematic framework to deal with significant resource management issues to *Whakatohea Whanau* and *Hapu* (family / kin groups and subtribes), reaffirming customary rights and responsibilities to manage and control its *taonga* according to *Whakatohea* needs and preferences, and as a basis to move from the reactive to the proactive mode.⁹⁷

The *RMP* seeks to achieve three broad outcomes:

- i. Guaranteed protection and enhancement of relationships and traditions of *Whakatohea* with ancestral lands, water, air, *waahi tapu*, and other *taonga* (tangible or intangible things contributing to the tribe’s spiritual, intellectual, emotional, or physical well-being);
- ii. The political, social, economic, and cultural well-being of *Whakatohea*; and
- iii. Establishment and enhancement of mutually beneficial relationships with Crown Agencies and others affecting *Whakatohea* interests.⁹⁸

It identifies the ancestral waters and the boundaries of *Whakatohea* ancestral lands using land features and traditional names, and emphasizes that the *Treaty of Waitangi* is “always speaking” and, as such, its principles and articles evolve and may, from time-to-time, require renewed consultation and negotiation with those who hold *mana whenua* (territorial rights) over specific *taonga* (culturally significant resources).⁹⁹ It articulates expectations for Crown agencies, the consultation process it envisions, and a number of significant issues to be addressed in key resource areas (as illustrated in the table below), and recognizes that exercising *Kaitiakitanga* requires a combination of traditional Māori / *Whakatohea* and scientific approaches in part because of the nature of contemporary impacts to natural resource areas.¹⁰⁰

⁹⁴ *Constitution Act*, 1982, Schedule B to the *Canada Act 1982*, 1982, c 11 (UK) (*Constitution Act*, 1982), s. 35.

⁹⁵ *RMA*, s. 32(4A), s. 35A, s. 36A, s. 46, Schedule 1 Clause 3 and 3B, Schedule 1 Clause 4A, Schedule 4 Clause 1AA, s. 61(2A)(a), 66(2A)(a), and 74(2A). See also Environment Guide, “Māori and the *RMA* - Consultations on Policy Statements and Plans, Consultations on Policy Consents,” online: *Environment Guide* <http://www.environmentguide.org.nz/rma/maori-and-the-rma/>; and *Te Kura Pukeroa Maori Inc. v Thames-Coromandel District Council*, [2007] NZEnvC W069/07, online: *Environment Guide* <http://www.environmentguide.org.nz/rma/maori-and-the-rma/> where an appeal was struck out on the basis that there is no obligation to consult any persons in relation to a resource consent application.

⁹⁶ *Te Roopu Kokiri a Whakatohea. Tawharau o Nga Hapū o Whakatōhea (Whakatōhea Resource Management Plan)* (1993). The *RMP* emphasizes that “The ultimate interpretation of this document lies solely with *Whakatohea*” and that, “consistent with *Te Wawata o Whakatohea* (the vision of the *Whakatohea*), the collective well-being of *Whakatohea* must have priority over individual well-being when deciding on amendments to this document.

⁹⁷ *Ibid.*, 5.

⁹⁸ *Ibid.*, 9.

⁹⁹ *Ibid.*, 14.

¹⁰⁰ *Ibid.*, 8-26.

Figure 1 below identifies the issues and goals the RMP seeks to address for key *Whakatohea* resources.

Figure 1: Issues and Goals *Whakatohea* RMP Seeks to Address

Resources	Issues	Goals
Social, economic and cultural well-being	Higher rates of unemployment, reliance on welfare systems, and lower socioeconomic status amongst <i>Whakatohea</i> , compared with others	Prioritize collective, over individual, well-being (including the creation of a Land Bank to buy back ancestral lands and taonga)
	Cumulative effects of developments, which attract further inappropriate developments	Revise consent and policy making processes to recognize and provide for the cumulative effects of (adverse) activities
	Crown settles and receives levies/taxes, etc. for <i>Whakatohea</i> -owned resources	
<i>Nga Whenua Tipuna</i> (Ancestral Lands)	Cumulative and ongoing adverse effects of physical alienation from ancestral lands and inappropriate development projects	Ensure development proposals do not inhibit <i>Whakatohea</i> rights / access to ancestral lands / taonga; to prohibit further alienation by preventing future sales / gifts of Māori land and to instead seek the return of lands for the long-term and collective well-being
<i>Nga Wai Tipuna</i> (Ancestral Water)	Un/treated wastes and adverse spiritual / cultural effects; inadequate supply of clean water, water disposal, irrigation / water infrastructure, improper consultation on water projects (well-being of the water is understood as a reflection of the well-being of the land)	Ensure proper/adequate involvement in project approvals/policy decisions and to challenge Crown's presumptive ownership of resources
<i>Nga Taonga Tuku Iho</i> (Heritage)	Breakdown in maintenance and advancement of traditional knowledge, conflicts between heritage and other social, cultural, economic, and / or environmental, objectives, and the absence of: <ul style="list-style-type: none"> • A comprehensive inventory of <i>Whakatohea</i> heritage sites and areas of significance; • Systems to ensure heritage sites and areas are protected; and • Systems for 'flagging' concerns for planning and resource consent purposes while also ensuring protection of sensitive information 	restore and promote use and understanding of traditional names; ensure protection of <i>Whakatohea</i> right to exclusive use of significant places / taonga
Cultural Facilities and Uses	Inadequate local services, harmful / discriminatory law / policy	Have Crown Agencies sign onto the <i>Papa Kainga</i> Housing Statement of Intent
Flora	Introduced / invasive species, lack of financial means to avoid toxic pesticide use, protection of intellectual property rights over flora, inappropriate / unsustainable clearing / management practices	

Resources	Issues	Goals
Fauna	Introduced species and their adverse effects on the land / ecosystems / other species; protection of cultural/intellectual property rights; Crown presumption of ownership and control	
Fisheries	Protection of and public education about customary fishing rights; mismanagement / over-harvesting, effects of poor water and land protections; Crown agencies assuming ownership / control	To apply traditional Māori / <i>Whakatohea</i> and scientific approaches to fisheries management; initiate and support proposals that promote collective well-being; work with Crown agency (DOC) to ensure access to whale bones for cultural purposes
Minerals and Other <i>Taonga</i>	Lack of <i>Whakatohea</i> consent on mineral projects, unfair royalty payments, erosion and other environmental degradation, uncertainty about actual or possible project effects	
Energy	Customary rights; need for shifts to renewables	Oppose nuclear energy projects

The *RMP* incorporates spiritual law, physical reality, and the intellectual plane, in their social and cultural significance and relevance to the *Whakatohea iwi*, citing the requirement of the *Whakatohea* to uphold their responsibilities of *Kaitiakitanga* (stewardship / guardianship) to their Creator.¹⁰¹ Their *tikanga* or practices for upholding their sacred responsibilities entail unification of the physical, intellectual, and spiritual dimensions and recognition that damage in the physical dimension also results in spiritual damage and consequent loss of wholeness for the *iwi*.

2.2.3 Analysis and Discussion

The creation of the WoC Indigenous Rangers program in Australia arguably emerged out of a form of recognition of the inherent rights of Indigenous Peoples in Australia by that country's government. This program was created in 2007 in part to support skilled Indigenous capacity to manage IPAs. The IPA program was created in 1997, shortly after the seminal 1996 Aboriginal title case *Wik Peoples v Queensland (Wik)*, a major Aboriginal title case in Australia following the landmark *Mabo v Queensland (Mabo)* title case in 1992. In *Mabo*, the Australian High Court recognized native title, stemming from the fact that the Meriam People had and maintain an ancestral legal order, which included and continues to include laws for managing their lands.¹⁰² In *Wik*, the Australian High Court recognized that native title can continue to exist even where a private property right has been recognized under the Australian common law legal order.¹⁰³ *Mabo* in particular discredited the doctrine of *terra nullius* – the idea that Indigenous Peoples in what became named Australia by the British had no laws governing those lands¹⁰⁴ – thus providing powerful recognition within the state legal order of the ongoing authority of Indigenous Peoples and their laws over their lands.

¹⁰¹ *Ibid.*, 9.

¹⁰² *Mabo v Queensland (No. 2)* [1992] HCA 23.

¹⁰³ *Wik Peoples v Queensland* [1996] HCA 40.

¹⁰⁴ *Mabo, supra*.

While Indigenous Peoples and Crown government in Australia had been negotiating joint management of parks as early as the 1980s, the timing of the creation of the IPAs program was surely bolstered significantly by the rulings in *Mabo* and *Wik*, with the creation of the IPA program being one key form of recognition by the Australian Government of Indigenous Peoples' interests in, authority over, and skilled stewardship practices in relation to their lands. The WoC Indigenous Rangers program provides resources to Indigenous Peoples in Australia to create Indigenous Ranger programs within their territories, many of which include IPAs, and thus resource those Indigenous Peoples' capacity to oversee the well-being of those lands.

Studies have analyzed the SROI deriving from the programs and found returns ranging from 1.5:1 to 3.4:1.¹⁰⁵ These studies show that these programs can have a significant effect on closing some of the stark socio-economic gaps between Indigenous and non-Indigenous people in Australia, which is a very important factor in the capacity of an Indigenous Nation to govern itself and enter into equitable relations with other nations. The investment of over AUD \$100 million per year in the program, on top of the approximately AUD \$900 million already invested between 2007 and 2020, shows promising support of culturally-appropriate ways of closing socio-economic gaps between Indigenous people and non-Indigenous people in Australia, cultural and tribal revitalization, and Nation-to-Nation relationships between Australia and Indigenous Peoples in that country.

In *Aotearoa / NZ*, stemming from relationships informed by the *Treaty of Waitangi*, legislation such as the *RMA* establish processes that require consultation / engagement with Māori authorities, processes, and ways of knowing. Many aspects of this model resemble the expectations and practices surrounding the duty to consult recognized in Canadian law, including jurisprudence on Section 35 of the *Constitution Act*, 1982 and in the *Impact Assessment Act*.¹⁰⁶ However, the legislation in *Aotearoa / NZ* goes above and beyond the state of Canadian by formally requiring specific engagement of both *iwis* (tribes or Nations) and *tangata whenua* (local communities) through the *iwis*, exemplifying a genuine Nation-to-Nation framework.

The combination of robust funding to support Indigenous on-the-land stewardship capacity with the prioritization of self-determination, Nation-to-Nation relationships, involvement in decision making affecting their territories, and Indigenous knowledge, complemented by the grounding of these priorities in legislation are key priorities from the Australian and *Aotearoan / NZ* models to carry forward in the development of a National First Nations Guardians Network in Canada.

Through investing in a First Nations-run national Guardians Network, Canada would foster the renewal of our governance capacity and authority within our ancestral territories and benefit from the application of our ancestral knowledges and stewardship practices to contemporary ecological challenges and conservation priorities. Facilitating the renewal, application, and sharing of our unique knowledges about our homelands – not only at the program level in individual Nations, but also amongst Nations within regions and across the country – will enable the generation and use of insights, wisdom, and practices that have previously been marginalized and excluded from the country's dominant stewardship methods. Through supporting and collaborating with such a Network, Canada would enable and participate in a truly *inter-National* forum for conservation.

¹⁰⁵ SVA, 2016*i*, *supra*, 20.

¹⁰⁶ *Impact Assessment Act (IAA)*, SC, 2019, c. 28.

2.3 Objectives, Activities, & Inputs of Guardians Programs

2.3.1 Objectives of Guardians Programs

Guardians are contemporary manifestations of First Nations ancestral responsibilities to manage and monitor our lands and waters, essential for ensuring the ongoing survival and thriving of our Peoples in our homelands. Guardians programs have been created to carry forward First Nations inherent and essential responsibility to care for our territories and our relations with the natural world, particularly in light of damage and exclusion sustained through colonial relationships to our lands and Peoples. They have been created to restore and strengthen our governance and authority over our territories, prevent further destruction of our lands, waters, resources, and heritage, and restore the balance of relations within our territories.

As the movement for self-determination of Indigenous Peoples has grown worldwide, so too has the development of Guardians programs to our Indigenous Peoples at the forefront of stewarding our ancestral territories. Though objectives vary depending on context, the most common objectives of Indigenous Guardians programs are to:

1. Conserve and steward Indigenous Peoples' ancestral homelands;
2. Assert our political-legal rights and jurisdiction over our territories; and
3. Improve the socio-economic and cultural health of our Peoples through stewardship.

These core objectives are outlined in the vision statements of the HGW, INEG, CGW, Indigenous Rangers of Australia, and elsewhere. Guardians program mandates generally acknowledge the sacred connection between Indigenous Peoples and our lands and waters. They recognize Guardians as appropriate stewards of our territories acting on the authority and jurisdiction of our Peoples' ancestral laws and practices and drawing on our ancestral knowledge and languages. Guardians programs are envisioned to enact Nationhood; facilitate self-determination, respectful relations between Nations, and cooperation toward prosperity; support healthy communities; and ensure a sustainable future for generations to come.¹⁰⁷

2.3.2 Activities: Role of Guardians in Land- and Marine-Use Planning & Co-Management

As the moccasins-on-the-ground in our territories, First Nations Guardians act as stewards of the land and waters. They are contemporary extensions of the work First Nations have been doing to manage and monitor our lands and waters since time immemorial. Guardians undertake activities as broadly ranging as the First Nations they operate in. The day-to-day activities done by Guardians are determined by the unique and specific needs of the lands and waters in their territories and the priorities of the Peoples who depend on them.

Using both Western science and Indigenous knowledge, Guardians protect natural and cultural resources. Many Guardians collect baseline data and act as researchers and biologists in their territories, monitoring for changes in climate and invasive species numbers. Some focus on just one species, like endangered caribou, while others conduct habitat restoration for several species. Guardians can take on the roles of park rangers and enforcement officers, patrolling their territories and engaging with both Indigenous and non-Indigenous land users. Some work closely with industry and conduct environmental risk assessment, creating greater certainty as resource projects advance. Guardians play a major role in implementing co-management or co-governance agreements between First Nations and provincial, territorial, and federal governments. Important cultural sites are protected and maintained by Guardians, who also lead cultural and eco-tourism tours for members of the public. When doing outreach work within their own Nations, Guardians act as community ambassadors who inspire people to get outside

¹⁰⁷ CFN-GBI, 2020*i*, *supra*.

and connect with the land – ensuring that the next generation of Indigenous youth have access to the knowledge held by their Elders.¹⁰⁸

Two areas of major importance in which Guardians conduct their work are land- and marine-use planning, which play a major role in manifesting the contemporary expression of First Nations' ancestral responsibility for and to our territories, strengthening / rebuilding our governance capacity and authority within our territories, and developing good processes for balancing multiple contemporary and future land and marine uses, yielding the best ecological, economic, intersocietal, and intergenerational outcomes.

The United Nations Food and Agriculture Organization defines land-use planning as “the systematic assessment of land and water potential, alternatives for land use and economic and social conditions in order to select and adopt the best land-use options.”¹⁰⁹ Its aim is to determine which land uses will best balance meeting the needs of those living in the present with future generations. According to *Our Sacred Land: Indigenous Peoples' Community Land Use Planning Handbook*:

A LUP [land use plan] is a story about the past, present and future state of a territory or land base – it is a way for First Nations to document the story about their community's identity and relationship to the land. [Land-use planning] is a process of coming together as a community to discuss and decide how to use or not use the land in the future. This process identifies which lands to use and protect based on needs, values and priorities. It is a way to manage competing and conflicting uses, as well as set a foundation that guides future decisions about the land. [Land-use planning] is also a tool to assert land governance and control over resources, socio-economic conditions, self-governance and cultural self-determination, especially relevant in the current era of reconciliation.¹¹⁰

Land- and marine-use planning and management are also key opportunities for the negotiation and implementation of co-management or co-governance agreements between First Nations and provincial, territorial, and federal governments. Co-management and co-governance agreements are negotiated between First Nations and Crown governments, while Guardians can play a significant role in implementing them and/or monitoring their implementation and while the Network can enable the sharing of knowledge and experience between Nations already involved in co-management or co-governance arrangements with those in the process of negotiating new arrangements. Supporting the further development of co-management and co-governance agreements through investing in Guardians programs and the Network is a further way in which Canada's investment in the National First Nations Guardians Network will enable a truly *inter-National* form of conservation.

The sections below examine the critical role Guardians have to play in facilitating Nations' land-use planning and marine-use planning, asserting governance and self-determination over territory while balancing multiple land and marine uses and priorities.

¹⁰⁸ ILI, *Towards a National Indigenous Guardians Network: Brief to the Standing Committee on Finance From the Indigenous Leadership Initiative* (August 2020).

¹⁰⁹ Food and Agriculture Organization of the United Nations, *Guidelines for land-use planning* (1993), online: *Food and Agriculture Organization of the United Nations*, <http://www.fao.org/3/t0715e/t0715e00.htm>.

¹¹⁰ Beringia Community Planning Inc, *Our Sacred Land: Indigenous Peoples' Community Land Use Planning Handbook in BC* (2019), online: *The Real Estate Foundation of British Columbia*, <https://www.refbc.com/sites/default/files/Handbook.pdf>.

2.3.2.1 *The Role of Guardians in Land-Use Planning for First Nations & in Co-Management*

2.3.2.1.1 *Strengthening Nations' Governance & Co-Management Via Land-Use Planning*

First Nations have actively managed our lands and waters upholding our own laws and through our own governance structures since time out of mind. These systems and processes have been significantly impacted through the imposition of colonial laws and policies, including the *Indian Act*, Indian Residential Schools, the potlatch ban, and the pass system, amongst others. In recent times, under intensifying development pressures, First Nations have been creating land-use plans as a way to harness and shape development on our lands, to ensure the needs of our Nations and Peoples are met and to exercise our rights and responsibilities to govern, manage, and steward our lands.

Land-use planning involves drawing out and drawing on knowledge held by First Nations over generations, and formally integrating its application into contemporary land use priorities and pressures. Carrying forward this knowledge in the form of a land-use plan (LUP) enables First Nations, as stewards of our lands, to communicate with others who are interested conducting land uses in our territories, while at the same time ensuring our cultural values are respected and asserting our authority within our territories.¹¹¹

Such planning helps restore the balance of power for First Nations – as Sandra Harris of the Gitksan Government Commission notes:

There's a saying: 'Plan or be planned' (credit to John Ward, Taku River Tlingit First Nation). We've had a lot of planning that has been done to us for generations. There have been so many awful research, planning and consultation experiences, people wonder why bother, when there has been no meaningful change. We need to go deeper into change and well-being so that people start to trust that there can be change.¹¹²

Land-use planning has led many First Nations to realize a multitude of unexpected benefits beyond their initial planning intentions, including:

- Increased connection to and understanding of our resources.
- Forged relationships with other governments, neighbours and businesses.
- Strengthened capacity and technical skills.
- Reinforced cultural importance and identity amongst Nations' members.
- A sense of ownership of and engagement in future development.¹¹³

Section 2.1.1: *Haida Gwaii Watchmen* above notes how the Haida Nation reasserted its authority over land and marine use of its territories, authorizing an LUP and marine-use plan (MUP) through the first piece of legislation passed under its new *Constitution of the Haida Nation* in 1981. This contemporary governance development work by the Haida Nation supported negotiation of the *Gwaii Haanas Agreement* in 1993, a co-governance agreement protecting Gwaii Haanas from development in perpetuity.¹¹⁴

¹¹¹ EcoTrust Canada, *BC First Nations Land Use Planning: Effective Practices* (2009), 4, online: *The New Relationship Trust*, <https://www.newrelationshiptrust.ca/wp-content/uploads/2017/04/land-use-planning-report.pdf>.

¹¹² Beringia Community Planning Inc., *supra*, 29.

¹¹³ *Ibid.*

¹¹⁴ Government of Canada, represented by the Minister of the Environment, and the Council of the Haida Nation, for and on behalf of the Haida Nation, and represented by the Vice President of the Nation, *Gwaii Haanas Agreement*, 1993, online: *Haida Nation*, <https://www.haidanation.ca/wp-content/uploads/2017/03/GwaiiHaanasAgreement.pdf>.

In 1997, the BC Government began to develop a Land and Resource Management Plan for Haida Gwaii. Concerned that their interests were being neglected in this process, the Haida Nation withdrew from the process, prompting a number of other participants and stakeholders to withdraw as well, concluding that a LUP developed without the Haida may be perceived as illegitimate and ultimately ineffectual, particularly if the Haida won their legal case on the Crown's duty to consult, which ultimately came to pass at the BC Court of Appeal in 2002 and Supreme Court of Canada in 2004.¹¹⁵ The BC Government came to see the importance of developing a LUP in collaboration with the Haida Nation, establishing co-management of the lands in question between the two authorities. In 2001, the CHN and BC Government signed the *General Protocol Agreement on Land Use Planning and Interim Measures* and the *Haida Gwaii Forest Interim Measures and Land Use Planning Protocol Agreement*, agreeing to the principles that would extend and guide a government-to-government or co-governance process for land-use planning between the two authorities.¹¹⁶

The 2007 *Haida Gwaii Strategic Land Use Agreement* established the Haida Gwaii Management Council (HGMC) to co-manage resource management decisions on Haida Gwaii.¹¹⁷ It is comprised of two CHN representatives and two BC representatives, and a Chair chosen by both parties. The HGMC is responsible for four main decision-making areas:

- Implementation and amendment of the Agreement;
- Establishment; implementation, and amendment of land-use objectives for forest practices;
- Approval of management plans for protected areas, and development of policies and standards for conservation of heritage sites; and
- Determination and approval of the annual allowable cut of timber for Haida Gwaii.¹¹⁸

This agreement and resulting governance structure incorporate the five key objectives of the 2005 *Haida Land Use Vision*: maintaining cultural values, aquatic habitat, biodiversity, wildlife, and forest reserves.¹¹⁹

The Agreement was followed up by the 2009 *Kunst'aa Guu — Kunst'aayah Reconciliation Protocol* between the CHN and BC Government.¹²⁰ Meaning “the beginning,” the protocol is the first reconciliation agreement of its kind in Canada, symbolizing a new era of shared decision making, or co-governance, between the CHN and BC, and acknowledges the CHN's authority to ensure sustainable use of their territory of Haida Gwaii for the benefit of their people and to protect its sensitive ecosystems for generations to come.¹²¹ By asserting their rights and values through land-management planning in collaboration with the BC Government, 70 percent of all forests on Haida Gwaii are now protected and co-managed by both parties.¹²²

¹¹⁵ *Haida Nation v British Columbia*, *supra*.

¹¹⁶ Participedia, “Case - Haida Gwaii Collaborative Land Use Planning,” online: *Participedia*, <https://participedia.net/case/4417>.

¹¹⁷ Government of British Columbia, *Haida Gwaii Strategic Land Use Agreement* (2007), online: *Land Use Plans & Legal Direction - West Coast*, <https://www2.gov.bc.ca/gov/content/industry/crown-land-water/land-use-planning/regions/west-coast/haidagwaii-slua>.

¹¹⁸ Participedia, *supra*.

¹¹⁹ Council of the Haida Nation, *Haida Land Use Vision* (2005), online: *Haida Nation*, https://www.haidanation.ca/wp-content/uploads/2017/03/HLUV.lo_rez.pdf.

¹²⁰ Haida nation, as represented by the Council of the Haida Nation and Her Majesty the Queen in Right of the Province of British Columbia, as represented by the Minister of Aboriginal Relations and Reconciliation, *Kunst'aa Guu — Kunst'aayah Reconciliation Protocol* (2009), online: *Haida Nation*, https://www.haidanation.ca/wp-content/uploads/2017/03/Kunstaaguu_Kunstaayah_Agreement.pdf.

¹²¹ Participedia, *supra*.

¹²² *Ibid*.

In 2006, informed in part by its experience with land-use planning in partnership with the Haida Nation, the BC Government's Integrated Land Management Bureau (ILMB) announced a *New Direction for Strategic Land Use Planning in BC*.¹²³ This policy outlined a vision for the ILMB planning program that was "flexible and responsive to current and emerging government goals and priorities, including its commitment to a New Relationship with First Nations."¹²⁴ In 2018, the BC Government announced that it was "modernizing land-use planning" in BC in a way that is informed by BC's commitment to implement *UNDRIP* and the TRC's Calls to Action. As part of this approach, it committed \$16 million over three years (2018-19 to 2020-21) to work collaboratively with Indigenous governments, communities, and stakeholders to modernize land-use planning.¹²⁵ Key drivers of this new approach include:

- Reconciliation with Indigenous governments and BC's commitment to implement *UNDRIP*.
- Ensuring communities and stakeholders are engaged in land and resource planning.
- A growing economy and increased demand on natural resources and the need to balance economic, environmental, social, and cultural objectives.
- Increasing complexity as a result of climate change and factors that affect the land base, including species-at-risk management, wildfires, flooding, and drought.
- Addressing cumulative effects on natural resource values.¹²⁶

Under this approach, land-use planning will be carried out in partnership between BC and Indigenous governments. Indigenous Peoples' values, traditions, knowledge, and cultural practices of are to be an integral component of planning and decision-making processes.¹²⁷

While many of the highest-profile developments in First Nations land-use planning have taken place in BC, interest and practice have been growing elsewhere across the country as well. For example, the Tr'ondëk Hwëch'in First Nation and the Na-Cho Nyäk Dun First Nation recently advised the Yukon Environmental and Socio-economic Assessment Board that approving the a quartz exploration project without a LUP being in place for the Dawson region would violate their rights.¹²⁸ The creation of LUPs agreed to by First Nations and the Yukon Government is a requirement under the *Umbrella Final Agreement Between The Government Of Canada, The Council For Yukon Indians And The Government Of The Yukon*.¹²⁹ However, very few such LUPs have been concluded.¹³⁰ According to the Tr'ondëk Hwëch'in, in addition to negatively impacting their rights, approving resource development in the absence of an approved LUP could also irreparably prevent the ability to protect areas with high conservation values.¹³¹

¹²³ Integrated Land Management Bureau, Ministry of Agriculture and Lands, *A New Direction for Strategic Land Use Planning in BC - Synopsis* (December 2006), online: *Policies and Guides*, https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resource-use/land-water-use/crown-land/land-use-plans-and-objectives/policies-guides/new_direction_synopsis.pdf.

¹²⁴ *Ibid.*

¹²⁵ Government of British Columbia, "Modernizing Land Use Planning in British Columbia" (2018), online: *Land Use Planning*, <https://www2.gov.bc.ca/gov/content/industry/crown-land-water/land-use-planning/modernizing-land-use-planning>.

¹²⁶ *Ibid.*

¹²⁷ *Ibid.*

¹²⁸ Julien Gignac, "Yukon First Nations say approving mineral exploration without a land use plan violates their rights" (March 1, 2021), online: *The Narwhal*, <https://thenarwhal.ca/yukon-first-nations-mineral-use-plan-antimony-creek/>.

¹²⁹ Government of Canada, "Umbrella Final Agreement Between The Government Of Canada, The Council For Yukon Indians And The Government Of The Yukon," online: Yukon – Final Agreements and Related Implementation Matters, <https://www.rcaanc-cimac.gc.ca/eng/1297278586814/1542811130481>.

¹³⁰ *Ibid.*

¹³¹ *Ibid.*

With the recent enactment of *UNDRIPA*, the Government of Canada must take all measures necessary to ensure that the laws of Canada are consistent with *UNDRIP* and must prepare and implement an action plan to achieve the objectives of *UNDRIP*. This milestone provides additional support to First Nations in negotiating land-use plans with Crown governments.

Supporting the further development of co-management / co-governance agreements through investing in Guardians programs and the Network is another way in which Canada's investment in the National First Nations Guardians Network will enable truly *inter-National* conservation.

2.3.2.1.2 Role Guardians Can Play in Supporting Their Nations in Land-Use Planning

In a time in which First Nations are increasingly reclaiming our rights to effective stewardship of our territories, including through land-use planning as a key exercise in Nationhood / self-determination, Guardians programs and the Network can play a key role in meeting the primary challenges faced by First Nations in land-use planning so far: the ability to conduct technical assessments, capacity for implementation of monitoring and enforcement, and attaining the stable funding required to accomplish these things.

In 2009, the New Relationship Trust invited First Nations and land-use planning practitioners across BC to share their land-use planning experiences and found that one of the most challenging parts of a land use planning process has been finding, gathering together, and organizing all of the data needed for technical assessments for land-use planning:

[A]s First Nations in BC increasingly take on government decisions and functions, the role of effective land use planning cannot be understated. It forms a critical basis for articulating what can happen on the land, from the vantage point of a First Nation. It provides the vision and roadmap that all may follow. While it is agreed that land use planning is useful, it is also consistently reported that adequate resources and capacity are essential and often lacking. Without these, the planning process grinds to a halt.¹³²

Similarly, a 2008 review of the challenges and results of implementing First Nations land-use plans drawing on the example of the Lil'wat Nation found that:

One challenge that First Nations face on an ongoing basis in discussions or negotiations with government is finding a level playing field. Whenever a First Nation engages in discussions or negotiations with the Province, the First Nation is confronted with a provincial bureaucracy that comes with its own ideas of timelines and resources to be allocated to the process. This often has the effect of putting the First Nation in a disadvantaged negotiating position from the outset. It is important that a First Nation engage in government-to-government discussions on land use planning on a level playing field.¹³³

That review also concluded that leveling this playing field requires funding and resources to support Nations being "able to dedicate a team of people" to this work.¹³⁴

¹³² EcoTrust Canada, *supra*, 50.

¹³³ Donovan & Company, "Implementing First Nations Land-Use Plans: Challenges and Results" (2008), online: *Donovan & Company*, <https://www.aboriginal-law.com/~aborig/uploads/documents/PDFs/events%20and%20pubs/Implementing%20First%20Nation%20Land%20Use%20Plans.pdf>.

¹³⁴ *Ibid.*

Guardians can help level the playing field for First Nations in land-use planning discussions with other governments, by providing their Nations with the information they need to plan as well as the capacity to ensure that plans are implemented, respected, and working. They accomplish this through activities including:

- Gathering data on the ecological health and well-being of our ancestral territories.
- Gathering and sharing data to inform decision making about our ancestral territories.
- Participating in land- and marine-use planning, and the implementation of those plans.
- Monitoring resource users' activities (e.g., logging, mining, oil and gas, fishing, hunting).
- Ensuring compliance with and enforcement of land-use policies and relevant Crown and Indigenous laws.

Through investing in the creation of the Network, including expansion of Guardians programs from coast to coast to coast, Canada will significantly level the playing field between First Nations and Crown governments in land-use planning processes, enabling a truly *inter-National* form of conservation.

2.3.2.1.3 Indigenous Protected and Conserved Areas & Marine Protected Areas

Despite the fact that First Nations have been stewarding our territories for millennia, since at least Confederation, First Nations – have until recently – been left out of decision making around conservation of natural spaces, even to the point of being forcibly displaced from our homes and precluded from continuing traditional harvesting and cultural activities in vast areas of our territories in order to establish national, provincial, territorial, and municipal parks.¹³⁵

In more recent times, Indigenous Peoples around the world have been asserting our rights and responsibilities to protect our territories and nation-states are increasingly recognizing the important role we have to play in conservation, including through the Indigenous-managed conservation areas. Today, the Indigenous Circle of Experts – a group convened as part of the Pathway to Target 1 initiative to explore pathways to achieving the Aichi target of protecting 17 percent of land and waters in Canada – refers to the full spectrum of arrangements for such Indigenous-led conservation areas as Indigenous Protected and Conserved Areas (IPCAs).¹³⁶

An early example of an IPCA in Canada can be traced back when the CHN designated Gwaii Haanas a Haida Heritage Site in 1985, which was followed by the federal government designating the South Moresby National Park Reserve and negotiating a joint stewardship agreement with the Haida Nation. This became the Gwaii Haanas National Park Reserve and Haida Heritage Site with the signing of the *Gwaii Haanas Agreement* in 1993,¹³⁷ the first Nation-to-Nation agreement between the Haida Nation and Canada.¹³⁸ The Haida Nation and Canada then negotiated the declaration of the Gwaii Haanas National Marine Conservation Area Reserve in the waters surrounding Gwaii Haanas in 2010.¹³⁹

¹³⁵ Indigenous Circle of Experts (ICE), *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. Report and Recommendations* (2018), 27-29.

¹³⁶ ICE, "Indigenous Circle of Experts Terms of Reference (2017)" online: *Pathway to Canada Target 1*, <https://www.conservation2020canada.ca/ice-resources>. Other terms in use include Tribal Parks, Indigenous Cultural Landscapes, and Indigenous Conserved Areas.

¹³⁷ Government of Canada, represented by the Minister of the Environment, and the Council of the Haida Nation, for and on behalf of the Haida Nation, and represented by the Vice President of the Nation, *supra*.

¹³⁸ Richardson, *supra*.

¹³⁹ Government of Canada, "Minister Prentice: Protection for Gwaii Haanas to Extend From Mountain Tops to Sea Floor" (June 7, 2010), online: *Government of Canada*, <https://www.canada.ca/en/news/archive/2010/06/minister-prentice-protection-gwaii-haanas-extend-mountain-tops-sea-floor.html>.

Meanwhile in Australia, several inquiries in the 1990s highlighted the need for greater Indigenous engagement in protected area management. There was a growing movement seeking to re-establish Aboriginal and Torres Strait Islander land management traditions and a new willingness to engage with government on conservation issues.¹⁴⁰ In 1997, the Australian launched its Indigenous Protected Area (IPA) program, which coincided both with the national government's commitment to establish a comprehensive protected area system and legal confirmation of Indigenous title of large tracts of land. The Australian government defines an IPA as an "area of land and/or sea over which the Indigenous traditional owners or custodians have entered in a voluntary agreement with the Australian government for the purposes of promoting biodiversity and cultural resource conservation."¹⁴¹ IPAs in Australia are declared or dedicated as protected areas by Indigenous Peoples based on Indigenous title to lands, while the national government provides recognition and substantial funding and other supports.¹⁴² As of 2020, there are 78 IPAs in Australia, accounting for more than 46 percent of the entire Australian National Reserve System, Australia's national network of protected areas.¹⁴³ The WoC Indigenous Rangers program (described in Section 2.2.1: *Working on Country Indigenous Rangers Program in Australia* above) supports conservation efforts in IPAs in Australia.

In 1997, the International Union for Conservation of Nature passed a resolution directing the organization to "endorse, support, participate in and advocate the development and implementation of a clear policy in relation to protected areas established in indigenous lands and territories". This came on the heels of recommendations coming out of the 1992 Fourth World Congress on National Parks and Protected Areas, calling for the development of policies for protected areas that safeguard the interests of Indigenous Peoples, and take into account customary resource practices and traditional land tenure systems.¹⁴⁴ In parallel, the World Wildlife Fund (WWF) was developing its own ideas, building on a series of regional and national workshops with Indigenous Peoples' organizations. Identifying overlapping work, the two organizations decided to work together to develop common principles and guidelines in 1999.¹⁴⁵

In 2003, the IUCN recommended providing "support and funding to indigenous peoples for community conserved, comanaged and indigenous owned and managed protected areas"¹⁴⁶ at the 5th World Parks Congress in Durban, South Africa. This concept was then adopted by the parties to the *Convention on Biological Diversity*¹⁴⁷ (including Canada) in 2004 as Indigenous and Local Community Conserved Areas. The IUCN recognized the potential that such areas had for supporting the Aichi land conservation and biodiversity goals.¹⁴⁸ IUCN members again

¹⁴⁰ Australian Department of the Environment and Water Resources, *Growing up Strong: The first 10 years of Indigenous Protected Areas in Australia*. Report (2007), online: *Australian Department of the Environment and Water Resources*, <https://webarchive.nla.gov.au/awa/20080611030702/http://pandora.nla.gov.au/pan/85287/20080611-1237/www.environment.gov.au/indigenous/publications/pubs/ipa-growing-up-strong.pdf>.

¹⁴¹ Australian Government – Department of Agriculture, Water, and the Environment, "Indigenous Protected Areas," online: *Australian Government – Department of Agriculture, Water, and the Environment*, <https://www.environment.gov.au/land/indigenous-protected-areas>.

¹⁴² ICE, *supra*, 75.

¹⁴³ AG-NIAA, 2020, *supra*.

¹⁴⁴ International Union for Conservation of Nature, *Indigenous and Traditional Peoples and Protected Areas Principles, Guidelines and Case Studies* (2000), vii.

¹⁴⁵ *Ibid.*

¹⁴⁶ Vth IUCN World Parks Congress, *Recommendations of the Vth IUCN World Parks Congress* (2007), 65, online: *Vth IUCN World Parks Congress*, https://www.uicnmed.org/web2007/CDMURCIA/pdf/durban/recommendations_en.pdf.

¹⁴⁷ *Convention on Biological Diversity (CBD)*, "The Convention on Biological Diversity," online: *CBD*, <https://www.cbd.int/convention/>.

¹⁴⁸ ICE, *supra*, 34.

recognized Indigenous and Community Conserved Areas in the 6th World Parks Congress in 2014 and in each quadrennial World Conservation Congress from 2004 to 2016.¹⁴⁹

In March 2018, the National Advisory Panel on the Pathway to Target 1 Initiative (reporting to the Minister of ECCC and the Alberta Minister of Environment and Parks) published its report, *Canada's Conservation Vision*.¹⁵⁰ In its report, the National Advisory Panel made a number of recommendations in support of IPCAs.¹⁵¹

- Recommendation 21: “We recommend that federal, provincial, and territorial governments engage in ethical space with Indigenous governments and peoples to develop new legal and policy mechanisms for Indigenous protected areas and OECMs that meet international standards for protecting areas over the long term, and that public funding be designated for the establishment and management of these areas.”
- Recommendation 22: “We recommend that federal, provincial, and territorial governments engage in ethical space with Indigenous governments and peoples to reconcile Western and Indigenous legal mechanisms with the goal of establishing and supporting IPAs at all levels, including by promoting the use of existing legal and policy mechanisms and creating additional supportive tools where needed.”
- Recommendation 23: “We recommend that the experience of engaging in ethical space to support Indigenous protected areas, along with associated Indigenous principles and values, should be applied to all existing and projected protected areas in Canada, as these are effective tools for reconciliation with each other and Mother Earth, and because each protected area has a place on the spectrum of Indigenous-Crown governance models.”
- Recommendation 24: “We recommend that systems be put in place so that protected areas, including Indigenous protected areas, build Indigenous capacity for management and meaningful operational participation on the land, prioritizing Indigenous ways of connecting with the land as a long-term strategy to conserve biodiversity.”
- Further: “That \$200M per year ongoing be invested to support capacity building and necessary legal and other institutional arrangements to support Indigenous protected areas; including Guardians and other IPA capacity building initiatives.”¹⁵²

In June 2018, Canadian government ministers committed to work with Indigenous Peoples to further explore the concept of IPCAs as well as to clarify the contributions of IPCAs to Canada Target 1 and to Indigenous cultural and conservation priorities.¹⁵³ That same year, the federal government supported the creation of the *Edézhíe* Protected Area in the traditional Dehcho territory in the southwestern part of the Northwest Territories (NWT), covering an area more

¹⁴⁹ ICCA Consortium, “Biodiversity law and conservation policy,” online: ICCA, <https://www.iccaconsortium.org/index.php/international-en/conservation-en/>.

¹⁵⁰ National Advisory Panel (NAP) members were appointed by the Minister of the Environment and Climate Change Canada (ECCC) and the Minister for Alberta Environment and Parks in June 2017 to advise governments on achieving Canada’s international commitment to biodiversity conservation. Members were selected based on merit and represented perspectives from Indigenous Peoples, land trusts, conservation non-governmental organizations, industry, academia, and youth. See Parks Canada, “Federal and Provincial Governments Create National Advisory Panel on Canada’s biodiversity conservation initiative,” online: *Parks Canada*, https://www.canada.ca/en/parks-canada/news/2017/06/federal_and_provincialgovernmentscreatenationaladvisorypanelonca.html.

¹⁵¹ National Advisory Panel, *Canada’s Conservation Vision: A Report of The National Advisory Panel*. Report (2018), 6-7.

¹⁵² *Ibid.*

¹⁵³ Governments of Canada, British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, New Brunswick, Nova Scotia, Prince Edward Island, Newfoundland, Yukon Territory, the Northwest Territories and Nunavut, *One with Nature: A Renewed Approach to Land and Freshwater Conservation in Canada. A Report of Canada’s Federal, Provincial and Territorial Departments Responsible for Parks, Protected Areas, Conservation, Wildlife and Biodiversity*. Report (2018), 5.

than twice the size of Banff National Park that is home to several endangered species and is of spiritual and cultural significance to the Dehcho Nation. *Edézhzié* was the first new IPCA established under Budget 2018's Nature Legacy Fund.¹⁵⁴

Since 2018, two additional IPCAs were established in 2019 - the 10,000 km² *K'asho Got'ine* protected area near Fort Good Hope¹⁵⁵, and the 26,376 km² *Thaidene Nëné* protected area on and around the eastern arm of Great Slave Lake, both in the NWT. ILI partnered with the Indigenous Nations involved in each of the three new IPCAs since 2018, supporting the Nations' land use plans and negotiations with Crown governments.¹⁵⁶

In late 2020, Mushkegowuk chiefs approved a motion to have Nation-to-Nation talks with Canada to create a National Marine Conservation Area (NMCA). Working with Oceans North, the Oceans Collaborative, and Wildlands League, the Mushkegowuk Council's NMCA project will protect coastal and marine ecosystems in western James Bay and Hudson Bay and coincides nicely with Canada's conservation target of 25 percent of lands and waters by 2025. The area itself is habitat for more than 170 species of shorebirds, ducks, and geese, beluga whales, and polar bears. Not only will the Mushkegowuk be able to steward their territories, ensuring the health of the land and its inhabitants for future generations, but travel routes, harvesting sites, sacred areas, ceremonial rights, and ways of life will also be preserved. With the Weenusk First Nation and Fort Severn joining the project, momentum for the area's conservancy is growing – the Mushkegowuk of *Eeyou Istchee* are concurrently initiating the same NMCA process to protect the eastern side of James Bay and Hudson Bay.¹⁵⁷

And in August 2021, the Haítzaqv (Heiltsuk), Kitsoo/Xai'xais, Nuxalk and Wuikinuxv Nations, Parks Canada and the BC Government kicked off a process toward establishing an NMCA Reserve off the Central Coast of BC, signing a Memorandum of Understanding signifying a commitment by the parties to conduct a feasibility study on an area of 14,200 km² with the goal of establishing a NMCA Reserve to protect and manage that area. The announcement of this NMCA Reserve initiative follows a revised Coastal First Nations Fisheries Resources Reconciliation Agreement to enable Central Coast Nations to co-manage fisheries on the Central Coast with DFO. It also helps move forward the process of building a network of Marine Protected Areas (MPAs) in the Great Bear Sea (also known as the Northern Shelf Bioregion), which is currently being undertaken in a partnership between 17 First Nations and the federal and BC governments. This MPA network would span from Northern Vancouver Island to the border with Alaska.¹⁵⁸

Of course, while designation of IPCAs and MPAs is important, they also require ongoing management and stewardship once established. A 2019 UBC study looking at 15,621 geographical areas in Canada, Brazil and Australia found that the areas managed or co-managed by Indigenous people had the highest levels of biodiversity of all, even when adjusted

¹⁵⁴ ECCC, "First new Indigenous protected area in Canada: *Edézhzié* Protected Area," online: ECCC, <https://www.canada.ca/en/environment-climate-change/news/2018/10/first-new-indigenous-protected-area-in-canada-edehzhie-protected-area.html>.

¹⁵⁵ Alex Brockman, "*K'asho Got'ine* celebrate new protected area near Fort Good Hope" (26 November 2019), online: CBC News, <https://www.cbc.ca/news/canada/north/fort-good-hope-ramparts-protected-area-celebrations-1.5372464>.

¹⁵⁶ ILI, "Indigenous Protected and Conserved Areas," online: ILI, <https://www.iliNationhood.ca/indigenous-protected-and-conserved-areas>.

¹⁵⁷ Dariya Baiguzhiyeva, "Chiefs approve motion to create National Marine Conservation Area" (3 October 2020), online: *Timmins Today*, <https://www.timminstoday.com/local-news/chiefs-approve-motion-to-create-national-marine-conservation-area-2760921>.

¹⁵⁸ West Coast Environmental Law, "Collaborative process kicks off to establish Central Coast National Marine Conservation Area Reserve" (August 13, 2021) online: *West Coast Environmental Law* <https://wcel.org/media-release/collaborative-process-kicks-establish-central-coast-national-marine-conservation-area>.

for other variables such as size, suggesting that it is the land-management practices of Indigenous communities that are keeping biodiversity high.¹⁵⁹

This is where Guardians come in. A National First Nations Guardians Network goes hand in hand with the establishment of IPCAs across the country, helping to achieve Canada's Aichi goal of protecting 17 percent of the land area across the country, protecting biodiversity while also making meaningful progress on reconciliation with First Nations. IPCAs and MPAs are an effective way of enabling co-management and co-governance by First Nations and provincial, territorial, and federal governments of those protected areas, with Guardians playing a critical role in those stewardship processes.

Supporting the further development of co-management / co-governance arrangements, including in IPCAs and MPAs, through investing in Guardians programs and the Network is another way in which Canada's investment in the National First Nations Guardians Network will enable truly *inter-National* conservation.

2.3.2.2 *The Growth of Marine Guardianship, Marine Use Planning & Co-Stewardship*

In coastal First Nations, marine Guardianship has been taking on increased urgency and importance in recent years. The motivation for a much larger role in the stewardship of territorial waters is summed up well by the "Haida Marine Vision" found in the CHN's 2007 discussion paper, *Towards a Marine Use Plan for Haida Gwaii*:

Haida culture is intertwined with all of creation in the land, sea, air and spirit worlds. Life in the sea around us is the essence of our well-being, and so our communities and culture.

Yet here, as around the world, an insatiable human appetite is depleting the oceans. Some species are diminished or gone, and many habitats are impoverished. We know that our culture depends on the sea around us, and that the well-being of every community and Nation is at risk.

It is imperative that we bring industrial marine resource use into balance with, and respect for, the well-being of life in the sea around us.

We must take steps today to achieve a future with healthy intact ecosystems that continue to sustain Haida culture, communities, and an abundant diversity of life, for generations to come.¹⁶⁰

As Jones, Rigg, *et. al.*, note, this emphasis on balance, respect, and reciprocity with life in the sea around us entails a shift to local or place-based management, which carries with it "the potential to rebuild connections to place and strengthen local management authority."¹⁶¹ This approach is likely to be more conservation-focused:

These values also require consideration of broader ecosystem effects resulting from specific marine-use activities such as the impacts of fishing practices on non-targeted species and habitats. As illustrated in Haida land-use planning, Haida values are likely to promote planning outcomes that reflect Haida interests

¹⁵⁹ Richard Schuster, Ryan R. Germain, et. al., "Vertebrate biodiversity on indigenous-managed lands in Australia, Brazil, and Canada equals that in protected areas" (2019) 101 *Environmental Science & Policy* 1.

¹⁶⁰ Council of the Haida Nation, *Towards a Marine Use Plan for Haida Gwaii - A Discussion Paper* (2007), 4.

¹⁶¹ Russ Jones, Catherine Rigg, and Lynn Lee, "Haida marine planning: First Nations as a partner in marine conservation" (2010), online: *Ecology and Society*, <http://www.ecologyandsociety.org/vol15/iss1/art12/>.

in healthy marine ecosystems and sustainable economic development on Haida Gwaii.¹⁶²

Today, the Haida Nation has its own marine-use plan (MUP), based on Haida ethics and values and an ecosystem-based management approach. In that plan, Haida Fisheries Guardians play an important role in monitoring and compliance programs, as well as enforcement.¹⁶³ The Haida Marine Plan was completed as part of the Marine Plan Partnership (MaPP) for the North Pacific Coast, a unique collaboration between 17 First Nations and the Province of BC (formalized in 2011), which developed marine plans for those First Nations territories along the Pacific coast.¹⁶⁴ MaPP produced four Marine Plans in 2015: in addition to Haida Gwaii, marine plans were also created for the North Coast, Central Coast, and Vancouver Island regions. Each plan is based on an ecosystem-based management (EBM) framework, focusing on human well-being, ecological integrity, and governance, informed by local and traditional knowledge as well as by input and advice from scientists and stakeholder advisory committees.¹⁶⁵

Funding was provided through the MaPP initiative to hire and train 17 new Guardian Watchmen in 10 coastal First Nations in order to implement the MaPP strategies and monitor their effectiveness.¹⁶⁶ According to Heiltsuk Fisheries Manager Mike Reid:

It is essential to have Guardian Watchmen implementing the MaPP plan. The Watchmen...know their territories, the resources and the various user groups intimately. They have all grown up here and have all this local experience to bring to this work. If we hired outsiders for this, there would be big gaps in their knowledge. Without the Watchmen we are going in blind, we won't really know what is working [with MaPP] and what isn't. The Watchmen will be the first to know if the plan is working or not."¹⁶⁷

Guardians hired through MaPP were trained in subjects including enforcement, fisheries management, electro-fishing, cultural awareness, and small motor operation and maintenance.¹⁶⁸

Building on the success of the MaPP initiative, the federal government launched the Pacific North Coast Integrated Management Area (PNCIMA) Initiative in 2017. PNCIMA is a collaborative process led through an oceans governance agreement between the federal, BC, and First Nation governments.¹⁶⁹ The *PNCIMA Collaborative Oceans Governance Memorandum of Understanding*¹⁷⁰ and resulting plan¹⁷¹ apply to the same ocean area as the

¹⁶² *Ibid.*

¹⁶³ Marine Planning Partnership Initiative, *Haida Gwaii Marine Plan*, (2015).

¹⁶⁴ Marine Plan Partnership for the Coast (MaPP), "Home," online: *MaPP*, <http://mappocean.org/>.

¹⁶⁵ MaPP, "About," online: *MaPP*, <http://mappocean.org/about-mapp/>.

¹⁶⁶ Central Coast Indigenous Resource Alliance (CCIRA), "Guardian Watchmen Essential for MaPP" (2016), online: *CCIRA*, <https://www.ccira.ca/2016/07/guardian-watchmen-essential-for-mapp/>.

¹⁶⁷ *Ibid.*

¹⁶⁸ *Ibid.*

¹⁶⁹ Pacific North Coast Integrated Management Area (PNCIMA) Initiative, *Pacific North Coast Integrated Management Area Plan* (2017), v.

¹⁷⁰ DFO and First Nations of the Pacific North Coast (as represented by Coastal First Nations and the North Coast - Skeena First Nations Stewardship Society), *Memorandum of Understanding on Pacific North Coast Management Area Collaborative Oceans Governance* (2008), online: *Impact Assessment Agency of Canada*, https://iaac-aeic.gc.ca/050/documents_staticpost/cearef_21799/83896/PNCIMA_MOU.pdf.

¹⁷¹ PNCIMA, *supra*.

Marine Plan Partnership for the North Pacific Coast, MaPP,¹⁷² but is complementary to it, dealing with strategic marine planning goals, objectives and risk assessments at a regional large ocean management area scale.¹⁷³ The PNCIMA plan recognizes the importance of First Nations in the governance, stewardship, and use of ocean resources, acknowledging First Nations' laws, customs, and traditions for the protection, management, and stewardship of marine areas within PNCIMA; and acknowledging that First Nations' knowledge, authorities, and responsibilities remain vital to ongoing stewardship, management, and economic well-being.¹⁷⁴

PNCIMA is one of five national Large Ocean Management Areas identified in Canada's 2005 *Oceans Action Plan*,¹⁷⁵ which was developed under the 1997 *Oceans Act*,¹⁷⁶ a law which made Canada the first country in the world to adopt comprehensive legislation for integrated ocean management.¹⁷⁷ So far, of the five Large Ocean Management Areas identified in the *Oceans Act* and *Oceans Action Plan*, only the PNCIMA and Beaufort Sea Marine Plans have so far been approved by DFO, although none has yet been funded for implementation.¹⁷⁸

While many examples of Indigenous-led or co-led marine planning are currently found in BC, there are examples in other parts of the country as well. One is the Eeyou Marine Region Planning Commission, formed in 2013 through an agreement between the James Bay Cree of Québec, the Canadian Government, and the Government of Nunavut, for the islands and resources within eastern James Bay and portions of southeastern Hudson Bay.¹⁷⁹ The commission consists of representatives of the parties to the Eeyou Marine Region Land Claims Agreement, with the mandate to develop planning policies, priorities and objectives for the Eeyou Marine Region, including the development and implementation of a land use plan.¹⁸⁰ Separately under the same agreement, an Impact Review Board has been established, which holds the primary responsibility to assess the environmental and socio-economic impacts of proposed development projects within the Eeyou Marine Region.¹⁸¹

In Labrador, the Nunatsiavut Government is currently in the process of completing the Imappivut Marine Plan to develop a co-management plan covering all 48,690 km² included in the Labrador Inuit Land Claims Agreement and aims to "represent the full diversity of species, habitats, and community interests and ensure Labrador Inuit have a voice in decisions that affect them."¹⁸²

Many First Nations identify themselves as Peoples of the water and would build out Guardians programs to manifest their ancestral responsibilities to their marine territories and the life that resides within them, with which they are deeply interrelated. Considering the depth of these ancestral connections, along with the Canadian government's new ambition to protect 30 percent of marine areas by 2030 and its commitment to support First Nations' self-determination

¹⁷² CFN-GBI, "Pacific North Coast Integrated Management Area (PNCIMA)," online: *CFN-GBI*, <https://coastalfirstnations.ca/our-sea/pacific-north-coast-integrated-management-area-pncima/>.

¹⁷³ MaPP, "FAQS," online: *MaPP*, <http://mappocean.org/about-mapp/faqs/>.

¹⁷⁴ PNCIMA, *supra*, 10.

¹⁷⁵ DFO, "Oceans Action Plan," online: *DFO*, <https://www.dfo-mpo.gc.ca/oceans/publications/oap-pao/index-eng.html>.

¹⁷⁶ *Oceans Act*, SC 1996, c 31.

¹⁷⁷ UNESCO Marine Spatial Planning Program (UNESCO MMSPP), "Canada," online: *IOC-UNESCO*, <http://msp.ioc-unesco.org/world-applications/americas/canada/>.

¹⁷⁸ UNESCO MMSPP, *supra*.

¹⁷⁹ Eeyou Marine Region (EMR), "Planning Commission," online: *EMR*, <https://www.eeyoumarineregion.ca/planning-commission/>.

¹⁸⁰ *Ibid.*

¹⁸¹ EMR, "Impact Review Board," online: *EMR*, <https://www.eeyoumarineregion.ca/impact-review-board/>.

¹⁸² Imappivut Nunatsiavut Marine Plan, "About - What is Imappivut?" online: *Imappivut Nunatsiavut Marine Plan*, <https://imappivut.com/about/>.

through the full implementation of *UNDRIP* and *UNDRIPA*, now more than ever First Nations are in need of trained professionals knowledgeable in marine planning and with the capacity to implement those plans through monitoring and compliance enforcement. Just as First Nations Guardians are increasingly taking on this responsibility on the Pacific Coast, Guardians can also help their home Nations fulfill this need in other parts of the country.

This momentum for the establishment of MPAs, MUPs, and marine Guardianship will only continue to grow, and these mechanisms will serve as essential vehicles for co-management and co-governance of critical ecological and resource rich territory as the need to protect vital ecosystems and plan for multiple uses and priorities becomes clearer and clearer in our immediate future.

Through investing in the creation of the Network, including the expansion of Guardians programs from coast to coast to coast, the Government of Canada will enable the development of marine Guardians programs along each of the coast lines that encircle the country, support capacity for marine-use planning, and level the playing field for First Nations in marine co-management and co-governance arrangements, inaugurating a truly *inter-National* form of marine conservation that will protect vulnerable coastlines and coastal communities and ecosystems in a time of rising sea levels, intensified fishing and other development pressures.

2.3.3 Inputs Required to Run Guardians Programs

Guardians programs range from very small, one-person operations to medium-sized programs delivered by a team of seasonal and full-time staff, to large programs with operating budgets of up to \$1M.¹⁸³ In addition to predictable and accessible multi-year funding, Guardians programs of all sizes rely on other inputs to successfully make an impact in their territories. Access to technical equipment, like mapping software, safety equipment, radio equipment, and satellite phones are required for on-the-land monitoring projects. Indigenous-owned and controlled maps and databases are also critical in helping Nations make informed management decisions, while ongoing skills training enables Guardians to take on new projects safely and effectively. For small teams, the ability to network regionally with other Guardians and share best practices and resources is critical. Lastly, community outreach and engagement requires access to basic communication tools like computers, internet access, and printers.

2.4 Growing Momentum for a National First Nations Guardians Network

Since the creation of the HGW, INEG, CGW, and CSN First Nations Guardians and stewardship programs, momentum for First Nations Guardians programs has been growing across the country, with the number of First Nations Guardians programs now reaching approximately 90.¹⁸⁴ As more First Nations have begun creating Guardians programs to steward our territories and provide meaningful work for members of our Nations, momentum has also been growing for the creation of a Network of First Nations Guardians programs across the country.

As the number of First Nations Guardians programs has grown, they have continued to struggle with capacity issues, including the need for common training, shared services, and consistent funding. First Nations and our Guardians programs have envisioned that a national Network could play a critical role in providing such support to Guardians programs, both to enable them to get started and to give them the capacity to do their on-the-land and -water work in our

¹⁸³ EPI, 2016, *supra*, 19.

¹⁸⁴ This number is drawn from our research compiled in Appendix A: *Environmental Scan of Existing Guardians Programs in Canada*, based on the best available information on the public record.

territories, turning to the Network as a common resource grounded in First Nations ways of knowing and ways of being.¹⁸⁵

The call to increase the number and capacity of First Nations Guardians programs has been driven first and foremost by First Nations, bolstered by Indigenous organizations, Parliamentarians, provincial and territorial governments, civil society, and the private sector.

2.4.1 First Nations Support

In February 2014, a two-day workshop was hosted in Squamish, BC, with approximately two dozen Indigenous stewardship program leaders from across the country. A key priority identified by participants in this workshop was to increase opportunities for Indigenous stewardship practitioners across the country to network and share experiences, program information, training resources, strategies and methodologies.¹⁸⁶

The positive impacts for First Nations from our Guardians programs, the success of the Australian WoC Indigenous Rangers, and growing momentum for Guardians programs and a national Network led the Assembly of First Nations (AFN) to pass a resolution at its December 2015 Special Chiefs Assembly mandating “the National Chief and Executive to support and assist in the development of a concerted and grassroots-led effort for a federally funded Indigenous Guardians program in Canada.”¹⁸⁷ The call for a National First Nations Guardians Network (Network) was reiterated at the first National Indigenous Guardians gathering in Ottawa in October 2016.¹⁸⁸ That same month, ILI made a proposal to the federal government to support the creation of a national Network of Indigenous Guardians programs, which was successful in securing federal funding for a Pilot Program to serve as the foundation for the Network this proposal is now seeking to initiate.¹⁸⁹

At the second National Indigenous Guardians gathering, held in Vancouver in March 2019, participants re-emphasized the need for a national Network.¹⁹⁰ In July 2019, the AFN passed a resolution at its Annual General Assembly reiterating its full support for Indigenous Guardians programs and the need for a federally-funded Network. The resolution directed the AFN to call on Canada and the provinces and territories to sustainably fund a Network and mechanisms to ensure that First Nations have access and control over our lands.¹⁹¹ ILI has continued as the leading voice for funding a National First Nations Guardians Network and calling on Crown governments to make major, long-term investments in this stewardship.¹⁹²

¹⁸⁵ ECCC, “Indigenous Guardians Pilot,” online: ECCC, <https://www.canada.ca/en/environment-climate-change/services/environmental-funding/indigenous-guardians-pilot.html>.

¹⁸⁶ Dovetail Consulting Ltd., *Workshop Summary Report: On the Ground Indigenous Stewardship in Canada February 23-25, 2014, Squamish, BC*, 13-16, online: Dovetail Consulting Ltd., <https://drive.google.com/file/d/1jrM3R22Z-56p6iSc0ZQ0M4Cq0F-AEkyO/view>.

¹⁸⁷ Assembly of First Nations (AFN), Special Chiefs Assembly 2015, *Final Resolutions*, (2015) Resolution no. 60/2015, online: AFN, <https://www.afn.ca/uploads/files/resolutions/res-sca-2015.pdf>.

¹⁸⁸ ILI, “2016 Inaugural Indigenous Guardians Gathering,” online: ILI, <https://www.iliNationhood.ca/events/2016-inaugural-indigenous-guardians-gathering>.

¹⁸⁹ ILI, “Indigenous Guardians Network Seeks About \$500 Million Investment Over Five Years” (3 October 2016), online: ILI, <https://www.iliNationhood.ca/news/indigenous-guardians-network-seeks-about-500-million-investment-over-five-years?rq=guardians>.

¹⁹⁰ ILI, “*First Nations Guardians Gathering 2019*,” online: ILI, <https://www.iliNationhood.ca/events/first-nations-guardians-gathering-2019>.

¹⁹¹ AFN, Annual General Assembly 2019, Resolution no. 44/2019, online: AFN, <https://www.afn.ca/wp-content/uploads/2019/08/19-44-Supporting-First-Nations-Guardians.pdf>.

¹⁹² ILI is the lead partner in the Land Needs Guardians campaign, launched in 2020 to celebrate and support Indigenous Guardians programs and Indigenous stewardship. Land Needs Guardians, “Take care of the land, and the land takes care of us,” online: *Land Needs Guardians*, <https://landneedsguardians.ca/>.

2.4.2 Parliamentary Support

After the release of the TRC's *Final Report*¹⁹³ in 2015, Prime Minister Justin Trudeau committed to Nation-to-Nation relationships with First Nations. In his address to the AFN, he pledged significant investments and committed to reforms led by First Nations, "rather than a top-down approach."¹⁹⁴ In 2016, over 50 Members of Parliament (MPs), from all parties, lobbied then Finance Minister Bill Morneau to include funding for a National Indigenous Guardians Network in the next federal budget. Since then, Parliamentary support for reconciliation and a renewed relationship between First Nations and Canada has continued to grow.¹⁹⁵

In October 2016, as noted above, ILI submitted a proposal to the federal government for funding to create a Network, which, in 2017, resulted in an initial investment of \$25 million over 5 years towards a Pilot Program, to support Indigenous Guardians programs and development of a national Network.¹⁹⁶ The Pilot Program was organized in three distinct streams - First Nations, Inuit and Métis - in order to reflect a distinctions-based approach and to respect the unique perspectives, rights, responsibilities, and needs of different Indigenous Peoples across the country.

In September 2018, to support the Pilot Program, ILI and ECCC created the First Nations-Federal Pilot Joint Working Group on Guardians (JWG) which included eight Indigenous knowledge keepers and four federal representatives.¹⁹⁷ Its mandate has been to determine funding priorities and assessment criteria, design a selection and application process, and develop evaluation methods, success metrics, and timelines. The JWG also set objectives for the Pilot Program, including empowering First Nations through Guardians initiatives; strengthening the connection between First Nations youth, elders and knowledge keepers; and promoting Nation-to-Nation partnerships between First Nations and the Government of Canada.

In July 2019, the federal government augmented its initial investment of \$25 million with an additional investment of \$6.4 million into the First Nations stream of the Pilot Program. This additional investment went to support 22 new and existing Guardian programs based on the assessment of the JWG. Since 2017, the number of First Nations Guardians programs in Canada more than tripled to approximately 90 today.¹⁹⁸

Funding the Pilot Program was a critical step by the federal government in recognizing the importance of First Nations-led stewardship in Canada. In September 2020, Prime Minister Trudeau reaffirmed the federal government's commitment to Indigenous conservation work at the UN Summit on Biodiversity. Committing Canada to a global stewardship goal of protection

¹⁹³ TRC, vol 1-6, *supra*.

¹⁹⁴ Joanna Smith, "Trudeau commits to 'Nation-to-Nation relationship' with First Nations" (8 December 2015), online: *Toronto Star*, <https://www.thestar.com/news/canada/2015/12/08/trudeau-commits-to-Nation-to-Nation-relationship-with-first-nations.html>.

¹⁹⁵ Will Amos, "Amos: Time to fund the Indigenous Guardians Network" (5 December 2016), online: *Ottawa Citizen*, <https://ottawacitizen.com/opinion/columnists/amos-time-to-fund-the-indigenous-guardians-network>; also See ILI, "National Indigenous Guardians Network Receives Funding In Federal Budget" (22 March 2017), online: *ILI*, <https://www.iliNationhood.ca/news/national-indigenous-guardians-network-receives-funding-in-federal-budget?rq=guardians>.

¹⁹⁶ Indigenous Guardians Toolkit, "Gaining Momentum - A National Network for Indigenous Guardians," online: *Indigenous Guardians Toolkit*, <https://www.indigenousguardianstoolkit.ca/story/gaining-momentum-national-network-indigenous-guardians>.

¹⁹⁷ *Ibid*.

¹⁹⁸ This number is drawn from our research compiled in Appendix A: *Environmental Scan of Existing Guardians Programs in Canada*, based on the best available information on the public record.

30 percent of lands and waters by the year 2030, he also recognized the integral role of Indigenous knowledge and conservation in healing lands and waters:¹⁹⁹

But there is more to do, because to take care of ourselves, we must take care of nature. We need to partner with Indigenous Peoples, root our decisions in science, and seek local perspectives to build a healthier and more resilient planet.²⁰⁰

In December 2020, in a dialogue on “Conservation, Nationhood, and International Leadership,” former MP and Cabinet Minister Ethel Blondin-Andrew emphasized that “The growing Indigenous conservation movement offers Canada a powerful opportunity to keep our promises to the world.”²⁰¹

Funding the creation of a National First Nations Guardians Network is a unique opportunity for Canada to meet its *inter-National* commitments – to the world and to First Nations here at home. Through funding the Network, Canada will enable the creation and be able to participate in a truly *inter-National* conservation forum.

2.4.3 Provincial & Territorial Support

Provinces and territories have provided support for First Nations Guardians by working alongside and / or partnering with First Nations Guardians programs, including through co-management agreements between First Nations and Crown governments. As stewards of lands and waters, Guardians conduct on-the-land monitoring, enforce provincial / territorial and Indigenous laws, gather and compile data, and engage and educate the public on cultural and natural resources.

After years of damage and neglect, lands, waters, and wildlife are being restored by Guardians. Revitalization projects, such as the Okanagan Nation Alliance’s sockeye salmon habitat restoration and the Sauteau and West Moberly First Nations’ woodland caribou penning plan, have brought these animals back from the brink of extinction. Inspired by Guardians’ success with caribou, the BC Government entered a 30-year partnership with the Sauteau and West Moberly First Nations to support recovery efforts and create a 206,000-hectare provincial park to aid with habitat restoration.²⁰²

Similarly, the Halfway River First Nation partnered with the BC Conservation Officer Service to create a dedicated Conservation Officer position for a member of the Nation. The two entities work collaboratively to “promote compliance, protect natural resources and ensure public safety through education and enforcement.”²⁰³ Since the BC Government agreed that “lands and resources must be managed in accordance with both provincial and Indigenous laws,”²⁰⁴ the role of Guardians as enforcement authorities has expanded.

¹⁹⁹ The Canadian Press, “Trudeau urges largest countries in the world to support the UN biodiversity plan” (28 September 2020), online: *CTV News*, <https://www.ctvnews.ca/politics/trudeau-urges-largest-countries-in-the-world-to-support-un-biodiversity-plan-1.5123177>.

²⁰⁰ Prime Minister Justin Trudeau, United Nations Summit on Biodiversity (September 2020), Email transcript.

²⁰¹ ILI, “Team,” online: *ILI*, <https://www.iliNationhood.ca/team>.

²⁰² BCFNEMC & UVic ELC, *supra*, 73.

²⁰³ *Ibid.*, 83.

²⁰⁴ *Ibid.*, 12.

The role of First Nations Guardians in the stewardship of land and waters is continuously evolving in the provinces and territories. In 2018, the BC Government recognised the need for collaboration and mutual understanding to achieve both reconciliation and conservations goals:

There is a shared interest in environmentally sustainable resource development, informed by science and First Nations traditional knowledge and wisdom. [BC and First Nations] can better steward the land if we commit to better understand and implement the most progressive and successful aspects of our respective perspectives, approaches, and practices.²⁰⁵

In provinces and territories across the country, Guardians programs are being supported to prevent fires through prescribed burns, restore habitat for wildlife, re-think fisheries practices, and remove, monitor, and maintain non-operational industrial by-products and sites.

Supporting the Network would accelerate reconciliation between First Nations and Crown governments across the country.²⁰⁶ As Heiltsuk Nation Hereditary Chief and founding Director of the Heiltsuk Integrated Resource Management Department Frank Brown and Legal Director of the UVic Environmental Law Centre Calvin Sandborn, QC, emphasize:

A powerful reconciliation opportunity is within reach for any government in Canada that has the vision to grasp it. That opportunity can produce vast net positives for Canadians: wildfire-risk mitigation, environmental and cultural protection, the building of healthier Indigenous communities and job creation. That work is even happening right now – it just needs our support.²⁰⁷

Investing in the creation of a National First Nations Guardians Network will only help expand the capacity of Guardians to support their Nations in concluding co-management / co-governance agreements with the provinces and territories – with Canada playing a critical leadership role in a difficult area of shared jurisdiction – shared not only between the federal and provincial / territorial governments but also with First Nations. Supporting the creation of the Network is thus a key way for Canada to enable a framework for the next generation of co-operative federalism, a truly *inter-National* forum for conservation across the country.

2.4.4 Civil Society & Private Sector Support

Civil society and the private sector expressed their support by investing in shared environmental projects and voicing their appreciation for the socio-economic, environmental, and health benefits that come with the programs.

NGOs, academia, industry, local businesses, private citizens etc. have also raised their voices in support of First Nations Guardians programs and the work they do. Recently, in light of the COVID-19 pandemic, the resulting global economic crisis, and the UN Summit on Biodiversity, several calls to action have been published citing Guardians programs as a way of creating a more resilient economy while also healing land, water, and relationships. As former MP Blondin-Andrew, the first First Nations woman to serve as a federal Cabinet Minister, and AFN-Yukon Regional Chief Kluane Ademek note:

²⁰⁵ BCFNEMC & UVic ELC, *supra*, 48.

²⁰⁶ Frank Brown and Calvin Sandborn, "Support for Indigenous Guardians can be the key to meaningful reconciliation" (26 September 2020), online: *The Globe and Mail*, <https://www.theglobeandmail.com/opinion/article-support-for-indigenous-guardians-can-be-the-key-to-meaningful/>.

²⁰⁷ *Ibid.*

Investing in First Nations' stewardship can help the country heal — from the pandemic, from the threat of climate change, from the loss of biodiversity and from the scars of colonialism. ... It begins with supporting Indigenous leadership on the land. ... We can help make the next several months a time of healing, hope and connection, leading us into the next seasons of change.²⁰⁸

First Nations-led conservation produces well-paying jobs – often in rural and remote locations facing acute economic challenges – which support family members and Nations themselves, boosting local and regional economic multipliers (spin-off effects from the money invested in such jobs, including from local procurement to support program operations and money spent by Guardians as a result of earning their wages).²⁰⁹ For example, in 2019, the Łutsël K'É Dene First Nation agreed to co-manage *Thaidene Nëné* – one of the most expansive protected areas on the continent – resulting in an investment of over half a million dollars in research equipment and boats which were purchased from local businesses. By supporting First Nations stewardship initiatives like this, society and the economy will become more resilient and be able to heal from the effects of COVID-19, climate change, loss of biodiversity, and the colonial past.²¹⁰

Members of the public across the country are concerned with the environmental impacts of abandoned mines and other resource extraction and hazardous waste sites. MiningWatch Canada estimates the cost of cleaning up abandoned mining sites in BC alone at \$3 billion.²¹¹ Building on the model of the Innu Guardians at the Voisey's Bay mine, it has been suggested that First Nations Guardians are needed in every watershed to monitor and counteract the devastation caused by acid and metal runoffs from mine sites. The oil and gas industry is also interested in the role Guardians could play in mitigating uncertainty around development and restoring ecosystems contaminated by industrial pollutants.²¹²

Now is the time for Canada to support the creation of a National First Nations Guardians Network to build on the success of existing Guardians programs across the country.

²⁰⁸ Blondin-Andrew and Adamek, *supra*.

²⁰⁹ Steven Nitah, "Investing in Indigenous conservation to create a more resilient economy" (22 June 2020), online: *The Hill Times*, <https://www.hilltimes.com/2020/06/22/investing-in-indigenous-conservation-to-create-a-more-resilient-economy/253197>.

²¹⁰ Blondin-Andrew, *supra*.

²¹¹ MiningWatch Canada, "Analysis – Environmental Liability of Mine Sites in British Columbia" (5 May 2016), online: *MiningWatch Canada*, https://miningwatch.ca/sites/default/files/2016-05-30-bcminingliability-analysis_0.pdf.

²¹² Stephen Hume, "Wanted and needed: Guardians in every watershed" (29 September 2020), online: *Focus on Victoria*, <https://www.focusonvictoria.ca/earthrise/56/>.

3. Business Case for a National First Nations Guardians Network

Nature is generally declining less rapidly in indigenous peoples' land than in other lands, but is nevertheless declining, as is the knowledge of how to manage it.²¹³

As the observation from the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services opening this section, above, underscores how in this period characterized by rapidly declining biodiversity Indigenous Peoples are uniquely positioned, through our ancestral knowledges, relationships to and within our territories, and stewardship practices for sustaining ourselves and these relations in harmony, to provide leadership for the future of how stewardship should be managed and conducted across the country – yet at the same time it underscores the risk of failing to act now in ways that revive, revitalize, and renew the use of Indigenous knowledges and stewardship practices in conservation efforts across the country.

Guardians are contemporary extensions of the work First Nations have been doing to manage and monitor our lands and waters since time immemorial and Guardians programs have been established by First Nations to ensure, restore, and strengthen our stewardship over our territories, ensuring the ability of our Peoples to survive and thrive in our territories for generations to come. This stewardship is based on our ancestral knowledges, responsibilities, relations, and practices.

The movement for a National First Nations Guardians Network seeks to apply the insights and wise practices our Peoples have fostered for millennia in our homelands in a contemporary context. Our leadership at the helm of this national Network will position us to share the benefits of our collective ancestral wisdom with all Canadians and by extension all members of the world community as well, ensuring the best outcomes for our common future in this country and on this planet. Through funding the National First Nations Guardians Network, Canada will enable the creation of and its participation in a truly *inter-National* forum for conservation from coast to coast.

3.1 Purpose of the Business Case

This section of the report is dedicated to outlining the benefits, value, and returns that are anticipated to accrue to Canada, First Nations and First Nation peoples from a federal investment in a National First Nations Guardians Network. It aims to make clear the nature of the Network we are seeking to build and the anticipated benefits of the Network.

A National First Nations Guardians Network will create benefits, value, and return on multiple different levels, including:

- **Ecological Returns:** A rapid upscaling of conservation efforts across Canada, using the best of Indigenous Knowledge and science to protect biodiversity and species at risk, implement nature-based climate solutions, and reduce gaps in environmental monitoring.
- **Increased Well-being of First Nations Peoples:** Facilitating healing for all generations by strengthening connections with the land, creating opportunities for the intergenerational transfer of knowledge and revitalization of language and culture, and creating new economic and employment opportunities in First Nations in a conservation economy.

²¹³ “IPBES Global Assessment Summary for Policy Makers (May 6, 2019)” in Saami Council, *supra*, 20.

- Connecting and Supporting Guardians: Providing funding stability and organizational support to Guardians programs to enable them to be even more effective, and connecting Guardians for the transfer of knowledge and best practices, the formation of regional collaborations and collective problem-solving.
- Nation-to-Nation Relations: Advancing reconciliation and Nation-to-Nation relationships between Canada and First Nations, and Nationhood and self-determination by First Nations; Establishing a framework for operationalizing the *UNDRIP* principle of Free, Prior, and Informed consent (FPIC) within First Nations' territories (Article 32); and advancing shared decision making about and revenue/benefit sharing from resource development.
- First Nations Governance: Building capacity at the Nation and individual level, through the training and experience gained and by offering youth and other members meaningful employment that enable them to stay and participate in our Nations. Revitalizing traditional governance capacity and authority, including with respect to lands, water, air and resources.

Different benefits stem from different elements of the interconnected elements of the Network we are working to establish with federal funding. These different elements include:

- A comprehensive set of Guardians programs created by First Nations from coast to coast to coast;
- A modest central, technical / administrative structure to support Guardians programs across the country and the Network's governance body and functions.
- Guardians training and program development, including Program Coordinator training, Guardians training, and program ramp-up; and
- Network governance.

This section proceeds by first reviewing the core elements of the Network, enumerated above. It then reviews key benefits, values, and returns flowing from Guardians programs, including the essential role Guardians can play in meeting Canada's ecological stewardship objectives and obligations, particularly as informed by international conventions and other instruments; and including the social, cultural, economic, and broader returns and value Guardians programs yield for Guardians, First Nations, and Canada. It then reviews the value and benefits from the Network itself, particularly in terms of reclaiming, revitalizing, maintaining, and strengthening Nationhood and self-determination; enabling and enacting Nation-to-Nation relationships amongst First Nations and between First Nations and Canada; and restoring and securing Canada's reputation and position as a true leader in the world community.

3.2 Overview of Core Elements of the Network

While many Guardians programs have been established, provided hands-on experience for Guardians, and developed some education and training curricula, investment in the development of the Network would provide wider and deeper access to education and training, best practices, shared services, and other supports for Guardians programs across the country, enabling Nation-based programs to deliver great value for our Nations and for stewardship across the country. A National First Nations Guardians Network would enable knowledge sharing and collaboration on strategies amongst First Nations from coast to coast to coast and a forum for Canada, the provinces and territories, and other stewardship partners to collaborate with this Network of Nation-based programs, in a truly *inter-National* form of conservation.

This section provides a brief overview on each of the constituent elements of the proposed Network: Guardians programs from coast to coast to coast, Network operations, training and capacity development, and Network governance.

3.2.1 Guardians Programs from Coast to Coast to Coast

One of the core elements of the Network is the expansion of Guardians programs (described in the Section 3.2.1: *Guardians Programs from Coast to Coast to Coast* above) from coast to coast to coast. While the number of Guardians programs has grown from one, to close to a dozen, and now to approximately 90,²¹⁴ significant gaps remain all across the country, leaving gaps in environmental monitoring, cultural and ecological stewardship, and the benefits of on-the-land / water and in-one's-home-territory employment from coast to coast to coast. These gaps also leave the Guardians and Guardians programs that do exist without a sufficient level of collegial and professional connection and knowledge exchange. A critical element of this funding request is for support to significantly expand the number and spread of First Nations Guardians programs across the country to close these gaps and bring a wide range of beneficial results and value to First Nations and Canada, as discussed further below.

3.2.2 Network Secretariat & First Nations-Federal Pilot Joint Working Group on Guardians

The vision for a National First Nations Guardians Network includes an operational complement to the Network's governance structure (referred to as the Network Council in this proposal), which would provide technical and administrative support to Guardians programs in the form of core shared services and knowledge, to maximize the impact and effectiveness of resources across the Network of programs. More detail on the specific nature of shared services desired by existing Guardians programs is provided in Section 3.4.1: *Role of the Network in Sustaining Robust Guardians Programs*.

The Secretariat would participate in / collaborate with the JWG, which was created by ILI and ECCC in September 2018 to support the success of the Pilot Program. The JWG would continue to provide its expertise and advice, as it has done in the foundation of the Pilot Program – now in support of the Network as it develops and assumes its leadership role as a networked entity uniquely positioned to facilitate *inter-National* ecological stewardship and relations from coast to coast to coast and as the approach to Indigenous Guardians shifts from that of a federal program to a First Nations-led Network leading this *inter-National* stewardship.

The Network Secretariat also provides technical and administrative support to the Network Council, the Network's governance body, to enable it to effectively carry out its functions, described below. Such technical and administrative support includes:

- Research and the preparation of backgrounders, reports, and presentations to support representatives having the best of current knowledge as pertains to their area of decision making.
- Research and drafting to support preparation of reports and presentations from the Network governance body and/or particular representatives to their constituents – Nations and Guardians programs – and to other audiences, such as when engaging in advocacy on behalf of Guardians programs.
- Support with scheduling and correspondence.
- Support with travel arrangements.

²¹⁴ This number is drawn from our research compiled in Appendix A: *Environmental Scan of Existing Guardians Programs in Canada*, based on the best available information on the public record.

- Financial administration.

3.2.3 Guardians Training and Program Development

The work of Guardians is multifaceted and requires the integration of both Indigenous knowledge and science, as well as many practical skills. Therefore, a rigorous training program is called for, not only for new Guardians, but on a continuous basis. We envision the Network Secretariat assembling a First Nations Guardians training experts committee with representatives from key institutions, such as Dechinta Bush University, VIU, St. Mary's University, and the University of Northern British Columbia, which have already started offering Guardians-related training, to develop a core curriculum framework. This curriculum framework would ensure core competencies are addressed and offer a level of standardization, while Nations would determine how this curriculum is applied based on their needs and priorities as well as their ecological and regional contexts. The Network Secretariat would also play a key role in providing start up training and capacity building for new programs or programs undergoing significant turnover and in need of such services – supporting Nations as we engage in Nation-rebuilding.

3.2.3.1 Guardians Program Coordinator Training

University-accredited training for Guardians Program Coordinators will ensure that they have the unique mix of land management, community and program leadership, and hands-on skills that will prepare them to design and implement effective community programs. The Program Coordinator Training component will rely primarily on the train-the-leader concept. As the training of the leaders ramps up across Canada, a network of Guardians Program Coordinators will be created. This network will be collegial, collaborative and cooperative.

Their core curriculum will be highly interdisciplinary and include: Indigenous history, ethnobotany, archaeology, environmental science and monitoring, climate change science, research design and methodology, Indigenous environmental law, land-use planning and protected area strategies, research and writing, communications theory and practice, community development, and harvesting and health studies. The formal classroom core curriculum will be supplemented by a practicum in each of the participants' home Nations. Here the Guardians Program Coordinators will lead the creation of on-the-land stewardship programs as a condition of completion of their course.

3.2.3.2 First Nations Guardians Training

We anticipate a mix of regional and local First Nations Guardians training that is fully integrated with their professional responsibilities beginning as soon as they are hired. Initial training includes basic skills to ensure job readiness from both a technical and Indigenous perspective. Training would be available to Guardians programs funded by the Network. Through the federal partnership, it is proposed that existing Guardians programs would have access to one training module each year, to ensure ongoing skills development. For new programs, three training modules are anticipated in the first year of funding under the program, followed by two in the second year, and then one per year moving forward.

Training would provide post-secondary credits where appropriate that can be applied toward further studies, as well as industry-recognized certificates. Training would develop expertise in such areas as:

- Reading and writing;
- Land- and marine-use planning and management;

- GIS (Geographic Information Systems) as an aid in planning and monitoring activities;
- Information technology
- Basic safety;
- Small motor servicing;
- Field skills;
- On-the-land training in traditional knowledge;
- Cultural awareness;
- Water quality monitoring;
- Wildlife monitoring;
- Fisheries management;
- Compliance monitoring and enforcement;
- Monitoring of ecological changes resulting from climate change;
- Archaeology and inventory of cultural resources;
- Protected area management;
- Arctic Ranger-style territorial monitoring; and
- Ocean spill clean-up.

Another component of First Nations Guardians training is learning exchanges, where Guardians can share their experiences and applied knowledge from their work on the ground and build connections with each other and amongst Nations. In addition to these in-person learning exchanges, First Nations Guardians will have ongoing opportunities to learn from and support one another through various contemporary communications technology.

3.2.3.3 Program Start-Up Investments

While people are the heart and soul of Guardians programs, Guardians need access to a variety of equipment and other resources to effectively carry out their work, depending on the nature of the program, and the size and types of terrain and ecology within which they operate, and the conservation and monitoring priorities of their Nations. These may include:

- Office space furnishings, equipment
- Trucks, ATVs, snow mobiles, boats, outboard engines
- Navigation equipment (lights, marine chart, compass, sound-signaling device, radar, etc.)
- Safety gear (survival suits, life jackets, life raft, first aid equipment, etc.)
- Communication equipment (radio, satellite phone, etc.)
- Monitoring equipment (GPS device, Coast Tracker, binoculars, handheld recorder, species ID guide, nets/fishing rods, camera, etc.)
- Cabins, trailers
- Traps, nets, saws, monitoring equipment, etc.
- Computers, tablets, handheld computers
- Cameras

3.2.4 Network Governance

The Network is a collective, representative body of Nation-based Guardians programs. The Network Council makes decisions on how to allocate funds to Guardians programs across the country; is accountable to the Nations that create and run the Guardians programs that are part of the Network; and conducts advocacy on behalf of Guardians and Guardians programs. Through this representative function and accountability to the Nations that create and run the Guardians programs that constitute this governance body, the Network Council is the foundation of a forum for truly *inter-National* conservation collaboration with Canada, the provinces and territories, and other stewardship partners.

Network governance is discussed in more detail in Section 3.5: *Structure & Governance of a National Guardians Network* below.

3.3 Benefits, Value, and Return on First Nations Guardians Programs

A National First Nations Guardians Network will create benefits, value, and return on multiple different levels, including:

- Advancing reconciliation and Nation-to-Nation relationships between Canada and First Nations, and Nationhood and self-determination by First Nations.
- Monitoring environmental changes, using science and traditional knowledge.
- Enabling effective First Nations land- and marine-use planning and management.
- Enhancing biodiversity across Canada and contributing to Canada's domestic and international biodiversity commitments.
- Enhanced conservation and ecosystem restoration.
- Improving First Nations' food security through stewardship of and access to traditional foods and hunting, gathering and cultivation activities, which improve health outcomes.
- Healing through land-based learning and connection to the land, particularly for youth.
- Facilitating intergenerational connections between Elders and youth, through First Nations place-based programming.
- Spiritual and cultural value.
- Enabling First Nations people to participate in education and training rooted in our ancestral values, worldviews, ways of knowing, and forms of pedagogy and learning.
- Building capacity at the Nation and individual level, through the training and experience gained and by offering youth and other members meaningful employment that enable them to stay and participate in our Nations.
- Revitalizing traditional governance capacity, including with respect to lands, water, air and resources.
- Identifying impacts industrial projects have caused or may cause, to help prevent or mitigate such impacts.
- Collecting information to inform Nations' decisions about development proposals in our territories and to share evidence to validate such decisions to other governments and interests.
- Establishing a framework for operationalizing the *UNDRIP* principle of FPIC within First Nations' territories (Article 32).
- Advancing shared decision making about and revenue/benefit sharing from resource development.

- New economic opportunities for First Nations including eco-tourism and Indigenous Tourism.

While not all of these forms of value can be measured directly in dollars and cents, there are evaluation frameworks, such as the SROI framework described below, that have been used in an attempt to quantify the social benefits of Guardians programs.

3.3.1 A Changed Relationship Between First Nations & Canada

Canada has a unique opportunity in this moment to mend and heal its relations with First Nations through investing in supporting the creation of a comprehensive Network of First Nations Guardians programs in every region of the country. This would provide a wide reaching, effective way for Canada to fulfill the calls and vision for a changed relationship between First Nations and Canada called for by First Nations for over 150 years, by the RCAP in 1996, the TRC in 2015, and in this federal government's platform commitments and in Ministerial Mandate Letters from the Prime Minister.

In 1996, after the most extensive investigation undertaken to-date about the relationship between Indigenous Peoples and Canada, the RCAP laid out its vision and recommendations for renewing that relationship, based on mutual recognition, respect, sharing and responsibility. A key recommendation of the RCAP was for Crown support for Aboriginal governments in “establishing or strengthening, as appropriate, Aboriginal institutions for the management and development of Aboriginal lands and resources” and “undertaking urgent measures in education, training and work experience to prepare Aboriginal personnel in these areas.”²¹⁵

As the BC First Nations Energy and Mining Council and UVic Environmental Law Centre note in their joint report, “The Case for a Guardians Network Initiative,” these recommendations made by the RCAP have not been sufficiently addressed.²¹⁶ Investment in a National First Nations Guardians Network is an effective way to fulfill the RCAP's recommendations today, through supporting the creation of a forum for Nation-to-Nation based or truly *inter-National* conservation collaboration amongst First Nations and between First Nations and Canada as well as the provinces, territories, and other stewardship partners.

The RCAP highlighted the vast socio-economic disparities between Aboriginal and non-Aboriginal people in Canada, noting that these disparities cost Aboriginal peoples and all Canadians approximately \$7.5 billion per year as of 1996, expected to increase to \$11 billion 20 years later.²¹⁷ It anticipated that changing the economic circumstances of Aboriginal peoples would “yield economic benefits that far exceed the amounts governments will spend to implement it.”²¹⁸ In 2016, at the National Forum on Reconciliation, Crown-Indigenous Relations Minister Carolyn Bennett acknowledged that “Twenty years later we're not even close to being done. There's been some visible, concrete change, but too slowly.”²¹⁹

²¹⁵ RCAP, *supra*, vol 5 at 186-187.

²¹⁶ BCFNEMC & UVic ELC, *supra*, 33.

²¹⁷ *Ibid.*

²¹⁸ RCAP, *supra*, vol 5 at 52.

²¹⁹ Carolyn Bennett, “National Forum on Reconciliation: Minister Carolyn Bennett's speech on the 20th Anniversary of Royal Commission on Aboriginal Peoples” (16 November 2016), online: *Northern Public Affairs*, www.northernpublicaffairs.ca/index/national-forum-on-reconciliation-minister-carolyn-bennetts-speechmarks-20th-anniversary-of-royal-commission-on-aboriginal-peoples/.

Almost 20 years after the RCAP, the TRC again highlighted the vast socio-economic disparities between Indigenous people and non-Indigenous Canadians in its Final Report and Calls to Action.²²⁰ Today, First Nations people continue to experience less access to education leading to fewer employment opportunities, lower incomes, and worse mental and physical health.²²¹ As the discussion of SROI in Section 3.3.6: *Summary of Benefits, Values, and Returns Noted in Regional Engagement Sessions* below will show in more detail, Guardians programs help close these gaps in education, on-the-job training, employment, and health by giving participants learning opportunities and instruction aligned with their own cultural values, renewing their connection with their lands and waters, providing them with the necessary technical skills, and professional development that leads to increased expertise, income, pride, confidence, and well-being. SROI studies show that Guardians programs' ultimately yield more in benefits than governments spend to implement them.

Support for a comprehensive Network of First Nations Guardians programs will be a major step in fulfilling the RCAP's and TRC's calls and the federal government's commitment to mending relationships between Canada and First Nations, including through closing many of the persistent glaring socio-economic disparities between Indigenous Peoples and non-Indigenous Canadians, bringing significant net benefits to Indigenous Peoples and all of Canada. Supporting the creation of a comprehensive Network of First Nations Guardians programs in every region of the country would go a great way toward enhancing *inter-National* understanding and respect between First Nations and Canadian governments.²²²

Supporting the creation of a comprehensive Network would also establish and maintain a meaningful mechanism through which Canada can fulfill its "legal and constitutional obligation to act honourably in [its] dealings with Indigenous peoples" under Section 35 of the *Constitution Act, 1982*;²²³ bring together science and Indigenous knowledge in decision-making under the *Impact Assessment Act (IAA)*²²⁴ and other statutes, regulations, and policies; and show leadership and steward its reputation in the international community through honouring its obligations under *UNDRIP* and *UNDRIPA*.²²⁵ And as Guardians share their knowledge about their cultures and homelands with visitors and tourists from all over the world, including through programs that oversee the protection of heritage sites, Guardians programs create opportunities for cross-cultural understanding vital to reconciliation within Canada and to restoring Canada's reputation as a moral leader within the world community.²²⁶ Funding the Network would fulfill many of Canada's obligations to respect and support First Nations self-determination and Nationhood in accordance with *UNDRIP* and *UNDRIPA*, and in so doing serve as a truly *inter-National* framework for meeting its conservation commitments.

²²⁰ TRC, *Calls to Action*, *supra*, Calls 2-11.

²²¹ BCFNEMC & UVic ELC, *supra*, 33.

²²² BCFNEMC & UVic ELC, *supra*, 20.

²²³ *Constitution Act, 1982*, Schedule B to the *Canada Act 1982, 1982, c 11 (UK) (Constitution Act, 1982)*, s. 35.

²²⁴ *IAA*, *supra*.

²²⁵ BCFNEMC & UVic ELC, *supra*, 9.

²²⁶ BCFNEMC & UVic ELC, *supra*, 66-69.

3.3.2 Drawing on the Best of Indigenous and Scientific Knowledge

Canada has recognized the crucial role First Nations' traditional knowledge plays in environmental stewardship. The *IAA*, for example, shows far greater recognition of the importance of Indigenous knowledge in the federal impact assessment process.²²⁷ In our current state of climate emergency, rapidly declining biodiversity, and other growing environmental problems, investing in the creation of a comprehensive Network of First Nations Guardians programs in every region of the country would ensure that First Nations' traditional knowledge is involved at the forefront of solutions, planning, and policy and decision making to ensure our collective sustainability today, tomorrow, and for generations to come.

*Canada's Sixth National Report to the Convention on Biological Diversity*²²⁸ expressly emphasized the importance of Indigenous Guardians programs in meeting our targets under the *Convention on Biological Diversity (CBD)*, including the target calling for Indigenous knowledge to inform biodiversity conservation and stewardship decisions.²²⁹ From monitoring fish and wildlife to ensure species productivity, to using adaptive environmental management to protect biodiversity, to cultural burning programs to catalyze more resilient forests, to sustainable live herring roe fisheries, to the ancient mariculture custom of clam gardening – First Nations stewardship practices are often a “model of productivity and sustainability,” based on traditional knowledge and pedagogy.²³⁰

Supporting the Network is an effective and ethical way for Canada to ensure First Nations traditional knowledge plays a central role in conservation efforts. As *Scientific American* put it:

[T]he world should not only draw lessons from [Indigenous Peoples'] environmental stewardship but ... scientists and policy makers need to support and partner with them in order to stem the tide of biodiversity loss ... Indigenous and local communities tend to succeed at conservation for a number of reasons, say experts ... These communities have long histories with their land, which have provided sustenance in a very direct and intimate way.²³¹

First Nations Guardians programs are uniquely positioned to use an *Etuaptmumk*, or Two-Eyed Seeing, approach, drawing on both First Nations traditional knowledge and science in ensuring the best available knowledge is applied to steward the well-being of the lands, waters, and species to which we are all related and upon which we all depend. While non-Indigenous researchers and policy and decision makers should develop meaningful partnerships with holders of First Nations traditional knowledge in their stewardship work, those trained from birth and youth, in their homelands by their Elders how to know and live in their ancestral ways in their ancestral territories will have insights into traditional knowledge someone rooted in another culture will never be able to access in the same way.

²²⁷ *IAA*, *supra*, Preamble, ss. 6(1)(j), 22(1)(g), 28(3.1), 33(2.1), 51(1)(d)(ii.1), 59(3), 84(1)(b), 97(2), 102(2), 108, and 119(1)-(4).

²²⁸ Canadian governments and their partners in biodiversity conservation (Canadian governments & partners), *Sixth National Report on The Convention of Biological Diversity* (Submitted 24 December 2018, last updated 10 June 2019), online: *The Clearing-House Mechanism of the Convention on Biological Diversity*, <https://chm.cbd.int/pdf/documents/nationalReport6/241248/8>.

²²⁹ *Convention on Biological Diversity*, “Aichi Biodiversity Targets,” online: *Convention on Biological Diversity*, www.cbd.int/sp/targets/. In particular, Target 18 says: “[b]y 2020, the traditional knowledge, innovations and practices of indigenous and local communities relevant for the conservation and sustainable use of biodiversity, and their customary use of biological resources, are respected ... and fully integrated and reflected in the implementation of the [CBD] with the full and effective participation of indigenous and local communities....” Target 14 is also relevant: “[b]y 2020, ecosystems that provide essential services, including services related to water, and contribute to health, livelihoods and well-being, are restored and safeguarded, taking into account the needs of women, indigenous and local communities, and the poor and vulnerable.”).

²³⁰ BCFNEMC & UVic ELC, *supra*, 10.

²³¹ Annie Sneed, “What Conservation Efforts Can Learn from Indigenous Communities” (29 May 2019), online: *Scientific American*, <https://www.scientificamerican.com/article/what-conservation-efforts-can-learn-from-indigenous-communities/>.

At the same time, more and more First Nations youth are studying the sciences and becoming trained in Western scientific methods, supported in significant measure by Mi'kmaw Elder Albert Marshall's work on *Etuaptmumk*, or Two-Eyed Seeing, which he initially put to writing and teaching to help Indigenous youth survive and thrive in science, so that to immerse themselves in the sciences they would not have to give up who they are and the understanding of the world from whence they come, but instead can see the world through their traditional knowledge and way of relating to the world through one eye and see the world through Western-originating science with the other eye.²³²

As Guardians are uniquely positioned to draw on an *Etuaptmumk* approach to stewardship, they are also amongst the most appropriately positioned (compared to those from outside the Nation and those who do not have the grounding in understanding the complexities of stewardship issues within the territory) to work with Elders / knowledge keepers in planning and when dealing with development proposals:

Many stewardship programs involve conducting interviews with elders, land users, community members, document oral histories, and mapping traditional use and occupancy information. The collection of this information is a powerful affirmation of the important role of culture and local knowledge in shaping stewardship priorities, developing management plans and strategies, and responding to development referrals. Land users are valued for their acquired knowledge and skills, communities benefit from the sharing of information, and carefully documented knowledge becomes a powerful tool for planning, management, and resource negotiations.²³³

Investing in a comprehensive Network of First Nations Guardians programs across the country will bring the benefits of the insights of an *Etuaptmumk* approach to stewardship efforts from coast to coast to coast. It would do this through bringing the Indigenous knowledges and scientific practice of Guardians within Nation-based programs together in a Nation-to-Nation based or truly *inter-National* forum for conservation collaboration amongst First Nations and between First Nations and Canada, the provinces and territories, and other stewardship partners.

3.3.3 Reclaiming, Revitalizing, Maintaining and Strengthening Our Languages and Cultures

The sharing of Indigenous knowledge orally, in our languages is vital to the survival of our Peoples. Traditional teachings or knowledge have been refined and passed down orally for millennia, from generation to generation to generation.²³⁴ Oral histories and traditional teachings have been the way observations and knowledge about our territories and the people and other species who live within them are recorded and passed down from one generation to the next, sustaining evolving knowledges and practice bases that sustain our Peoples.²³⁵ Our languages carry our ways of knowing as First Nations.²³⁶ As *Katsi'tsakwas* (Ellen Gabriel) has stated:

²³² Annamarie Hatcher, Cheryl Bartlett, Albert Marshall, and Murdena Marshall, "Two-Eyed Seeing in the Classroom Environment: Concepts, Approaches, and Challenges" (2009) 9:3 *Canadian Journal of Science, Mathematics and Technology Education* at 141: 142 and 146.

²³³ BCFNEMC & UVic ELC, *supra*, 36.

²³⁴ Qwul'sih'yah'maht (Robin Anne Thomas), "Honouring the Oral Traditions of the Ta't Mustimuxw (Ancestors) through Storytelling," in Leslie Brown and Susan Strega, eds., *Research as Resistance: Critical, Indigenous, and Anti-Oppressive Approaches* (Toronto: Canadian Scholars, 2015), 177 at 178.

²³⁵ *Ibid.*, 185; *Delgamuukw v British Columbia*, [1997] 3 S.C.R. 1010, at para 84.

²³⁶ *Indigenous Languages Act*, SC 2019, c 23 (ILA).

For Indigenous peoples, as for most peoples, language is more than a mode of expression: it is rich with traditional knowledge; it ties us to the spirit, values and mindsets of previous generations, the concepts behind idioms, and the roots of words' origins; it is embedded with a peoples' cosmology and heritage and it is a key factor in the promotion of self-esteem, as it strengthens identity.²³⁷

The United Nations Educational, Scientific and Cultural Organization has observed that Indigenous languages in Canada are “amongst the most endangered in the world.”²³⁸ *Katsi'tsakwas* notes that rebuilding Indigenous languages and the evolving ancestral knowledges they contain requires more financial support, the teaching of new speakers, Indigenous language immersion instruction, and “curricula that emphasizes the culture of Indigenous peoples, their history, cosmology and customs.”²³⁹

The Government of Canada has taken the very important step in demonstrating its commitment to reconciliation and recognition of the importance of Indigenous languages to Indigenous well-being through recently passing the *Indigenous Languages Act*.²⁴⁰ Funding a comprehensive Network of First Nations Guardians programs in every region of the country is a critical and highly effective way of supporting the health and survival of Indigenous languages and knowledge and of supporting the purposes of the Act, particularly to:

- “support and promote the use of Indigenous languages,”
- “support the efforts of Indigenous peoples to reclaim, revitalize, maintain and strengthen Indigenous languages,” and
- “respond to the [TRC’s] Calls to Action 13 to 15,” and “contribute to the implementation of the [UNDRIP] as it relates to Indigenous languages.”²⁴¹

Guardians programs contribute significantly to the efforts of Indigenous Peoples to reclaim, revitalize, maintain and strengthen our languages through planning initiatives and activities for restoring and maintaining fluency in Indigenous languages, creating technological tools, educational materials and permanent records in Indigenous languages, and supporting Indigenous language learning and cultural activities.²⁴²

One example is the *Ni Hat'ni Dene* network of Łutsël K'é Dene First Nations that serve as stewards of *Thaidene Nënë* (Land of the Ancestors), a 6.5 million-acre National Park Reserve and Territorial Protected Area,²⁴³ and millions of acres surrounding Slave Lake. A key goal of the *Ni Hat'ni Dene* program is transmission of cultural, including language, and scientific knowledge to younger generations, including through the *Ni Hat'ni Dene* summer youth internship program in which interns aged 18 to 24 spend time on the land and water learning their languages, navigation, harvesting, safety skills, reading the weather, and more from senior Guardians. The Denesoline language is further conserved and transferred to the next

²³⁷ *Katsi'tsakwas* (Ellen Gabriel), “The State of Canada’s Indigenous Languages,” online: *Indigenous Law Association at McGill / L’association de Droit Autochtone à McGill*, <https://indigenous-law-association-at-mcgill.com/2018/04/14/the-state-of-canadas-indigenous-languages-by-katsitsakwas-ellen-gabriel/>.

²³⁸ AFN, “Fact Sheet – Language and Culture,” online: *AFN*, https://www.afn.ca/uploads/files/11_-_fact_sheet_-_language_and_culture.pdf.

²³⁹ *Katsi'tsakwas*, *supra*.

²⁴⁰ *ILA*, *supra*.

²⁴¹ *Ibid.*, s. 5(a), (b), (f), and (g).

²⁴² *Ibid.*, s. 5(b) (ii), (iii), and (iv).

²⁴³ Nature United, “*Thaidene Nënë*: History in the Making” (21 August 2020), online: *Nature United*, <https://www.natureunited.ca/what-we-do/our-priorities/conserving-at-scale/thaidene-nene---land-of-the-ancestors/>.

generation by pairing senior Guardians with the less experienced, facilitating the transfer of both cultural knowledge and language while working in the field.²⁴⁴

Investment in a comprehensive Network of First Nations Guardians programs in all regions of the country would support the ongoing health of our languages and cultures. It would provide our people with meaningful livelihoods within our Nations and territories, strengthening the connections between Elders and youth and within our Nations. This rootedness in our Nations, languages, cultures, and homelands bolsters the overall wellness of our people and Nations, improves relationships with other Nations and parties, strengthens our governance and use of traditional knowledge in decision making, and operationalizes First Nations' inherent responsibility to steward our ancestral lands and waters.²⁴⁵ As a *Ni Hat'ni Dene* Guardian reflected about the program his Nation has created:

I feel like this [program] strengthened my bond with the community, with the culture, and with the people. It let me see the whole picture as one ... It helps me to understand why I need to represent the community and the land but also help fight for it, help others respect it and care for it, share the experiences.²⁴⁶

Guardians help with the sharing of knowledge and facilitating vital relationships between generations within our Nations, helping sustain the health of our Peoples and giving them a feeling of pride and well-being for such meaningful work. The *Dehcho K'éhodi* Stewardship Program, created in 2014, uses Dene language and culture to connect its participants with the landscape. Three principles were chosen to guide the program:

1. To be guided by the Dene laws and values;
2. To support and strengthen the Dene language; and
3. To enable youth-elder mentorships, so future generations of Dene people can learn their culture and how to be on the land.

The Elders say that the language is essential to expressing the nature of Dene relationships with the land and waters.²⁴⁷

These intergenerational connections are linked to positive social, cultural, and health benefits within Nations.²⁴⁸ First Nations Guardians programs in the NWT have been credited with decreasing local crime, increasing respect within Nations, giving participants a greater sense of pride and self, and boosting preservation of culture and language.²⁴⁹ Further consistent funding by the federal government for the Network will deepen and broaden the scope of these outcomes across the country.²⁵⁰

²⁴⁴ Lutsel K'e Dene First Nation, "Hat'ni Dene – Dene Watchers of the Land" (2016), online: *Lutsel K'e Dene First Nation*, <http://www.landoftheancestors.ca/uploads/1/3/0/0/130087934/ni-hat-ni-overview-2016.pdf>.

²⁴⁵ BCFNEMC & UVic ELC, *supra*, 115.

²⁴⁶ *Ibid.*

²⁴⁷ Dehcho First Nations, "*Dehcho K'éhodi*" (2021), online: *Dehcho First Nations*, <https://dehcho.org/resource-management/dehcho-kehodi/>.

²⁴⁸ BCFNEMC & UVic ELC, *supra*, 24, 54-55.

²⁴⁹ SVA, 2016ii, *supra*, 17.

²⁵⁰ SVA, 2016ii, *supra*, 5.

3.3.4 Role of Guardians in Meeting International Stewardship Objectives & Obligations

With First Nations’ knowledge of and relationships to our ancestral territories being so extensive across the country, a comprehensive National First Nations Guardians Network will play a game-changing role in enabling Canada to meet and achieve its domestic and international stewardship objectives and obligations.

With Guardians programs from coast to coast to coast using an *Etuaptmumk* \ Two-Eyed Seeing or Gift of Multiple Perspectives approach, drawing on our traditional knowledges and science; and with the Network bringing the insights and strategies of Guardians programs together across Nations, a fully-funded the Network is positioned to act as a truly *inter-National* forum for conservation, using the most innovative, most comprehensive knowledge – made possible through funding the expansion of Guardians programs from coast to coast to coast and through funding the Network of these programs.

Figure 2 below summarizes key international agreements to which Canada is a party, and ways in which a National First Nations Guardians Network can be a partner with Canada in meeting its international stewardship commitments.

Figure 2: How the Network Helps Canada Meet Its International Commitments

INTERNATIONAL AGREEMENT	CANADA’S KEY COMMITMENTS	GUARDIANS NETWORK CONTRIBUTION(S)
UN Framework Convention on Climate Change / The Paris Agreement	<ul style="list-style-type: none"> Reducing GHG emissions by at least 30% below 2005 levels, working with other countries to hold global warming to no more than 1.5°C. 	<ul style="list-style-type: none"> Conserving and restoring Canada’s carbon-sequestering ecosystems, many of which are found in traditional territories of First Nations.
The UN 2030 SDGs	<ul style="list-style-type: none"> Meeting the 17 SDGs as detailed in Towards Canada’s 2030 Agenda National Strategy.²⁵¹ 	<ul style="list-style-type: none"> Protecting and restoring terrestrial and ocean ecosystems, and halting biodiversity loss (Goals 14 and 15); Combatting climate change through nature-based solutions (Goal 13); Creating employment and local economic development opportunities in remote communities (Goal 8); Sustainable water management (Goal 6); Improving food security in First Nations (Goal 2).

²⁵¹ Employment and Social Development Canada (ESDC), “Towards Canada’s 2030 Agenda National Strategy,” online: *ESDC*, <https://www.canada.ca/en/employment-social-development/programs/agenda-2030/national-strategy.html#h2.02-h3.01>.

INTERNATIONAL AGREEMENT	CANADA'S KEY COMMITMENTS	GUARDIANS NETWORK CONTRIBUTION(S)
CBD ²⁵²	<ul style="list-style-type: none"> • Implementing the Canadian Biodiversity Strategy,²⁵³ including new targets to protect 30% of land and water by 2030; • Informing conservation management and decision-making with Indigenous knowledge; • Maintaining customary Aboriginal use of biodiversity resources. 	<ul style="list-style-type: none"> • Provide the network of skilled Guardians needed to protect and conserve vast new protected areas being planned; • Elevate and promote the application of Indigenous Knowledge to achieve conservation objectives; • Empower First Nations to steward our territories in ways that meet local needs.
The Ramsar Convention on Internationally Important Wetlands	Wisely steward Canadian wetlands.	Help fill major gaps in watershed monitoring and management. ²⁵⁴
North American Bird Conservation Initiative and Migratory Bird Convention	Protect populations and habitats of migratory birds.	<ul style="list-style-type: none"> • Conserve and restore important bird habitat; • Address significant gaps in landbird monitoring
Agreement on Cooperation on Marine Oil Pollution in the Arctic	Work with other Arctic countries to increase the readiness and response to oil spills in order to protect Arctic marine and coastal environments.	Help detect and respond to oil spills in the Arctic.
Great Lakes Water Quality Agreement	Collaborate to tackle all issues affecting Great Lakes water quality and ecosystem health.	Native species and habitat enhancement, protection and restoration; invasive species monitoring; and water quality and pollution monitoring.

More detail on each of these agreements and the potential contributions of a Guardians Network can be found in Appendix B: *Role of Guardians in Meeting International Commitments*.

By deploying a vast, coast-to-coast-to-coast network of highly skilled Guardians who are intimately knowledgeable about and connected to the land on which they work, the National First Nations Guardians Network will scale up the proven successes of existing individual Guardians programs into a national force for conservation, making Canada an international conservation leader commensurate with the vast, ecologically important territories under its stewardship. Guardians will accomplish this through their work on ecosystem preservation and restoration; by closing key monitoring gaps with respect to watershed, bird population health, and pollution, amongst other things; by contributing to better environmental decision-making through the integration of Indigenous knowledge and science; and by implementing nature-based solutions for sequestering greenhouse gases (GHG) in healthy ecosystems.

²⁵² ECCC, "Convention on Biological Diversity," online: ECCC, <https://www.canada.ca/en/environment-climate-change/corporate/international-affairs/partnerships-organizations/biological-diversity-convention.html>.

²⁵³ Biodivcanada, "Canada's Biodiversity Strategy," online: Biodivcanada, <https://biodivcanada.chm-cbd.net/documents/canadian-biodiversity-strategy>.

²⁵⁴ WWF-Canada, *WWF-Canada's 2020 Watershed Reports: A National Reassessment of Canada's Freshwater*. Report (2020), 7-8.

3.3.5 Return on Investment in Guardians Programs

In assessing the benefits, value, and returns on investment of Guardians programs, it is important to take a holistic or comprehensive approach that considers benefits drawing on the Gift of Multiple Perspectives outlined in Section 1.2: *Project Methodology & Approach*. Tangible benefits of Guardians programs identified in the research include:

- Healing the land, air, and water and creating healthier environments for all of their inhabitants, including ourselves.
- Improving First Nations' access to traditional foods and hunting, gathering and cultivation activities, which improve health outcomes.
- Monitoring environmental changes, using science and traditional knowledge.
- Healing through land-based learning and connection to the land, particularly for youth.
- Facilitating intergenerational connections between Elders and youth, through First Nations place-based programming.
- Enabling First Nations people to participate in education and training rooted in our ancestral values, worldviews, ways of knowing, and forms of pedagogy and learning.
- Building capacity at the Nation and individual level, through the training and experience gained and by offering youth and other members meaningful employment that enable them to stay and participate in their Nations.
- Revitalizing traditional governance capacity, including with respect to lands, water, air and resources.
- Identifying impacts industrial projects have caused or may cause, to help prevent or mitigate such impacts.
- Collecting information to inform Nations' decisions about development proposals in our territories and to share evidence to validate such decisions to other governments and interests.
- Establishing a framework for operationalizing the *UNDRIP* principle of FPIC within First Nations' territories (Article 32).
- Advancing shared decision making about and revenue/benefit sharing from resource development.²⁵⁵

With such a wide range of potential benefits, several Guardians programs have turned to SROI and similar evaluation frameworks to help capture, quantify and tell the story of the changes these programs are making in their Nations. SROI is an evaluation approach designed to measure the “blended value” (monetary and non-monetary) of outputs or impacts generated by an organization or program in ways that can be expressed in monetary terms and compared with the investment of inputs required, yielding an SROI ratio. It is built upon well-established evaluation approaches developed in the health and environmental economics fields.²⁵⁶ SROI analyses focus on answering five principal questions :

1. Who/What changes? Taking account of all the people, organizations and environments affected significantly.
2. How do they change? Focusing on all the important positive and negative changes that take place, not just what was intended.
3. How do you know? Gathering evidence to go beyond individual opinion.

²⁵⁵ BCFNEMC & UVic ELC, *supra*, 22-23.

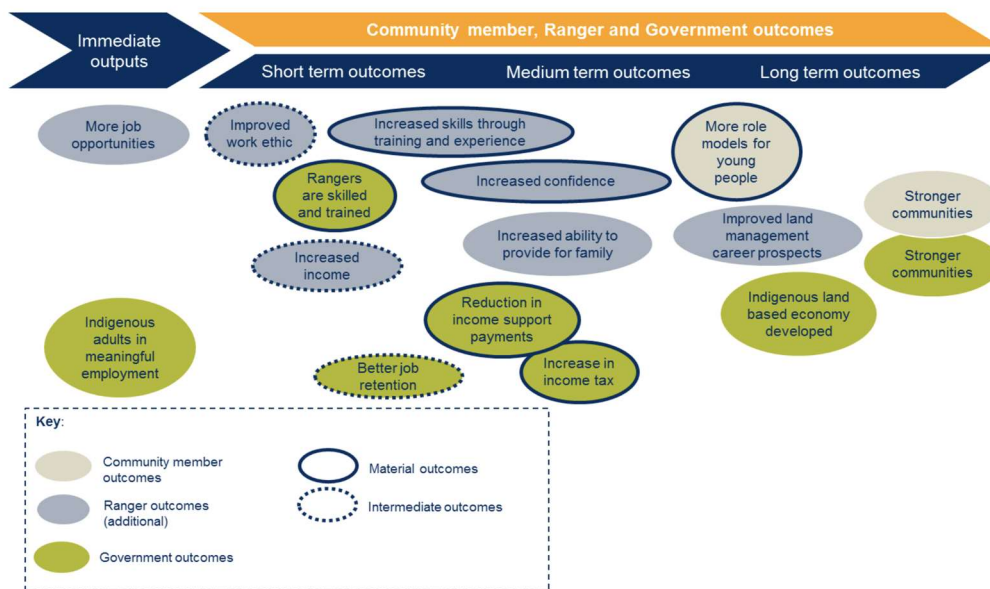
²⁵⁶ SROI Network and Hall Aitken, “Starting out on Social Return on Investment” (2014), 3, online: *Better Evaluation*, <https://www.betterevaluation.org/sites/default/files/Starting%20out%20on%20SROI%20FINAL%20v2%20with%20hyperlink.pdf>.

4. How much is you? Taking account of all the other influences that might have changed things for the better (or worse).
5. How important are the changes? Understanding the relative value of the outcomes to all the people, organizations and environments affected.²⁵⁷

A number of SROI studies have been completed on both Guardians programs in Canada and on Indigenous Rangers programs in Australia in recent years. These studies interviewed and engaged a variety of key informants to identify benefits to Crown governments; First Nations and their members; individual Guardians / Rangers; civil; and nature. In the Canadian context, the country as a whole may also be considered as a stakeholder and beneficiary of the establishment of a National First Nations Guardians Network, as this would be a tangible act of reconciliation between Canada and First Nations that can begin to heal the societal, cultural, spiritual and ecological damage wrought by centuries of colonization, and the bring about the start of new Nation-to-Nation partnerships.

In 2016, SVA completed an SROI study for the Australian Cabinet to measure the impacts of Australia’s WoC Indigenous Rangers and IPA programs. Using the SROI methodology, SVA worked with communities to identify 35 outcomes of the programs, which included immediate outcomes such as meaningful employment, short- and medium-term outcomes including increases skills and worth ethic, increased income and reduced reliance on income support payments, and long-term outcomes like stronger communities, more role models and career prospects for young people, and the development of Indigenous land-based economies. Figure 3, borrowed from SVA’s report, visually represents these outcomes over time.

Figure 3: Outputs and Outcomes of Australian Investment in Indigenous Rangers



SVA’s analysis of four Australian IPAs and their associated Indigenous Rangers programs found that outcomes generated by the programs were widespread across the social, economic, cultural and environmental domains, and created \$96.5 million AUD in value to Rangers, communities, government and other stakeholders from total investments of \$35.2 million

²⁵⁷ Ibid.

between 2009-2015, for a mean SROI ratio of nearly 3:1.²⁵⁸ This means that for every dollar invested in the programs, nearly \$3 of value was generated by the outcomes. It should be noted that the SVA analysis focused primarily on the social outcomes of the programs - especially employment - and did not attempt to quantify the value of the programs' ecological outcomes with the exception of, in one case, the generation of carbon abatement credits.

Also in 2016, SVA completed an SROI analysis for the Dehcho First Nations, Łutsël K'é Dene First Nation, ILI, and Tides Canada. Analysis of the current and future value of Indigenous guardian work in Canada, which examined the SROI of Guardian work in Łutsël K'é and the Dehcho region. That analysis concluded that the Guardians' work in those regions had an SROI ratio of 2.5:1.²⁵⁹ Further, the report's authors estimated that under a scenario in which the Guardians were to receive full-time, year-round employment and training, the SROI ratio could get as high as 3.7:1.²⁶⁰

EcoPlan International Inc. (EPI) performed an evaluation exercise on the work of the Coastal Guardians Watchmen network on the west coast of BC in 2016, using multiple frameworks including SROI, Corporate Social Responsibility, Multiple Account Benefit-Cost Analysis, and Triple/Quadruple Bottom Line frameworks. This analysis, which gathered input from focus groups including a mix of Guardians, program managers, First Nations stewardship directors and staff, considered a broader range of value outcomes specifically from the perspective of the Nations creating the programs, including the outcome categories of:

- Taking care of territory
- Governance authority
- Community well-being
- Cultural well-being
- Community capacity
- Economic opportunity.²⁶¹

This analysis concludes that, at the low end, First Nations see a 10:1 annual return on investment in Guardian programs, and at the high end this ratio could be as much as 20:1.²⁶² The large difference between the SROI ratios calculated by SVA, on the one hand, and EPI, on the other hand, can mostly be attributed to the expanded scope of outcomes evaluated in the latter study. Indeed, Taking Care of Territory and Governance Authority are two categories of outcomes in particular to which CFN members attributed a high degree of value, but which were not evaluated as part of the SVA studies. The EPI study also differs in that it evaluates the outcomes exclusively from the perspectives of First Nations and their community members, whereas the SVA studies considered outcomes from the perspective of Rangers, communities, government and other stakeholders such as NGOs.

²⁵⁸ SVA, 2016*i*, *supra*.

²⁵⁹ SVA, 2016*ii*, *supra*, 30.

²⁶⁰ *Ibid.*, 31.

²⁶¹ EPI, 2016, *supra*, 14.

²⁶² *Ibid.*, 53.

3.3.5.1 Taking Care of Territory

First Nations Guardians programs have a critical role to play in healing and restoring lands and waters. Generations of intensive resource development has had devastating effects on biodiversity, has contaminated watersheds, and has eroded soil and forest health. Guardians' efforts to patrol and monitor territories, report violations of environmental laws on such issues as poaching, overfishing, illegal logging, or faulty industrial infrastructure,²⁶³ and otherwise draw on science and traditional methodologies to improve marine and land stewardship practices have a large role to play in maintaining balanced ecosystem health.²⁶⁴

By using traditional burning, Guardians are curtailing the risk of catastrophic fires and improving the resiliency of forests. They are reviving clam gardens that go back hundreds of years and tending to live herring roe-on-kelp fisheries, both practices that encourage population renewal. They protect wood bison and endangered mountain caribou populations from predators and industry on land and remove commercial fishing nets and crab traps that pose a threat to marine life in the waters. They monitor abandoned mines and oil and gas sites and demands for restoration and clean up when necessary.

Increasingly, with the help of Guardians, First Nations are playing a leading role in land- and marine use planning in our territories. Prominent examples include the MaPP initiative on the North Pacific Coast²⁶⁵ and the PNCIMA Initiative,²⁶⁶ both of which were developed collaboratively with coastal First Nations and have Guardians playing a key role in implementing and monitoring the effectiveness of the plans' strategies. MaPP and PNCIMA are described in more detail in Section 2.3.2.2: *The Growth of Marine Guardianship* above.

Canada has recognized the crucial role First Nations' traditional knowledge plays in environmental stewardship, as reflected in the way in which the *IAA* requires the incorporation of Indigenous knowledge within the decision-making processes it governs.²⁶⁷ Guardians are highly appropriately positioned to work with elders / knowledge keepers and are uniquely positioned to draw on an *Etuaptmumk* approach to stewardship in their work, including in the development, implementation, and monitoring of LUPs and MUPs and when dealing with development proposals.

Because the benefits from Guardians programs are so multi-dimensional benefits (e.g., social, environmental, economic, and cultural), frameworks such as SROI will need to be complemented by methods for the valuing Guardians' work to truly and holistically account for the returns generated by investing in Guardians programs. Such methods include Conservation International's Ecosystem Values and Accounting system,²⁶⁸ the UN System of Environmental-Economic Accounting,²⁶⁹ or the Valuing Nature Conservation methodology recently described

²⁶³ E.g., the Mount Polley tailings pond wall that gave way, releasing an estimated 25 billion litres of contaminated materials into nearby drinking and salmon spawning waters. Government of British Columbia, "Mount Polley Mine Tailing Dam Breach," online: *Government of British Columbia* <https://www2.gov.bc.ca/gov/content/environment/air-land-water/spills-environmental-emergencies/spill-incidents/past-spill-incidents/mt-polley>.

²⁶⁴ BCFNEMC & UVic ELC, *supra*, 11, 70-75.

²⁶⁵ MaPP, "Home," *supra*.

²⁶⁶ PNCIMA, *supra*.

²⁶⁷ *IAA*, *supra*, Preamble, ss. 6(1)(j), 22(1)(g), 28(3.1), 33(2.1), 51(1)(d)(ii.1), 59(3), 84(1)(b), 97(2), 102(2), 108, and 119(1)-(4).

²⁶⁸ Conservation International, "Valuing and Accounting for Natural Capital," online: *Conservation International*, <https://www.conservation.org/projects/valuing-and-accounting-for-naturalcapital#:~:text=Valuing%20natural%20capital%20enables%20governments,risks%20in%20their%20supply%20chains>.

²⁶⁹ United Nations, "System of Environmental Economic Accounting," online: *United Nations*, <https://seea.un.org/>.

by McKinsey & Company.²⁷⁰ Natural capital and ecosystem services valuations typically measure the value provided by nature in areas such as:

- Food systems
- Clean air and water
- Protection from natural disasters, such as flooding and landslides
- Preventing erosion
- Economic value of resources
- Carbon sequestration
- Recreational value
- Psycho-social and spiritual value of intact natural places

For First Nations, there is a deeper cultural significance to taking care of territory, too. As EPI notes:

Taking care of territory is viewed by Coastal First Nations as both a fundamental responsibility and a core Nation value. It is the primary objective of all Coastal First Nation Guardian Watchmen programs, and it is also why Guardian Watchmen are known as the “eyes and ears” of their Nations’ territories. Many Guardian Watchmen understand their role as being to carry on the work of their ancestors, who since time immemorial have stewarded their traditional territories and ensured the health of their lands, waters, and resources for generations to come.²⁷¹

According to EPI, participants identified the following benefits of Guardian activity for the CFN:

- Poaching and other illegal activities deterred;
- More infractions reported;
- Improved accountability of resource users;
- Better ecological/scientific data leading to a more fulsome picture of environmental trends and impacts, both within each Nation’s respective territory and on the Central and North Coast more generally;
- Habitat restoration and protection of species-at-risk;
- Improved ability to respond to issues quickly;
- Increased opportunities for Indigenous knowledge to inform marine and land use planning and management; and
- More data-driven decision making resulting in better management of territory.²⁷²

As moccasins-on-the-ground, Guardians connected through a national Network would produce invaluable information enabling First Nations to establish the baseline health of natural capital in their territories, and to monitor this health in an ongoing way. Nations can set desired conservation outcomes and measure the extent to which Guardians’ management efforts are helping to achieve those outcomes, all while learning from each other how to improve conservation outcomes further. At the same time, individual programs or groups of them,

²⁷⁰ McKinsey & Company, “Valuing Nature Conservation,” online: *McKinsey & Company*, <https://www.mckinsey.com/business-functions/sustainability/our-insights/valuing-nature-conservation#>.

²⁷¹ EPI, 2016, *supra*, 28.

²⁷² *Ibid.*, 28-29.

facilitated by the Network, will be able to collaborate with Crown governments and other conservation partners in addressing stewardship challenges and priorities, in a truly *inter-National* forum for conservation.

3.3.5.2 Governance Authority & Operational Capacity

First Nations self-determination or Nationhood is a necessary pre-condition for successful Nation-to-Nation. Renewing First Nations' governance capacity and our ability to reassert our governance authority over our territories are preconditions for our self-determination and Nationhood, and thus to genuine Nation-to-Nation relationships between First Nations and Canada. This authority is inherent, deriving from our ancestral relationships with and responsibility to our homelands, as evolving Canadian jurisprudence is beginning to recognize. It has, however, been disrupted through generations of colonialism. Investing in Guardians is a powerful way to heal much damage wrought on First Nations by colonial policy and practice.

As EPI noted about the member-Nations of the CFN:

Coastal First Nations derive their authority and jurisdiction over their ancestral territories from their Indigenous laws, and in Canadian law, from their Aboriginal title and rights. Under Indigenous and Canadian law, these Nations have the authority to make decisions regarding land and marine use, and the responsibility to safeguard the natural and cultural resources their communities rely on. However, First Nations' territorial jurisdiction has been limited by colonial control, and consequently, a second objective of the Guardian Watchmen programs is to support the mandate of affirming governance authority by providing a physical, on-the-ground Indigenous presence in these Nations' traditional territories.²⁷³

The EPI report identified multiple benefits to the First Nations' governance authority from having Guardians patrolling and monitoring their territories, including:

- Contribute and integrate into other programs and projects of the First Nations, breaking down 'silos' internally and improving First Nation governance;
- Increase their presence in their territories;
- Strengthen recognition of their authority amongst resource users (First Nations and non-First Nations);
- Gather and share important technical and scientific data (some of which Crown governments may not have access to);
- Play a stronger role in decision making and planning concerning how the lands, waters, and resources are used;
- Build and improve relationships with provincial and federal government agencies (e.g., BC Parks, DFO);
- Create more opportunities for co-management; and
- Develop and implement land- and marine-use plans and agreements to the Nations' standards.²⁷⁴

²⁷³ EPI, 2016, *supra*, 30.

²⁷⁴ *Ibid.*

A specific example cited by EPI is how, by working together through the GBI, CFN have built a strong, unified regional voice, which the Nations have used to advance their interests in negotiations such as the Marine Plan Partnership and the 2016 Great Bear Rainforest Agreement – both of which Guardians then helped implement.²⁷⁵

Some Guardians programs (e.g., the Nuxalk Watchmen) have established enforcement protocols with authorities such as the DFO.²⁷⁶ However:

[E]ven where a Nation doesn't have recognized enforcement authority, Guardians on patrol routinely and successfully enforce laws – by interacting with land and marine users, 'remind[ing] users of local protocols, agreements or laws with respect to the activity they are engaged in.' Guardians there observe, record and report violations.²⁷⁷

Even in such cases, Guardians educate, persuade, and shame lawbreakers.

In the United States, there are several Indigenous tribes that have come together to establish regulatory and conservation authority and the ability to enforce it. For example:

- The Columbia River Inter-Tribal Fish Commission, which regulates treaty fisheries, enforces federal and state laws for non-Indian fisheries, secures cultural resources, and protects fishers;
- The Great Lakes Indian Fish and Wildlife Commission, representing 11 Ojibwe tribes in Minnesota, Wisconsin, and Michigan, which establishes science-based safe fish harvesting limits in each lake in the territory and boasts its own highly trained Conservation Enforcement Division;
- The Lummi Natural Resource Enforcement Patrol, where officers wear uniforms, have program logos on their terrestrial and marine vehicles, and share patrol duties with state departments. Officers "make arrests, issue citations, inspect and confiscate gear and equipment, and file complaints in Lummi Tribal Court when legal provisions are violated."²⁷⁸

Examples of First Nations in Canada exercising such authority include:

- The *Shadhāla, Āshèyi yè kwādān* (Champagne and Aishihik First Nations) government in the Yukon which has law-making authority and responsibility equivalent to those of the territorial and federal governments, and has and enforces its own Fish and Wildlife Act and a Wildlife Harvesting Regulation with respect to moose management;
- The Teslin Tlingit Nation (also in the Yukon), which has a self-government agreement with the federal government and has established its own court with jurisdiction over a number of areas, including but not limited to natural resources, gathering, hunting, trapping or fishing, and protection of fish, wildlife and habitat. Enforcement activities are carried out by trained (and armed) Teslin Tlingit game guardians;
- The Halfway River First Nation in BC, which recently entered into a first-of-its-kind partnership with the BC Conservation Officer Service to create a dedicated Halfway River First Nation Conservation Officer position;

²⁷⁵ *Ibid.*, 31.

²⁷⁶ *Ibid.*, 9.

²⁷⁷ BCFNEMC & UVic ELC, *supra*, 78.

²⁷⁸ *Ibid.*, 80-82.

- The T̓ìlhqot'in National Government which employs Rangers and Natural Resource Officers, the latter of whom wear uniforms and ride in vehicles with TNG logos on them. The Rangers, two of whom are also designated DFO²⁷⁹ Guardians, “play a vital role in compliance surrounding hunting, and ...mushroom harvesting.”²⁸⁰

The 2016 SVA study of Guardians programs in the NWT found that, due to the self-organization of Canadian Guardians programs, one of the material outcomes of the programs was an increased capacity for self-determination by the organizing Nations.²⁸¹ The development of Guardians programs in First Nations throughout the country will create many more opportunities for First Nations to renew their self-determination by, amongst other things, developing the capacity to establish and enforce sound land-based territorial management practices, with benefits for our Peoples and territories. Moreover, through the critical role Guardians programs play in renewing First Nations self-determination and Nationhood, and through the increased ability of Guardians programs to play this role through being supported by the Network, investing in the National First Nations Guardians Network is critical to enabling successful Nation-to-Nation relationships amongst First Nations and between First Nations and Canada. Such Nation-to-Nation relationships, facilitated by Guardians programs and the Network, enable a truly *inter-National* forum for conservation.

3.3.5.3 *Well-being of Peoples and People*

Studies of existing Guardians programs in Canada and Rangers programs in Australia have identified numerous benefits of those programs, including cultural, mental, physical, spiritual and community well-being. The 2016 EPI study of CGW programs recognized that amongst the Nations that have created these Guardians programs, cultural well-being is intrinsically intertwined with stewardship of territory:

Guardian Watchmen play a significant role in improving cultural well-being in many of these communities. By safeguarding cultural resources (culturally significant sites, traditional food sources, medicinal plants, traditional use areas, etc.), Guardian Watchmen help to ensure that members have access to these resources, and can continue to engage in associated cultural practices. Through their work with youth (e.g., mentorship and junior Guardian programs), Guardian Watchmen transfer Indigenous knowledge to younger generations, while inspiring them to become more interested and engaged in their culture.²⁸²

Figure 4 below outlines a range of benefits seen to accrue to individual Guardians, to their communities, and to the nation-state that provides the funding to support these programs.

²⁷⁹ The Aboriginal Fisheries Guardian program began in 1992 as part of DFO's Aboriginal Fisheries Strategy. This national program provides Indigenous groups with the opportunity to participate in fisheries management to improve conservation and stewardship. See Fisheries and Oceans Canada (DFO), “Aboriginal Fisheries Guardian program,” online: DFO, <https://www.pac.dfo-mpo.gc.ca/abor-autoc/fisheries-guardians-gardes-peche-eng.html>.

²⁸⁰ BCFNENC & UVic ELC, *supra*, 82-84.

²⁸¹ SVA, 2016ii, *supra*, 25.

²⁸² EPI, 2016, *supra*, 34.

Figure 4: Outcomes of Investment for Guardians, First Nations, & Federal Government

Guardians Outcomes	First Nations Outcomes	Federal Government Outcomes
Increased awareness about important sites and resources	More role models for young people	Guardians are skilled and trained
Improved cultural leadership	More youth connecting to culture and territory	Reduction in income support payments
Oral histories, place names, language vitality, practices, and lifeways more frequently shared and active across multiple generations	Increased educational/training opportunities	Increase in income tax
Increased skills through training and experience	More information sharing	Less offending by Guardians
Better health and well-being	Less violence	Improved engagement with Nations
More access to harvesting areas and traditional foods	IPA leveraged for additional funding and economic opportunities	Low-cost land management
Increased confidence	Increased respect for women	
Increased pride and sense of self	Increased respect from non-Indigenous community	
	Increased capacity	
	Better cultural asset management	
	Connection to country strengthened	
	Culture and language conserved	
	More burning using cultural practices	
	Less noxious weeds and ferals	
	More community members with skills (technical, interpersonal, communication) and leadership capacity	
Increased employability		
Increased integration of stewardship departments/programs		
More effective leadership		
More information sharing		

3.3.5.4 Economic Opportunities

The economic aspect of Guardians programs – especially those with the financial resources to provide full-time, year-round employment – is a significant source of SROI. Most reserves in Canada – particularly those that are remote from urban centres – are characterized by low incomes and high rates on unemployment. In 2016, the unemployment rate on reserves was around 25 percent (compared with just 7 percent for non-Indigenous Canadians), with a low employment rate of just 48 percent (compared with 64 percent for non-Indigenous Canadians).²⁸³ This is reflected in low incomes and high rates of poverty. According to 2016 Census information, 81 percent of reserves had median incomes below the low-income

²⁸³ The National Indigenous Economic Development Board (NIEDB), *The Indigenous Economic Progress Report*. Report. (2019), 28-29, online: NIEDB, <http://www.naedb-cndea.com/wp-content/uploads/2019/06/NIEDB-2019-Indigenous-Economic-Progress-Report.pdf>.

measure (\$22,133 for one person).²⁸⁴ These low employment and income prospects are exacerbated by and help perpetuate low levels of educational attainment, with just around 55 percent of the on-reserve Indigenous population aged 25-64 having completed a high school diploma in 2016.²⁸⁵

This proposal for a National First Nations Guardians Network aims to not only create 3000 conservation jobs in First Nations within five years, but to provide extensive training to each Guardian and Program Coordinator. This will lift thousands out of poverty and generate additional financial inflows to First Nations while investing significantly in the human capital of those Nations.

Increased income was a material outcome that SVA identified in Canadian Guardians programs that was not identified in the case of Australian Rangers programs. They explain this as follows:

In Australia, Rangers had more, albeit still limited, opportunities for alternative employment as even the most remote communities often lived in towns with road access to larger centers. In Canada, some of the communities studied are isolated, fly-in villages, and as a consequence, more likely to remain in place where employment opportunities are few and far in between. The ability to find meaningful employment in the community that recognizes and rewards traditional knowledge and skills was seen to be a significant source of value.²⁸⁶

The SVA evaluation of Guardians programs in the NWT found that employment as Guardians increased Guardians' skills, self-confidence, sense of pride and identity and health and well-being.²⁸⁷ It also found that "the establishment of Indigenous guardian work has offered opportunities for people to navigate both Indigenous and mainstream worlds in harmony and has created positive, engaged role models in both a cultural and socio-economic sense."²⁸⁸ EPI's assessment of the Coastal Guardians Watchmen programs found similar outcomes, as well as finding that training accessed through the programs enabled participants to access better, higher-paying jobs.²⁸⁹

There are several significant economic opportunities stemming from Guardian programs aside from the direct employment benefits. For instance, EPI found that Guardians programs brought financial capital to the Nations who started these programs that they otherwise would not have had. Estimating that 55 percent of a Guardians program budget would consist of direct local inflows in the form of wages and local procurement, and a local economic multiplier of 1.3, the report's authors calculated that the average Coastal Watchmen Guardians program with a budget of \$308,000 would result in a financial inflow to the community of approximately \$220,230.²⁹⁰

²⁸⁴ The Canadian Press, "Census: Median income in four of five Indigenous communities below poverty line" (10 October 2017), online: *National Post*, <https://nationalpost.com/pmnn/news-pmn/canada-news-pmn/early-census-figures-show-depth-of-low-incomes-in-indigenous-communities>.

²⁸⁵ NIEDB, *supra*, 53.

²⁸⁶ SVA, 2016ii, *supra*, 21.

²⁸⁷ *Ibid.*, 23.

²⁸⁸ *Ibid.*, 16.

²⁸⁹ EPI, 2016, *supra*, 39.

²⁹⁰ *Ibid.*, 40

A promising area for economic opportunity in an Indigenous-led conservation economy, currently being developed and explored in Canada, is Indigenous-led nature-based GHG offsets.²⁹¹ GHG offsets refer to activities undertaken to reduce GHG levels in the atmosphere through the sequestration and storage of carbon in natural systems that compensate for emissions created elsewhere. With the growing North American carbon credit market already worth more than USD \$24.79 billion, GHG emissions credits and offsets represent a major economic opportunity for First Nations. As Steven Nitah and Mary-Kate Craig note:

Actualizing the opportunity of Indigenous-led, nature-based solutions GHG offsets intertwine a number of critical issues: conservation of lands and increasing biodiversity, Indigenous rights and own-source economic development, and climate change action. These GHG offsets represent one part of the transition towards a future whereby Indigenous nations are leading the effort to create nature-based solutions, whilst simultaneously creating local conservation economies aligned with nations' stewardship aspirations. The co-benefits of such projects would be so much greater than emissions reductions alone and could include: restoration and protection of natural systems, economic diversification, training, and employment of Indigenous Guardians, self-determination and cultural revitalization.²⁹²

A key example of an Indigenous-led carbon offset initiative is the Great Bear Carbon Project in BC, an Improved Forest Management project managed by CFN that protects 64,000 square kilometers²⁹³ and allows for the harvesting of up to one million tonnes of carbon credits per year.²⁹⁴ While this program has been hampered by a lack of diverse markets in recent years,²⁹⁵ there is reason for optimism that the development of a Federal Greenhouse Gas Offset System could address this by helping create an efficient market and demand for nature-based offsets.²⁹⁶

In other jurisdictions, such as the United States and Australia, carbon credits and payments for ecosystem services have become important parts of the Indigenous-led conservation economy. Nitah and Craig also note that:

Indigenous Rangers in Australia are using traditional fire management to reduce the frequency and intensity of large bush fires thus protecting biodiversity while generating carbon credits to support their work. The evidence from the recent bush fires indicates that the regions under these fire prevention programs were less impacted by the bush fires, illustrating the efficacy of this land management approach and creating calls to grow the program to other parts of the country. The Australian example shows that Indigenous peoples' world views and leadership are central to climate action and protection of natural systems. In principle, carbon markets and associated payment for ecosystem services

²⁹¹ Steven Nitah and Mary-Kate Craig (Nitah 2020), "Indigenous-led Nature Based Greenhouse Gas Offsets: One Route Towards Reconciliation in Canada" (8 July 2020), online: *Conservation through Reconciliation Partnership*, <https://conservation-reconciliation.ca/crp-blog/indigenous-led-nature-based-greenhouse-gas-offset-one-route-towards-reconciliation-in-canada>.

²⁹² *Ibid.*

²⁹³ *Ibid.*

²⁹⁴ CFN, "Carbon Credits," online: *CFN*, <https://coastalfirstnations.ca/our-land/carbon-credits/>.

²⁹⁵ Jimmy Thompson, "The World's Last Rainforests Are Under Threat: A \$25 million carbon-offset project is struggling to find buyers, and the Great Bear Rainforest is on the line" (26 March 2020), online: *The Walrus*, <https://thewalrus.ca/the-worlds-last-rainforest-is-under-threat/>.

²⁹⁶ Canada's Climate Plan, "Carbon Pollution Pricing: Considerations for Protocol Development in the Federal Greenhouse Gas Offset System," online: *Canada's Climate Plan* <https://www.canada.ca/en/environment-climate-change/services/climate-change/pricing-pollution-how-it-will-work/output-based-pricing-system/carbon-pollution-pricing-considerations-protocol-development.html>.

schemes allow Indigenous landholders and managers to achieve desired co-benefits. In 2017, Australia's Aboriginal Carbon Fund signed an agreement with some of Canada's First Nations to help build a similar program in Canada.²⁹⁷

As described above, Guardians activities have been found to increase the ability of community members to access traditional foods, which can be an important economic benefit to people in remote First Nations where incomes are low and the cost of imported foods is high. According to SVA, "While out on land and water, Guardians are able to practice their traditional relationships with land and water, hunting game and catching fish. In accordance with Dene law, Guardians 'share what they have' and bring back these traditional foods to share with the whole community. This is significant not only for the cultural and spiritual aspects of these traditional foods but also from a practical sustenance standpoint. Due to the remoteness of the Nations, the cost of food in town is high."²⁹⁸ EPI found the same outcome in coastal BC, noting that:

...consumption of traditional foods has benefits associated with both community well-being and cultural well-being, but importantly, it also has economic benefits. When community members harvest and/or consume traditional foods, they save money that would otherwise be spent on groceries. In addition, through bartering and trade, community members are able to access other goods and services in return for traditionally harvested resources.²⁹⁹

Another key role Guardians play is to share their knowledge about their cultures and homelands with visitors from all over the world. Some programs oversee the protection of World Heritage sites and focus on educating visitors on the natural and cultural significance of their territories, while others are exploring ecotourism options involving wildlife viewing and accommodation in lodges within their territories, or even managing entire IPCAs, such as *Thaidene Nene* National Park in the NWT. In BC, the Coastal Guardians Watchmen's efforts at enforcing a ban on the trophy hunting of bears is credited with helping sustain local ecotourism businesses.³⁰⁰ Such activities contribute to the development of diversified conservation economies while also creating opportunities for cross-cultural understanding vital to reconciliation within Canada and to restoring Canada's reputation as a moral leader within the world community.

3.3.6 Summary of Value of Guardians Programs Noted in Regional Engagement Sessions Between October 2020 and January 2021, Miles Richardson, OC, and team conducted a series of regional engagement sessions and interviews with First Nations Guardians, program managers, and stewardship experts. These engagements garnered participants' views on (amongst other things) the value of the First Nations Guardians stewardship model compared to other environmental programs and initiatives funded by Crown governments.

The core theme to emerge was that the uniquely First Nations nature of these programs provides their unreplicable value, as summarized in the points below:

- Guardians are simultaneously a mechanism for reconciliation, reinvigorating a traditional way of life (including country food systems, language, culture, education), Nation-rebuilding, and practicing the biocultural nature of conservation.

²⁹⁷ Nitah, 2020, *supra*.

²⁹⁸ SVA, 2016ii, *supra*, 16.

²⁹⁹ EPI, 2016, *supra*, 38.

³⁰⁰ *Ibid.*, 39.

- Inherent rights and responsibilities shared by all Indigenous people are leveraged to find climate and biodiversity solutions: “The right solution for the right time.”
- Grounded in First Nations ways of being and knowing: “We see ourselves as part of the landscape, exercising treaty rights. That sacred connection to the land is so important.”
- A holistic approach that recognizes the interconnectedness of nature in a way that science often does not. You cannot fix one thing in isolation, but must instead address the entire ecosystem.
- Guardians act as ambassadors of their Nations and places and inspire their people to get outside and connect with the land.
- Guardians programs facilitate intergenerational transfer of ancestral knowledges.
- Holistic wellness benefits, beyond the environmental – Guardians programs accelerate health and well-being of and within Nations: “Healthy people are out on the land.”
- A tangible way of renewing Nationhood and enabling Nation-to-Nation relationships.
- Build and maintain scientific capacity within Nations themselves, empowering Guardians, rather than sending expensive, intermittent non-Indigenous contract consultants with limited context out to do the stewardship work.

3.3.7 Analysis & Discussion

As described above, the returns on investment of a National First Nations Guardians Network are substantial, spanning such diverse outcome areas as:

- Introducing new opportunities for meaningful employment, training and economic development in First Nations;
- Helping revitalize First Nations languages and cultures by supporting the intergenerational relationships and transfer of knowledge, and the application of that knowledge in ways that restore First Nations’ connections with and enjoyment of their ancestral lands;
- Contributing to better physical, social and spiritual well-being in First Nations;
- Enabling First Nations to effectively engage in land- and marine-use planning and management in their territories;
- Renewing First Nations’ self-determination capacity;
- Enabling a truly *inter-National* form of conservation through successful Nation-to-Nation relationships amongst First Nations and between First Nations and Canada; and
- Enabling Canada to meet its domestic and international environmental stewardship commitments, including its pledge to protect 30 percent of Canada’s land and seas by 2030, to reduce GHG emissions in keeping with the Paris Agreement, and to protect and enhance biodiversity.

Studies in Canada and Australia have used SROI and other holistic evaluation frameworks to demonstrate the value created by Guardians or Guardian-style programs, with SROI in Guardians programs ranging from a conservative 3:1 SROI ratio to a SROI ratio of 10:1 taking into consideration more holistic value generated from investment in Guardians or Guardian-style program. Such programs at home and abroad have proven to be worthwhile investments for their Nations, nation-state governments, and other funders, with demonstrable returns that have contributed to continued investments over decades and wider adoption of such programs in both countries.

First Nations across the country have embraced the Guardians model, and the federal government has already recognized and supported the Guardians movement with a \$25 million pilot launched in 2019. However, fewer than 10 percent of First Nations currently benefit from their own Guardians programs, and those that currently exist often struggle with a lack of stable core funding and operational and training support.

The growing movement for IPCAs in Canada – several of which have been financially supported by the federal government in recent years – is the most promising pathway for the achievement of Canada’s goal of protecting 30 percent of its terrestrial lands and waters by 2030. As more IPCAs are established, the need for First Nations Guardians to manage the stewardship of those lands will increase substantially. In the context of an increasing number of IPCAs and more Guardians and Guardians programs needed to oversee them, a National First Nations Guardians Network will be needed to ensure Canada is up to the task of becoming an international leader and inspiration in biodiversity protection within the next decade. As a forum that supports the renewal of First Nations self-determination and Nationhood and Nation-to-Nation relationships amongst First Nations and between First Nations and Canada, the Network will serve as a truly *inter-National* mechanism by which Canada’s international biodiversity objectives can be met.

Funding for a comprehensive National First Nations Guardians Network is the next step. The Network can significantly accelerate the establishment of hundreds of new Guardians programs employing 3000 Guardians within five years, while supporting established programs with core funding, high-quality and standardized training, operational and administrative tools, *inter-National* knowledge sharing and collaboration opportunities, and more.

Few federal investment opportunities can boast the depth and breadth of cross-cutting impacts as an investment in a National First Nations Guardians Network – a truly *inter-National* forum for conservation that comes at a modest cost but with immeasurable benefits for First Nations and all Canadians.

3.4 Why a National First Nations Guardians Network?

A National First Nations Guardians Network provides a number of critical benefits, including:

- Providing technical and administrative support to sustain robust Guardians programs;
- Capacity and expertise to analyze data collected by Guardians, and to retain specialist expertise in aid of the whole network;
- Providing a means for Nation-based Guardians programs, and thus First Nations, to collaborate with each other on stewardship and conservation strategies;
- A mechanism for advocacy to other entities about the value, importance, needs, priorities, and concerns of Guardians programs and the stewardship and conservations of our Nations;
- A set of processes through which First Nations can reclaim, revitalize, maintain, and strengthen our Nationhood and self-determination, thereby meeting the calls of the RCAP, the MMIWG, and the TRC and obligations under *UNDRIP* and *UNDRIPA*.
- A framework through which to engage in Nation-to-Nation relationships, amongst First Nations and between First Nations and Canada, serving as a truly *inter-National* forum for conservation.

Between October 2020 and January 2021, a series of regional engagement sessions and interviews were conducted of First Nations Guardians program managers and governance experts by Director of the NCIED at UVic Miles Richardson, OC, with support from the consultant team. These sessions solicited participants' views on a number of core questions related to how they would envision the Network supporting First Nations Guardians programs across the country. Several of the subsections below illustrate the benefits, value, and returns the Network would have, from the perspective of these participants.

3.4.1 Role of the Network in Sustaining Robust Guardians Programs

A key theme to emerge from the regional engagement sessions and interviews described above is that the Network would increase the reach of Guardians from coast to coast to coast.

Participants emphasized that:

- It's a successful model we know we need more of
- Many established Guardians programs are ready to expand
- Many Nations who didn't receive pilot funding though the ECCC are interested in starting programs or growing their self-funded programs
- Consistent, predictable funding would prevent the loss of corporate knowledge from season to season – something that is often experienced with the single-year funding model
 - Hard to keep program managers if there are gaps in funding, they opt for more reliable employment instead
 - On-the-land training for young people is not followed up with any opportunities for employment in the Guardians field
- Network support would reduce the amount of time program managers spend doing administrative work, and increase their capacity to do on-the-ground work

Participants found there would be great value in a National First Nations Guardians Network showcasing the benefits of empowered First Nations-led stewardship for First Nations and Canada.

Key ways to do this include:

- Building on existing support for land-based approaches, rooted in Indigenous knowledge, already beginning to be valued within some departments (e.g., Parks Canada, DFO, ECCC).
- Investing in the Network would be an actionable way to implement *UNDRIP* and *UNDRIPA*.
- Guardians can complement the work of other levels of government:
 - E.g., Guardians have worked with Conservation Officers to help fill gaps in monitoring. They provided a public service, and in this case, one that provinces would normally have to pay for.
 - E.g., Guardian-tweaked bird monitoring devices being used by ECCC, making them more effective. Greater familiarity with the local habitat landscape allowed for this innovation.
 - Guardians make more appropriate compliance and enforcement officers within First Nations boundaries, where it is currently difficult to find Conservation Officers able to do the work.

3.4.1.1 *Network-Provided Support / Resource Needs Identified by Guardians Programs*

The core themes of what supports or resources (in addition to funding) First Nations Guardians programs would like to see from a national Network included:

- Creating standardized First Nations Guardians training and accreditation
- Serving as a clearinghouse for tools and information sharing for Guardians programs
- Providing shared, secure First Nations-owned databases along with the capacity to undertake useful data analysis
- Providing shared regional and national support staff
- Creating connections between Guardians and between First Nations
- Amplifying Guardians' voices

Each of these desired areas of support / resources is described further below, summarized from the responses from regional engagement and interview participants.

Creating standardized First Nations Guardians training and accreditation:

- Lead to a professional designation recognized by governments and institutions across the country
 - Ensure that Chiefs and Councils are aware of the value of this designation, so Guardians will not be pulled off their Guardians work and tasked with too many other roles in their communities
- Work with the post-secondary institutions that are already working on similar degree programs to ensure that First Nations perspectives and the value of Indigenous knowledge are represented in the curricula
- Such standardization will ensure Guardians can have flexible career options
- Basic training should include safety training, computer education, water sampling
- Basic training will have to be complemented with place-based learning
- Must be accessible to remote and rural communities
- Learning methods and timing of program delivery must be flexible to accommodate different cultures and seasonal activities
- Curriculum must be developed and delivered by First Nations educators, practitioners, and/or knowledge holders
- Affordable – possibly different levels of accreditation (like nurses have)
- Essential Guardians skills and knowledge to be provided must have a focused scope, so not too broad – yet support Guardians work in areas including:
 - Enforcement presence on the territory
 - Land and marine-based emergency response
 - Environmental monitoring
 - Liaising with industry
 - Responding to community concerns
 - On the land elder assistance
 - Educating tourists
 - Youth mentorship
 - Environmental technical support

- Restoration projects
- Assisting cultural teams in land-based learning

Serving as a clearinghouse for tools and information sharing for Guardians programs:

- “One stop shop” for funding resources: communicating to Guardians programs what funding is available from the Network, how to access it, and where to find other funds for larger or more established projects (e.g., NGOs, foundations, corporate social responsibility funds)
- Equipment cost lists and recommendations, suppliers lists
- Software recommendations and discount pricing
- Shared, secure databases that ensure OCAP® principles³⁰¹ are adhered to
- Toolkit for involving youth in Guardians programs
- Guardian networking opportunities and facilitated connections
- Exchange program opportunities

Providing shared, secure First Nations-owned databases:

- First Nations Guardians do not have full access to federal, provincial and territorial databases.
- They often have to collect baseline data where it previously was not being collected, based on different insights and priorities.
- Consistent data collection and well-maintained, shared databases amongst Nations would be a huge resource.
- Consistent funding would help Guardians put their individual databases to better use, enabling individual data sets to feed into larger analyses by First Nations working together: “We have great data, but it’s just sitting there.”
- The Network would be in a position to perform analysis of large datasets collected by Guardians across whole regions, helping paint a bigger picture with the data.

Providing shared regional and national support staff:

- “Basically, I’m just by myself” is a frequent refrain from Guardians running smaller programs
- Communications support, HR, admin support, legal and accounting could be regionally shared human resources
- A specific team that can be deployed to help set up new programs
- This could include shared scientific specialists, or a scientific subcommittee of the Network

Participants also described how they envisioned existing (and thus also new) programs’ on-the-land programming improving with support provided by the Network, including:

³⁰¹ First Nations Information and Governance Centre: First Nations Principles of OCAP®. The First Nations principles of ownership, control, access, and possession – more commonly known as OCAP® – assert that First Nations have control over data collection processes, and that they own and control how this information can be used. First Nations Information and Governance Centre (FNIGC), “The First Nations Principles of OCAP®,” *First Nations Information and Governance Centre*, <https://fnigc.ca/ocap-training/>.

Creating connections between Guardians:

- Guardians are eager to connect with one another, but have no formal structure through which to do that
- Collaborative regional development opportunities, like joint training and learning opportunities, industry partnerships at a regional level or sharing costs on some projects, would be valuable
- Facilitate the sharing of best practices and protocols and sharing experiences
 - Online resources and contact lists
 - Virtual 'networking' events
- Fledging programs would scale faster if they had access to established Guardians' stories, rather than reinventing the wheel
- Sharing project information might yield new regional or even national stewardship priorities – the ability to see “the bigger picture”
- Coordinate projects in neighbouring territories to make the best use of funds

Amplifying Guardian's voices:

- There is currently no national voice to represent First Nations Guardians' interests, priorities, concerns, and insights, even though their on-the-land perspective is essential in the climate change and biodiversity loss conversations, amongst other critical ecological issues.
- It could play a key role in increasing awareness about First Nations Guardians amongst Crown policy and decision makers, environmental NGOs and industry, so they know about and seek Guardians out at the right times.

Participants also had some concerns relating to fiscal, human, and other resources, including:

- The Network should not duplicate onerous government bureaucracy – administrators should be kept to a minimum. One suggestion was to limit the administration costs of the network to a set percentage of the total funding.
- Avoid recreating the federal one-year program funding structure, have predictable and regular funding opportunities instead
 - E.g., Apply for federal department funding, wait two months, get funding decision, scramble to get a team together before the natural event you need to monitor is over, catch the end of it and do some monitoring, scramble to spend the rest of the funds before the end of fiscal, then sit idle while you have no work to offer your freshly assembled team, repeat it all again next year.
- Standard rates of pay, equipment lists, and curricula would make it possible for small Guardians programs to offer comparable employment opportunities as larger programs, resulting in higher staff retention.

3.4.2 Benefits of First Nations Leadership in Program Funds Allocation & Administration

Regional engagement and interview participants also spoke to how it would be beneficial for the Network itself, rather than the federal government, to allocate funds to First Nations Guardians programs across the country. Core themes on why the Network Council would be best placed to allocate funds to programs include:

- A streamlined process and reduced bureaucracy
- Collaborative communication between Network and programs

- First Nations-led priorities and knowledge
- Timing and allocation of funds better suited to realities of Guardians programs
- Transparency of process and basis in nationhood and Nation-to-Nation relationships

Each of these themes is described in further detail below, summarized from the responses from regional engagement and interview participants.

A streamlined process and reduced bureaucracy:

- Federal government programs are perceived by communities to have narrow parameters and detailed reporting requirements
- Responses to applications can be slow
- Federal administration costs eat into program funding
- There is a need to reduce the number of hours spent by Guardians doing administrative work and eliminate the hassle of “trying to take money out of many little pots” so they can spend their time delivering on their programs

Collaborative communication between Network and programs:

- Two-way communication would be possible between a Network and applicants in a way that it is not with the federal government
- Unsuccessful programs could receive feedback and coaching on their next application, reducing the need to turn to third-party consultants to write applications
- Guardians could provide feedback on the proposal process, alerting the Network to any barriers they are facing
- Lower staff turnover in comparison to the federal department would mean stronger working relationships. Guardians wouldn’t have to “explain everything and then have to re-explain everything again to the next person” when seeking support
- Reduce the amount of time program managers spend on researching and understanding funding applications

First Nations-led priorities and knowledge:

- Guardians cite “a real lack of understanding of the reality on the ground” from federal administrators and want their proposals to be evaluated by a body that understands the on-the-ground work
- Priorities for Guardians are diverse and the ability to determine where limited sources would make the most impact in their own territories is paramount
- Traditional or knowledge-based deliverables should be acceptable, not just hard data

Timing and allocation of funds better suited to realities of Guardians programs:

- The life cycles of nature and the realities of seasonal work determine how Guardians managers plan projects, while election cycles and the fiscal year-end determine how federal administrators plan projects. There is a lack of synchronicity here
- Reporting deadlines sometimes coincide with very busy times for Guardians, rather than the off-season
- If gaps in funding coincide with a seasonal event (e.g., a salmon run) Guardians have to wait until the following season to do their work

- Multi-year, dedicated funding would open up many possibilities, including more efficient planning and the creation of larger, more robust initiatives that have more of an impact
- The ability to purchase capital assets (e.g., “Sometimes it’s capped at \$5000 per year, so you can’t fix the roof on your monitoring station or buy a piece of monitoring equipment you need”)

Transparency of process and basis in Nationhood and Nation-to-Nation:

- Reduce confusion about who funds what and the role of NGOs in what should be a Nation-to-Nation conversation
- Ensure that funds do not flow through intermediary non-Indigenous groups – capacity needs to be fostered within the Nations themselves, not at the HQ of an allied NGO

3.4.2.1 Guiding Principles for Network Funding Allocation to Programs

Participants emphasized the following themes for qualification for funding by the Network:

The Network should be inclusive:

- “There are many challenges facing First Nations – treaty agreements, fighting to bring back ceremony and language, fighting for self-governance – joining the Network should not be a fight.”
- Move away from the “isolating and damaging” precedent set by the determination of status under the *Indian Act* – different eligibility criteria should be implemented³⁰²
- Need to recognize that Nations are all at different stages of self-determination
- Need to recognize that Guardians programs are a stepping stone to nation-building
- Need to acknowledge that some traditions have been lost to colonization
- Any Nation with an interest should be able to access next steps. Barriers should be low – Nations with the lowest capacity are likely those the most in need

A Nation’s readiness to be involved in the Network should be determined by:

- A clear demonstration of intent to conduct stewardship under their own authority
 - E.g., a comprehensive stewardship plan, a record of activities monitoring the land
- Assuming the stewardship responsibility as an act of self-determination
- Presence of some of the core ingredients to a successful Guardians program, such as:
 - Scientific capacity
 - Indigenous knowledge
 - Youth participation and mentorship
 - Reclaiming or renewing traditional laws and customs
 - Revitalizing Indigenous languages

Funding can be allocated in a tiered manner:

- Beginning with training and capacity building, and expanding as programs are established
- The Pilot Program used something similar, as did the Regional Oil Sands Initiative, which involves 52 First Nations

³⁰² *Indian Act*, RSC, 1985, c. I-5.

3.4.3 Network's Role in Implementing Nation-to-Nation Relationships, *UNDRIP* & *UNDRIPA*

A National First Nations Guardians Network is intended to enable the best stewardship of lands and waters through a model based on Nation-to-Nation relationships amongst First Nations and between First Nations and Canada – a truly *inter-National* forum for conservation. After generations of relationships of domination and assimilation, Canada has signaled its commitment to return to Nation-to-Nation relationships with First Nations, as established in “the first confederal bargain,” made between the Crown and First Nations in the *Royal Proclamation, 1763* and the wave of treaty making it inaugurated beginning with the *Treaty of Niagara, 1764*.³⁰³

This proposal takes a distinctions-based approach, seeking funding for a First Nations-specific national Network of Guardians programs, and is born from an understanding of First Nations as Indigenous Peoples in the international law sense (see Section 1.2: *Project Methodology and Approach*). A People is distinct from a mere minority or subpopulation within a nation-state. Peoples are distinct from people, which generally refers to groups of individuals or subpopulations who may be studied statistically and have policies applied to them, but do not carry the same internationally- and domestically-recognized rights as Peoples or Nations.³⁰⁴

Several Articles of *UNDRIP* recognize Indigenous Peoples' rights to self-determination.³⁰⁵ In 2017, Prime Minister Justin Trudeau announced to the UNGA that, Canada is “now a full supporter of the Declaration, without qualification.”³⁰⁶ This support was deepened earlier this year through the enactment of *UNDRIPA*, which calls on Canada to align its laws with the principles of *UNDRIP* and to establish a framework to implement and achieve the objectives of *UNDRIP*.³⁰⁷ Stemming from the general right to self-determination recognized in Article 3, *UNDRIP* recognizes several manifestations of this right relevant to the creation of a National First Nations Guardians Network. Section 4: *Contribution to the Government of Canada's Strategic Agenda* below lays out in more detail how a National First Nations Guardians Network will enable Canada to fulfill a great number of its commitments under *UNDRIP*.

Key to self-determination and implementation of *UNDRIP* and *UNDRIPA* is the ability of First Nations to conduct our own land- and marine-use planning exercises on our territories, and to implement and monitor those plans. Our ability conduct these activities recognizes and strengthens our responsibilities as First Nations to and within our territories. It is essential to renewing and ensuring our self-determination and Nationhood. Accordingly, there is no substitute to having our own institutions with this capacity. Guardians have played an important role in land- and marine-use planning and management where we as First Nations have begun to reassert our responsibility to plan and manage the use of our lands and waters.

³⁰³ Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) “Highlights from the Report of the Royal Commission on Aboriginal Peoples – People to People, Nations to Nation,” online: CIRNAC, <https://www.rcaanc-cirnac.gc.ca/eng/1100100014597/1572547985018>.

³⁰⁴ Joanna Smith, *supra*, 7.

³⁰⁵ UNGA, 61st Sess, 295th Mtg, *United Nations Declaration on the Rights of Indigenous Peoples*, UN Doc A/RES/61/295 (2007).

³⁰⁶ Prime Minister Justin Trudeau, “Prime Minister Justin Trudeau’s Address to the 72th Session of the United Nations General Assembly” (New York: 21 September, 2017), online: *Justin Trudeau, Prime Minister of Canada* <https://pm.gc.ca/en/news/speeches/2017/09/21/prime-minister-justin-trudeaus-address-72th-session-united-nations-general>.

³⁰⁷ *UNDRIPA* Backgrounder, *supra*.

Guardians programs also provide the ability to conduct on-the-land and -water stewardship that draws on and supports the intergenerational sharing of our unique ways of knowing and systems for sustaining those ways of knowing, recognized and protected under *UNDRIP* and *UNDRIPA*. Education and training for Guardians also includes scientific methods of observation, monitoring, and analysis, positioning Guardians as uniquely able to practice *Etuaptmumk* or the Gift of Multiple Perspectives. Non-Indigenous organizations can do much to try to incorporate such approaches into their work, but cannot possibly generate the insights, wisdom and strategies that can only come from the Network as an entity that uniquely enables Nation-to-Nation collaboration amongst First Nations in addition to between First Nations and Canada. Through serving as a mechanism for knowledge sharing and collaboration amongst First Nations in an unprecedented manner, the Network is uniquely positioned to generate and apply knowledge and understanding that would not otherwise be available to stewardship strategies in this country. Through facilitating this collaboration, the Network would serve as a truly *inter-National* forum for conservation.

Deborah McGregor notes how *Etuaptmumk* is a way of understanding “how we want to interact with knowledge and how different Peoples can relate to each other in relation to knowledge.”³⁰⁸ This approach to bringing the ways of knowing of different Peoples together is vital to our common survival in a time of rapidly escalating climate change and biodiversity loss. It is vital because the important knowledge First Nations have of the well-being of our territories, resources, and people are not accessible within a database, but are “actually embedded within people and within the community.”³⁰⁹ And it is vital also because “what it does is it decolonizes research; it sort of disrupts the power that Western knowledge has over Indigenous knowledge by saying that Indigenous knowledge is equally valid,” which is “not a lot of peoples’ understanding of Indigenous knowledge.”³¹⁰

Etuaptmumk also recognizes that the multiple perspectives involved do not always involve Western science but may refer to the interaction of the perspectives and ways of knowing of different Indigenous Peoples, such as those with neighbouring territories or who may wish to work together to steward particular species or regions. There are numerous other ways of thinking across the diverse knowledge systems of Indigenous Peoples across the country, including through treaty relationships, including the *Gă•sweñta’*, or Two-Row Wampum, the Dish with One Spoon, amongst others.

The *Gă•sweñta’* was originally a treaty between the Haudenosaunee and the Dutch, for how they would function as societies together, in peace and friendship, without interfering with each other. While the *Gă•sweñta’* is understood in terms of political, social and economic relationships amongst peoples, it is also a model for how different knowledge systems can interact with each other, so that Indigenous Peoples “retain their own autonomy and their own governance over their own knowledge.”³¹¹ The idea of self-determination of Indigenous knowledge and research, data sovereignty, was already embedded in the *Gă•sweñta’*. To elaborate the metaphor, the white part of the wampum is the river or something we share, which could be the planet or the geographical area we live in, care about, and rely on; while the two purple stripes are the contribution the two different knowledge systems can make, in their own integrity, to caring for that river or region.³¹²

³⁰⁸ McGregor, “Two-Eyed Seeing and Beyond,” *supra*.

³⁰⁹ *Ibid.*

³¹⁰ *Ibid.*

³¹¹ *Ibid.*

³¹² *Ibid.*

The Dish-With-One-Spoon is a treaty between the Haudenosaunee and Anishinaabe, which brought peace after conflict between those two Peoples through understanding on how both would share knowledge, ensuring sustainability for future generations. Each would bring the best knowledge they have to offer to sustain the lands and creation with whom both Peoples coexist. This framework is a strong example of two First Nations ways of knowing working together to ensure mutual survival in a shared place, one of many historic and ongoing possible examples that do not require Western knowledge to assume the position of supposedly neutral arbiter amongst perspectives, a position Battiste and Henderson describe as an act of *cognitive imperialism*, which depends on the *illusion of benign translatability* and which erodes the relevance Indigenous knowledge and languages in many contexts, rendering many critically endangered throughout Canada and worldwide.³¹³

The National First Nations Guardians Network should reflect the principles of self-determination and Nation-to-Nation relationships embodied in *UNDRIP*, *Etuaptmumk*, the *Gā·sweñta'*, and the Dish-With-One-Spoon treaty in its design. It must respect the Nationhood of First Nations and the vital need for First Nations to bring their knowledge together and draw on science and Western and other knowledges to ensure the best stewardship approaches in all regions of this country in this time of rapidly escalating climate change and biodiversity loss. It is essential that this Network be created and governed by the First Nations that create the programs so that First Nations unique knowledges are not just a resource that is drawn upon as a resource when it is understood to be valuable in Western-knowledge-dominated stewardship processes, but are truly empowered to operate in rich dialogue with one another through a governance structure built to ensure and enable such ongoing dialogical knowledge co-production and application.

By design, the National First Nations Guardians Network precludes the possibility of cognitive imperialism and the illusion of benign translatability – the idea that Western knowledge, structures or processes can serve as neutral arbiters, with no determinative impact, between other cultures or Nations. The Network is a forum by and for First Nations' Guardians programs to come together in Nation-to-Nation relationships with one another, to support one another, share knowledge, and collaborate on strategies. Grounded in First Nations' self-determination and Nationhood in this way, the Network is positioned to collaborate with Crown governments and other stewardship partners in a truly *inter-National* form of conservation.

3.4.4 Other Benefits, Value, or Returns from the Network

As Wayne K. Spear notes in *Full Circle: The Aboriginal Healing Foundation & the Unfinished Work of Hope, Healing & Reconciliation*, the legacy of “institutional abuse” of Indigenous people by the Canadian government has caused a succession of direct actions, especially in recent decades. He notes in particular the string of actions that occurred across the country in the 1980s and early 1990s, culminating in the Oka Crisis in 1990; the RCAP, which delivered its Report in 1996; and formation of the Aboriginal Healing Foundation in 1998.³¹⁴ Since then, terms such as ‘intergenerational trauma’ and “cultural genocide” have been used by the TRC and the MMIWG, amongst others, to describe impacts of colonial policy and relationships.³¹⁵ Such direct actions serve as warning signs and indicators of worsening relations between Indigenous Peoples and Canada.

³¹³ Battiste and Henderson, *supra*, 11, 79-82.

³¹⁴ Wayne K. Spear (Spear, 2014), *Full Circle: The Aboriginal Healing Foundation & the Unfinished Work of Hope, Healing & Reconciliation* (Ottawa: Aboriginal Healing Foundation, 2014), 8-9.

³¹⁵ TRC, vol 1-6, *supra*; MMIWG Inquiry, *supra*.

In addition to signaling a deteriorated state of relations between Indigenous Peoples and Canada, such direct actions come with a host of associated costs to Canada and the Canadian economy. There are the economic costs resulting from project delays, damages to project sites, and in some cases loss of investment (e.g., Kinder Morgan’s decision with respect to the Trans Mountain Pipeline Expansion Project). There are also costs associated with potential damage to relations and reputation locally, nationally, and internationally, when the impression is given that the rights of Indigenous Peoples and our collective stewardship responsibilities are not being respected.

Domestic and international media and investors are attuned to the risk presented by the present state of relations. For example, in a December 2020 Maclean’s article, Marie-Danielle Smith lists ten potential “flashpoints” in relations between Indigenous Peoples and Canada/industry across the country that will be critical to watch in 2021. She notes that, “no region is exempt from the challenge of fulfilling Indigenous rights through action – a challenge that First Nations leaders say non-Indigenous governments have been slow or unwilling to face.”³¹⁶ The watchlist she provides includes:

- Wet’suwet’en title (Coastal Gas Link pipeline – northern BC);
- Naramata Bench development (Syilx/Okanagan Nation – southern BC interior);
- Alberta oil sands and rail links (Fort McKay First Nation);
- Yellowknife Bay houseboats (Yellowknives Dene First Nation);
- Protection of Critical Infrastructure Act (Winnipeg, rail blockades, Southern Chiefs’ Organization);
- Ring of Fire mining region (Webequie First Nation, Neskantaga First Nation, northern Ontario);
- McKenzie Meadows/Caledonia housing development (Six Nations of the Grand River / Toronto area);
- Québec’s Bill 61 (AFN Québec-Labrador);
- Wolastoqey Nation title claim dispute (New Brunswick); and
- Mi’kmaw fisheries (Sipekne’katik First Nation, Nova Scotia).³¹⁷

While how severe any of these potential “flashpoints” will become remains to be seen, they represent a significant, widespread, latent deteriorated state of relations between Indigenous Peoples and Canada that can no longer be ignored without numerous increasing costs to the Canadian economy and our common well-being. 2021 is, thus, a critical time for the Canada to take a major and effective step in healing these relations, alleviating these tensions, and providing capacity for meaningful collaborative efforts to move our economic and environmental future forward together, through investing in a National First Nations Guardians Network.

3.4.5 Analysis & Discussion

The benefits of a Network are manifold. They include many practical ways the Network Secretariat can support the work of Guardians on the ground, reducing the need for capacity-constrained programs to operate in silos, struggle alone, or reinvent the wheel. These include shared services such as technical, administrative, and scientific support, training curricula and accreditation, facilitating collaboration amongst Guardians, Guardians programs, and First

³¹⁶ Danielle-Marie Smith, “10 Pivotal First Nations Rights Disputes to Watch in 2021” (15 December 2020), online: *Maclean’s*, <https://www.macleans.ca/news/10-pivotal-first-nations-rights-disputes-to-watch-in-2021/>.

³¹⁷ *Ibid.*

Nations, streamlining bureaucratic processes such as program funding applications and reporting, and improving the consistency and timing of funding flows.

The Network also has a critical role to play as a catalyst, accelerating the spread and development of Guardians programs across the country, through knowledgeable staff offering assistance to Nations ready to start their own programs, providing training, know-how, and financial and other resources needed to start Guardians programs off on a stable foundation.

The Network will also enable participating Nations' programs to link data and information in First Nations-owned database(s) and information systems, enabling patterns and insights to be seen beyond the limits of an individual Nation's territory, within regions and across the country, based on knowledge, data, and information First Nations may not otherwise be comfortable sharing. Information systems Nations can be sure to meet OCAP® standards will facilitate the utilization of data not otherwise available in systematic conservation and stewardship efforts.

The development of such systems can only emerge under conditions where First Nations Guardians programs are networked together, from the ground up, respecting the diversity of Nations and each Nation's ownership of, control of, access to, and possession of its own data or information.³¹⁸ Confidently in control of their own data, Nations can more easily collaborate with each other and other researchers to create a more complete, comprehensive understanding of ecosystem and species health than ever before. This will be a benefit to the health and wellness of First Nations and all Canadians and be a powerful tool in supporting First Nations self-determination and ability to make informed governance decisions respecting our territories.

Regional engagement session participants emphasized the importance of First Nations ownership and leadership of the Network, to ensure Indigenous knowledge and the exchange of understanding across diverse First Nations perspectives – per the longstanding importance of the Gift of Multiple Perspectives amongst Indigenous Peoples – is not only heard and not stifled, tokenized, or patronized, but plays a leading role in conservation across the country. The Network is based on respect for First Nations as Peoples, respect for our Nationhood and self-determination, which includes our ability to use our own systems and work in free association with each other and with Canada in genuine Nation-to-Nation relationships. As a Network of First Nations' Guardians programs, the Network is uniquely positioned to collaborate with Crown governments and other stewardship partners in a truly *inter-National* form of conservation.

Finally, a deep investment in the Network, which would enable First Nations across the country to meaningfully engage in consultation processes under Section 35 of the *Constitution Act*, 1982, and provide FPIC per *UNDRIP*, would have system-wide benefits across the Canadian economy, providing alternate ways for preventing and addressing concerns, grievances, and relationships that so often flare up as flashpoints, blockades, and confrontations across the country. The prevention and/or resolution of these types of grievances will not only result in benefits for the Canadian economy, but will also result in a multitude of other reduced system costs, including a cessation of resource drain within First Nations toward fighting these battles for our rights and what we hold sacred, enabling these resources – financial, human and otherwise – to flow toward so many other important priorities in our nations; and diverting the significant amount of taxpayer money that currently goes to legal battles with First Nations toward such things as investing in the country's crumbling infrastructure, support for affordable housing, and shifting the Canadian economy in a cleaner, sustainable direction.

³¹⁸ First Nations Information Governance Centre, "The First Nations Principles of OCAP®," online: *First Nations Information Governance Centre*, <https://fnigc.ca/ocap-training/>.

3.5 Structure & Governance of a National First Nations Guardians Network

This section reviews what we heard from participants in the regional engagement sessions and interviews with First Nations Guardians, program managers, and stewardship leaders, and identifies their priorities and direction for the development of the Network.

It also reviews the organizational structure and governance models of a number of similarly situated Indigenous organizations that could inform the organizational structure and governance of the Network. These models are analyzed through the priorities and concerns laid out by those who participated in the regional engagement and interview process and through the lenses discussed in the Section 1.2: *Project Methodology and Approach*, including with respect to self-determination / Nationhood and Nation-to-Nation relationships.

Drawing the feedback from regional engagement and interview participants together with the review of the organizational structure and governance models of a number of similarly situated Indigenous organizations, we highlight key recommendations and considerations for the organizational structure and governance of the Network – to be affirmed by those the Network would represent: First Nations Guardians programs and their constituent Nations.

3.5.1 Findings from Regional Engagement with Guardians & Stewardship Leaders

Between October 2020 and January 2021, Miles Richardson, OC, and team conducted a series of regional engagement sessions and interviews with First Nations Guardians, program managers, and stewardship experts, which garnered their views on (amongst other things) the structure and governance of the Network.

Participants emphasized the importance of First Nations truly being at the helm of the Network:

- Participants want a system that is reflective of their own Nations' priorities. When the Crown sets the agenda, programs become about fulfilling a federal department's mandate, even when they are executed by First Nations – this is how it often works now.
 - E.g., *Oceans Protection Plan*: Created different organizations in BC that were supposed to represent the First Nations, but because First Nations didn't have the capacity to respond, it was only representative of some Nations.
 - E.g., IPCAs: Some Nations wanted protected areas in places that the government did not see as a priority, and funding was contingent on agreement.
- Nation-to-Nation relationships and respect for our Nationhood requires that First Nations “hold the pen” on our own programs.

Participants thought the design of the Network should build on existing models of Indigenous-led entities and processes, such as:

- The Aboriginal Healing Foundation (AHF) created in response to recommendations made by the RCAP in 1996. It had a clear mandate and a non-political national board.
- Models from other jurisdictions (e.g., Australian Indigenous Rangers) should be considered so the Network does not need to unnecessarily “reinvent the wheel.”
- BC First Nations Health model: a practical branch for technical work (First Nations Health Authority), an educational branch that builds capacity (First Nations Health Directors Association), and an advocacy branch that deals with politics and strategic relationships (First Nations Health Council).

At the same time, lessons should be learned from these Indigenous-led bodies: “Leave out what didn’t work.” The large size of the AHF Board of Directors was noted as a challenge area that it may be best not to repeat.

Key guiding principles to inform the design of the Network’s governance structure include:

- The Network should show leadership and be adaptable to avoid paralysis but must reflect Nation-based and -owned programs’ ownership and leadership of the Network: “From the bottom up, not the top down.”
- Youth and Elder representation needed.
 - Indigenous Circle of Experts / Prairie Biosphere region association opted for one Grandfather and one Grandmother each, with assistants / message runners instead of a board - a more traditional way of looking at things.
- Regional and gender diversity needed.
 - Balanced regional representation, but not necessarily on colonial/provincial lines. Ecological zones, traditional territories, kinship networks or watersheds could all define regions.
- Limited or no presence of federal government.
 - Need to protect the Network from changes in government.
 - The federal government should have no power to veto decisions.
 - It could have an advisory role, making suggestions, not decisions.
 - If there is to be any federal representation, it should be the right person: not a program administrator but someone whose role is to uphold our inherent, constitutional and international rights.
- The “mini-department” created through ECCC (the Canadian Wildlife Service/Protected Areas/Indigenous Guardians Pilot organization), which managed the Pilot Program funds, should be disbanded after the creation of the Network.
- ILLI’s role as facilitator will no longer be necessary after an autonomous Network is created.

While regional engagement and interview participants felt that the federal government should have no or a limited role in the Network governance structure, they did find that the federal government has a number of essential roles to play with respect to a thriving Network and with respect to the model of First Nations-led stewardship the Network represents, including:

- Network champions are needed within the Government of Canada.
- Stewardship is a shared value between Canada and First Nations.
- Canada will want to know what the Guardians are seeing on the ground.
- Canada can help set a standard for how industry interacts with Guardians and the Network itself, setting the tone for collaboration.

Key guiding principles to inform the design of the Network’s governance processes include:

- Guardians and participating Nations must know that they own the Network and that it is not the usual delegated federal program model.
- Promote the notion that Nations who run these programs are both rights-holders and responsibility-holders.

- The guiding principle of all decisions should be supporting individual Guardians programs to do their work on-the-ground.
- Active solicitation of Guardian feedback and guidance is needed, even from those in small programs with limited capacity.
- Demonstrate that programs' input has been incorporated into the Network's processes, so Guardians know their interests, concerns, and priorities are being considered.
- Though there are many cultural differences between Nations, there are common values about stewardship of lands and waters. This uniting value should be the focus.
- Respect is another guiding principle – having respect for different ways of doing things, different cultures, timing and ceremony, languages and protocols – respect each other's authority within the Network.
- Equality and non-discrimination – having equality does not mean that everyone is treated the same, it means everyone is treated fairly.
- Consensus-based decision-making (or consensus +1).
- Boards should be elected, and with fixed terms.
- Yearly comprehensive reports that detail operations and decisions of the Network.

In sum, participants called for the Network's governance to be centred around the fact that, as a Network, it is made up of and accountable to First Nations Guardians programs, which are themselves created and run by their Nations. The Network is to be bottom-up, not top down and reflect accountability to Guardians programs and their Nations. It is a forum for Nation-to-Nation stewardship relations amongst First Nations through their Guardians programs. While the federal government would not have a direct role in the Network's governance, it would be closely connected to the Network through the Network Secretariat's ongoing collaboration with / participation in the JWG. As such, Canada, the provinces and territories, and other conservation partners would have the ability to collaborate with unique stewardship knowledge and expertise, in a truly *inter-National* forum for conservation.

Participants recommended that next steps include building more awareness of and buy-in for the Network model and an engagement process for developing clear Terms of Reference (ToR) for the Network governance structure before it is established. Participants also recommended that the Network's governance structure be stabilized in federal legislation.

3.5.2 Comparable Governance Models

This section reviews the organizational structure and governance models of the CSN, the AHF, and the First Nations health governance structure in BC, as Indigenous organizations that allocate (or, in the case of the AHF, allocated) substantial funding from Crown government to First Nations or related entities.

3.5.2.1 Coastal Stewardship Network

The CSN is a program of the CFN-GBI which provides support and programming to the stewardship offices, CGW programs, and other stewardship staff of the nine-member alliance of First Nations along the north and central coast and Haida Gwaii in BC. The objective of the CSN is to increase the CFN's capacity to monitor, steward, and protect their territories by offering:

1. Networking and collaboration opportunities;
2. Training and professional development;
3. An RMS;

4. Direct program development support; and
5. Communications and outreach support.³¹⁹

Initially established in 2005 as the CGW Network, member Nations worked together to create a stewardship-driven conservation economy. In 2009, after receiving \$1.3 million from the Coast Funds conservation endowment³²⁰ to establish a model for First Nations stewardship departments and Guardian programs on a regionally integrated basis, each of the member Nations of the CGW Network established integrated stewardship offices. In 2012, as the CGW Network further developed, it was renamed the CSN to reflect the wider range of stewardship activities it conducted and supported beyond those to simply “observe, record, and report.”³²¹

Since 2009, CSN operations have been led by a Stewardship Program Manager, who oversees the integrated stewardship departments within each Nation. In 2010, after the development and implementation of an RMS, a full-time Outreach and RMS Coordinator position was created and five seasonal full-time Guardians positions were supported, with an additional 1500 hours of contract work to be divided amongst the Guardians.³²² In recent years, the CSN has grown to support over 20 Guardians and over 50 other stewardship positions, including researchers, technicians, marine-use planning coordinators, stewardship directors in its nine member-Nations. CSN also centrally employs two Training Coordinators, a Data and Systems Analyst, and a CGW Support Coordinator.³²³

The CSN program is run by the CFN-GBI. The GBI Society is governed by a Board of nine Directors, one from each of the nine member-Nations of the CFN.³²⁴ The Board meets at least three times a year to assess the organization’s progress in meeting its annual strategic plan’s objectives, to provide guidance on GBI activities, and to review and approve the organization’s annual strategic plan. The Board’s Executive Committee of four Directors (President, Vice-President, Secretary, and Treasurer)³²⁵ meets regularly to monitor administrative issues and review projects. The CFN-GBI has an office in Vancouver with seven support staff, who provide the Board with support on financial management, economic development strategies, community capacity-building, strategic project planning, and communications.³²⁶

In 2018, the CFN-GBI created the Stewardship Directors Committee to support the CSN. It brings Stewardship Directors and other senior land and marine managers from each of the nine Nations together through workshops, conference calls, and quarterly meetings, to support and direct regional initiatives. The Stewardship Directors Committee Project Manager works in collaboration with other Program Managers, supporting regional projects, and strengthening capacity and authority of stewardship staff as they manage and protect their territories.³²⁷

³¹⁹ Coastal First Nations – Great Bear Initiative, (CGW-GBI, 2020ii), “Contract Posting – Coastal Stewardship Network Coastal Guardian Watchmen Support Coordinator - About us,” online: *Coastal First Nations – Great Bear Initiative*, <https://coastalfirstnations.ca/wp-content/uploads/2020/11/Contract-Posting-CSN-GW-Support-Coordinator-Final.pdf>.

³²⁰ Coast Funds, “Coastal Stewardship Network: Collaborative Monitoring and Protection of First Nations’ Land and Waters,” online: *Coast Funds*, <https://coastfunds.ca/stories/coastal-first-nations-sharing-intelligence-through-the-coastal-stewardship-network/>.

³²¹ *Ibid.*

³²² *Ibid.*

³²³ CFN-GBI, 2020ii, *supra*.

³²⁴ Our working assumption is that each member of the Board of Directors is either a Chief or Chief Councillor of their respective Nation.

³²⁵ The method for selecting the members of this body is not readily accessible.

³²⁶ CFN-GBI, “About Coastal First Nations - Governance,” online: *CFN-GBI*, <https://coastalfirstnations.ca/our-communities/about-cfn/>.

³²⁷ CFN-GBI, *Annual Report 2019*. Report. (2019), 14.

3.5.2.2 *Aboriginal Healing Foundation*

The 1980s saw a growing number of Indigenous-led direct actions carried out across the country, ranging from the Haida Nation's stand against clear-cut logging at *Athlii Gwaii*, to "the Mi'kmaq and Malaseet defiance of Nova Scotia's hunting and fishing restrictions,"³²⁸ and many others, including the 1990 Oka Crisis. Part of the Government of Canada's response to this crisis and mounting series of such conflicts, was the creation of RCAP by Prime Minister Brian Mulroney in 1991. It was established as Indigenous groups, First Nations, and Indian Residential School (IRS) survivor organizations mounted increasing pressure for investigation into the historic treatment of Indigenous people.³²⁹ RCAP was the most extensive investigation undertaken to date into the relationships between Indigenous Peoples and Canada.

In response to RCAP, Canada developed the policy, "Gathering Strength: Canada's Aboriginal Action Plan." "Gathering Strength" aimed at beginning "a process of reconciliation and renewal with Aboriginal Peoples."³³⁰ This included a commitment from the federal government of \$350 million to support "community-based healing services and activities which address the intergenerational legacy of physical and sexual abuse in Canada's Indian Residential School system."³³¹ The AHF was established in 1998 to distribute these funds.³³² The final report on the AHF showed that, during its tenure, it had received over \$1.3 billion in funding requests.³³³

With initial financial support from the Government of Canada, the AHF played a critical role in supporting healing for IRS survivors. Serious communication delays by the Government of Canada stymied investment of AHF funds that could have ensured much longer-term viability and impact for the AHF – delays that amount to a tragedy in light of the intergenerational impacts caused by Canada's IRS policy. This tragedy was compounded by the Government of Canada decision to end AHF funding in 2014.

Funding the establishment of a National First Nations Guardians Network would contribute significantly to healing many of the intergenerational impacts from Canada's IRS policy and to meaningful reconciliation and Nation-to-Nation relationships between First Nations and Canada, as Section 3.3: *Benefits, Value, and Return on First Nations Guardians Programs* and Section 3.4: *Why a National First Nations Guardians Network?* articulate in further detail.

The AHF was established with the expectation of achieving particular objectives within specified periods of time, including:

- Set up operations within one year, beginning April 1, 1998;
- Spend or commit the full \$350 million plus interest generated within five years, beginning April 1, 1999;
- Pay out multi-year commitments, do ongoing monitoring of projects, and write a final report within five years, beginning April 1, 2003.³³⁴

³²⁸ Spear, 2014, *supra*, 8.

³²⁹ Nora Lessing, "Canada's Aboriginal Healing Foundation" (20 December 2019), online: *Centre for Public Impact*, <https://www.centreforpublicimpact.org/case-study/canadas-aboriginal-healing-foundation-ahf/>.

³³⁰ *Ibid.*

³³¹ Aboriginal Healing Foundation (AHF), "The Aboriginal Healing Foundation Corporate Plan 2012" (2012), 12.

³³² Lessing, *supra*.

³³³ T.K Gussman Associates and Indian and Northern Affairs Canada, "Final Report: Evaluation of Community-Based Healing Initiatives Supported Through the Aboriginal Healing Foundation." Report. (December 2009), 11.

³³⁴ AHF, *supra*, 3.

In 2005, the federal government provided the AHF an additional \$40 million in funding to extend 88 projects to three-year terms. In 2007, in response to the 2006 *Indian Residential Schools Settlement Agreement*,³³⁵ the AHF received an additional \$125 million towards healing for residential school survivors. This final funding extended the AHF's mandated term to 2012, extended 134 funded projects to sunset in 2010, and eleven healing centres to sunset 2012.³³⁶

The AHF was an Indigenous-run not-for-profit, which primarily employed Indigenous staff.³³⁷ These conditions helped build trust amongst applicants and communities.³³⁸ Although there was an urgent need for these programs / initiatives, Indigenous Peoples across Canada likely would not have participated in government-led healing initiatives due to a lack of trust in the context of a long history of colonization.³³⁹

The AHF was governed by a 17-member Board, all of whom were Indigenous (First Nations, Métis, and Inuit). Nine founding Directors were appointed in the following manner:

- Three by the AFN;
- One each by the Congress of Aboriginal Peoples; Inuit Tapiriit Kanatami; Native Women's Association of Canada; and Métis National Council; and
- Two by the Government of Canada.³⁴⁰

These nine Directors then elected an additional eight Directors as follows:

- Five who are members of First Nations and/or First Nations persons;
- One Inuk and one Métis; and
- One Inuk or one Métis.

Directors served two-year terms and were eligible for re-appointment or re-election at the end of those terms.³⁴¹ An Advisory Group of four Elders also supported the Board of Directors.

AHF staff included a President, an Executive Director (ED), and various staff in the areas of finance, communications, research, and operations.³⁴² Operational performance and accountability were guided by the following tools: a risk management framework, a Monitoring and Compliance Framework, a governance model for community-based projects, annual financial audits, compliance audits following the guidelines established by the Auditor General of Canada, three interim Evaluations of AHF activities, and a three-volume final report, completed a year ahead of schedule.³⁴³

The AHF funded projects in all regions of the country and offered proposal development support and 18 country-wide information sessions to communicate opportunities to apply and guide communities through the application process.³⁴⁴ The first call for proposals saw 370 proposals received. Approved projects ranged in funding from \$19,200 to \$1.1 million, with an average of

³³⁵ Canada, the National Consortium, Merchant Law Group, et. al. (Canada, et. al.), "Indian Residential Schools Settlement Agreement" (2006), online: *Residential Schools Settlement*, <http://www.residentialschoolsettlement.ca/IRS%20Settlement%20Agreement-%20ENGLISH.pdf>.

³³⁶ AHF, *supra*, 3.

³³⁷ Lessing, *supra*, 3.

³³⁸ *Ibid.*

³³⁹ Maya Rolbin-Ghanie in *Ibid.*

³⁴⁰ In 2012 these members were appointed from Health Canada and from Indian and Northern Affairs Canada, respectively. *Ibid.*

³⁴¹ AHF, *supra*, 6.

³⁴² *Ibid.*, 7-8.

³⁴³ *Ibid.*, 9.

³⁴⁴ Spear, 2014, *supra*, 70.

\$210,000 per project. According to an Evaluation report prepared for the AHF, “in 2001, there were 310 AHF-funded community projects, serving over 1,500 individual communities and approximately 60,000 individual participants.”³⁴⁵ At the time of final report release, there were still 140 project contribution agreements in operation.³⁴⁶ Areas of focus ranged from sex offender programs, education, counselling, trauma work, and training for healers and to increase healing capacity for community members.³⁴⁷

The AHF is understood by many to have achieved landmark accomplishments and faced substantial limitations and challenges. As noted by former AHF Director of Communications Wayne K. Spear, the Indigenous-led direct actions of the 1980s marked “the emergence of institutional abuse (targeted at Indigenous people) as a public issue in Canada.”³⁴⁸ He also points out how “non-political arms-length agencies (like the AHF) are in fact a useful public policy instrument” and that “aboriginal-designed and -managed public agencies, accountable to aboriginal people and communities, are a viable alternative to service delivery through the federal ... bureaucracy.”³⁴⁹

AHF leadership recognized they would be scrutinized as a “test case” and that “any verdict rendered over its performance would be a verdict cast upon the notion of aboriginal management itself.”³⁵⁰ The financial conditions set out by the federal government in the agreement, including investment restrictions and disbursement timelines, have been described as “ultra-conservative”³⁵¹ and somewhat paternalistic, as two federal government-appointed Directors held veto power over matters pertaining to amendments to founding documents or the agreement.³⁵² Despite this, stemming partly from the financial oversight and advice of Graham Sanders, the AHF was able to yield an additional \$107 million from investments made during its operational years.³⁵³

While it was understood that “change can’t be made overnight,”³⁵⁴ evaluation of AHF funding was that it was not significant enough and did not extend long enough to sufficiently accomplish its mission, including addressing the intergenerational trauma and impacts on Indigenous languages, culture, and Nationhood resulting from Canada’s residential schools policy.³⁵⁵ There was also a major missed opportunity to enhance the impact and longevity of the AHF.³⁵⁶ In 2000, AHF leadership proposed the idea of extending the disbursement period and, with encouragement from the federal government, hired KPMG and ScotiaMcLeod to conduct a projection and analysis of several scenarios, completed in 2001. As Board Chairman Georges Erasmus explained in multiple letters to both the Department of Indian Affairs and Northern Development and the Auditor General of Canada, “One scenario saw disbursement of nearly \$1

³⁴⁵ Kishk Anaquot Health Research, *An Interim Evaluation Report of Aboriginal Healing Foundation Program Activity*. Prepared for the Aboriginal Healing Foundation in Gussman, *supra*, 11.

³⁴⁶ Gussman, *supra*, 11.

³⁴⁷ *Ibid.*, 10, 71.

³⁴⁸ *Ibid.*, 24.

³⁴⁹ *Ibid.*, 3.

³⁵⁰ *Ibid.*, 127, 129.

³⁵¹ *Ibid.*, 75.

³⁵² *Ibid.*, 126.

³⁵³ *Ibid.*, 75.

³⁵⁴ Minister of Indian Affairs, the Hon. Robert Nault in *Ibid.*, 72.

³⁵⁵ Lessing, *supra*; Castellano, Marlene Brant and Linda Archibald, “Healing Historic Trauma: A Report From The Aboriginal Healing Foundation,” Report. (2007) online: *Western University Scholarships@Western Policy Research Consortium International (APRCi)*, <https://ir.lib.uwo.ca/cgi/viewcontent.cgi?article=1333&context=aprci>; and Gussman, *supra*.

³⁵⁶ Spear, 2014, *supra*, 78, 310-312.

billion dollars over 30 years, without depletion of the fund's principal and without additional Government funding."³⁵⁷ However, these letters and their proposal went unanswered for 33 months, during which time, per the original funding agreement, the AHF was obligated to disburse most of its funding, depleting funds to the point that the window of opportunity to act on the time-sensitive proposal evaporated.³⁵⁸

In 2014, the decision was made under Prime Minister Stephen Harper to stop allocating funds to the AHF and thus the foundation and the projects it funded came to an end, amidst public outrage.³⁵⁹ Since that time, in perhaps the most disappointing analysis of the AHF, it has been observed that, there has been a revival of Indigenous-led direct action and legal battles on issues ranging from resource development to growing numbers of Indigenous youth in care."³⁶⁰ As noted in Section 3.4.4: *Other Benefits, Value, or Returns from the Network* above, there are a number of ongoing civil and legal disputes between of First Nations and settler communities, governments and/or proponents across the country, at least 10 of which have been noted as potential "flashpoints" in the year ahead.³⁶¹

It has been observed that the intergenerational legacy of Canada's IRS policy also continues to show itself in the overrepresentation of Indigenous youth in care, which the Government of Canada itself has declared to be a "humanitarian crisis;"³⁶² rates of suicide far higher amongst Indigenous people, but especially Indigenous youth;³⁶³ astonishingly high rates of incarceration of Indigenous people, especially youth;³⁶⁴ and a crisis of missing and murdered Indigenous women and girls, which has been described as genocide.³⁶⁵ Furthermore, resource extraction projects often provide opportunities for the sexual targeting of Indigenous women and girls, intensifying this crisis.³⁶⁶ These flashpoints and overrepresentation crises serve as indicators that the relationship between Canada and First Nations is in need of serious mending, a task which federal investment in a National First Nations Guardians Network could go a long way in achieving quite effectively.

³⁵⁷ *Ibid.*, 311.

³⁵⁸ *Ibid.*

³⁵⁹ Lessing, *supra*.

³⁶⁰ Spear, 2014, *supra*, 285-286.

³⁶¹ Danielle-Marie Smith, *supra*.

³⁶² Indigenous Services Canada (ISC), "Government of Canada, with First Nations, Inuit and Métis Nation Leaders, Announce Co-Developed Legislation Will Be Introduced on Indigenous Child and Family Services in Early 2019" (30 November 2018), online: *ISC*, <https://www.canada.ca/en/indigenous-services-canada/news/2018/11/government-of-canada-with-first-nations-inuit-and-metis-nation-leaders-announce-co-developed-legislation-will-be-introduced-on-indigenous-child-and.html>.

³⁶³ Mohan B. Kumar and Michael Tjepkema, "Suicide amongst First Nations People, Métis and Inuit (2011-2016): Findings from the 2011 Canadian Census Health and Environment Cohort (CanCHEC)" (28 June 2019), online: *Statistics Canada*, <https://www150.statcan.gc.ca/n1/pub/99-011-x/99-011-x2019001-eng.htm>.

³⁶⁴ Justice Canada, "Statistical Overview on the Overrepresentation of Indigenous Persons in the Canadian Correctional System and Legislative Reforms to Address the Problem - Spotlight on Gladue: Challenges, Experiences, and Possibilities in Canada's Criminal Justice System" (5 August 2016), online: *Justice Canada*, <https://www.justice.gc.ca/eng/rp-pr/jr/gladue/p2.html>.

³⁶⁵ MMIWG Inquiry, *supra*, 3. "Cultural genocide" was a term used to describe the treatment of Indigenous children, families, and communities during the operating years of the Residential School System in Canada, according to the outcomes of the Truth and Reconciliation Commission. The term appears on the very first page of the executive summary of the final report. Truth and Reconciliation Commission of Canada, "Honouring the Truth, Reconciling for the Future: Summary of the Final Report of the Truth and Reconciliation Commission of Canada" (2015), online: *National Centre for Truth and Reconciliation*, http://nctr.ca/assets/reports/Final%20Reports/Executive_Summary_English_Web.pdf.

³⁶⁶ *Ibid.*, 36, 82; Carol Muree Martin and Harsha Walia, "Red Women Rising: Indigenous Women Survivors in Vancouver's Downtown Eastside." Report. (2019), 60-61, 192, online: *Vancouver: Downtown Eastside Women's Centre*, <https://online.flowpaper.com/76fb0732/MMIWReportFinalMarch10WEB/#page=1>.

3.5.2.3 First Nations Health Governance Structure in BC

The First Nations health governance structure in BC was created to enable First Nations to take the helm of First Nations health programs and services in BC.³⁶⁷ It has five key components:

1. Regional Caucuses, the regional bodies made up of representatives from First Nations within those regions, which elect the members of the FNHC and ensure regional priorities and concerns are heard by and reflected in the work of the provincial-level First Nations health governance organizations (FNHC, FNHA, and FNHDA).
2. First Nations Health Council (FNHC), the governance and political advocacy branch of this structure, whose role is to provide governance oversight and direction to the FNHA and act as an advocate for BC First Nations in the BC health system.
3. First Nations Health Authority (FNHA), the operations and administrative branch of the structure, which provides health programs and services to communities.
4. First Nations Health Directors Association (FNHDA), a professional association of Health Directors,³⁶⁸ which serves as a technical advisory body to the FNHC and FNHA, and provides professional development for Health Directors.³⁶⁹
5. Tripartite Committee on First Nations Health (TCFNH), the forum in which the Parties to the *BC Tripartite Framework Agreement on First Nations Health Governance (TFA)* coordinate and design programming and strategy for First Nations in BC. It is co-chaired by the FNHA, the BC Ministry of Health (MoH), and Health Canada First Nations and Inuit Health Branch (FNIHB).³⁷⁰

A foundational concept for this structure, rooted in First Nations values, is reciprocal accountability – the idea that all entities in the structure are interdependent on each other playing their part to ensure the best outcomes across the structure and for the health and wellness of First Nations throughout BC.³⁷¹ Another foundational concept is consensus-based decision making involving First Nations in BC, garnered through the Engagement and Approval Pathway process, which provides a framework for the building of consensus on key decisions on First Nations health services in BC.³⁷²

3.5.2.3.1 Regional Caucuses

Regional and Sub-Regional Caucus representatives are appointed by First Nations within those regions. Within each of the five health regions, three representatives are chosen by Regional Caucuses to serve as members of the FNHC. Regional Caucuses provide FNHC members with direction and Region-specific priorities to bring to the provincial level of the First Nations health governance structure and to negotiations with the federal and provincial governments.

³⁶⁷ First Nations Health Council (FNHC), “About Us,” online: *FNHC*, <http://fnhc.ca/about-us/>.

³⁶⁸ Health Directors are experienced, professionally trained leaders with traditional knowledge that advocate for and work to sustain community wellness.

³⁶⁹ First Nations Health Authority (FNHA, 2013), *2013 Guidebook for Transformation: Building Blocks for Transformation*. Guidebook. (July 2013), 11-12.

³⁷⁰ First Nations Health Authority (FNHA, 2021), “Governance and Accountability,” online: *FNHA*, <https://www.fnha.ca/about/governance-and-accountability>.

³⁷¹ FNHA, 2013, *supra*, 11-12.

³⁷² Step 1 is to gather guidance from First Nations in BC. Step 2 is to create a discussion document with options, questions, and models based on Step 1. Step 3 is the creation of an engagement summary describing common areas of agreement. Step 4 involves further consensus building to create a revised final form of the engagement summary. Step 5 is ratification of the engagement summary. FNHA, 2013, *supra*, 17-18.

Each Caucus uses its own decision-making process, including for the selection of FNHC representatives, as determined by the First Nations within that region, but all rely on a consensus-based approach.

The FNHA covers Regional Caucus meeting costs and employs Regional Health Liaisons to support the Regional Caucus work that feeds into the Regional Tables. Regional Tables are comprised of FNHC representatives and technical leads from each of the regions. Regional Tables, BC Regional Health Authorities and the FNHA then cooperate in decision-making for health services for First Nations people in BC.³⁷³

3.5.2.3.2 First Nations Health Council

The FNHC is the governance and political advocacy body of the First Nations health governance structure in BC. It is composed of 15 members, with three members drawn from each of the five health regions: Northern, Interior, Fraser Salish, Vancouver Coastal, and Vancouver Island. Each FNHC member is directly appointed for the region they represent by the corresponding Regional Caucus. Each Regional Caucus determines its own selection process, appointment procedure, and length of term, as defined collectively by First Nations in that region.³⁷⁴ The fifteen members of the FNHC are concurrently the members of the FNHA Society and elect the FNHA Board of Directors.³⁷⁵

The FNHC is responsible for political leadership, First Nations health governance development, health advocacy to First Nations in BC on core public health priorities, advocacy for BC First Nations health priorities within the health governance structure, and oversight and negotiations with federal and provincial governments.

Part of the FNHC's mandate is to continually evolve First Nations health services in BC - to facilitate this, the FNHC hosts Gathering Wisdom for a Shared Journey Forums (GWSJ) every year to 18 months. GWSJ forums are particularly important as they bring political, health, and social leads from each BC First Nation together to hear updates from and participate in dialogue with the FNHC, FNHDA, and FNHA, sharing their experiences and shaping the direction of First Nations health care in BC through consensus papers.³⁷⁶

3.5.2.3.3 FNHC Secretariat

FNHC capacity is supported by the FNHC Secretariat. The FNHC Secretariat is an operations arm that provides administrative, research, and other capacity support for the FNHC and helps support the FNHC to liaise with other entities, including the FNHA and FNHDA.³⁷⁷ Funding for the FNHC Secretariat is provided by the FNHA.

The Secretariat includes an ED determined by the FNHC, who reports functionally to the FNHC Chair and administratively to an Officer of the FNHA Board of Directors. The ED selects two or more (as agreed by the FNHC and FNHA) additional staff personnel to work for the FNHC.

³⁷³ IOG, *supra*, 15-16.

³⁷⁴ FNHC, "Mandate," online: FNHC, <http://fnhc.ca/mandate>.

³⁷⁵ Institute on Governance (IOG), *First Nations Health Authority Governance Evaluation*. Report (2013), 20.

³⁷⁶ FNHA, "Engagement Process," online: FNHA, <https://www.fnha.ca/about/governance-and-accountability/engagement-process>.

³⁷⁷ FNHC, "Terms of Reference," online: FNHC, http://www.fnhc.ca/pdf/FNHC_TOR_2012.pdf. Information is not readily available on the exact composition of the FNHC Secretariat.

The FNHA provides corporate services to the FNHC and FNHC Secretariat, to enable capacity for the FNHC to carry out its work. These services include finance, human resources, information and records management, technology, community engagement, communications, administrative and coordination services, office accommodations, legal, and policy.

The FNHC Secretariat ED supports the work of the FNHC in a manner consistent with the policies and procedures of the FNHA and works collaboratively with FNHA leadership as required to meet the accountability of the FNHA in areas including budgeting, human resources, travel and events, financial management, information management and information technology, policy, communications, and other corporate and central functions. In cases where the policies and procedures of the FNHA do not meet the needs of the FNHC, the ED of the FNHC and FNHA leadership will work together to find a reasonable solution.³⁷⁸

3.5.2.3.4 The First Nations Health Authority

The FNHA is responsible for providing services and allocating funding for health programs that had previously been delivered by the federal government to First Nations in BC. The provincial government continues to deliver its own health programs, which First Nations people in BC are eligible to use as BC residents. The FNHA works closely with the BC MoH and Regional Health Authorities to plan, design, and transform delivery of health services accessed by First Nations people in BC, and to address any issues or gaps in the system through relationship building, increased cooperation, and reform of health services.³⁷⁹

3.5.2.3.4.1 FNHA Research, Knowledge Exchange, and Evaluation Department

The FNHA has a Research, Knowledge Exchange, and Evaluation (RKEE) department dedicated to taking the FNHA from *transfer* to *transformation*. *Transfer* describes a delegation model, the initial process in which the FNHA assumed responsibility for administering programs and services that had previously been delivered to First Nations in BC by FNHIB-BC. *Transformation* describes the process of change from the model used by the federal government to a model and programs and services reflective of First Nations priorities, processes and methodologies. In this ongoing stage, existing federal programs and services are being realigned to better reflect First Nations' approaches to wellness through a constant planning and evaluation cycle that allows for continuous refinement of services.³⁸⁰

Part of this transformation process involves advancing First Nations data governance and data sovereignty. The FNHA is mandated to support research that is meaningful and beneficial to First Nations in BC. It actively assists in advancing First Nations' capacity to administer their own health research and data management activities. It conducts the First Nations Regional Health Survey, an ongoing multiphase survey conducted by First Nations for First Nations. The first three phases (Phase 1 in 2002-2003, Phase 2 in 2008-2010, and Phase 3 in 2015-2017) have generated valuable information on health and wellness statistics that are used to support system and program transformation at the provincial and First Nation level.³⁸¹

³⁷⁸ Memorandum from FNHC & FNHA, "Memorandum of Understanding" (18 December 2012).

³⁷⁹ FNHA, "Timeline," online: FNHA, <https://www.fnha.ca/about/transition-and-transformation/timeline>.

³⁸⁰ FNHA, "Research, Knowledge Exchange, and Evaluation," online: FNHA, <https://www.fnha.ca/what-we-do/research-knowledge-exchange-and-evaluation/>.

³⁸¹ FNHA, "Regional Health Survey – Research, Knowledge Exchange, and Evaluation" online: FNHA, <https://www.fnha.ca/what-we-do/research-knowledge-exchange-and-evaluation/regional-health-survey>.

RKEE also supports culturally appropriate and respectful research ethics framework, process, and protocols that First Nations have put in place for the collection, use, disclosure, and ownership of that data. Upon transfer of services from FNIHB-BC to the FNHA, BC MoH and the FNHA created a bilateral Data and Information Planning Committee to govern the First Nations Client File³⁸² and further ease of access for First Nations to their own medical data.³⁸³ The FNHA uses the Research, Knowledge Exchange, and Evaluation department as an oversight body to ensure research agendas, strategies, and collaborations with other partners are aligned with First Nations interests and priorities and meet the ethical expectations of First Nations, including the OCAP[®] standard of Ownership, Control, Access, and Possession of research findings.³⁸⁴

3.5.2.3.5 The First Nations Health Directors Association

The FNHDA is a professional association of Health Directors – senior managers and administrative health professionals working within First Nations. It acts as a technical advisory body to the FNHC and FNHA, while also providing professional development, information sharing and other supports to its members. Its Board is made up of fifteen representatives: three from each of the five health regions.³⁸⁵

As a membership-based professional association, the FNHDA was established by Health Directors for Health Directors to support their development, establish relationships, and build competency and excellence in providing health programs to First Nations. Its mandate is to support First Nations Health Directors and health organizations; provide technical input and advocacy to transform government systems, policy and legislation; and work collaboratively with other First Nations health governance partners.³⁸⁶ It is committed to creating a “circle of support” for First Nations health and wellness professionals delivering healthcare in BC.³⁸⁷

3.5.2.3.6 Tripartite Committee on First Nations Health

The TCFNH is the forum in which the Parties to the TFA³⁸⁸ – Health Canada, the BC MoH, and the First Nations Health Society (precursor to the FNHA)³⁸⁹ – coordinate and design programming, strategy, and planning for First Nations in BC. It is co-chaired by the FNHA, the BC MoH, and FNIHB.³⁹⁰ As such, the TCFNH is the forum for First Nations and the provincial and federal governments to collaborate on First Nations health and wellness in BC.

³⁸² First Nations Client File (FNCF): The FNCF is a cohort of BC resident First Nations people registered under the *Indian Act*, and their unregistered descendants born after 1986 for whom entitlement-to-register can be determined, linkable on their BC Ministry of Health Personal Health Number. The FNCF is the product of a record linkage between an extract of the Indian Register held by ISC, the Ministry of Health Client Roster and the BC Vital Statistics database. Praxis Management Inc., *Data and Information Governance Case Study* (December 2019), 11, online: FNHA, <https://www.fnha.ca/Documents/FNHA-BC-Tripartite-Agreement-Case-Study-Data-and-Information-Governance.pdf>.

³⁸³ FNHA, “Research, Knowledge Exchange, and Evaluation Priorities,” online: FNHA, <https://www.fnha.ca/what-we-do/research-knowledge-exchange-and-evaluation/priorities>.

³⁸⁴ FNIGC, *supra*.

³⁸⁵ IOG, *supra*, 15.

³⁸⁶ First Nations Health Directors Association (FNHDA), “About FNHDA – Strategic Priorities” online: FNHDA, <http://fnhda.ca/about/>.

³⁸⁷ First Nations Health Directors Association (FNHDA, 2020), *FNHDA Annual Report 2019-2020*. Report (2020), 1, online: *First Nations Health Directors Association*, <http://fnhda.ca/wp-content/uploads/FNHDA-Annual-Report-2019-20.pdf>.

³⁸⁸ Her Majesty the Queen in right of Canada as represented by the Minister of Health, Her Majesty the Queen in right of the Province of British Columbia as represented by the Minister of Health, and First Nations Health Society, *British Columbia Tripartite Framework Agreement on First Nation Health Governance (TFA)* (13 October 2011), online: FNHA, <https://www.fnha.ca/Documents/framework-accord-cadre.pdf>.

³⁸⁹ Endorsed by the FNHC.

³⁹⁰ FNHA, 2021, *supra*.

The TCFHN meets at least twice per year to monitor progress and to identify any adjustments needed to strategy, roles, or funding.

3.5.3 Analysis & Discussion

This analysis and discussion section considers the feedback provided by First Nations Guardians program managers and governance experts in the regional engagement sessions and interviews and the elements of the above considered governance models – CSN, AHF, and the BC First Nations health governance structure – informed by this document’s foundational methodological principles relating to Nationhood / self-determination and Nation-to-Nation relationships, to distill core recommendations for the design of the Network governance arm, referred to provisionally as the Network Council, and the Network operational and capacity building arm, referred to as the Network Secretariat.

3.5.3.1 Considerations for Design of the Network Council

Participants in the regional engagement sessions and interview process emphasized that, most fundamentally, the governance of the Network must be “From the bottom up, not the top down,” reflecting the ownership of the Network by the First Nations Guardians programs that make up the Network and their constituent Nations that in turn own the programs. Through this bottom up relationship amongst Guardians programs and their constituent Nations, the Network enables Nation-to-Nations stewardship relations amongst the constituent Nations and, as such, enables a forum with which Canada, the provinces and territories, and other stewardship partners can collaborate, with the effect that the Network will be uniquely positioned to serve as a truly *inter-National* conservation forum.

The ToR for the Network Council should include a built-in mechanism to ensure Youth and Elder representation, gender balance, and regional representation, though the manner in which regions are construed need not follow colonial provincial / territorial lines. The Network Council could have dedicated seats to ensure Youth, Elder, gender, and regional representation is achieved. Alternately, an Advisory Group of Elders and Youth could be created to support the Network Council, which would otherwise balance regional and gender representation.

There are a number of different ways in which Network Councillors could be selected. One option would be for each Guardian program participating in the Network to have one member in the Network and those members could elect Network Councillors to the specific seats available, potentially on staggered terms, to facilitate continuity and knowledge transfer between existing and new Network Councillors. As the example of the selection of First Nations Health Councillors shows, the selection process can be context-specific, consistent with the consensus-based approach of First Nations within a region. Members of the Council should be elected for defined terms, and report annually on its decisions, including the allocation of funding, as the CSN, AHF, and FNHA have / had to do.

While regional engagement and interview participants largely felt that the federal government should not be directly involved in the governance of the Network, the JWG would provide the forum for the Network and the federal government to come together to coordinate and collaborate on knowledge sharing and stewardship strategies, similarly to how the TCFNH in the First Nations health governance structure in BC provides a forum for First Nations and the BC and federal governments to cooperate on First Nations health and wellness in BC.

3.5.3.2 *Considerations for Design of the Network Secretariat & Role of the JWG*

Section 3.4.1.1: *Network-Provided Support / Resource Needs Identified by Programs* listed an array of supports or resources (in addition to funding) that First Nations Guardians, program managers, and stewardship experts would like to see a Network Secretariat providing to First Nations Guardians programs, such as creating standardized First Nations Guardians training and accreditation, serving as a clearinghouse for tools and information sharing for Guardians programs, providing shared, secure First Nations-owned databases, providing shared regional and national support staff, creating connections between Guardians and between First Nations, and amplifying Guardian's voices.

The Network Secretariat can build on the model of the CSN, an existing regional network (which needs a more stable and comprehensive funding base) that provides direct program development support, an RMS, training and professional development, networking and collaboration opportunities, and communications and outreach support services to Guardians and other stewardship personnel. Through the CFN-GBI, it has a central office with a number of support staff, including those providing administrative, systems, and technical expertise support.

The AHF was an Indigenous-run not-for-profit, which primarily employed Indigenous staff, a fact that helped build trust amongst those the AHF was created to serve. It had an operational staff component, including executive leadership and support in the areas of finance, research, communications, and other operations. These staff offered proposal development support and country-wide information sessions to help applicants through the application process.

The First Nations health governance structure in BC also functionally distinguishes between its governance arm (the FNHC), its program arm (FNHA), its professional development and technical advisory arm (FNHDA), and its interjurisdictional or – to use the conceptualization we have been emphasizing in this proposal – inter-National strategies coordination arm (TCFNH). Further, the FNHC itself has two components: its governance component (the First Nations Health Councillors) and a modest operations component (FNHC Secretariat) to support the governance component to perform its function well. We propose to bring together several of these distinct functions – (1) administrative and technical support to the governance component (akin to the FNHC Secretariat), (2) professional development and technical advisory function (akin to the FNHDA), and (3) a continuous improvement and data stewardship function (akin to the FNHA RKEE department) – into the operations arm of the Network: the Network Secretariat. Its role will be described in more detail in the next section. The Network Secretariat will, like the FNHA in the BC health governance system, collaborate with Canada via the JWG. The Network Council, with the technical support of the Network Secretariat, will be responsible for directly engaging with programs and their Nations, similarly to how the FNHC does via GWSJ, though it will develop its own approach for engagement and accountability in partnership with programs and Nations unique to the context of First Nations Guardians stewardship.

Bringing together all of these considerations – from the regional engagement sessions and interviews and review of comparative organizational structures – it is reasonable to recommend that the Network Secretariat:

- Provide technical and administrative support to the Network Council to enable it to perform its roles and responsibilities competently and effectively
- Provide shared services and resources to Guardians and Guardians programs including:
 - Providing shared regional and national support staff providing direct program development, administrative (including funding proposal development support) and technical support;

- Serving as a clearinghouse for tools and information sharing for Guardians programs, including shared, secure First Nations-owned databases;
- Professional development, including standardized First Nations Guardians training and accreditation;
- Networking and collaboration opportunities; and
- Communications and outreach support.

The Secretariat would participate in / collaborate with the JWG, which was created by ILI and ECCC in September 2018 to support the success of the Pilot Program. The JWG would continue to provide its expertise and advice, building on the foundation of the Pilot Program, in support of the Network as it transitions from being a federal Indigenous Guardians program into a First Nations-run organization with responsibility for allocating funding to First Nations Guardians programs across the country and being accountable for its decisions and processes to the First Nations Guardians programs that comprise and own the Network and their constituent Nations, which in turn create and own the programs. The Network Secretariat and ECCC will continue to collaborate via the JWG as the Network assumes its leadership role as a conservation entity uniquely positioned to facilitate *inter-National* ecological stewardship and relations from coast to coast to coast.

4. Contribution to the Government of Canada’s Strategic Agenda

Funding the creation of a comprehensive National First Nations Guardians Network would fulfill the Government of Canada’s priorities and objectives in several key ways as described in detail throughout this document. Below, we lay out specific areas of key strategic alignment between the expected benefits, value, and results of the Network and the Government’s strategic agenda as detailed in Speeches from the Throne, Ministerial Mandate Letters, and the Fall 2020 Economic Statement, amongst other sources. In the sections below, we outline three core categories of strategic alignment:

1. Environmental Objectives;
2. Economic Objectives;
3. Nation-to-Nation / *inter-National* relationships and First Nations self-determination.

We also compare how funding the creation of the Network contributes to implementation of *UNDRIP* and *UNDRIPA*, a key part of the Government’s agenda for the reconciliation and renewed Nation-to-Nation relationships with First Nations.

4.1 Alignment with Canada’s Environmental Objectives

Figure 5: Network Alignment with Canada’s Environmental Objectives

FEDERAL COMMITMENTS (from Speeches from the Throne, Mandate Letters, Fall Economic Statement 2020, and other sources)	NATIONAL FIRST NATIONS GUARDIANS NETWORK Results (R) & Expected Outcomes (EO)
<ul style="list-style-type: none"> ● Introduce a new ambitious plan to conserve 25 percent of Canada’s land and 25 per cent of Canada’s oceans by 2025, working toward 30 per cent of each by 2030. This plan should be grounded in science, Indigenous knowledge and local perspectives.³⁹¹ 	<ul style="list-style-type: none"> ● The Network, coupled with the expansion of s IPCAs, is the most promising pathway to these goals (EO). In Australia, IPAs, tended by Indigenous Rangers, currently make up 46% of the entire National Reserve System.³⁹² (R) ● Guardian training and practices is based on the integration of local Indigenous knowledge and science.
<ul style="list-style-type: none"> ● Using nature-based solutions to fight climate change, including by planting two billion trees.³⁹³ 	<ul style="list-style-type: none"> ● Guardians work to restore and conserve ecosystems, restoring healthy wildlife populations and biodiversity, protecting and enhancing GHG-sequestering natural assets such as forests and wetlands, and enforcing resource management rules and regulations. (R)

³⁹¹ Prime Minister Justin Trudeau, *Minister of Environment and Climate Change Mandate Letter* (2019), online: *Prime Minister Justin Trudeau*, <https://pm.gc.ca/en/mandate-letters/2019/12/13/minister-environment-and-climate-change-mandate-letter>.

³⁹² AG-NIAA, 2020, *supra*.

³⁹³ Her Excellency the Right Honourable Julie Payette, Governor General of Canada, *Speech from the Throne* (2020), see also *Speech from the Throne* (2019) and Prime Minister Justin Trudeau, *Minister of Environment and Climate Change Mandate Letter* (2019).

<p style="text-align: center;">FEDERAL COMMITMENTS</p> <p style="text-align: center;">(from Speeches from the Throne, Mandate Letters, Fall Economic Statement 2020, and other sources)</p>	<p style="text-align: center;">NATIONAL FIRST NATIONS GUARDIANS NETWORK</p> <p style="text-align: center;">Results (R) & Expected Outcomes (EO)</p>
<ul style="list-style-type: none"> ● To restore degraded ecosystems, protect wildlife, and improve land and resource management practices, the government will work with provinces, territories, conservation organizations, federal landowners and Indigenous Nations to implement climate smart, natural solutions to reduce greenhouse gas emissions related to ecosystem loss.³⁹⁴ ● Develop a national climate change adaptation strategy and invest in reducing the impact of climate-related disasters, like floods and wildfires, to make communities safer and more resilient.³⁹⁵ 	<ul style="list-style-type: none"> ● Guardians can play an important role in climate change adaptation. For example, in Australia³⁹⁶, here in Canada³⁹⁷, and elsewhere around the world, Indigenous people are reviving ancient fire management techniques to help prevent out-of-control wildfires, which are becoming increasingly frequent.³⁹⁸
<ul style="list-style-type: none"> ● Implement the Pan-Canadian Framework on Clean Growth and Climate Change, while strengthening existing and introducing new GHG reducing measures to exceed Canada's 2030 emissions reduction goal and beginning work so that Canada can achieve net-zero emissions by 2050.³⁹⁹ 	<ul style="list-style-type: none"> ● Guardians play a key role in the implementation of nature-based solutions that sequester carbon amongst many other environmental, economic and social benefits. (R)
<ul style="list-style-type: none"> ● Create a new Canada Water Agency to work together with the provinces, territories, Indigenous Nations, local authorities, scientists and others to find the best ways to keep our water safe, clean and well-managed.⁴⁰⁰ 	<ul style="list-style-type: none"> ● The Network can serve as an extensive country-wide network for water quality monitoring, while Guardians programs work to enhance and protect natural assets such as wetlands and forests that contribute to a safe water supply. (EO)

³⁹⁴ Department of Finance Canada (DFC, 2020), *Fall Economic Statement (2020)*, 89, online: DFC, <https://www.budget.gc.ca/fes-eea/2020/report-rapport/FES-EEA-eng.pdf>.

³⁹⁵ Prime Minister Justin Trudeau, *Minister of Environment and Climate Change Supplementary Mandate Letter* (15 January 2021), online: *Prime Minister Justin Trudeau*, <https://pm.gc.ca/en/mandate-letters/2021/01/15/minister-environment-and-climate-change-supplementary-mandate-letter>.

³⁹⁶ Kimberley Land Council, "Indigenous Fire Management," online: *Kimberley Land Council*, <https://www.klc.org.au/indigenous-fire-management>.

³⁹⁷ Kelly Boutsalis, "The art of fire: reviving the Indigenous craft of cultural burning" (20 September 2020), online: *The Narwhal*, <https://thenarwhal.ca/indigenous-cultural-burning/>.

³⁹⁸ Natural Resources Canada, "Climate change and fire," online: *Natural Resources Canada*, <https://www.nrcan.gc.ca/our-natural-resources/forests-forestry/wildland-fires-insects-disturban/climate-change-fire/13155>.

³⁹⁹ Prime Minister Justin Trudeau, *Minister of Environment and Climate Change Mandate Letter (2019)*, *supra*.

⁴⁰⁰ *Ibid.*

<p style="text-align: center;">FEDERAL COMMITMENTS</p> <p style="text-align: center;">(from Speeches from the Throne, Mandate Letters, Fall Economic Statement 2020, and other sources)</p>	<p style="text-align: center;">NATIONAL FIRST NATIONS GUARDIANS NETWORK</p> <p style="text-align: center;">Results (R) & Expected Outcomes (EO)</p>
<ul style="list-style-type: none"> Continue to work to protect biodiversity and species at risk, while engaging with provinces, territories, Indigenous Nations, scientists, industry and other stakeholders to evaluate the effectiveness of the existing <i>Species at Risk Act</i> and assess the need for modernization.⁴⁰¹ 	<ul style="list-style-type: none"> Through the protection and restoration of vital wildlife habitat, as well as through targeted interventions (such as the Saulteau and West Moberly First Nations’ successful efforts to bring the woodland caribou back from the brink of extinction in BC)⁴⁰², Guardians play a leadership role in the protection of species at risk.(R)
<ul style="list-style-type: none"> As required by the <i>IAA</i> and recognized and affirmed in Section 35 of the <i>Constitution Act</i> (1982), effectively exercise the Crown’s Duty to Consult with Indigenous Peoples. 	<ul style="list-style-type: none"> Guardians provide the essential environmental knowledge, monitoring and evaluation capacity that First Nations require in order to be meaningfully consulted on developments which could impact our Aboriginal Rights. (EO)

4.2 Alignment with Canada’s Economic Objectives

Figure 6: Network Alignment with Canada’s Economic Objectives

<p style="text-align: center;">FEDERAL COMMITMENTS</p> <p style="text-align: center;">(from Speeches from the Throne, Mandate Letters, Fall Economic Statement 2020, and other sources)</p>	<p style="text-align: center;">NATIONAL FIRST NATIONS GUARDIANS NETWORK</p> <p style="text-align: center;">Results (R) & Expected Outcomes (EO)</p>
<ul style="list-style-type: none"> Going forward, decisions on projects will be guided by science, evidence and Indigenous knowledge.⁴⁰³ By recognizing Indigenous rights, culture, and interests in project reviews, and working in partnership from the start, Canada will advance reconciliation, and arrive at better project decisions. This legislation increases opportunities for Indigenous Peoples to be active partners and to be consulted in impact assessments from the outset.⁴⁰⁴ 	<p>In recent years, many projects have stumbled or been delayed in large part due the failure to meaningfully consult with First Nations. This has given rise to uncertainty which increases the costs and risks of such investments.</p> <p>The Crown owes a duty to consult where it has real or constructive knowledge of rights protected by section 35(1) of the <i>Constitution Act</i>, 1982 which may be adversely affected by proposed Crown conduct.</p>

⁴⁰¹ *Ibid.*

⁴⁰² BCFNEMC & UVic ELC, *supra*, 73.

⁴⁰³ Impact Assessment Agency Canada (IAAC), “Better rules for major projects become law in Canada: Canada’s new approach to impact assessments is designed to protect the environment and grow the economy” (21 June 2019), online: *Government of Canada, Impact Assessment Agency*. <https://www.canada.ca/en/impact-assessment-agency/news/2019/06/better-rules-for-major-projects-become-law-in-canada-canadas-new-approach-to-impact-assessments-is-designed-to-protect-the-environment-and-grow-the.html>.

⁴⁰⁴ *Ibid.*

<p style="text-align: center;">FEDERAL COMMITMENTS</p> <p style="text-align: center;">(from Speeches from the Throne, Mandate Letters, Fall Economic Statement 2020, and other sources)</p>	<p style="text-align: center;">NATIONAL FIRST NATIONS GUARDIANS NETWORK</p> <p style="text-align: center;">Results (R) & Expected Outcomes (EO)</p>
<ul style="list-style-type: none"> ● “Better rules mean protecting our environment, making transparent, science-based decisions, and advancing reconciliation with Indigenous peoples while growing our economy. We have delivered on our promise to include Canadians in decisions about resource development and restore environmental protections. With hundreds of major resource projects and billions of dollars in investment planned across Canada in the decade ahead, better rules are essential to make sure good projects can move forward while protecting the places Canadians love for our kids and grandkids.”⁴⁰⁵ ● The new impact assessment system includes⁴⁰⁶: <ul style="list-style-type: none"> ○ New partnerships based on recognition of Indigenous rights and interests from the start ○ Mandatory to consider impacts on rights of Indigenous Peoples and Indigenous culture in decision-making ○ Opportunities for Indigenous jurisdictions to exercise powers and duties under the <i>IAA</i> ○ Greater Indigenous expertise on assessment boards and review panels ○ Increased support for Indigenous participation and capacity development ○ An Indigenous Advisory Committee will provide policy and technical guidance on issues of concern to Indigenous Peoples 	<p>The depth of consultation required varies in proportion to the strength of the right that may be affected and degree of adverse impact that could occur. At the low end, information sharing may suffice. At the high end, deep consultation is required. Where title is proven, consent may be required.</p> <p>The new impact assessment process under the <i>IAA</i> was designed in part to ensure more robust consultations with First Nations, leading to better decisions and more certainty for proposed projects.</p> <p>In order to participate fully in the new impact assessment process under the <i>IAA</i>, First Nations require the expertise and operational capacity to understand what is happening in our territories and assess how proposed projects might affect our Aboriginal and Treaty Rights.</p> <p>Guardians programs are the best placed institutions to provide “in house” capacity and expertise to First Nations so that we are in the position to provide truly informed consent.</p> <p>First Nations Guardians integrate both science and Indigenous knowledge to understand and steward their Nations’ territories. The knowledge and information we gather will be critical to fulfilling the Government’s intention that decisions on projects will be guided by science, evidence and Indigenous knowledge.</p> <p>By contributing to a better and clearer decision-making process, project proponents will have greater certainty of the conditions under which their projects can win the approval of both the Crown and First Nations.</p>

⁴⁰⁵ *Ibid.*, quote from former Minister of Environment and Climate Change Catherine McKenna.

⁴⁰⁶ *Ibid.*

<p style="text-align: center;">FEDERAL COMMITMENTS</p> <p style="text-align: center;">(from Speeches from the Throne, Mandate Letters, Fall Economic Statement 2020, and other sources)</p>	<p style="text-align: center;">NATIONAL FIRST NATIONS GUARDIANS NETWORK</p> <p style="text-align: center;">Results (R) & Expected Outcomes (EO)</p>
<ul style="list-style-type: none"> The Government will launch a campaign to create over one million jobs, restoring employment to previous levels. This will be done by using a range of tools, including direct investments in the social sector and infrastructure, immediate training to quickly skill up workers.⁴⁰⁷ 	<ul style="list-style-type: none"> The National First Nations Guardians Network will create 3000 new full-time equivalent, highly trained positions in conservation within the next five years.
<ul style="list-style-type: none"> To further bolster training supports for those hardest hit by the pandemic, including marginalized and racialized women, Indigenous Peoples, persons with disabilities and recent newcomers to Canada, the government proposes to invest an additional \$274.2 million over 2 years, starting in 2021-22. This funding will support the Indigenous Skills and Employment Training Program, the Foreign Credential Recognition Program, the Opportunities Fund for Persons with Disabilities, and the Women’s Employment Readiness Canada pilot project.⁴⁰⁸ 	<ul style="list-style-type: none"> The National First Nations Guardians Network proposes a rigorous training program for Guardians, including ongoing annual skills development training. Outcomes of existing Guardians programs include increased confidence and skills, increased access to education and training opportunities, and increased employability.⁴⁰⁹ (R)
<ul style="list-style-type: none"> The Government will continue to work with partners – including directly with First Nations, Inuit, and Métis Nation partners – to address food insecurity in Canada.⁴¹⁰ 	<ul style="list-style-type: none"> Guardians programs have been found to increase food security through enhanced abundance, better access and sharing of traditional foods in First Nations.⁴¹¹
<ul style="list-style-type: none"> Develop a comprehensive blue economy strategy aligned with Canada’s economic recovery and focused on growing Canada’s ocean economy to create good middle-class jobs and opportunities for ocean sectors and coastal communities, while advancing reconciliation and conservation objectives.⁴¹² 	<ul style="list-style-type: none"> Indigenous Guardians already play an important role in fisheries management in Canada, including through Fisheries and Oceans Canada’s Aboriginal Fisheries Guardian program.⁴¹⁷(R)

⁴⁰⁷ Her Excellency the Right Honourable Julie Payette, Governor General of Canada, “Speech from the Throne (2020),” *supra*; see also Fall Economic Statement (2020), *supra*, 75.

⁴⁰⁸ DFC, 2020, *supra*, 75.

⁴⁰⁹ EPI, 2016, *supra*, 34.

⁴¹⁰ Prime Minister Justin Trudeau, Minister of Crown-Indigenous Relations Mandate Letter (2019), *supra*.

⁴¹¹ BCFNEMC & UVic ELC, *supra*, 22-23; see also EPI, 2016, *supra*, 34,

⁴¹² Prime Minister Justin Trudeau, *Minister of Crown-Indigenous Relations Supplementary Mandate Letter*. (15 January 2021), online: *Prime Minister Justin Trudeau*, <https://pm.gc.ca/en/mandate-letters/2021/01/15/minister-crown-indigenous-relations-supplementary-mandate-letter>.

⁴¹⁷ DFO, “Aboriginal Fisheries Guardian program,” online: *DFO*, <https://www.pac.dfo-mpo.gc.ca/abor-autoc/fisheries-guardians-gardes-peche-eng.html>.

<p style="text-align: center;">FEDERAL COMMITMENTS</p> <p style="text-align: center;">(from Speeches from the Throne, Mandate Letters, Fall Economic Statement 2020, and other sources)</p>	<p style="text-align: center;">NATIONAL FIRST NATIONS GUARDIANS NETWORK</p> <p style="text-align: center;">Results (R) & Expected Outcomes (EO)</p>
<ul style="list-style-type: none"> ● Invest in sustainable tourism that regenerates the ecosystems on which it depends, builds the resilience of coastal communities and Indigenous Peoples, reduces inequality through promoting equal opportunity and equitable distribution of benefits and addresses climate change and pollution.⁴¹³ ● Collaborate with all relevant partners, including local community, Indigenous Peoples, and stakeholders through relevant global and regional organizations to promote sustainable management of all marine and coastal ecosystems.⁴¹⁴ ● Recognize and respect the interests of coastal communities and rights of Indigenous Peoples and implement policies that require consideration of the particular importance of marine resources for these groups.⁴¹⁵ ● Scale up integrated local-to-global observation, including Indigenous Peoples' and local community knowledge, and research to better inform decision-making.⁴¹⁶ 	<ul style="list-style-type: none"> ● The global Transformations for a Sustainable Ocean Economy initiative, endorsed by the Government of Canada in December 2020⁴¹⁸, recognizes the importance of Indigenous Knowledge and participation in the sustainable oceans management agenda. Guardians in coastal First Nations can play a key role in sustainable fisheries management as many have already been doing, supporting Canada's implementation of the Blue Economy Strategy.

⁴¹³ High Level Panel for a Sustainable Ocean Economy, *Transformations for a Sustainable Ocean Economy - A Vision for Protection, Production and Prosperity High-level Panel for a Sustainable Ocean Economy* (2020), 8, online: *Ocean Panel*, <https://www.oceanpanel.org/ocean-action/files/transformations-sustainable-ocean-economy-eng.pdf>.

⁴¹⁴ *Ibid.* 12.

⁴¹⁵ *Ibid.* 15.

⁴¹⁶ *Ibid.* 17.

⁴¹⁸ DFO, "Canada commits to growing the blue economy at home and around the globe" (3 December 2020), online: *DFO*, <https://www.canada.ca/en/fisheries-oceans/news/2020/12/canada-commits-to-growing-the-blue-economy-at-home-and-around-the-globe.html>.

4.3 Alignment with Canada’s Commitment to Nation-to-Nation Relationships

Figure 7: Network Alignment with Nation-to-Nation Relationships

<p style="text-align: center;">FEDERAL COMMITMENTS</p> <p style="text-align: center;">(from Speeches from the Throne, Mandate Letters, Fall Economic Statement 2020, and other sources)</p>	<p style="text-align: center;">NATIONAL FIRST NATIONS GUARDIANS NETWORK</p> <p style="text-align: center;">Results (R) & Expected Outcomes (EO)</p>
<ul style="list-style-type: none"> ● Lead a whole-of-government approach on the continued renewal of Nation-to-Nation, Inuit-Crown and government-to-government relationships with Indigenous Peoples⁴¹⁹; “I am directing every single Minister to determine what they can do in their specific portfolio to accelerate and build on the progress we have made with First Nations, Inuit and Métis Peoples.”⁴²⁰ ● Continue to invest in Indigenous priorities, in collaboration with Indigenous partners.⁴²¹ ● Continue to move forward together to ensure that Indigenous Peoples are in control of our own destinies and making decisions about our Peoples.⁴²² ● The Government will also... support additional capacity-building for First Nations, Inuit, and the Métis Nation.⁴²³ ● The Government will walk the shared path of reconciliation with Indigenous Peoples and remain focused on implementing the commitments made in 2019.⁴²⁴ 	<ul style="list-style-type: none"> ● The National First Nations Guardians Network (Network) is a key step in implementing the RCAP recommendation for support for FNs in “establishing or strengthening, as appropriate, Aboriginal institutions for the management and development of Aboriginal lands and resources.”⁴²⁶ (EO) ● Supporting the creation of such a Network would go a great way toward enhancing understanding and respect between First Nations and Canadian governments.⁴²⁷ (EO) ● Canadian Guardians programs strengthen First Nations’ governance authority and capacity⁴²⁸, as well as the leadership capacity of individuals and the collective leadership capacity of First Nations.⁴²⁹ (R) ● Networking and regional collaboration amongst First Nations and Guardians programs supports the rebuilding of historic Nations. (EO)

⁴¹⁹ Prime Minister Justin Trudeau, *Minister of Crown-Indigenous Relations Mandate Letter* (2019), online: *Prime Minister Justin Trudeau*, <https://pm.gc.ca/en/mandate-letters/2019/12/13/minister-crown-indigenous-relations-mandate-letter>.

⁴²⁰ *Ibid.*

⁴²¹ Her Excellency the Right Honourable Julie Payette, Governor General of Canada, *Speech from the Throne* (2019), online: *Privy Council Office*, <https://www.canada.ca/en/privy-council/campaigns/speech-throne/moving-forward-together.html>.

⁴²² *Ibid.*

⁴²³ Her Excellency the Right Honourable Julie Payette, Governor General of Canada, *Speech from the Throne* (2020), online: *Privy Council Office*, <https://www.canada.ca/en/privy-council/campaigns/speech-throne/2020/speech-from-the-throne.html>.

⁴²⁴ *Ibid.*

⁴²⁶ RCAP, *vol 5, supra* s 2.5.13.

⁴²⁷ BCFNEMC & UVic ELC, *supra*, 20.

⁴²⁸ EPI, 2016, *supra*, 30.

⁴²⁹ *Ibid.*, 36

<p style="text-align: center;">FEDERAL COMMITMENTS</p> <p style="text-align: center;">(from Speeches from the Throne, Mandate Letters, Fall Economic Statement 2020, and other sources)</p>	<p style="text-align: center;">NATIONAL FIRST NATIONS GUARDIANS NETWORK</p> <p style="text-align: center;">Results (R) & Expected Outcomes (EO)</p>
<ul style="list-style-type: none"> ● Continue to support Indigenous-led processes for rebuilding and reconstituting our historic Nations, advancing self-determination and, for First Nations, transitioning away from the <i>Indian Act</i>.⁴²⁵ 	
<ul style="list-style-type: none"> ● Continue work to implement the Truth and Reconciliation Commission’s Calls to Action.⁴³⁰ 	<ul style="list-style-type: none"> ● The 2015 TRC Calls to Action include many which would be addressed by a fulsome investment in Guardians programs, including addressing employment, educational and health gaps between Indigenous and non-Indigenous people, and the revitalization of Indigenous law and legal traditions
<ul style="list-style-type: none"> ● Take new steps to ensure the Government is living up to the spirit and intent of treaties, agreements, and other constructive arrangements made with Indigenous Peoples.⁴³¹ ● Continue ongoing work with First Nations, Inuit and Métis to redesign the Comprehensive Claims and Inherent Rights Policies.⁴³² 	<ul style="list-style-type: none"> ● Many First Nations Aboriginal and Treaty Rights relate to our ability to continue to enjoy and provide for our needs from our territories. Guardians provide the ongoing environmental monitoring to safeguard these rights. ● The current scope of federal-First Nations negotiations for enhanced FN jurisdiction and authority⁴³³ includes several areas in which Guardians can add important capacity to First Nations, including: <ul style="list-style-type: none"> ○ land management ○ natural resources management ○ agriculture ○ hunting, fishing and trapping on Aboriginal lands ○ licensing, regulation and operation of businesses located on Aboriginal lands ○ environmental protection, assessment and pollution prevention ○ fisheries co-management ○ migratory birds co-management

⁴²⁵ *Ibid.*

⁴³⁰ Her Excellency the Right Honourable Julie Payette, Governor General of Canada, *Speech from the Throne* (2019), *supra*; see also *Minister of Crown-Indigenous Relations Mandate Letter* (2019).

⁴³¹ *Ibid.*

⁴³² Prime Minister Justin Trudeau, *Minister of Crown-Indigenous Relations Mandate Letter* (2019), *supra*.

⁴³³ CIRNAC, “The Government of Canada’s Approach to Implementation of the Inherent Right and the Negotiation of Aboriginal Self-Government,” online: CIRNAC, <https://www.rcaanc-cirnac.gc.ca/eng/1100100031843/1539869205136>.

<p style="text-align: center;">FEDERAL COMMITMENTS</p> <p style="text-align: center;">(from Speeches from the Throne, Mandate Letters, Fall Economic Statement 2020, and other sources)</p>	<p style="text-align: center;">NATIONAL FIRST NATIONS GUARDIANS NETWORK</p> <p style="text-align: center;">Results (R) & Expected Outcomes (EO)</p>
<ul style="list-style-type: none"> The Government will move forward with <i>UNDRIPA</i>, which “provides a framework for the federal government to move forward in partnership with Indigenous Peoples to the benefit of all Canadians.”⁴³⁴ 	<p>See table below.</p>

4.4 Alignment with First Nations’ Rights of Self-Determination in *UNDRIP* / *UNDRIPA*

Figure 8: Network Alignment with *UNDRIP* Rights of Self-Determination

<i>UNDRIP</i> Right & Article	How the Network Supports this Right
<p>Freely determine our political status and freely pursue our economic, social and cultural development (Article 3).</p>	<p>By generating the capacity of First Nations to develop and exert our jurisdiction and authority over our territories.</p>
<p>Autonomy or self-government in relation to our own affairs and financing to support this autonomy (Article 4).</p>	<p>By supporting First Nations governance capacity/authority and creating new economic opportunities in a conservation economy.</p>
<p>Maintain and strengthen our distinct political, legal, economic, social and cultural institutions (Articles 5 and 34).</p>	<p>By giving First Nations the ability to enforce our laws within our territories.</p>
<p>Our Nationhood / nationality and belonging to our Nations in accordance with our own traditions and customs (Articles 6 and 9).</p>	<p>By creating opportunities for regional collaboration in care for shared territories and ecosystems, establishing the conditions for the rebuilding of our historic Nations; and by elevating the status of Indigenous knowledge, laws and traditional stewardship practices.</p>
<p>Redress for any action aimed at (or achieving) depriving us of our integrity as distinct peoples, our cultural values, or ethnic identities; or aimed at (or achieving) dispossessing us of our lands, territories or resources) (Article 8(2)(a) and (b)).</p>	<p>By empowering First Nations to reassert our inherent rights and responsibilities to care for and enjoy their territories, using the best of traditional knowledge and practices and modern science.</p>
<p>Practice, revitalize, and teach our spiritual and cultural traditions and customs, including with respect to our spiritual, archeological, and historical sites, artefacts, and ceremonies (Articles 11(1), 12(1) and 34).</p>	<p>By caring for both natural and cultural places of significance, enhancing awareness of and access to these places for First Nations people, and creating opportunities for the intergenerational transfer of knowledge.</p>

⁴³⁴ Justice Canada, “Joint Statement by Minister Lametti and Minister Bennett on the Senate Passing Bill C-15, An Act Respecting the United Nations Declaration on the Rights of Indigenous Peoples,” online: *Justice Canada* <https://www.canada.ca/en/department-justice/news/2021/06/joint-statement-by-minister-lametti-and-minister-bennett-on-the-senate-passing-billc-15an-act-respecting-the-united-nations-declaration-on-the-righ.html>.

UNDRIP Right & Article	How the Network Supports this Right
Use, develop, and transmit to future generations our histories, languages, oral traditions, and philosophies, and designate and retain our own names for communities, places and persons – and to be understood in political, legal and administrative proceedings (Articles 13 and 34).	By supporting First Nations capacity to exercise self-determination in our territories, Guardians provide the impetus for expressing our ancestral laws, regulations, practices, and institutions in contemporary form.
Establish and control our own educational systems and institutions in our own languages and in a manner appropriate to our methods of teaching and learning (Article 14(1)).	By establishing land-based educational opportunities for Guardians in territorial stewardship rooted in Indigenous Knowledge.
Have the dignity and diversity of our cultures, traditions, histories and aspirations appropriately reflected in education and public information (Article 15(1)).	By demonstrating the important contributions of First Nations to shared environmental (and economic) goals.
Participate in decision-making in matters affecting our rights through representatives we chose in accord with our own processes, and maintain and develop our own decision-making institutions (Article 18).	First Nations governing their own Network, which allocates funds to programs and sets the direction of the Network.
Have the state consult and cooperate in good faith with us through our own institutions in order to obtain our FPIC before adopting legislative or administrative measures that may affect us (Article 19).	By providing First Nations with the on-the-ground capacity and expertise to collect and process information necessary to understand the potential impacts of proposed developments in our territories, and thus the ability to provide FPIC.
Maintain and develop our political, economic and social systems and institutions, be secure in the enjoyment of our own means of subsistence and development, and engage freely in all our traditional and other economic activities – and be justly and fairly redressed for deprivation of our means of subsistence and development (Articles 20 and 23).	By developing new economic opportunities in First Nations through a conservation economy, including sustainable resource harvesting, tourism, trade in carbon credits, and more.
Our traditional medicines and health practices, including conservation of our vital medicinal plants, animals and minerals (Article 24(1)).	By protecting and restoring the ecosystems that provide culturally significant sources of food and medicine.
Maintain and strengthen our distinctive spiritual relationship with our traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and uphold our responsibilities to future generations in this regard (Article 25).	By supporting First Nations' ability to reassert our duty of care for our ancestral territories.
The lands, territories, and resources we have traditionally owned, occupied or otherwise used or acquired – and their legal recognition and protection by the state, conducted with due respect to our customs, traditions, and land tenure systems (Article 26).	By enabling First Nations to care for and enjoy traditional territories under our own laws and customs.
Conservation and protection of the environment and productive capacity of our lands, territories, and resources, including through state support for such conservation and protection, including through effective programs for monitoring, maintaining, and restoring environmental health in our territories, as developed and implemented by us (Article 29).	Through Guardians programs as well as IPCAs, First Nations can secure protection and conservation of territories both under our own laws and under Crown laws.

UNDRIP Right & Article	How the Network Supports this Right
Maintain, control, protect, and develop our cultural heritage, traditional knowledge, and traditional cultural expressions, including our sciences, technologies, and cultures, including our human and genetic resources and our knowledge of our territories and resources (Article 31).	By developing significant expertise amongst Guardians in Indigenous knowledge and its applications within First Nations territories.
Determine and develop priorities and strategies for the development or use of our lands, territories, and other resources – and be consulted and cooperated with, through our own institutions, by the state, in order to obtain our free and informed consent prior to approval of any project affecting our territories or resources (Article 32).	By providing First Nations with the on-the-ground capacity and expertise to collect and process information necessary to understand the potential impacts of proposed developments in our territories, and thus the ability to provide FPIC.
Support from the state in achieving the ends of <i>UNDRIP</i> (Articles 38 and 39).	Canada’s support for the Network would serve as an important pillar of state support for the implementation of <i>UNDRIP</i> .
Support from the state in resolving disputes between us and other parties respecting the rights recognized in <i>UNDRIP</i> , in a manner giving due consideration to our customs, traditions, rules and legal systems and to international human rights (Article 40).	Investment in the Network is investment in First Nations capacity and in our ability to create our own system consistent with our customs and processes.

4.5 Analysis & Discussion

As shown above, investment in a National First Nations Guardians Network aligns with multiple, overlapping strategic objectives of the Government of Canada:

- **Environmental objectives**: notably the Government of Canada’s recent commitment to nearly triple the amount of protected land in Canada by 2030, and to employ nature-based solutions in the fight against climate change;
- **Economic priorities**: especially the implementation of the impact assessment system which aims to create greater certainty for proposed developments through more proactive consultation with and involvement of First Nations, as well as the objective of increasing employment and economic opportunities in First Nations;
- **Nation-to-Nation relationships with First Nations**: renewing the Government of Canada’s relationships with First Nations, implementing RCAP and the TRC recommendations and Calls to Action, supporting our self-determination and engaging with us as Nations; and
- **Implementation of *UNDRIP* and *UNDRIPA***: including supporting our ability to rebuild our stewardship capacity and authority within our homelands.

As Canada undertakes to halt biodiversity loss and fight climate change, the readiness of the Guardians movement to scale up across the country marks a strategic opportunity for Canada to simultaneously address these twin ecological crises and other stewardship challenges while significantly righting its relationships with First Nations, both at the level of formal governance relationships with each other and in terms of closing socio-economic gaps between Indigenous people and non-Indigenous people in Canada. Where Canada has expressed the will to rise to these challenges within the next decade, Guardians programs are showing how it can be done. Indeed, it is difficult to imagine how else to deliver on these ambitious objectives without a large-scale mobilization of First Nations Peoples in our territories through a national Guardians Network.

The Government of Canada has gone a long way toward recognizing the fundamental role Indigenous Peoples must play in stewardship in our territories, including through incorporating Indigenous knowledge in its new impact assessment process under the *IAA*. For First Nations to effectively engage in such processes, we need greater capacity to independently gather information and assess potential impacts on our rights. As moccasins on the ground in our territories, Guardians have a key role to play in enabling First Nations to effectively engage in such processes and make good decisions for our Peoples and territories. Through investing in creating the Network, including expanding the number of First Nations Guardians programs from coast to coast to coast, Canada can rapidly foster such capacity. This capacity will have myriad benefits for First Nations, as described in Section 3.3: *Benefits, Value, and Return on First Nations Guardians Programs* and Section 3.4: *Why a National First Nations Guardians Network?*; will enable effective First Nations involvement in Crown stewardship processes like the new impact assessment process under the *IAA*, improving the economic benefits to First Nations and Canadian economies that flow from greater investment certainty; and will enable Canada to participate in a truly *inter-National* conservation forum with First Nations.

The contribution that support for a National First Nations Guardians Network will make to advancing reconciliation, creating renewed Nation-to-Nation relations and protecting Indigenous rights through the implementation of *UNDRIP* and *UNDRIPA* is substantial. Guardians support First Nations' self-determination by supporting our strengthened capacity to manage our lands and resources, safeguard our Aboriginal and Treaty Rights, and collaborate on regional conservation issues, answer TRC Calls to Action including making a significant contribution toward closing employment, educational, health, and other socio-economic gaps between Indigenous and non-Indigenous people in Canada, and revitalize First Nations culture, language, and legal traditions. Canada's support for the Network would go a long way toward implementing *UNDRIP* and *UNDRIPA* through its support for the renewal of First Nations self-determination and Nationhood.

Through investing in a coast-to-coast-to-coast Network of professional Guardians who are knowledgeable about and connected to the lands and waters on which they work, Canada will ensure the success of existing Guardians programs while supporting a growing cross-country force for conservation, putting First Nations and Canada on the map amongst the world community as leaders in *inter-National* ecologically stewardship.

5. Funding Request

5.1 Overview

An effective National First Nations Guardians Network will require investment of \$831.5 million over five years toward Guardians programs, Guardians training and development, Network operations, and Network governance, with annual investments ramping up each year, as shown in the budget outline below. Approximately \$260 million will be required annually for Guardians programs, Network operations, and Network governance once the Network reaches its goal of establishing programs in 400 First Nations after five years.

After five years, each Guardians program is expected to create an average of seven full-time equivalent positions (FTEs) in its constituent Nation, resulting in a total employment impact of nearly 2,500 jobs across the Network by Year 5.

A detailed rationale for the proposed budget follows in Figure 9 below. All dollar figures are expressed in millions of dollars.

5.2 Proposed Budget

Figure 9: Budget for Programs, Training & Network Operations & Governance

<i>Program Element</i>	Year 1	Year 2	Year 3	Year 4	Year 5
# First Nations with Full Programs ⁴³⁵	80	80	140	260	400
# New First Nation Programs in the Year	0	60	120	140	0
Total approximate number of Guardians / Coordinators employed	348	821	1,342	2,110	2,428

<i>Guardians Programs</i>	Year 1	Year 2	Year 3	Year 4	Year 5 & ongoing	Total over 5 years
Salaries & Benefits - Guardians and Coordinators	\$17.4M	\$41.0M	\$67.1M	\$105.5M	\$121.4M	\$352.4M
Supplies/Equipment/Operational Costs	\$17.4M	\$41.0M	\$67.1M	\$105.5M	\$121.4M	\$352.4M
Ongoing training, established programs	\$2.4M	\$2.4M	\$4.2M	\$7.8M	\$12.0M	\$28.8M
Subtotal	\$37.2M	\$84.5M	\$138.4M	\$218.8M	\$254.8M	\$733.7M

⁴³⁵ The budget takes the number of existing Guardians programs to be 80, while elsewhere we note that there are approximately 90 Guardians programs, because eight of the 94 programs, stewardship networks, and/or environmental departments listed as carrying out Guardians activities in Appendix A: *Environmental Scan of Existing Guardians Programs in Canada* do not use the Guardians designation or currently receive ECCC funding, but carry out Guardians activities. For the purposes of the proposal to create a National First Nations Guardians Network, all would benefit from the infrastructure and capacity of the Network and investment, while closer to 80 are currently Guardians programs strictly speaking.

<i>Network Operations</i>	Year 1	Year 2	Year 3	Year 4	Year 5 & ongoing	Total over 5 years
Salaries and Benefits (50%)	\$2.0M	\$2.0M	\$2.5M	\$2.9M	\$2.5M	\$11.9M
<i>Approx. number of staff</i>	30	30	40	45	40	
Professional Fees & Honoraria	\$0.6M	\$0.6M	\$0.6M	\$0.7M	\$0.6M	\$3.1M
Travel & Meetings	\$0.3M	\$0.3M	\$0.5M	\$0.6M	\$0.4M	\$2.1M
Regional Conferences	\$0.4M	\$0.5M	\$0.5M	\$0.8M	\$0.8M	\$3.0M
Office and General Administrative	\$0.3M	\$0.5M	\$0.7M	\$0.7M	\$0.7M	\$2.9M
Subtotal	\$3.6M	\$3.9M	\$4.8M	\$5.7M	\$5.0M	\$23.0M

<i>Guardians Training and Program Development</i>	Year 1	Year 2	Year 3	Year 4	Year 5	Total over 5 years
Training – New & 2nd-year programs	\$5.4M	\$12.6M	\$19.2M	\$12.6M	\$0.00	\$49.8M
Capital start-up costs (\$75k/program)	\$0.0M	\$4.5M	\$9.0M	\$10.5M	\$0.00	\$24.0M
Subtotal	\$5.4M	\$17.1M	\$28.2M	\$23.1M	\$0.00	\$73.8M

<i>Network Governance</i>	Year 1	Year 2	Year 3	Year 4	Year 5 & ongoing	Total over 5 years
Honoraria, travel & meeting costs	\$0.2M	\$0.2M	\$0.2M	\$0.2M	\$0.2M	\$1.0M

TOTAL	Year 1	Year 2	Year 3	Year 4	Year 5	Total over 5 years
	\$46.4M	\$105.7M	\$171.6M	\$247.8M	\$260.0M	\$831.5M

5.2.1 Budget Rationale – Investment in Core Elements of the Network

First Nations across the country are at various stages with respect to establishing Guardians programs. Some have mature programs in place, while many need core funds to ensure stable, ongoing operations. Others have begun to design Guardians programs to meet the stewardship needs of their Nations but are at an early stage of rolling them out on the ground. Still others have signaled their desire and intention to create Guardians in their Nations but have not yet initiated program design work.

Accordingly, a flexible approach is required, tailored to the needs of different Nations in different geographies. Thus, a staged approach to funding is anticipated to include:

1. Early core funding support to existing Guardians programs to ensure strong, continued presence and delivery of Nations' priorities, and the ability to grow;
2. Core employment, operational, and start-up support for new programs in Nations where trained Guardians Program Coordinators are in place and program design is largely complete; and
3. Support for program design and coordinator training for Nations expressing formal interest in Guardians (such as through Band Council Resolutions).

This approach will ensure that the Network ramps up across the country in a way that responds to Nations' interest and readiness, driven by our own priorities. It also provides a clear process

through which Nations can become eligible for funding support over time, even if they do not yet have a Guardians program in place.

The Network is intended to operate in and be open to First Nations from coast to coast to coast. Nonetheless, it is anticipated that roll-out of Guardians programs across the country will take time, given that interest and readiness vary considerably from Nation to Nation. Currently, there are 637⁴³⁶ bands across the country, each of whom could benefit from a Guardians program.

Section 3.4.2.1: *Guiding Principles for Network Funding Allocation to Programs* laid out key considerations for the Network Council to use when allocating funding to Guardians programs, as articulated by existing Guardians, program managers, and stewardship leaders who participated in our regional engagement sessions and interviews. These principles included being inclusive and offer Nations who demonstrate an interest in stewardship the tools they need to set up a Guardians program in their community, recognizing that those with the least capacity may also be those who could benefit most from a renewed relationship with their lands and waters.

At the same time these principles also included the idea that, in order to qualify for Guardians funding, a Nation should meet certain threshold criteria, such as showing a clear intent to conduct stewardship under its own authority (e.g., through a comprehensive stewardship plan, or a record of activities monitoring the land), assuming this stewardship responsibility as an act of self-determination / Nationhood, and having some of the core ingredients to a successful Guardians program (e.g., scientific capacity, Indigenous knowledge, Youth participation and mentorship, renewing ancestral laws and customs, revitalizing Indigenous languages). A clear demonstration of intent to conduct stewardship under their own authority should be the only requirement for a Nation to access the next-steps of the Guardianship process, as the very process of creating a Guardians program is integral to rebuilding Nationhood and expressing self-determination.

5.2.1.1 *Guardians Programs*

Existing Guardians programs vary considerably in size, capacity, and access to funding. They are often caught in a project-to-project funding cycle with no access to core support. In particular, they struggle to provide stable employment, one of the most significant benefits demonstrated by such programs in Australia. Our Regional Engagement Sessions identified that lack of stable funding for employment made it difficult to retain trained staff and to provide opportunities for youth who had received on-the-land training to pursue work in this area. Overcoming this barrier and creating the conditions for long-term success and the fulfillment of program potential requires investment in core program infrastructure on the ground.

As such, it is proposed that federal funds from this program be directed primarily towards core employment costs. This includes community-based Guardians Program Coordinators as well as a small, core team of Guardians for each Nation's program. Stable and adequate funding to cover salaries will help ensure that investments in human capital and corporate knowledge through training and on-the-job experience are retained within the programs, helping them grow in capacity, expertise and effectiveness.

⁴³⁶ Indigenous and Northern Affairs Canada, "Search by First Nation" (9 April 2019), online: *Indigenous and Northern Affairs Canada*, <https://fnppn.aadnc-aandc.gc.ca/fnp/Main/Search/SearchFN.aspx?lang=eng>.

Our budget model estimates an average of four FTE positions per new Guardian program in its first two years,⁴³⁷ increasing to an average of seven FTE positions thereafter. We have also estimated existing programs as having the same average level of employment as a new program; indeed, many current Guardians programs employ only a single staff member due to lack of funding.

The proposed budget estimates an average investment of \$50,000 in salaries and benefits annually for each full-time employed Guardian or Guardian Coordinator. This is in line with the typical salaries of Canadian park rangers and is reflective of the considerable training and expertise Guardians will acquire as well as the variety of specialized work they will perform. In addition, we estimate a requirement of \$50,000 per Guardian per year for supplies, equipment, and operations, including such expenses as:

- Fuel and fleet management costs (gas, insurance, storage, maintenance, repair, replacement)
- Uniforms
- Office rent and utilities
- Office equipment (computers, computer hardware and software, phone, etc.)
- Supplies (gas, food, etc.)
- Travel to and from remote areas and for meetings, conferences and training
- Printing costs
- Insurance
- Professional services (e.g., bookkeeping, IT)
- Database management, data analysis and processing
- Honoraria

Ongoing access to training opportunities has been identified consistently as key to the success of on-the-land programs as well as to the experience and job satisfaction of Guardians Program Coordinators and Guardians alike. In addition to the initial training for new Guardians discussed below, we estimate approximately \$30,000 annually per Guardians program in ongoing training and professional development expenses.

5.2.1.2 Network Operations

Today, many of the existing First Nations Guardians programs operate in isolation and are hindered by their inability to draw on core support services and connect with others in a shared area of practice and expertise. The Network Secretariat alleviate these challenges by operating as a hub for central and regionally-based shared services and support personnel and by facilitating ways of linking Guardians with one another to share experiences and expertise and to troubleshoot emerging problems together.

As the number of Guardians programs has grown over the years, organizations like ILI have been working to connect Guardians across the country, including through National Indigenous Guardians Gatherings held in Ottawa in 2016 and in Vancouver in 2019 and a National Indigenous Guardians Workshop in Ottawa in 2018. With hundreds attending from all corners of the country (the 2019 gathering in Vancouver alone had more than 300 participants), these gatherings demonstrated a strong demand from Guardians and Indigenous leaders for

⁴³⁷ Based on an average of approximately four FTEs for each of the CGW programs, per EcoPlan International's evaluation (*supra*), adding much needed capacity bringing average FTEs per program to seven in Years 3-5.

opportunities to share experiences, communicate wise practices, and explore innovative ways to strengthen and expand their programs.⁴³⁸

Investment in the Network Secretariat, the operational arm of the Network, will enable it to bring consistency and stability to the essential function of connecting Guardians. As a profession and area of practice, Guardians need to stay current, motivated, and able to collaborate with each other in identifying and responding to challenges and innovation. The Network will create a national Guardians training curriculum and facilitate training opportunities, and provide ongoing logistical, administrative, research and communications support to Guardians programs throughout the country.

The Secretariat will provide Guardians with support and ongoing access to training and will steward further growth of Guardians program capacity and coverage over time. It will coordinate annual Guardians Gatherings to facilitate learning, the development of relationships, and a sense of professional connection, collegiality, and identity.

The Network Secretariat would provide technical and administrative support to Guardians programs across the country, in the form of shared services that would bring economies of scale and synergies across the system of programs. Such shared services would, amongst other functions, include shared information technology and information management systems. Our regional engagement sessions and interviews identified a need and desire by Guardians for a First Nations-owned database(s), which would enable the individual datasets collected by Guardians across the country to be brought together to identify wider trends and insights than available within each Nations' program. The Secretariat can provide support for this kind of First Nations-owned data integration that can make significant contributions to First Nations Guardians' and Canada's knowledge of environmental baselines and changing environmental conditions.

Central and regional support staff will play an important role in assisting Nations in starting up their own Guardians programs, helping with funding applications, proposals, business plans and reporting, and with troubleshooting emerging issues. The importance of such assistance to Nations with lesser capacity was illustrated in the Indigenous Guardians Pilot Program. The JWG invested time at the beginning of the Pilot Program to clarify and Indigenize its processes – indeed, in the Evaluation, many participants observed that the revised approach made the application process easier, with one remarking "you could tell an Indian wrote it [the application form]". The Network will build on this work to make the application and other processes more accessible for First Nations. It will also undertake a range of activities to promote effective communication within the Network of programs and to support communication to external audiences by the Network Council, which will carry the responsibility for advocacy for Guardians on a wider stage.

The Secretariat would participate in / collaborate with the JWG, which would continue to provide its expertise and advice, building on the foundation of the Pilot Program, in support of the Network as it develops and assumes its leadership role as a networked entity uniquely positioned to facilitate *inter-National* ecological stewardship and relations from coast to coast to coast and as the approach to Indigenous Guardians shifts from that of a federal program to a First Nations-led Network leading this *inter-National* stewardship.

⁴³⁸ ILI, "First Nations Guardians Gathering 2019," online: ILI, <https://www.ilinationhood.ca/events/first-nations-guardians-gathering-2019>.

The Network Secretariat is also envisioned to provide technical and administrative support to the Network Council, to enable it to perform its role competently and efficiently, much as the FNHC Secretariat provides such support to the FNHC within the model of the First Nations health governance structure in BC.

Our proposal envisions the Network requiring annual funding beginning at \$3.6 million in Year 1, scaling up along with the pace of program development to \$5.7 million by Year 4 and then settling at an ongoing annual budget of \$5 million once the Network reaches maturity at the target of 400 established community programs. The Network is expected to utilize approximately half of its annual Operations budget on salaries and benefits, employing approximately 30 FTE employees in the first and second years, and scaling up to approximately 40 FTE by the third year of operation.

Other anticipated expenses include:

- Professional fees and Honoraria: The need for outside professional services (legal, IT, consulting, and so on) is expected to correlate to the pace of new program creation plus the total size of the Network, and thus is expected to peak in Year 4. This category also includes modest honoraria in recognition of the contribution of time and expertise of the 13 members of the Network Council.
- Travel and Meetings: This expense, too, is expected to track closely with the growth in the number of new programs, with the greatest need for travel and meetings in the years when most new programs are being established.
- Regional Conferences: Regional conferences will be a vital aspect of the Network's work. By organizing annual conferences in each region (West, North, Prairies, Central and Atlantic), Guardians working within similar bioregions will be able to share relevant practical information with one another, while cross-pollination between regions will be encouraged by inviting representatives from other regions to each regional conference. The annual cost of the regional conferences will grow the more programs are established and the more participants there are at each conference. Conference costs may include travel costs for participants.
- Office and General Administrative: This includes office rent, insurance, office supplies, software and IT systems, communications, etc.

5.2.1.3 Guardians Training & Program Development

Guardians training and program development costs include program start-up costs for the acquisition of needed equipment, plus the additional, more intensive training that Guardians will require in their first and second years.

Our vision for Guardians and Program Coordinator training is described in more detail in section 3.2.3 above. Training programs will be designed as modules. For new programs, three training modules are anticipated in the year prior to formal establishment, followed by two modules in the first year of operations. Programs in their second year of operation and ongoing will require annual training and skills development equivalent to one module per year, which is included under the Guardians Operations section of the budget to reflect the ongoing nature of the training costs as part of a program's core funding needs.

Training costs for newly established Guardians programs are estimated to be \$30,000 per module or \$90,000 per program in the first year, and \$60,000 in the second. Training costs include instruction costs, wage supports and travel and incidental costs for Guardians-in-

training. Some may need to travel long distances for hands-on training, especially in the early years of the network.

The other element of this budget category is start-up investments in the equipment needed by Guardians programs to fulfill their mandates. In this budget model, start-up investments are estimated at an average of \$75k per new program. The kinds of start-up investments required will vary depending on the program and the size and types of terrain and ecology within which they operate, but may include the acquisition of:

- Office space furnishings, equipment
- Trucks, ATVs, snow mobiles, boats, outboard engines
- Navigation equipment (lights, marine charts, compasses, sound-signaling devices, etc.)
- Safety gear (survival suits, life jackets, life raft, first aid equipment, etc.)
- Communication equipment (radio, satellite phone, etc.)
- Monitoring equipment (GPS device, Coast Tracker, binoculars, handheld recorder, species ID guide, nets/fishing rods, camera, etc.)
- Cabins, trailers
- Traps, nets, saws, monitoring equipment, etc.
- Computers, tablets, handheld computers for data collection
- Cameras

5.2.1.4 *Network Governance*

The Network will be owned by and accountable to First Nations Guardians programs, which themselves are owned by and accountable to their constituent Nations. Network membership would expand over time to include newly-funded Guardians programs, owned by and accountable to their Nations. Programs may also affiliate at a tribal council or regional level.

Based on considerations detailed in Section 3.5: *Structure & Governance of a National First Nations Guardians Network* above, the budget here has been proposed with a 13-member Network Council in mind, with representation from eight distinct provinces/regions encompassing the entire country, as well as specific representation by Elders, women and youth.

The Network Council will be responsible for fiduciary oversight of the Network, as well as making decisions and setting strategic priorities on the allocation of funding to programs and training. Terms of Reference for the Network Council – including frequency of meetings, governance processes, processes for selecting members of the Network Council, annual engagement sessions, and reporting – will be created in Year One, as the Network ramps up. During this transition period, the JWG will continue to play a key role in determining funding allocation priorities.

The Network Council will be able to draw upon Network staff support for meeting logistics, technology support, and reporting, and will also have the option of engaging independent expertise when necessary.

Governance costs in our budget include:

- Network Council honoraria (at \$400/per meeting);
- Travel expenses

- Meeting costs (venue, catering, printing, etc.)
- Outside advice (legal, financial, governance, strategic, etc.)

5.3 Request for Funding

To establish and operate the Network, provide core funding and annual skills development training to Guardians programs and establish an additional 320 Guardians programs across Canada (including the delivery of an intensive training curriculum and investments in start-up equipment costs), we are requesting total funding from the federal government in the amount of \$831.5 million over five years, with annual investments as follows:

Year 1: \$46.4 million

Year 2: \$105.7 million

Year 3: \$171.6 million

Year 4: \$247.8 million

Year 5: \$260.0 million

These investments will result in the creation of approximately 320 additional Guardians programs across Canada (bringing the total to 400) within five years, growing the country-wide Guardians workforce to at least 2,500 FTEs. This rapid growth, and the ability of the Guardians programs to flourish, will be made possible by the establishment of the Network, which will provide start-up, training, and core funding support to new and existing programs while connecting Guardians with each other, and realizing synergies through regional and national collaboration.

Most importantly, this investment will result in a massive scaling-up of conservation efforts in First Nations' homelands while simultaneously building Nations' capacity for self-determination and the economic opportunities available to our people within our territories. Investment in the Network will go a long way in enabling Canada to implement *UNDRIP* and *UNDRIPA* and its commitment to renewed Nation-to-Nation relationships with First Nations. Moreover, it will establish a powerful partnership for achieving Canada's ambitious 2030 biodiversity protection and climate change mitigation objectives, through a truly *inter-National* forum for conservation, bringing First Nations together in Nation-to-Nation stewardship relations with one another and enabling the creation of a mechanism through which Canada, the provinces and territories, and other conservation partners can collaborate with First Nations on stewardship.

6. Evaluating Success of the National First Nations Guardians Network

This section lays out key considerations evaluating the success of the Network, as informed by Section 1.2: *Project Methodology & Approach*, particularly with respect to renewal of First Nations self-determination / Nationhood and Nation-to-Nation relationships amongst First Nations and between First Nations and Canada. This section reviews the process used for the existing Indigenous Guardians Pilot Program; models used within BC First Nations health governance structure to inform, support, and propel its transformation; the approach used by the BC First Nations Data Governance Initiative to evaluate BC First Nations data sovereignty and Nation-to-Nation relationships; and considerations of some of the limits of – and thus potential room for improvement upon – the SROI method to evaluating success of Guardians programs.

6.1 Indigenous Guardians Pilot Program Evaluation Process

Evaluation of the Network should build on the Evaluation process developed for the Pilot Program. The Evaluation of the Pilot Program is currently underway. It involves Evaluation planning; early review for community projects operating in 2018/2019; a mid-term, distinctions-based project review of projects run by First Nations, Métis, and Inuit, respectively, and operating in 2019-22; and a national comprehensive Evaluation in 2021/2022, which will use an analytical framework that allows for the integration of Indigenous values.⁴³⁹

To measure the success of Guardians programs in achieving expected program outcomes the Pilot Program Evaluation is seeking answers to key questions, including:

- What is the program theory that can be expected to achieve the desired results?
- Has the Pilot Program been integrated with other local, regional or national efforts related to land stewardship (conservation and biodiversity)?
- Have monitoring and feedback processes been established that allow for continuous improvement to advance immediate and intermediate outcomes?
- Are proposal assessment criteria useful for identifying strategic investments?
- How effective were relationships with partners (i.e. quality of communication, sharing of resources, strategic alignment, and shared decision making, etc.):
- To what extent is the Pilot Program achieving results, and have there been any unexpected impacts (positive or negative)? If so, how were these addressed, if at all?
- What promising practices (including new technologies, innovative programs or governance mechanisms) can be learned from the Pilot Program?⁴⁴⁰

In designing the Evaluation approach, a set of principles and ethical guidelines were agreed to, including standard ethical guidelines established by the Canadian Evaluation Society;⁴⁴¹ First Nations OCAP® principles;⁴⁴² and standards set by the Institute for Indigenous Peoples Health⁴⁴³ and Canadian Institutes of Health Research.⁴⁴⁴

⁴³⁹ Kishk Anaquot Health Research, *Indigenous Guardians Pilot Program Evaluation Plan* (31 March 2020) - as delivered to Julie Boucher, Manager, Indigenous Guardians Pilot Program, ECCC.

⁴⁴⁰ Kishk Anaquot Health Research, *supra*.

⁴⁴¹ Canadian Evaluation Society, "Ethics," online: *Canadian Evaluations Society*, <https://evaluationcanada.ca/ethics>.

⁴⁴² First Nations Information Governance Centre, "*The First Nations Principles of OCAP®*," online: *First Nations Information Governance Centre*, <https://fnigc.ca/ocap-training/>.

⁴⁴³ Indigenous Peoples' Health Research Centre, "The Ethics of Research Involving Indigenous Peoples," online: *Indigenous Peoples' Health Research Centre*, http://drc.usask.ca/projects/legal_aid/file/resource385-2c4c0417.pdf.

⁴⁴⁴ Canadian Institutes of Health Research, "CIHR Guidelines for Health Research Involving Aboriginal People (2007-2010)," online: *Canadian Institutes of Health Research*, <https://cihr-irsc.gc.ca/e/29134.html>.

A utilization-focused approach – i.e., one based on the principle that an Evaluation should be judged on its usefulness to the primary intended users of the Evaluation – was selected for the Evaluation. A Gender-Based Analysis Plus (GBA+) approach is applied to better understand how outcomes of the programs differ based on the key informants' genders, ages, or other relevant positionality. Evaluation methodologies used include:

- Literature and media review.
- Document review / secondary research.
- Administrative Data Review.
- Participant surveys.
- Key informant interviews / primary research.
- Case studies.⁴⁴⁵

It is anticipated that the following themes will emerge for performance measurement:

- Earth-based self-reliance:
 - Increased territorial economic activity.
 - Localization of goods and services tied to the land, water, and ice.
 - Greater community health and well-being tied to the land in times of crisis.
- Recognition of Indigenous knowledge, culture and language:
 - Traditional knowledge and recommendations integrated into local systems.
 - Blend of traditional and scientific knowledge in managing land, water, and ice management.
- Territorial management:
 - More capacity, skills, knowledge, systems and better use of information.⁴⁴⁶

In order to create comparability between projects and be able to tell the national story, program evaluators plan to use the same weighted assessment criteria used to create score cards to evaluate funding applications. Assessment criteria include:

1. Connection to traditional territories;
2. Nation-defined role of Guardians;
3. Consideration of cultural preservation and practice;
4. Demonstration of inclusive Nation engagement;
5. Collection and maintenance of Indigenous knowledge systems;
6. Opportunities for youth and Elder engagement;
7. Consideration of sustainability principles;
8. Program management and measurement of progress.⁴⁴⁷

⁴⁴⁵ Kishk Anaquot Health Research, *supra*.

⁴⁴⁶ *Ibid*.

⁴⁴⁷ *Ibid*.

6.2 BC FN Health Governance Structure Processes of Evaluation & Transformation

Under the *TFA*, the TCFNH must evaluate the activities and programming delivered by the FNHA every five years.⁴⁴⁸ These Evaluations are intended to contribute to a cycle of continuous learning and transformation of First Nations health governance, programs, and services in BC.

The first Evaluation under the *TFA*, covering fiscal years 2013/2014 to 2019/2020, was released in 2020.⁴⁴⁹ Methodologies included over 50 key informant interviews with representatives of the FNHC, FNHA, FNHDA, TCFNH, and federal and provincial governments; focus groups with the FNHA and FNHDA Board of Directors; administrative file and document review; as well as field research and 11 detailed case studies dedicated to different areas of FNHA operations, programming, capacity, and governance, including Cultural Safety and Humility within the health system First Nations people navigate in BC, and Maternal, Child, and Family Health.

6.3 Evaluation of BC First Nations Data Sovereignty & Nation-to-Nation Relationships

The importance of First Nations data sovereignty was recognised during the formative stages of the BC First Nations health governance structure. The BC First Nations Data Governance Initiative (BCFNDGI) aims to expedite the transformation of First Nations data governance from provincial and federal programs to First Nations-run institutions reinforcing self-determination and facilitating Nation-to-Nation relationships.

In 2017, the BCFNDGI engaged in a preliminary Evaluation of the state of First Nations data governance and Nation-to-Nation data relations, to support the development of indicators for measuring the success of those relationships.⁴⁵⁰ The Evaluation included research and an environmental scan of the state and history of First Nations data governance across the country, the role of data in renewing First Nations self-determination / Nationhood, and relationships between First Nations and the Crown with respect to First Nations data. Documents reviewed included agreements between First Nations and Crown governments; material relating to First Nations data governance initiatives; identification of resources to support capacity development, indicator development; and publications on Indigenous data sovereignty and the move toward open data. Interviews were conducted with key informants involved in First Nations data governance initiatives.⁴⁵¹

In measuring the success of Nation-to-Nation data governance relations between the Crown and First Nations, the BCFNDGI centred RCAP's call for the recognition of three orders of government: federal, provincial / territorial, and self-governing Indigenous Nations and its four fundamental principles for renewed Nation-to-Nation relationships between the Crown and Indigenous Peoples: recognition, respect, sharing, and responsibility.⁴⁵²

The BCFNDGI then considered the extent to which these principles were met when applied to the repatriation of First Nations data, First Nations custodial oversight of our data, First Nations involvement in decision-making and priority setting for data collection and use, the extent to which First Nations culture and understandings of health and wellness are integrated, the extent to which data and information is relevant to Nations' priorities, planning, and decision-making

⁴⁴⁸ *TFA*, *supra*, s.10 (1).

⁴⁴⁹ Goss Gilroy Inc., *Evaluation of the First Nations Health Authority*. Report (January 2020).

⁴⁵⁰ Marcia Nickerson, *First Nations' Data Governance: Measuring the Nation-to-Nation Relationship*. Discussion Paper, Prepared for the British Columbia First Nations Data Governance Initiative (May 2017), 3.

⁴⁵¹ *Ibid.*, 4.

⁴⁵² *Ibid.*, 6-8.

processes, and support for capacity within Nations to govern our own data and information. Whether or not a bilateral or tripartite agreement is in place between First Nations and Crown government departments collecting First Nations data, what the terms of those agreements are, and the state of implementation of those agreements provide a way to measure the success of those relationships.⁴⁵³

In its efforts to begin the process of evaluating the success of Nation-to-Nation relationships, the BCFNDI notes that “While there are a number of resources that have been developed to help First Nations develop community wellness indicators, the topic of Nation-to-Nation relationship indicators seems relatively unexplored.”⁴⁵⁴ This is due to and reflective of the dominant way in which the nation-state of Canada and institutions of settler society have viewed Indigenous Peoples since Confederation and the introduction of the *Indian Act* – not as Peoples in the international law sense (as described in Section 1.2.1.1: *The Right of Self-Determination of Peoples*) but as people or subpopulations. One example to the contrary it mentions is the Indigenous Navigator project, a set of tools and indicators – relating to clusters of rights covered by *UNDRIP* – by which Indigenous Peoples can monitor recognition and implementation of our rights, developed by the UN and others.⁴⁵⁵

The BCFNDGI also interviewed key informants involved in First Nations data sovereignty efforts and found the following factors essential in developing indicators to assess the state of Nation-to-Nation relationships:

- Ties to culture, including use of language, land, and spiritual practices;
- Consultation, accommodation and consent, and the extent to which Crown partners are living up to their commitments;
- Wellness indicators on the social determinants of health; and
- Shifting from focus on numerical statistics that are not very useful to a focus on fewer, but very meaningful indicators, whether numerical or descriptive.⁴⁵⁶

While numerical means of Evaluation can tell an important story (e.g., a high number of Nations with information management systems in place is reflective of a much better state of First Nations data governance than a low number), there are many things that can and should be evaluated that are not easily evaluable quantitatively, for which qualitative forms of assessment are more meaningful. Interviews with key informants are particularly helpful for gathering this data. They provide key informants to share their feelings about how things are going, which researchers / evaluators can gather later analyze in relation to other key informants’ feedback to discern overall trends, emerging issues of concern, areas that are working well. Document research can help back this kind of qualitative analysis up.

⁴⁵³ Ibid., 11-12.

⁴⁵⁴ Ibid., 2.

⁴⁵⁵ Ibid., 17. See Megan Davis, “Data and the United Nations Declaration on the Rights of Indigenous Peoples,” in Tahu Kukutai and John Taylor, eds., *Indigenous Data Sovereignty: Toward An Agenda* (Canberra: Australian National University Press, 2016) at 36.

⁴⁵⁶ Ibid., 17-18.

6.4 Assessing Benefits, Value, and Returns Beyond the Limits of SROI

Analysis reveals the inability of SROI methodology to meaningfully attribute monetary value to important social, environmental, and cultural assets.⁴⁵⁷ Importantly, the Indigenous Rangers program relies heavily on an SROI Evaluation model that does not fully capture the value of Guardians programs because of this inherent limit in SROI methodology. Valuation of social and environmental non-market benefits and goods is noted as a challenge area for the WoC Indigenous Rangers program. While environmental goods are described as “difficult to quantify and often ignored,” they also represent a “substantial benefit of the program.”⁴⁵⁸ Monetary valuation of assets such as social capital, well-being, quality of life, and cultural attachment is similarly challenging.⁴⁵⁹ And it is not at all clear how one would use the SROI methodology to assess self-determination and nationhood.

Evaluation of the WoC Indigenous Rangers program notes other specific limitations of the SROI methodology, including:

- An assumption that values assigned to environmental resources should be limited by peoples’ ability to pay for them and that the current distribution of wealth is acceptable;
- Assigning a value implies a relative, not absolute value of benefits and does not include any classification for resources deemed priceless or invaluable; and
- Lacking any way of accounting for whose values are being evaluated and whether future generations will agree.⁴⁶⁰

Other challenges include the tendency to be able to quantify costs while many benefits lack a market value; the likelihood of having to pay costs upfront while benefits aren’t realized until further into the future; and the common difficulty in clearly understanding exactly what is being measured.⁴⁶¹ There is also uncertainty around the frameworks used for measurement of success and whether they align with Indigenous understandings and self-perceptions of success and well-being.⁴⁶²

As noted in Section 6.3: *Evaluation of BC First Nations Data Sovereignty & Nation-to-Nation Relationships* above, assessment of the value to both Canada and First Nations of renewed Nation-to-Nation relationships is underexplored, due in large measure to a failure of the nation-state of Canada and institutions of settler society over the past more than 150 years to recognize Indigenous Peoples as Peoples in the international law sense, recognizing their Nationhood and self-determination. As described in several of the sections throughout this document, federal investment in the Network would make a major shift in the relationship between Canada and First Nations. By bringing together First Nations in Nation-to-Nation stewardship relations with one another and enabling the creation of a mechanism through which Canada, the provinces and territories, and other conservation partners can collaborate with First Nations on stewardship, the Network would put First Nations and Canada on the map amongst the world community as leaders in *inter-National* ecologically stewardship. The value of such a fundamental development may be truly inestimable, at least not in conventional terms expressed in dollar figures.

⁴⁵⁷ SVA, 2016, *supra*, 33, 36, 39, and 42.

⁴⁵⁸ Allen Group, 2011, *supra*, v.

⁴⁵⁹ *Ibid.*, 11.

⁴⁶⁰ Allen Group, 2011, *supra*, 15.

⁴⁶¹ Allen Group, 2011, *supra*, 14.

⁴⁶² *Ibid.*, 11.

It is important, then, that more holistic means and measures be used to evaluate the benefits, value, and returns of Guardians programs and of the Network. EcoPlan International Inc. (EPI), which performed an Evaluation of the work of the Coastal Guardians Watchmen network in 2016 attempted this by employing multiple frameworks including SROI, Corporate Social Responsibility, Multiple Account Benefit-Cost Analysis, and Triple/Quadruple Bottom Line frameworks.⁴⁶³

A more fulsome Evaluation of the programs' benefit will require the addition of additional frameworks for the Evaluation of natural capital and ecosystem services because of the significant ecological value of Guardians' work. Some examples to consider include Conservation International's Ecosystem Values and Accounting system,⁴⁶⁴ the UN System of Environmental-Economic Accounting,⁴⁶⁵ or the Valuing Nature Conservation methodology recently described by McKinsey & Company.⁴⁶⁶

Helpfully, the types of monitoring work performed by Guardians measure the environmental baselines and changes that make evidence-based Evaluation of the ecological benefits of their stewardship programs possible. This is a benefit that would be yet further enhanced by a national First Nations Guardians database maintained by the Network.

6.5 Analysis & Discussion

The success of investment in the Network will be evaluated for the extent to which supports First Nations self-determination / Nationhood, Nation-to-Nation relationships amongst First Nations and between First Nations and Canada, and use of the Gift of Multiple Perspectives. The methods used in the Evaluation of the Pilot Program, BC First Nations health governance structure, and the state of First Nations data governance and Nation-to-Nation relationships, and considerations of the limitations of the SROI methodology can be drawn upon in the Evaluation of the Network's success.

Accordingly, Evaluation of the success of the Network would be guided by assessment in key areas, such as:

- Effectiveness of the program theory – namely that investing in the Network will significantly improve conservation outcomes; close the socio-economic gap between First Nations and other Canadians; reduce federal, First Nations, and Canadian economic costs of the status quo; and improve relationships between First Nations and Canada.
- Integration with other land stewardship efforts.
- Continuous feedback and improvement processes.
- Suitability of funding application and assessment processes.
- Relationships with partners (e.g., quality of communication, sharing of resources, strategic alignment, and shared decision-making, etc.).

⁴⁶³ EPI, 2016, *supra*.

⁴⁶⁴ Conservation International, "Valuing and Accounting for Natural Capital," online: *Conservation International*, <https://www.conservation.org/projects/valuing-and-accounting-for-natural-capital#:~:text=Valuing%20natural%20capital%20enables%20governments,risks%20in%20their%20supply%20chains>.

⁴⁶⁵ United Nations, "System of Environmental Economic Accounting," online: *United Nations*, <https://seea.un.org/>.

⁴⁶⁶ McKinsey & Company, "Valuing Nature Conservation," online: *McKinsey & Company*, <https://www.mckinsey.com/business-functions/sustainability/our-insights/valuing-nature-conservation#>.

It would have utilization-focused approach, which judges a program on its usefulness to the primary intended users: Guardians, their programs, and the Nations that have created those programs. An Evaluation should be conducted every five years, contributing to a cycle of continual learning and transformation. At the same time, part of the role of the Network Secretariat would be to conduct ongoing monitoring and assessment of its success in meeting the needs of Guardians programs and the Network Council, to enable learning and adaptation as needed between Evaluations.

Given the centrality of improving the state of support for First Nations self-determination and Nationhood and Nation-to-Nation stewardship relations amongst First Nations and between First Nations and Canada to the reasons for and design of the National First Nations Guardians Network, it is essential that the Evaluation of the Network evaluate the ways in which it manifests, facilitates, and impacts those values. After more than 150 years of denial of First Nations self-determination / Nationhood and Nation-to-Nation relationships, it is urgent for Canada not only to invest in their revival, but also to invest in and support their Evaluation, to shift as rapidly as possible the view of First Nations as mere subpopulations of Canada to respect for us as autonomous Peoples.

It will be essential in this shift for the methodological orientation of Evaluation to shift from fixation on numerical statistics to a focus on fewer, but very meaningful indicators, whether numerical or descriptive. SROI analysis can reveal especially important benefits and is one critical tool in the toolbox of assessing the success of the Network, but carries significant limits, including registering the value of human and biophysical non-market benefits and goods. It is difficult to imagine how one can use the SROI methodology to assess self-determination and nationhood. Enabling critical reflection on the current distribution of power and wealth is essential, as is the ability to recognize some things as invaluable.

By bringing together First Nations in Nation-to-Nation stewardship relations with one another and enabling the creation of a mechanism through which Canada, the provinces and territories, and other conservation partners can collaborate with First Nations on stewardship, the Network would put First Nations and Canada on the map amongst the world community as leaders in *inter-National* ecologically stewardship. The value of such a fundamental development may be truly inestimable, at least not in conventional terms expressed in dollar figures.

7. Conclusion

Since the Creator placed us in our homelands, First Nations have stewarded our lands and waters, caring for entire ecosystems and our other species relations that live within them. Our stewardship knowledge and strategies were cultivated and honed over generations, enabling us to more than survive, but thrive in our territories for millennia. With the creation of Canada and imposition of colonial governance of lands and waters across the country, First Nations authority within our homelands was sidelined and suppressed, and the health of lands, waters, and species within our territories has suffered. In the face of the crises of climate change, biodiversity loss, increased frequency and intensity of forest fires, and other growing and emerging threats to environmental and human health and wellness, it is clear that a changed approach to stewardship is needed.

Recognition of the success and importance of Indigenous-led stewardship in the face of these challenges is growing. For example, a 2019 study found that, out of the 15,621 geographical areas it looked at in Canada, Brazil and Australia, the areas managed or co-managed by Indigenous people had the highest levels of biodiversity, suggesting that Indigenous Peoples' stewardship practices a key for maintaining strong biodiversity. This is where First Nations Guardians come in. Investment in the creation of the a National First Nations Guardians Network would allow the expansion of the number of First Nations Guardians programs from coast to coast to coast and would enable the development of a truly *inter-National* form of conservation able to draw on Indigenous knowledge and stewardship strategies that would not otherwise be available, through supporting a structure that enables First Nations to share insights and information amongst each other, including through First Nations owned information management systems, and to collaborate with each other on stewardship strategies that reach beyond the territory of a single Nation.

Investment in the Network will thus enable the application of *Etuaptmumk* / Two-Eyed Seeing, or the Gift of Multiple Perspectives to stewardship on the ground in each of our territories, and across a wider range of territories, with great benefits for First Nations and the entire country. Most commonly known as the practice of seeing through one eye with Indigenous knowledge and through the other eye with science, the Gift of Multiple Perspectives is a longstanding principle within Indigenous knowledge systems, recognizing that a knowledge system benefits from the perspective, insights, and wisdom of other knowledge systems. And through its ongoing participation in / collaboration with the JWG, which would continue to provide its expertise and advice in support of the Network, the Network would connect participating First Nations with Canada in a form of *inter-National* ecological stewardship needed and appropriate in our unique moment of opportunity to achieve reconciliation and Nation-to-Nation relationships between First Nations and Canada and in a time of escalating ecological crises.

To make clear the value that would be created by a National First Nations Guardians Network, the proposal articulates a range of benefits and returns of Guardians programs, including:

- Furthering Nationhood and self-determination by First Nations and reconciliation and Nation-to-Nation relationships between First Nations and Canada.
- Monitoring environmental changes, using science and traditional knowledge.
- Enabling effective First Nations land- and marine-use planning and management.
- Enhancing biodiversity across the country and contributing to Canada's domestic and international biodiversity commitments.
- Strengthening conservation and ecosystem restoration.

- Restoring First Nations' food security through stewardship of and access to traditional foods and hunting, gathering and cultivation activities, which improve health outcomes.
- Healing through land-based learning and connection to the land, particularly for Youth.
- Facilitating intergenerational connections between Elders and Youth, through First Nations place-based programming.
- Indigenous language revitalization, through intergenerational knowledge sharing in relation to and on the land.
- Spiritual and cultural connection.
- Enabling our people to participate in education and training rooted in our ancestral values, worldviews, ways of knowing, and forms of pedagogy and learning.
- Building capacity at the Nation and individual level, through the training and experience gained and by offering youth and other members meaningful employment that enable them to stay and participate in our Nations.
- Revitalizing governance authority and capacity within and in relation to the land, water, air, and resources within our territories.
- Assessing impacts from proposed and existing resource and other development projects, to inform Nations' decisions about such projects and mitigation / adaptive management responses that may be needed.
- Establishing a framework for operationalizing the *UNDRIP* principle of FPIC within our territories (Article 32).
- New economic opportunities for First Nations including eco-tourism and cultural tourism.

Social Return on Investment (SROI) studies show that Guardians programs ultimately yield more in returns than they cost governments to implement them.

Analysis of long-standing Guardians programs (e.g., the Coastal Guardian Watchmen (CGW)), emphasizes the importance of First Nations-led land- and water-based conservation programs, and the advantages of networked relationships within such groups in terms of sharing information, best practices, and resources and ensuring conservation efficacy across large areas. An EcoPlan International Inc. Evaluation of the CGW shows an annual SROI ranging between 10:1 and 20:1.

The Working on Country (WoC) Indigenous Rangers program – a national Guardians-like program in Australia – has returned at least three times the value invested by the Australian government (AUD \$900 million since 2007) in returns to the state, Aboriginal communities, and other stakeholders. The program is closely intertwined with the country's Indigenous Protected Areas program, which was launched in 1997, now protects over 75 million hectares of land, and constitutes over half of Australia's National Reserve System of protected natural areas.

In Canada, through land- and marine-use planning processes, Guardians are able to identify particular areas as a high priority for conservation and protection in the form of Indigenous Protected and Conserved Areas (IPCAs). A National First Nations Guardians Network, including expansion of Guardians programs from coast to coast to coast would have the capacity to play a major role in the creation and stewardship of IPCAs and Marine Protected Areas (MPAs), one of the most promising pathways to achieving Canada's goal of protecting 30 percent of land and 30 percent of marine area in the country by 2030.

Calls and momentum have been growing for the creation of a National First Nations Guardians Network, beginning with First Nations and echoed within Parliament, provincial and territorial governments, and civil society. In 2018, the federal government responded to these calls by providing \$25 million in funding toward the Indigenous Guardians Pilot Program (Pilot Program). This proposal seeks \$831 million in funding to build upon the Pilot Program, expanding over five years to a full National First Nations Guardians Network, from coast to coast to coast. This would include expanding the presence of First Nations Guardians programs across all regions of the country; Network operations in support of Guardians programs, including training and capacity development; and Network governance. Support for expanding the presence of Guardians programs would include enhanced support for existing programs and core funding support to 400 First Nations Guardians programs across the country. It would also include creating and delivering a standard Guardians training curriculum and support for networking the programs together for enhanced collaboration, knowledge-sharing, administrative capacity, and overall effectiveness.

The benefits of the Network itself are distinct from but build upon those of Guardians programs. We held regional engagement sessions to learn from the shared experiences and priorities of existing First Nations Guardians, program managers, and stewardship leaders. The core supports or resources (in addition to funding) First Nations Guardians programs would like to see from a national Network included:

- Creating standardized First Nations Guardians training and accreditation;
- Serving as a clearinghouse for tools and information sharing for Guardians programs;
- Providing shared, secure First Nations-owned databases along with the capacity to undertake useful data analysis;
- Providing shared regional and national support staff;
- Creating connections between Guardians and between First Nations; and
- Amplifying Guardians' voices.

Based on feedback from Guardians, program managers, and stewardship leaders as well as research on the governance models used by comparable First Nations organizations that receive(d) and allocate(d) substantial government funding (e.g., the Aboriginal Healing Foundation and the First Nations health governance system in BC), we propose the following organizational structure for the Network, which would be comprised of operations and governance components. The operations arm would be a modest central and regionalized Secretariat of administrative and research personnel and technical and information resources would provide shared services to support Guardians programs and support capacity development within Nations' programs across the country while minimizing costs across the system. The Secretariat would also provide administrative, coordinating, and research support to the Network Council, the Network's governance arm. Driven from the bottom up, the Network will be constituted by and accountable to First Nations Guardians programs. Its governance arm, the Network Council, will be selected by its constituent First Nations and allocate funding to existing and new programs across the country.

The Secretariat would continue collaboration with the JWG, created in September 2018 to support the success of the Pilot Program. The JWG would continue to provide its expertise and advice in support of the Network as it develops and assumes a leadership role in coordinating, supporting, and representing First Nations Guardians programs and as the approach to First Nations Guardians shifts from that of a federal program to a First Nations-led Network leading an innovative and uniquely positioned form of *inter-National* stewardship called for in our time of reconciliation and ecological crisis.

Substantial investment in the Network very closely aligns the Government of Canada's strategic agenda, including its environmental and economic objectives, reconciliation and renewed Nation-to-Nation relationships with First Nations, and implementation of *UNDRIP*. This includes Canada's ambitious biodiversity protection goals; its national climate change strategy, including nature-based solutions; economic development goals, including the implementation of the new impact assessment system, which seeks to more deeply consult Indigenous Peoples and incorporate Indigenous knowledge; and supporting the strengthening of First Nations' governance capacity, Nationhood, and self-determination.

The proposal provides a budget for each element of the Network: core funding for Guardians programs; training and development; and Network operations and governance. In total, an investment of \$831.5 million over five years is requested, on a tiered annual funding schedule requiring \$46.3 million in the first year and increasing to \$260 million in Year 5 as the Guardians and Network activities ramp up across the country. Over this time, it is expected that the Network will be able to increase the total number of First Nations Guardians programs from approximately 90 today to approximately 400, and to produce a highly trained Guardians workforce equivalent to approximately 2,500 full-time equivalent positions.

Finally, the proposal reviews key considerations for evaluating the success of the Network and return on Canada's investment in it. Such considerations include evaluating the success of the Network and investment in light of its respect and support for the self-determination of First Nations, Nation-to-Nation relationships amongst First Nations and between First Nations and Canada, and the Gift of Multiple Perspectives. It will draw on the Evaluation models of the Pilot Program, First Nations health governance structure in BC, BC First Nations Data Governance Initiative, and SROI, and will have utilization-focused approach, which judges a program on its usefulness to the primary intended users: Guardians, their programs, and the Nations that have created those programs. An Evaluation should be conducted every five years, contributing to a cycle of continual learning and transformation. At the same time, part of the role of the Network Secretariat would be to conduct ongoing monitoring and assessment of its success in meeting the needs of Guardians programs and the Network Council, to enable learning and adaptation as needed between Evaluations.

References

- Aboriginal Healing Foundation (AHF), "The Aboriginal Healing Foundation Corporate Plan 2012" (2012).
- Allen Consulting Group (Allen Group, 2011), *Assessment of the economic and employment outcomes of the Working on Country program*. Report. (2011).
- Amos, Will, "Amos: Time to fund the Indigenous Guardians Network" (5 December 2016), online: *Ottawa Citizen* <https://ottawacitizen.com/opinion/columnists/amos-time-to-fund-the-indigenous-guardians-network>.
- Assembly of First Nations (AFN), Annual General Assembly 2019, Resolution no. 44/2019, online: *AFN* <https://www.afn.ca/wp-content/uploads/2019/08/19-44-Supporting-First-Nations-Guardians.pdf>.
- AFN, "Fact Sheet – Language and Culture," online: *AFN* https://www.afn.ca/uploads/files/11_-_fact_sheet_-_language_and_culture.pdf.
- AFN, *First Nations Food, Nutrition & Environment Study*. Report. (November 2019), online: *AFN* http://www.fnfnes.ca/docs/FNFNES_draft_technical_report_Nov_2_2019.pdf.
- AFN, Special Chiefs Assembly 2015, *Final Resolutions*, (2015) Resolution no. 60/2015, online: *AFN* <https://www.afn.ca/uploads/files/resolutions/res-sca-2015.pdf>.
- Australian Department of the Environment and Water Resources, *Growing up Strong: The first 10 years of Indigenous Protected Areas in Australia*. Report. (2007), online: *Australian Department of the Environment and Water Resources* <https://webarchive.nla.gov.au/awa/20080611030702/http://pandora.nla.gov.au/pan/85287/20080611-1237/www.environment.gov.au/indigenous/publications/pubs/ipa-growing-up-strong.pdf>.
- Australian Government – Department of Agriculture, Water, and the Environment (AG-DAWE), "Indigenous Protected Areas," online: *AG-DAWE* <https://www.environment.gov.au/land/indigenous-protected-areas>.
- AG-DAWE, "National Reserve System," online: *AG-DAWE* <https://www.environment.gov.au/land/nrs>.
- Australian Government - Department of the Prime Minister and Cabinet, "Funding certainty for Indigenous Rangers" (March 10, 2020), online: *Australian Government – Department of the Prime Minister and Cabinet* <https://ministers.pmc.gov.au/wyatt/2020/funding-certainty-indigenous-rangers>.
- Australian Government - National Indigenous Australians Agency (AG-NIAA), "Indigenous Protected Areas," online: *AG-NIAA* <https://www.niaa.gov.au/indigenous-affairs/environment/indigenous-protected-areas-ipas>.
- AG-NIAA, "Indigenous Rangers Program Funding Extension Update 1," online: *AG-NIAA* <https://www.niaa.gov.au/news-centre/indigenous-affairs/indigenous-rangers-program-funding-extension-update-1>.

- AG-NIAA, “The Indigenous Ranger Program,” online: AG-NIAA <https://www.niaa.gov.au/indigenous-affairs/environment/indigenous-ranger-program>.
- Baiguzhiyeva, Dariya, “Chiefs approve motion to create National Marine Conservation Area” (3 October 2020), online: *Timmins Today* <https://www.timminstoday.com/local-news/chiefs-approve-motion-to-create-national-marine-conservation-area-2760921>.
- Beringia Community Planning Inc, *Our Sacred Land: Indigenous Peoples’ Community Land Use Planning Handbook in BC* (2019), online: *The Real Estate Foundation of British Columbia* <https://www.refbc.com/sites/default/files/Handbook.pdf>.
- Battiste, Marie and James (Sa’ke’j) Youngblood Henderson, *Protecting Indigenous Knowledge and Heritage: A Global Challenge* (Saskatoon: Purich Publishing Ltd., 2000).
- BC First Nations Energy and Mining Council and UVic Environmental Law Centre (BCFNEMC & UVic ELC), *The Case For A Guardian Network Initiative*. Report. (July 2020).
- Bennett, Carolyn, “National Forum on Reconciliation: Minister Carolyn Bennett’s speech on the 20th Anniversary of Royal Commission on Aboriginal Peoples” (16 November 2016), online: *Northern Public Affairs* www.northernpublicaffairs.ca/index/national-forum-on-reconciliation-minister-carolyn-bennetts-speechmarks-20th-anniversary-of-royal-commission-on-aboriginal-peoples/.
- Biodivcanada, “Canada’s Biodiversity Strategy,” online: *Biodivcanada* <https://biodivcanada.chm-cbd.net/documents/canadian-biodiversity-strategy>.
- Blondin-Andrew, Ethel and Kluane Adamek, “Healing on the land for our people and our economy” (23 August 2020), online: *The Star* <https://www.thestar.com/opinion/contributors/2020/08/23/healing-on-the-land-for-our-people-and-our-economy.html>.
- Boutsalis, Kelly, “The art of fire: reviving the Indigenous craft of cultural burning” (20 September 2020), online: *The Narwhal* <https://thenarwhal.ca/indigenous-cultural-burning/>.
- Britain and the Māori People of Aotearoa (New Zealand), “*Te Tiriti o Waitangi* (The Treaty of Waitangi)” (6 February 1840), online: *Museum of New Zealand (Te Papa Tongarewa)* <http://www.treaty2u.govt.nz/the-treaty-up-close/treaty-of-waitangi/>.
- Brockman, Alex, “*K’asho Got’Inę* celebrate new protected area near Fort Good Hope” (26 November 2019), online: *CBC News* <https://www.cbc.ca/news/canada/north/fort-good-hope-ramparts-protected-area-celebrations-1.5372464>.
- Brown, Frank, and Calvin Sandborn, “Support for Indigenous Guardians can be the key to meaningful reconciliation” (26 September 2020), online: *The Globe and Mail* <https://www.theglobeandmail.com/opinion/article-support-for-indigenous-guardians-can-be-the-key-to-meaningful/>.
- Canada, the National Consortium, Merchant Law Group, et. al. (Canada, et. al.), “Indian Residential Schools Settlement Agreement” (2006), online: *Residential Schools Settlement*

<http://www.residentialschoolsettlement.ca/IRS%20Settlement%20Agreement-%20ENGLISH.pdf>.

Canada's Climate Plan, "Carbon Pollution Pricing: Considerations for Protocol Development in the Federal Greenhouse Gas Offset System," online: *Canada's Climate Plan* <https://www.canada.ca/en/environment-climate-change/services/climate-change/pricing-pollution-how-it-will-work/output-based-pricing-system/carbon-pollution-pricing-considerations-protocol-development.html>.

Canadian Evaluation Society, "Ethics," online: *Canadian Evaluations Society* <https://evaluationcanada.ca/ethics>.

Canadian governments and their partners in biodiversity conservation (Canadian governments & partners), *Sixth National Report on The Convention of Biological Diversity* (Submitted 24 December 2018, last updated 10 June 2019), online: *The Clearing-House Mechanism of the Convention on Biological Diversity* <https://chm.cbd.int/pdf/documents/nationalReport6/241248/8>.

Canadian Institutes of Health Research, "CIHR Guidelines for Health Research Involving Aboriginal People (2007-2010)," online: *Canadian Institutes of Health Research* <https://cihr-irsc.gc.ca/e/29134.html>.

The Canadian Press, "Census: Median income in four of five Indigenous communities below poverty line" (10 October 2017), online: *National Post* <https://nationalpost.com/pmnl/news-pmn/canada-news-pmn/early-census-figures-show-depth-of-low-incomes-in-indigenous-communities>.

The Canadian Press, "Trudeau urges largest countries in the world to support the UN biodiversity plan" (28 September 2020), online: *CTV News* <https://www.ctvnews.ca/politics/trudeau-urges-largest-countries-in-the-world-to-support-un-biodiversity-plan-1.5123177>.

Canadian Wetland Roundtable, *Workshop Report and Key Messages on Ecological Services of Wetlands* (February 2017), online: *Canadian Wetland Roundtable* <https://wetlandsroundtable.ca/report/workshop-on-ecological-services-of-wetlands-february-9-and-10-2017/>.

Castellano, Marlene Brant and Linda Archibald, "Healing Historic Trauma: A Report From The Aboriginal Healing Foundation," Report. (2007) online: *Western University Scholarship Western Policy Research Consortium International (APRCi)* <https://ir.lib.uwo.ca/cgi/viewcontent.cgi?article=1333&context=aprci>.

Central Coast Indigenous Resource Alliance (CCIRA), "Guardian Watchmen Essential for MaPP" (6 July 2016), online: *CCIRA* <https://www.ccira.ca/2016/07/guardian-watchmen-essential-for-mapp/>.

Chattha, Simran, "Health of 60 Per Cent of Canada's Sub-watersheds is Unknown: Report" (20 October 2020), online: *Water Canada* <https://www.watercanada.net/health-of-60-per-cent-of-canadas-sub-watersheds-is-unknown-report/>.

- Coast Funds, “Coastal Stewardship Network: Collaborative Monitoring and Protection of First Nations’ Land and Waters,” online: *Coast Funds* <https://coastfunds.ca/stories/coastal-first-nations-sharing-intelligence-through-the-coastal-stewardship-network/>.
- Coastal First Nations (CFN), “Carbon Credits,” online: *CFN* <https://coastalfirstnations.ca/our-land/carbon-credits/>.
- Coastal First Nations-Great Bear Initiative (CFN-GBI), “About Coastal First Nations - Governance,” online: *CFN-GBI* <https://coastalfirstnations.ca/our-communities/about-cfn/>.
- CFN-GBI, “About Coastal Guardian Watchmen – History,” online: *CFN-GBI* <https://coastalfirstnations.ca/our-environment/programs/coastal-guardian-watchmen-support/>.
- CFN-GBI, *Annual Report 2019*. Report. (2019).
- CFN-GBI, “Coastal Guardian Watchmen Vision,” online: *CFN-GBI* <https://coastalfirstnations.ca/coastal-guardian-watchmen-vision/>.
- CFN-GBI, “Contract Posting – Coastal Stewardship Network Coastal Guardian Watchmen Support Coordinator - About us,” online: *CFN-GBI* <https://coastalfirstnations.ca/wp-content/uploads/2020/11/Contract-Posting-CSN-GW-Support-Coordinator-Final.pdf>.
- CFN-GBI, “Pacific North Coast Integrated Management Area (PNCIMA),” online: *CFN-GBI* <https://coastalfirstnations.ca/our-sea/pacific-north-coast-integrated-management-area-pncima/>.
- CFN-GBI, “Why a Coastal Alliance,” online: *CFN-GBI* <https://coastalfirstnations.ca/our-communities/why-a-coastal-alliance/>.
- Conservation International, “Valuing and Accounting for Natural Capital,” online: *Conservation International* <https://www.conservation.org/projects/valuing-and-accounting-for-natural-capital#:~:text=Valuing%20natural%20capital%20enables%20governments,risks%20in%20their%20supply%20chains>.
- Constitution Act, 1982, Schedule B to the Canada Act 1982, 1982, c 11 (UK) (Constitution Act, 1982), s. 35.
- Convention on Biological Diversity (CBD)*, “Aichi Biodiversity Targets,” online: *CBD* www.cbd.int/sp/targets/.
- Council of the Haida Nation, *Haida Land Use Vision* (2005), online: *Haida Nation* https://www.haidanation.ca/wp-content/uploads/2017/03/HLUV.lo_rez.pdf.
- Council of the Haida Nation, *Towards a Marine Use Plan for Haida Gwaii - A Discussion Paper*. (2007).
- CBD*, “The *Convention on Biological Diversity*,” online: *CBD* <https://www.cbd.int/convention/>.
- Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) “Highlights from the Report of the Royal Commission on Aboriginal Peoples – People to People, Nations to

- Nation,” online: CIRNAC <https://www.rcaanc-cirnac.gc.ca/eng/1100100014597/1572547985018>.
- CIRNAC, “The Government of Canada's Approach to Implementation of the Inherent Right and the Negotiation of Aboriginal Self-Government,” online: CIRNAC Canada <https://www.rcaanc-cirnac.gc.ca/eng/1100100031843/1539869205136>.
- Currie, John H., *Public International Law, Second Edition* (Toronto: Irwin Law, 2008).
- Davidson, Helen, “Indigenous rangers to receive \$250m in funding for jobs until 2021” (27 April 2018), online: *The Guardian* <https://www.theguardian.com/australia-news/2018/apr/27/indigenous-rangers-to-receive-250m-in-funding-for-jobs-until-2021>.
- Dehcho First Nations, “*Dehcho K'éhodi*” (2021), online: *Dehcho First Nations* <https://dehcho.org/resource-management/dehcho-kehodi/>.
- Delgamuukw v British Columbia*, [1997] 3 SCR 1010.
- Department of Finance Canada, *Fall Economic Statement* (2020), 89, online: *Department of Finance Canada* <https://www.budget.gc.ca/fes-eea/2020/report-rapport/FES-EEA-eng.pdf>.
- Department of Fisheries and Oceans Canada (DFO), “Aboriginal Fisheries Guardian program,” online: DFO <https://www.pac.dfo-mpo.gc.ca/abor-autoc/fisheries-guardians-gardes-peche-eng.html>.
- DFO, “Canada commits to growing the blue economy at home and around the globe” (3 December 2020), online: DFO <https://www.canada.ca/en/fisheries-oceans/news/2020/12/canada-commits-to-growing-the-blue-economy-at-home-and-around-the-globe.html>.
- DFO, “Oceans Action Plan,” online: DFO <https://www.dfo-mpo.gc.ca/oceans/publications/oap-pao/index-eng.html>.
- DFO and First Nations of the Pacific North Coast (as represented by Coastal First Nations and the North Coast - Skeena First Nations Stewardship Society), *Memorandum of Understanding on Pacific North Coast Management Area Collaborative Oceans Governance* (11 December 2008), online: Impact Assessment Agency of Canada https://iaac-aeic.gc.ca/050/documents_staticpost/cearref_21799/83896/PNCIMA_MOU.pdf.
- Dovetail Consulting Ltd., *Workshop Summary Report: On the Ground Indigenous Stewardship in Canada February 23-25, 2014, Squamish, BC*, online: *Dovetail Consulting Ltd.* <https://drive.google.com/file/d/1jrM3R22Z-56p6iSc0ZQ0M4Cq0F-AEkyO/view..>
- Donovan & Company, “Implementing First Nations Land-Use Plans: Challenges and Results” (2008), 9, online: *Donovan & Company* <https://www.aboriginal-law.com/~aborig/uploads/documents/PDFs/events%20and%20pubs/Implementing%20First%20Nation%20Land%20Use%20Plans.pdf>.

- EcoPlan International (EPI), *Valuing Coastal Guardian Watchmen Programs: A Business Case, Coastal First Nations Great Bear Initiative*. Report (October 2016).
- EPI, *Making a Positive Difference: Walking away with a good mind and a good spirit – Evaluation of the Stewardship Technicians Training Program*. Report (2020).
- EcoTrust Canada, *BC First Nations Land Use Planning: Effective Practices* (2009), 4, online: *The New Relationship Trust* <https://www.newrelationshiptrust.ca/wp-content/uploads/2017/04/land-use-planning-report.pdf>.
- Employment and Social Development Canada (ESDC), “Towards Canada’s 2030 Agenda National Strategy,” online: *ESDC* <https://www.canada.ca/en/employment-social-development/programs/agenda-2030/national-strategy.html#h2.02-h3.01>.
- ESDC, “Towards Canada’s 2030 Agenda National Strategy,” online: *ESDC* <https://www.canada.ca/en/employment-social-development/programs/agenda-2030/national-strategy.html#h2.02-h3.01>.
- Environment and Climate Change Canada (ECCC), “Agreement on Arctic marine oil pollution,” online: *ECCC* <https://www.canada.ca/en/environment-climate-change/corporate/international-affairs/partnerships-organizations/arctic-marine-oil-pollution.html>.
- ECCC, “Canada joins the High Ambition Coalition for Nature and People” (28 September 2020), online: *ECCC* <https://www.canada.ca/en/environment-climate-change/news/2020/09/canada-joins-the-high-ambition-coalition-for-nature-and-people.html>.
- ECCC, “Canada’s conserved areas,” online: *ECCC* <https://www.canada.ca/en/environment-climate-change/services/environmental-indicators/conserved-areas.html>.
- ECCC, *Canada’s Ramsar National Report to COP13*. Report. (2018), online: *ECCC* https://www.ramsar.org/sites/default/files/documents/importftp/COP13NR_Canada_e.pdf.
- ECCC, “*Convention on Biological Diversity*,” online: *ECCC* <https://www.canada.ca/en/environment-climate-change/corporate/international-affairs/partnerships-organizations/biological-diversity-convention.html>.
- ECCC, “First new Indigenous protected area in Canada: *Edézhíe* Protected Area,” online: *ECCC* <https://www.canada.ca/en/environment-climate-change/news/2018/10/first-new-indigenous-protected-area-in-canada-edehzhie-protected-area.html>.
- ECCC, “Indigenous Guardians Pilot,” online: *ECCC* <https://www.canada.ca/en/environment-climate-change/services/environmental-funding/indigenous-guardians-pilot.html>.
- ECCC, “Internationally important wetlands: Ramsar Convention,” online: *ECCC* <https://www.canada.ca/en/environment-climate-change/corporate/international-affairs/partnerships-organizations/important-wetlands-ramsar-convention.html>.

ECCC, “North American Bird Conservation Initiative,” online: ECCC <https://www.canada.ca/en/environment-climate-change/corporate/international-affairs/partnerships-countries-regions/north-america/bird-conservation.html>.

Eyou Marine Region (EMR), “Impact Review Board,” online: EMR <https://www.eeyoumarineregion.ca/impact-review-board/>.

EMR, “Planning Commission,” online: EMR <https://www.eeyoumarineregion.ca/planning-commission/>.

Environment Guide, “Māori and the RMA - Consultations on Policy Statements and Plans, Consultations on Policy Consents,” online: *Environment Guide* <http://www.environmentguide.org.nz/rma/maori-and-the-rma/>.

First Nations Health Authority (FNHA), *2013 Guidebook for Transformation: Building Blocks for Transformation*. Guidebook. (July 2013).

FNHA, “Engagement Process,” online: FNHA <https://www.fnha.ca/about/governance-and-accountability/engagement-process>.

FNHA, “Governance and Accountability,” online: FNHA <https://www.fnha.ca/about/governance-and-accountability>.

FNHA, “Regional Health Survey – Research, Knowledge Exchange, and Evaluation” online: FNHA <https://www.fnha.ca/what-we-do/research-knowledge-exchange-and-evaluation/regional-health-survey>.

FNHA, “Research, Knowledge Exchange, and Evaluation,” online: FNHA <https://www.fnha.ca/what-we-do/research-knowledge-exchange-and-evaluation/>.

FNHA, “Research, Knowledge Exchange, and Evaluation Priorities,” online: FNHA <https://www.fnha.ca/what-we-do/research-knowledge-exchange-and-evaluation/priorities>.

FNHA, “Timeline,” online: FNHA <https://www.fnha.ca/about/transition-and-transformation/timeline>.

First Nations Health Council (FNHC), “About Us,” online: FNHC <http://fnhc.ca/about-us/>.

FNHC, “Mandate,” online: FNHC <http://fnhc.ca/mandate>.

FNHC, *Moving Forward Together – Community Engagement Hubs & First Nations Health Council: Communications Strategy & Toolkit*. Report. (June 2011).

FNHC, “Terms of Reference,” online: FNHC http://www.fnhc.ca/pdf/FNHC_TOR_2012.pdf.

First Nations Health Directors Association (FNHDA), “About FNHDA – Strategic Priorities” online: FNHDA <http://fnhda.ca/about/>.

FNHDA, *FNHDA Annual Report 2019-2020*. Report (2020), online: FNHDA <http://fnhda.ca/wp-content/uploads/FNHDA-Annual-Report-2019-20.pdf>.

- First Nations Information and Governance Centre, “The First Nations Principles of OCAP®,” *First Nations Information and Governance Centre* <https://fnigc.ca/ocap-training/>.
- George R, Proclamation, 7 October 1763, (3 Geo III), online: *The Solon Law Archive* https://www.solon.org/Constitutions/Canada/English/PreConfederation/rp_1763.html.
- Gignac, Julian, “Yukon First Nations say approving mineral exploration without a land use plan violates their rights” (March 1, 2021), online: *The Narwhal* <https://thenarwhal.ca/yukon-first-nations-mineral-use-plan-antimony-creek/>.
- Goss Gilroy Inc., *Evaluation of the First Nations Health Authority*. Report. (January 2020).
- Government of British Columbia, *Haida Gwaii Strategic Land Use Agreement* (2007), online: *Land Use Plans & Legal Direction - West Coast* <https://www2.gov.bc.ca/gov/content/industry/crown-land-water/land-use-planning/regions/west-coast/haidagwaii-slua>.
- Government of British Columbia, “Modernizing Land Use Planning in British Columbia” (2018), online: *Land Use Planning* <https://www2.gov.bc.ca/gov/content/industry/crown-land-water/land-use-planning/modernizing-land-use-planning>.
- Government of British Columbia, “Mount Polley Mine Tailing Dam Breach,” online: *Government of British Columbia* <https://www2.gov.bc.ca/gov/content/environment/air-land-water/spills-environmental-emergencies/spill-incidents/past-spill-incidents/mt-polley>.
- Government of Canada, “Infobase: Infographic for Parks Canada” (accessed online 1 January 1, 2021) online: *Government of Canada* <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#orgs/dept/263/infograph/people>.
- Government of Canada, “*Minister Prentice: Protection for Gwaii Haanas to Extend From Mountain Tops to Sea Floor*” (June 7, 2010), online: *Government of Canada* <https://www.canada.ca/en/news/archive/2010/06/minister-prentice-protection-gwaii-haanas-extend-mountain-tops-sea-floor.html>.
- Government of Canada, represented by the Minister of the Environment, and the Council of the Haida Nation, for and on behalf of the Haida Nation, and represented by the Vice President of the Nation, *Gwaii Haanas Agreement*, 1993, online: *Haida Nation* <https://www.haidanation.ca/wp-content/uploads/2017/03/GwaiiHaanasAgreement.pdf>.
- Governments of Canada, British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, New Brunswick, Nova Scotia, Prince Edward Island, Newfoundland, Yukon Territory, the Northwest Territories and Nunavut, *One with Nature: A Renewed Approach to Land and Freshwater Conservation in Canada. A Report of Canada’s Federal, Provincial and Territorial Departments Responsible for Parks, Protected Areas, Conservation, Wildlife and Biodiversity. Report*. (March 2018).
- The Government of Canada, the Government of the Kingdom of Denmark, the Government of the Republic of Finland, the Government of Iceland, the Government of the Kingdom of Norway, the Government of the Russian Federation, the Government of the Kingdom of Sweden, and the Government of the United States of America, *Agreement on Cooperation of Marine Oil Pollution Preparedness and Response in the Arctic*, online:

Arctic Council Repository https://oaarchive.arctic-council.org/bitstream/handle/11374/529/EDOCS-2068-v1-ACMMSE08_KIRUNA_2013_agreement_on_oil_pollution_preparedness_and_response_signedAppendices_Original_130510.PDF?sequence=6&isAllowed=y.

GWX, “Gathering for a Shared Journey,” online: GWX <http://gathering-wisdom.ca/>.

Haida Nation, as represented by the Council of the Haida Nation and Her Majesty the Queen in Right of the Province of British Columbia, as represented by the Minister of Aboriginal Relations and Reconciliation, *Kunst’aa Guu — Kunst’aayah Reconciliation Protocol* (2009), online: *Haida Nation* https://www.haidanation.ca/wp-content/uploads/2017/03/Kunstaa-guu_Kunstaayah_Agreement.pdf.

Haida Nation, “Constitution of the Haida Nation” (19 October 2018), online: *Haida Nation* <https://www.haidanation.ca/wp-content/uploads/2018/10/Constitution-2018-10-signed.pdf>.

Haida Nation, “Mandate,” online: *Haida Nation* https://www.haidanation.ca/?page_id=34.

Haida Nation v British Columbia (Minister of Forests), 2004 SCC 73.

Hatcher, Annamarie, Cheryl Bartlett, Albert Marshall, and Murdena Marshall, “Two-Eyed Seeing in the Classroom Environment: Concepts, Approaches, and Challenges” (2009).

Her Excellency the Right Honourable Julie Payette, Governor General of Canada, *Speech from the Throne* (2019), online: *Privy Council Office* <https://www.canada.ca/en/privy-council/campaigns/speech-throne/moving-forward-together.html>.

Her Excellency the Right Honourable Julie Payette, Governor General of Canada, *Speech from the Throne* (2020), online: *Privy Council Office* <https://www.canada.ca/en/privy-council/campaigns/speech-throne/2020/speech-from-the-throne.html>.

Her Majesty the Queen in right of Canada as represented by the Minister of Health, Her Majesty the Queen in right of the Province of British Columbia as represented by the Minister of Health, and First Nations Health Society, *British Columbia Tripartite Framework Agreement on First Nation Health Governance (TFA)*, (13 October 2011), online: *FNHA* <https://www.fnha.ca/Documents/framework-accord-cadre.pdf>.

High Level Panel for a Sustainable Ocean Economy, *Transformations for a Sustainable Ocean Economy - A Vision for Protection, Production and Prosperity High-level Panel for a Sustainable Ocean Economy*. (2020), online: <https://oceanpanel.org/ocean-action/files/transformations-sustainable-ocean-economy-eng.pdf>.

Hume, Stephen, “Wanted and needed: Guardians in every watershed” (29 September 2020), online: *Focus on Victoria* <https://www.focusonvictoria.ca/earthrise/56/>.

ICCA Consortium, “Biodiversity law and conservation policy,” online: *ICCA* <https://www.iccaconsortium.org/index.php/international-en/conservation-en/>.

Imappivut Nunatsiavut Marine Plan, “About - What is Imappivut?” online: *Imappivut Nunatsiavut Marine Plan* <https://imappivut.com/about/>.

Impact Assessment Act (IAA), SC 2019, c 28.

Impact Assessment Agency Canada, “Better rules for major projects become law in Canada: Canada’s new approach to impact assessments is designed to protect the environment and grow the economy” (21 June 2019), online: *Government of Canada, Impact Assessment Agency* <https://www.canada.ca/en/impact-assessment-agency/news/2019/06/better-rules-for-major-projects-become-law-in-canada-canadas-new-approach-to-impact-assessments-is-designed-to-protect-the-environment-and-grow-the.html>.

Indian Act, RSC 1985, c I-5.

Indigenous and Northern Affairs Canada, “Search by First Nation” (9 April 2019), online: *Indigenous and Northern Affairs Canada* <https://fnp-ppn.aadnc-aadnc.gc.ca/fnp/Main/Search/SearchFN.aspx?lang=eng>.

Indigenous Circle of Experts (ICE), “Indigenous Circle of Experts Terms of Reference (2017)” online: *Pathway to Canada Target 1* <https://www.conservation2020canada.ca/ice-resources>.

ICE, *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*. Report and Recommendations. (March 2018).

Indigenous Guardians Toolkit, “Gaining Momentum - A National Network for Indigenous Guardians,” online: *Indigenous Guardians Toolkit* <https://www.indigenousguardianstoolkit.ca/story/gaining-momentum-national-network-indigenous-guardians>.

Indigenous Languages Act, SC 2019, c 23.

Indigenous Leadership Initiative (ILI), “2016 Inaugural Indigenous Guardians Gathering,” online: *ILI* <https://www.iliNationhood.ca/events/2016-inaugural-indigenous-guardians-gathering>.

ILI, “*First Nations Guardians Gathering 2019*,” online: *ILI* <https://www.iliNationhood.ca/events/first-nations-guardians-gathering-2019>.

ILI, “Indigenous Guardians Network Seeks About \$500 Million Investment Over Five Years” (3 October 2016), online: *ILI* <https://www.iliNationhood.ca/news/indigenous-guardians-network-seeks-about-500-million-investment-over-five-years?rq=guardians>.

ILI, “Indigenous Protected and Conserved Areas,” online: *ILI* <https://www.iliNationhood.ca/indigenous-protected-and-conserved-areas>.

ILI, “National Indigenous Guardians Network Receives Funding In Federal Budget” (22 March 2017), online: *ILI* <https://www.ilinationhood.ca/news/national-indigenous-guardians-network-receives-funding-in-federal-budget>.

ILI, “Team,” online: *ILI* <https://www.iliNationhood.ca/team>.

- ILL, *Towards a National Indigenous Guardians Network: Brief to the Standing Committee on Finance From the Indigenous Leadership Initiative* (August 2020).
- Indigenous Peoples' Health Research Centre, "The Ethics of Research Involving Indigenous Peoples," online: *Indigenous Peoples' Health Research Centre* http://drc.usask.ca/projects/legal_aid/file/resource385-2c4c0417.pdf.
- Indigenous Services Canada, "Government of Canada, with First Nations, Inuit and Métis Nation Leaders, Announce Co-Developed Legislation Will Be Introduced on Indigenous Child and Family Services in Early 2019" (30 November 2018), online: *Indigenous Services Canada* <https://www.canada.ca/en/indigenous-services-canada/news/2018/11/government-of-canada-with-first-nations-inuit-and-metis-nation-leaders-announce-co-developed-legislation-will-be-introduced-on-indigenous-child-and.html>.
- Institute for Integrative Science & Health, "Two Eyed Seeing," online: *Institute for Integrative Science & Health* <http://www.integrativescience.ca/Principles/TwoEyedSeeing/>.
- Institute on Governance, *First Nations Health Authority Governance Evaluation*. Report. (September 2013).
- International Union for Conservation of Nature, *Indigenous and Traditional Peoples and Protected Areas Principles, Guidelines and Case Studies* (2000).
- Integrated Land Management Bureau, Ministry of Agriculture and Lands, *A New Direction for Strategic Land Use Planning in BC - Synopsis* (December 2006), online: *Policies and Guides* https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resource-use/land-water-use/crown-land/land-use-plans-and-objectives/policies-guides/new_direction_synopsis.pdf.
- Johnson, Mark, "Wetlands and Carbon - Filling the Knowledge Gap" (27 January 2017), online: *Saskatchewan Research Council* <https://www.src.sk.ca/blog/wetlands-and-carbon-filling-knowledge-gap>.
- Jones, Russ, Catherine Rigg, and Lynn Lee, "Haida marine planning: First Nations as a partner in marine conservation" (2010), online: *Ecology and Society* <http://www.ecologyandsociety.org/vol15/iss1/art12/>.
- Justice Canada, "Backgrounder: United Nations Declaration on the Rights of Indigenous Peoples Act," online: *Implementing the United Nations Declaration on the Rights of Indigenous Peoples in Canada* <https://www.justice.gc.ca/eng/declaration/about-apos.html>.
- Justice Canada, "Joint Statement by Minister Lametti and Minister Bennett on the Senate Passing Bill C-15, An Act Respecting the United Nations Declaration on the Rights of Indigenous Peoples," online: *Justice Canada* <https://www.canada.ca/en/department-justice/news/2021/06/joint-statement-by-minister-lametti-and-minister-bennett-on-the-senate-passing-billc-15an-act-respecting-the-united-nations-declaration-on-the-right.html>.
- Justice Canada, "Statistical Overview on the Overrepresentation of Indigenous Persons in the Canadian Correctional System and Legislative Reforms to Address the Problem -

- Spotlight on Gladue: Challenges, Experiences, and Possibilities in Canada's Criminal Justice System" (5 August 2016), online: *Justice Canada* <https://www.justice.gc.ca/eng/rp-pr/jr/gladue/p2.html>.
- Katsi'tsakwas (Ellen Gabriel), "The State of Canada's Indigenous Languages," online: *Indigenous Law Association at McGill /L'association de Droit Autochtone à McGill*, <https://indigenous-law-association-at-mcgill.com/2018/04/14/the-state-of-canadas-indigenous-languages-by-katsitsakwas-ellen-gabriel/>.
- Kimberley Land Council, "Indigenous Fire Management," online: *Kimberley Land Council* <https://www.klc.org.au/indigenous-fire-management>.
- Kishk Anaquot Health Research, *An Interim Evaluation Report of Aboriginal Healing Kishk Anaquot Health Research, Indigenous Guardians Pilot Program Evaluation Plan* (31 March 2020).
- Kumar, Mohan B., and Michael Tjepkema, "Suicide amongst First Nations People, Métis and Inuit (2011-2016): Findings from the 2011 Canadian Census Health and Environment Cohort (CanCHEC)" (28 June 2019), online: *Statistics Canada* <https://www150.statcan.gc.ca/n1/pub/99-011-x/99-011-x2019001-eng.htm>.
- Land Needs Guardians, "Take care of the land, and the land takes care of us," online: *Land Needs Guardians* <https://landneedsguardians.ca/>.
- Land Needs Guardians, "Voisey's Bay Mine, Guardians and a Path to Sustainability – Case Study," online: *Land Needs Guardians* <https://landneedsguardians.ca/resources/from-standoff-to-stewardship>.
- Lessing, Nora, "Canada's Aboriginal Healing Foundation" (20 December 2019), online: *Centre for Public Impact* <https://www.centreforpublicimpact.org/case-study/canadas-aboriginal-healing-foundation-ahf/>.
- Lutsel K'é Dene First Nation, "Hat'ni Dene – Dene Watchers of the Land" (2016), online: *Lutsel K'é Dene First Nation* <http://www.landoftheancestors.ca/uploads/1/3/0/0/130087934/ni-hat-ni-overview-2016.pdf>.
- Mabo v Queensland (No. 2)* [1992] HCA 23.
- Marine Planning Partnership Initiative, *Haida Gwaii Marine Plan*, (2015).
- Marine Plan Partnership for the Coast (MaPP), "About," online: *MaPP* <http://mappocean.org/about-mapp/>.
- MaPP, "FAQS," online: *MaPP* <http://mappocean.org/about-mapp/faqs/>.
- MaPP, "Home," online: *MaPP* <http://mappocean.org/>.
- Martin, Carol Muree, and Harsha Walia, "Red Women Rising: Indigenous Women Survivors in Vancouver's Downtown Eastside." Report. (2019), online: *Vancouver: Downtown Eastside Women's Centre* <https://online.flowpaper.com/76fb0732/MMIWRReportFinalMarch10WEB/#page=1>.

McKinsey & Company, “Valuing Nature Conservation,” online: *McKinsey & Company* <https://www.mckinsey.com/business-functions/sustainability/our-insights/valuing-nature-conservation#>.

See Megan Davis, “Data and the United Nations Declaration on the Rights of Indigenous Peoples,” in Tahu Kukutai and John Taylor, eds., *Indigenous Data Sovereignty: Toward An Agenda* (Canberra: Australian National University Press, 2016) at 36.

Members of the Council of the Haida Nation, Haisla First Nation, Hartley Bay Community, Heiltsuk Nation, Old Masset Village Council, Skidegate Band, Kitsoo Band, and Metlakatla First Nation, “Declaration of the First Nations of the North Pacific Coast – Turning Point Conference” (13 June 2000), online: *Haida Nation* https://www.haidanation.ca/wp-content/uploads/2017/03/Turning_Point.pdf.

Memorandum from FNHC & FNHA, “Memorandum of Understanding” (18 December 2012).

MiningWatch Canada, “Analysis – Environmental Liability of Mine Sites in British Columbia” (5 May 2016), online: *MiningWatch Canada* https://miningwatch.ca/sites/default/files/2016-05-30-bcminingliability-analysis_0.pdf.

NABCI-Canada, “NABCI Canada Update – Summer2018” (2018), online: *NABCI-Canada* <http://nabci.net/about-us/newsletter/summer-2018/>.

National Advisory Panel, *Canada’s Conservation Vision: A Report of The National Advisory Panel*. Report. (March 2018).

National Indigenous Economic Development Board (NIEDB), *The Indigenous Economic Progress Report*. Report. (2019), 28-29, online: *NIEDB* <http://www.naedb-cndea.com/wp-content/uploads/2019/06/NIEDB-2019-Indigenous-Economic-Progress-Report.pdf>.

National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG Inquiry), *Reclaiming Power and Place The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls*, vol. 1a, online: *Reclaiming Power and Place The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls* https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Final_Report_Vol_1a-1.pdf.

MMIWG Inquiry, *Reclaiming Power and Place The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls* (MMIWG Inquiry), vol. 1b, online: *Reclaiming Power and Place The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls* https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Final_Report_Vol_1b.pdf.

Natural Resources Canada, “Climate change and fire,” online: *Natural Resources Canada* <https://www.nrcan.gc.ca/our-natural-resources/forests-forestry/wildland-fires-insects-disturban/climate-change-fire/13155>.

Nature United, “*Thaidene Néné: History in the Making*” (21 August 2020), online: *Nature United* <https://www.natureunited.ca/what-we-do/our-priorities/conserving-at-scale/thaidene-nene---land-of-the-ancestors/>.

- Nickerson, Marcia, *First Nations' Data Governance: Measuring the Nation-to-Nation Relationship. Discussion Paper*, Prepared for the British Columbia First Nations Data Governance Initiative (May 2017).
- Nitah, Steven, "Investing in Indigenous conservation to create a more resilient economy" (22 June 2020), online: *The Hill Times* <https://www.hilltimes.com/2020/06/22/investing-in-indigenous-conservation-to-create-a-more-resilient-economy/253197>.
- Nitah, Steven, and Mary-Kate Craig, "Indigenous-led Nature Based Greenhouse Gas Offsets: One Route Towards Reconciliation in Canada" (8 July 2020), online: *Conservation through Reconciliation Partnership* <https://conservation-reconciliation.ca/crp-blog/indigenous-led-nature-based-greenhouse-gas-offset-one-route-towards-reconciliation-in-canada>.
- Oceans Act*, SC 1996, c 31.
- Office of the Auditor General of Canada, *Fall Report of the Commissioner of the Environment and Sustainable Development*. Report. (2013), online: *Office of the Auditor General of Canada* https://www.oag-bvg.gc.ca/internet/English/parl_cesd_201311_03_e_38673.html.
- Pacific North Coast Integrated Management Area (PNCIMA) Initiative, *Pacific North Coast Integrated Management Area Plan*. (2017).
- Parks Canada, "Federal and Provincial Governments Create National Advisory Panel on Canada's biodiversity conservation initiative," online: Parks Canada <https://www.canada.ca/en/parks-canada/news/2017/06/federal-and-provincialgovernmentscreatenationaladvisorypanelonca.html>.
- Parks Canada, "Haida Gwaii Watchmen," online: *Parks Canada* <https://www.pc.gc.ca/en/pn-np/bc/gwaiihaanas/culture/gardiens-watchmen>.
- Participedia, "Case - Haida Gwaii Collaborative Land Use Planning," online: *Participedia* <https://participedia.net/case/4417>.
- Praxis Management Inc., *Data and Information Governance Case Study* (December 2019), online: *FNHA* <https://www.fnha.ca/Documents/FNHA-BC-Tripartite-Agreement-Case-Study-Data-and-Information-Governance.pdf>.
- Prime Minister Justin Trudeau, *2016 Ministerial Mandate Letters*, online: *Justin Trudeau, Prime Minister of Canada* <https://pm.gc.ca/en/mandate-letters>.
- Prime Minister Justin Trudeau, *Minister of Crown-Indigenous Relations Mandate Letter* (2019), online: *Prime Minister Justin Trudeau* <https://pm.gc.ca/en/mandate-letters/2019/12/13/minister-crown-indigenous-relations-mandate-letter>.
- Prime Minister Justin Trudeau, *Minister of Crown-Indigenous Relations Supplementary Mandate Letter*. (15 January 2021), online: *Prime Minister Justin Trudeau* <https://pm.gc.ca/en/mandate-letters/2021/01/15/minister-crown-indigenous-relations-supplementary-mandate-letter>.

- Prime Minister Justin Trudeau, *Minister of Environment and Climate Change Mandate Letter* (13 December 2019), online: *Justin Trudeau, Prime Minister of Canada* <https://pm.gc.ca/en/mandate-letters/2019/12/13/minister-environment-and-climate-change-mandate-letter>.
- Prime Minister Justin Trudeau, *Minister of Environment and Climate Change Supplementary Mandate Letter* (15 January 2021), online: *Prime Minister Justin Trudeau* <https://pm.gc.ca/en/mandate-letters/2021/01/15/minister-environment-and-climate-change-supplementary-mandate-letter>.
- Prime Minister Justin Trudeau, *Minister of Fisheries, Oceans and the Canadian Coast Guard Mandate Letter* (13 December 2019), online: *Prime Minister Justin Trudeau* <https://pm.gc.ca/en/mandate-letters/2019/12/13/minister-fisheries-oceans-and-canadian-coast-guard-mandate-letter>.
- Prime Minister Justin Trudeau, “Prime Minister Justin Trudeau’s Address to the 72th Session of the United Nations General Assembly” (New York: 21 September 2017), online: *Justin Trudeau, Prime Minister of Canada* <https://pm.gc.ca/en/news/speeches/2017/09/21/prime-minister-justin-trudeaus-address-72th-session-united-nations-general>.
- Prime Minister Justin Trudeau, United Nations Summit on Biodiversity, September 2020. Email transcript.
- Protocol between the Government of Canada and the Government of the United States of America Amending the 1916 Convention Between the United Kingdom and the United States of America for the Protection of Migratory Birds in Canada and the United States, *Treaty* - E101589, online: *Government of Canada Treaties/Accords* <https://www.treaty-accord.gc.ca/text-texte.aspx?lang=En&id=101589>.
- Qwul’sih’yah’maht (Robin Anne Thomas), “Honouring the Oral Traditions of the Ta’t Mustimuxw (Ancestors) through Storytelling,” in Leslie Brown and Susan Strega, eds., *Research as Resistance: Critical, Indigenous, and Anti-Oppressive Approaches* (Toronto: Canadian Scholars, 2015).
- Reconciling Ways of Knowing Forum Society, “Two Eyed Seeing and Beyond: A Dialogue amongst Albert Marshall, Andrea Reid, Deborah McGregor, Jesse Popp, moderated by Jacquie Miller” (2020), online: *Reconciling Ways of Knowing: Indigenous Knowledge and Science Online Forum Series* <https://www.waysofknowingforum.ca/dialogue-4>.
- Resource Management Act* 1991, Pub. L. No. 69 (1991), online: *New Zealand Legislation* <https://www.legislation.govt.nz/act/public/1991/0069/latest/whole.html#DLM230265>.
- Richardson, Miles, “Upholding Haida Law,” in Nika Collison Jisgang, ed., *Athlii Gwaii: Upholding Haida Law on Lyell Island* (Vancouver: Locarno Press, 2018).
- Royal Commission on Aboriginal Peoples, “Looking Forward, Looking Back,” in *Highlights from the Report of the Royal Commission on Aboriginal Peoples – People to People, Nation to Nation*, online: *Crown Indigenous Relations and Northern Affairs Canada* <https://www.rcaanc-cirnac.gc.ca/eng/1100100014597/1572547985018>.

- Royal Commission on Aboriginal Peoples (RCAP), *Report of the Royal Commission on Aboriginal Peoples: Looking Forward, Looking Back*, vol 1 (Ottawa: Supply and Services Canada, 1996).
- RCAP, *Report of the Royal Commission on Aboriginal Peoples: Restructuring the Relationship*, vol 2 (Ottawa: Supply and Services Canada, 1996).
- RCAP, *Report of the Royal Commission on Aboriginal Peoples: Gathering Strength*, vol 3 (Ottawa: Supply and Services Canada, 1996).
- RCAP, *Report of the Royal Commission on Aboriginal Peoples: Perspectives and Realities*, vol 4 (Ottawa: Supply and Services Canada, 1996).
- RCAP, *Report of the Royal Commission on Aboriginal Peoples: Renewal: A Twenty-Year Commitment*, vol 5 (Ottawa: Supply and Services Canada, 1996).
- Saami Council, "The Sámi Arctic Strategy: Securing Enduring Influence for the Sámi People in the Arctic through Partnerships, Education and Advocacy," (2020) online: *Saami Council*: <https://www.saamicouncil.net/documentarchive/the-smi-arctic-strategy-samisk-strategi-for-arktiske-saker-smi-rktala-igumuat>.
- Saint Mary's University, "Gorsebrook Research Institute – Innu Nation Guardian Program," online: *Saint Mary's University* <https://smu.ca/research/innu-guardian-program.html>.
- Richard Schuster, Ryan R. Germain, et. al., "Vertebrate biodiversity on indigenous-managed lands in Australia, Brazil, and Canada equals that in protected areas" (2019) 101 *Environmental Science & Policy* 1.
- SEAWA, "What is a watershed," online: SEAWA <http://seawa.ca/our-watershed/what-is-a-watershed/>.
- Smith, Danielle-Marie, "10 Pivotal First Nations Rights Disputes to Watch in 2021" (15 December 2020), online: *Maclean's* <https://www.macleans.ca/news/10-pivotal-first-nations-rights-disputes-to-watch-in-2021/>.
- Smith, Joanna, "Trudeau commits to 'Nation-to-Nation relationship' with First Nations" (8 December 2015), online: *Toronto Star*, <https://www.thestar.com/news/canada/2015/12/08/trudeau-commits-to-Nation-to-Nation-relationship-with-first-nations.html>.
- Smith, Linda Tuhiwai, *Decolonizing Methodologies: Research and Indigenous Peoples*, Second Edition (Dunedin, New Zealand: Otago University Press: 2012).
- Smith, Merran and Art Sterritt, "From Conflict to Collaboration: The Story of the Great Bear Rainforest," online: *Coast Funds* <https://coastfunds.ca/wp-content/uploads/2016/02/StoryoftheGBR.pdf>.
- Sneed, Annie, "What Conservation Efforts Can Learn from Indigenous Communities" (29 May 2019), online: *Scientific American* <https://www.scientificamerican.com/article/what-conservation-efforts-can-learn-from-indigenous-communities/>.

- Social Ventures Australia, *Analysis of the current and future value of Indigenous Guardians work in Canada*. Report (2016).
- Social Ventures Australia, *Consolidated report on Indigenous Protected Areas following Social Return on Investment analyses*. Report. (February 2016).
- Spear, Wayne K., *Full Circle: The Aboriginal Healing Foundation & the Unfinished Work of Hope, Healing & Reconciliation* (Ottawa: Aboriginal Healing Foundation, 2014).
- SROI Network and Hall Aitken, "Starting out on Social Return on Investment" (2014), online: *SROI Network and Hall Aitken* <https://www.betterevaluation.org/sites/default/files/Starting%20out%20on%20SROI%20F%20INAL%20v2%20with%20hyperlink.pdf>.
- Synergies Economic Consulting, *Working for Our Country: A review of the economic and social benefits of Indigenous land and sea management*. Report. (2015).
- Te Kura Pukeroa Maori Inc. v Thames-Coromandel District Council*, [2007] NZEnvC W069/07, online: *Environment Guide* <http://www.environmentguide.org.nz/rma/maori-and-the-rma/>.
- Thompson, Jimmy, "The World's Last Rainforests Are Under Threat: A \$25 million carbon-offset project is struggling to find buyers, and the Great Bear Rainforest is on the line" (26 March 2020), online: *The Walrus* <https://thewalrus.ca/the-worlds-last-rainforest-is-under-threat/>.
- T.K Gussman Associates and Indian and Northern Affairs Canada, "Final Report: Evaluation of Community-Based Healing Initiatives Supported Through the Aboriginal Healing Foundation." Report. (December 2009).
- Truth and Reconciliation Commission of Canada (TRC), "Honouring the Truth, Reconciling for the Future: Summary of the Final Report of the Truth and Reconciliation Commission of Canada" (2015), online: *National Centre for Truth and Reconciliation* http://nctr.ca/assets/reports/Final%20Reports/Executive_Summary_English_Web.pdf.
- TRC, *The Final Report of the Truth and Reconciliation Commission of Canada, Canada's Residential Schools: The History, Part 1 Origins to 1939 - The Final Report of the Truth and Reconciliation Commission of Canada*, vol 1 (Winnipeg: Truth and Reconciliation Commission of Canada, 2015).
- TRC, *The Final Report of the Truth and Reconciliation Commission of Canada: Canada's Residential Schools: The History, Part 2: 1939 to 2000 - The Final Report of the Truth and Reconciliation Commission of Canada*, vol 1 (Winnipeg: Truth and Reconciliation Commission of Canada, 2015).
- TRC, *The Final Report of the Truth and Reconciliation Commission of Canada: Canada's Residential Schools: The Inuit and Northern Experience – The Final Report of the Truth and Reconciliation Commission of Canada*, vol 2 (Winnipeg: Truth and Reconciliation Commission of Canada, 2015).
- TRC, *The Final Report of the Truth and Reconciliation Commission of Canada: Canada's Residential Schools: The Métis Experience - The Final Report of the Truth and*

- Reconciliation Commission of Canada*, vol 3 (Winnipeg: Truth and Reconciliation Commission of Canada, 2016).
- TRC, *The Final Report of the Truth and Reconciliation Commission of Canada: Canada's Residential Schools: Missing Children and Unmarked Burials*, vol 4 (Winnipeg: Truth and Reconciliation Commission of Canada, 2016)
- TRC, *The Final Report of the Truth and Reconciliation Commission of Canada: Canada's Residential Schools: The Legacy*, vol 5 (Winnipeg: Truth and Reconciliation Commission of Canada, 2015)
- TRC, *The Final Report of the Truth and Reconciliation Commission of Canada: Canada's Residential Schools: Reconciliation*, vol 6 (Winnipeg: Truth and Reconciliation Commission of Canada, 2015)
- TRC, *The Final Report of the Truth and Reconciliation Commission of Canada: Calls to Action*, (Winnipeg: Truth and Reconciliation Commission of Canada, 2015).
- UNESCO Marine Spatial Planning Program (UNESCO MMSPP), "Canada," online: *IOC-UNESCO* <http://msp.ioc-unesco.org/world-applications/americas/canada/>.
- United Nations, *Paris Agreement*, online: *United Nations* https://unfccc.int/sites/default/files/english_paris_agreement.pdf.
- United Nations, "System of Environmental Economic Accounting," online: *United Nations* <https://seea.un.org/>.
- United Nations General Assembly (UNGA), 61st Sess, 295th Mtg, *United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)*, UN Doc A/RES/61/295 (2007).
- Vaadeland, Gord, "Grasslands, forests & wetlands – Nature's carbon capture & storage solution," online: *Canadian Parks & Wilderness Society* <https://cpaws.org/grasslands-forests-wetlands-natures-carbon-capture-storage-solution/#:~:text=The%20208.1%20billion%20tonnes%20of,carbon%20emissions%20at%202006%20levels>.
- Vth IUCN World Parks Congress, *Recommendations of the Vth IUCN World Parks Congress* (2007), online: *Vth IUCN World Parks Congress* https://www.uicnmed.org/web2007/CDMURCIA/pdf/durban/recommendations_en.pdf.
- Weber, Bob, "Data gaps prevent assessment of most Canadian watersheds: WWF report" (20 October 2020).
- West Coast Environmental Law, "Collaborative process kicks off to establish Central Coast National Marine Conservation Area Reserve" (August 13, 2021) online: *West Coast Environmental Law* <https://wcel.org/media-release/collaborative-process-kicks-establish-central-coast-national-marine-conservation-area>.
- Wik Peoples v Queensland*, [1996] HCA 40.

WWF-Canada, *WWF-Canada's 2020 Watershed Reports: A National Reassessment of Canada's Freshwater*. Report. (October 2020).

Appendix A:
Environmental Scan of Existing Guardians Programs in Canada

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
The Haida Gwaii Watchmen ⁴⁶⁷	Haida Nation	BC	<ul style="list-style-type: none"> Program's primary mandate is to safeguard Gwaii Haanas National Park Reserve and Haida Heritage Site. Watchmen protect the five most frequently visited cultural sites by educating tourists about the natural and cultural heritage of Gwaii Haanas. 	<ul style="list-style-type: none"> Coastal Guardian Watchmen Coastal Stewardship Network
Gwa'sala-'Nakwaxda'xw Nations Guardians ⁴⁶⁸	Gwa'sala-'Nakwaxda'xw Nations	BC	<p>Education and training</p> <ul style="list-style-type: none"> Training program includes small motor mechanics and archaeological inventory training. 	
Kitasoo / Xai'xais Guardian Watchmen ⁴⁶⁹	Kitasoo/Xai'xais Nation	BC	<p>Potential additional jobs related to tourism</p> <ul style="list-style-type: none"> Integrated Stewardship Department that includes a Guardian Watchmen program. Stewardship activities in part aim to demonstrate that there are "sustainable economic options available to the community," including in ecotourism and wildlife viewing (Nation operates Spirit Bear Lodge, a world class ecotourism and adventure travel business that employs many people in the community in a variety of capacities from guest services to boat operations) works with all ecotourism operators in their territory. Negotiates tourism protocol agreements involving a nightly fee per person - the proceeds of which fund the Kitasoo/Xai'xais Watchmen. 	<ul style="list-style-type: none"> Coastal Guardian Watchmen Coastal Stewardship Network

⁴⁶⁷ BCFNEMC & UVic ELC, *supra*, 66.

⁴⁶⁸ BCFNEMC & UVic ELC, *supra*, 61.

⁴⁶⁹ BCFNEMC & UVic ELC, *supra*, 64 and 66-67.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
Gitga'at Guardians ⁴⁷⁰	Gitga'at First Nation	BC	<ul style="list-style-type: none"> • Vessel-based monitoring and local sampling • Monitor people using the territory including hunters, sport and commercial fisheries, tourism operators, logging operations, and shipping traffic. • Through the Guardians various cabins, they also provide regular presence and monitoring of several especially important areas, such as critical habitats for threatened species, protected areas and cultural keystone areas. 	<ul style="list-style-type: none"> • Coastal Guardian Watchmen • Coastal Stewardship Network
Heiltsuk Guardian Watchmen ⁴⁷¹	Heiltsuk First Nation	BC	<ul style="list-style-type: none"> • Fisheries monitoring, water sampling • Abalone, Sea Otters and Whales • Sockeye Salmon Enhancement • Kooeye river system (baseline surveys include temperature, invertebrates, mammals, crabs, fish presence and fry counts, grizzly bear populations) • Tourism boat counts 	<ul style="list-style-type: none"> • Coastal Guardian Watchmen • Coastal Stewardship Network
Wuikinuxv Guardian Watchmen ⁴⁷²	Wuikinuxv First Nation	BC	<ul style="list-style-type: none"> • Builds on and strengthens the work currently undertaken by staff in the Aboriginal Fisheries Strategy program, land use planning, and marine use planning. • Focus of Monitoring Efforts: Food, social and ceremonial fisheries; oolichan counts, herring spawn, sports fish management, recreational use, hazards on land and marine, poachers of wildlife, abalone and shellfish. 	<ul style="list-style-type: none"> • Coastal Guardian Watchmen • Coastal Stewardship Network

⁴⁷⁰ Gitga'at Nation, online: *Oceans and Lands*, <http://gitgaatnation.ca/oceans-lands/>.

⁴⁷¹ Ecotrust Canada (EC), *Guardians Programs in Canada* (1 October 2013), 6, online: *Indigenous Guardians Toolkit*, <https://www.indigenousguardianstoolkit.ca/sites/default/files/Community%20Resource%20Ecotrust%20Canada%20and%20North%20East%20Superior%20Regional%20Chiefs%20Forum%20Aboriginal%20Guardian%20and%20Watchmen%20Programs%20in%20Canada.pdf>.

⁴⁷² EC, *supra*, 10.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
Nuxalk Guardian Watchmen ⁴⁷³	Nuxalk First Nation	BC	<ul style="list-style-type: none"> Programs focus on salmon and other fish species, with a clear goal to implement projects in conservation, assessment, enhancement, and monitoring (i.e. cultural and village sites, forestry practices and areas important to community resource harvesting). 	<ul style="list-style-type: none"> Coastal Guardian Watchmen Coastal Stewardship Network
The Tahltan Guardian program ⁴⁷⁴	Tahltan	BC	<p>Jobs and economic development</p> <ul style="list-style-type: none"> Employs five people out of a Tahltan Nation population of about 400 	
The T̓silhqot̓in National Government Rangers ⁴⁷⁵	T̓silhqot̓in	BC	<p>Enhancing Enforcement Authority</p> <ul style="list-style-type: none"> Employs Rangers and Natural Resource Officers, the latter of whom wear uniforms and ride in vehicles with T̓silhqot̓in National Government Rangers logos on them. The Rangers, two of whom are designated DFO Guardians, “play a vital role in compliance surrounding hunting and mushroom harvesting.” In May 2018, the T̓silhqot̓in National Government Rangers began issuing permits to those wishing to harvest mushrooms on traditional territory. <p>Jobs and economic development</p> <ul style="list-style-type: none"> Employs six full-time Rangers, two seasonal Auxiliary Rangers, one Supervisor and one part-time Technical Advisor. The Dasiqox Tribal Park project also employs two seasonal Guardians. 	<ul style="list-style-type: none"> Rangers are increasingly developing a working relationship with DFO enforcement, the BC Conservation Officer Service, and provincial Natural Resource Officers.

⁴⁷³ EC, *supra*, 9.

⁴⁷⁴ BCFNEMC & UVic ELC, *supra*, 64.

⁴⁷⁵ BCFNEMC & UVic ELC, *supra*, 64 and 84.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
Wild River Guardians ⁴⁷⁶	The Daylu Dena Council and Dease River First Nation	BC	<p>Education and training</p> <ul style="list-style-type: none"> • Wild River Guardians are trained in Environment Canada's CABIN [Canadian Aquatic Biomonitoring Network] protocol, a standardized monitoring technique. <p>Guardians and environmental assessment</p> <ul style="list-style-type: none"> • Daylu Dena Council (DDC), one of the three nations of the Kaska Dena Council, does not explicitly have a Guardians program, the DDC has nonetheless done extensive guardian-type work, especially with respect to impact assessment and monitoring. • The impetus has been increased development of placer mining and oil and gas projects in DDC territory; in response, the DDC initiated water quality testing to obtain baseline data, with some success. • The DDC further gathers traditional use study (TUS) data, focusing on areas of proposed new development. Moreover, "various other working groups are formed as needed to deal with such things as new mines in the traditional territory." 	<ul style="list-style-type: none"> • Partnership with Living Lakes Canada and WWF-Canada, started a water monitoring program for the Dane Nan Yé Dāh Guardians

⁴⁷⁶ BCFNEMC & UVic ELC, *supra*, 62 and 94.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
Dane nan yé dāh Land Guardian Program⁴⁷⁷	Dease River First Nation (DRFN), Daylu Dena Council (DDC) and the Kwadacha First Nation	BC	The Dena Kayeh Institute <ul style="list-style-type: none"> ● The Dane nan yé dāh 2018-2019 Program (DNY) will be implemented in partnership with the Dease River First Nation (DRFN), Daylu Dena Council (DDC) and the Kwadacha First Nation. ● Baseline water monitoring sites will be identified and established in 5-10 priority water bodies (lakes and rivers), within the Liard river watershed. ● Parameters to be recorded include water depth, dissolved oxygen, temperature, ph, turbidity, conductivity, flow rate and ice thickness. ● Training and education initiatives will increase the capacity of our current DNY and community members to assist in land and resource decision making. 	
The Ahousaht Stewardship Guardian Program⁴⁷⁸	Ahousaht	BC	Potential additional jobs related to tourism <ul style="list-style-type: none"> ● Runs a tourism operation that issues permits to recreational visitors to Maquinna Marine Park. ● The Ahousaht Nation has a contract with BC Parks to manage and maintain the park and hot springs; Guardians maintain trails and welcome and educate tourists. 	

⁴⁷⁷ ECCC-IGPP, *supra*.

⁴⁷⁸ BCFNEMC & UVic ELC, *supra*, 68.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
West Coast Trail Guardians ⁴⁷⁹	The Nuu-chah-nulth First Nations	BC	<p>Potential additional jobs related to tourism</p> <ul style="list-style-type: none"> • Work collaboratively with Parks Canada in the Pacific Rim National Park Reserve – West Coast Trail Guardians care for the trail. • Since 1995, the three First Nations whose traditional territory is crossed by the Trail – Huu-ay-aht, Ditidaht, and Pacheedaht – have each serviced a 25-kilometre stretch of the 75-kilometre trail. • 12 Guardians are employed each year. • Guardians maintain the trail, protect, and interact with hikers, and contribute to wildlife reporting. • The Ditidaht Nation further offers large canvas tents and wood cabins for rent, and runs a Crab Shack, at Nitinaht Narrows – a third entry point for the trail about midway through. 	
Guardians of Quatsino First Nation ⁴⁸⁰	Quatsino First Nation	BC	<p>“We watch over the lands and waters of our traditional territory. We use our traditional knowledge and practices in combination with Western science to actively monitor and steward our natural resources. We keep our waters and forests safe, look after fish and wildlife, and engage youth and elders on the land. We collect the data that informs our leaders in decision making and conservation initiatives.”</p>	
?a·knusti Guardian Program ⁴⁸¹	Ktunaxa First Nation	BC	<ul style="list-style-type: none"> • Patrolling ?amak?is Ktunaxa, promoting responsible land and water use, and liaising with enforcement • In the monitoring process, Guardians share Ktunaxa covenants and stewardship principles, including rights and responsibilities, and within safe limits, uphold the laws of the land. 	

⁴⁷⁹ BCFNEMC & UVic ELC, *supra*, 68.

⁴⁸⁰ Quatsino First Nation, “Guardians,” online: *Quatsino First Nation*, <https://quatsinofn.com/departments/fisheries/guardians/>.

⁴⁸¹ Ktunaxa Nation, “Aknusti Coordinator,” online: *Ktunaxa Nation*, <https://www.ktunaxa.org/wp-content/uploads/Aknusti-Coordinator-June-2020.pdf>.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
Okanagan/Similkameen River Guardian Program ⁴⁸²	Sylix Okanagan Nation Alliance	BC	<ul style="list-style-type: none"> Collects statistics on fishing catch, quality, and level of non-compliance in the system (no >enforcement).⁴⁸³ 	
Nlaka'pamux Guardians Program ⁴⁸⁴	Citw Nlaka'pamux Assembly	BC	The Nlaka'pamux Guardians are trained to provide regional coordination and support through a resource stewardship program, and work to establish a regional community-based monitoring system.	
The Xaxli'p Forest Crew ⁴⁸⁵	Xaxli'p First Nation	BC	The forest crew is a three-person team of Xaxli'p forest technicians who implement eco-cultural restoration plans on the ground. The forest crew does forest assessments, eco-cultural restoration treatments, ecosystem monitoring, prescribed burning, invasive species monitoring and treatment, firewood for community members, and activities to assist forest harvesting planning. All forest crew members are BC Forest Safety Council Certified Fallers.	
Xaxli'p Range Riders ⁴⁸⁶	Xaxli'p First Nation	BC	This project demonstrates Xaxli'p authority over their territory through use and occupancy. It protects the land through regular range patrols involving the community; and educating youth on their way of life, and special projects.	

⁴⁸² BCFNEMC & UVic ELC, *supra*, 94.

⁴⁸³ Sylix Okanagan Nation Alliance, "Okanagan/Similkameen River Guardian Program," online: *Sylix Okanagan Nation Alliance*, <https://www.sylix.org/okanagan-similkameen-river-guardian-program/>.

⁴⁸⁴ ECCC-IGPP, *supra*.

⁴⁸⁵ Xaxli'p Community Forest, online: *Xaxli'p Community Forest*,

<https://www.xcfc.ca/people#:~:text=The%20Xaxli'p%20Range%20Riders,physical%20presence%20on%20the%20land.>

⁴⁸⁶ ECCC-IGPP, *supra*.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
The Clam Garden Network ⁴⁸⁷	Hul'q'umi'num and WSÁNEĆ peoples	BC	<p>Traditional Indigenous Management of Marine Resources</p> <p>BC Clam gardens</p> <ul style="list-style-type: none"> • The cultivation of clam gardens is also good for the environment and for biological diversity. Indeed, the cultivation of clam gardens is acknowledged in Canada's Sixth National Report to the Convention on Biological Diversity. • In particular, the report mentions as a case study the Indigenous restoration of Coast Salish clam gardens. • The Gulf Islands National Park Reserve partnered with Hul'q'umi'num and WSÁNEĆ peoples on the project, which has begun restoring and monitoring two clam gardens which hadn't been tended for hundreds of years. • The restoration work is guided by both modern science and traditional knowledge: "Some days, they move big boulders while listening to stories. On others, they use scales and gauges to assess the health of the intertidal ecosystem." • As Canada's National Report says, "Coast Salish peoples care for their beaches using traditional practices such as removing kelp and sea lettuce. They turn their beaches with specialized tools to loosen the sand, allowing more room for creatures to grow." • Clearly, there is a significant opportunity for Guardians to foster and oversee traditional activities like clam gardens – a source of healthy foods for the community and of vital cultural reconnection. 	<ul style="list-style-type: none"> • The Clam Garden Network

⁴⁸⁷ BCFNEMC & UVic ELC, *supra*, 109.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
Fort Nelson First Nation Guardian project⁴⁸⁸	The Fort Nelson First Nation	BC	<p>This project increases understanding and timely response to ecological change and its causes. It allows for informed decision-making about human activities and land use in the Fort Nelson First Nation territory; and empowers the next generation of leaders and stewards.</p> <p>Traditional practices</p> <ul style="list-style-type: none"> ● The Fort Nelson First Nation have a relationship with fire that is “culturally complex, and dates back thousands of years.”³⁵⁴ Today, “many traditions ... live on ... [including the] use of fire in: [s]upporting fertilization and re-growth of vegetation, [h]unting and survival, comfort and aesthetic practices, [and] ceremony.” ● In particular, wood bison rely on an open range to access forage and vegetation – an open range that was traditionally maintained with prescribed burns. ● In 2013, Fort Nelson First Nation “embarked on efforts to use controlled burns as a way to attract the [threatened] Nordquist [bison] herd back to its home range.” ● The herd had been extirpated in the area in the early 20th Century before being reintroduced. ● In 2015, Fort Nelson First Nation set fire to almost 3,000 hectares of forest, in a project funded by Environment Canada. The then-chief of FNFN said at the time, “[b]urning is our right and our responsibility as stewards of the land.” 	

⁴⁸⁸ ECCC-IGPP, *supra*.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
The Saulteau First Nations and West Moberly First Nations Caribou Guardians ⁴⁸⁹	The Saulteau and West Moberly First Nations	BC	<p>Jobs for healing land and waters</p> <ul style="list-style-type: none"> ● Guardian-type restoration work that is remediating damage caused by forestry, oil and gas and other development in their territories. ● Run the Twin Sisters Native Plants Nursery, which champions “...environmental restoration that reflects traditional ecological wisdom” by reclaiming large areas with native and culturally significant plants. ● Since 2014 the two Nations have partnered to save the critically imperiled woodland caribou in the Columbia Mountains – with the help of Guardians from each Nation. ● Set up a penning project to house at-risk reproductive female caribou - two Guardians from each First Nations take turns living by the pen for a week at a time; the Guardians patrol the area on ATVs, with binoculars and rifles, protecting the pen from cougars, bears, and wolves. ● Recently, the provincial and federal governments entered into a 30-year partnership “promises long-term support for caribou recovery efforts, including multi-year funding for maternal penning, habitat restoration and an Indigenous Guardians program.” ● A new 206,000-hectare provincial park will be created pursuant to the agreement, and there are interim protections on an additional 550,000 hectares. 	

⁴⁸⁹ BCFNEMC & UVic ELC, *supra*, 72-73.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
Halfway River First Nation partnership with the BC Conservation Officer Service ⁴⁹⁰	Halfway River First Nation	BC	Enhancing Enforcement Authority <ul style="list-style-type: none"> Halfway River First Nation recently entered into a partnership with the BC Conservation Officer Service - the agreement creates a dedicated Halfway River First Nation Conservation Officer position, “the first position of its kind in the history of the BC Conservation Officer Service.” Halfway River First Nation identified critical areas that the partners will target collaboratively to “promote compliance, protect natural resources and ensure public safety through education and enforcement.” The new Halfway River First Nation Conservation Officer will “respond to human-wildlife conflict reports, undertake proactive patrols, liaise with First Nation governments, RCMP and other law enforcement partners as needed, attend community events, school talks and more, all in consideration of traditional laws and customs.” 	<ul style="list-style-type: none"> Halfway River First Nations partnership with the BC Conservation Officer Service
Tla'amin Guardian Watchmen ⁴⁹¹	Tla'amin Nation	BC	Aquatic/marine wildlife monitoring, hunting and harvesting management, tourism monitoring, compliance monitoring, patrols of lands/waters, education and public outreach, restoration work, collaborating and working with other groups and government agencies.	
Nisga'a Coast Watch ⁴⁹²	Nisga'a Nation	BC	Nisga'a Coast Watch and Nisga'a Fisheries & Wildlife remain dedicated to protecting marine resources (e.g. abalone) from illegal harvest on the north coast of B.C. through patrols, raising awareness of the threatened status of abalone and other species at risk, and encouraging community vigilance in watching out for and reporting illegal harvest.	

⁴⁹⁰ BCFNEMC & UVic ELC, *supra*, 83-84.

⁴⁹¹ Nature United (NU), “Tla'amin Nation,” online: *Indigenous Guardians Toolkit*, <https://www.indigenousguardianstoolkit.ca/communities/tlaamin-nation>.

⁴⁹² Nisga'a Lisims Government, “Coast Watch,” online: *Nisga'a Lisims Government*, <https://www.nisgaanation.ca/coast-watch>.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
Tlowitsis Guardians ⁴⁹³	Tlowitsis First Nation	BC	The Tlowitsis Guardians do patrols of the traditional territories by boat and truck, carrying out environmental and cultural monitoring and research. The Tlowitsis Guardians are involved in the conservation/protection of cultural, economic, and ecological values throughout the Nation's traditional territory, including monitoring salmon runs, shellfish and crustacean sampling, public outreach and education, fish and fish habitat monitoring at Port Neville, and large cultural cedar site monitoring to ensure protection.	
Metlakatla Stewardship Office (MSO) - Metlakatla Guardian Watchmen Program ⁴⁹⁴	Metlakatla	BC	<p>Guardians and environmental assessment</p> <ul style="list-style-type: none"> Metlakatla Guardian Watchmen program involved in reviewing proposed projects on their territory; if a project is approved, the MSO continues to monitor impacts. Monitoring the health of Metlakatla lands and waters is the job of the guardian watchmen, who work to ensure that "all activities occurring within [Metlakatla] boundaries are carried out in a respectful manner that is considerate of Metlakatla environmental, cultural and economic interests." 	<ul style="list-style-type: none"> Coastal Guardian Watchmen Coastal Stewardship Network

⁴⁹³ NU, "Tlowitsis First Nation," online: *Indigenous Guardians Toolkit*, <https://www.indigenousguardianstoolkit.ca/communities/tlowitsis-first-nation>.

⁴⁹⁴ BCFNEMC & UVic ELC, *supra*, 94.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
Tla-o-qui-aht Tribal Park Guardian Program - Tribal Parks Alliance⁴⁹⁵	Tla-o-qui-aht First Nation	BC	<p>Tribal Park Guardians support the well-being of Tla-O-Qui-Aht peoples and the environment, through tribal park monitoring and enforcement, tourism guiding and management, and reconnecting people to the Territory.</p> <p>Potential additional jobs related to tourism</p> <ul style="list-style-type: none"> • Tla-o-qui-aht First Nations are developing a model for harnessing tourism revenue to help fund Guardians. • The Nations are working so that 1% of annual direct revenue (e.g., \$2.3 million per year) can return to the community and help fund the Guardians program. This meets the concern that: “The Tourism Economy benefits from our stewardship, yet we don’t benefit from tourism.” • Tla-o-qui-aht have established the Tribal Parks Alliance, a voluntary network of local businesses who become Tribal Parks Allies by participating in community-building events and collecting and remitting an Ecosystem Service Fee to the Tla-o-qui-aht. • As of 2019, 28 businesses were certified Tribal Parks Allies, and over \$84,000 was raised – enough to pay the wages of three Junior Guardians employed in the summer, and for Tla-o-qui-aht to buy a marine vessel for the Guardians to better monitor and maintain remote areas of the Tribal Parks. • Guardians maintain the internationally renowned Big Tree Trail and are improving and expanding trail networks throughout the Tribal Parks – both improving and contextualizing visitors’ experiences and bolstering the local tourism economy. 	

⁴⁹⁵ BCFNEMC & UVic ELC, *supra*, 69.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
Upper Similkameen Guardians Project ⁴⁹⁶	Upper Similkameen Indian Band	BC	This project protects the lands, the siwłkw (water) and the animals through the collection of information. It allows the Upper Similkameen Indian Band the opportunity to launch projects that offer meaningful data collection, combined with Indigenous knowledge.	
Westbank First Nation Guardian Program ⁴⁹⁷	Westbank First Nation	BC	The project will build capacity and provide employment opportunities by strengthening Westbank First Nation's jurisdiction and right to self-determination on traditional territory through the protection of sacred archeological sites, the management of invasive species and ongoing monitoring of habitat restoration.	
Tseshaht - BeachKeeper Program ⁴⁹⁸	Tseshaht First Nation	BC	This program provides training for Guardians who will serve as ambassadors for their traditional lands and culture. The Guardians serve to provide cultural interpretation, maintenance, cleaning, and wildlife monitoring within the Broken Group Islands.	
Dane nan yé dāh Land Guardian Program ⁴⁹⁹	Dena Kayeh Institute	BC	This program establishes baseline water monitoring sites to be identified in 5-10 priority water bodies within the Liard river watershed. Training and education initiatives increases the capacity of their current members to assist in land and resource decision making.	
Gitanyow Lax'yip Guardians ⁵⁰⁰	Gitanyow Huwilp Society	BC	This project employs more Gitanyow people as guardians of their territory while developing their skills, education and capacity in enforcement, environmental monitoring and restoration.	

⁴⁹⁶ ECCC-IGPP, *supra*.

⁴⁹⁷ ECCC-IGPP, *supra*.

⁴⁹⁸ ECCC-IGPP, *supra*.

⁴⁹⁹ ECCC-IGPP, *supra*.

⁵⁰⁰ ECCC-IGPP, *supra*.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
P'egp'ig'lha Guardian Program ⁵⁰¹	P'egp'ig'lha Guardian Program	BC	This project gathers information on the human impact in the Northern St'át'imc area to help guide governance decision-making. It also identifies the key environmental issues in the territory so that decisions are made based on what is happening on the ground. It also informs local organizations and tourists about T'it'q'et's responsibilities to the land.	
Scia'new Guardian Project ⁵⁰²	Beecher Bay First Nation	BC	This project allows for long term species monitoring and the development of long-term monitoring projects for marine life in their traditional lands and waters.	
Ditidaht First Nation Guardian Program ⁵⁰³	Ditidaht First Nation	BC	The project hopes to ensure the biological and cultural richness of Ditidaht traditional territory by monitoring and documenting the existing state of fish, wildlife and plant species and associated habitats. Guardian activities will include the transfer of knowledge to the community while using traditional names and using methods that will least affect the land for future generations.	
Southern Dakelh Guardians Project ⁵⁰⁴	Southern Dakelh Nation Alliance	BC	This project establishes systems for the communities to collect data in a way that is more meaningful to Indigenous priorities. This is done by collecting environmental data for a better understanding of traditional resources, as well as research projects. The project also serves to strengthen ties between the four nation members: Nazko, Lhtako Dene, Lhoosk'uz Dene, and the Ulkatcho.	

⁵⁰¹ ECCC-IGPP, *supra*.

⁵⁰² ECCC-IGPP, *supra*.

⁵⁰³ ECCC-IGPP, *supra*.

⁵⁰⁴ ECCC-IGPP, *supra*.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
Williams Lake Indian Band Guardian Program ⁵⁰⁵	Williams Lake Indian Band	BC	The project intends to ensure community protocols are respected to provide environmental protection of fish and wildlife use, Traditional Use Studies and knowledge transfer to monitor fire activity and build relationships with nearby First Nations.	
Taku River Tlingit Land Guardians ⁵⁰⁶	Taku River Tlingit First Nation	BC	Land management issues including wildlife health monitoring (caribou, moose, grizzly bear), wildlife population surveys, contaminant inventory (placer mines), land reclamation/restoration, invasive species, First Nation harvest monitoring.	
Nak'azdli Whut'en Guardians Program ⁵⁰⁷	Nak'azdli Whut'en First Nation	BC	Nak'azdli is looking to start a guardian program to get our people back on the land and water to protect and improve management practices, policies and decisions. This initiative is being spearheaded by the Natural Resources Department under guidance from the Chief and Council and the Natural Resource Committee.	
K'ómoks First Nation Guardian Program ⁵⁰⁸	K'ómoks First Nation	BC	Through the Guardian Program, K'ómoks First Nation applies its traditional decision-making approach to protecting their lands and waters. Current activities of the Guardians include environmental monitoring and research, wildlife and traditional plant inventories, cultural protection and community outreach. Specific projects have included eel grass and kelp mapping, salmon hatchery work, butterfly research, medicinal plants inventory, cultural site inventory and monitoring, shellfish and crustacean sampling, and poaching patrols.	

⁵⁰⁵ ECCC-IGPP, *supra*.

⁵⁰⁶ NU, "Taku River Tlingit First Nation," online: *Indigenous Guardians Toolkit*, <https://www.indigenousguardianstoolkit.ca/communities/taku-river-tingit-first-nation>.

⁵⁰⁷ NU, "Nak'azdli Whut'en," online: *Indigenous Guardians Toolkit*, <https://www.indigenousguardianstoolkit.ca/communities/nakazdli-whuten>.

⁵⁰⁸ NU, "K'ómoks First Nation," online: *Indigenous Guardians Toolkit*, <https://www.indigenousguardianstoolkit.ca/map>.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
The Wei Wai Kum Guardians ⁵⁰⁹	Wei Wai Kum First Nation	BC	The Wei Wai Kum Guardians monitor the impacts of resource use on the health of priority ecological and cultural values and monitor, report and/or enforce violations to existing Band policies as well as provincial and federal regulations.	
Mamalilikulla Guardian Program ⁵¹⁰	Mamalilikulla First Nation	BC	The Mamalilikulla Guardian Program monitors activities within the lands and waters in the territories, carries out ecological and marine health research as part of the Nations' marine plan, monitors crab, prawn and commercial clam harvesting, monitors the Loxiwe clam garden, monitors wildlife, and does public communication and outreach. During the summer months they are monitoring recreation and development activities, including commercial over-fishing, fish farming, oil spills, high marine traffic volume and logging impacts.	
Da'naxda'xw/Awaetlala First Nation Guardian Program ⁵¹¹	Da'naxda'xw/Awaetlala First Nation	BC	The Da'naxda'xw/Awaetlala First Nation Guardians start with the late hunting season from January to mid-March, then they are present during Eulachon harvesting month of April. By mid-May they are patrolling the territory during tourist season through to mid-October and in November and December they patrol the area during the first part of hunting season	

⁵⁰⁹ NU, "Wei Wai Kum First Nation," online: *Indigenous Guardians Toolkit*, <https://www.indigenousguardianstoolkit.ca/map>.

⁵¹⁰ NU, "Mamalilikulla First Nation," online: *Indigenous Guardians Toolkit*, <https://www.indigenousguardianstoolkit.ca/map>.

⁵¹¹ NU, "Da'naxda'xw/Awaetlala First Nation Guardian Program," online: *Indigenous Guardians Toolkit*, <https://www.indigenousguardianstoolkit.ca/communities/danaxdaxwawaetlala-first-nation-guardian-program>.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
Kitsumkalum Guardian Program ⁵¹²	Kitsumkalum of the Tsimshian Nation	BC	<ul style="list-style-type: none"> • Water quality monitoring on the various streams and lakes within our traditional territory (baseline data). • Kitsumkalum Lake Spawning channel monitoring and enumeration (sockeye). • Dungeness crab larvae trawls – effects of climate change. • Coho habitat rehabilitation, Fry trapping, Water quality and fish passage issues. • Monitoring Clam beaches for activity. • Eulachon larvae sampling and inventory. • Kelp and Eel grass surveys. • Catch monitoring of our Food, Social and Ceremonial fishery. • Creel survey of the Skeena Salmon sport fishery – within our traditional territory. • Compliance monitoring of fish and wildlife activities within our traditional territories. • Patrols utilizing trucks, snowmobiles, UTV, Ocean Boat and River Jet boats. • Investigate occurrences. • Gather time sensitive evidence. • Pass information to the appropriate regulatory agencies (RCMP, BC Conservation Officer Service, Natural Resources Officers, DFO Fishery Officers). • Surveillance of illegal activity utilizing Drones and Trail cameras. 	

⁵¹² NU, “Kitsumkalum,” online: *Indigenous Guardians Toolkit*, <https://www.indigenousguardianstoolkit.ca/communities/kitsumkalum>.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
Kaska Dena Land Guardians ⁵¹³	Kaska Nation/Kaska Dene Nation	BC/YK	<p>Education and training</p> <ul style="list-style-type: none"> ● Launched the Dechenla Environmental and Cultural Studies Program in 2007. ● Trains Dena youth in areas of environmental management and monitoring, Dena culture, and bush skills (3-to-6-week program). ● Program wants to develop a technical and certifiable skills to enable graduates to work as guardians/environmental monitors. ● Yukon Department of Education authorized program as a Grade 11 course. ● Dechenla Lodge and the Dechinta Bush University for Research and Learning launched Indigenous Boreal Guardians Program in 2015. <p>Potential additional jobs related to tourism</p> <ul style="list-style-type: none"> ● Kaska Dena Land Guardians help to educate the public and interact with hunters during peak season, provide local knowledge, undertake harvest data collection, and monitor wildlife health and climate change. 	
Keepers of the Land ⁵¹⁴	Sahtu Dene Council - Sahtú Nę K'édiké	NT	<p>Sahtu Dene Council (Deline)</p> <p>As part of a larger Indigenous collective, Guardians in Nío Nę P'ęné will increase their visible presence throughout their lands and will monitor changes taking place on their lands. This project will educate Guardians in the enforcement of Dene laws and codes, as well as maintenance of trails and camps. This project will also work to partner with Universities and other institutions in conducting and managing research on traditional lands.</p>	Sahtú Nę K'édiké Guardians have increased their visible presence throughout their lands and monitor changes taking place on their lands. This program educates Guardians in the enforcement of Dene laws and codes, as well as maintenance of trails and camps.

⁵¹³ BCFNEMC & UVic ELC, *supra*, 60-61, 68.

⁵¹⁴ ECCC-IGPP, *supra*.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
Nę K'ádiKe - Keepers of the Land Network ⁵¹⁵	Sahtú Dene Council	NT	This project contributes to health, economic development, expanded employment, food security, local and regional governance, reconciliation, and cultural and spiritual integrity for Sahtú Dene Nations.	<ul style="list-style-type: none"> • Keepers of the Land Network
Yellowknives Dene Guardians Project ⁵¹⁶	Yellowknives Dene First Nation	NT	This project allows for more formal stewardship activities over the Yellowknives Dene First Nation traditional lands. This will help ensure that the environmental impacts of human activities are sustainable and preserve the social, cultural, and ecological relationships they have maintained with their environment for millennia.	
Ni Hat'ni Dene Guardians ⁵¹⁷	Thaidene Nënë	NT	<p>The Ni Hat'ni Dene Guardians undertake many activities to steward Thaidene Nënë. These include:</p> <ul style="list-style-type: none"> • Environmental monitoring – caribou harvest, caribou populations, water monitoring and fish sampling. • Educate individuals on Łutsël K'é harvesting laws. • Maintain the integrity of cultural sites and the natural beauty within Thaidene Nënë. • Monitor and document visitor activity, cultural features, and environmental/wildlife values. • Transmit cultural and scientific knowledge to younger generations. <p>The Guardians spend prolonged periods of time out on the land, monitoring environmental changes, interacting with visitors and maintain cultural sites.</p>	

⁵¹⁵ ECCC-IGPP, *supra*.

⁵¹⁶ ECCC-IGPP, *supra*.

⁵¹⁷ NU, "Ni Hat'ni Dene Guardians," online: *Indigenous Guardians Toolkit*, <https://www.indigenousguardianstoolkit.ca/communities/ni-hatni-dene-guardians>.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
Dehcho K'ehodi Stewardship Program⁵¹⁸	Dehcho First Nations	NT	<ul style="list-style-type: none"> • Current activities include: land-based youth programs, growing regional initiatives. • Future activities: environmental monitoring, water monitoring, community-driven research initiatives, data management, visitor interactions, and youth programs. 	

⁵¹⁸ NU, "Dehcho First Nations," online: *Indigenous Guardians Toolkit*, <https://www.indigenousguardianstoolkit.ca/communities/dehcho-first-nations>.

<p>Marian Watershed Stewardship Program Tłıchq Aquatic Ecosystem Monitoring Program Boots-on-the-Ground Program⁵¹⁹</p>	<p>Tłıchq Dene First Nation</p>	<p>NT</p>	<p>The Tłıchq have three distinct programs that they run. The Marian Watershed Stewardship Program is contributing to a growing body of knowledge and capacity-building for a community-based aquatic effects monitoring program in the Marian Watershed prior to the proposed NICO mine development. We will monitor cumulative effects of development, land disturbance, and climate change drawing on both Western and Aboriginal science to obtain a clear picture of baseline conditions and potential changes over time.</p> <p>Our community-driven project, the Tłıchq Aquatic Ecosystem Monitoring Program is collecting baseline information on fish and fish habitat to compare future changes and develop a way to monitor fish that builds on both traditional Tłıchq knowledge and science. Each summer the project rotates to a different Tłıchq community, and information is exchanged between elders, fishers, youth and Tłıchq scientists. Participants share Tłıchq perspectives on assessing ecosystem health and take part in hands-on scientific monitoring activities such as collecting fish tissues and water and sediment samples for analysis.</p> <p>Boots-on-the-Ground is a caribou monitoring program based on the traditional knowledge of indigenous elders and harvesters. The program is studying Kokèti (Contwoyto lake), where the teams camp and travel on foot and by boat to follow caribou and document TK and wildlife observations. The long term traditional knowledge monitoring program for the Bathurst caribou will monitor the conditions of Bathurst herd's summer range by focusing on the following indicators: caribou habitat and environment, caribou, predators, and industrial disturbance. The program is based on the principle that local people who live on the land and rely on caribou for their daily subsistence are the people best positioned to know the current conditions of caribou and of the land.</p>	
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Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
Nahendeh Kehotsendi ⁵²⁰	Kátt'odeeche First Nation	NT	This project establishes a land monitoring project, based on traditional knowledge and experience. However, it uses contemporary technology and techniques as required. This will help develop a knowledge base that can be used to guide land management decisions by the Kátt'odeeche First Nation and other governments.	
The Carcross/Tagish First Nation ⁵²¹	The Carcross/Tagish First Nation	YT	Jobs for healing land and waters <ul style="list-style-type: none"> • Initiated a monitoring and planning process in the early 1990s in response to declining caribou population in the Southern Lakes region • The Nation reports, “[t]hat herd is doing better now; our monitors are responsible, in part.” 	
Shadhäla, Äshèyi yè kwädän (Champagne and Aishihik First Nations (CAFN)) ⁵²²	Shadhäla, Äshèyi yè kwädän (Champagne and Aishihik First Nations)	YT	Enhancing Enforcement Authority <ul style="list-style-type: none"> • Shadhäla, Äshèyi yè kwädän (Champagne and Aishihik First Nations (CAFN)) government has law-making authority and responsibility equivalent to those of the territorial and federal governments, with paramount jurisdiction in many areas. • CAFN have their own Fish and Wildlife Act, which includes law-making responsibilities over harvesting permits, trap setting, and hunting licenses. • These laws are enforced by officers appointed by the First Nations Council, and fines collected are retained and used by CAFN. • CAFN implemented a Wildlife Harvesting Regulation with respect to moose management. 	

⁵¹⁹ NU, “Marian Watershed Stewardship Program, Tłı̨cẖo Aquatic Ecosystem Monitoring Program, Boots-on-the-Ground Program,” online: *Indigenous Guardians Toolkit*, <https://www.indigenousguardianstoolkit.ca/communities/marian-watershed-stewardship-program-tlcho-aquatic-ecosystem-monitoring-program-boots>.

⁵²⁰ ECCC-IGPP, *supra*.

⁵²¹ BCFNEMC & UVic ELC, *supra*, 72.

⁵²² BCFNEMC & UVic ELC, *supra*, 82-83.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
Teslin Tlingit Nation Game Guardians ⁵²³	Teslin Tlingit Nation	YT	<p>Enhancing Enforcement Authority</p> <ul style="list-style-type: none"> • The Nation entered into a Self-Government Agreement with the federal and territorial governments in 1993 and signed an Administration of Justice Agreement with the same governments in 2011. • The Teslin Tlingit government passed the Teslin Tlingit Peacemaker Court & Justice Council Act: ax'kh xh'adu wus'yé, which created the Peacemaker Court. • Peacemaker Court provides consent-based dispute resolution court services; eventually this will evolve into adjudication and appeal court services. The Teslin Tlingit Council has jurisdiction over a number of areas, including but not limited to natural resources, gathering, hunting, trapping, or fishing, and protection of fish, wildlife, and habitat. • Teslin Tlingit game guardians are employed to investigate and collect evidence with respect to environment infractions that occur on Teslin Tlingit traditional territory – game officers wear uniforms and carry rifles and must receive land and resource training. 	
Tr'ondëk Hwëch'in First Nation Land and Resources Department ⁵²⁴	Tr'ondëk Hwëch'in First Nation	YT	<p>Guardians and environmental assessment</p> <ul style="list-style-type: none"> • Tr'ondëk Hwëch'in First Nation works to monitor commercial forestry and works with territorial mine inspectors to ensure adherence to licenses - including licenses issued by the Tr'ondëk Hwëch'in. • The nation is also gathering data for detailed reports on traditional camps and ecologically or culturally important areas, which are provided to the Yukon Placer Secretariat in the interest of more effective protection of these sites by placer mining regulators. 	

⁵²³ BCFNEMC & UVic ELC, *supra*, 83.

⁵²⁴ BCFNEMC & UVic ELC, *supra*, 95.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
Kluane First Nation Guardian Program ⁵²⁵	Kluane First Nation	YT	The project will collect data and develop various management plans for enhancement and protection of wildlife populations, including moose and caribou. This information will ultimately inform community decision-making and participation in the environmental assessment process for essential and traditional food sources.	
Mikisew Cree First Nation Guardian project ⁵²⁶	Mikisew Cree First Nation	AB	This project provides culturally based educational opportunities for youth and Elders to come together. It also provides information to assist the Mikisew Cree First Nation in stewarding their land. It informs their position in using a process that includes land management policies.	
Dene Tha' Guardian Project ⁵²⁷	Dene Tha' First Nation	AB	This project supports current monitoring efforts to help set goals and ensure the effective management of Dene Tha' lands and waters.	

⁵²⁵ ECCC-IGPP, *supra*.

⁵²⁶ ECCC-IGPP, *supra*.

⁵²⁷ ECCC-IGPP, *supra*.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
Athabasca Chipewyan First Nation Guardian Program ⁵²⁸	Athabasca Chipewyan First Nation	AB	<p>ACFN has been operating a community-based monitoring (CBM) program since 2010. As development pressures continue to grow however, environmental monitoring is not enough. We are seeing an increase in non-Indigenous peoples poaching and illegally hunting on our traditional territory. Incursions of hunters, fishers, recreational vehicle users from the south and mining exploration activity into the lands that we rely on for access to our treaty and Aboriginal rights has eroded our confidence in the ability or willingness of government to protect our rights and honour Treaty 8. We feel it also necessary to actively patrol our backcountry to prevent unwanted development and impacts, especially to the Ronald Lake Bison herd. Our efforts will also focus on the Richardson Backcountry. ACFN has therefore launched a Guardian program, which complements and builds off of the community-based monitoring work. The Guardian patrol implements our Nation's access management strategy to ensure that unsanctioned activities are not taking place within our homelands and that protocols are being observed. Our strategy is to protect and steward the lands and water according to Dene law and the guidance of our Elders, as we have done for generations. In doing so, we will be strengthening an effective model of land and water care that is grounded in culture and tradition.</p>	

⁵²⁸ NU, "Athabasca Chipewyan First Nation," online: *Indigenous Guardians Toolkit*, <https://www.indigenousguardianstoolkit.ca/communities/athabasca-chipewyan-first-nation>.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
Prince Albert Model Forest - Stewards for the Land ⁵²⁹	Beardy's and Okemasis' Cree Nation, Nêhiyawak, and Muskeg Lake Cree Nation	SK	Education and training <ul style="list-style-type: none"> • Program “features the development of skills related to Traditional Ecological Knowledge (TEK), cultural awareness, forestry, law, fire management, health, and environmental sciences,” and “adopts a holistic approach that combines teachings from Elders, while providing youth with hands-on experiences in basic skills required for natural resource careers.” • Beardy's and Okemasis' Cree Nation, Nêhiyawak, and Muskeg Lake Cree Nation developed the program (building off the success of the Junior Resource Ranger program, see above) • Previous program “produced over 400 graduates and at its peak ... had 10 participating communities between 2006 and 2015.” 	<ul style="list-style-type: none"> • In partnership with the Prince Albert Grand Council and Saskatchewan Polytechnic's Integrated Resource Management Program (previously known as the Junior Resource Rangers program) facilitates the Stewards for the Land program
Mistawasis Nêhiyawak Guardians Project ⁵³⁰	Mistawasis Nêhiyawak	SK	This project helps conserve a dwindling population of free roaming plains bison: The Sturgeon River Plains bison herd, which uses private lands and the southwest corner of the Prince Albert National Park.	
Misipawistik Cree Nation Guardians Program ⁵³¹	Misipawistik Cree Nation	MB	Misipawistik Cree Nation (Grand Rapids) As part of a Manitoba regional group, the Misipawistik Cree Nation has begun exploring the model of an Indigenous Protected Area (IPA) for their lands and waters. They are proposing the creation of a Guardians program in their community that can help monitor the ecological health of their lands and manage and steward those lands over time. As a main priority for this period, the program will focus on controlling overhunting and overfishing in the area by establishing a monitor and Guardian presence, including ice fishing over winter.	

⁵²⁹ BCFNEMC & UVic ELC, *supra*, 61.

⁵³⁰ ECCC-IGPP, *supra*.

⁵³¹ ECCC-IGPP, *supra*.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
Nisichawayasihk Cree Nation ⁵³²	Nisichawayasihk Cree Nation	MB	<ul style="list-style-type: none"> • Monitoring • Data Collection and data management • Research • Education and outreach to general public and resource users Youth engagement and outreach • Compliance and enforcement • Implementing plans and policies 	
Pimachiowin Aki World Heritage Site - Land Guardians ⁵³³	Pimachiowin Aki Corporation	MB	The Lands Guardians program works closely with existing land users and contributes to Pimachiowin Aki's core programs. It ensures that monitoring practices meet the requirements of its UNESCO World Heritage designation	
Pimachiowin Aki World Heritage Site Guardians Network ⁵³⁴	Pimachiowin Aki Corporation	MB	This project uses the strategy set out in Pimachiowin Aki management plans, including protection of biodiversity and imperiled species and places, local economic development, and Elders and youth working together. It also includes the recovery of Pimachiowin Aki cultural tradition of caring for the land, and compliance with laws for moose hunting, fishing, cabin construction, litter control, wild rice growing and harvesting, and protection and preservation of sacred sites.	<ul style="list-style-type: none"> • Pimachiowin Aki World Heritage Site Guardians Network
Tataskweyak Cree Nation Guardians Project ⁵³⁵	Tataskweyak Cree Nation	MB	This project aims to support the Nation's assertion of their treaty rights and title, and ensures health and security for their land, water and people. This project results in education, employment opportunities and renewed relationship between TCN people and their land.	

⁵³² NU, "Nisichawayasihk Cree Nation," online: *Indigenous Guardians Toolkit*, <https://www.indigenousguardianstoolkit.ca/communities/nisichawayasihk-cree-nation>.

⁵³³ ECCC-IGPP, *supra*.

⁵³⁴ ECCC-IGPP, *supra*.

⁵³⁵ ECCC-IGPP, *supra*.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
Fox Lake Cree Nation Guardian Program ⁵³⁶	Fox Lake Cree Nation	MB	The project hopes to re-establish traditional authority with a strong desire to connect youth to Elders, preserve lands through monitoring and integration of traditional ecological knowledge with new environmental initiatives, build capacity and increase economic opportunities for the community.	
Poplar River Lands Guardian program ⁵³⁷	Poplar River First Nation	MB	Poplar River's stewardship planning and guardian work is organized and delivered under Chief and Council and the Lands Working Group. To date, the focus has been on developing a Land Use Plan that expresses Poplar River's vision for land management and protection, working with First Nation, community and provincial partners to obtain UNESCO World Heritage Site status for traditional lands, developing a comprehensive Lands Guardian program, and building knowledge and understanding of the muskeg environment.	
Four Rivers Regional Guardians Network ⁵³⁸	Matawa First Nations Management	ON	The Network builds community capacity to empower Matawa First Nations to actively manage their homelands and traditional territories through a network of community environmental monitors. These monitors are the eyes and ears on the lands and waters.	

⁵³⁶ ECCC-IGPP, *supra*.

⁵³⁷ NU, "Poplar River First Nation," online: *Indigenous Guardians Toolkit*, <https://www.indigenousguardianstoolkit.ca/communities/poplar-river-first-nation>.

⁵³⁸ ECCC-IGPP, *supra*.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
Mushkegowuk Guardian Program ⁵³⁹	Mushkegowuk Council	ON	Mushkegowuk Council (Moose Factory) Mushkegowuk Council, through an initiative with its member communities, wishes to establish a “Guardians Program” where community youth, Elders and harvesters and the community Environmental Stewards will work together to collect traditional knowledge of climate over time and observations that can be mapped. The program also has a strong partnership with several Ministries and Universities who are doing scientific research on the wetlands and peatland areas within the Territory.	This Guardians Program enables youth, Elders and harvesters to work with environmental stewards using traditional knowledge to collect information on climate change for mapping purposes.
Kitchissippi Watershed Lake Trout Monitoring Project ⁵⁴⁰	Algonquins of Ontario	ON	This project draws on traditional knowledge from Algonquin Elders and land-users to explore environmental changes observed over time.	
Resource Protection Program ⁵⁴¹	Walpole Island First Nation	ON	This program protects and patrols the traditional territory of Walpole Island First Nations, including traditional water, forests, marshes and wildlife, specifically conserving tallgrass prairie and medicines. It also takes action to enforce fishing and hunting permits and public safety while facilitating education and networking opportunities for potential Guardians.	
Anishinabek Traditional Ecological Guardians of Georgian Bay ⁵⁴²	Magnetawan First Nation	ON	This project continues long-term monitoring studies of vulnerable Species at Risk. It also monitors the impacts of climate change on the habitats within the UNESCO designated biosphere reserve in which the Magnetawan First Nation is located.	

⁵³⁹ ECCC-IGPP, *supra*.

⁵⁴⁰ ECCC-IGPP, *supra*.

⁵⁴¹ ECCC-IGPP, *supra*.

⁵⁴² ECCC-IGPP, *supra*.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
Weenusk Guardians Project ⁵⁴³	Weenusk First Nation	ON	This project builds the Weenusk First Nation community's capacity to monitor, analyze, and determine what happens within their traditional lands in relation to the flora, fauna, and resources.	
Asubpeeschos eewagong Anishinabek Guardian Program ⁵⁴⁴	Grassy Narrows First Nation	ON	The project will increase community capacity to formally monitor flora, fauna, cultural sites and human land uses by sharing Traditional Ecological Knowledge, practices and values. Restoration of heritage routes is also a priority to facilitate low impact uses of land such as eco-tourism and traditional harvesting.	
Northeast Superior Guardianship Program ⁵⁴⁵	Wahkohtowin Regional Development Corporation	ON	The Wahkohtowin Development program is designed to engage multi-sectors in forest, water, land and animal monitoring of importance, as well as use and occupancy of area First Nations. Currently through Forest Tenure reform each of our First Nations are also embarking on establishing Stewardship Departments - home to community-based Guardians.	
Shkakamik Kwe Genwenmaji ⁵⁴⁶	Wiikwemkoong Unceded Territory	ON	The project intends to establish monthly monitoring patrols on the land, organize on-reserve events to raise awareness on sustainable harvesting and habitat protection, promote dialogue on climate change between Guardians and Elders and support Youth learning activities to enhance their cultural identity.	

⁵⁴³ ECCC-IGPP, *supra*.

⁵⁴⁴ ECCC-IGPP, *supra*.

⁵⁴⁵ NU, "Northeast Superior Guardianship Program," online: *Indigenous Guardians Toolkit*, <https://www.indigenousguardianstoolkit.ca/communities/northeast-superior-guardianship-program>.

⁵⁴⁶ ECCC-IGPP, *supra*.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
Listuguj Rangers Program ⁵⁴⁷	Listuguj Mi'gmaq First Nation	QC	<p>Enhancing Enforcement Authority</p> <ul style="list-style-type: none"> ● Dissatisfied at inadequate fisheries management by the province of Quebec, unilaterally and successfully took over control and management of their fishery. ● Through an approximately 18-month process of community consultation, the Listuguj Mi'gmaq First Nation Law on Fisheries and Fishing (the "Fishing Law") was drafted, then ratified by traditional Listuguj leaders in 1995 pursuant to Mi'gmaq custom. ● The Fishing Law's authority comes from the inherent jurisdiction of Listuguj Mi'gmaq First Nation and is not dependent on delegated authority from another government. ● The Fishing Law provides for a Listuguj Rangers Program; the rangers are responsible for enforcement. ● 1995 the Atlantic Salmon Federation awarded the Listuguj Mi'gmaq First Nation for the best-managed river in the province. ● Restigouche River - the rangers patrol using three boats, a canoe, and two fully serviced trucks from June to October. ● About forty rangers are employed. 	
Programme des gardiens de les Nations Innues du Québec ⁵⁴⁸	La Nation Innue	QC	This program covers all nine communities of the Innu Nations of Québec and establishes Indigenous Guardians in each community. The Guardians work to mitigate climate impacts and conserve traditional lands.	

⁵⁴⁷ BCFNEMC & UVic ELC, *supra*, 86-87.

⁵⁴⁸ ECCC-IGPP, *supra*.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
Atiku-napeu ⁵⁴⁹	Conseil de la Première Nation des Innus Essipit	QC	The project intends to protect the Essipit 'Nitassinan' by monitoring the land and its resources, ensure the respect of traditional Innu practices by implementing an Elder Committee, and collaborating with various partners and nearby Nations to protect the land. The project will also focus on providing employment opportunities and encourage knowledge transfer between Elders and Youth	
Kitigan Zibi Anishinabeg Aki Sibi Guardian Initiative ⁵⁵⁰	Kitigan Zibi Anishinabeg	QC	This project monitors all activities and overall health of the territories, including baseline data, and follow-up. It also aims to transfer knowledge between the generations; and increase capacity in the Kitigan Zibi Anishinabeg community through training and education.	
Nation Crie de Eastmain ⁵⁵¹	Cree Nation Government	QC	This project aims to help the community be more proactive in managing their territory, develop local capacity, expand traditional knowledge, and have more influence on new industrial developments.	

⁵⁴⁹ ECCC-IGPP, *supra*.

⁵⁵⁰ ECCC-IGPP, *supra*.

⁵⁵¹ ECCC-IGPP, *supra*.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
The Innu Nation Guardians ⁵⁵²	Innu Nation	NL	<p>Guardians and environmental assessment</p> <ul style="list-style-type: none"> • Innu Nation Guardians, who have existed since 1992, negotiated an Impacts and Benefits Agreement (IBA) with industry with respect to massive nickel mining operations in Voisey's Bay. The IBA provides for Innu participation in cooperative environmental monitoring, management, and planning of the project, while a companion agreement with the federal and provincial governments gives the Innu a direct role in regulatory oversight and compliance monitoring. • Out of 14 Innu Environmental Guardians, 2 are employed as full-time Voisey's Bay Monitors. Moreover, Guardians are dispatched as part of every industrial development in Innu territory. 	<p>Education and training</p> <ul style="list-style-type: none"> • Collaborated with Gorsebrook Research Institute at Saint Mary's University to run the Environmental Guardians Program.

⁵⁵² BCFNEMC & UVic ELC, *supra*, 60,95.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
Aboriginal Fisheries Guardian Program ⁵⁵³	NunatuKavut Community Council	NL	<p>Aquatic, terrestrial, and ocean ecosystems; species at risk, including boreal caribou; food, social and ceremonial fisheries; land use; and food security.</p> <p>With over 40 years of collective experience by local Guardians, the Aboriginal Fisheries Guardian Program is designed to support the management, protection and enforcement of the NCC communal fishing and wildlife activities within NunatuKavut. The Guardians work closely with DFO Fisheries Officers and, on many occasions, are the first line of communication with NCC membership, educating members about licenses, reporting violations, fish and fish habitat, wildlife, monitoring and reporting. In addition to this, the Guardians often participate and provide crucial local information during DFO stakeholder consultations and community level meetings. Their contribution cannot be understated and provides a valuable means of relationship building with NCC communities, management and its members. They also present at special interest group meetings, schools, workshops and youth/elder functions.</p>	
Natural Resources Aboriginal Fisheries Guardians Program ⁵⁵⁴	Miawpukek First Nation	NL	Miawpukek Guardians monitor traditional salmon rivers and ponds, wildlife, plants, and species at risk. Education and peer learning between Indigenous and non-Indigenous communities, including with youth and Elders is emphasized.	

⁵⁵³ NU, "NunatuKavut Community Council," online: *Indigenous Guardians Toolkit*, <https://www.indigenousguardianstoolkit.ca/communities/nunatukavut-community-council>.

⁵⁵⁴ ECCC-IGPP, *supra*.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
Fort Folly Habitat Recovery ⁵⁵⁵	Fort Folly First Nation	NB	<p>Fort Folly First Nation Salmon health has been of significant concern as pollutants are being introduced into their natural habitat. The Fort Folly Habitat Recovery project implements an innovative recovery approach for salmon conservation on the Petitcodiac River, in partnership with Fundy National Park, the Department of Fisheries and Oceans (DFO), the Atlantic Canada Fish Farmers Association, the University of New Brunswick and the Province of New Brunswick. This model is branded “Fundy Salmon Recovery” and sees wild juvenile salmon smolt captured and reared to maturity at their marine conservation farm by our industry partners. Once mature, these wild fish are returned to their home rivers to spawn. This approach mitigates the high marine mortality that is seen within the iBoF salmon population as this is the main factor limiting recovery of the population to self-sustaining levels.</p>	This program promotes the role of Indigenous peoples in evaluating ecosystem health and restoring species and their habitats.
Wolastoqey Nation in New Brunswick Guardian Program ⁵⁵⁶	Wolastoqey Nation	NB	This project will promote and advance Wolastoqiyik co-management of Wolastoq (St. John River) through conservation, stewardship, and education. Guardians will work closely with Youth, Elders and land users to enhance intergenerational collaboration by sharing Traditional Ecological Knowledge and Western Science.	

⁵⁵⁵ ECCC-IGPP, *supra*.

⁵⁵⁶ ECCC-IGPP, *supra*.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
Tobique First Nation ⁵⁵⁷	Tobique First Nation	NB	<p>Patrols of lands/waters; monitoring (salmon, trout, eels, bass, sturgeon, catfish); data collection and management; community education and outreach; youth engagement; compliance and enforcement; implementing plans and policies; restoration work; collaborating with other Nations; working with government.</p> <p>We have four designated DFO Guardians and five River Monitors. We do joint patrols with DFO.</p>	
Unama'ki Institute of Natural Resources/The Confederacy of Mainland Mi'kmaq Parks Guardian Program ⁵⁵⁸	The Confederacy of Mainland Mi'kmaq	NS	<p>The Confederacy of Mainland Mi'kmaq (Truro) The Mi'kmaq communities have strong community-based programs that contribute to the management and protection of their natural resources. The Unama'ki Institute of Natural Resources (UINR) and The Confederacy of Mainland Mi'kmaq (CMM) are the technical advisory bodies to both their respective communities as well as to the Assembly of NS Chiefs on matters of natural resource management in Nova Scotia.</p> <p>UINR and CMM have been tasked by the Chiefs to work with member communities to increase their capacity to manage and protect natural resources for future generations. Through partnerships and negotiations with both Federal and Provincial governments, Mi'kmaq communities are prepared to participate in resource management beyond their current roles in research and habitat enhancement.</p>	

⁵⁵⁷ NU, "Tobique First Nation," online: *Indigenous Guardians Toolkit*, <https://www.indigenousguardianstoolkit.ca/communities/tobique-first-nation>.

⁵⁵⁸ ECC-IGPP, *supra*.

Program name	Nation / proponent	Region	Activity and skill development / Categories of applied stewardship	Governance / Network Affiliations / Relationships
Glooscap Natural Resource and Environment department ⁵⁵⁹	Glooscap First Nation	NS	The Glooscap Natural Resource and Environment department is responsible for administering the Food, Social and Ceremonial component. This includes distributing lobster tags to Glooscap First Nation members, responding to members questions and requests, planning and delivering community workshops and also attending all Food Social and Ceremonial fisheries related meetings throughout the province. Other duties relate to understanding and keeping Council and the community informed on issues related to Species at Risk, hunting rights and environmental concerns.	
Nova Scotia Mi'kmaq Land Guardian Network ⁵⁶⁰	Unama'ki Institute of Natural Resources Eskasoni, Membertou, Potlotek, Wagmatcook, and We'koqma'q First Nations	NS	This project expands on the existing community Guardian project network, which has been largely restricted to fisheries management. It provides a more holistic management approach that is more in-line with traditional First Nations management practices.	
Lennox Island First Nation Guardian Program ⁵⁶¹	Lennox Island First Nation	PE	This project intends to enhance awareness of coastal resource stewardship responsibilities, provide employment opportunities and empowerment within Lennox Island and engage Youth in conservation efforts. The Guardians program will also serve as a platform to develop and maintain cooperative relationships between Guardians, commercial fishers and band members.	

⁵⁵⁹ Glooscap First Nation, "Natural Resources and Environment," online: *Glooscap First Nation*, <https://www.glooscapfirstnation.com/copy-of-education>.

⁵⁶⁰ ECCC-IGPP, *supra*.

⁵⁶¹ ECCC-IGPP, *supra*.

Appendix B: Role of Guardians in Meeting Global Enviro Commitments

The National First Nations Guardians Network (Network) can play a major role in partnering with the Canadian government to deliver on a number of significant international commitments that Canada has made with respect to protecting biodiversity, fighting climate change, and conserving important and fragile ecosystems, including:

- UN 2030 SDGs;
- *Convention on Biological Diversity*;
- UN Framework Convention on Climate Change / The Paris Agreement;
- Ramsar Convention on Internationally Important Wetlands;
- North American Bird Conservation Initiative and Migratory Bird Convention;
- Agreement on Cooperation on Marine Oil Pollution in the Arctic;
- Great Lakes Water Quality Agreement;

By deploying a vast, coast-to-coast-to-coast network of highly skilled Guardians who are intimately knowledgeable about and connected to the land on which they work, the Network will scale up the proven successes of existing individual Guardians programs into a national force for conservation, making Canada an international conservation leader.

The UN 2030 SDGs (SDG)

In 2015, Canada, together with all member-states of the UN, adopted the 2030 SDGs - an ambitious 15-year plan to address some of the world's most pressing issues. The document, *Towards Canada's 2030 Agenda National Strategy*, reaffirms Canada's commitment to renewed Nation-to-Nation, Inuit-Crown and government-to-government relationships with First Nations, Inuit and Métis based on the recognition of rights, respect, cooperation and partnership. This entails:

- Recognizing Indigenous Peoples' right to self-determination;
- Adopting a distinctions-based approach;
- Respecting Indigenous Peoples' constitutionally protected interest in our traditional lands and resources;
- Acknowledging Indigenous Peoples' inherent jurisdiction over matters that directly impact our socio-economic and cultural well-being; and,
- Consulting and engaging meaningfully with First Nations, Inuit and Métis Peoples by working with national Indigenous partners to determine how best to reflect the contributions of Indigenous Peoples to the 2030 Agenda.⁵⁶²

Recognizing that Canada has signed modern treaties spanning more than 40 percent of Canada's landmass, the strategy affirms that "Collaboration with Indigenous Peoples is crucial to Canada's successful implementation of the 2030 Agenda."⁵⁶³

⁵⁶² ESDC, "Towards Canada's 2030 Agenda National Strategy," online: ESDC, https://www.canada.ca/en/employment-social-development/programs/agenda-2030/national-strategy.html#h2_02-h3.01.

⁵⁶³ *Ibid.*, 18.

In *Towards Canada's 2030 Agenda National Strategy*, the value and importance of Indigenous Knowledge systems is recognized and it is acknowledged that,

Indigenous peoples have the right to self-determination, including in the area of research. Achieving this is one of the most effective and efficient means of embedding Indigenous knowledge, and all other indigenous perspectives and expertise, into research, policy and programs. Self-determination in research requires that Indigenous research priorities be respected by governments, researchers, and research institutions. It can also ensure that research governance bodies, policies, and practices facilitate impactful, meaningful research and produce new knowledge that empowers Indigenous peoples to meet the needs and priorities of their communities.⁵⁶⁴

Thus, strengthening the capacity of First Nations to gather the knowledge and information we need to conserve and enjoy our traditional territories through a National First Nations Guardians Network supports both the biodiversity and climate change SDGs *and* the Canada 2030 Agenda goals of advancing First Nations' self-determination and renewed Nation-to-Nation relationships.

None of the SDGs stand in isolation but there are a few wherein a National First Nations Guardians Network can play an especially direct and impactful role:

- Goal 2: End hunger, achieve food security and improved nutrition, and promote sustainable agriculture. Guardians conservation and ecosystem restoration activities are critical for protecting traditional food sources that are essential to First Nations food security. A recent study found that 48 percent of First Nations households are food insecure, while 62-79 percent of households across different regions of Canada are actively engaged in harvesting of traditional food and 47 percent were worried that they wouldn't be able to replace traditional foods that have become increasingly unavailable.⁵⁶⁵
- Goal 6: Ensure availability and sustainable management of water and sanitation for all. Guardians play an important role in sustainable water management through ongoing wetland/inland water/marine monitoring, conservation and restoration of ecosystems that provide important water filtration and retention services.
- Goal 8: Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all. Guardians programs provide valuable employment, training and job experience opportunities where they are most scarce - in remote First Nations territories.
- Goal 13: Take urgent action to combat climate change and its impacts. Guardians mitigate climate change through conservation and restoration of healthy, carbon-sequestering ecosystems, and play a key role in helping First Nations adapt to climate change by monitoring its effects and implementing nature-based solutions to protect against climate change impacts such as flooding, erosion, forest fires, etc.
- Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development. With First Nations territories encompassing vast tracts of coastline and coastal waterways, a National First Nations Guardians Network can play a

⁵⁶⁴ *Ibid.*, 28.

⁵⁶⁵ AFN, *First Nations Food, Nutrition & Environment Study*. Report (November 2019), 6 and 141, online: AFN, http://www.fnfnes.ca/docs/FNFNES_draft_technical_report_Nov_2_2019.pdf.

key role in marine and shoreline monitoring, and in ecosystem-based fisheries management and monitoring.

- Goal 15: Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, halt and reverse land degradation and halt biodiversity loss. These describe the core activities of First Nations Guardians. When it comes to land stewardship, there is no one better placed than the First Nations that inhabit vast tracts of Canada's most ecologically important areas.
- Goal 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels. Guardians programs build institutional and self-governance capacities of First Nations in our traditional territories. A National First Nations Guardians Network is a key step towards renewed Nation-to-Nation relationships between Canada and First Nations.

The Convention on Biological Diversity & Canadian Biodiversity Strategy

The *CBD*⁵⁶⁶ is a multilateral, legally binding treaty in force in Canada since December 29, 1993. The *CBD* arose from a growing recognition that the diversity of nature is a global asset of tremendous value to present and future generations. It aims to conserve nature, ensure nature is used sustainably and that the benefits to people from the use of genetic diversity are shared fairly. Canada was the first industrialized country to ratify the Convention in 1992 and hosts the *CBD* Secretariat, located in Montreal.⁵⁶⁷

In Canada, the Canadian Biodiversity Strategy is Canada's National Biodiversity Strategies and Action Plans.⁵⁶⁸ Canada has recognized that the implementation of the goals and targets set out in its Biodiversity Strategy will rely on full and effective participation of Indigenous peoples, including First Nations, Inuit and Métis Peoples.⁵⁶⁹

Key targets under the Canadian Biodiversity Strategy, which have also been adopted as national SDGs, are the protection of 17 percent of terrestrial areas and inland water, and 10 percent of coastal and marine areas, by 2020. As of the end of 2019, however, only 12.1 percent of Canada's terrestrial area (land and freshwater) were conserved, falling short of the 2020 target by nearly one third. Marine territory protection has fared better, surpassing the 10 percent target at 13.8 percent, whereof 8.9 percent is in protected areas.⁵⁷⁰

In December 2019, the Government of Canada dramatically upped its commitment via mandate letters to the Ministers of the Environment and Climate Change,⁵⁷¹ and of Fisheries and Oceans and the Canadian Coast Guard,⁵⁷² "to introduce a new ambitious plan to conserve 25 per cent of Canada's land and 25 per cent of Canada's oceans by 2025, working toward 30 per cent of

⁵⁶⁶ ECCC, "Convention on Biological Diversity," online: ECCC, <https://www.canada.ca/en/environment-climate-change/corporate/international-affairs/partnerships-organizations/biological-diversity-convention.html>.

⁵⁶⁷ *Ibid.*

⁵⁶⁸ Biodivcanada, *supra*.

⁵⁶⁹ *Ibid.*

⁵⁷⁰ ECCC, "Canada's conserved areas," online: ECCC, <https://www.canada.ca/en/environment-climate-change/services/environmental-indicators/conserved-areas.html>.

⁵⁷¹ Prime Minister Justin Trudeau, *Minister of Environment and Climate Change Mandate Letter (2019)*, *supra*.

⁵⁷² Prime Minister Justin Trudeau, *Minister of Fisheries, Oceans and the Canadian Coast Guard Mandate Letter (13 December 2019)*, online: *Prime Minister Justin Trudeau*, <https://pm.gc.ca/en/mandate-letters/2019/12/13/minister-fisheries-oceans-and-canadian-coast-guard-mandate-letter>.

each by 2030. This plan should be grounded in science, Indigenous knowledge and local perspectives.”⁵⁷³

Prime Minister Justin Trudeau reiterated this commitment at the UN *Leaders Event for Nature and People* on September 28, 2020, pledging to join a “high ambition coalition” to advocate for a target of conserving 30 percent of the world’s lands and oceans by 2030, with the aim of having these new targets adopted as a part of the Post-2020 Global Biodiversity Framework at the 15th Meeting of the Conference of the Parties to the *CBD* in 2021.⁵⁷⁴

Canada’s ambitious new conservation targets entail a doubling of Canada’s total protected land area as of late 2019 within just 5 years to 2025, and a further significant increase leading up to 2030 to reach the 30 percent target. With 4,356 people employed with Parks Canada alone as of March 2019,⁵⁷⁵ and with Parks Canada being responsible for only 29 percent of total currently protected terrestrial area in Canada,⁵⁷⁶ it is clear that Canada will need to forge new partnerships and increase its total conservation workforce by several thousand over the next 5-10 years in order to meet its ambitious new targets.

By supporting the establishment of new IPCAs in conjunction with a National Indigenous Guardians Network with the capacity to effectively manage those areas, Canada can partner with First Nations to achieve its commitment to protect 30 percent of its landmass and the biodiversity of those lands, marking a significant milestone and point of pride in Canada’s conservation leadership.

The positive results of Indigenous land stewardship were underlined in a 2019 UBC study focused on 15,621 geographical areas in Canada, Brazil and Australia, which found that the areas managed or co-managed by Indigenous Peoples had the highest levels of biodiversity of all, even when adjusted for other variables such as size, suggesting that it is the land-management practices of Indigenous Peoples that are keeping biodiversity high.⁵⁷⁷ In light of these findings, expanding Indigenous land stewardship across the country is the most effective way to protect biodiversity.

Canada’s *Sixth National Report to the Convention on Biological Diversity*⁵⁷⁸ (2019) identified other gaps in Canada’s biodiversity goals as well, which partnership with a National Indigenous Guardians Network can help to address, including the recovery of species at risk, ecosystem-based management of fisheries, and reducing pollution levels in Canadian waters.⁵⁷⁹

The Canada 2030 Agenda⁵⁸⁰ specifically highlights the importance of Indigenous Knowledge and customary use of biological resources under Canada Targets 12 and 15:

⁵⁷³ *Ibid.*

⁵⁷⁴ ECCC, “Canada joins the High Ambition Coalition for Nature and People” (28 September 2020), online: *ECCC*, <https://www.canada.ca/en/environment-climate-change/news/2020/09/canada-joins-the-high-ambition-coalition-for-nature-and-people.html>.

⁵⁷⁵ Government of Canada, “Infobase: Infographic for Parks Canada” (accessed online 1 January 1, 2021) online: *Government of Canada*, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#orgs/dept/263/infograph/people>.

⁵⁷⁶ ECCC, “Canada’s Conserved Areas,” online: *ECCC*, <https://www.canada.ca/en/environment-climate-change/services/environmental-indicators/conserved-areas.html>.

⁵⁷⁷ Schuster, *supra*.

⁵⁷⁸ Canadian governments & partners, *supra*.

⁵⁷⁹ *Ibid.*, 3.

⁵⁸⁰ Employment and Social Development Canada, “Towards Canada’s 2030 Agenda National Strategy,” online: *Employment and Social Development Canada*, <https://www.canada.ca/en/employment-social-development/programs/agenda-2030/national-strategy.html>.

- Target 12: By 2020, customary use by Indigenous Peoples of biodiversity resources is maintained, compatible with their conservation and sustainable use.
- Target 15: By 2020, Indigenous knowledge is respected and promoted, and – where made available by Indigenous Peoples – regularly, meaningfully, and effectively informing biodiversity conservation and management decision-making.

However, as acknowledged in Canada's 6th National Report⁵⁸¹, 44, the status of Canada's progress toward Target 12 is currently unknown, and it is acknowledged that only partial progress has been made toward Target 15. A National First Nations Guardians Network would play a pivotal role in reaching and exceeding those targets thereby also contributing to Canada's other biodiversity goals and commitments.

UN Framework Convention on Climate Change / The Paris Agreement

Canada ratified the United Nations Framework Convention on Climate Change on March 21, 1994. The *Paris Agreement* is a key element of the Convention, and it was ratified by Canada on October 5, 2016. The ultimate objective of the UNFCCC is to "stabilize GHG concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system." The *Paris Agreement* aims to strengthen the global response to the threat of climate change, in the context of sustainable development and efforts to eradicate poverty.

Article 7(5) of the *Paris Agreement* states that: "Parties acknowledge that adaptation action should follow a country-driven, gender-responsive, participatory and fully transparent approach, taking into consideration vulnerable groups, communities and ecosystems, and should be based on and guided by the best available science and, as appropriate, *traditional knowledge, knowledge of indigenous peoples and local knowledge systems*, with a view to integrating adaptation into relevant socioeconomic and environmental policies and actions, where appropriate."⁵⁸²

Canada's natural ecosystems absorb and store tremendous amounts of carbon dioxide. For instance, an estimated 147 billion tonnes of carbon are stored in Canada's wetlands alone - that's equivalent to more than 900 times the annual CO₂ emissions from all industrial activity in Canada.⁵⁸³ Additionally, Canada's Boreal Forest stores about 71.4 billion tonnes of carbon in forest ecosystems.⁵⁸⁴ Thus, the conservation and restoration of carbon-sequestering ecosystems is one of the most important measures Canada can take in the global fight against climate change.

A National First Nations Guardians Network, employing up to 3000 First Nations people in their traditional territories to engage in conservation activities, will be an important partner in reaching and exceeding Canada's international commitments under the Paris Agreement.

⁵⁸¹ CHM, *supra*, 34, 48.

⁵⁸² United Nations, *Paris Agreement*, Article 7(5).

⁵⁸³ Mark Johnson, "Wetlands and Carbon - Filling the Knowledge Gap" (27 January 2017), online: *Saskatchewan Research Council*, <https://www.src.sk.ca/blog/wetlands-and-carbon-filling-knowledge-gap>.

⁵⁸⁴ Gord Vaadeland, "Grasslands, forests & wetlands – Nature's carbon capture & storage solution," online: *Canadian Parks & Wilderness Society*, <https://cpaws.org/grasslands-forests-wetlands-natures-carbon-capture-storage-solution/#:~:text=The%202008.1%20billion%20tonnes%20of,carbon%20emissions%20at%202006%20levels>.

Other International Commitments

Canada is also party to a number of additional multilateral and bilateral agreements for which a National First Nations Guardians Network can be an important ally, described below.

The Ramsar Convention on Internationally Important Wetlands

The Ramsar Convention was adopted as the first of the modern global nature conservation conventions and, today, is a highly regarded and active multilateral environmental agreement. The mission of the Ramsar Convention is the wise use of all wetlands through local and national actions and international cooperation, as a contribution towards achieving sustainable development throughout the world. Canada joined the Convention in 1981 and has a long reputation of making constructive inputs to the programs of the Convention, such as policy development, program assessment, peatlands and carbon conservation, grasslands wetland restoration, economic valuation, mitigation issues and other topics. Canada has designated 37 Wetlands of International Importance (Ramsar sites) under the Convention, including the second largest in the world, Queen Maud Gulf in Nunavut.⁵⁸⁵

Canada's Ramsar National Report to COP13 (2018)⁵⁸⁶ reported challenges in implementing the Convention that include:

- Limited data to accurately assess the full extent of wetlands in Canada, especially in the northern regions, and lack of ongoing monitoring programs to track status and trends of all classes of wetlands and key aspects of the ecological goods and services that they provide (this concern is echoed by the Canadian Wetland Roundtable 2017 Report, which calls for better long-term monitoring of wetlands);⁵⁸⁷
- Challenges with Ramsar Sites' management related to biophysical factors such as changing water levels and spread of invasive alien species;
- Development pressures on natural habitats in Southern Canada causing wetland loss, fragmentation, and degradation.

This report also stated one of its 5 key priorities as “Strengthen Indigenous Peoples’ participation in the conservation of wetlands, including Ramsar Sites.”

A prime illustration of the gaps in data on freshwater environments and watersheds in Canada - and the role First Nations Guardians can play to address them - comes from the WWF-Canada's October 2020 Watershed Report, which echoes the Canada's 2018 Ramsar report, report revealing dangerous gaps in data on freshwater environments in Canada, including watersheds.⁵⁸⁸ Compiling research conducted by governments and academics over two years, the report found there was only enough data gathered to draw conclusions on ecological health on 67 of the 167 watersheds. Data was insufficiently available on 60 percent of Canada's sub-watersheds to be able to adequately assess watershed health. Of the sub-watersheds with sufficient data, 53 percent received a health score less than Good.⁵⁸⁹ Adequate information was

⁵⁸⁵ ECCC, “Internationally important wetlands: Ramsar Convention,” online: ECCC, <https://www.canada.ca/en/environment-climate-change/corporate/international-affairs/partnerships-organizations/important-wetlands-ramsar-convention.html>.

⁵⁸⁶ ECCC, *Canada's Ramsar National Report to COP13*. Report. (2018), 3-4, online: ECCC, https://www.ramsar.org/sites/default/files/documents/importftp/COP13NR_Canada_e.pdf.

⁵⁸⁷ Canadian Wetland Roundtable, *Workshop Report and Key Messages on Ecological Services of Wetlands* (February 2017), 6, online: *Canadian Wetland Roundtable*, <https://wetlandsroundtable.ca/report/workshop-on-ecological-services-of-wetlands-february-9-and-10-2017/>.

⁵⁸⁸ A watershed is an area of land that channels precipitation and snowmelt to creeks, streams, and rivers, and eventually to outflow points such as reservoirs, bays, and the ocean. SEAWA, “What is a watershed,” online: SEAWA, <http://seawa.ca/our-watershed/what-is-a-watershed/>.

⁵⁸⁹ WWF-Canada, *supra*.

found to be available on water quality and abundance, but data on wildlife (benthic invertebrates⁵⁹⁰ and fish) is only available for one-third of watersheds. The report found that there is little to no information on lakes, streams, creeks, and rivers in large sections of Nova Scotia, northern Québec, northern Ontario, the Arctic, and Prairies.⁵⁹¹

Due to government budget cuts over the last two decades, long-term, consistent water monitoring is non-existent. Water-quality monitoring is split between the federal and provincial governments and First Nations. As a result, it is “terribly fragmented.”⁵⁹² These data deficiencies contribute to a lack of understanding as to how human activities impact sixty percent of freshwater in Canada. As Elizabeth Hendricks, Vice-President of Restoration and Regeneration with WWF-Canada explains, “We’re in the middle of a biodiversity and climate crisis. We feel the climate crisis through water – floods, drought, increasing temperatures of lakes, the flow of water, melting glaciers.” Freshwater landscapes in Canada are suffering from lack of standardized water monitoring practices done by local communities. Accordingly, researchers are calling for a nation-wide strategic and consistent community-based water monitoring program and for “creating a culture of water stewardship across the country.”⁵⁹³

According to the report, community-based water monitoring programs and data-sharing make it easier to understand the impacts of human activities on freshwater ecosystems, but there are simply not enough programs to monitor all 167 watersheds. First Nations Guardians programs across the country have demonstrated that they are uniquely placed partners in watershed and wetland conservation, and investment in a National First Nations Guardians Network would not only dramatically increase the capacity to improve our knowledge of the state of inland wetlands and waterways in Canada, but could also serve as a hub to gather, compile, and share such knowledge with governments and the scientific and conservation communities. The Network would address issues of standardization and consistency of watershed data collection, and mobilize a skilled workforce of First Nations Guardians with ancestral and spiritual connections to the land and waters. Their ability to bring together the best of millennia of wisdom in Indigenous knowledge and contemporary science positions Guardians as the best placed to provide oversight across the geography of the country.⁵⁹⁴

North American Bird Conservation Initiative and Migratory Bird Convention

The *North American Bird Conservation Initiative* dates to 2005, and aims to ensure that populations and habitats of North America’s birds are protected, restored and enhanced through coordinated efforts at international, national, regional and local levels guided by sound science and effective management. It is a forum that brings together governments, nongovernmental organizations, the private sector, and the citizens of Canada, Mexico, and the United States.⁵⁹⁵ The *Convention for the Protection of Migratory Birds in the United States and Canada*, dates back more than 100 years, to 1916.⁵⁹⁶

⁵⁹⁰ Benthic invertebrates — small creatures such as insects, worms, snails and mussels living at the bottom of streams — are sensitive to changes in their environment. The presence of certain species in a given area can help indicate if the water is healthy or not. “Benthic Invertebrates,” WWF-Canada, *supra*, 10.

⁵⁹¹ Bob Weber, “Data gaps prevent assessment of most Canadian watersheds: WWF report” (20 October 2020), 2-5.

⁵⁹² Weber, *supra*, 4.

⁵⁹³ Simran Chattha, “Health of 60 Per Cent of Canada’s Sub-watersheds is Unknown: Report” (20 October 2020), online: *Water Canada*, <https://www.watercanada.net/health-of-60-per-cent-of-canadas-sub-watersheds-is-unknown-report/>.

⁵⁹⁴ WWF-Canada, *supra*, 6-7, 15.

⁵⁹⁵ ECCC, “North American Bird Conservation Initiative,” online: ECCC, <https://www.canada.ca/en/environment-climate-change/corporate/international-affairs/partnerships-countries-regions/north-america/bird-conservation.html>.

⁵⁹⁶ Protocol between the Government of Canada and the Government of the United States of America Amending the 1916 Convention Between the United Kingdom and the United States of America for the Protection of Migratory Birds in Canada and the

The 2013 *Fall Report* of the Commissioner of the Environment and Sustainable Development found significant gaps in Canada’s bird conservation efforts, stating:

while waterfowl conservation has been successful overall, challenges still remain. Pressures such as climate change and the ongoing loss and degradation of wetland and grassland habitat still threaten waterfowl populations. With regard to the other bird groups—landbirds, shorebirds, and waterbirds—we concluded that the Department has not adequately undertaken conservation planning and results measurement. Meanwhile, shorebirds and landbirds such as grassland birds and aerial insectivores continue to suffer steep declines.

Gaps in monitoring affect the Department’s ability to track results and make informed decisions. ... The Department notes, however, that it would need significant new resources to address major gaps, such as on-the-ground monitoring of boreal landbirds and monitoring of waterbirds nationally, and of seabirds and shorebirds in the Arctic.⁵⁹⁷

The Summer 2018 NABCI Canada update explicitly recognizes Guardians programs as a potential solution to the gaps in landbird monitoring, stating:

While we have many next steps for this study, we are primarily interested in increasing coverage across the territory through deployments on remaining winter roads and snowmobile trails by establishing community-based landbird monitoring program (e.g. Indigenous Guardians Program). We believe that new technologies offer efficient ways to gather information from remote areas to better understand the status and trends of landbirds breeding in boreal regions of the Northwest Territories.⁵⁹⁸

[Agreement on Cooperation on Marine Oil Pollution in the Arctic](#)

The Agreement on Cooperation on Marine Oil Pollution Preparedness and Response in the Arctic is a multilateral agreement in force in Canada since 2014, the objective of which is to increase cooperation and coordination amongst Arctic countries to increase the readiness and response to oil spills in order to protect Arctic marine and coastal environments.⁵⁹⁹

The preamble of this agreement states that “indigenous peoples, local communities, local and regional governments, and individual Arctic residents can provide valuable resources and knowledge regarding the Arctic marine environment in support of oil pollution preparedness and response.”⁶⁰⁰ First Nations and Inuit Guardians networks operating in Arctic coastal regions have the potential to play key detection and first-response roles in the event of an oil spill.

United States, *Treaty* - E101589, online: *Government of Canada Treaties/Accords*, <https://www.treaty-accord.gc.ca/text-texte.aspx?lang=En&id=101589>.

⁵⁹⁷ Office of the Auditor General of Canada, *Fall Report of the Commissioner of the Environment and Sustainable Development*. Report. (2013), online: *Office of the Auditor General of Canada*, https://www.oag-bvg.gc.ca/internet/English/parl_cesd_201311_03_e_38673.html.

⁵⁹⁸ NABCI-Canada, “NABCI Canada Update – Summer2018” (2018), online: *NABCI-Canada*, <http://nabci.net/about-us/newsletter/summer-2018/>.

⁵⁹⁹ ECCC, “Agreement on Arctic marine oil pollution,” online: *ECCC*, <https://www.canada.ca/en/environment-climate-change/corporate/international-affairs/partnerships-organizations/arctic-marine-oil-pollution.html>.

⁶⁰⁰ The Government of Canada, the Government of the Kingdom of Denmark, the Government of the Republic of Finland, the Government of Iceland, the Government of the Kingdom of Norway, the Government of the Russian Federation, the Government of the Kingdom of Sweden, and the Government of the United States of America, *Agreement on Cooperation of Marine Oil Pollution Preparedness and Response in the Arctic*, online: *Arctic Council Repository*, <https://oaarchive.arctic-council.org/bitstream/handle/11374/529/EDOCS-2068-v1->

Great Lakes Water Quality Agreement

The Great Lakes water quality agreement is a Canada-U.S. bilateral agreement first signed in 1972. It identifies shared priorities and actions needed to restore and protect the Great Lakes. The Agreement was modernized in 2012 to reflect new knowledge and tackle all issues affecting Great Lakes water quality and ecosystem health.⁶⁰¹ First Nations Guardians whose traditional territories encompass the Great Lakes Region can play an enhanced role in activities such as native species and habitat enhancement, protection and restoration, invasive species monitoring, and water quality and pollution monitoring necessary to meet Canada's commitments under the Great Lakes water quality agreement.

[ACMMSE08 KIRUNA 2013 agreement on oil pollution preparedness and response signedAppendices Original 130510.PDF?sequence=6&isAllowed=y.](#)

⁶⁰¹ ECCC, "Great Lakes water quality agreement," online: ECCC, <https://www.canada.ca/en/environment-climate-change/corporate/international-affairs/partnerships-countries-regions/north-america/great-lakes-water-quality-agreement.html>.

Appendix C: Regional Engagement Session & Interview Participants

Central region

Serge Ashini Goupil
Main collaborator of Innu Nation
ILI Senior Leader

Michèle Audette
Politician, Activist and
ILI Senior Leader

Chantal Tétreault
Protected Areas Coordinator
Cree Nation Government

Amberly Quakegesic
Guardian Program Manager
Wahkohtowin Development GP Inc.

Clinton Jacobs
Walpole Island First Nation

Linda Dwyer
Kitigan Zibi Anishinabeg First Nation

Kimberly Jorgenson
Environmental Services Coordinator
Four Rivers Environmental Services Group (Matawa First Nations Management)

Lynn Palmer
Climate Change & Policy Specialist
Four Rivers Environmental Services Group (Matawa First Nations Management)

Aaron Jones
Garden River First Nation
Junior Researcher of Ecology
The Firelight Group

David Flood
General Manager
Wahkohtowin Development GP Inc.

Samuel Hunter
Weenusk First Nation

Nicole Corbiere
Environmental Technician
Wikwemikong Unceded Indian Reserve

Theodore Flamand
Species At Risk Coordinator
Wikwemikong Department of Lands and Natural Resources

Maritime region

Keith Christmas
Unama'ki Guardian Coordinator
Unama'ki Institute of Natural Resources

Hannah Martin
Mi'kmaw Land Guardian Network Project Coordinator
The Confederacy of Mainland Mi'kmaq

Ashley Childs
Senior Director of Environment and Natural Resources
The Confederacy of Mainland Mi'kmaq

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Department of Aquatics Resources and Fisheries Management
The Confederacy of Mainland Mi'kmaq

Ross Hinks
Director of Natural Resources
Miawpukek First Nation

Jack Penashue
Guardians Advocate
Innu Nation

Jonathan Feldgajer
Co-management Trainer
Innu Nation

Gregory Jeddore
Aboriginal Fisheries Guardians Program
Miawpukek First Nation

Michelle Knockwood
Fort Folly Habitat Recovery Program
Fort Folly First Nation

Gordon Grey
EIA Coordinator
Wolastoqey Nation

Northern region

The Honourable Ethel Blondin-Andrew, PC
Former Member of Parliament, Western Arctic
ILI Senior Leader

Leon Andrew
Research Coordinator, Chair
Nę K'ə Dene Ts'ı̨ı̨ (Living on the Land) Forum, Tulít'a Dene Band

Deborah Simmons
Executive Director
Sahtú Renewable Resources Board

Aaron Tambour
Land technician
K'atł'odeeche First Nation

Adam Bathe
Guardians Training Consultant
Blyth and Bathe

Corrine Porter
Executive Director
Dena Kayeh Institute
Lower Post, British Columbia, Canada

Johanne Black
Yellowknives Dene Guardians Program

Western region

Chief Gordon Planes
T'Sou-ke First Nation

łáłı́yá sila Frank Brown
Hereditary Chief of the Heiltsuk Nation
ILI Senior Leader

M. Robb Dimmer
Emergency Response Planning Coordinator
Southern Dakelh Nation Alliance

Morgan Guerin
Guardians manager
Musqueam Nation

Lauren Farmer
Musqueam Nation

Jillian Spies
Sto:lo Nation

Karen Brady
Sto:lo Nation

Shana Roberts
Sto:lo Nation

Jordan Turcotte
Fort Nelson First Nation

Marilyn Norby
Field Coordinator
Fort Nelson First Nation

Lana Lowe
Head of Department of Land, Resources and Treaty Rights
Fort Nelson First Nation

Lara Hoshizaki
Program Manager
Coastal Stewardship Network/Great Bear Initiative

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Indigenous Knowledge Coordinator
Lower Fraser Fisheries Alliance

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Dane Nan Yé Dāh Network, Land Guardian
Daylu Dena Council, Lower Post, BC

Tanya Ball
Dane Nan Yé Dāh Network, Coordinator, Kaska Land Guardians
Dena Kayeh Institute, Lower Post, BC

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Archaeology Supervisor
West Bank First Nation Guardian Program

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Tribal Park Guardian Program, Tla-O-Qui-Aht

Wayne Kaboni
Nlaka'pamux Guardians Program

Jacob Nelson
Coastal Guardian Watchmen, Quatsino Fisheries

Steve Clair
Coastal Guardian Watchmen, Quatsino Fisheries

Erin Weckworth
Coastal Guardian Watchmen, Quatsino Fisheries

Corey Hanuse
Coastal Guardian Watchmen, Quatsino Fisheries

Prairie region

Ashley Menicoche
Edézhíe Liidlii Kue Coordinator
Dehcho First Nations

Kelsey Olson
Indigenous and Stakeholder Relations
Canadian Parks and Wilderness Society - Saskatchewan Chapter
(at the invitation of the Mistawasis Nêhiyawak)

Anthony Johnston
Mistawasis Nêhiyawak Guardians Program
Mistawasis Nêhiyawak

Bruce Maclean
Community-Based Monitoring Program
Mikisew Cree First Nation

Lindsay Wong
Environmental Coordinator
Mikisew Cree First Nation