

## Advice to Council No: 23-03

### JPAC Public Forum on Indigenous Approaches to Climate Adaptation

The Joint Public Advisory Committee (JPAC) of the Commission for Environmental Cooperation (CEC) of North America:

**IN ACCORDANCE** with Article 6(4) of the [Agreement on Environmental Cooperation](#) (ECA), which states that JPAC “may provide advice to the Council on matters within the scope of this agreement, and may perform such other functions as the Council may direct”;

**HAVING** conducted a [Public Forum](#) in Victoria, British Columbia, Canada, on 28 June 2023 to showcase climate adaptation stories from Indigenous communities in the three countries, and discuss the critical role of Indigenous Knowledge and perspectives in shaping effective climate adaptation policies and planning efforts, with invited speakers from Indigenous communities, academia, NGOs and government;

**RECALLING** the CEC [2021–2025 Strategic Plan](#) and the Parties’ commitment to increase the adaptability and resilience of communities through the “*Resilient Economies and Communities*” pillar as well as the cross-cutting approach “*Innovative and Effective Solutions*” recognizing the important role of Indigenous Peoples and Traditional Ecological Knowledge (TEK) to help achieve environmental goals, including enhancing resilience to extreme weather events, environmental conservation and biodiversity protection, consider carbon sequestration, and promote the sustainable management of natural resources;

**RECALLING** [key deliverables](#) from the 2023 North American Leaders’ Summit (NALS), including the commitment from the three leaders to “(...) combat[sic] the climate crisis by: (...) [c]ommitting to trilateral cooperation to meet a joint commitment to conserve 30 percent of the world’s land and ocean area by 2030 and to advance Indigenous-led conservation.”

**RECALLING** the adoption of the [Kunming-Montreal Global Biodiversity Framework](#) during the Convention on Biological Diversity [COP 15] in December 2022, including the goal to conserve at least 30 percent of land, freshwater and oceans and restore degraded ecosystems globally by 2030 as well as the “[acknowledgement] of the important roles and contributions of Indigenous Peoples and local communities as custodians of biodiversity and partners in the conservation, restoration and sustainable use”;

**RECOGNIZING** that Indigenous Peoples protect 80 percent of Earth’s biodiversity while representing six percent of the world’s population<sup>1</sup>;

---

<sup>1</sup> World Bank (2023) Indigenous Peoples. <https://www.worldbank.org/en/topic/indigenouspeoples>

**RECOGNIZING** the Parties' collaborative efforts to increase the respectful support of appropriate integration of TEK and Indigenous perspectives into CEC work—through the creation of the CEC Traditional Ecological Knowledge Expert Group (TEKEG) and the TEK and Indigenous Affairs Officer position, as well as through its cooperative work program;

**RECOGNIZING** that an increasing number of actors, including Indigenous Peoples, local communities, governments and NGOs, are seeking to develop meaningful relationships and partnerships to respectfully recognize Indigenous Knowledge and bring these perspectives into environmental initiatives, thus representing a unique, timely opportunity for trilateral collaboration and cooperation in North America;

**SUBMITS** the following comments and recommendations for Council's consideration:

The presentations and discussions during the JPAC Public Forum highlighted concrete examples, issues, challenges, and potential ways to increase the resilience of North American communities to address climate change through the appropriate recognition of TEK and Indigenous perspectives in climate action. Key highlights included the importance of:

- taking action, and considering how to “weave” together Indigenous knowledge and western science to address the environmental challenges of our time and protect resources and people;
- learning from nature and mimicking it as we design our social relationships;
- following a holistic approach to land management through a relationship based on love and respect;
- understanding how to steward resources at the ecosystem level;
- building trust to support and reinforce relationships between Indigenous and non-Indigenous representatives;
- working directly with local and Indigenous communities and understanding what is important to them, including their needs, to create successful multi-year partnerships; and
- promoting youth engagement and intergenerational knowledge transfer.

**Recommendation #1: Continue to advance the respectful support of “weaving” TEK and Indigenous perspectives into the work of the CEC**

JPAC recognizes and strongly supports the Council's continued, demonstrated commitment to TEK and Indigenous perspectives as part of the CEC's work. The Public Forum has underscored the need for both TEK and western science to address climate change impacts and to protect our shared environment. This can only be achieved through continued relationship building between the CEC and Indigenous Peoples throughout North America, including recognition and inclusion of Indigenous Peoples' knowledge and expertise at the decision table when priorities are selected and initiatives developed. The Public Forum showcased several successful examples of Indigenous-led initiatives as well as partnerships between Indigenous communities and non-Indigenous organizations that can inform potential paths for the CEC, as well as other organizations in North America. The CEC Secretariat has historically played an important role in facilitating knowledge-

sharing between different actors and is uniquely positioned to help lead and disseminate examples of successful partnerships between Indigenous and non-Indigenous organizations at the continental scale and globally.

- JPAC recommends that the Council continue to support the CEC’s efforts to increase the weaving of TEK and Indigenous perspectives across its activities and its organization.
- JPAC also recommends that the Council support a project identifying, documenting and disseminating case studies, showcasing the successful weaving of TEK and Indigenous perspectives into projects and organizations.

### **Recommendation #2: Support Indigenous-led conservation**

Indigenous Peoples have protected and cared for the lands, plants, animals, and water that sustains them since time immemorial. Through holistic management, they have been able to steward abundance at the ecosystem level and have shaped the North American landscape. It is increasingly recognized that Indigenous-led conservation is essential to meeting the global target of conserving 30 percent of the world’s land and ocean area by 2030. The Public Forum highlighted several Indigenous-led initiatives and solutions being implemented by communities across North America, to protect their lands and increase their resilience to climate change impacts such as: Indigenous guardians program, Indigenous constitution, holistic land management including forest practices and agriculture, land-use plans, participatory territory ordinance, land reclamation, ecosystem restoration projects, successful dam removal campaigns, co-management agreements, etc.

- JPAC recommends that the Council support Indigenous-led conservation projects (e.g., Indigenous Guardians program) as well as knowledge sharing between the three countries (e.g., through a network of Indigenous Protected and Conservation Areas).

### **Recommendation #3: Support Indigenous economies and alliances across the three countries**

During the Public Forum, invited speakers discussed the meaning of the word “economy” from an Indigenous perspective, as well as sustainable production processes based on Indigenous values and practice (e.g., cooperatives, participatory processes, social solidarity economy). They emphasized that Indigenous Peoples have always been involved in trade and in the exchange of resources, but that how the exchanges take place dictates the economic system in place. They also shared some challenges faced by Indigenous communities including limited access to land to support their way of life. The CEC Secretariat has historically played an important role in advancing projects at the intersection of trade and the environment. The topic of Indigenous trade, however, has never been addressed and represents an opportunity for the Parties to advance sustainable trade across North America.

- JPAC recommends the governments of Canada, Mexico and the United States actively involve Indigenous Peoples in trade-related discussions between the three countries and

support Indigenous economies and alliances through the creation of networks and of policies supporting sustainable production systems.

#### **Recommendation #4: Support relationship building between Indigenous and non-Indigenous peoples and organizations**

Speakers at the Public Forum identified relationship building as a key component for developing successful partnerships between Indigenous and non-Indigenous peoples, and organizations as well, to advance the weaving of TEK and Indigenous perspectives into climate adaptation policy and planning. Relationship building is a long-term process that requires interested parties to seek to better understand their counterparts, be patient, recognize and embrace Indigenous Peoples and their knowledge, and start from a place of trust and not distrust. The CEC Secretariat has a long history of bringing different peoples together and could provide a safe place to support advancing the development of relationships between Indigenous and non-Indigenous peoples across the three countries.

- JPAC recommends that the Council support the creation of a project aimed at bringing together Indigenous and non-Indigenous peoples and organizations, to foster knowledge exchange and relationship building across the three countries.

#### **Recommendation #5: Review financing processes**

The Public Forum highlighted important barriers faced by Indigenous communities and NGOs regarding the financing of climate adaptation initiatives. Issues raised included the availability of funds for initial capacity development and planning stages (e.g., vulnerability assessment or development of adaptation plans), but not necessarily for the implementation of the actions identified during the initial stage. Other barriers identified included some of the criteria required as part of funding processes, and the lack of flexibility therein.

- JPAC recommends the Parties and the CEC review and assess their financing mechanisms, including grants, to ensure that they provide for sufficient funding to address planning and implementation phases of climate and environmental initiatives, when applicable, and to ensure that funding processes do not impede the participation of communities with limited capacity.

Additional recommendations shared by invited experts as part of the Public Forum are also available in Annex 1.

JPAC is confident that the recommendations contained herein are relevant to the CEC Council's strategic priorities and is unanimous in supporting this Advice to Council.

**Approved by the JPAC members  
29 November 2023**

## Annex 1- Recommendations Shared by Guest Speakers

### Recommendations from The Resilience Institute:

Context: small, rural, local and Indigenous communities (not large urban centres)

**Problem:** Our experience is that there seems to be a lot of “capacity building,” at the planning stage, including vulnerability and risk assessments and adaptation plans. But then what? Communities are left with “plans” they cannot implement. There are huge gaps between planning and implementation because of how funding flows. Plans are finalized, but then have to wait to be implemented until funding becomes available. Other obstacles can interfere with the process: sometimes the funding never becomes available, or by the time it can be accessed, the plans are no longer current and all the designs or strategies that were devised are inadequate. Even if the funding becomes available in a decent time, the original applicants may lack the ability to access it, or implement the strategies due to different capacity issues.

**Solutions:** A more holistic approach to funding that enables funding portfolios to include planning and the implementation of the plans, over two to five years, and has flexibility. It would be a mistake to make rules tying funding so it is restricted to going to Indigenous communities. Many of the communities most at risk will be pushed out of the process because they lack the capacity to apply or manage the funds—or have other concerns and therefore want to work with allies. I would recommend that Indigenous people should be co-leading with NGOs and academia in meaningful ways in planning and implementing adaptation strategies. This could be proven by taking the time for a video call or two rather than asking for letters. I cannot tell you how many funders want letters from community members to prove that they are partnering, but the process for getting a letter can take a lot longer than having a few conversations.

**As an aside:** we have created an Adaptation Action Fund specifically for this reason and our philanthropy specialist is working now to try to build it—because we just can’t leave communities hanging, waiting for grants that are oversubscribed, difficult to apply for, and may never happen.

### Recommendations from the IISAAK OLAM Foundation

The IISAAK OLAM Foundation (IOF) recognizes the significance of the Jay Treaty in promoting ease of travel across the 49th parallel and its potential impact on transboundary environmental security in the context of the CUSMA/T-MEC/USMCA. The IOF believes that the Commission for Environmental Cooperation (CEC), now operating under the Environmental Cooperation Agreement (ECA), is the most relevant legal framework for our collaboration.

Building upon this recognition, the Foundation advocates for the active involvement of Indigenous Peoples (IPs) in the CUSMA/T-MEC/USMCA negotiations and emphasizes the importance of micro-economic initiatives, such as Indigenous Protected and Conserved Areas (IPCAs), in achieving sustainable development goals. The following recommendations are rooted in these considerations:

#### Recommendation 1: Incorporate the Jay Treaty in Transboundary Environmental Security and CUSMA/T-MEC/USMCA Discussions

The IOF strongly recommends the inclusion of the Jay Treaty in all discussions and agreements pertaining to transboundary environmental security and the CUSMA/T-MEC/USMCA. By recognizing and promoting the provisions of the Jay Treaty, we can foster enhanced cross-border cooperation on environmental matters and facilitate the movement of Indigenous communities for economic, educational, and social purposes. This inclusive approach will contribute to a more open and cooperative relationship between the United States, Canada, and Mexico, benefiting Indigenous Peoples and promoting sustainable development for all.

#### Recommendation 2: Empower Indigenous Peoples (IPs) in the CUSMA/T-MEC/USMCA Negotiations

The IOF strongly urges all governments and stakeholders involved in the CUSMA/T-MEC/USMCA negotiations to proactively engage and empower Indigenous Peoples from the United States of America, Canada, and Mexico, with particular emphasis on those communities whose territories span across international borders. By actively involving Indigenous Peoples in the negotiations, we can tap into their valuable traditional knowledge, wisdom, and sustainable practices, contributing crucial insights towards achieving environmental sustainability and bolstering domestic economies in the region. Through genuine partnership and collaboration, the CUSMA/T-MEC/USMCA negotiations can be enriched with a more comprehensive and inclusive approach, aligning the interests of all stakeholders with the principles of respect, reciprocity, and responsible stewardship of the land.

#### Recommendation 3: Promote Indigenous Protected and Conserved Areas (IPCAs) for Sustainable Development

The IOF strongly advocates for recognizing IPCAs as vital tools for sustainable development. These areas embody transboundary realities and address domestic needs like food security and sustainable livelihoods while bolstering climate resilience and conserving biodiversity. Operating



on a local level, IPCAs offer effective, community-led solutions that complement larger-scale approaches. By empowering Indigenous communities to steward their lands sustainably, we preserve their heritage and foster positive impacts on human well-being and the environment. Integrating IPCAs into policy frameworks and providing support for their establishment will create a harmonious balance between development and conservation. The IOF believes that investing in these micro-economic solutions tailored to local needs will lead to a more equitable and resilient future.

#### Recommendation 4: Facilitate the Establishment of an Interconnected Network of IPCA Innovation Centers

The IOF envisions the creation of an interconnected network of IPCA Innovation Centers to facilitate the establishment and management of Indigenous Protected and Conserved Areas (IPCAs). These centers will serve as collaborative hubs, bringing together academic partners, government agencies, civil society organizations, charitable entities, private sector partners, and philanthropic organizations. The primary goal is to provide sustained resources and support for the successful implementation of IPCAs.

The underlying belief driving this recommendation is that solely relying on government mandates can lead to instability and hinder long-term solutions to significant challenges. By establishing IPCA Innovation Centers, we can ensure accountability and support for social innovations like IPCAs. These centers will serve as a platform for coordinating efforts, sharing knowledge, and fostering long-term commitment to address complex environmental issues.

Through this interconnected network, IPCA Innovation Centers will empower Indigenous communities and other stakeholders to collaborate effectively, implement innovative solutions, and harmonize conservation efforts across borders. By leveraging the expertise and resources of various partners, these centers will play a pivotal role in safeguarding natural heritage, promoting sustainable practices, and fostering resilient ecosystems for generations to come.

#### Recommendation 5: Foster a Partnership between CICICA, IOF, and the Commission for Environmental Cooperation to Integrate Indigenous Knowledge and Western Science

The IOF strongly advocates for the integration of Indigenous knowledge and practices with the best of Western science in environmental conservation efforts. The Canadian Indigenous Conservation Innovation Centre Association (CICICA), along with IOF, will play a pivotal role in merging Indigenous wisdom with cutting-edge Western scientific approaches to develop innovative and ethical solutions for addressing complex environmental challenges. By weaving together traditional wisdom and modern

science, this approach aims to address the intricate and multifaceted issues faced collectively.

Central to this endeavor is fulfilling the original environmental responsibilities between Indigenous and non-Indigenous societies. Embracing this holistic approach brings us full circle between modern and ancient contexts. As we embark on this journey, we recognize the wisdom of

Indigenous elders, who have observed a parallel decline in harmonious relationships and environmental well-being. By restoring these relationships, we create the potential for positive environmental outcomes.

This modern-day application of ancestral teachings, combined with contemporary technology, offers hope in tackling pressing concerns such as biodiversity loss and desertification. Through acknowledging the interdependence of ecosystems and social structures, we strengthen resilience to the impacts of climate change.

#### Recommendation 6: Revitalize the Concept of "Responsibility to Protect" for Environmental Security

The IOF strongly advocates for the revitalization of the "Responsibility to Protect" concept concerning environmental security. Recognizing the intrinsic link between human security and environmental well-being, it is imperative to adequately safeguard and promote the welfare of populations.

Environmental security is an integral component of human security, and failure to address environmental threats can have severe consequences for the well-being of people and their communities. Inadequate protection of the environment may result in opening oneself up to legitimate intervention on matters of sovereignty.

By reinvigorating the "Responsibility to Protect" principle, we emphasize the collective responsibility to ensure the safety and prosperity of all populations, considering both human and environmental dimensions. Proactive measures to safeguard ecosystems, natural resources, and biodiversity are essential to avert crises that may demand external interventions.

Through a renewed commitment to environmental security, we can build a more resilient and sustainable future, upholding the rights and well-being of both present and future generations. Embracing this responsibility will fortify global efforts to address environmental challenges, contributing to a safer and more secure world for all.

#### Recommendation 7: Embrace Ethical Space and Indigenous Perspectives

The IOF acknowledges the vital role of Ethical Space in policy development and implementation. In Canada, we advocate for the meaningful inclusion of Indigenous perspectives, drawing upon foundational treaties, the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), the Canada Act 1982, and the UN Convention on Biological Diversity (CBD) in decision-making processes concerning environmental conservation and transboundary cooperation.

It is essential to honor the time and effort invested in these processes by remembering and valuing their significance. By genuinely embracing Ethical Space and integrating Indigenous perspectives, we can foster legitimacy, respect, and cultural diversity in environmental governance.

By recognizing the wisdom and knowledge of Indigenous communities, we enrich environmental conservation efforts with centuries of sustainable practices and





DISTRIBUTION: Limited  
J/23-03/ADV/Final  
ORIGINAL: English  
29 November 2023

traditional wisdom. The incorporation of diverse perspectives leads to more informed and comprehensive decision-making processes, resulting in more effective and equitable outcomes.

Through this inclusive approach, we lay the foundation for a collaborative and harmonious coexistence between all stakeholders, promoting environmental protection and transboundary cooperation in a manner that respects and upholds the rights and values of Indigenous Peoples. By valuing Ethical Space and embracing Indigenous perspectives, we create a more just and sustainable future for both nature and humanity.