



ADVICE TO COUNCIL: NO. 99-10

Re: Promoting the Involvement of Indigenous Peoples in the Work of the Commission for Environmental Cooperation

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

IN ACCORDANCE with its mandate to provide advice to Council;

BEARING IN MIND the following background points:

The *Shared Agenda for Action*, adopted by the Council of Ministers at their Regular Session in June 1998, reinforces the promotion of sustainable development as one of the important mandates of the Commission for Environmental Cooperation (CEC). In selecting a niche for the CEC, the Ministers in that document attached great importance to the delivery of projects “on the ground” as a way to build local capacity for environmental management.

In its 1998 report to Ministers, the Joint Public Advisory Committee (JPAC) highlighted the need for the CEC to better involve Indigenous peoples in its program of work and undertook to provide advice on this matter. In May, JPAC held a joint meeting with the Sound Management of Chemicals Working Group (SMOC) in Anchorage, Alaska, which Indigenous representatives from Canada, Mexico and the United States attended. This venue was selected because environmental contaminants and associated impacts for human health are of common concern to Indigenous peoples in our three countries.

Very interestingly, the specific issue of environmental contaminants and the broad themes contained in the *Shared Agenda for Action* converged during these meetings. Ambassador Mary Simon, a JPAC member from Canada, summarized the Joint Session with SMOC at the May 1999 JPAC meeting.

The representatives present from Indigenous groups called for two clear actions. First, they felt their involvement in the work of SMOC could contribute in very tangible ways to a broader understanding of the nature and effects of contaminants on both humans and ecosystems. Second, involvement of Indigenous peoples should not be limited to SMOC—ways and means should be found to broaden their involvement in the work program of the CEC and in the national advisory committees.

In its Advice to Council 99-05, which emerged from the meeting in Anchorage, Alaska, JPAC signaled that it would prepare an Advice to Council on this subject for consideration at the 1999 Regular Session.

RECALLING as rationale:

Over the last decade, the need to reconcile the rights and interests of Indigenous peoples with environmental management and development has emerged as an important undertaking within the guidelines of several international instruments. *Agenda 21*, the *Convention on Biological Diversity*, the *Rio Declaration on Environment and Development*, the *International Labour Organization Convention No. 169* and *Caring for the Earth*, for example, speak to the value of working with and empowering Indigenous peoples who have much to contribute to the pursuit of sustainable development.

As well, over the past decade, major international development and conservation organizations, such as the Organization of American States, the World Bank and the World Conservation Union have developed policies and directives for the involvement of Indigenous peoples in their programs of work.

The improved involvement of Indigenous peoples in the work of the CEC has been a regular topic of discussion in many of the public meetings of the CEC since its inception.

The CEC, in 1997, commissioned a report, entitled *North American Aboriginal Peoples and the Environment*, which compiled examples of sustainable development projects with Indigenous participation, which provides some very useful, concrete examples of how Indigenous peoples are contributing to environmental management.

MINDFUL of the complexities inherent in this issue:

The legal and political context varies among our three countries. It is not JPAC's role to comment on those aspects. It is JPAC's view, however, that Indigenous peoples are crucial actors in conservation and that promoting their involvement in the work program of the CEC is necessary.

JPAC, THEREFORE, RECOMMENDS THAT:

- Council acknowledge the value and importance of involving Indigenous peoples in the work of the CEC on the basis that working with Indigenous peoples of the North American region and their communities is an important step in building local capacity for the conservation and protection of biodiversity. This could be accomplished by instructing the CEC Secretariat to build into the three-year program plan(s) practical and culturally sensitive ways and means for the direct involvement of Indigenous peoples in project planning and implementation with particular attention to developing new methods for facilitating communication among Indigenous peoples in our three countries.

APPROVED BY THE JPAC MEMBERS

17 September 1999