

GREAT LAKES WATER QUALITY BOARD

Indigenous Peoples Engagement Principles and Practices

Context

In negotiating the *Great Lakes Water Quality Agreement, 2012*, Canada and the United States established ambitious expectations for engaging First Nations, Métis peoples and Tribes in governance and management of water quality in the Great Lakes basin.

- The preamble to the Agreement states that “while the Parties are responsible for decision-making under this Agreement, the involvement and participation of State and Provincial Governments, Tribal Governments, First Nations, Métis, Municipal Governments, watershed management agencies, local public agencies, and the Public are essential to achieve the objectives of this Agreement”. This commitment is reflected in subsequent clauses relating to implementation of the agreement by the parties, and to the annexes.
- Article 7, which details the responsibilities of the International Joint Commission under the Agreement, tasks the Commission with engaging Tribal, Metis and First Nations peoples in relation to data, scientific research, and the provision of advice to the parties.
- Under Article 8, relating to the composition and mandate of the Great Lakes Water Quality Board (WQB), the Agreement specifies that the WQB may include representatives from Tribal Governments, First Nations, and Métis peoples. In response, the Commission’s *Directive to the Great Lakes Water Quality Board* specifies that the Canadian members should include one member from First Nations and one from the Métis peoples, and that the U.S. members should include two members from Tribes.

The WQB can and should serve as an example of how people working within the constraints of western institutions can engage deeply and genuinely with Indigenous Peoples in the Great Lakes Basin. To that end, the following set of principles and practices will guide the work of the WQB.

General Principles

1. First Nations, Métis and Tribes are not “stakeholders”. Within the distinct legal landscapes of the United States and Canada, First Nations, Métis and Tribes hold distinct rights. This makes striving for a nation-to-nation relationship appropriate. In its work, including its deliberations, research and advice to the Commission, the WQB will recognize the ways in which Tribes, Métis and First Nations are distinct rights holders, and will act accordingly.
2. Tribes, First Nations and Métis peoples have diverse interests, needs and concerns, distinct knowledge and ways of knowing, and their own institutions for governance. Differences also exist among the various Tribes, Métis communities and First Nations in the basin. In its work, including its deliberations, research and advice to the Commission, the WQB will recognize these interests, needs and concerns, distinct ways of knowing and institutions for governance.

Examples of Specific Practices and Actions

The following are examples of how the WQB can respect the expectations established by the *Great Lakes Water Quality Agreement, 2012*, in general, and the specific principles outlined above. This list will be revised and updated as we learn and gain experience.

1. The Agreement states that the WQB “may” include representatives from Tribal Governments, First Nations, and Métis peoples. The WQB views Indigenous representation as essential and strongly support the Commission’s Directive (above).
2. In providing advice to the International Joint Commission, the WQB will seek opportunities to highlight the distinct perspectives of Tribal, First Nations and Métis peoples, and to account for distinct concerns among Indigenous peoples in the Great Lakes basin.
3. In specifically seeking the advice and insight of key government and non-government actors in the basin in relation to its studies, reports, advice and other work, the WQB will ensure that Tribal, First Nations and Métis peoples are engaged as “rights holders” rather than “stakeholders” or members of the “general public”. In practice, this will involve identifying and consulting with official Tribal, First Nations and Métis representatives.
4. Public engagement and outreach are important aspects of the work of the WQB. In designing public outreach and engagement activities such as panels and presentations, the WQB will strive to ensure that the customs of Tribal, First Nations and Métis peoples are appropriately recognized. Similarly, in designing surveys to seek the perspectives of key actors in the basin, the WQB will ensure that Tribal, First Nations and Métis peoples are adequately represented in samples.
5. The WQB will strive to ensure that Indigenous knowledge from Tribal, First Nations and Métis peoples is included in its work plans, research and deliberations, and advice provided to the IJC, and that this knowledge is treated appropriately according to the customs of the knowledge holders.
6. External consultants play a key role in helping the WQB deliver the work defined in its approved work plans. Terms of reference for consulting projects will be designed to reflect the principles and practices outlined in this document.