

In some instances, local or national laws provide for treatment of Indigenous Peoples as stakeholders in impact assessments separate from the general public. The contributions Indigenous Peoples can make through their traditional knowledge create an incentive to incorporate Indigenous Peoples separate from the general public even where such laws do not exist.

Objectives

Traditional knowledge incorporates valuable information held by Indigenous Peoples about their surroundings into impact assessment. When doing an impact assessment, this knowledge is not only useful, but imperative to completing a comprehensive impact assessment that respects the needs of indigenous groups. Indigenous Peoples make important contributions to impact assessment through their particular knowledge of the environment, the use and management of the environment, and their values about the environment.

The objective of best practices are to:

- Allow potentially affected indigenous groups to present their opinion and to meaningfully take part in the development proceedings.
- Use traditional knowledge to complement the knowledge gained from "Western" scientific methods.
- Use traditional knowledge to preserve indigenous culture in development projects.

Principles

Basic Principles apply to all stages of impact assessment, including strategic environmental assessment (SEA) of policies, plans, and programs. They should be applied as a package to the overall process. **Operating Principles** describe how the basic principles should be put into practice and applied to the individual stages of an impact assessment process.

Basic Principles

- **Equality:** Traditional knowledge should be treated with the same respect and validity as Western scientific-based knowledge. Furthermore, Indigenous Peoples are to be treated with the same respect as other stakeholders. Traditional Knowledge holders are experts in their own field.
- **Uniqueness:** Each indigenous group is unique and holds different forms of traditional knowledge. Each indigenous group also has its own participating, representing and decision-making models that must be respected.
- **Rights:** Indigenous Peoples have rights to the natural resources on their traditional lands. In many instances these rights are protected by law. Respecting indigenous rights to natural resources is essential
- **Sovereignty:** Indigenous Peoples define themselves as a sovereign group or self-governing entity. It is important for them to maintain this independence throughout the IA process and participation in an impact assessment process does not in any way limit this sovereignty, e.g., an indigenous group does not necessarily accept the laws of a country by participating in an impact assessment.
- **Cultural Heritage:** Indigenous Peoples have the right to control intellectual property and other material items that relate specifically to their heritage, in order to preserve their culture.
- **Free Prior Informed Consent:** Intellectual property rights of indigenous and local communities with respect to their traditional knowledge, innovations and practices, should be respected. Such knowledge should be used only with the prior informed consent of the owners of that traditional knowledge.

Operating Principles

With respect to the Basic Principles identified, the integration of traditional knowledge and Indigenous Peoples should include these factors:

- **Provide an open and transparent impact assessment process:** Indigenous Peoples have the right to be well informed of the decisions made concerning their traditional lands. Developers and government agencies have a duty to include Indigenous Peoples in the decision making process. This obligation may go above the information standard offered to other stakeholders and often will involve ways of communicating that differ from other stakeholders. E.g., written materials may not always be an effective tool.
- **Agree on the degree of participation:** Involvement can range from opinion giving to shared decision-making power. Developers and Indigenous Peoples (and, where applicable, government agencies) should jointly determine the degree of participation and the avenues of communications up front. Developers should not presume to know how and to what degree Indigenous Peoples want to get involved.
- **Provide meaningful participation and reassurance:** Participation of Indigenous Peoples must be meaningful, and they should be reassured that their participation is important. Developers should not only ask the opinions of aboriginal members but report back and explain how their opinions have been considered and how they were incorporated into the impact assessment.
- **Ensure gender equality:** Women and men play different roles in indigenous cultures and may be responsible for different heritage places and values. It is important to take both perspectives into account. This may require gathering traditional knowledge from men and women separately.
- **Allow mediation:** Recognize that profound differences in perspective often create difficulties between Indigenous Peoples and those representing the project. Take a precautionary approach for such instances and agree upon processes for mediating and resolving disputes between parties that may arise during the course of the project.
- **Include native customs:** Use participatory approaches that take into account traditional customs, etiquette and decision-making processes. For example, in some societies it may not be possible to contradict an elder in public. Silence then may indicate opposition rather than consent. Some societies reach decisions by consensus and their representatives may not be able to make decisions on the spot.
- **Provide interpretation and translation:** Traditional and Western belief systems require context, language, and skilled interpreters in order for Indigenous traditional knowledge to be used effectively and for western knowledge to be fully understood by traditional communities. Indigenous Peoples may express things in different ways, e.g., through storytelling rather than direct statements. Verify the meaning and understanding of the communications. Interpretation may be required during meetings.
- **Safeguard against exploitation:** Build in safeguards to protect indigenous communities that are vulnerable to unfair exploitation, e.g., because of inexperience or non-acceptance of money-based systems of resource sharing.
- **Use TK responsibly:** Keeping traditional knowledge creates responsibility, and misuse of traditional knowledge can have catastrophic consequences for Indigenous Peoples. TK is ordinarily shared among kin and transmitted personally to an apprentice. Developers must refrain from widely sharing TK and from using it to interfere in a community's affairs.
- **Use TK only within its context:** Indigenous Peoples will share TK with developers only for a specific time and purpose. Developers and governments should not attempt to apply that knowledge to other ecosystems, other areas, or other projects than the ones the TK was specifically shared for.
- **Plan ahead:** Incorporating TK and indigenous ways of decision making into impact assessment can take time. Developers should start the process early, ideally before entering the project approval process. Part of planning ahead is choosing the right terminology. Terminology commonly used in one community may be offensive to others.

Glossary

Traditional Knowledge: The knowledge, innovations and practices of indigenous people and local communities.

Indigenous Peoples: The inheritors and practitioners of unique cultures and ways of relating to other people and to the environment. Indigenous Peoples have retained social, cultural, economic and political characteristics that are distinct from those of the dominant societies in which they live.

Impact Assessment: Process by which the environmental consequences of a proposed project or programme are evaluated and alternatives are analyzed. EIA is an integral part of the planning and decision-making processes.

Intellectual Property Rights: rights recognized as belonging to creators of original creative works and designs that are protected under legislation for a period of time.

References

Canadian International Development Agency. *Integrating Indigenous Knowledge in Project Planning and Implementation*. www.acdi-cida.gc.ca/acdi-cida/acdi-cida.nsf/eng/REN-218131253-PHH

UN Permanent Forum on Indigenous Issues. www.un.org/esa/socdev/unpfi/

United Nations Environment Program. *List of Acronyms and Glossary Terms*. <http://unep.org/dec/onlinemanual/Resources/Glossary>

Croal, Peter (2003) "Principles respecting traditional knowledge and Indigenous Peoples."

Dene Cultural Institute (1995) "Traditional Knowledge and Environmental Assessment (submission to BHP Diamond Mine Environmental Assessment, Yellowknife, Canada).

Mackenzie Valley Review Board (2005) "Guidelines for incorporating traditional knowledge in environmental assessment." Yellowknife, Canada. www.reviewboard.ca/upload/ref_library/1247177561_MVReviewBoard_Traditinal_Knowledge_Guidelines.pdf

Secretariat of the Convention on Biological Diversity (2004): "Akwé: Kon Guidelines." Montréal, Canada. www.cbd.int/doc/publications/akwe-brochure-en.pdf