Meaningful Engagement of Indigenous Peoples and Local Communities in Marine Activities

Part II Report
Findings for Policy Makers

May 2019

PAME
Protection of the Arctic Marine Environment

ARCTIC COUNCIL

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FINDINGS FOR POLICY MAKERS

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Executive summary

Indigenous peoples and local communities living in coastal communities in the Arctic have always depended on the sea for food, transportation, cultural and spiritual identity and social well-being. Increasingly, the sea is being shared with additional human-driven activities. These include industrial projects, marine management, scientific research, shipping, emergency response and tourism.

All of these undertakings may affect people in Indigenous and local communities. Involving residents in such activities and engaging meaningfully with them is an ongoing process that builds a foundation on which problems can be solved or managed.[1, 2] The increase in human-driven activities in the Arctic provides more instances and opportunities for regular meaningful engagement to build a strong foundation.

The term "meaningful engagement" has no single definition. Nor does it have a one-size-fits-all approach for all activities. Meaningful engagement is understood to include a range of practices by government, industry and other actors seeking to operate in the Arctic. Different people and organizations may view meaningful engagement differently.

An important first step in the process is to determine the purposes of the engagement in partnership with Indigenous peoples and local communities. Deciding how engagement will occur and which issues will be on the agenda is also key. Both sides—those engaging and those being engaged—should feel that engagement has been meaningful.

Meaningful engagement may be shown by respecting culture and values, including Indigenous knowledge and local knowledge. Various factors are important to achieve meaningful engagement. These things include:

- actors being engaged
- culture being respected
- consideration of a project's timelines and size, and how they could impact communities
- consideration of the location of communities, and
- consideration of the nature of a proposed activity.

Sometimes, legislation, treaties, land claim agreements or other regulations oblige governments and/or other entities to engage with Indigenous peoples and local communities. In these cases, meaningful engagement is a requirement that project, or activity proponents must fulfill.

The Meaningful Engagement of Indigenous Peoples and Local Communities in Marine Activities project

Since its inception in 1996, the Arctic Council has created many recommendations and declarations on engagement with Indigenous peoples and local communities. The Council is the leading intergovernmental forum promoting cooperation and coordination among the eight Arctic States, Arctic Indigenous communities and other Arctic inhabitants. The Council

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[1] International Finance Corporation, Stakeholder Engagement: A Good Practice Handbook for Companies Doing Business in Emerging Markets (Washington, DC: 2007).

[2] National Association of Tribal Historic Preservation Officers (NATHPO), NATHPO Tribal Consultation: Best Practices in Historic Preservation (Washington, DC: May 2005).

identifies engagement with Indigenous peoples and communities as an important component for all to consider when seeking to operate in the Arctic region.

Guidance, recommendations, protocols and requirements on meaningful engagement are scattered across diverse outside sources. As a result, the Arctic Council's Protection of the Arctic Marine Environment (PAME) Working Group began a new project in 2015: "Meaningful Engagement of Indigenous Peoples and Local Communities in Marine Activities (MEMA)".

Its purpose has been to:

- take stock of existing guidance, recommendations, protocols and requirements on engagement with Indigenous peoples and local communities;
- analyze these data; and
- identify good practices and lessons learned.

Initially, the MEMA project team compiled an extensive database and held two workshops on the project. MEMA's Part I report, published in May 2017, brought all the disparate Arctic Council recommendations and statements together in one place for the first time.

For this Part II report, the project team's analysis focused on hundreds of documents related to the engagement of Indigenous peoples and local communities. These came from the Arctic Council, Indigenous peoples and local communities, industry and government. Several non-endorsed analytical background documents and a workshop report supported the development of this Part II report, too.

This report also features the wisdom of five guest authors who have much experience in meaningful engagement with Indigenous peoples and local communities. Their views and project proponent perspectives drive home the essence of building trust with community members and conducting meaningful engagement.

The audience for this Part II report includes the Arctic Council, governments, Indigenous peoples and local communities, industry, non-governmental organizations and researchers.

Good practices and lessons learned

Although approaches to engagement with Indigenous peoples and local communities in the Arctic vary depending on the context and actors involved, the underlying concepts and foundations are the same. Here are some factors that commonly lead to meaningful engagement:

- building trust;
- clearly outlining expectations;
- incorporating Indigenous knowledge and local knowledge; and
- ensuring ongoing communication between actors.

The MEMA project revealed a number of common practices that governments, industry sectors and other actors use to meaningfully engage with Indigenous peoples and local communities. Future practices can improve upon the past by implementing these practices and establishing ongoing relationships with Arctic Indigenous peoples and local communities.

Good practices for meaningful engagement

1. **Identify issues and factors where engagement is needed and engagement strategies could help.**

2. **Identify potentially affected people and organizations.**

3. **Consider any existing and potential legal obligations relevant to engagement.**

4. **Consider cultural differences, community locations and resources available.**

5. **Build relationships based on trust and respect between project proponents and Indigenous peoples and local communities; conduct interactions in a transparent and culturally appropriate manner.**

6. **Pinpoint the best times to begin engagement processes throughout an activity's lifetime.**

7. **Determine how best to communicate with Indigenous peoples and local communities.**

8. **Use multiple approaches and tools to engage, and practice early and proactive engagement at all levels.**

9. **Develop an engagement plan or agreement with the community, and report back on progress.**

10. **Set up supportive measures like recordkeeping, process reviews, conflict resolution mechanisms, as appropriate.**

These practices are characterized as "good practices" because the report has not defined "best practices." Although many of these are probably best practices, they may change or become more refined with time.

As an ongoing process, meaningful engagement can also be a learning experience. Here are some key lessons from the MEMA project.

General

1. There is no single approach to meaningful engagement; it depends on the context.
2. Consider outlining what all parties consider to be a meaningful role.
3. Make Indigenous peoples and local communities aware of any rights or opportunities to be meaningfully engaged.

Relationship development

4. Understand communities and the culture, heritage and traditions of the people.
5. Keep relationship building and engagement ongoing to make the relationship meaningful.
6. Collaborate and coordinate among partners, including those who do not normally communicate directly with one another.
7. Develop capacity in communities by providing education, training, infrastructure and funding, when available.
8. Make an effort to incorporate and apply Indigenous knowledge and local knowledge through engagement approaches.

9. Develop a foundation of trust and provide clarity, certainty and reliability through constructive dialogue; also include time for events and activities not directly related to issues being considered.[3]

Process

10. Plan for engagement while being flexible with the process, since this can lead to more fruitful outcomes.
11. Aim for an engagement process that balances interest and provides for positive outcomes for all partners.
12. Aim for representation on advisory councils and decision-making boards.

Conclusions

The review of recommendations and guidance by the Arctic Council revealed that it has made a range of statements and recommendations on the meaningful engagement of Indigenous peoples and local communities, and for the involvement of the Arctic Council's six Permanent Participants (Indigenous organizations). However, these recommendations and guidance are found within many documents and present a variety of perspectives.

Further, the review of documents from sources outside the Arctic Council identified certain practices or elements of meaningful engagement with Indigenous peoples and local communities that the Arctic Council may find useful in its work.

The MEMA project has provided insight into a critical relationship namely, meaningful engagement with Indigenous peoples and others who call the Arctic home who are most affected by maritime decisions, actions and activities.

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[3] Department of Aboriginal Affairs and Northern Development Canada, Aboriginal Consultation and Accommodation.

1.0 Introduction

Indigenous peoples and local communities located in Arctic coastal areas depend on the sea for food, transportation, cultural and spiritual identity and social well-being. Industrial activities, marine management, scientific research, shipping and tourism in Arctic marine and coastal areas can impact residents of the Arctic. It is vital that they are involved and engaged in a meaningful way to help benefit from, and mitigate the negative consequences of, such activities, where possible. The Arctic Council has provided recommendations and guidance on how governments and industry engage with Indigenous peoples and local communities.[4] In addition, some local communities, Indigenous organizations, industry and governments have created guidance and/or rules. However, these appear in documents published by an array of sources—Arctic Council working groups, various sectors, governments—and they cover a range of perspectives.

Compiling existing information on requirements, guidance or recommendations for engaging Indigenous peoples and local communities in marine activities can help identify principles, processes and mechanisms for achieving meaningful engagement. The Arctic Council's Meaningful Engagement of Indigenous Peoples and Local Communities in Marine Activities (MEMA) project has attempted to do that.

The MEMA project team compiled an extensive database and held two workshops on the project. MEMA's Part I report, published in May 2017, brought all the disparate Arctic Council recommendations and statements together in one place for the first time.

This MEMA Part II report provides information on ways to improve relationships and interactions with Indigenous peoples and local communities who are most affected by maritime decisions, actions and activities. This report has been created by the Arctic Council's Protection of the Arctic Marine Environment (PAME) Working Group. It is intended for the Arctic Council itself, governments, Indigenous peoples and local communities, industry, non-governmental organizations (NGOs) and researchers.

In this Part II report, guest authors have written about the importance of meaningful engagement from both Indigenous and project proponent points of view. The report then summarizes the methodological approaches that researchers use. It also summarizes findings from the analyses of existing public sources on the engagement of Indigenous peoples and local communities regarding marine activities.

The Part II report compares recommendations and guidance from the Arctic Council with practices used by governments, Indigenous peoples and local communities, industry, United Nations bodies, NGOs and academia. The report concludes with a set of good practices and lessons learned.

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[4] Protection of the Arctic Marine Environment (PAME) Working Group of the Arctic Council, Meaningful Engagement of Indigenous Peoples and Local Communities in Marine Activities, Part I Report: Arctic Council and Indigenous Engagement - A Review (Akureyri, Iceland: May 2017).

2.0 Purpose and approach

The purpose of the MEMA project is to take stock of existing practices for engaging Indigenous peoples and local communities in marine activities and to complete an analysis by source of information, sector of activity and stages of engagement.

The project team compiled existing requirements, recommendations, guidance, policy statements and protocols for engagement into a database. The team drew documents from publicly available sources, including the Arctic Council, Arctic governments, Indigenous peoples and local communities, industry, academia, NGOs and the United Nations. Although this project primarily focuses on marine activities, some documents within the database apply to a broader spectrum of activities—for example, those on fresh water and land.

The analysis of the database highlighted the recommendations of the Arctic Council and helped to identify some common approaches and good practices for meaningful engagement of Indigenous peoples and local communities. Section 6.0 provides a detailed description of the methodology.

3.0 Supporting documents and resources

This report is supported by an information database (www.memadatabase.is), a workshop and several analytical background documents. More information can be found on the PAME website at here. Annex 1 features a list of, and links to, key documents.

- MEMA, Part I Report: Arctic Council and Indigenous Engagement - A Review (for information to the Arctic Council May 2017)
- MEMA Information Database (not an endorsed product of the Arctic Council)
- Background Document on Engagement with Indigenous Peoples for MEMA workshop (not an endorsed product of the Arctic Council)
- MEMA—Workshop Report (not an endorsed product of the Arctic Council)
- Annex 3, "Compiled Arctic Council Recommendations and Policy Statements," MEMA, Part I Report: Arctic Council and Indigenous Engagement - A Review (not an endorsed product of the Arctic Council).

Readers may also find more information about how the data was processed in Annex 2, "MEMA Information Database Phase I analysis," and Annex 3, "Narrative summary and MEMA: Phase II analysis." Both are located online at pame.is though these are not endorsed by the Arctic Council.

4.0 What is meaningful engagement?

The term "meaningful engagement" has no single definition and does not have a one-size-fits-all approach for all activities. It is understood to include a range of practices by government, industry and other actors seeking to operate in the Arctic. What is considered meaningful engagement can be a matter of perspective by different entities.

An engagement approach can be considered meaningful if it achieves the purposes for which the engagement is initiated.[5] Determining the purposes of engagement in partnership with

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[5] D. Newman, M. Biddulph and L. Binnion, Summer 2014, Arctic Energy Development and Best Practices on Consultation with Indigenous peoples, Boston University International Law Journal, 32 (2): 449-508.

Indigenous peoples and local communities prior to the engagement helps the engagement process. It is important that both sides—those engaging and those being engaged—feel that engagement has been meaningful.

Meaningful engagement may be shown by respect for culture and values and inclusion of Indigenous knowledge and local knowledge. Meaningful engagement benefits from each of the following:

- actors being engaged;
- culture being respected;
- consideration of a project's timelines and size, and how they could impact communities;
- consideration of the location of communities; and
- consideration of the nature of a proposed activity.

Making engagement meaningful can also mean fulfilling a requirement as part of a project or activity where legislation, treaties, land claim agreements or other regulations in Arctic countries place such an obligation on governments to engage with Indigenous peoples and local communities. Such engagement may be related to government-to-government engagement,[6] including consultation,[7] as well as the right of Indigenous peoples to participate in decision making that may affect them,[8] and the right to self-government.[9] These laws, treaties, land claim agreements or other regulations may place minimum requirements on governments and/or citizens to engage.

Ongoing communication is often recognized as contributing to meaningful engagement. For instance, Indigenous tribes in the Bering Strait region have described meaningful engagement as "an ongoing and meaningful relationship between tribes and a federal agency that has the mutual objective of collaboration and should not be issue-based, it should be a relationship that is maintained even where no major issues of contention arise."[10]

5.0 Setting the context

This section contains first-person accounts by individual authors, with examples on how engagement and collaboration can be beneficial to Indigenous peoples and local communities as well as to those conducting projects and research. The following examples represent the views of each author and have not been edited or endorsed by the Arctic Council in its approval of this document. These accounts reveal that there are multiple ways to bring people together to exchange thoughts, ideas and perspectives. This section consists of:

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[6] United States, Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, November 6, 2000.

[7] Russian Federation, Law of Republic of Sakha (Yakutia) 82-Z N 175-III On Tribal Nomadic Communities of Indigenous Numerically Small People of the North (adopted by a decree of the Republic of Sakha [Yakutia] legislature Il Tumen dated October 17, 2003 Z N 176-III). 2003.

[8] Russian Federation, On Primordial INSP Habitat and Traditional Lifestyle Protection in YNAD (adopted by the Yamal-Nenets Autonomous District [YNAD] legislature on September 20, 2006). 2006.

[9] The Constitution Act, 1982, Schedule B to the Canada Act 1982 (UK), 1982, c 11.

[10] J. Raymond-Yakoubian, "Participation and resistance: Tribal involvement in Bering Sea fisheries management and policy," in Fishing People of the North: Cultures, Economies, and Management Responding to Change, edited by C. Carothers et al. (Fairbanks, Alaska: Alaska Sea Grant, University of Alaska Fairbanks, 2012), pp. 117-130.

1. a discussion by **Lene Holm**, a researcher and project leader in Greenland, who outlines key components in successful engagement and co-production of knowledge;
2. a dialogue about Aleuts and the complexities and social capital required to be involved at multiple levels of governance and collaboration, by **Dr. Liza Mack** of the University of Alaska Fairbanks;
3. a narrative about collaboration in Greenland from scholar **Heather Gordon**, who wrote a Master's thesis on engaging Indigenous communities;
4. a description of a project that took place in Alaska with the Gwich'in people, written by scholar **Dr. Norma Shorty**—again, the collaboration is presented as an important building block in the engagement of an Indigenous community;
5. a summary of Indigenous perspective, by **Dr. Liza Mack**; and
6. a dialogue by **Henry Huntington**, a private consultant researcher with an extensive background working with and for Indigenous communities.

5.1 How can we produce new and better knowledge in and about the Arctic?

Lene Holm, Greenland

Lene Holm is from Kalaallit Nunaat (Greenland) and works as a researcher and project leader at the Greenland Climate Research Centre. She is based at Pinngortitaleriffik (Greenland Institute of Natural Resources) in Nuuk, Greenland. During her keynote address to the Arctic Horizons group workshop May 31 to June 2, 2016, in Providence, Rhode Island, she addressed the question, "How can we produce new and better knowledge in and about the Arctic?" Here are the 10 concepts and ideas she presented.

"Language

Linguistic skills are of great importance for constructive and inclusive collaboration. Not only in order to have conversations with community members, but also in order to understand their universe and their understanding of their environment, whether it is about how they perceive their own existential questions, but also in accordance with where they are (dialects and local conditions) and what they are making a living from, i.e. Fishermen; what fish? Hunters; what prey? Farmers; farming what?

"Tassa tamakku allannguutit iniip malersugai qangaaniilli, salami ... malersorlugu aamma naleqartarput tamarmik!"

(These changes are what the human beings have been following from times past, and following the Sila has a crucial effect on being human.)

In-situ sensors: People who are actually living there

Recognize that we have Indigenous Knowledge and our Indigenous Knowledge has monitoring methodologies. Understanding our way of seeing the world and our language helps you to begin to understand that our knowledge is systematic and brings together different pieces of our environment. This is what we need; scientists need to bring natural and social science together. Indigenous Knowledge can help scientists learn how to do that.

Knowledge co-production through inter- and transdisciplinary research

Integrating an inter-disciplinary approach within natural and social scientific research and Indigenous Knowledge for policy development in the 21st century is of immense importance to global issues. Here the views of the Indigenous Peoples can and will have a key role, and the world cannot turn a blind eye.

Collaboration is not only about information sharing, it is about a process that allows us to share knowledge. The concept of knowledge co-production will have great importance to the future results of research. To reach this, we need to "(d)evelop capacity building for, and educate people about, co-production of an approach that builds equitable and collaborative research partnerships from different ways of knowing."[11]

In the past few years there has been a movement away from the concept of Traditional Ecological/Environmental Knowledge and work has been done to introduce a better concept, illustrating the knowledge of Indigenous Peoples of the Arctic in a more flexible and understandable way. This will, in my opinion and from my own experience, lead to a smoother way of building collaborations among different ways of knowing, i.e. the Western way of science and Arctic Indigenous Knowledge. The inclusion of the insightful knowledge and wisdom that our people have about the environment of the Arctic will not only benefit the scientific research done in and about the Arctic, but also benefit the peoples of the

> **"Tassami allanngoriarterneq, soorlu sarfap ilummut kuuttorsuasiip kinginerisaanik aalisagaarannguaninngaaniik aalisagakuluunut tamakkiivillitik qaangijikkaluarput. Soorlu aalisagarpassuasiit taagersinnaavarput; Saarillinninngaaniik, kigitillit, nataarnat, suluppaakkat, qalerallit, ammassat, ammassassivit, kanassit, tamakku soorlu uukkatl"**
>
> (Yes the changes, like when the current changed direction, going from the ocean inwards land, all our fishes, from the smallest ones to the biggest ones, disappeared. The fish species of question are Cod, Wolffish, Halibut, Redfish, Greenland Halibut, Capelin, Herring, Sculpin and Polar cod.)
>
> **– Henrik Enoksen, Narsarmijit**

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[11] Arctic Observing Summit (AOS) 2016, Theme 6 recommendations on Interfacing Indigenous Knowledge, Community-based Monitoring and Scientific Methods for sustained Arctic observations, Fairbanks, March 15-18, 2016 (Fairbanks, Alaska: University of Alaska, 2016).

Arctic.

In the joint statement from the 2016 U.S.-Nordic Leaders' Summit,[12] it speaks about the Arctic: 'We are committed to deepen the knowledge and understanding of the Arctic, both inside and outside of the region, to strengthen Arctic research and transdisciplinary science, and encourage cooperation between higher education institutions and society as well as synergies between science and traditional and local knowledge.'

Paradigm shift

To see our knowledge as equitable to science requires trust, relationship building and capacity building, allowing for multiple directions and overall a paradigm shift in how we are monitoring, how we are doing research, and how we are working together.

Education and training of researchers and communities

The key here is not translating one type of knowledge into the other. Both knowledge systems have to be respected for what they are and they must be considered equal for obtaining the best results. It is important to have both knowledge holders in the process from conception through to analysis and output. Not all research will need both Indigenous knowledge and science. The dissemination of the scientific results will always have utmost importance for the Arctic residents in their thriving for understanding the environmental changes happening in their regions.

Two or multiple ways of capacity building

Both the non-conventionally educated—for example, hunters, fishermen and others with knowledge unique to Indigenous Peoples—and conventionally educated academics will have to rethink their way of understanding the entities surrounding them. I think this will have much more powerful results than what we have today. This of course will have implications of how we conduct research today, but again I think that is the only way to proceed. We have to include children and youth, by showing good examples of how to do community-based research. They have to be 'reintroduced' to their own culture, since this is a necessity for the survival of our peoples. Here, all of us, as researchers, scientists, policy makers, developers/businesses, funders and educational institutions, have a responsibility to help. We have the resources and knowledge that can help make these endeavours a success.

Human relationships in research

Consultation is important, but engaging with communities prior to even writing a research proposal is vital to the research process. Community members need to be research partners and feel they have part ownership of the project—they must be able to discuss research topics and issues and contribute to the formulation of research questions.

For more people to benefit from science, it is also very important to consult with communities when choosing parameters for what to measure. Today, we often see that inappropriate choices of parameters are making the beneficiary of research very limited, many times only to the research and not to the communities. Often such

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[12] U.S.-Nordic Leaders' Summit Joint Statement (Washington, DC: The White House, May 13, 2016).

research has been developed within some very narrow entities. When the communities find out what it is all about, they tell the researchers that the researchers would have the same results, maybe even better, if the communities had been consulted. And this would have been to the benefit for the community as well. Many times research, especially in the Arctic, is to a great extent cost- and resource-consumptive. If we can turn this trend into multiple beneficiary research, that would make the results better and create sustainable programs. We have throughout modern history been lending our environment to humanity, through giving researchers freedom to do whatever they find interesting, for free. We have reached a point where this has to be turned into multi-beneficiary research that includes the communities.

Many communities have their own research priorities, and many are interested in conducting their own research projects independently—there are communities that are interested and well able to do this (on all kinds of topics). There needs to be funding to communities directly for these kinds of efforts—funding directly to communities without putting conditions on them or tying them to someone else's research agenda. Many communities want to have ownership and leadership of the research process; in other words, to conduct their own research process (decolonizing science).

> **"Allaanginnami Sila Assallatseq"**
> (The Sila, the mind has twisted! Meaning also the Sila, the outdoors has twisted!)
>
> **– Henrik Enoksen, Narsarmijit**

Co-production and community-based research

The measuring of a fiord, for example, by oceanographers and the locals would be a good platform for a co-production of knowledge, since locals are making a living from hunting and fishing the resources and since they have knowledge about the system (holistically) that has been handed to them through generations. The Inuit living in these places know a lot about the weather conditions, the ice conditions, the currents in the area, the cycles of the animals, the contents of the stomachs of the animals they catch, the tastes of the meat according to where and when these have been caught, just to mention a few things.

Community-based research works best when community members have a major role in the actual work that produces the data and when they apply the results of that research in everyday contexts. Community-based research is not simply a matter of scientists employing local people to help them transport equipment or work as research assistants! Community-based research requires an element of capacity building in terms of local training, guided by the community leaders.

Sustaining community-based research

Community-based research needs to be sustained on a long-term basis. Research projects have a specific period of funding, but community needs often extend beyond the lifetime of a project.

Information and data need to be accessible to communities, put in a way in accordance to their culture, to address different questions and issues. Nevertheless, they also have to know how it is being used outside of their community.

Free prior and informed consent

For me a true community-based research is the one using free, prior and informed

consent. Free, since the community always has the right to say no. In accordance with the international rights that Indigenous Peoples have achieved, through hard work and international cooperation amongst Indigenous and governmental institutions and states. The plans for the research have to be announced to the right institutions of the communities, prior to the initiation of such a research project, in order for them to take part, on an equal basis, with those who want to do research in the areas of the communities in question. Last, but not least, it has to be on an informed consent approach. Informed means that the community has all the given information they need in order for them to make an informed decision. This includes how information gathered will be used and stored, and what it will be used for. The community in question has the right to approve such plans, since they will be the ones that will have the right to review the plans and the results, in accordance with the aforementioned internationally achieved rights.

This is a good reason to have regional protocols, so that communities can define what free, prior and informed consent will mean for them. At the U.S.-Nordic Leaders' Summit, it was stated: 'The United States and the Nordic countries are committed to recognizing the rights of the Indigenous and local peoples and we reaffirm our commitment to the unique role played by Arctic Indigenous and local communities and their traditional and local knowledge.'[13]

5.2 The Chief knows what he has to do

Dr. Liza Mack, United States

Dr. Liza Mack is the executive director of Aleut International Association (AIA) and serves as the AIA head of delegation to the Arctic Council Sustainable Development Working Group.

**Tukux maax matanakiim idaxtakux
(The Chief knows what he has to do)**

"Allaannginnami sila assallatseq"

(The weather has twisted its mind. Let us "twist our minds" in order to understand the twisted mind of the weather. My hope is that we at last are reaching the point where we are thriving with the "twisting of our minds" in the direction of a sustained way of doing Arctic research, in regards to developing methodologies that fulfill the interests of all, be it the Indigenous Peoples of the Arctic or the Arctic scientific community.)

Qujanaq!

"The Aleut people have lived and thrived in the dynamic region situated between the Pacific Ocean and the Bering Sea for over 10,000 years. During this time, their culture and their societies have flourished and changed. In pre-contact times, the Aleut society was a structured one with a class system that included chiefs, commoners and slaves. The chiefs were knowledgeable and skilled. Today, there is no longer this class system; however, the Aleut leaders are still dynamic and skilled and working hard to see that the communities in the Aleutians are thriving.

When you talk about hunters, fishermen or chiefs, in Nuugiim Tunuu, the Atkan dialect of the Unangam Tunuu, the Aleut

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[13] U.S.-Nordic Leaders' Summit Joint Statement (Washington, DC: The White House, May 13, 2016).

language, you would say, Tukux maax matanakiim idaxtakux, or "The Chief knows what he has to do." He has to know about the weather and the presence or absence of animal species; he needs to understand the tides, and the terrain, and the tools at his disposal. This is the same today as it was in the past, except today he has to know even more than before. He or she needs to understand everything that they have traditionally known, and also be aware, or recognize and navigate, the political structures that are now in place that dictate how our people are allowed to hunt and fish. This includes, but is not limited to, knowing what the regulations are, what the bag limits are, what the boundaries are, and how to get the right permission to even participate in hunting and fishing activities. This is only the beginning of the process and doesn't touch on the other roles they are required to fill at the same time.

In the Aleutians (Aleutian Islands), as is the case in many Arctic communities, marine life is the centre of the subsistence and cultural practices. Our societies were built on the oceans, the waterways, the tides and all of the beings within them. At one point in time, some of these societies numbered in the tens of thousands; today, the population in our coastal communities is a fraction of this. However, the workload has not decreased; it has increased in Indigenous communities. Not only are the men and women living in their traditional lands still hunters and fishers, but they are also teachers, lawyers, politicians, businessmen, pilots, health professionals and government officials. The small populations often dictate that people play multiple roles within the communities. The person who is the maintenance man at the school is also often on the city council and the native corporation board, running a fishing boat and hunting and gathering for his family. The woman lobbying for funding to keep schools open, flying to and from Washington, D.C., and Juneau, understands the importance of knowing who the senior senator on the appropriations committee is working with on legislation that could impact their communities. At the same time, they could be planning a traditional feast to entertain and feed hundreds of people while writing testimony about genetic studies of marine species and then discussing with states the management of those marine resources. Whatever is happening, though, people want and need to be fully engaged in all pieces of a project. This engagement includes but is not limited to planning, implementation and supervision of such projects. This will not look the same in each community, and it is up to those who are interested in pursuing the project to spend time learning about the community and having conversations about the goals of the project and what this could mean for the future of the region and of the resources. Obtaining a platform of understanding for all parties should be at the forefront of these conversations.

When we approach leaders in Arctic communities, acknowledgement that their time is valued and appreciated is necessary to properly engage with them. Every day, they are inundated with information; some of it useful and some of it not. Making sure prior to research and development that these activities will add value to the community can help to ensure that projects are headed in the right direction and involve the right people. Further, time and space are not defined in the same way as they are for Western societies and value systems. The approaches to understanding the environment may not be familiar to the visitors seeking engagement. Being cognizant of this and the multiple roles people play in order to continue a traditional lifestyle while providing for the future of their communities is key to beginning the conversations that lead to fully engaging the people in the Aleutians and in the Arctic as a whole."

5.3 How to build mutually beneficial research relationships

Heather Gordon, United States

Heather Gordon, an Indigenous Studies PhD student at the University of Alaska Fairbanks, interviewed North American researchers and Inuit Greenlanders about how to build mutually beneficial research relationships for her Master of Science (Sociology) research at the University of Wisconsin–Madison. Trust was a key component of her findings. Here is Heather's discussion about trust:

> "Both the researchers and Greenlanders spoke of a research relationship needing trust. I realized that the vital question to address was, "How can researchers build trust with the community they are working in?" Through interviews and focus groups, key elements emerged as to what researchers can do to build trust with community members. Researchers need to: know community culture and history prior to visiting the community, display proper etiquette by acting with honesty and reciprocity toward community members, act ethically within the culture of the community, exchange knowledge with the community to build social capital, and give back project results in a manner to be understood by the community and put to practical use. These actions, according to the Inuit Greenlanders and North American researchers I interviewed, build trust.

> One experience I had in Greenland exemplifies trust building through reciprocity with community members. Even though it was unrelated to my project, I built stronger relationships with some elder community members. I attended the community choir whenever I could; it included some of my interviewees, but was mostly people I had not interviewed. Greenlandic is a phonetic language, so even though I could not speak it, I could sound out the words and sing it.

> The accompaniment is often an accordion, not quite a traditional instrument but brought with colonialism. I cannot remember if the choir asked me, or if I asked them, if they would want to be recorded so I could make CDs of their music for them. Regardless, I recorded one of the choir practices and took a picture of the whole group. After I got home to Wisconsin, I edited the sound, separating the songs into separate tracks. I made CDs and made copies of the picture I had taken of the choir and mailed it all to Greenland where my community contact handed them out. Getting the opportunity to give back to the community that supported me through my work was fulfilling and enriching."

5.4 Understanding Tlingit knowledge and collaboration experiences with Coastal Tlingit elders

Dr. Norma Shorty, Canada

Dr. Norma Shorty works with a community of Tlingit and has focused efforts on understanding Tlingit knowledge and collaboration experiences with Coastal Tlingit elders.

> "I work with 30 Tlingit coastal elders toward articulating Tlingit knowledge on Tlingit history, literacy, stories, language, ceremonies, thinking, medicines, foods and values such as perseverance, balance, and respect. These discussions are ultimately led by Tlingit thinking on Tlingit learning and teaching methods, Tlingit philosophies and so much more.

> With respect to research engagement, it is the elders who lead our discussions and the

course that our discussions will take.

As the facilitator and professional researcher, it is my responsibility to ensure that Indigenous peoples remain at the centre of research paradigms. What is meaningful community engagement? What is Indigenous-led research?

- The topic is discussed with a Tlingit lens; the depth, the meaning, the stories, the applied philosophies, the Tlingit language is represented in its entirety.
- Elders together discuss the topics, how the topics are understood.
- Our shared and respected histories are key.
- There is a person taking minutes.
- Elders agree with the articulation of their meeting minutes (a work in progress).
- Elders agree with the curriculum framework in discussion.
- Meetings are video recorded and archived.
- Curriculum frameworks are developed.

Our first curriculum topics include the boarding school experiences of local elders due to the broader social implications of healing ourselves through our Tlingit language and culture. Out of the boarding school topics grew a contact and colonization timeline, which articulated how we thought about ourselves as Tlingit people, 'Before the great floods we had already been through a lot.'[14]

Broader social impacts are experienced at curriculum development tables at the local school district levels, including professional development and our teacher training institution.[15] Elders together see themselves as teachers and agree that Tlingit subject matter needs to be taught by Tlingit people.[16] In this model, there is balance infused into the teaching world. Western worldview and Tlingit worldview are allowed to stand together side by side.[17]

Our next curriculum round table will have an emphasis on Haa Kusteeyi (Our Tlingit Way of Life). How Western science is understood may be gleaned through broader discussions of food and food sovereignty."

5.5 Summary of Indigenous perspective

Dr. Liza Mack, United States

"Some advice can be gleaned from these first-person accounts. Meaningful engagement should begin at the onset of a project, allowing Indigenous peoples the opportunity to have input and recognition prior to the start of the project. They should be contacted and included at every step of the project—ideally, at the very beginning of the planning process. The people seeking engagement should strive to understand the world view and the general customary practices of the people's land they are trying to engage with. Finally, it should be understood that interactions throughout the Arctic

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[14] Goldbelt Heritage Foundation, Elders, Boarding School Discussions, 2015.

[14] Goldbelt Heritage Foundation, Elders, Boarding School Discussions, 2015; Indian Studies Juneau School District Social Studies Curriculum Discussions, 2016.

[16] Goldbelt Heritage Foundation, Elders, Subsistence Discussions, 2016.

[17] N. Shorty, Inland Tlingit of Teslin, Yukon: Gaanaẋ.ádi and Kookhittaan Clan Origin Stories For The Immediate And Clan Family Of Emma Joanne Shorty (Nee Sidney), unpublished doctoral dissertation (University of Alaska Fairbanks, 2015).

will not be uniform across latitudes, and each society and culture deserves time and attention that will reinforce good working relationships between the sectors highlighted in this document and the Indigenous communities affected by research and exploration. All who work or plan to work in the Arctic should seek to invite Arctic communities to the table for all parts of a project, from the development of the project goals through to the end, with special attention to the time, effort and resources needed to obtain a working rapport that works for all parties involved. It is hoped that these perspectives will encourage project leaders to initiate conversations with Indigenous peoples."

5.6 Meaningful engagement from outside the Arctic Indigenous community

Henry Huntington, United States

Henry Huntington is an independent consultant and has a doctorate in Polar Studies from the University of Cambridge. His research has examined traditional knowledge of marine mammals and sea ice, the impacts of climate change on Arctic communities, the regulation of subsistence hunting and other topics.

"Many people and organizations come to the Arctic, to provide services, to seek business opportunities, to develop policies, to conduct research, to explore, and more. Nearly all will interact in one way or another with Arctic communities and residents. This may be as simple as getting off an airplane in a remote community before continuing onwards, or it may be a long-term, multifaceted relationship affecting the community deeply. In all cases, basic politeness requires awareness of one's influence and impact, and of local rules and expectations. In many cases, interactions with local institutions, leaders, and residents can be both necessary and beneficial for all concerned. This section looks at those interactions from the point of view of the visitor—the entrepreneur, the developer, the researcher, the adventurer—exploring what 'meaningful engagement' can and should entail.

Unfortunately, attempts to engage communities or discuss what engagement means often lead to misunderstandings about the respective roles and rights of those involved, miscommunication about what is expected from each side, and frustration all around. This experience may cause some to conclude that community engagement is not worth the trouble or is best minimized if not actually avoided. These misgivings can be resolved with a better understanding of what is involved in community engagement, leading ideally to a shared vision for what is entailed and why. The following sections look at the reasons for seeking meaningful engagement, what meaningful engagement means, how meaningful engagement can be fostered, and finally some suggestions for action.

Why seek meaningful engagement?

The importance of meaningful engagement can be explained in three categories: respect, better information, and avoiding problems.

Nearly every travel guidebook contains a section on local customs and politeness. It is expected that visitors will make themselves familiar with at least the basic elements of local etiquette, to avoid giving offence and to show respect to their hosts. The same concept is true when engaging in activities that involve, in one way or another, one or more Arctic communities. This idea has been incorporated in various guidelines for ethical conduct, as well as in international instruments such as the United Nations

Declaration on the Rights of Indigenous Peoples. Those who are going to be affected by an action deserve and have the right to know what is planned and to have a say in whether and how that action happens. Few would dispute this in principle, but in practice, it can become complicated. Who needs to be engaged? At what point? Who has what authority with respect to any decisions? How does one know that 'meaningful engagement' has been achieved?

Local residents are also likely to know their home region better than visitors. Engaging with communities can provide useful information to visitors, allowing them to avoid wasting time learning things that are already known or to operate more efficiently in the local area. There are many stories of operations gone wrong because of inattention to some detail, where a short conversation with a knowledgeable local resident might have avoided the problem entirely. Interactions with local residents may also help find ways to provide mutual benefit; for example, by sharing logistics or by making connections between two efforts that were otherwise unaware of each other. If nothing else, a good interaction with local residents may help someone avoid becoming the next story about clueless visitors making elementary mistakes.

Meaningful engagement is not a one-time event, but the growth of a relationship. Few projects start smoothly and run their course with no snags or surprises. If the visitor-local relationship has a weak foundation, with limited communication and a lack of mutual understanding, it will not be surprising if the relationship cannot withstand a problem that arises partway through an activity. On the other hand, a strong relationship can establish mutual trust and communication, leading to a problem-solving approach when difficulties arise. Similarly, divergent expectations are likely to lead to feelings of betrayal and frustration if the engagement has been superficial and has avoided digging into potential challenges. It is all too easy to interpret events to one's liking. It is harder, but necessary, to make sure that the others who are involved understand things the same way.

What does it mean to be meaningfully engaged?

Meaningful engagement is hard to define with precision, as each instance will be different depending on the individuals involved and the activity being considered. It is tempting to say that one can recognize meaningful engagement when one sees it, but one side may believe they have achieved this standard at the same time that the other side thinks things are just beginning. Nonetheless, we can identify some characteristics of meaningful engagement that help show what should be expected and how one can recognize if one is on the right path.

Meaningful engagement is, at heart, a conversation. A conversation that can only include safe, easy topics does not suggest a robust relationship among equals, but instead an awkward interaction based on uncertainty, if not suspicion. A conversation that is open and honest, on the other hand, is a good sign that the relationship is based on mutual respect and a desire to understand each other's point of view. Few people are likely to agree on everything, but it is important to acknowledge areas of disagreement and to decide if they are significant enough that they need to be resolved before further action is taken. Problems that cannot be resolved when the pressure is off are unlikely to reach a satisfactory outcome when everyone is under great stress, as may occur later in a project if difficult decisions are deferred. Establishing a way to communicate effectively is thus essential.

For any projects and activities lasting more than a brief period, meaningful engagement will include continuity. Even short-duration interactions can and should include a follow-up conversation, to share results or simply to say thank you. The relationships that are established at the beginning will continue, in one form or another, and are likely to evolve. It is difficult, if not pointless, to try to anticipate every possible scenario during the course of a project. Instead, changes and challenges must be dealt with as they arise. An ongoing relationship is a good platform for resolving things. A relationship based only on the initial interactions and agreements is unlikely to have the depth and flexibility necessary to make adjustments easily. Thus, even if things are going smoothly, the opportunity to meet and discuss things is important to ensuring continuity and growth.

In any endeavour, it is important to know who is accountable for what. Meaningful engagement can only happen if accountability is shared. Does everyone deliver on promises? Does everyone complete work on time? Does everyone agree who is responsible for what? Does everyone agree on the consequences of failing to deliver as promised? If one side fails to do what the other has expected, it likely reveals either poor communication at the outset or a lack of commitment once things got underway. If there is not a sense of equality, in that both sides have responsibilities and are committed to meeting them, then it is difficult to see that meaningful engagement has been achieved. This is not to say that the responsibilities are identical, merely that both sides understand and agree to them, including the consequences of failure. Then everyone will know what they need to do to hold up their end of the arrangement, to make sure the plan that is agreed upon is followed.

Finally, quality and quantity should not be confused. Meaningful engagement is about quality—one 'meaningful' interaction is likely to be worth far more than a dozen meaningless get-togethers. Most Arctic communities are small, and often there are a handful of individuals who bear most of the burden of engaging with visitors. Not surprisingly, these individuals often get tired of the demands placed on them, making it harder still to build a relationship and achieve meaningful engagement. At the same time, this is no excuse for failing to invest the necessary time and effort. Meaningful engagement needs to be planned carefully, so that it is indeed meaningful and does not simply become 'multiple engagement,' something that is done just for the sake of appearances.

How can meaningful engagement be fostered?

As noted earlier, the basic rationale for and principles of meaningful engagement are unlikely to be controversial. The difficulty lies in putting them into practice. For the visitors, it can be difficult to understand how communities are organized, how they do business, and what they expect. This is not to place any blame on communities or their leaders and residents, but simply to acknowledge that a lot of learning is required, and that there are likely some steps that can help orient the visitors and create a more satisfactory process for everyone.

In any community or region, there are going to be multiple organizations with overlapping responsibilities and aims. Thus, 'community engagement' should really be 'community engagements.' It is not always clear which organizations play which roles in a given community, nor whether the various organizations at the community and regional levels work together effectively. It is thus important at the beginning to learn

which organizations are active in the community or region, what each one is responsible for, and what each one expects. Here, communities themselves can provide a great service by providing clear information to visitors about what is expected. A one-size-fits-all approach is probably not very useful, given the wide range of projects, activities, and interactions that can be expected. The expectations for a multi-national corporation planning to operate in the area for decades should not be the same as for a researcher planning to take a few samples and continue onwards. Nonetheless, it should be possible to start with a basic information request from the community and work from there to determine what else will be needed.

In doing so, it is also important that community organizations are clear about their roles and responsibilities, and what the visitors are expecting from them. An organization that insists on being informed, but is unwilling or unable to respond in a timely manner or to attend scheduled meetings, is not fulfilling its part of meaningful engagement. While some allowance can be made for the way things are done in a community (e.g., meetings may be cancelled because key people are called away to other events), visitors should be able to expect timely responses and not have to make multiple trips to the community to hold a single meeting.

Responsiveness goes in both directions. Communities can and should expect the visitors to respond promptly and fully to requests for information, and that information should be provided in a form that is accessible to community leaders and residents. Thousand-page documents or detailed technical reports are unlikely to be effective ways of conveying information to non-specialists. Again, it can be a big help if community organizations can clearly state what they want and expect of the visitors, and even better if they can provide examples of things that have worked well in the past. No one is likely to get everything right the first try, and so it is important to build time into the process to make sure no one feels rushed or ill-informed. On the other hand, the process cannot be completely open-ended. Visitors usually need to make decisions, to live within their budgets, and to complete their work within a specified time. Understanding and accommodating local timelines is important, but a process that drags on with little way to measure progress is likely to be a waste of everyone's time.

Good communication can help address many of these points. If someone does not know the answer, she or he should ask. If the community needs time to think or to develop the right way to respond, they should say so. In such situations, though, visitors should also be aware that in many cultures, it is rude to ask direct and confrontational questions, so indirect questions should be taken just as seriously as direct ones. If the visitor has a hard deadline or can only make a limited number of trips to the community, she or he should say so. If these limitations mean that one side or the other does not believe meaningful engagement has been achieved, they should say so, and then both sides can determine if there is a solution or if the project or activity should simply be cancelled. A clear process can also help demonstrate to the next set of visitors what can be accomplished and how, so that meaningful engagement does not have to be invented anew each time.

What do we do next?

The concepts and practices of meaningful engagement are evolving. Communities, understandably, are expecting greater involvement even as they may struggle with the demands that such a role places on their time and capacity. Visitors who have sought

to escape or minimize any kind of engagement are finding it harder to do so. Visitors who seek to do the right thing may still have trouble determining what that means and how it can be achieved within the constraints of budgets and timelines. Success is unlikely to be achieved by any one side working alone. Instead, it will take collaboration to try various approaches and to evaluate them together, according to criteria from both sides, and adjust for the next round. The development of meaningful engagement will be, like meaningful engagement itself, an ongoing conversation.

The first step, therefore, is to put our ideas into practice. Visitors can recognize their ethical and practical responsibilities. Local organizations can help spell out their roles and expectations. Then, everyone can share experiences, good and bad, so that all can learn. Learning, in turn, will only take place if we are willing to listen to one another and to adjust what we do and how we think about it. The cycle can repeat, with adjustments put into practice and evaluated, so that further improvements can be made. It is unlikely that a successful approach for now will remain the ideal way to do things forever. Evaluation and adjustment will continue to be appropriate as both the communities and the visitors grow and change.

In other words, meaningful engagement is not a formula or a recipe, but a process of interaction, a way of communication built on respect, openness, and accountability. It does not guarantee a particular outcome, but it should leave everyone with a clear understanding of what was decided and why, and of what will come next."

6.0 Methodology

6.1 Analyses

Academic researchers under contract to the Government of Canada completed the analyses of existing laws, regulations, guidelines, recommendations and more on engaging Indigenous peoples and local communities. The researchers contributed to the MEMA database compiled for the MEMA project. The database currently holds hundreds of entries and provides a broad representation of existing approaches to engaging Indigenous peoples and local communities in Arctic marine activities. The analysis focused primarily on engaging with Indigenous peoples as most available information refers to Indigenous peoples and their communities. However, the conclusions drawn apply to both Indigenous peoples and local communities. Two researchers completed the analyses in two phases (one analyst per phase) on two versions of the database. Phase I was done on the database when it contained 370 documents while Phase II was done on 240 additional entries.

> **Phase I—October 2016**
>
> The first analysis reviewed 370 documents authored by governments, Indigenous peoples and local communities, the Arctic Council, the United Nations, industries, academia and NGOs. The analysis determined the similarities and differences in approaches to engaging with Indigenous peoples and local communities (Annex 2). From the documents in the database, the analyst determined concepts, key elements and foundational components of meaningful engagement. To facilitate the analysis, these documents were sorted by source of authorship, sector of activity and stage of engagement.
>
> **Phase II—March 2018**
>
> The second analysis reviewed 240 additional documents, including 74 from Indigenous sources, especially from Russia, and several from United Nations sources (Annex 3). This analysis focused on sources from the Arctic Council, Indigenous peoples and local communities, industry and government, but did not include advisory documents from NGOs and academics. This analysis combined United Nations' documents with national and regional government documents. It did not break down the documents according to stages or sectors.

While the methodology used in the Phase II analysis is useful and informative, it was based on a different analytical method and a narrower scope than the methods used in the Phase I analysis. This makes direct comparisons difficult between the two analyses. Therefore, this Part II report used the Phase I analysis and tried to make linkages between the two methods, taking into account new data where possible.

The analysis consists of two main stages: 1) determining the main concepts, elements and/or foundational components of meaningful engagement, and 2) using these concepts, elements, and foundational components, making comparisons across the source of documents, sector of activity and stage of engagement.

The documents were sorted based on how they applied to one or all of the following activities:

- marine management;
- scientific research;
- resource exploration and development;
- emergency preparedness, prevention and response;
- shipping;
- tourism;

- general commentary that applies across all activities.

The documents included plans, guidelines, reports, papers, handouts, agreements, declarations, laws and policies. Additionally, the analyst sorted document content according to stages of engagement.

These sources, sectors of activity and stages of engagement were then cross-compared to show the practices used or recommended by each source and for each stage of engagement and sector. The Arctic Council's recommendations and guidance were compared to the practices of governments, Indigenous peoples and local communities, and industry and, to a lesser degree, NGOs, academics and the United Nations.

The analyses here help gain insight into ideas and concepts that outline engagement. They give a snapshot of current practices and existing recommendations by different sources and sectors. The analyses shed light on approaches outlined by the Arctic Council as well as by governments, Indigenous peoples and local communities, and industry. Although "meaningful engagement" does not have a single definition, the approaches outlined by these sources have some shared elements.

6.2 Underpinning analyses

In order to understand how meaningful engagement is described across the literature, the analyst for Phase I undertook a qualitative grounded theory approach. This approach let analysts connect concepts within documents through an iterative process of analysis and by coding words and phrases from the documents into concepts.
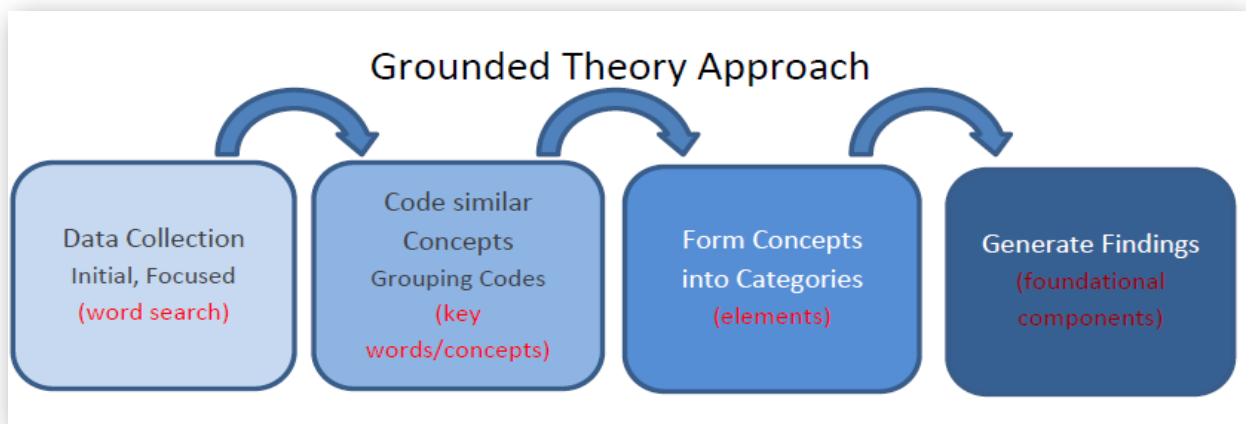

Figure 1. Conceptual graphic of the main phases of the grounded theory approach.

The analysis phases that roughly correspond are in red text. Collecting data is equivalent to the "word search" stage, coding similar concepts is the same as developing "keywords or concepts," forming categories corresponds with "elements" and arriving at general findings equals "foundational components."

6.2.1 Concepts, elements and foundational components

For each document in the database, an initial word search was conducted to identify words that relate to engagement. In addition, a qualitative search to identify similar information to the word search was completed. Together, they make up the keywords or "concepts" in Figure 2. The project researcher developed a list of keywords to highlight key elements and components that described meaningful engagement (see Figure 3). These words can relate to concepts, elements or foundational components of engagement. The keyword analysis

provides insight into terms and concepts that reflect engagement and identify ideas that the analyst could consider further.
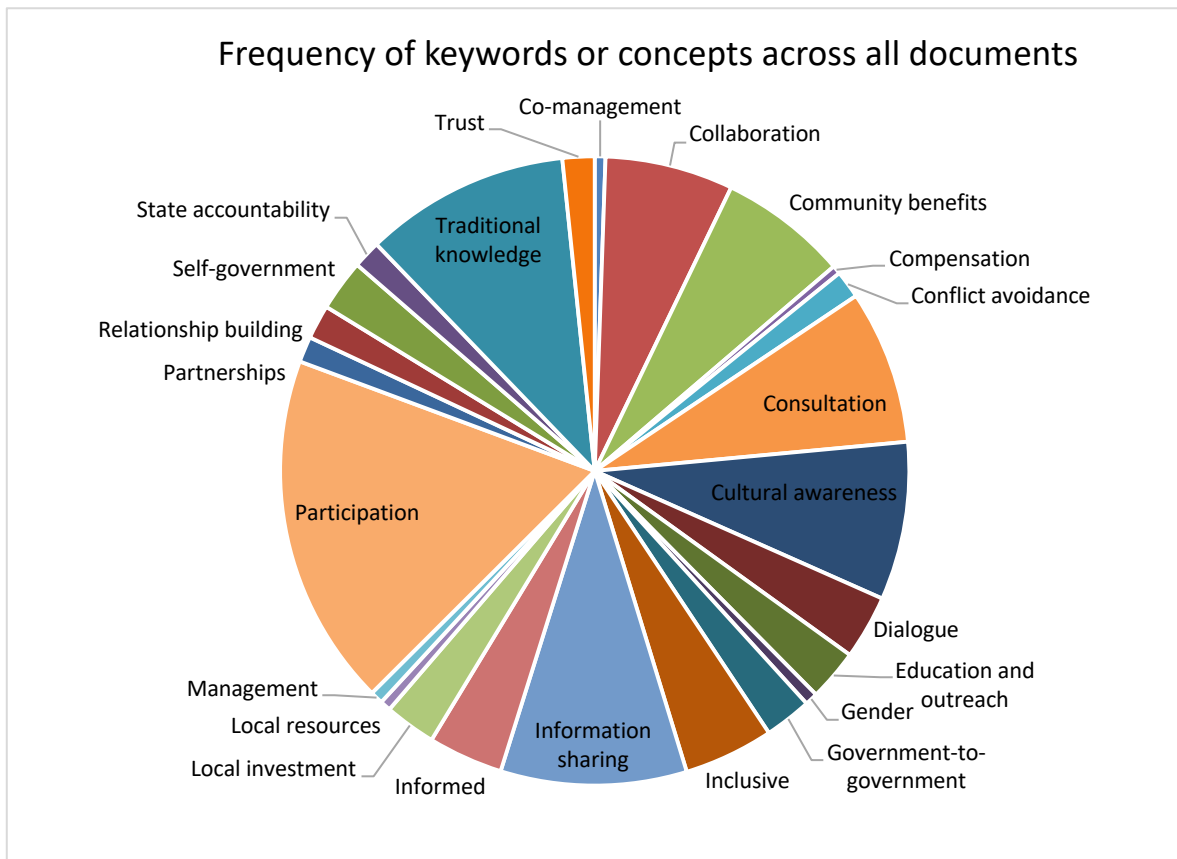

Figure 2. *Frequency of keywords or concepts across all 370 documents reviewed in Phase I.*

After further analysis of the documents, relationships between concepts emerged, giving rise to elements that encompass more than one concept (see Figure 3). After analysis of these elements, certain key components were recognized as foundational for meaningful engagement (see Figure 4).
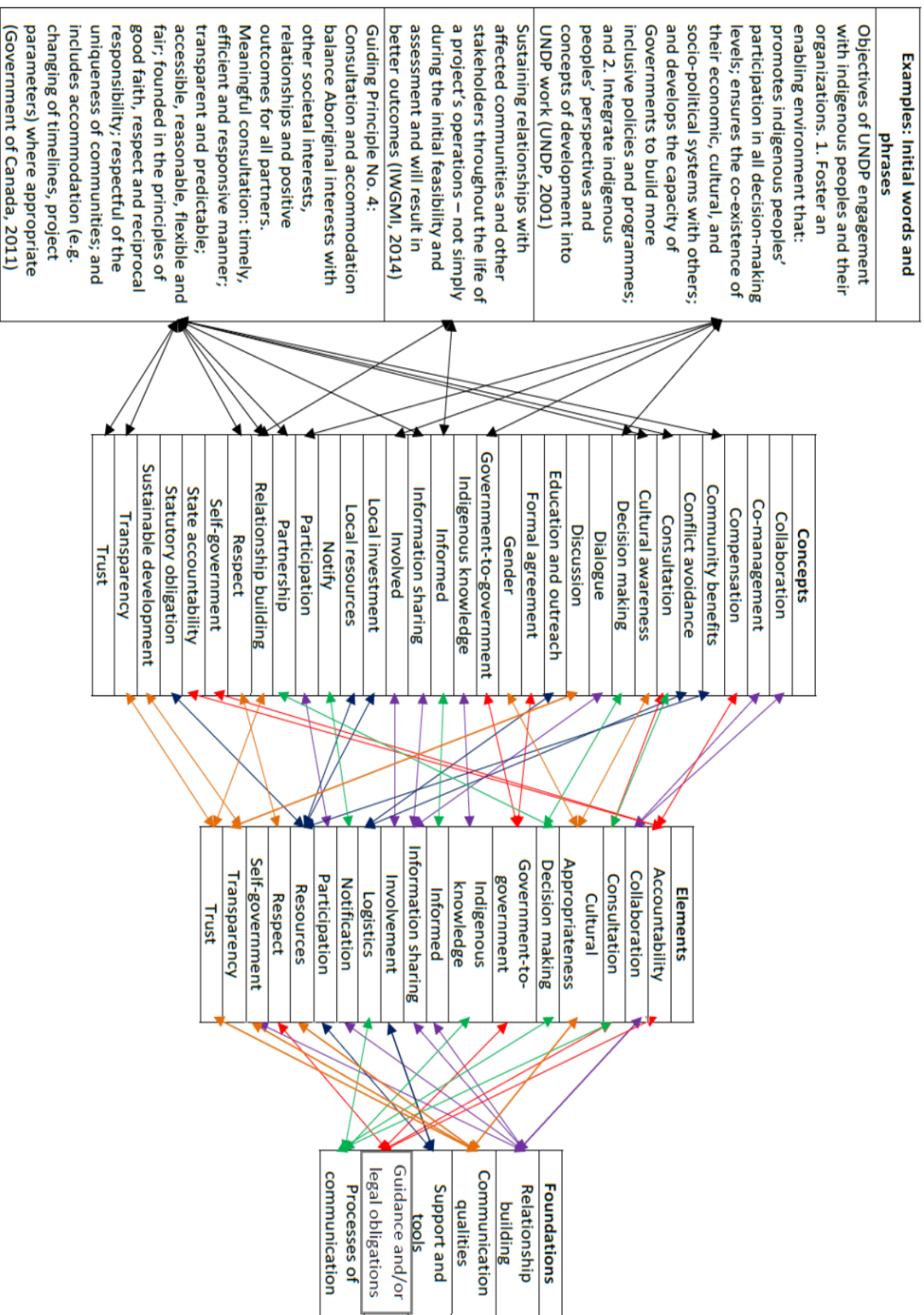
Figure 3. *Process of coding words and phrases into concepts, grouping concepts into elements, and finally determining the foundational components.*
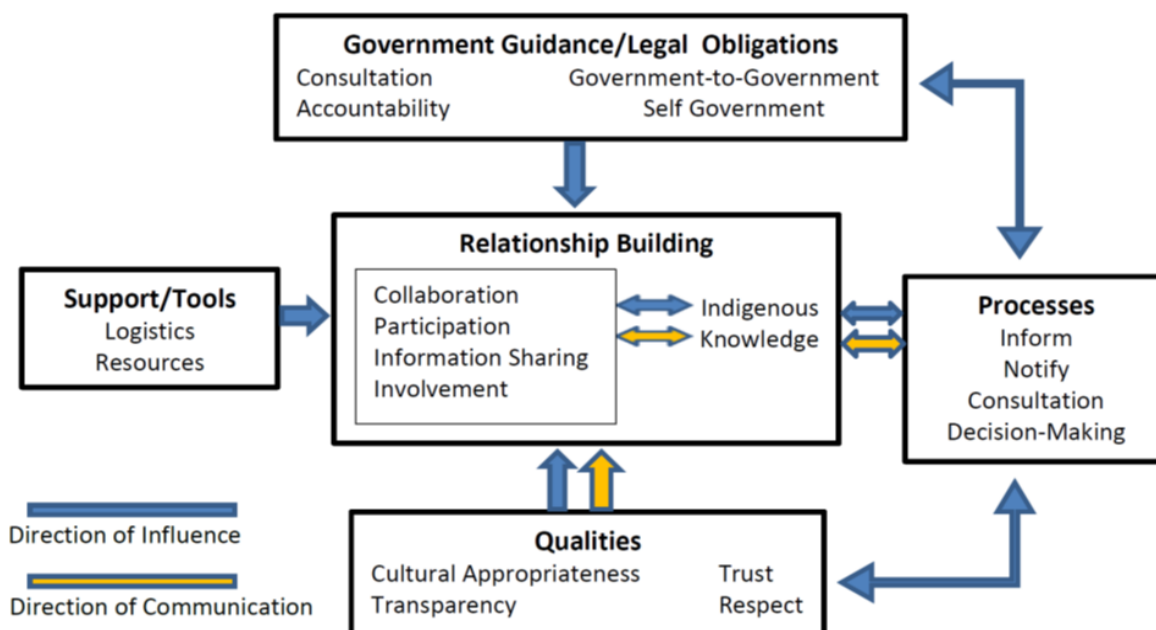
Examples: Initial words and phrases

Objectives of UNDP engagement with indigenous peoples and their organizations. 1. Foster an enabling environment that: promotes indigenous peoples' participation in all decision-making levels; ensures the co-existence of their economic, cultural, and socio-political systems with others; and develops the capacity of Governments to build more inclusive policies and programmes; and 2. Integrate indigenous peoples' perspectives and concepts of development into UNDP work (UNDP, 2001)

Sustaining relationships with affected communities and other stakeholders throughout the life of a project's operations – not simply during the initial feasibility and assessment and will result in better outcomes (IWGMI, 2014)

Guiding Principle No. 4: Consultation and accommodation balance Aboriginal interests with other societal interests, relationships and positive outcomes for all partners. Meaningful consultation: timely, efficient and responsive manner; transparent and predictable; accessible, reasonable, flexible and fair; founded in the principles of good faith, respect and reciprocal responsibility; respectful of the uniqueness of communities; and includes accommodation (e.g. changing of timelines, project parameters) where appropriate (Government of Canada, 2011)

Concepts

Collaboration, Co-management, Compensation, Community benefits, Conflict avoidance, Consultation, Cultural awareness, Decision making, Dialogue, Discussion, Education and outreach, Formal agreement, Gender, Government-to-government, Indigenous knowledge, Informed, Information sharing, Involved, Local investment, Local resources, Notify, Participation, Partnership, Relationship building, Respect, Self-government, State accountability, Statutory obligation, Sustainable development, Transparency, Trust

Elements

Accountability, Collaboration, Consultation, Cultural, Appropriateness, Decision making, Government-to-government, Indigenous knowledge, Informed, Information sharing, Involvement, Logistics, Notification, Participation, Resources, Respect, Self-government, Transparency, Trust

Foundations

Relationship building, Communication qualities, Support and tools, Guidance and/or legal obligations, Processes of communication

Figure 4. *An overview of the foundations influencing meaningful engagement.*

Each box is headed by foundational components and filled with elements of meaningful engagement. As denoted by arrows, communication is meant to be two-way between Indigenous peoples and local communities and other actors.

7.0 Findings

This section provides an overview of the foundations, elements and components of engagement identified from the analysis of the literature in the database. Annex 2 contains a complete summary of the analysis, including its methodology, findings and conclusions.

7.1 Foundational components and elements of engagement

The connections between components and elements of engagement were developed from the processes generating foundational components of meaningful engagement, as illustrated in Figure 4 and outlined in the following text. The element is bulleted while components are in bold.

- Relationship building

Relationships between Indigenous peoples and local communities and other actors benefit from **collaboration** between actors, the **participation** of all those who are being sought for engagement, **information sharing** that is balanced and reciprocal, **involvement** on an ongoing basis, and the use of **Traditional knowledge and local knowledge** with Western knowledge.

- Qualities of communication

Communication should be **culturally appropriate**. Consideration for language as well as other cultural differences can support the inclusion of Traditional knowledge and local knowledge.

It has been noted that the absence of cultural awareness can be one of the most significant factors affecting meaningful collaborations and public participation.[18]

Communication **transparency**, through information sharing and the ongoing involvement of all actors, fosters informed decisions by Indigenous peoples and local communities on whether or not to participate. **Respect** can be shown through collaboration, information sharing and the equitable (complementary) use of Traditional knowledge and local knowledge. **Trust** develops a relationship, requiring time and ongoing involvement among actors.

- Processes of communication

The documents reviewed highlighted the following broad degrees of participation that can be used during engagement processes: **notification, informed, consultation** and **decision making**.

- Available support and tools

Considering **logistics** as well as the **resources** needed and available for engagement can foster relationships that aid engagement. Reflecting transparency, respect and cultural appropriateness can assist with how and when engagement occurs logistically. Whether communities have the resources available to engage and whether parties seeking to operate activities in the Arctic have the capacity to invest will also influence the relationship and nature of engagement.

- Guidance and/or legal obligations, where relevant

The **government-to-government** relationship between state governments and Indigenous peoples may require more formal agreements. **Consultation** processes may be triggered where it has been identified that Indigenous rights are affected by government activities. This may influence a relationship as governments can have an established consultative process.[19] Domestic guidelines or legal obligations may also hold governments and/or other entities **accountable** when they fail to engage.

Indigenous peoples have the right to self-determination including **self government**. Indigenous peoples additionally have the right to free, prior and informed consent.[20, 21]

As it is in the interest of all actors to develop effective processes and agreements, where applicable, that reflect shared interests, Indigenous peoples and local communities have a reciprocal responsibility to participate in reasonable engagement processes.[22] To assist in developing relationships that result in meaningful engagement, Indigenous peoples could

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[18] K.A. Bartley, "They Don't Know How We Live": Understanding Collaborative Management in Western Alaska, doctoral dissertation, University of Alaska Anchorage (Ann Arbor, MI: ProQuest LLC, 2014).

[19] United States Environmental Protection Agency (EPA), EPA Policy on Consultation and Coordination with Indian Tribes (May 4, 2011).

[20] United Nations Declaration on the Rights of Indigenous Peoples, September 13, 2007, United Nations Document 61/295.

[21] The Anchorage Declaration, 24 April 2009, declaration of the Indigenous Peoples' Global Summit on Climate Change (Anchorage, Alaska: April 20-24, 2009).

[22] Department of Aboriginal Affairs and Northern Development Canada, Aboriginal Consultation and Accommodation - Updated Guidelines for Federal Officials to Fulfill the Duty to Consult (Government of Canada, March 2011).

outline potential adverse impacts on their rights, and interests, identify concerns, share relevant information and seek involvement in resolving issues in an attempt to reach a mutually satisfactory resolution.[23]

This conceptualization of meaningful engagement is not straightforward. What is considered meaningful will be influenced by each of the elements outlined earlier, as well as the perspectives of entities attempting to engage.

7.2 Approaches to engagement by different actors

A review of current approaches and recommendations by the Arctic Council,[24] government, Indigenous peoples and local communities, industry, the United Nations, NGOs and academics identifies how various sources address engagement. Figure 5 provides a comparison of keywords across different sources of documents, highlighting similarities and differences.

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[23] Ibid.
[24] PAME Working Group of the Arctic Council, Meaningful Engagement of Indigenous Peoples and Local Communities in Marine Activities, Part I Report.
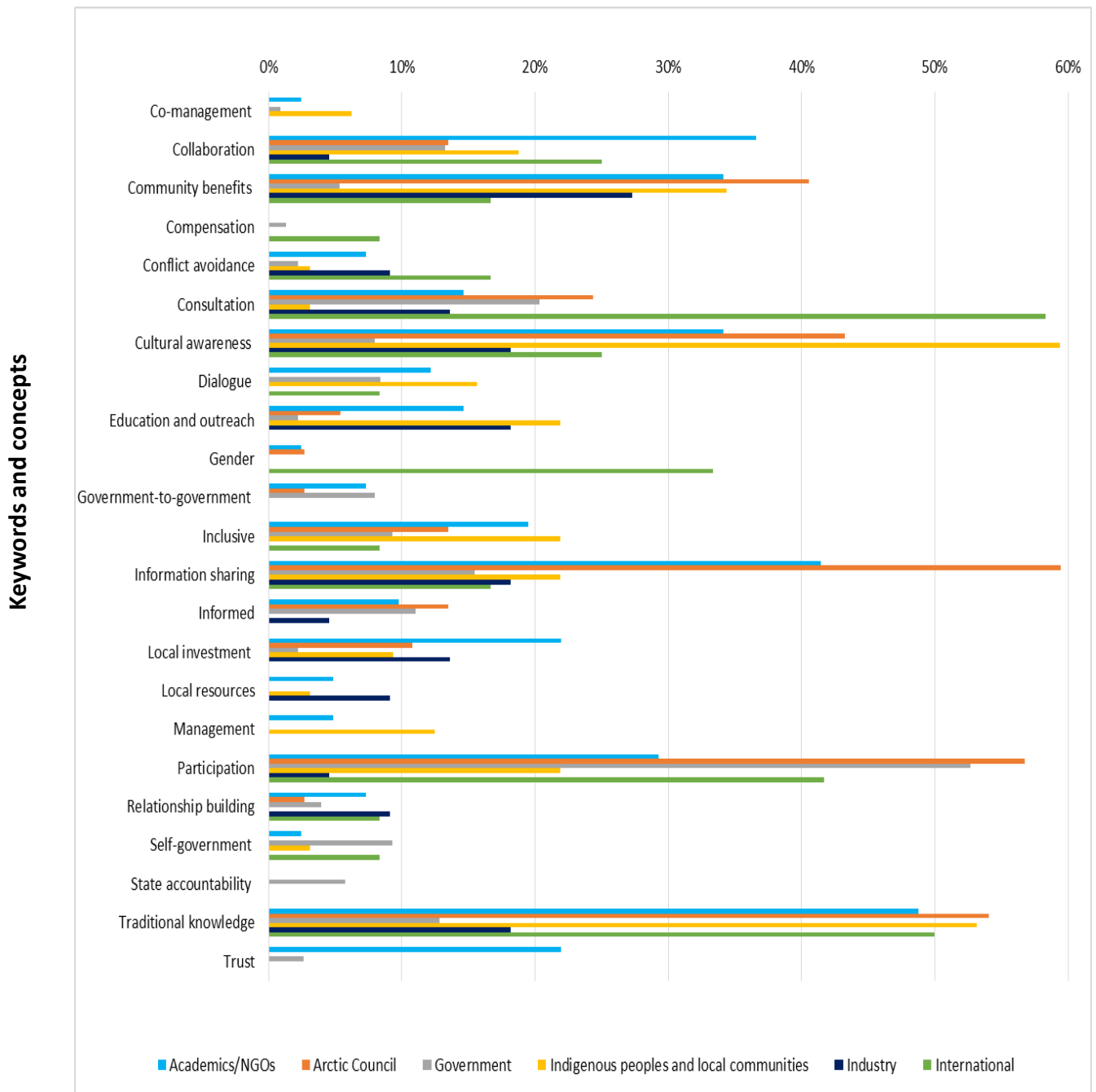
Percent keyword and concept references by sources of literature

Figure 5. Keyword and concept comparison across sources.

The sources—the Arctic Council, governments, Indigenous peoples and local communities, industry, academics/NGOs and United Nations bodies—are colour coded. The bars represent how often a keyword was mentioned, expressed as a percentage of all the references by the source.

7.2.1 Stages of engagement

The general stages identified are pre-approval, planning, implementation, management, monitoring and progress feedback. Generalized phases that can span across these stages include information gathering, engagement throughout operations, and conflict resolution. The project researcher broke down references to engagement across the stages of an activity or project by source group (see Table 1). This highlights where the discussion on engagement

by source group is focused in the documents reviewed. This does not mean that engagement does not occur across other stages of an activity or project. This comparison simply shows the stages at which certain actors may emphasize engagement.

The researcher identified general stages that occur over the lifetime of a project or activity. Then, the researcher reviewed documents to identify the stages of a project or activity in which engagement is discussed. When engagement begins during the lifetime of an activity, plan, policy and/or research will depend on context. Regardless of the scenario, engaging as early as possible has been noted as preferable. It allows for relationship building, trust and respect to be developed.

Not all activities or projects go through all stages identified.

Table 1. *Breakdown by source and stage of engagement (number of documents and percentage)*

Source / Stage	Arctic Council	Government	Indigenous peoples and local communities	Industry	Academics /NGOs	United Nations bodies
Pre-approval	0 (0%)	45 (13.9%)	1 (2.7%)	2 6.7%	7 7.1%	2 9%
Planning	19 (25.3%)	160 (49.4%)	7 (18.9%)	11 (36.7%)	24 (24.5%)	9 (40.9%)
Implementation	11 (14.7%)	29 (7.7%)	0 (0%)	1 (3.3%)	12 (12.2%)	2 (9%)
Management	5 (6.7%)	16 (4.9%)	9 (24.3%)	0 (0%)	9 (9.1%)	2 (9%)
Monitoring	18 (24%)	14 (4.3%)	1 (2.7%)	0 (0%)	20 (20.4%)	2 (9%)
Progress feedback	0 (0%)	5 (1.5%)	2 (5.4%)	1 (3.3%)	0 (0%)	2 (9%)
Information gathering	20 (26.7%)	28 (8.6%)	17 (45.9%)	4 (13.3%)	19 (19.4%)	3 (13.6%)
Engagement throughout operations	2 (2.7%)	21 (6.5%)	0 (0%)	11 (36.7%)	7 (7.1%)	0 (0%)
Conflict resolution	0 (0%)	6 (1.8%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)
Total references	**75**	**324**	**37**	**30**	**98**	**22**

A review of the source groups and a comparison identifies similar practices with the Arctic Council body of literature and where actors involved in on-the-ground engagement practices have developed different practices.

7.2.2 Sectors

The documents were further categorized by sector of activity.

- General: Documents that discussed engagement without reference to a particular activity or practice. This includes laws, international conventions, principles, recommendations and guidelines.

- Marine management (biodiversity and ecosystem management): Activities in which government is seeking input on how to maintain species populations and environmental integrity. This includes fisheries management.

- Scientific research: Processes, goals, timeframes and techniques for collecting information.

- Resource exploration and development: Natural resources such as oil and gas exploration and mining extraction.

- Emergency preparedness, prevention and response: This addresses natural incidents, oil spills and accidental releases of radionuclides that might threaten living conditions for small communities in the Arctic.

- Shipping: Trans-shipping through the Arctic corridor, local shipping to and from Arctic ports. This can include support of resource development.

- Tourism: Tourist development and activities in the Arctic, including cruise travel between ports and onshore activities.

Table 2. Distribution of documents by source and sector of activity (number of documents and percentage)

Source / Sector of activity	Arctic Council	Governments	Indigenous peoples and local communities	Industry	Academics/NGOs	United Nations bodies
General	0 (0%)	80 (35.4%)	9 (28.1%)	0 (0%)	1 (2.4%)	8 (66.7%)
Marine management	5 (13.5%)	100 (44.2%)	8 (25%)	0 (0%)	10 (24.4%)	1 (8.3%)
Scientific research	10 (27%)	8 (3.5%)	5 (15.6%)	1 (4.5%)	12 (29.3%)	1 (8.3%)
Resource exploration and development	7 (18.9%)	28 (12.4%)	5 (15.6%)	12 (54.5%)	7 (17.1%)	1 (8.3%)
Emergency preparedness, prevention and response	10 (27%)	8 (3.5%)	2 (6.2%)	0 (0%)	3 (7.3%)	1 (8.3%)
Shipping	4 (10.8%)	1 (0.4%)	3 (9.4%)	2 (9.1%)	5 (12.2%)	0 (0%)
Tourism	1 (2.7%)	1 (0.4%)	0 (0%)	7 (31.8%)	3 (7.3%)	0 (0%)
Total	37	226	32	22	41	12

The overall key elements of engagement expressed across all documents were shown previously in Figure 2. Figure 6 provides a visual representation of the distribution across keywords and concepts by sectors and activities. It highlights community benefits, information sharing, participation and Traditional knowledge and local knowledge with high frequencies across all sectors and activities.

Figure 6 is clearer where certain sectors or activities have a greater focus. For example, tourism activities see community benefits as an important element of engagement or information sharing and Traditional knowledge and local knowledge being of overarching importance for research activities.

Percent keyword and concept references by sector of activity
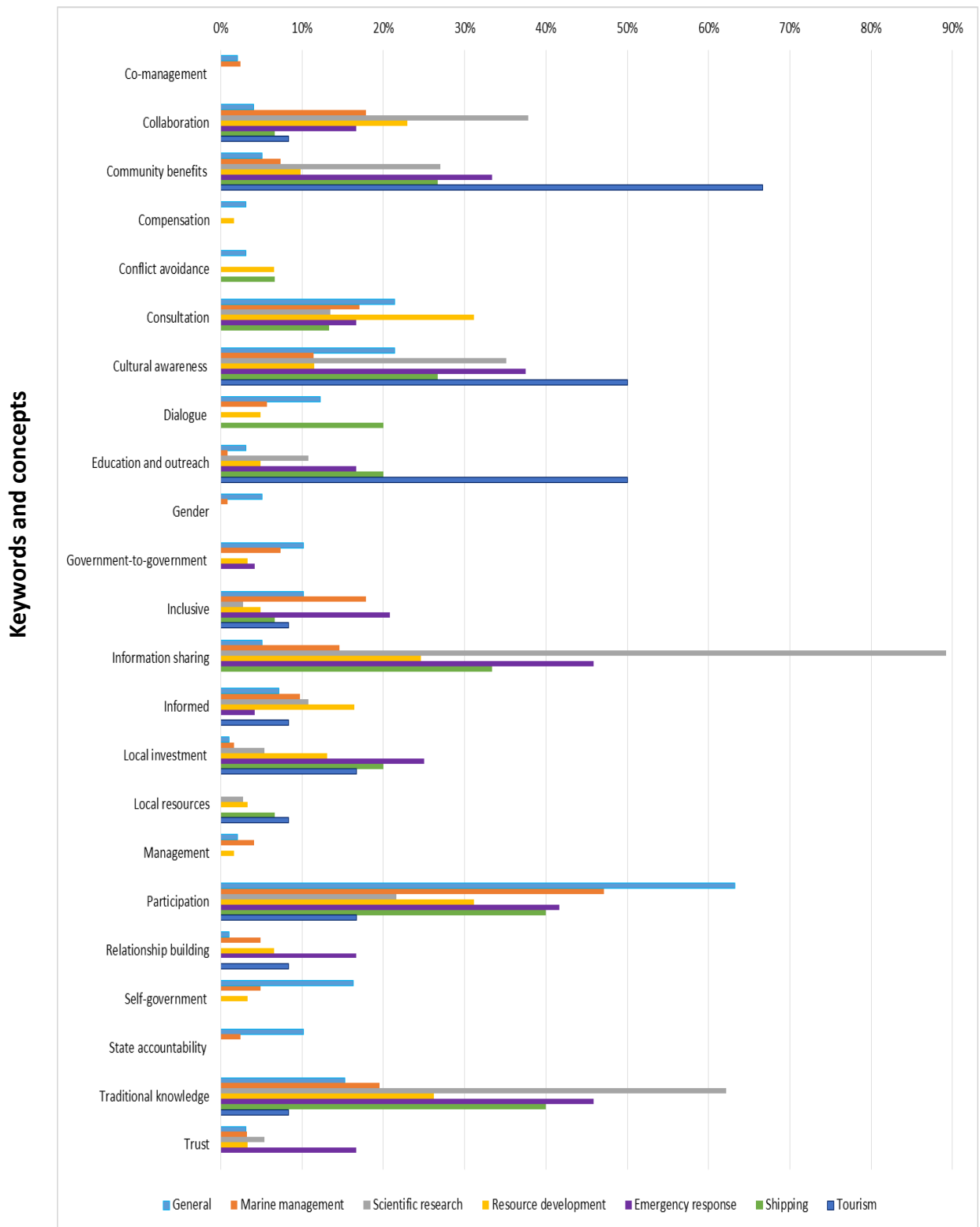
Figure 6. *Keyword and concept comparison across sectors of activities.*

The sectors—general, marine management, scientific research, resource development, emergency response, shipping and tourism—are colour coded. The bars represent how often a keyword was mentioned compared against all references by the sector of activity.

Across all sectors of activities, planning was noted as being of primary importance (see Figure 7). The exception was in research activities, where information gathering was seen as more important, and in tourism throughout operations. Research activities focused on the inclusion of Traditional knowledge and local knowledge, which would be more beneficial in collecting data. Documents on tourism activities focused on tourism's benefits to communities. Engagement throughout operations focused on the ways in which Indigenous peoples and local communities can contribute to, and benefit from, the industry.
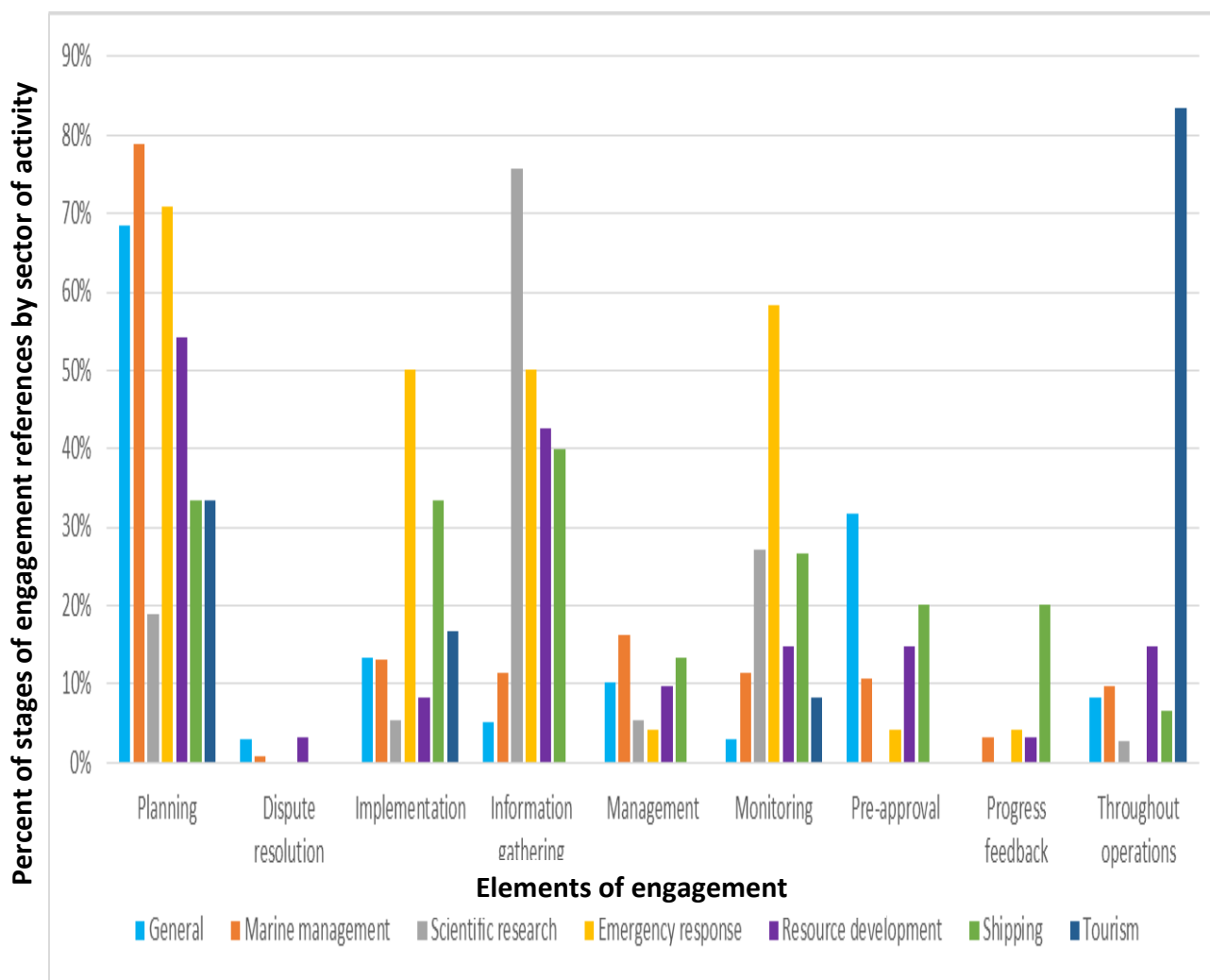
Figure 7. Co*mparison of stages of engagement across sectors of activity for the Arctic Council.*

Sectors of activity—general, management, research, response, resource development, shipping and tourism—are color coded. The bars represent how often a stage of engagement was mentioned, expressed as a percentage of mentions of all stages engagement by the sector of activity.

8.0 Arctic Council's approach to engagement

The Arctic Council is the leading intergovernmental forum promoting cooperation and coordination among the Arctic States, Arctic Indigenous communities and other Arctic inhabitants. The Arctic States comprise Canada, Finland, Iceland, the Kingdom of Denmark (including Denmark, Greenland and the Faroe Islands), Norway, the Russian Federation, Sweden and the United States. The Arctic Council addresses key issues, including sustainable development, environmental protection and human health. The Council's decision making is based on transparency, access and cooperation that enables collaboration and addresses meaningful engagement with Indigenous peoples and local communities across all levels of the organization.

The Arctic Council has put forward guidance, recommendations and ministerial declarations pertaining to the processes of meaningful engagement.[25] Figure 8 displays these, categorized under elements of engagement.
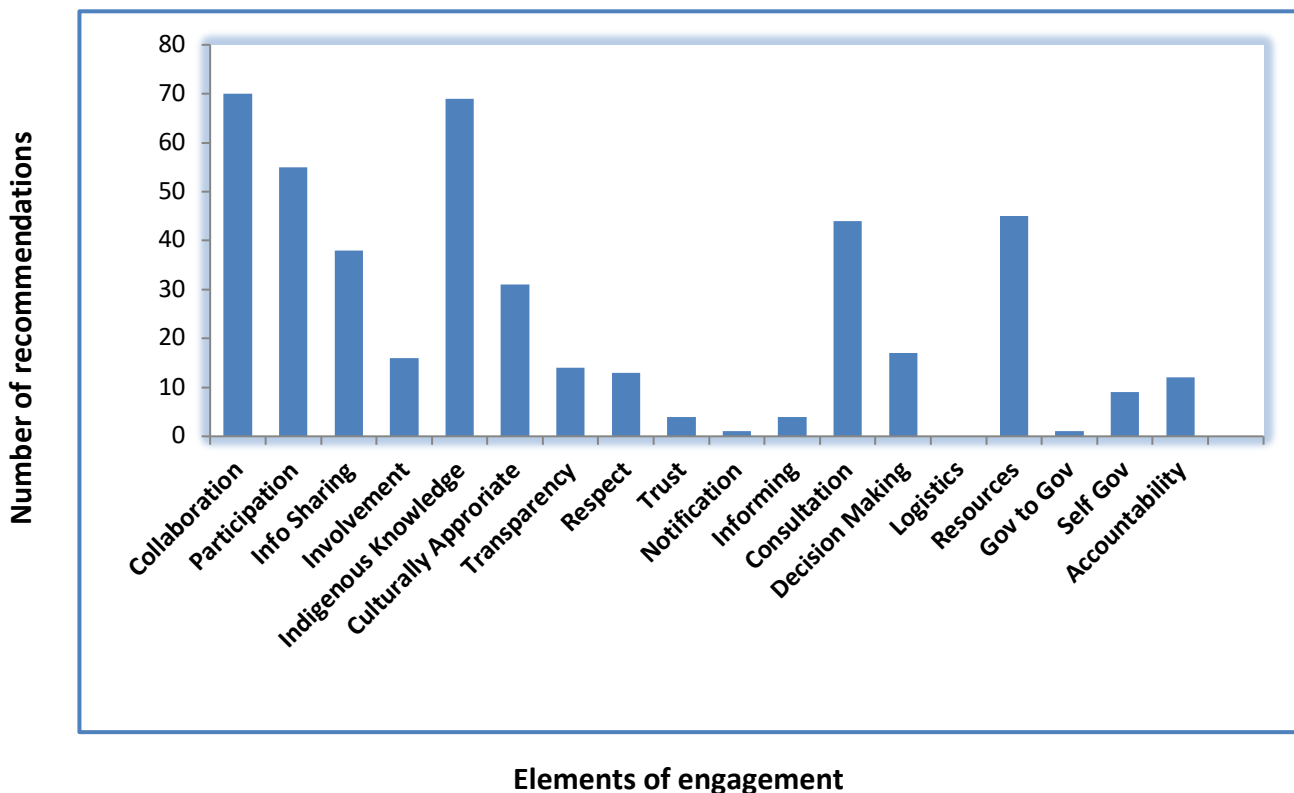
Figure 8. *Elements of engagement described by the Arctic Council.*

The Arctic Council has identified the importance of collaborative and cooperative efforts in Arctic activities. The Arctic Council has also highlighted the importance of having various actors participate in decision making, where appropriate, as well as developing communication methods and efforts to achieve meaningful engagement.

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[25] PAME Working Group of the Arctic Council, Meaningful Engagement of Indigenous Peoples and Local Communities in Marine Activities, Part I Report.

Percent of elements and foundational component references by working group
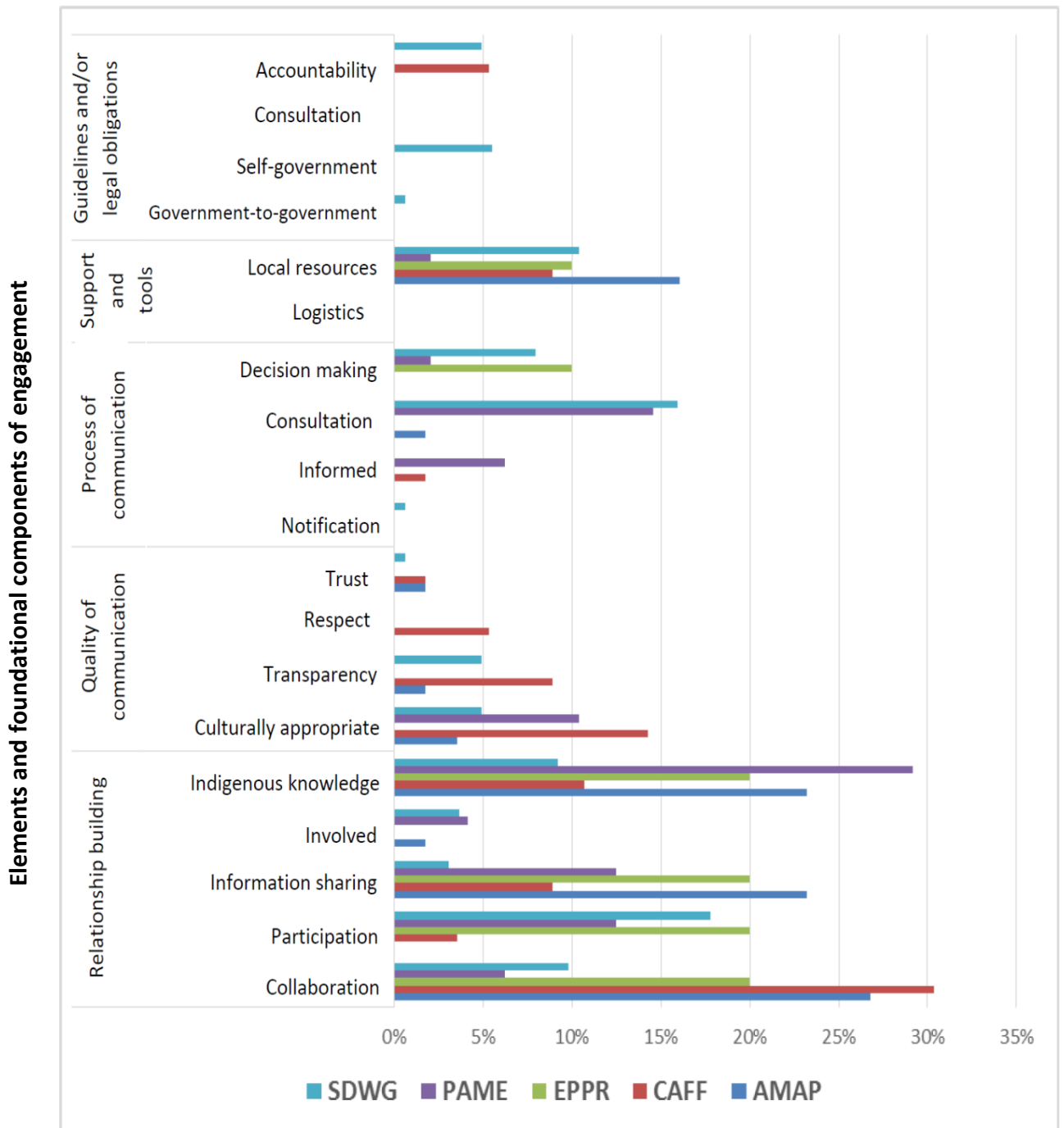
Figure 9. Percentage of recommendations of each Arctic Council working group across foundational components and elements of meaningful engagement.

The working groups are colour coded. The bars represent how often elements and foundational components were mentioned and are expressed as a percentage of mentions of all elements and components by working group.

A review of all working groups shows that the most recommended elements are collaboration, Traditional knowledge and local knowledge, and participation. These are followed by local resources, consultation, information sharing and culturally appropriate elements (see Figure 9).

Least discussed in Arctic Council documents are the elements of involvement, transparency, respect, accountability, self-government, informing, trust, notification and government-to-government. Two elements were missing from Arctic Council documents—logistics and government-recommended or government-mandated consultations. One explanation for the absence of such consultations is because they are a matter for each Arctic State to determine.

Of the documents reviewed across all working groups, recommendations refer primarily to relationship building (see Figure 10). Elements of collaboration, Traditional knowledge, participation and information sharing make up the majority of the foundational component of relationship building (see Figure 11).
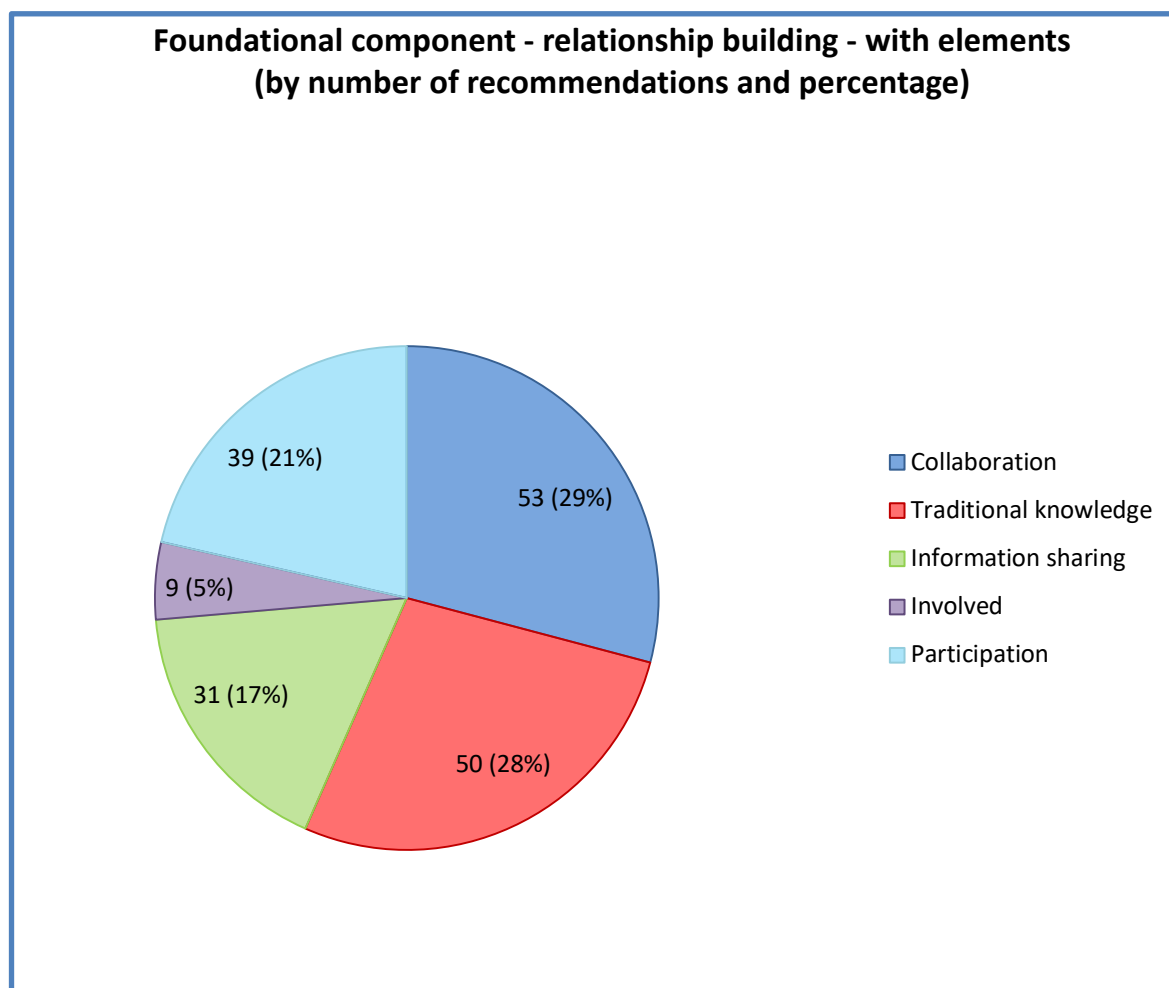
Figure 10. *Breakdown of the foundational component of relationship building into elements showing the distribution of Arctic Council recommendations.*

Each slice of the pie chart shows the number of recommendations and, in brackets, the percentage.
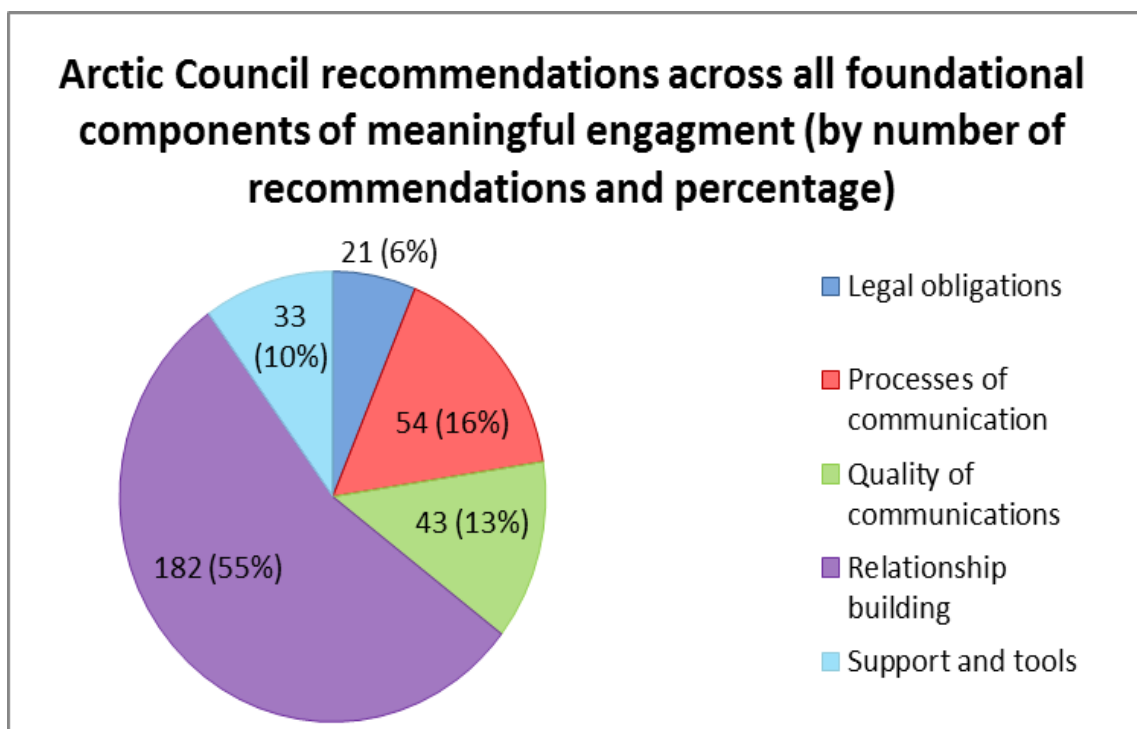
Figure 11. *Arctic Council recommendations broken down according to foundational components of meaningful engagement.*

Each slice of the pie chart shows the number of recommendations and, in brackets, the percentage.

Traditional knowledge and local knowledge and collaboration are the most recommended elements. Many documents emphasize the need to utilize Indigenous knowledge in research, planning, assessments and reports[26].

These documents also frequently stress the need to identify models that will allow for the utilization of Traditional knowledge and local knowledge within the Arctic Council's work.[27] Of the Arctic Council recommendations related to relationship building, the involvement of different actors was referenced the least often.

Generally, the Arctic Council notes cooperation and collaboration of Arctic States with Indigenous peoples and local communities, NGOs and private parties to understand and integrate the needs and concerns of potentially affected communities.[28, 29]

The analysis shows the Arctic Council emphasizes the need to foster relationships among governments, Indigenous peoples and local communities and organizations, and other actors through consultation, partnerships and effective communication. The Arctic Council also emphasizes information sharing through the inclusion of Traditional and

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[26] J. N. Larson, P. Schweitzer and A. Petrov (eds.), Arctic Council Sustainable Development Working Group, Arctic Social Indicator—ASI II: Implementation (Copenhagen: Nordic Council of Ministers, 2014).

[27] PAME Secretariat, 2013, The Arctic Ocean Review Project, Final Report (Phase II 2011-2013), Kiruna May 2013 (Akureyri, Iceland: 2013).
[28] Arctic Council PAME Working Group, Arctic Offshore Oil and Gas Guidelines (2009).
[29] J. N. Larson, P. Schweitzer and A. Petrov (eds.), Arctic Council Sustainable Development Working Group, Arctic Social Indicator—ASI II.

local knowledge. As well, it has provided recommendations that promote capacity building to enable inclusion in projects and activities, allowing for long-term benefits and the development of economic opportunities.

Incorporating Traditional knowledge and local knowledge into research, planning, assessments and reports was often recommended, along with identifying models to enable inclusion. The Arctic Council has recommended that Traditional knowledge and local knowledge be incorporated from the outset of a project or activity and used together with scientific results and analysis. Community-based monitoring has been recommended as an effective way to incorporate Traditional knowledge and local knowledge into a project or activity.[30]

Consultation has been noted to enable greater inclusion in a project or activity (e.g. including Traditional knowledge and local knowledge in Arctic Council work), in particular when started early in the planning stage[31].

The Arctic Council notes that there is no standard approach to consultation but has provided the following observations on effective consultation:[32]

- effective consultation is two-way;
- identifying and building relationships with potential consultees can take considerable time;
- consultation programs are integral to project planning and decisions making;
- consultation is open and transparent; and
- there are limits to the consultation process.

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[30] V. Gofman, Community Based Monitoring Handbook: Lessons from the Arctic and beyond, edited by Mike Gill et al., Arctic Council Conservation of Arctic Flora and Fauna Working Group CBMP Report No. 21 (October 2010).
[31] Arctic Council PAME Working Group, section 3.6, "Consultations and Hearings," Arctic Offshore Oil and Gas Guidelines (2009), p. 19.
[32] Ibib

9.0 Good practices

A review of the approaches to engagement outlined in the reviewed documents highlighted good practices that governments, industry sectors and other parties use to engage with Indigenous people and local communities. Box 1 summarizes good practices for meaningful engagement that can be applied within any sector or activity to meet the context of the situation.

Box 1

Good practices for meaningful engagement

1. Identify issues and factors where engagement is needed and where engagement strategies could help.
2. Identify potentially affected people and organizations
3. Consider any existing and potential legal obligations relevant to engagement.
4. Consider cultural differences, community locations and resources available.
5. Build relationships based on trust and respect between project proponents and Indigenous peoples and local communities; conduct interactions in a transparent and culturally appropriate manner.
6. Pinpoint the best times to begin engagement processes throughout an activity's lifetime.
7. Determine how best to communicate with Indigenous peoples and local communities.
8. Use multiple approaches and tools to engage, and practice early and proactive engagement at all levels.
9. Develop an engagement plan or agreement with the community, and report back on progress.
10. Set up supportive measures like recordkeeping, process reviews, conflict resolution mechanisms, as appropriate.

9.1 Pre-engagement

An important part of plan development is pre-engagement with Indigenous peoples and local communities who may be impacted by the activity.

9.1.1. Beginning the process

Beginning engagement as early as possible is identified as valuable for establishing relationships, building trust and encouraging information sharing from the beginning. Early engagement will help to:

- identify and address the concerns of Indigenous peoples and local communities;
- avoid or minimize any adverse impacts on Indigenous peoples or local communities; and
- assess and implement mechanisms that seek to incorporate Traditional and local knowledge.

A good practice throughout the life cycle of an activity, plan or policy development is to be transparent and inclusive of Indigenous peoples and local communities in the project development process. This may mean providing education, training, infrastructure and funding, when available, to facilitate engagement.

9.1.2 Issues, factors, participants

A good practice is to understand a community's culture and way of life before engagement. Such understanding stems from both qualitative and quantitative socio-economic data.

It is important that the proponent clearly identify activities, plans and policies that may affect Indigenous peoples and local communities. This includes the project scope, timing and location of the proposed activity and how there may be an impact on Indigenous peoples and local communities.

It is also important to include all relevant actors proposing an activity—government, industry, NGO or academic representatives—in the engagement process with Indigenous peoples and local communities.

A further good practice to understand who speaks for the community, which will differ depending on the context and which could involve informal leaders as well as official representatives.[33, 34, 35] It is important to pay particular attention and respect to the knowledge and perspectives of elders.[36, 37]

9.1.3. Legal and established practices

It is important to identify whether there are legal requirements for engagement or any established approaches that are already in place. A good practice is to ask Indigenous peoples and local communities whether they have preferred or established practices of engagement that may provide an approach that is already accepted.

9.1.4. Participation in engagement

It is important to consider potential influences or barriers to engaging Indigenous peoples and local communities. These barriers could include seasons, remoteness of region, community capacity, language barriers and hunting or other priority activities that may be impacted by the proposed activity. Barriers may change over the course of a project, so it is useful for engagement to be early and ongoing.

Early notification can help provide Indigenous peoples and local communities with the information necessary to participate in meaningful engagement.

The documents reviewed for this report highlighted consultation as a preferred mechanism for engagement. It enables actors to work directly with Indigenous peoples and local communities. Consultation can include interviews, workshops and meetings in which group

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[33] International Finance Corporation, Stakeholder Engagement.
[34] NATHPO, NATHPO Tribal Consultation Best Practices in Historic Preservation.
[35] Association for Mineral Exploration British Columbia, Aboriginal Engagement Guidebook: A Practical and Principled Approach for Mineral Explorers (Vancouver, British Columbia: 2015).
[36] International Finance Corporation, Stakeholder Engagement.
[37] Association of Mineral Exploration British Columbia, Aboriginal Engagement Guidebook.

discussions can help potentially affected Indigenous peoples and local communities understand what is being proposed or planned. They can assist in identifying and balancing competing claims, interests and motivations.

9.2 Communication

Culturally appropriate engagement includes being sensitive and considerate of cultural and linguistic differences among the actors involved in activities—in particular, in the validation and use of information and knowledge.[38, 39, 40]

Being culturally aware includes understanding how communities may communicate differently. This means recognizing language barriers by translating materials into the community's language, using interpreters and ensuring materials are written in plain, non-technical language.

To aid with communication difficulties, a local facilitator, adviser or liaison can provide guidance and direction for getting to know communities and local organizations. They can also help identify potential participants and preferred means of engagement.

Developing an intercultural communication or an engagement plan between Indigenous peoples and local communities and proponent actors can be set out from the start in engagement. A plan can outline:

- how to coordinate with members of a community or representatives;
- the roles for all those involved;
- expected strategies for engagement; and
- adaptable measures to ensure flexibility of the process.

A plan can also help to create accessible materials or forums for information sharing.

Social media can increasingly be used to generate awareness and interact with remote communities. More traditional communication methods are also valuable. Radio and VHF, television, newspapers and community bulletins may still be used where social media or Internet connection are unavailable or unreliable (see Box 2).

A key aspect of a communications plan is providing final results. It is also important to communicate interim and final results to communities in a way that they find useful.

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[38] Assembly of Alaska Native Educators, Guidelines for Respecting Cultural Knowledge (Fairbanks, Alaska: Alaska Native Knowledge Network, 2000).

[39] Gwich'in Land Use Planning Board, Nành' Geenjit Gwitr'it T'igwaa'in (Working for the Land), the Gwich'in Land Use Plan (August 2003).

[40] Kommunal- og regionaldepartementet and Sametinget, Prosedyrer for Konsultasjoner mellom statlige myndigheter og Sametinget (Procedures for consultations between state authorities and the Saami Parliament) (April 2005); Assembly of Alaska Native Educators, Guidelines for Respecting Cultural Knowledge.

Written or Web-based

- Community newspapers
- Social media
- Handbooks
- Brochures
- Posters
- Websites
- Letters or emails
- Publication of notices
- Telephone calls
- Radio or TV presence

Face to face

- Workshops
- Visits to communities
- Meetings
- Presentations
- Public events
- Use of local advisers
- Communication centres communities

Communication is meant to be ongoing and involve a two-way approach. This enables Indigenous peoples and local communities to present their views, concerns and questions. It also opens up a dialogue between Indigenous peoples and local communities and other affected actors. It benefits from being ongoing over the course of an activity, project or plan, as it is a means of mutual information sharing between Indigenous peoples and local communities and other parties.

9.3 Key stages of engagement

Timing--When this occurs often depends on whether there are pre-approval requirements to be satisfied. The analysis of the documents reviewed revealed that the planning stage was the most frequently noted stage of engagement across all sectors and activities and by all sources, as most do not require pre-approval (see Table 1). The activity, plan or project will dictate the stages at which engagement is utilized.

Proactivity--Meaningful engagement does not begin when a problem occurs. It is an ongoing process that builds a foundation on which problems can be solved or managed. One way to be proactive is to engage with stakeholders in their community and near the site where the activity will occur.[41, 42] A key element to the pre-consultation phase is involving Indigenous peoples and local communities in decisions about how engagement will occur and determining which issues will be on the agenda.

Duration--Engaging Indigenous peoples and local communities in all parts of an activity, from strategic planning processes that scope the project to operational decisions on how it is implemented.

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[41] International Finance Corporation, Stakeholder Engagement.
[42] NATHPO, NATHPO Tribal Consultation Best Practices in Historic Preservation.

Planning--Developing a formal engagement or consultation plan can help manage engagement and ensure it is prioritized.[43, 44] A plan creates clear and realistic expectations of the engagement process and the responsibilities of all actors. Establishing one concise plan is preferable to multiple, long and complicated documents.

Follow-up--Providing opportunities to address questions, concerns and issues raised over the course of the engagement process shows Indigenous peoples and local communities where their input is being included when they are not at the decision-making table. This also continues the dialogue established between all parties. In addition, conducting a final review at the end of a project, plan or other activity enhances the engagement process.

Reporting--Reporting back to the community on the results of the engagement and how feedback was incorporated into a project or activity. This is another practice that helps ensure engagement is viewed as meaningful.[45, 46] This involves taking measures and providing resources to ensure information contained in a report is accessible and directly addresses the concerns that the community raised. This could mean providing translation, providing advisers and legal help, and making copies of reports and summaries available to people.

9.4 Supportive measures

From the literature review, the analyst recognized these measures as helpful to achieving meaningful engagement.

9.4.1 Recordkeeping

It is important to document and record consultation and engagement activities, meetings, discussions, issues, commitments and outcomes.[47] It is also helpful to have all stakeholders agree to methods of documentation and recordkeeping early in the process. Having a records management system in place will enable access to information throughout engagement.

9.4.2 Review of processes

Regular reviews of engagement processes in which feedback from Indigenous peoples and local communities is received can improve relationships and the overall process. This will allow for adjustments as necessary. Some governments have identified that accountability measures, which review their procedures of engagement, are considered important for meaningful engagement.

9.5 Conflict Resolution Mechanism

Despite efforts for all parties to be in agreement on issues, conflict can arise. A process (plan) to resolve differences could be helpful to outline steps to be taken in the event that it is needed. In addition, plans of cooperation could assist in keeping a focus on balanced interests.

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[43] International Finance Corporation, Stakeholder Engagement.

[44] Fisheries and Oceans Canada, Consultation with First Nations: Best Practices - A Living Document (June 2006).

[45] International Finance Corporation, Stakeholder Engagement.

[46] The Mining Association of Canada, Towards Sustainable Mining: Aboriginal and Community Outreach Protocol (2015).

[47] Indian and Northern Affairs Canada, Aboriginal Consultation in the Northwest Territories (Ottawa: Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-status Indians, 2009).

10.0 Lessons learned

As an ongoing process, meaningful engagement can also be a learning experience. Here are some key lessons from the MEMA project:

General

1. There is no single approach to meaningful engagement; it depends on the context.
2. Consider outlining what all parties consider to be a meaningful role.
3. Ensuring that Indigenous peoples and local communities are well informed and aware of their rights and opportunities to be meaningfully engaged facilitates the process.

Relationship development

4. Understand communities and the culture, heritage and traditions of the people; this is necessary for successful engagement.
5. Keep relationship building and engagement ongoing to make the relationship meaningful.
6. Collaborate and coordinate among partners, including those who do not normally communicate directly with one another.
7. Develop capacity in communities by providing education, training, infrastructure and funding, when available.
8. Make an effort to incorporate and apply Traditional knowledge and local knowledge through engagement approaches.
9. Develop a foundation of trust and provide clarity, certainty and reliability through constructive dialogue; also include time for events and activities not directly related to issues being considered.[48]

Process

13. Plan for engagement while being flexible with the process, since this can lead to more fruitful outcomes.
14. Aim for an engagement process that balances interests and provides for positive outcomes for all partners.
15. Aim for representation on advisory councils and decision-making boards, where possible.

11.0 Conclusions

This report is the result of analyses of existing requirements, policies, protocols, guidance, recommendations, policy statements and examples of engagement with Indigenous peoples and local communities in marine activities. While these components are not exhaustive, they represent several approaches to engagement used today in the Arctic States.

Despite widespread understanding that engagement with Indigenous peoples and local communities is a critical component of activities in Arctic marine areas, there are different

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[48] Department of Aboriginal Affairs and Northern Development Canada, Aboriginal Consultation and Accommodation.

approaches on how to make it meaningful. This report has explored what the concept of meaningful engagement means to the actors involved and what elements or components of engagement are viewed as important.

The underlying concepts and foundations for meaningful engagement will be the same across contexts. However, approaches to engagement with Indigenous peoples and local communities in the Arctic will vary depending on the context and parties involved. Common approaches that often lead to meaningful engagement include:

- building trust;
- clearly outlining expectations;
- incorporating Traditional knowledge and local knowledge; and
- continuing ongoing communication between actors.

These approaches can be used to improve future efforts and establish ongoing relationships with Arctic Indigenous peoples and local communities.

The Arctic Council has developed good guidance related to engagement with Indigenous peoples and local communities. However, these recommendations and guidance are found within many documents and present a variety of perspectives. See Annex 3 of the MEMA, Part I Report: Arctic Council and Indigenous Engagement - A Review for a complete list of all Arctic Council recommendations for engaging Permanent Participants and Indigenous peoples.

Further, the review of documents from sources outside the Arctic Council identifies certain practices or elements of meaningful engagement with Indigenous peoples and local communities that the Arctic Council may find useful in its work.

The Arctic Council could be a champion of meaningful engagement practices and the use of Traditional knowledge and local knowledge. This report can provide the Arctic Council with a value-added resource for engaging Indigenous peoples and local communities in their projects.

As a follow-up to this Part II Report, the Arctic Council could create a MEMA handbook for engagement with Indigenous peoples and local communities.

12.0 Acknowledgements

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MEMA workshops

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Annex 1: List of supporting documents

This report is supported by an information database, workshop report and several analytical background documents that have been posted on the PAME homepage. Not all documents are endorsed products of the Arctic Council.

- MEMA Information Database. The database consists of documents that the Arctic States, Permanent Participants, project leads and others contributed to the project. The MEMA database contains information on each entry, including its name, date, author, a summary and keywords, among other things. The MEMA database is interactive and living. The reader can find this valuable resource at (www.memadatabase.is). Not an endorsed product of the Arctic Council.

- Background Document on Engagement with Indigenous Peoples for MEMA workshop (September 17, 2016).[49] Researcher Layla Hughes prepared this background document. It contains a discussion of the meaning and benefits of meaningful engagement. It also interprets information on legal obligations and common good practices for engagement. 52 pages. Not an endorsed product of the Arctic Council.

- Meaningful Engagement of Indigenous Peoples and Communities in Marine Activities (MEMA)—Workshop Report,[50] Elizabeth Edmondson, September 17, 2016, held at Bowdoin College, Brunswick, Maine, prepared for the PAME Working Group. This report summarizes the MEMA workshop, including presentations and discussions as well as conclusions, lessons learned and workshop recommendations. This summary provides insight into the perspectives of a variety of actors. Not an endorsed product of the Arctic Council.

- Meaningful Engagement of Indigenous Peoples and Local Communities in Marine Activities Part I Report: Arctic Council and Indigenous Engagement - A Review,[51] PAME Working Group of the Arctic Council, May 2017. This report submitted to the Arctic Ministers for information contains a breakdown and analysis of Arctic Council recommendations and guidance on the engagement of Permanent Participants and Indigenous peoples.

- Annex 3, "Compiled Arctic Council Recommendations and Policy Statements," MEMA Part I Report, May 2017.[52] This annex submitted to the Arctic Ministers for information contains all of the recommendations and guidance on engagement of Permanent Participants and Indigenous Peoples from 11 ministerial declarations and 18 Arctic Council documents.

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[49] L. Hughes, Background Document on Engagement with Indigenous Peoples for MEMA workshop (September 17, 2016).

[50] E. Edmondson, 2016. Meaningful Engagement of Indigenous Peoples and Communities in Marine Activities (MEMA)—Workshop Report.

[51] PAME Working Group of the Arctic Council, Meaningful Engagement of Indigenous Peoples and Local Communities in Marine Activities, Part I Report.

[52] PAME Working Group of the Arctic Council, Meaningful Engagement of Indigenous Peoples and Local Communities in Marine Activities, Part I Report: Arctic Council and Indigenous Engagement - A Review, Annex 3: "Compiled Arctic Council Recommendations and Policy Statements" (PAME Working Group of the Arctic Council, May 2017).

- [Meaningful Engagement of Indigenous Peoples and Local Communities in Marine Activities Information Database Analysis: Phase I Narrative Summary.](#)[53] Elizabeth Edmondson, Dalhousie University, Halifax, Nova Scotia, October 2016, prepared for the PAME Working Group of the Arctic Council. This report summarizes the analysis of 370 documents from the Arctic Council, governments, Indigenous peoples and local communities, industry, NGOs/academia and the United Nations. Not an endorsed product of the Arctic Council.

- [Meaningful Engagement of Indigenous Peoples and Local Communities in Marine Activities: Phase 2 Analysis](#)[54]—Report to the PAME Working Group of the Arctic Council. Brendan Boyd, Jessie Arthur and Jennifer Winter, School of Public Policy, University of Calgary, March 2018. This report summarizes the analysis of 240 documents from the Arctic Council, governments, Indigenous peoples and local communities, and industry. Not an endorsed product of the Arctic Council.

Annex 2: MEMA Information Database Phase I analysis

[Meaningful Engagement of Indigenous Peoples and Local Communities in Marine Activities Information Database Analysis Phase I Narrative Summary.](#) Elizabeth Edmondson, Dalhousie University, Halifax, Nova Scotia, October 2016, prepared for the PAME Working Group of the Arctic Council. Not an endorsed product of the Arctic Council.

Annex 3: Narrative summary and MEMA: Phase II analysis

[Meaningful Engagement of Indigenous Peoples and Local Communities in Marine Activities: Phase 2 Analysis](#)—Report to the PAME Working Group of the Arctic Council. Brendan Boyd, Jessie Arthur and Jennifer Winter, School of Public Policy, University of Calgary, March 2018. Not an endorsed product of the Arctic Council.

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[53] E. Edmondson, Meaningful Engagement of Indigenous Peoples and Local Communities in Marine Activities Information Database Analysis Phase I Narrative Summary.

[54] B. Boyd, J. Arthur and J. Winter, Meaningful Engagement of Indigenous Peoples and Local Communities in Marine Activities: Phase 2 Analysis—Report to the PAME Working Group of the Arctic Council (March 2018).