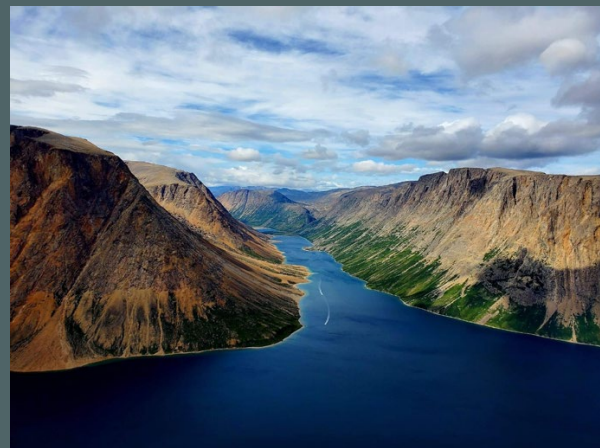


# Implementation of Indigenous Protected and Conserved Area Agreements in Canada

A REVIEW OF SUCCESSES, CHALLENGES, AND REALITIES



## IMPLEMENTATION OF INDIGENOUS PROTECTED AND CONSERVED AREA AGREEMENTS IN CANADA

A Review of Successes, Challenges, and Realities

April 2023

Prepared for MakeWay by Ginger Gibson (PhD), Rachel Ford, and The Firelight Group

**ACKNOWLEDGEMENTS:** The Firelight Group thanks and acknowledges the contributions of key informants to this research including representatives from the K'ahsho Got'ine Foundation, Łutsël K'é Dene First Nation, Dehcho First Nations, Qikiqtani Inuit Association, the Tornat Mountain Cooperative Management Board, the Government of Northwest Territories, and the Government of Canada. Other Firelight research and mapping staff who contributed to this report include Nicole Gaul, Jackson McDermott, Colby Bilodeau, Dasha Ivanova, and Alexa Mantifel. The report was commissioned by MakeWay and guided by Steve Ellis and Lori Tagoona of MakeWay. Thank you to Pamela Perreault for her review and guidance, drawn from many years of experience working in this sphere.

**DISCLAIMER:** The views and opinions expressed in this report are those of the authors alone, and not of MakeWay or the Indigenous Governments and Organizations referenced throughout.

**RECOMMENDED CITATION:** Gibson, Ginger, Rachel Ford, and the Firelight Group. 2023. *Implementing Indigenous Protected and Conserved Area Agreements in Canada: A Review of Successes, Challenges, and Realities*. 56 pp.

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This report delivers detailed information on conservation agreements to support Indigenous Governments, Nations, communities, and organizations that are negotiating, implementing, evaluating, renegotiating, or seeking to learn more about these types of conservation agreements.





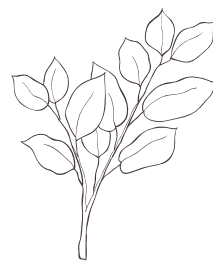






PHOTO: DEVON MANIK

# Executive Summary



Between June and November 2022, MakeWay and the Firelight Group (Firelight) conducted research on five different Indigenous Protected and Conserved Areas (IPCAs). Through nine interviews and a two-day workshop, we learned about challenges, successes, and the realities of implementation, including what roles are needed, the time and financial costs, barriers encountered, and foundations for success.

An initial draft report was developed based on the interviews. MakeWay and Firelight hosted a two-day workshop where findings from the interviews were discussed, verified, and updated. The workshop included one day where public government representatives were not present and Indigenous representatives could discuss their perspective freely. The report was updated to incorporate what was shared during the workshop.

Important findings include the following:

- Indigenous Protected and Conserved Areas need dedicated specialized staff in both Indigenous Governments and Organizations (IGOs) and in public governments to carry out administrative tasks, complete on-the-land work, write management plans, develop policies, and communicate successes to the community. Parties need to work together to create positions that complement, not duplicate each other.



- While IGOs may not trust public government institutions, they build positive and effective relationships with individuals within public government institutions that are essential for achieving co-management goals.
- Average annual funding for IPCAs included in this report range from \$200,000 to \$7.1 million. Long-term, consistent, and flexible funding arrangements are a considerable factor for successful implementation of IPCA agreements. The standard federal Contribution Agreement format is burdensome for all parties.
- Communities gain economic opportunities related to IPCAs, including jobs, businesses, and indirect benefits. Tourism has not been fully maximized in many of the IPCAs, though many communities are focusing on preservation of cultural and ecological values before turning their attention to building tourism opportunities.
- Foundations for success include:
  - o Focus on Indigenous connection;
  - o A common understanding of the IPCA agreement;
  - o Communication;
  - o Patience and flexibility;
  - o Pre-planning and phased approach;
  - o Building up community members; and
  - o Learning from others.

PHOTO: PAT KANE





# Introduction

Indigenous Protected and Conserved Areas (IPCAs) are lands and waters that are managed either exclusively by Indigenous Government and Organizations (IGOs) or in partnership with public governments (territorial, provincial and/or federal governments). Indigenous Protected and Conserved Areas are focused on protecting ecological and cultural values held by Indigenous communities. They protect access and harvesting rights of Indigenous peoples, and they support the application of Indigenous Knowledge systems, which include protocols, and laws to support land, water, and resource management decisions.

The number of IPCAs across Canada is growing. In 2015 Canada set four goals and nineteen targets for protecting biodiversity across the country. Target 1 was for 17 per cent of terrestrial and inland waters and 10 per cent of coastal and marine areas to be protected through a network of conservation areas. Canada sought advice from Indigenous leaders on how to reach Target 1. In 2018 The Indigenous Circle of Experts published recommendations for establishing protected areas where “Indigenous governments have the primary role in protecting and conserving culture and ecosystems through Indigenous laws, governance and knowledge systems” (Indigenous Circle of Experts 2018, p. 58).

Canada has since committed to conserving 30 per cent of its lands and ocean areas by 2030. In the 2021 Budget, the federal government committed \$23 billion into conservation efforts; of this, \$340 million is allocated to support partnerships with Indigenous communities including \$166 million for Indigenous Protected and Conserved Areas.

At the 2022 United Nations Biodiversity Conference, the Government of Canada announced it will provide \$800 million to four regional conservation initiatives across the country. These include the Great Bear Sea Initiative in British Columbia, initiatives in the Qikiqtani Region of Nunavut, the Omushkego Conservation Project in Ontario, and initiatives in the Northwest Territories.



As for any new movement, early adopters iron out wrinkles, find efficiencies, create new processes, and work through unforeseen challenges. MakeWay and Firelight have been working to document these lessons learned and challenges faced by the IGOs and their partners.

In 2020, the MakeWay Foundation (MakeWay) and the Firelight Group (Firelight) published *Indigenous Conservation Agreements in Canada: A Review of Best Practices, Challenges, and Implications for the Future* (Best Practices Report). The Best Practices Report utilized case studies and discussions with negotiators to identify key points for IGOs to consider



when starting the negotiation process for conservation areas. The Best Practices Report also identified information to consider during implementation of those agreements. Through this second report, MakeWay and Firelight are building on that work by focusing specifically on implementation challenges, successes, and experiences.

The information contained in this report describes the roles needed to carry out the work of protecting the land and water; the realities of cost, time, and economic opportunities of implementation; and supports for long-term management. The report describes challenges, tools, and strategies identified through nine interviews carried out between June and October 2022 and a two-day workshop held in November 2022. The report provides foundations for success described by interview and workshop participants.

This report does not seek to generalize any situation or to present a step-by-step process for successful implementation. Rather, it describes the experiences of people currently involved in implementing IPCA agreements, the challenges they face, the advice they give, and the successes they have achieved. It is our hope that by sharing these experiences, other IGOs will more smoothly navigate their own work to protect lands and waters.

## Case Study Selection

MakeWay and Firelight selected five IPCAs to examine in depth. The IPCAs are shown on the map in Figure 1 and include:

- Ts'udé Niljné Tuyeta Indigenous and Territorial Protected Area;
- Edézhzhíe National Wildlife Area and Dehcho Protected Area;
- Thaidene Néné Indigenous Protected Area (comprising a Territorial Protected Area, a National Park Reserve, and a Wildlife Conservation Area);
- Tallurutiup Imanga National Marine Conservation Area; and
- Torngat Mountains National Park.

While all case study agreements have key elements of modern agreements identified in the Best Practices Report, the context surrounding each results in unique circumstances for co-management. All agreements include implementation focus areas with specific provisions related to research, monitoring, employment, training, infrastructure, and economic and business opportunities for local Indigenous communities. All agreements include funding and financial provisions, provisions for future review and renegotiation, and dispute resolution. They all create a co-management board (cooperative management board or CMB) with decision-making powers on key issues. Each party that has signed the agreement appoints representatives to the co-management board so that they govern the use of the IPCA together. It is important to note that all case studies are from the northern regions in Canada. All case studies are IPCAs that were



PHOTO: PAT KANE

created in partnership between IGOs and public governments. No IPCAs were considered that are exclusively managed by an IGO. This is because none exist at this time in the north.

Two main differences between agreements are the length of time they have been implemented and the parties involved. Four of the five agreements were signed after 2015, which is the year the Truth and Reconciliation Commission released its final report and 94 Calls to Action. Three of the five agreements were in their first three years of implementation when Canada incorporated the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) into its body of law, which occurred in 2021. It is beyond the scope of this report to examine whether and how those events have translated into greater application of Indigenous law within conservation areas. However, greater knowledge and understanding of Indigenous history and rights may have increased among those involved in implementation because of Canada's commitment towards Reconciliation. This can change how a public government representative approaches their role, leading to better relationships between parties. As will be discussed later in this report, the relationship between the individuals representing each party during implementation has an enormous effect on success in co-management.

Each agreement is made between an IGO and an agency of a public government. Each organization that signs the agreement, whether an IGO or a public government, is a party to the agreement. The parties to each agreement vary. Three of the agreements are signed between an IGO and the federal government; one agreement is signed between an IGO and a territorial government; and in the case of Thaidene Néné, Łutsël K'é Dene First Nation signed one agreement with the federal government and another with the government of Northwest Territories.

Some IPCAs are established through a collection of agreements between public government agencies and distinct IGOs. The complexities of implementing multiple agreements with multiple partners increases time and cost. In the case of Tallurutiup Imanga National Marine Conservation Area, parties to the agreement include three different federal agencies. In the case of Thaidene Néné, the agreements signed between Łutsël K'é Dene First Nation and the federal as well as territorial governments are only two in a collection of agreements to establish the IPCA. The federal and territorial governments also have agreements with Northwest Territory Métis Nation, Deninu K'ue First Nation, and Yellowknives Dene First Nation.

Table 1 shows the parties to each agreement included in the case studies and the length of time they have been implemented. The years that the Truth and Reconciliation Commission's Calls to Action and UNDRIP received royal assent in Canada are shown for reference.



Figure 1. Locations of Reviewed IPCA Agreements



Table 1. Parties to the selected agreements

Conservation Area	Parties to the Agreement. Green bar shows each of the years the agreement has been implemented.																	
Torngat Mountains	Labrador Inuit Association, Canada																	
Edézhzié	Dehcho First Nations, Canada																	
Thaidene Nënë	Łutsël K'é Dene First Nation, GNWT, Canada																	
Ts'udé Niljné Tuyeta	Fort Good Hope Dene Band, Yamoga Land Corporation, Fort Good Hope Métis Nation Local #54 Land Corporation, Ayoni Keh Land Corporation, Behdzi Ahda First Nation, GNWT																	
Tallurutiup Imanga	Qikiqtani Inuit Association, Canada																	
Years (in the 2000s)	'05	'06	'07	'08	'09	'10	'11	'12	'13	'14	'15	'16	'17	'18	'19	'20	'21	'22
Truth and Reconciliation Commission releases Final Report and 94 Calls to Action																		
United Nations Declaration on the Rights of Indigenous Peoples Act received Royal Assent in Canada																		

The information presented in this report was sourced directly from nine interviews held between June and October 2022 and discussions at a two-day workshop held in Yellowknife, Northwest Territories in November 2022. Once the interviews concluded, Firelight drafted a report for discussion at the two-day workshop. The workshop included one day for all parties — IGOs, public governments, and neutral facilitators — and one day for IGOs and neutral facilitators only. Discussions at the workshop validated some of the findings from the interviews and provided additional information and stories about implementation. During the workshop it became clear that the findings presented in the draft report had a disproportionate amount of public government perspective. On the second day of the workshop, discussions between IGO representatives provided Firelight with information more representative of the Indigenous perspective, which was subsequently incorporated into this report.

Firelight used a standard method of qualitative analysis that included grouping information by themes to draw conclusions about common participant experiences. Appendix B of this report contains a detailed description of the methods.

The interviews and the workshop were centered around four main topics:

- People and Positions;
- Cost, Time, and Economic Opportunities;
- Long-term Management and Implementation; and
- Foundations for Success.



These topics generally capture the fundamental aspects of creating and managing an IPCA. They address the questions of who is required to carry out the work, what time and monetary costs are accrued, what revenue is generated or gained by communities, and what organizational structures need to be in place for successful long-term implementation. Through an exploration of the topics, participants shared perspectives gained, strategies employed, and challenges and successes experienced during their time working on implementing their respective IPCA agreements.

## Limitations

While the interviews and group discussions provided highly valuable information and insights, Firelight encountered two main limitations to fully capturing perspectives on implementation. The first was that Firelight was not able to secure interviews with all parties for each IPCA agreement. The interviews started in the summer and were completed in the fall. This was a busy time for everyone, and it was difficult to connect with some contacts. Many people Firelight reached out to were out on the land for long periods of time and had to finish up other tasks when back at the office. The second was the limited amount of time Firelight was able to spend with representatives of the parties. As stated above, Firelight conducted nine interviews, which collectively presented a set of experiences that shaped this report. It certainly does not reflect all experiences, however. The information presented is not representative of the unique experiences of each person, or each party, involved in implementing an IPCA in Canada.

PHOTO: IRIS CATHOLIQUE



# People and Positions



## What Roles are Needed?

An essential component for implementation of each of the case study IPCA agreements is staff. Dedicated staff are needed to carry out routine administrative tasks that support co-governance in decision-making, advisory, and operational tasks. Staff that complete on-the-land work, develop management plans, and communicate with the community are also needed. Four of the five case study IPCA agreements included financial information. All of these specify that a portion of the budget is for operations, though details on positions and roles that will be filled are not provided.

Interview and workshop participants were asked to identify important roles needed for protecting the land and water. There were a variety of responses, which are outlined in Table 2 below. The table lists roles that may be required by the IGO and/or the public government to help carry out its obligations under implementation. While interview discussions did not always specifically identify roles needed by party, the context of the discussion often implied this information.

Table 2. Staff Roles and Purpose

Role	Purpose
Indigenous Governments and Organizations (IGOs)	
Administrative staff	Administrative staff are required to manage finances, information, and assets. Human resource management, finance management, and underlying administration require time and money. Some IGOs have staff dedicated solely to administering contribution agreements.
On-the-land staff	Guardians and Nauttigsuqtiit (Inuit Guardians of the Qikiqtani Inuit Association) are hired Indigenous staff who carry out data collection, monitoring, and other on-the-land work that facilitates protection and safe use of the area in accordance with the applicable agreement. They carry out tasks identified by the co-management boards as critical for protecting the IPCA.
Planning and permitting	Planners help to develop long-term management plans as well as shorter term actions. Permitting staff are needed to ensure that activities taking place in the IPCA are consistent with management objectives, laws, and regulations.

Role	Purpose
<b>IGOs continued</b>	
Policy making	IGOs will need to develop policies to support decision-making and ensure these policies are consistent with other policies, laws, and regulations.
Management, leadership and governance	Elders are important for supporting Guardians with their work and to facilitate the application of Indigenous laws to conservation efforts. They also help to inspire IGO staff to stay engaged when the work gets difficult. IGOs will need leaders and managers to ensure that work carried out in the IPCA meets the obligations of the agreement and aligns with other land and governance related work. They also need leaders to help ensure other parties are meeting their obligations.
Legal support	IGOs may require legal support to help ensure the obligations of the agreement are being carried out appropriately.
Communications	Communications staff put Indigenous governments in control of how successes and challenges are communicated to the community.
<b>Co-Management Board (CMB)</b>	
Administrative staff	Administrative staff are needed to help carry out the work of the cooperative management board, including organizing meetings, preparing documentation, and managing information. Depending on the mandate of the CMB, multiple administrative staff may be required. These are critical positions that keep the board functioning.
Policy making	CMBs will need to develop policies to support decision-making.
Leadership and governance	Elders can help guide the priorities of the board as well as the work of the Guardians.
Neutral facilitator	A neutral facilitator helps implement established decision-making processes and keep board members on task.
Technical experts	Contracted technical experts can help support the board with planning or decision-making around wildlife, vegetation, fish, or other topics.
<b>Public Government</b>	
Administrative staff	Public governments may need to dedicate staff specifically to carryout administrative tasks associated with the IPCA, including management of finances, information, and assets.
On-the-land	Public Governments may need staff to spend time on the land to ensure the objectives of the agreement are met. Staff that help mentor Indigenous community members into public government positions help ensure those community members are set up for success.
Planning and permitting	Planners help to develop long-term management plans as well as shorter term actions. Permitting staff ensure that activities taking place in the IPCA are consistent with management objectives, laws, and regulations.
Policy	Policy staff ensure that new policies fit with old policies or old policies are changed to meet the needs of the IPCA.
Management, leadership and governance	Public Governments need leadership dedicated to ensuring the obligations of the IPCA agreement are met and that other land use policies, plans, or decisions are in line with the goals of the IPCA.



## On-the-Land Positions

On-the-land positions were discussed more than any other role during interviews and in the workshop. In the Northwest Territories, these positions are developed through Guardian Programs; in Tallurutiup Imanga, they are in the Nauttiguqtiit, or Inuit Stewards Program. On-the-land programs at the Torngat Mountains National Park are still being developed.

Where the Guardian and Nauttiguqtiit programs are established, they carry out tasks identified by the co-management boards as critical for protecting the IPCA. In some areas, they attend CMB meetings and provide updates to the parties. Guardians and Nauttiguqtiit keep eyes on the land, collect information on fish, wildlife, plants, water quality, and habitat and carry out important tasks according to direction from the co-management board. Guardians and Nauttiguqtiit also collaborate with territorial resource officers to share responsibilities for enforcing laws: the Guardians and Nauttiguqtiit enforce Indigenous laws and resource officers enforce territorial laws. In other areas, Guardians and Nauttiguqtiit are the only effective monitors of the land, and they ensure it is being used and managed appropriately.

*Our Guardians have certain specialties like one has knowledge of the language, one project management, one is good with language and culture and history, another is a marine specialist. They talk among themselves to do programs out on the land. They share what they've done on the local radio. They talk to elders about how to do their jobs better with respect to the culture. — K'ahsho Got'ine Foundation, 2022*

Guardian and Nauttiguqtiit roles allow communities to take responsibility for and interact with the IPCA. They provide information to community members about how the area is being used and they develop infrastructure that facilitates community access to the land. They clear trails, build cabins, and get the community involved in monitoring activities. In Edézhzhé, for example, a bird monitoring program that was administered by Environment and Climate Change Canada is now carried out by the Guardians. The Edézhzhé Guardian program works to involve more youth from the community and provide them mentorship opportunities.

Guardians and Nauttiguqtiit  
keep eyes on the land,  
collect information on fish,  
wildlife, plants, water quality,  
and habitat and carry out  
important tasks according  
to direction from the co-  
management board.

*We are always trying to match an elder with a youth to pass on knowledge in every community. Including in the guardian program; there is a more experienced senior guardian paired and working with a younger, less-experienced guardian for 10 months of the year. — Dehcho First Nations, 2022*

In Tallurutiup Imanga, the Nauttiguqtiit Inuit Stewards Program is focused on food sovereignty, monitoring, and community engagement and outreach. The Nauttiguqtiit make observations, collect Inuit Quaijimaqatuqangit, and scientific measurements while hunting. Their harvest and

monitoring information is shared with the community, who also benefit from Nauttiguqtiit-led school programs, community skills workshops, and opportunities to get out on the land.

The Guardian and Nauttiguqtiit programs employ the knowledge and understanding of the land that already exists within communities. They essentially require an on-the-land resume rather than a technical resume. If someone is good at being out on the land, if they know the ice and the wildlife and the plant communities, then they will be important assets for the IPCA. These positions honour the knowledge of people who have built skills such as survival and navigation over decades. They provide opportunities for youth to learn from this knowledge and to interact with their elders.

Guardian and Nauttiguqtiit programs are highly effective and often field requests from public governments and other parties. The Thaidene Nëné Ni Hat'ni Dene Guardians have been involved in nine search and rescues that were quickly concluded due to the Guardians' knowledge of the land and water. In Nunavut, the Nauttiguqtiit have been approached for help with ship monitoring and seabird monitoring. Guardians and Nauttiguqtiit help with litter cleanup and provide assistance to visitors. In one case, a stranded kayaker hitched a ride on a Guardian boat. Guardians and Nauttiguqtiit also are approached to help with research and data collection, including environmental quality monitoring with industry scientists and mining companies. Managers of Guardian and Nauttiguqtiit programs recognize the future opportunities that may come but maintain a focus on what the community wants and needs. If scientists want help studying something that is not of interest to the community, then the Guardians or Nauttiguqtiit typically do not provide their support.

If someone is good at being out on the land, if they know the ice and the wildlife and the plant communities, then they will be important assets for the IPCA.

## Elders

Elders provide valuable insight and knowledge about the land, fish, wildlife, and waterways. Elders work with Guardians at Edézhíé, where they direct the details about infrastructure projects and other program development. Elders are paired with youth to pass on their knowledge and help mentor younger, less experienced Guardians. Each community connected to Edézhíé has an established community of elders and knowledge holders called the Elder Harvesting Committees that direct Guardians and staff working for the IPCA.

At Tallurutiup Imanga National Marine Conservation Area, the Imaq, or Inuit Advisory Committee, includes roles for Inuit elders. The Imaq, which is defined in the Tallurutiup Imanga National Marine Conservation Area Inuit Impact and Benefit Agreement, provides Inuit perspective to the Conservation Area co-management board. The K'ahsho Got'ine Foundation, which is the Indigenous management and operations body for Ts'udé Niljné Tuyeta, is working on development of an App or website where Elder videos and language tools related to the Conservation Area can be accessed by those with permissions.



PHOTO: JULIEN SCHRODER

## Administrative

Administrative Staff coordinate the work of the parties and the co-management board. These staff manage payroll, asset purchase and inventory, prepare and distribute information prior to meetings, coordinate meetings, navigate tax, benefits, and worker's compensation processes, and engage in human resource management. Many people interviewed for this report indicated that the administrative work required to implement IPCA agreements was larger than expected. One person stated that the amount of work required at the beginning of implementation was substantial and required dedicated and consistent staff to carry out. All parties should prepare for an increase in additional administrative work loads once implementation begins. This includes an increase for Indigenous parties, public government parties, and the CMB itself.

*We're trying to negotiate 12 admin positions that we didn't think about: HR, Finance — the underlying administration has gobbled us up. — Qikiqtani Inuit Association, 2022*

## Policy Making, Planning, and Permitting

Planning, Permitting, and Policy staff develop and implement new governance structures and ensure that policies and operations of the IPCA fit into existing governance structures.

One major task that all parties must consider before implementation begins is the development or updating of new policies and laws. The parties must examine how the management of the IPCA and the commitments of its establishing agreement will fit in to existing policies, laws, and processes that may overlap or contradict each other. The parties must also examine what new policies need to be created (See the section on Time, Cost and Economic Opportunities for more detail). Parties must consider how the work of updating existing policies, laws, land use plans, and other decision-making processes (such as permitting) will be accomplished. It may require additional positions within Indigenous or public governments. Similarly, the co-management board will require its own policies respecting research, land use permitting, and other decision-making processes. These will need to be developed early on in implementation.



*It is important to make good policies up front: good structures make good workplaces. Have clear policies outlining pay rates, have a clear HR policy, create and publish an operations manual, keep track of people signed up to work and keep them accountable, have proper work place insurance and WSCC (Worker's Safety and Compensation Commission). — K'ahsho Got'ine Foundation*

## Communications

Communications staff ensure that the community, the parties, and the broader public know what is going on in the IPCA. The importance of communications with the broader community and the public about the IPCA was described by two parties during interviews. The K'ahsho Got'ine Foundation said it is important to communicate regularly through radio and social media. An interviewee from the Qikiqtani Inuit Association stated they had created a whole new communications division to provide information about Tallurutiup Imanga to their community.

*Communications is an important role since you want to communicate successes and want to be in the driver seat when it comes to how the story is told and how the narrative plays out. — Qikiqtani Inuit Association, 2022*

## Management

Management staff supervise operational staff, ensure that objectives for the IPCA are met, and that all work is coordinated with other land and governance related work. Interviewees identified that roles such as a Governance Specialist are beneficial. This role ensures that decision-making accounts for the context of any other agreements the IGO is party to. This includes agreements with the Crown or with other Indigenous Nations. Land and Resource Department management at both public and Indigenous governments should also be integrated into the work being carried out within the IPCA. Each party to the IPCA agreement should consider how their new obligations fit into the larger landscape of their nation-to-nation agreements and the workload that will be required to coordinate decision-making across this landscape.

*Qikiqtani Inuit Association created a Governance Specialist to help coordinate all of the QIA efforts and to make sure all the governance bodies aren't working in silos. This helps everyone to have a common baseline of what we're trying to achieve and how. The governance specialist does a lot of coordination between the different governance bodies and will make sure that the Imaq (Inuit Advisory Committee) and the Aulattiqatgiit Board (CMB) communicate with each other. — Qikiqtani Inuit Association, 2022*

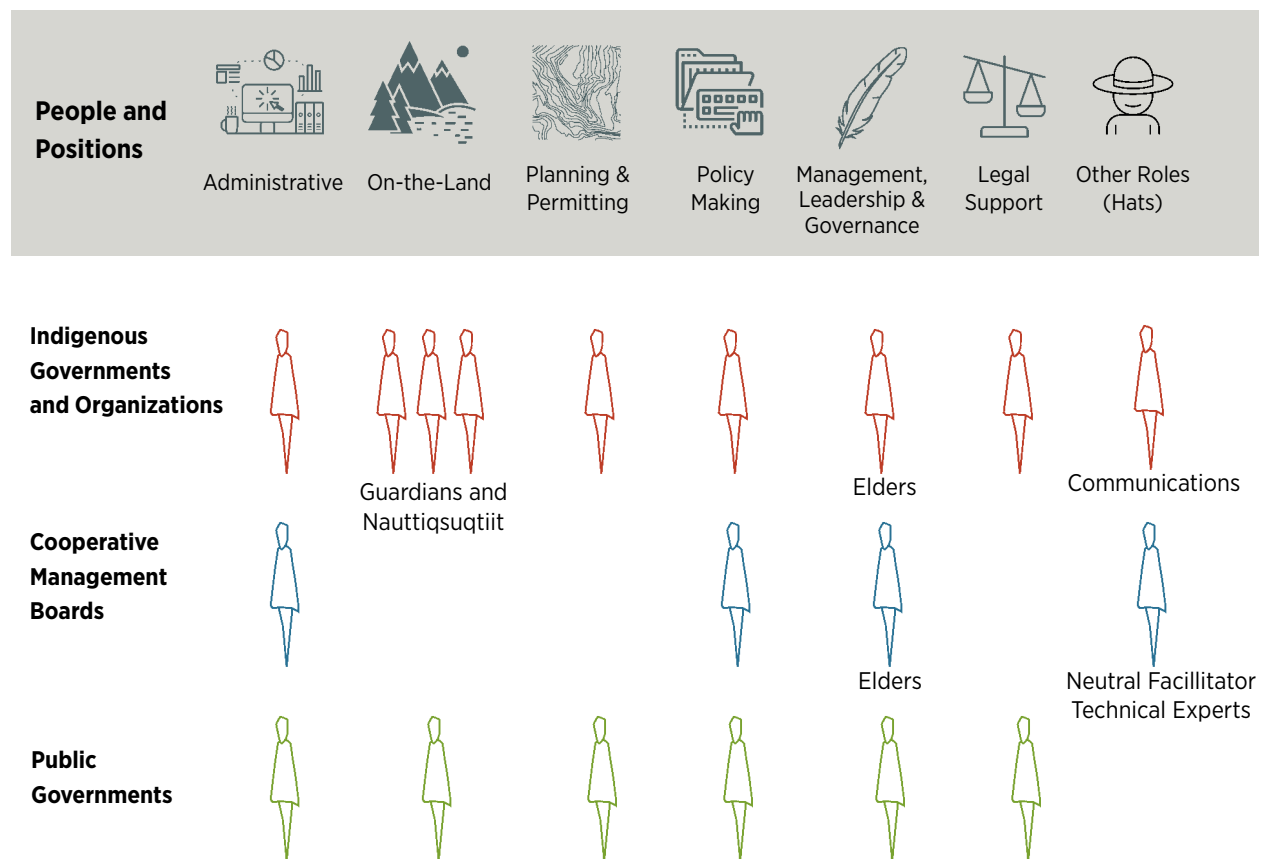
Each party to the IPCA agreement should consider how their new obligations fit into the larger landscape of their nation-to-nation agreements and the workload that will be required to coordinate decision-making across this landscape.

## Other Roles

Two roles were identified that were specific to the co-management board. The first is a Neutral Facilitator and the second, contracted Technical Experts. The neutral facilitator is dedicated to keeping parties on task, document discussions, and most importantly, help move conversations away from past or ongoing challenges between parties. According to one neutral facilitator interviewed, treaty relationships and ongoing negotiations can derail conversations about the IPCA. A trusted neutral facilitator can answer questions based on the IPCA agreement and take pressure off the parties to navigate through old wounds. People filling this role must have a connection to the community, humility, and an ability to listen.

The CMB may also benefit from the advice of technical experts. A representative from Torngat Mountains said their co-management board seeks advice from experts on various topics but has no budget to pay them. The board relies on the generosity of those experts. This advice would supplement the knowledge shared by elders and public government scientists to help with land and water management decisions. The parties should consider whether such experts would bring benefit to discussions, plan for and fund those discussions. If the parties decide technical experts are important resources, they should build relationships with local and regional scientists working in fields of relevance to the IPCA.

Figure 2. Important Roles for Implementing IPCA Agreements



# Understanding Roles

A major implementation challenge that was discussed in many interviews is that there is not always a clear understanding of roles. Mostly, this was in relation to the CMB, but it was also discussed with respect to some of the operational roles created during implementation. Several interviewees explained that some people who take positions on CMBs are not fully prepared or informed, resulting in high turnover and lost momentum. One interviewee discussed that the roles of a community advisory committee to the CMB were never fully defined. People on that advisory committee did not have the right information or training to make decisions they could be accountable for. Some CMB members have a difficult time separating continued negotiations on other agreements with the Crown from their work on the board.

The tasks and duties of new positions also need to be understood. An Edézhíe representative described how difficult it was to get started on Guardian tasks because they had little mentoring or direction. The interview participant however, eventually moved into the coordinator role, received mentoring from Environment Canada staff, and is very proud of the Edézhíe Guardian program. An interview participant representing Qikiqtani Inuit Association for the Tallurutiup Imanga National Marine Conservation Area talked about the lack of clarity about the roles and extent of public government staff working throughout the IPCA. This makes it difficult for Indigenous government staff to plan their own operational tasks and can result in duplicated efforts.

PHOTO: TRISHA LANDRY





All parties should accept that creating new roles in a shared management scenario takes time and effort. This is especially true when the co-managing parties have different worldviews and decision-making processes. Each role created, whether it is within the co-management board, within an advisory body to the co-management board, or within the existing structure of the public and Indigenous governments, needs to be carefully mapped out in a way that all parties can understand. Sometimes this means re-thinking how processes are communicated. For instance, an interview participant from the Government of Northwest Territories explained how the management plan for Ts'udé Niljné Tuyeta was being developed around a beaver trapping metaphor, which was a suggestion made by a Guardian. This person is tasked with writing the management plan but is careful to check in with the Indigenous government regularly to make sure the Indigenous view is properly represented.

*We don't use the language of biology. We talk about all the 'things we take care of' more holistically. Since I'm writing it, I can't write it from The K'ahsho Got'ine worldview, I'm interpreting it. So, it's an iterative process because sometimes I get it wrong. At the start of each Management Board meeting, we review the newest section of the Management Plan and I edit the Plan if I got it wrong. We're finding new ways to have two-eyed seeing. — Government of Northwest Territories Staff, 2022*

Indigenous understanding, knowledge and governance concepts can be brought into any process related to co-management. A neutral facilitator talked about the members of the Thaidene Néné co-management board meeting around a fire when there was conflict. This has been a positive way for members to talk out the conflict and then move forward. Any efforts for the co-management board to meet on the land are reported to be beneficial for everyone involved. It connects them back to the purpose of the IPCA and to Indigenous law.

*Land and language and culture are at the center of everything that we do...that [for the Dehcho], what the messaging that they realized was the most powerful for them was that "Being Dene takes care of the land." So, for these guys, having K'ahsho Got'ine Way and language and place names, and ways of doing things, ways of conducting yourself on the land; that's the most important piece of what this funding and what this work is meant to move forward. — K'ahsho Got'ine Foundation, 2022.*

Parties need to work together to create positions that complement, not duplicate each other. Interview participants who spoke most positively about the working relationship between Indigenous and public government were those who were learning from each other and finding efficiencies. An efficiency is created

Any efforts for the co-management board to meet on the land are reported to be beneficial for everyone involved. It connects them back to the purpose of the IPCA and to Indigenous law.

when those who know the land best are taking responsibility for monitoring use and health of the land and water within the IPCA. An inefficiency is created when there is little communication between public government and Indigenous government operational staff, leading to confusion about who is carrying out what tasks.

## Relationships

The relationship between parties is a complex factor that must be navigated during all implementation work. In five of the nine interviews, people said that it was important to build trust between the IGOs and the public government. However, when workshop participants were asked how to build trust, some IGO representatives offered their experiences with public government that have damaged any confidence in the government's commitments. A very recent example was of law enforcement searching all participants of a culture camp at Thaidene Nëné for signs of illegal harvesting. The Łutsël K'é Dene representatives at the workshop discussed how traumatizing this was for the community. A workshop participant from Nunavut told of a lifetime of abuses, racism, and denigration from federal policies and efforts to destroy Inuit culture.

These participants made it clear that they have committed to co-management scenarios despite a lack of trust in public government partners. They entered into IPCA agreements knowing that trust did not exist between the parties and believed that public governments would break their promises. These IGOs entered into the agreements because it gave them an opportunity to protect the land, and the cultural and ecosystem values it supports. They continue their work even when they feel public governments fail them.

*It took years for Łutsël K'é Dene First Nation to talk with the community and get them on board with the agreement and people said why should we trust this? The advice we got from the Haida Nation is to recognize that the government will break the agreement, but this is about benefitting us and our land.... it was only because of lots of exchanges with the Haida Nation that we decided to take this on. The Haida did it, so can we. — Łutsël K'é Dene First Nation, 2022*

One way that parties can navigate a lack of trust is by focusing on common goals. The Torngat Mountains representative identified that the Indigenous community had little confidence in many federal agencies, but because Parks Canada was dedicated to core concepts that aligned with traditional values of the community, they were willing to engage in work with Parks Canada. They saw Parks Canada as a beneficial partner who could help protect the land they and their ancestors had travelled on and also to showcase the land they are so proud of. When tensions arise, they can be de-escalated by bringing conversation back to the common interest of protecting the land and water.

While trust of the larger public government institution may be unattainable, trust between individuals is essential for success. Interview participants from both the K'ahsho Got'ine Foundation and the Government



PHOTO: DEVON MANIK

of Northwest Territories (GNWT) talked about one GNWT employee who had built strong relationships with community members. Though the public government as an entity was not always trusted, this person was able to represent the public government at the CMB meetings effectively. A neutral facilitator talked about the importance of relationships at the senior level. Senior representatives from each party guide and direct everyone else, so having cooperative and friendly connections at the top set the tone for everyone involved in implementation. An interview participant from the GNWT discussed the power of being genuine and committing to honesty and transparency. Once strong relationships are built the parties are better able to navigate challenging periods or disagreements.

Building relationships can be difficult when there is a frequent change in staff. Many interview participants from public governments recognized that their staff are often changing positions. Public government partners need to plan around this reality and work towards investing in representatives who can commit to longer term positions.

*One of the board members said, “People from the GNWT, you’ll come and go but K’ahsho Got’ine People will always be here.” So, it’s important to build trust between K’ahsho Got’ine and GNWT so even if we have new staff come in the foundation of respect and understanding carries on. It’s frustrating, probably to see new faces, but that is a reality of the bureaucracy. — Government of Northwest Territories Staff, 2022*

Acknowledgement from public governments of the IGO’s authority to actively manage the IPCA is very important for IGOs. This occurs, for example, through acknowledgement and investment in the Guardians or Nauttiqsuqtiit as critical operational staff. During interviews about Edézhzié, participants spoke about how the federal government employees had worked with the Guardian coordinator to help transfer responsibility for monitoring programs to the Guardians. The Guardian coordinator talked about the amount of training they received, and the strong personal relationships that were built with the federal government employees. The federal government participant discussed the importance of each party listening and learning from each other—respecting the Indigenous perspective as an authority.



Recognition of Indigenous authority also occurs through public recognition that the IPCA is first and foremost an *Indigenous* Protected Area rather than a 50/50 split between an IGO and public government.

Representatives from two different IPCAs talked about the need for public government officials to follow, rather than lead Indigenous partners. They need to allow IGOs to build the capacity to carry out their duties as managers, rather than taking control in the name of efficiency and expediency. One of these interview participants discussed the public government's tendency to focus on administration and accountability on deliverables, rather than tangible benefits received by the community. The other highlighted the importance of slowing down to match the pace of the Indigenous party.

The emphasis placed by all parties on the importance of relationships leads to an important point implied during the interviews: individuals have a lot of influence over the success of implementation. People need to be willing to listen and learn from different perspectives, to navigate challenges, and to work cooperatively with the other parties. The success of initiatives and programs may rest on the resourcefulness and dedication of a few staff. At Torngat Mountains, there has never been time to document or record information on certain roles. When new people come into those roles, they must learn from their own experience. The quality of their work, then, is dependent on their own initiative.

The Park Superintendent role at National Parks have a lot of power to decide what programs or projects can proceed, which means the co-management board must get their buy in. The experiences and values of the Park Superintendent will therefore affect the on-the-ground operations. The power of individuals is especially apparent when there are limited staff and limited budgets, requiring a small group of people to ensure the goals of the IPCA agreement are met.

## Gender

At the workshop, participants had different views on the importance of gender in implementing IPCA agreements. At Edézhíe, according to an Edézhíe Guardian coordinator, the Guardian coordinators are all women, and the Guardians are all men — the men take direction from the women. At Ts'udé Niljné Tuyeta, one of the full time Guardians is a woman. She is a single mom who runs crews and drives trucks, and the Ts'udé Niljné Tuyeta Guardians are very proud of her. One of the neutral facilitators identified that a balance of genders at the implementation table is a key aspect to success. Conversely, an Inuit participant at the workshop talked about the application of gender roles as a colonial construct.

*We strongly believe in equality — in the past we all lived together and worked together as one. There were women who were much better hunters than their husbands. Some men might have more than one wife, some women had three husbands. Some men were better at sewing. The feds destroyed this equality.* — Qikiqtani Inuit Association, 2022

# Cost, Time and Economic Opportunities



## Funding

Long-term, consistent, and flexible funding is a considerable factor in the successful implementation of IPCA agreements. Working within prescribed budgets was one of the largest challenges faced by interview participants. Not only did some struggle to keep momentum going, but they also faced barriers to expanding their programs or capacity to meet the needs of a growing operational budget. Some interview participants said they were fortunate to have sufficient budgets to work with. Others stated their arrangements did not provide enough money or flexibility for implementation needs. Parties should negotiate ample funding during the development of the agreement.

Table 3 shows summary statistics for reviewed IPCA agreements that included detailed funding information. These are amounts found in IPCA agreements only. The line for Ts'udé Niljné Tuyeta, for example, includes only what is in the agreement with the GNWT. It does not include funding from Canada or other donors.

Table 3. Funding in IPCA Agreements Reviewed for This Report

IPCA		Total funding			Annual amount	
		Total years of funding	Total amount of funding	Average annual funding	Maximum	Minimum
Tallurutiup Imanga		9	\$64,130,000	\$7,125,556	\$10,117,754 (Y5)	\$4,650,000 (Y8-9)
Edézhzié		5	\$5,193,953	\$1,038,791	\$1,958,478 (Y2)	\$948,000 (Y1)
		One time trust fund — Canada to match third party contributions of up to \$10 million				
Ts'udé Niljné Tuyeta		4	\$830,000	\$207,500	\$215,000 (Y4)	\$200,000 (Y1)
Thaidene Néné	GNWT	10	\$2,900,000	\$290,000	\$290,000	\$290,000
	Parks Canada	12	\$40,079,800	\$3,339,983	4,691,650 (Y11-12)	\$1,761,650 (Y1)
	One time trust fund of \$30 million: \$15 million raised by Łutsël K'é Dene First Nation, and \$15 million matched by Government of Canada					

Guardian and Nauttiguqtiit programs are specified in many funding arrangements. For many IPCAs, these programs are the heart of conservation efforts. As they develop, Indigenous IGOs may find additional ways to improve or enhance their programs. The Dehcho First Nations have built a successful and active Guardians program at Edézhíé that could expand, offering more community members and specifically, more youth, training, and opportunities to get out on the land.

Three IPCA agreements specified funding specifically for Guardians, which is summarized in Table 4. This funding is contained within the amounts presented in Table 3 above.

Table 4. Funding for Guardians

IPCA		Funding specified for Guardians				
		Number of years funded	Total funding (% of budget)	Average funding per year	Annual amount	
					Maximum	Minimum
Tallurutiup Imanga		9	\$47,057,500 (73%)	\$5,228,611	\$7,033,171 (Y4)	\$4,000,000 (Y8-9)
Edézhzhíe		5	\$1,798,353 (35%)	\$359,671	\$409,239 (Y3-5)	\$196,400 (Y1)
Ts'udé Niljné Tuyeta		4	\$300,000 (36%)	\$75,000	\$75,000	\$75,000
Thaidene Néné	Parks Canada	12	\$2,779,200 (7%)	\$231,600	\$231,600	\$231,600
	GNWT	-	-	-	-	-
A significant portion of the annual Trust Fund allocation supports the Łutsël K'e Dene First Nation Guardians.						

While each IPCA faced challenges respecting funding, each had a different set of circumstances based on their agreements, their programming, and their goals. Adequate funding agreements not only support effective programming, but they also convey a spirit of confidence and a recognition of the value of Indigenous-led conservation.

IPCAs with small amounts of annual funding in their funding agreements may struggle to develop robust and functional programs. One-time funds injected into the first years of implementation will help get things moving, but the IPCAs will require additional sources of funding in the future. Without sustainable and stable long-term funding, it's difficult to gauge if future management strategies and action plans will be implemented. In particular, parties may be uncertain about hiring additional staff and running an office when stable funding could end. Because of this, significant staff time is spent looking for additional funding, which takes the focus away from operations.

Given that the implementation of many of the agreements is dependent on appropriate capacity for Guardian and Nauttiguqtiit Programs, there is a sense from IGOs that the federal government is not recognizing the importance of long-term funding. The COVID-19 pandemic made this clear when relief





PHOTO: PARKS CANADA

related funding was issued with timelines and expirations, despite its unknown longevity and impacts. Insufficient, short-term funding early on can perpetuate financial instability by reducing the ability of Guardian programs to achieve the credibility necessary for long-term funding approval. To overcome the significant challenges and barriers to obtaining long-term funding, Guardians Programs feel the pressure of being extraordinarily well trained to build merit and make a statement that they are valuable.

*In the back of our minds we want to tell our story and we want to build credibility to show the funders that we can do these things... We're working towards self-government so we have to make sure what we do is transparent with our self-government. I feel like we have an agreement with GNWT, but I feel I have to be one step ahead and not two steps behind. Once we give them control of whatever we want to do... they are then in control of our decision-making. — K'ahsho Got'ine Foundation*

## Contribution Agreements

Most of the public funding, such as through the Canada Nature Fund, for the case study IPCAs is distributed through contribution agreements that have onerous reporting standards and are highly inflexible. At the workshop representatives from public governments and from IGOs both spoke about the weaknesses of this funding tool. One of the main weaknesses is that the contribution agreements do not allow for

re-allocation of the budget as needed after programs are built and partners understand better where the money needs to go. Some do not allow for carrying funding over from one year to the next. This means if funding allocated for a specific activity or cost is not used, it is lost. For example, if the budget for CMB meetings is not fully spent due to a cancelled meeting, that money cannot go to operational programs.

A second weakness of contribution agreements is the reporting requirements. One workshop participant said they are “creating a microeconomy for bookkeepers.” Contribution agreements are awarded through the Treasury Board of Canada, which has strict reporting criteria so it can show its return on investment. Because of this, some IGOs create positions dedicated to managing and reporting on the agreements and others struggle to meet the requirements while carrying out conservation tasks associated with the IPCA. Reporting requirements for on-the-land work are also challenging to meet. These may come from contribution agreements or other funding sources. For example, some funders ask Nauttiqsuqtiit to record the number of animals they have seen or the number of hours they have spent on the land. This may be challenging to meet as the requirements do not align with how Inuit traditionally have spent time or made observations on the land or water.

Representatives from IGOs want to tell their story and build credibility with funders. But they are also wary of giving too much control to public governments for decision-making. When reporting on funding agreements takes precedent over on-the-land work, the partnership between IGO and public government can feel counterproductive.

*A lot of the resources go into reporting and administration, so that money isn't going into communities, it's going into overhead.* — Qikiqtani Inuit Association, 2022

Workshop participants from both public governments and IGOs talked about the need to change the funding arrangement from the contribution agreement model, which is an administrative burden to everyone. All parties expressed a feeling of powerlessness to create change. The public government representatives said the decisions were made at higher management levels, therefore IGOs would have more power to speak to the issue. Representatives from IGOs said they had too much on their plate already and did not have the capacity to engage in such a complex and rooted issue. The solution to this may be to get political players involved. One workshop participant talked about finding a champion who is influential in government — leveraging relationships with people in power can be the most effective way to make change.

Representatives from IGOs want to tell their story and build credibility with funders. But they are also wary of giving too much control to public governments for decision-making. When reporting on funding agreements takes precedent over on-the-land work, the partnership between IGO and public government can feel counterproductive.





## Trust Funds

Trust funds built into IPCA agreements result in flexible funding with less reporting requirements. Interviews with Łutsël K'é Dene First Nation about Thaidene Néné highlight the benefits of their \$30 million trust fund. This is money that was raised by Łutsël K'é Dene and matched by the federal government. The fund sits in an account and the investment income that builds is used to pay for operations and administrative staff, who also work to find other money to fund programming. The Łutsël K'e agreement with the federal government outlines a baseline budget. If the investment income does not meet the baseline budget, the federal government will provide the difference. The investment income has fewer constraints around its use so Łutsël K'é can put it where it is needed most for management and operations. They also do not need to negotiate with public governments for more core support. Edézhíe has a trust fund that allows for the same.

## Additional Funding Sources

Interview participants named Ducks Unlimited, MakeWay and the Wyss Foundation as a few examples of sources of grant funding. They also discussed seeking grants for specific programs that support larger operations. For example, territorial governments may have funding to help Guardians or Nauttíqsuqtiit seek Wilderness First Aid Certification or other relevant training.

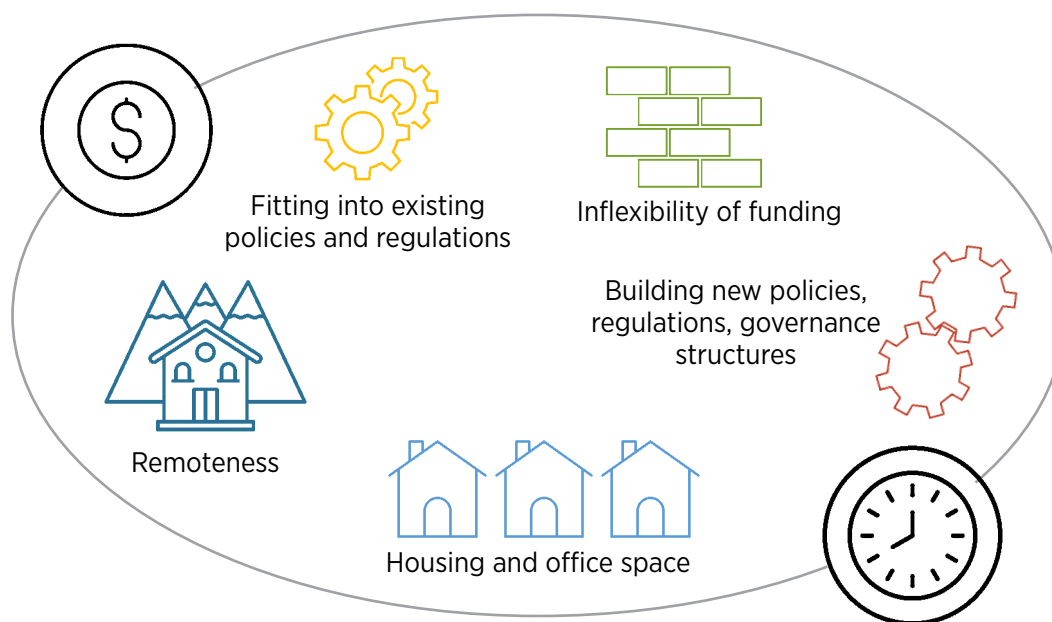
Large private donors are also looking for conservation efforts to support. One workshop participant talked about bringing funders out into boats with Guardians and elders. The funders listened to the stories people told about their childhood, their love of the land and felt a connection that led them to support the IPCA. This kind of event must be approached carefully, however, as wealthy funders may not be entirely sensitive to the community, its history, or its challenges.

## Funding for Public Government Positions

Staff on the public government side are funded outside of IPCA agreements. Sometimes the agreements state what kind of positions the public government partner will provide for the IPCA. This is the case for Ts'udé Niljné Tuyeta (see Appendix 15 of the Agreement, Table 1). However, interview participants stated that staff were spread too thin across conservation commitments within their jurisdiction. They need dedicated staff for any IPCA that is established. This may be a challenge for any IPCA, as availability of budget for new staff is much less than what the public government may be able to provide.



Figure 3. Factors Influencing Cost, Time, and Economic Opportunities



## Time

Each new IPCA will have rules and processes that must fit with existing rules and processes. This is one of the most time-consuming realities of implementing IPCA agreements. It is experienced by both public government staff and IGO staff. For example, when an IPCA is created with a territorial government, the territorial government must identify all laws, regulations, and policies that are relevant to the IPCA and ensure they do not create barriers to the commitments made in the IPCA agreement.

Permitting for the IPCA must be consistent with existing permitting processes, which may require changing the existing processes. In some cases, nuances of legislation can be challenging to navigate, which takes time for public government staff as they work out the most effective way to integrate the new IPCA into their operations. When there are multiple agreements respecting the IPCA, as is the case with Thaidene Nënë, the integration may be more complex and time consuming.

### Integration into Existing Processes

Integration of the IPCA into existing land management frameworks can require new systems for information management and decision-making. For Thaidene Nënë, the GNWT and the Łutsël K'é Dene First Nation agreed that any authorization made by the public government would first be reviewed by the CMB. To accomplish this, two new processes had to be developed. The first was for the GNWT to lay out how permit applications would work through their permitting system — which is made up of staff that review, seek internal or external feedback as the case requires, and then make a decision. They needed to work in a process where it was received and sent to the CMB for review. The second process is at the CMB,

which needed a policy to determine how to review and decide on whether to recommend the application proceed or not. The CMB will need support for the development of these policies, and public governments and IGOs will need to provide that support.

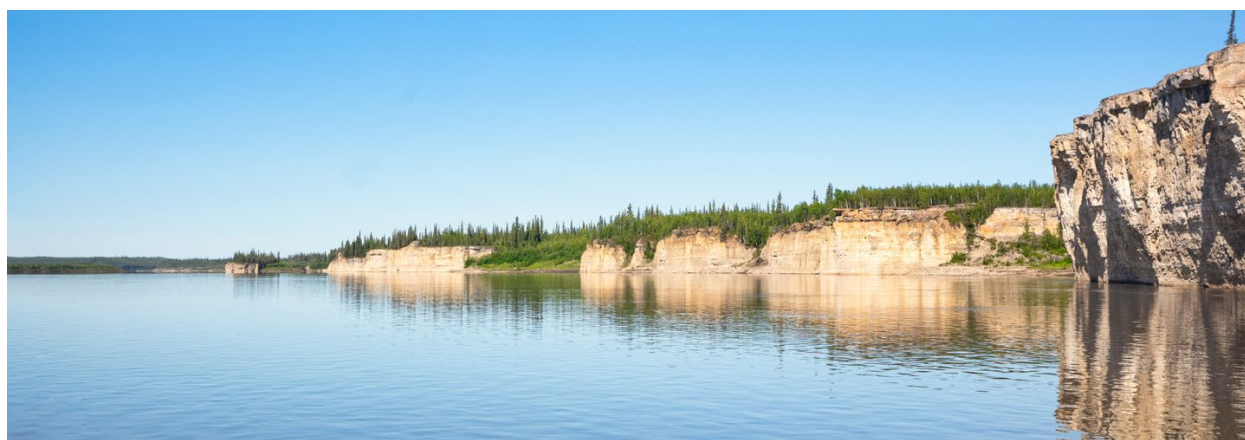
In some cases, new legislation built around the IPCA may not have contemplated existing legislation or regulations. Nuances within each piece of legislation may not be consistent. While this issue is best solved before the IPCA agreement is signed, the reality is that knowledge of inconsistencies may not arise until implementation. Parties will have to spend time and energy adapting the old and/or new legislation or regulations to ensure all management structures work together.

*Trying to work within existing legislation that may have lots of little nuances is a challenge. Sometimes the spirit of the protected areas act; the spirit of the agreement and the existing legislation that is required to be used aren't consistent.* — Government of Northwest Territories Staff, 2022

Additionally, integrating the co-management board into decision-making for the IPCA can take time and careful thought. The parties must develop governance structures that map out how the CMB will exercise its authority within existing IGO and public government processes. Interview participants have suggested this piece of implementation may take more time than expected. This is especially true if funding for implementation is inflexibly allocated to operations rather than policy and governance development. If this is the case, parties will have to find other sources of funding to support this important work.

While partnering with federal agencies can result in more funding for IPCAs, those partnerships come with specific challenges and opportunities. Table 3 above (summary statistics on funding agreements) shows that the federal government can provide significantly more funding than territorial or provincial governments. However, a person interviewed from Parks Canada stated that Parks Canada has a mandate to focus on on-the-land work, which means there is less support available for helping CMBs to develop policies and governance structures. Additionally, Parks Canada has a strong brand, existing policies, and operational requirements that must be met. These may not be priorities for IGOs. Meeting these requirements will take time and effort. When there are limited staff available the priorities of other parties may be delayed.

PHOTO: JULIEN SCHRODER



## Policy Development

Policies are procedures or rules that dictate what actions are to be taken in response to a particular situation. During interviews, several people stated that policies or procedures had to be developed or changed to support all parties to carry out their obligations under their agreements. During the workshop, the discussion on policies was much broader. It included recognition that federal government policies have been extremely destructive to communities and that communities are still dealing with the effects. Participants also highlighted that southern policies have been applied to northern contexts in ways that are ineffective and confusing. Existing policies may make it more difficult to complete the work.

*I'm tired of trying to explain things. Inuit ways, Inuit Rights. It does take a stubborn person to keep on it. It's hard to trust the current policies already in place. These are the same policies that have displaced Indigenous self-determination. Policies are meant to stand the test of challenge. It's hard to make change when the response is resistance.*

— Qikiqtani Inuit Association, 2022

The discussion included acknowledgement that IGOs need to create their own policies that fit the characteristics of their communities and support community members to carry out the work. The IGOs may already have ways to integrate and operationalize new rules and laws efficiently.

Workshop participants discussed employment barriers towards community members created by public government policies. During the workshop representatives from both public government and IGOs talked about how difficult it is for community members to meet requirements for public government positions. One barrier is the requirement for applicants to have a Bachelor of Science degree. The communities represented by the case studies have limited access to universities or technical schools. Attending a university, college, or technical school would require them to leave their community, territory, or province. Since many community members have responsibilities at home or do not have the support they need to do well outside of their community, they are not able to obtain a degree. Federal representatives reported that human resource policies and screening processes in Nunavut have been relaxed, but that positions are still very restrictive for hiring Inuit. Some parties involved in IPCAs have created local engagement and employment coordinators to support young community members develop the skills they need to take federal or territorial positions in the future.

IGOs need to create their own policies that fit the characteristics of their communities and support community members to carry out the work.

*One woman I know is very interested in getting a degree but can't go south because she has a family. We are supporting her to attend the local Environmental Technology Diploma Program.* — Environment and Climate Change Canada, Canadian Wildlife Service, 2022



The strict policies that dictate how public government employees must operate are another barrier for community members to take public government positions. Workshop participants discussed how they are changing expectations around employment for IGO positions. Those community members who are experienced land-users in their 50s or 60s and often have never had a job that requires strict working hours. Asking them to suddenly fit into a structured position from nine in the morning to five at night is not conducive to success. At Thaidene Nënë, Ni Hat'ni Dene Guardians work on a shift of two weeks on and two weeks off and are paid for the entire time. This allows them to be fully on the land when they are on the land and still have the personal time they need.

Policies developed by IGOs support community members and the reality of their lives. Policies need to focus on keeping people in their jobs, rather than dismissing them. Workshop participants discussed some of the challenges faced by men, in particular, who have been dispossessed of their social role. Some will need support to transition into successful Guardians or Nauttisuqtiit. In some cases, managers play a role of auntie or uncle and social worker as they try to support people struggling with addictions or other trauma-related challenges. The current Nauttisuqtiit manager was described by one workshop participant as providing a lot of wisdom, guidance, and direction to the Nauttisuqtiit. Appropriate supports for all levels of staff need to be in place so that everyone can be successful.

Employment policies such as absentee policies and leave of absence policies need to build in the realities of the community members who will be employed. Additionally, a policy around Code of Conduct or Fit for Work keeps everyone safe while they do their job. One workshop participant explained that they have a hiring policy specifically related to people with histories of sexual violence that was developed in response to concerns raised by youth.

The representatives from Ts'udé Niljné Tuyeta shared a list of operational and human resources policies they have created. All policies are grounded in Dene Law:

- Code of conduct — this is seated in Dene Law. One of the Dene laws is to “be happy,” which means when people are out on the land you need to pay attention to others around you and support them in a good way.
- Confidentiality policy.
- Leave Policy — this includes Cultural leave so people have time and space to be on the land. There is also a budget for gas and groceries to support people when they are on the land.
- Respectful workplace policy.
- Fit for work policy.
- Hiring policy: this requires a criminal record check. A history of sexual violence is one trigger for not hiring a candidate.
- Rates policy — sets up a structure for reimbursing people for their time spent on the Management Board, the Board of Directors and for Staff work.



PHOTO: DEVON MANIK

At Ts'udé Niljné Tuyeta, everyone signs contracts, even for small amounts of money. This ensures that there is no confusion about expectations from either party. They try to create a supportive workplace with a fair hiring process.

## Remoteness

Another factor that influences the time it takes to accomplish implementation goals is the location of the IPCA. Remoteness is a major factor that increases time and costs. The agreement for the Torngat Mountains National Park was signed in 2005. There was always an intention to set up a Guardians program as part of its operations; however, because of the remoteness of the IPCA, it is difficult to get people on the land and ensure their safety. Radio communications across the park are improving, which increases the ability to run Guardian programs. In 2022, Inuit families were given a paid opportunity to get out on the land and report on their observations. This was a six-week program that was implemented for the first time.

Housing in remote communities has been a major barrier for the development of employment and tourism opportunities. For certain communities, the establishment of an IPCA has highlighted an existing housing scarcity problem. In Nunavut, improving the capacity of Tallurutiup Imanga by hiring additional staff has proved challenging because there is no housing to offer alongside new positions. Similarly, in Thaidene Néné, Parks Canada has had difficulty hiring staff, even those from Łutsël K'é Dene First Nation currently living elsewhere because they did not already have housing within the community. The capacity to hire and train new employees is also impeded by the inability to find housing for supervisors and managers coming in to work for Parks Canada. As the community itself is also in need of housing, this rising demand increase tensions between outsiders coming in and those already living in the area.

Staff also require office space for a productive working environment outside their own homes. If current employees are working from home, new staff do not have a space to interact with colleagues and create a working community — a likely deterrent to accepting employment. In some cases, multi-use facilities may be built in communities, but this takes time, money, and land and may be challenging to organize

among competing interests. Establishing a workable location within a community is particularly important given the remoteness of some IPCAs. In these environments, the development of IPCAs are dependent on the energy and dedication of the initial hires.

*It's a Catch-22 where you need to hire people to build the program, but if you don't have something to make them feel like they're in a place of work then people won't come. You hire people with a promise of what their work will look like, but then they're also helping you build the program. So, the initial hires are the champions of the programs. And it's difficult to communicate that; it takes a special kind of person who thrives that way, others like to be hired into a route that already exists. — Qikiqtani Inuit Association, 2022*

An interview participant from Łutsël K'é Dene First Nation discussed the idea for an infrastructure plan. They emphasized the need for high quality infrastructure the Nation can be proud of, rather than poorly insulated trailers that too quickly deteriorate. Any construction efforts will require land, labour, tools, and supplies, all of which may take extra effort to obtain in remote communities.

## Economic Opportunities

Interview participants reported many new paid opportunities for communities through implementation activities. These opportunities are through positions within IGOs and positions within public governments as well as through local services, which are hired during events in the community. Many interview participants reported that opportunities for generating economic benefits from tourism have yet to be pursued.

### On-the-Land Programs

Employment through Guardian or Nauttigsuqtiit Programs is a significant driver of economic opportunity for communities associated with IPCAs. Guardian and Nauttigsuqtiit Programs encourage those without formal certificates or degrees to be involved in protection of their territory, doing what they love and are skilled at: being on the land. People receive on-the-job training that helps them to participate in or build technical monitoring programs. Established and trained Guardians mentor new Guardians, which builds relationships across generations. Employment through the Guardians program includes work that

increases access to and knowledge about the IPCA, including trail and cabin building, and care for cultural sites.

Established and trained Guardians mentor new Guardians, which builds relationships across generations.

For the Inuit communities connected to Tallurutiup Imanga, the Nauttigsuqtiit Inuit Stewards Program has provided benefits beyond employment opportunities. The Nauttigsuqtiit provide country foods because they hunt while making observations about the health of the IPCA. While it can be difficult to monetize the full



economic benefit of country foods, Inuit communities are gaining greater food security, which increases their economic well-being overall. Additionally, local seamstresses were hired to sew the uniforms of the Nauttiqsugtiit, a benefit to those seamstresses and to the Nauttiqsugtiit.

## **Public Government Positions**

Indigenous communities may also benefit from new opportunities for public government jobs. For those IPCAs that include partnership with Parks Canada, federal career opportunities open in communities, including positions in visitor's centres and for operational staff. Positions may include cultural interpretation, maintenance, or administration. Parks Canada works to build and maintain a strong presence and park headquarters in a community or communities close to the IPCA. All IPCA agreements included in the case study have provisions related to preferred hiring for Indigenous community members, and preferred contracting for Indigenous businesses. As discussed in previous sections of this report, however, there are many barriers for Indigenous people to take advantage of these opportunities.

## **Community Businesses**

Businesses in communities benefit from co-management board meetings, events, and programs associated with the IPCA. Meetings require the skills of translators, caterers, note-takers, and audio/visual specialists. Hosting board meetings where members are brought from outside of the community increases demand for local lodging, groceries, and restaurants. On-the-land events for communities require cooks, camp attendants, elders, administrative staff, drivers, vehicle rentals, and harvesters. Three programs organized in Ts'udé Niljné Tuyeta by K'ahsho Got'ine Foundation resulted in the hiring of over 100 community members. Infrastructure and maintenance work results in hired labour from the community.

## **Research**

Research interests also bring money into the community. Researchers who travel into the community will utilize community businesses for lodging and food and for transportation. As many of the IPCAs are not road accessible, researchers hire airplanes, float planes, helicopters, or boats. Community members may also be hired as guides or, as is the case in Torngat Mountains National Park, as bear guides who provide protection from the very real and dangerous possibility of polar bear conflict.

## **Tourism**

Some IPCAs may receive benefits related to tourism, though communities may be less interested in developing the area for tourists and more interested in preserving the cultural heritage of the place. For Parks Canada there is an expectation that protected areas will result in economic development through the tourism sector. Some interview participants stated that communities have mixed feelings about

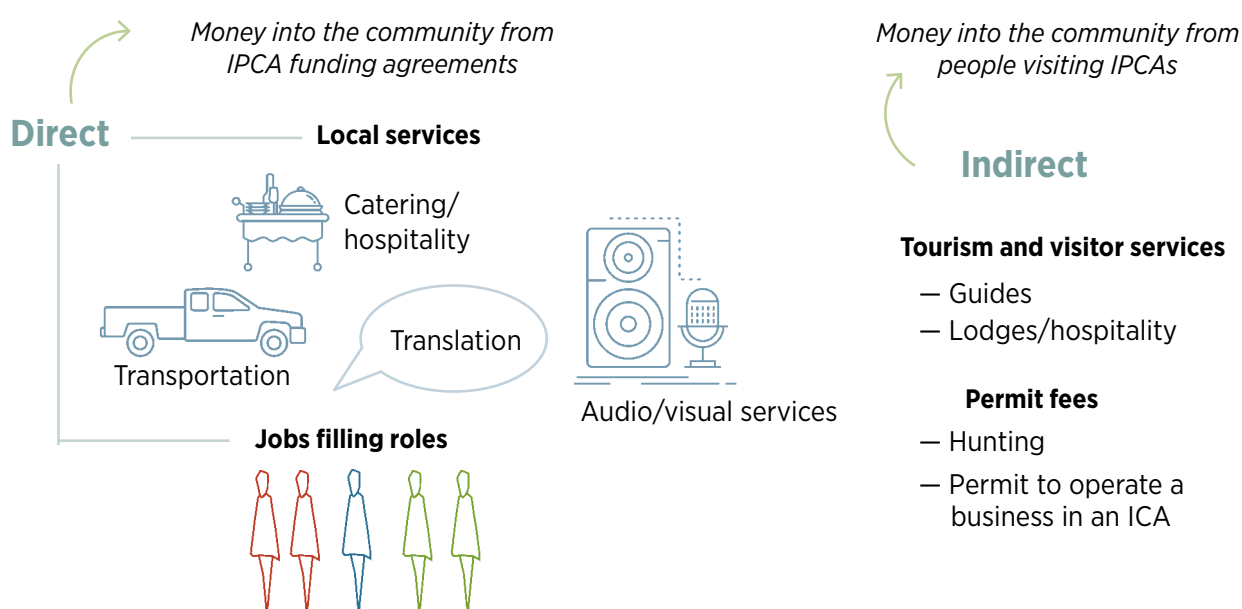
visitors and would rather focus attention on land-based programming and the revitalization of language and culture through sustainable land-based employment and cultural events. Other communities do hope to promote their IPCA for eco-tourism and have identified potential partnerships with existing outfitters and guiding services already using areas in and around the IPCA. The remote location and expensive travel limits the number of people who are likely to visit. As programming develops, the desire to pursue tourism as an economic opportunity may evolve with communities deciding how and when to allow visitors to travel in the IPCA.

Two IGOs have built visitor infrastructure to facilitate tourism within the IPCA. In Torngat Mountains National Park the Nunatsiavut Government runs a Base Camp and Research Station that offers accommodations and a starting place for guided tours or self-supported hikes into the IPCA. In Thaidene Nënë, Łutsël K'é Dene First Nation purchased an old lodge and has renovated it as a “gateway to Thaidene Nënë.” As with other IGOs, they are concerned first with taking care of their people and their connection with the land before providing too many draws for tourists. While Parks Canada has a vision for visitor-centered trails, Łutsël K'é Dene First Nation wants to focus on re-opening their historical trails first. The lodge has been very successful and is fully booked for the next two summers, but the community does not want Thaidene Nënë to be overrun with tourists. Łutsël K'é Dene is working out how to create a balance between inviting people to experience the IPCA and protection of its character and cultural values.

*There is lots of economic opportunity – but there are questions in the community around how much is good? And how much is too much? Is there a limit to tourism? Community members don't want to see this turn into a Banff; want tourism opportunities but not too many.*

— Łutsël K'é Dene First Nation, 2022

Figure 3. Direct and Indirect Economic Opportunities Generated from Implementing IPCA Agreements



# Management and Implementation



## Factors for Effective Long-term Management

The preservation of institutional knowledge was one of the factors identified as important for effective long-term management. This means that all staff have good knowledge of the history of decisions made, programs developed, and challenges overcome. There are two ways to preserve institutional knowledge. The first is to keep staff turnover low. Because agreements are long-term, staff are ideally committed to working long-term as well. People leave their positions for many reasons, including the remoteness of the working environment and other opportunities for career development. This issue is exacerbated by a lack of appropriate funding for programs. At Tallurutiup Imanga, 40 people have been hired for implementation and if funding does not continue as it has, those staff and the momentum they have generated could be lost.

*We've hired forty people, so if the funding stops we'll be stuck. Not only will people lose employment, but this program that took so much work and time to build would be demolished.* — Qikiqtani Inuit Association, 2022

The second way to preserve institutional knowledge is to develop tools and plans for knowledge transition should staff leave. Training the wider community for work within the IPCA, especially for work within the Guardian program will prepare others to take on roles in operations and management as needed. Mentorships that match Elders with youth or senior guardians with less-experienced guardians allows for knowledge to be passed on throughout the community. Both IGOs and public governments need to keep track of knowledge, discussions, and decisions to be passed on to new staff during their first weeks in their role. A consistently updated organizational chart is a useful way to communicate roles to new staff. There should be a significant period of overlap between staff transitioning in and staff transitioning out so that processes and knowledge can be passed on. This is true for both operational staff and for co-management board members.



Establishing co-management boards is a significant endeavour that requires redundancy measures to ensure the board is effective long-term. A turnover in board members can cause a significant lag in progress while new board members are found and trained. To mitigate these stalls, co-management boards can ensure there is an overlapping transitional period between outgoing and incoming members so that knowledge can be passed on. This can also be done by staggering the terms of board members so that some experienced members are always present to guide incoming members. Some communities have a deeper pool of candidates for the co-management board compared to other communities. Those with a smaller pool of candidates may have CMB members taking on multiple roles in their organizations, creating conflicts of interest or unmanageable scopes of work. Given the workload that board members have, it may be unreasonable to expect existing members to onboard and train new members coming in.

*Unless there's overlap between multiple good people to learn and bridge knowledge, when they leave or something happens you lose it. — Torngat Mountains CMB, 2022*

Tools for managing institutional knowledge include CMB governance and policy processes and protocols. Co-management boards can build workplans and policies that are reviewed and followed consistently across administrative staff and board members. This will require training and communication. Workplans keep the board on track and give direction for all actions and decisions. Protocols for board decisions, such as for decisions on research or land use applications ensure that decisions are consistent and use all information necessary. Protocols for information management will keep all information easily accessible as well as trackable.

Each party, including IGOs, public governments, and the co-management board need an information management system that is consistently applied by all staff. This may require a staff member dedicated to information management and compliance with information management protocols. Documentation and records management can take many forms, and should, as much as possible, be developed to fit the characteristics of the community.

## Management Planning

The IPCA agreements include requirements for the co-management board to create a plan for long-term management of the IPCA. Management plans outline objectives and tasks for each party that help to direct programming on and decisions about the land and water within the IPCA. Developing these plans requires a great deal of dedication and time to ensure it is written to represent Indigenous perspectives and the needs of the land. In Ts'udé Niljné Tuyeta, they have used the Healthy Country Planning Model as a tool for building a Management Plan. Healthy Country Planning is an Indigenous-led participatory process that encourages strong community engagement by tailoring language, facilitation, and tools to the community's needs. This model has been helpful to some planners but may not fit the needs of everyone engaged in planning. Parties should work together to develop a management framework that fits their specific context.

Whoever is leading the actual drafting of the management plan must stay true to the vision of the Indigenous community and their rights to make decisions about their land. IGOs often enter into these agreements aspiring to share responsibility with public governments. However, they also are seeking to maintain sovereignty and decision-making power. This must be reflected in the management plan.

The management planning process is a long and iterative one that requires communication and openness between parties. All parties, including IGOs and public governments as well as the co-management board must have capacity to review and comment on the plan in order to develop a shared understanding. When shared understanding is not at the forefront of its creation, the long process of developing a management plan can create tensions between parties. Parties may struggle to agree on terms for an interim management plan, including its purpose and legal interpretation. The question of legal interpretation will affect the strength of the management plan and whether compliance is a legal requirement. These terms must be worked out as soon as possible and must not be left ambiguous. Creating an ambiguous management plan results in future issues without a clear resolution.

PHOTO: JULIEN SCHRODER



# Foundations for Success



## Focus on Indigenous Connection

Indigenous people connected to the land should always have the dominant voice in co-management boards. The purpose of an IPCA is to protect Indigenous values and connection to the land. While there are many tasks to complete and roles to fill to implement an IPCA agreement, there also needs to be space for the community to practice their rights on the land and just be themselves. The representatives at the workshop from Tallurutiup Imanga explained that the community gathers to practice Inuit rights during Inuit Qaujimajatuqangit days. This provides a way for people to maintain their connection to the place and their culture. The connection with land and elders keeps people motivated to persevere through inevitable difficulties.

*At the end of the day, remember the messages you got from your elders and keep doing what you do no matter how hard it gets. — Łutsël K'è Dene First Nation, 2022*

## Common Understanding of the Agreement

Many interview participants stated that a clear understanding of the IPCA agreement is a necessary foundation for success. Some agreements had ambiguous clauses that were interpreted differently by each party. This increases the time it takes to get implementation moving or can impede momentum in

Indigenous people connected to the land should always have the dominant voice in co-management boards.

the future. It is important that all parties, including IGOs and public governments and the co-management board have a consistent understanding of each section of the IPCA and what it means for implementation. This knowledge must be held by all levels of the public government so that any action related to the IPCA or on the IPCA is consistent with the IPCA agreement.

Promoting an understanding of the agreement can take time and requires patience. It may require creative forms of communication that reflect the audience—metaphors, visual aids, and face-to-face conversations, for example. A critical point that must be understood by everyone is who gets to make





PHOTO: PARKS CANADA

final decisions — who has the final authority. For some IPCA agreements, this may be the co-management board. For others, this may be a minister under a federal or territorial/provincial government.

One resource that can facilitate a common understanding is a link between the negotiation team and the implementation team. A person who helped negotiate the IPCA agreement will have context to share with the implementation team about what was meant by certain clauses in the agreement. One of the interview participants stated that a person from the implementation team shows up to each of the co-management board meetings to bridge the gap between the two teams.

## Communication

Communication between parties is necessary for successful implementation. This starts with being clear and frank about what each party can accomplish, given time, money, and legal authority. From a public government perspective, staff may not be able to deliver on an expectation from an IGO because of existing legislation, lack of capacity, or lack of political will. A changing public government can effect implementation. This is a reality the parties should consider and communicate about when beginning implementation.

*Communication is key in building relationships. The virtual relationship we built during COVID was amazing and definitely made it easier to work together.* — Dehcho First Nations, 2022

Communication within parties was also discussed during interviews. Staff in departments within any organization can fall into habits of working in isolation, which leads to uncoordinated actions and wasted time. Implementation will benefit from efforts to break down that isolation by building networks of communication across teams and using those networks regularly, so they do not disintegrate.

*The general sense of working as a team is a success within the complex political landscape. It could've been a lot more challenging with everyone working in silos, but the teamwork has been*





*a big success and shows what people can do when there's a will to work towards a common goal.* — Government of Northwest Territories Staff, 2022

Effective communication supports accountability. It is inevitable that parties or individuals will make mistakes while working on IPCA implementation. It is essential that parties or individuals admit when they have made a mistake. The partnership cannot move forward without that accountability.

## Patience and Flexibility

As stated earlier in this report, it is critical that IGOs lead the implementation process. The purpose of the IPCA is grounded in their value of the landscape, waters, and their needs for cultural continuity. The IPCA agreement, in contrast, is grounded in the Canadian legal system and public government processes. Public government staff may be tempted to take control of implementation if timelines and goals are not being met, however, they need to allow the Indigenous governments to create their own internal processes to facilitate implementation, to hire and train staff, and communicate with community members. This will build up Indigenous capacity for long-term management and will convey the spirit of trust and reconciliation that is a fundamental aspect of the IPCA partnership.

*Initially when Dehcho First Nations was struggling to get its feet under it, Environment and Climate Change Canada was careful not to try and take over. If one party is having troubles, then everyone needs to take a break and allow the party to catch up rather than being married to the budget and schedule and drive progress for budget's sake.* — Neutral Facilitator, 2022

## Pre-planning and Phased Approach

Planning for implementation will help prepare each of the parties for the tasks they have committed to. This includes development of policies and protocols for internal processes related to each commitment. Development of policies and protocols will help to identify what human resources will be required. Organizational charts that map out new staff roles, responsibilities, and hierarchy will help with this exercise. Any description or definition of roles will help the person coming into that position,

PHOTO: DEVON MANIK

especially if they are the first one to fill it. The more uncertainty there is around any role, the longer it will take to implement the IPCA agreement. One piece of advice from an interview participant was to hire top-level positions first, build programs, and then put operational staff in place to implement the programs.

*Hire top level positions first and then hire the lower positions. If you don't, it's like having hands and feet without a head. Need to start with the head... Don't try to build everything at once.* — Neutral Facilitator, 2022

Planning can include the development of a vision for the IPCA that is consistent with the IPCA agreement. The vision can help parties to maintain direction on implementation tasks. When IGOs create a vision, they can use it to establish leadership and bring other parties along. This can be especially true when there are more than two parties working together. The vision can identify ways to leverage the programs that are already occurring on the land and water as well as the strengths that the community already has developed.

Planning needs to occur with flexibility, however. One interview participant stated that IGOs need to have the flexibility to try new things, fail, modify, and try again. A workshop participant echoed this:

*Make changes, make mistakes. I don't mind making mistakes, I love it. I learn from it.* — Qikiqtani Inuit Association, 2022

This is important because the IPCA will be an entirely new responsibility for some IGOs that will require learning, failures, and sometimes, experiments. The planning should include realistic goals that consider the strengths of the communities as well as what communities need to develop.

The vision can identify ways to leverage the programs that are already occurring on the land and water as well as the strengths that the community already has developed.

## Build up Community Members

IPCA lead to opportunities for Indigenous community members to develop professional careers on the land, and communities can prepare their youth to take on these roles. Leadership and community members with influence over education and recruitment may get youth interested in the field of conservation by promoting conservation studies through school. Lining them up for a successful career in their own community will benefit the community and the IPCA.

*There is a need to train people to take over. It's important to spread awareness that the training programs are not just for the Guardians but for the wider community. It's important for the community to be prepared and trained to participate in operations and management if need be.* — K'ahsho Got'ine Foundation, 2022

This is true for Guardian roles as well as the other roles needed to implement the IPCA agreement. People within the community need to understand the agreement and its importance for the nation's exercise of authority. Training is necessary to carry out the required tasks associated with the implementation of an IPCA and to be a leader among the other parties. Education does not need to be formal schooling, community members also need to be supported in being good land-people: knowing the stories, the water, the wildlife, and the culture. There is value in knowing and promoting the cultural stories tied to the land.

Those who are implementing IPCA agreements can partner with other community programs to share resources that help to encourage and inspire community members. The representatives from Ts'udé Niljné Tuyeta talked about working with wellness and justice systems in the community to provide help for people with addictions.

*We get people into those programs and we tell them we don't want to lose them. We need them. We have to be nice and encourage them. When they are out on the land and working with Guardians, they are considered a role model. We have to make them stand out so the younger people can look at them and take their advice. — K'ahsho Got'ine Foundation, 2022*

## Learning from Others

When Łutsël K'é Dene First Nation first started looking into creating an IPCA, they met with the Haida, who had entered into an agreement with Parks Canada to create the IPCA Gwaii Haanas on Haida Gwaii. Meeting with people who were already navigating the process was extremely helpful for LKDFN. When nations come together to discuss their challenges and successes, it helps everyone to improve on outcomes. These opportunities need to be created for people working on all stages of implementation. Even the IPCA in these case studies that has been around for almost two decades has room to improve on implementation. Meeting with people starting out in the process can offer them some new insights that can be helpful for getting out of established ruts and onto new paths for moving forward.

Representatives from IGOs at the workshop expressed how important it was for them all to get together without public government representatives in the room. Most times, public government representatives outnumber IGO representatives when they meet. Having a space for Indigenous people to talk about the challenges of their work is inspiring and strengthening as many people feel federal government has a strategy of “divide and conquer.”

Łutsël K'é Dene First Nation stressed how important it is for IGOs to share their agreements with other IGOs. This is not only relevant when several IGOs are connected to a single IPCA, which is the case with Thaidene Nënë, but also for IGOs who are seeking to develop their own IPCA. Knowing what is in other agreements increases the power that IGOs have in negotiating. They can see what others have secured or are working towards and can ensure that they have access to all possible negotiation outcomes. This can



also help to prevent future problems that can occur when complex arrangements are not fully disclosed at the outset.

*Łutsël K'é Dene First Nation has always taken the position that, yes we will share our agreements with you to make sure you get the best deal. We learned this from the Haida. The more we can convince our respective leadership to share agreements, the better all can be. — Łutsël K'é Dene First Nation, 2022*

PHOTO: DEVON MANIK



## APPENDIX A: CASE STUDIES

### Ts'udé Niljné Tuyeta Indigenous and Territorial Protected Area *Northwest Territories*



**AGREEMENT:** *Agreement to Establish Ts'udé Niljné Tuyeta as a Protected Area*

**PARTIES:** **K'ahsho Got'ine** (Fort Good Hope Dene Band; Yamoga Lands Corporation; Fort Good Hope Métis Nation Local #54 Land Corporation; Ayoni Keh Land Corporation; Behdzi Ahda First Nation); **Government of Northwest Territories** (Minister of Environment and Natural Resources)

**EFFECTIVE DATE:**  
September 2019

**IMPLEMENTATION FUNDING:**  
\$405,000 for first two years  
of implementation.

**GOVERNANCE:** Ts'udé Niljné Tuyeta Management Board. Four appointed by K'ahsho Got'ine (one alternate); two by the Government of the Northwest Territories (one alternate); one impartial chair.

#### CHALLENGES:

- Mobilizing and activating the community to support the establishment of the agreement was a long and incremental process; relied on Elders.
- COVID-19 delayed the regulatory processes governing the ICA, impacting the implementation and funding timelines.
- Funding has been a major barrier for the implementation of the agreement; it has generally been short-term (limited to first two years) and inconsistent. There is no ongoing federal funding since they are a Territorial designation.
- Capacity, administration and long term management planning is hampered due to missing long-term funds.

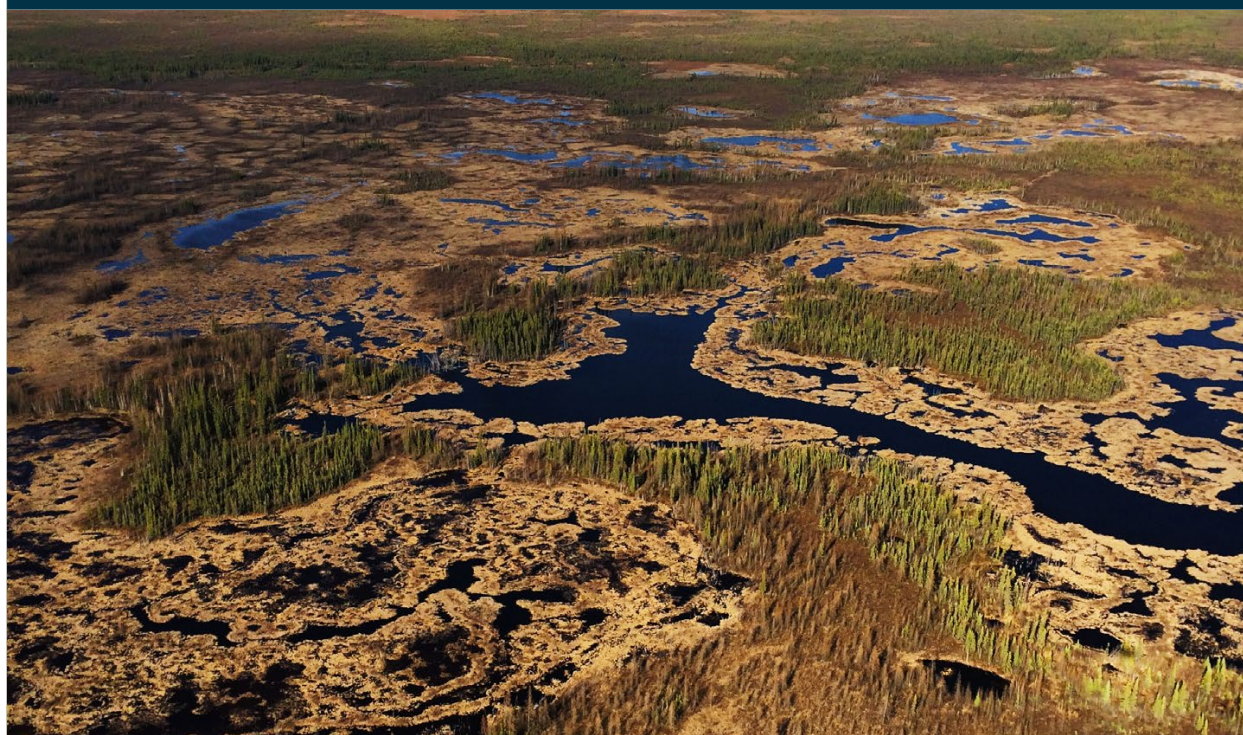
#### SUCCESSES:

- Employment opportunities have been created in the communities; Guardian positions provide meaningful full-time jobs and more than 100 people were hired in 2021 for programs.
- The K'ahsho Got'ine Guardians have been important for bridging the community to the agreement and providing environmental and community services.
- Community capacity is being built up through the agreement, and K'ahsho Got'ine knowledge is being shared; Elders are sharing with youth on the land.
- There is interest and buy-in from youth and members of the community for more programs in the protected area.

PHOTO: PAT KANE



## Edézhíe Indigenous Protected Area and National Wildlife Area *Northwest Territories*



**AGREEMENT:** *Agreement Regarding the Establishment of Edézhíe*

**PARTIES:** Dehcho First Nations;  
Government of Canada (Minister of Environment)

**EFFECTIVE DATE:**  
October 2018

**IMPLEMENTATION FUNDING:**

\$5.19 million for first five years. Canada to match Trust Fund contributions up to \$10 million to the Edézhíe Fund for first five years.

**GOVERNANCE:** Edézhíe Management Board. Five members appointed by Dehcho First Nations; one appointed by ECCC; one independent chair.

**CHALLENGES:**

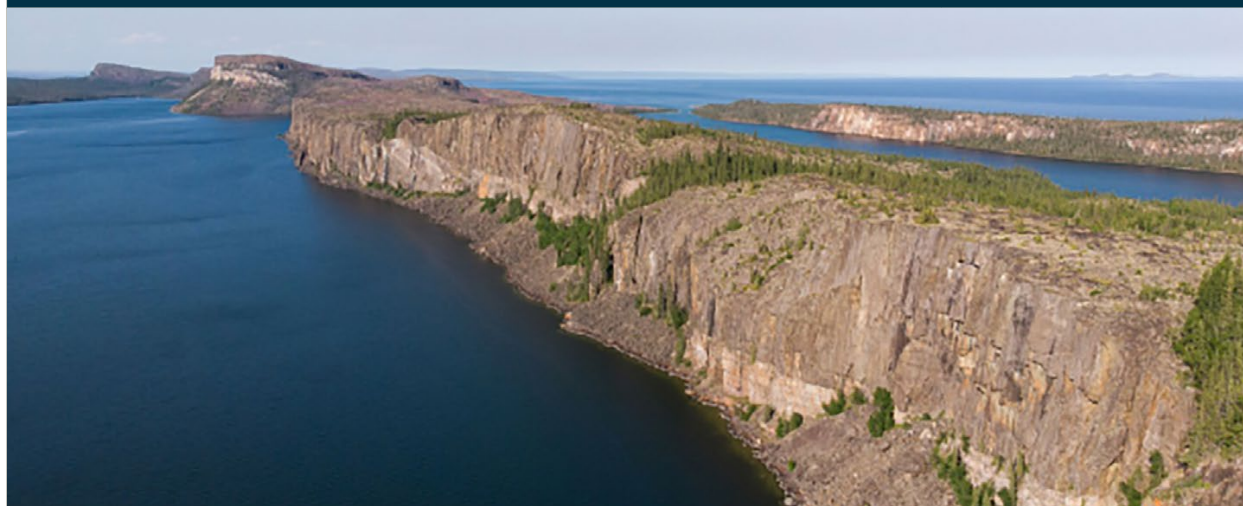
- Capacity was impacted from the outset, with initial delays in staff recruitment, followed by frequent turnover in senior staff and Board members for the first three years.
- While four Dehcho communities are directly involved in Edézhíe, decisions are ultimately made by Dehcho First Nations, which also includes other Dehcho communities not involved in Edézhíe; this can create a disconnect between those making the decisions and those affected by them.

**SUCCESSSES:**

- Strong working and personal relationship exists between the Parties; a trusting environment has been created.
- Four Edézhíe community coordinators have been hired; and the Dehcho K'éhodi Guardians have been important to the success of the agreement.
- A neutral facilitator at the management board meetings has been very helpful.
- Four community Elder Harvesting Committees (EHC) have been successful vessels for guiding the guardians, advising the management board, and promoting community knowledge in the implementation of the agreement.

PHOTO: ECCC

**Thaidene Nënë Indigenous Protected Area, National Park Reserve,  
Territorial Protected Area and Wildlife Conservation Area** *Northwest Territories*



**AGREEMENT:** 1) *Agreement to Establish Thaidene Nënë Indigenous Protected Area and National Park Reserve*; 2) *Agreement to Establish Thaidene Nënë Indigenous Protected Area, Territorial Protected Area and Wildlife Conservation Area*

**PARTIES:** 1) Łutsël K'e Dene First Nation; Government of Canada (Parks Canada Agency); 2) Łutsël K'e Dene First Nation; Government of Northwest Territories (Ministry of Environment and Natural Resources).

**EFFECTIVE DATE:**  
August 2019

**IMPLEMENTATION FUNDING:** \$43 million from Canada and GNWT for 12 years. Canada matched \$15 million in Trust Fund contributions raised by Łutsël K'e Dene.

**GOVERNANCE:** Thaidene Nënë xá dá yáłtı. Equal number of members from each party. Number is not specified in the agreement.

**CHALLENGES:**

- Top-down communication within the Parties has been challenging at times; different interpretations of the agreements has lead to some misunderstandings.
- Other agreements contribute to the political landscape of the protected area. Other Parties include the Northwest Territory Métis Nation, Deninu K'ue First Nation and Yellowknives Dene First Nation. The complexity has been challenging to navigate.
- Lack of adequate staffing capacity from all Parties is hindering the ability to fully implement the agreements.
- The creation of new policies and procedures to process these agreements within the Parties is an ongoing challenge.

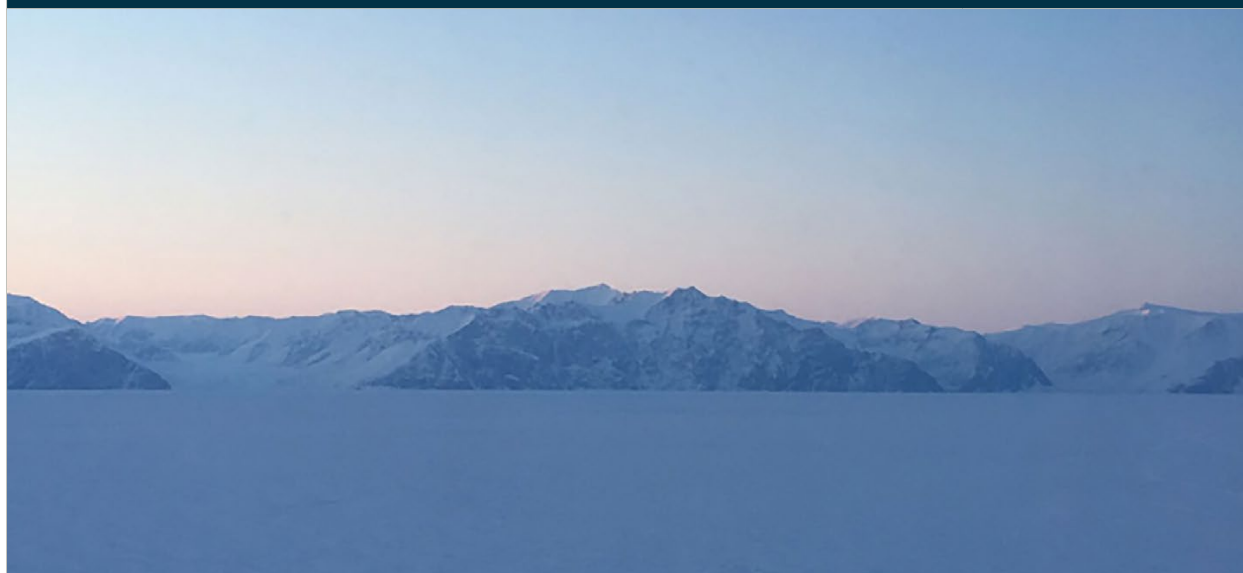
**SUCCESSES:**

- Agreements were designed with effective elements and directives to facilitate the transition from establishment to implementation; language is clear and results based.
- Using culturally relevant metaphors and visual facilitators has effectively helped to communicate the process of management and planning to the wider communities.
- A neutral facilitator at the management board meetings has been very helpful.
- The Thaidene Nënë Fund ensures stable, long-term operational costs in perpetuity for LKDFN.
- Full-time employment and economic opportunities have been created in the community (e.g., Ni Hat'ni Dene).

PHOTO: PAT KANE



## Tallurutiup Imanga National Marine Conservation Area *Nunavut*



**AGREEMENT:** *Tallurutiup Imanga National Marine Conservation Area Inuit Impact and Benefit Agreement*

**PARTIES:** **Inuit of the Qikiqtani Region** (by Qikiqtani Inuit Association);  
**Government of Canada** (Minister of Environment and Climate Change; Minister of Fisheries and Oceans and Canadian Coast Guard; Minister of Transport).

**EFFECTIVE DATE:**  
August 2019

**IMPLEMENTATION FUNDING:**

Implementation: \$54.83 million for first seven years. Ongoing: \$4.65 million, after 2025–2026.

**GOVERNANCE:** Aulattiqatigiit Board.  
Three appointed from QIA; three from Government of Canada; co-chaired.

**CHALLENGES:**

- Creating a new framework to implement a NMCA, without other models for guidance, is difficult.
- The finance structure of the agreement (contribution agreements) is rigid and prescriptive; little flexibility or freedom for QIA to shift funds.
- The IIBA lacked directive and structure for implementation.
- General disconnect between the establishment and implementation; unrealistic expectations and timelines put forward by negotiators, not implementors.
- It is challenging to offer employment and hire staff for positions that are yet to be created and defined.
- Housing shortage is a barrier to hiring and retaining staff.

**SUCCESES:**

- The Nauttigsuqtiit Inuit Steward Program has been successful in hiring community members (as per the agreement) and demonstrates the value of Inuit communicating and working together across the region; a pillar of the program is to extend the benefits beyond the positions and into the communities.
- Approximately 45 full-time community jobs were created through the agreement (35 Nauttigsuqtiit Stewards, 7–10 operational staff).
- QIA have created the role of governance specialist to help coordinate all their efforts across the region; creating a trans-boundary network between communities.
- QIA operations have been streamlined due to the changes required for implementing this agreement.

PHOTO: KNUT KUTCHING



**AGREEMENT:** *Labrador Inuit Parks Impacts and Benefits Agreement for the Torngat Mountains National Park Reserve of Canada*

<b>PARTIES:</b> Inuit of Labrador (by Labrador Inuit Association); Government of Canada (Minister of Environment)	<b>EFFECTIVE DATE:</b> January 2005
<b>IMPLEMENTATION FUNDING:</b> Implementation: \$15 million for first 10 years.	<b>GOVERNANCE:</b> Cooperative Management Board. Two appointed by Nunatsiavut Government; two by Makavik; two by Parks Canada; one independent chair.
<b>CHALLENGES:</b> <ul style="list-style-type: none"> <li>• CMB member turnover has been relatively high, so maintaining consistent capacity at the management board level has been a challenge at times.</li> <li>• Access to the protected area is difficult. Environmental factors pose security risks in the winter and the remote location makes it challenging to have people consistently on the land to monitor / steward in the summer. Inaccessibility is a barrier to implementing land-based programming in the protected area.</li> <li>• Significant opportunities have not yet materialized; very challenging to retain long-term staff in remote locations.</li> <li>• Funding hasn't been sufficient; contribution agreement was re-negotiated to maintain momentum and carry-over annual surplus.</li> </ul>	<b>SUCCESSES:</b> <ul style="list-style-type: none"> <li>• The CMB makes recommendations directly to the federal minister of Environment and Climate Change, bypassing mid-level bureaucracies.</li> <li>• There is a successful working relationship on the CMB.</li> <li>• Clear top-down communication from the Park superintendent has been instrumental in maintaining consistent implementation of the agreement.</li> <li>• Having the previous park superintendent administering the board meetings has been very effective.</li> <li>• Relationship with Nunavik Parks and the community of Kangiqsualujjuaq is a success; working to blur the boundaries / barriers between Inuit communities across the northern Quebec border.</li> </ul>

PHOTO: DENISE KATAGAWA

# Methods

## Interviews

This report was informed through interviews with representatives from the parties to each agreement. An interview guide was developed for each IPCA Agreement. The guides were generally similar in content, but with details specific to each agreement. The interview questions within the guides were categorized under four topics:

- People and Positions;
- Cost, Time, and Economic Opportunities;
- Long-term Management and Implementation; and
- Foundations for Success.

These topics generally capture the fundamental aspects of creating and managing a conservation area. They address the questions of who is required to carry out the work, what time and monetary costs are accrued, what revenue is generated or gained by communities, and what organizational structures need to be in place for successful long-term implementation.

For each conservation area case, Indigenous, Crown, and sometimes neutral parties were invited to interview. Individuals were identified through MakeWay and Firelight relationships and through contacts. These interviews and group discussions were, for the most part, conducted separately by party. This allowed each party to speak freely. In one case, the territorial party, the Indigenous party, and the neutral facilitator for the management board interviewed together. These parties had built a strong, positive relationship that resulted in an easy flow of conversation. The Indigenous government representative however, needed to leave early and later came to a follow-up interview where they were the only person present.

In total, Firelight and MakeWay conducted nine interviews with one to four people present at each interview. Table B1 below shows which party was present at the interview as well as which parties were interviewed together. Interviews ranged from one hour to two hours, depending on the number of participants and

the amount of time they were able to provide. The topics and questions in the guides helped to direct conversations but were not restrictive: participants were encouraged to tell stories and speak about anything relevant that came to mind.

Interviewing different parties resulted in a data set with multiple perspectives that together create a full picture of implementation realities, challenges, and successes.

Table B1. Parties Interviewed

Conservation area	Parties represented in interviews			
	Indigenous Nation	Federal	Territorial	Independent
Torngat Mountains				CMB Chair
Edézhíe				Facilitator
Thaidene Nēné				Facilitator
Ts'udé Niljné Tuyeta				
Tallurutiup Imanga				
Legend:	Yellow = Parties interviewed together	Green = Interviewed by themselves	Grey = Not included in the agreement	

As shown in the table legend, a yellow box indicates the parties interviewed together. A green box indicates the parties interviewed by themselves. Gray indicates the party is not included in the agreement.

All interviews were recorded but not transcribed. Post-interview, the recordings were used to check detailed notes kept by Firelight staff. These notes were organized by question and time-stamped when the information was potentially of highest importance. If a quote was used in this report, Firelight checked the timestamp and referred to the recording for exact wording. Firelight sought permission from each organization for use of their quotes.

The notes were examined and sorted into themes that fit under the main four topics. A theme was identified when an idea came up more than once across independent interviews. In some cases, one theme fit under multiple topics. Table B2 below outlines the themes identified under each topic.



Table B2. Key Themes

Topic	People and Positions	Cost, Time, Economic Opportunities	Long-term Management	Foundations for Success
Themes	Roles needed	Funding	Funding	Common understanding of the agreement
	Relationships	Institutional Barriers	Training	Patience and flexibility
	Power of Individual	Building internal processes	Building internal processes	Allow Indigenous governments to lead
	Understanding roles	Remoteness	Preserving Institutional knowledge	Link between negotiators and implementors
	Interaction across silos	Benefits to communities	Management planning	Communication
	Technical Experts	Tourism		Pre-planning
				Learning from others

Firelight used the coding tables to summarize the challenges, successes, and realities of implementation. Firelight drafted a report that was sent to each of the parties for their comments and for additional information.

## Workshop

Once the interviews were completed, MakeWay and Firelight hosted a two-day workshop in November of 2022, to which each of the interview participants were invited. The Workshop provided an opportunity for Indigenous governments, public governments, and neutral parties involved in implementation to share ideas, challenges, and experiences. Participants were not limited to the parties interviewed, but also included additional MakeWay and Firelight contacts. The first day of the workshop was open to all parties; the second was for Indigenous governments only.

Each person who registered for the workshop was provided a draft version of this report one week before the workshop. Participants were encouraged to bring additional thoughts and ideas about implementation for discussion at the workshop.

Firelight kept detailed notes at both days of the workshop and incorporated new information provided by workshop participants into the final report.

