

POLICY BRIEF

No. 02, 2023

‘Filling the Void’: Engaging Indigenous Peoples in Arctic Environmental Governance

Natalia Skripnikova, Nidhi Nagabhatla and Nancy Doubleday

Highlights

1. This policy brief contributes to the understanding of the roles of Indigenous Peoples' Organisations in the context-specific environmental governance challenges in the Arctic Region, and as a reference for designing long-term solutions and for advancing understanding and capacity for researchers and practitioners interested in the region through better and up-to-date knowledge.
2. The narratives presented in this policy brief also reflect gaps and needs in the existing Arctic environmental governance mechanisms, providing an overview of the existing modalities but demonstrating their limited or fragmented operational scope.
3. We also examine how the global agreements, institutions, and policies on environmental governance in this region provide a platform for global, regional, national, and inter-agency cooperation processes and policies.

Introduction

In recent times there is a consensus that Indigenous peoples' participation in environmental decision-making plays an important role and accounts for achieving better results in safeguarding the environment, as well as providing more fair access to natural resources. A good example of this recognition is the Statement by [Ms. Elizabeth Maruma Mrema](#), Executive Secretary, Convention on Biological Diversity, given on August 9, 2022, on the occasion of the [International Day of the World's Indigenous Peoples](#), reflecting the [important role of Indigenous women in the preservation and the transmission of traditional ecological knowledge \(TEK\)](#). For additional context on TEK, refer to Box 1 on the next page.

Global and regional environmental challenges require urgent action, coupled with open and inclusive discussion and narrative setting. The [Arctic as a tipping point of climate change impacts](#) makes the case for prompt measures and public debate at the global, regional, national, and subnational levels in states and territories sharing the landscape. According to the recent Arctic Monitoring and Assessment Programme report [“Arctic Climate Change Update 2021: Key Trends and Impacts. Summary for Policy”](#), climate change in the Arctic is happening faster than elsewhere in the world, leading to rapid change in the Arctic environment. These changes have direct implications for Arctic communities

(including the Indigenous peoples), industries, and ecosystems.

Research argues that increased participation of non-governmental actors, including local and Indigenous communities, in international governance is improving effectiveness and development, increasing equity, legitimacy, transparency and accountability, and enhancing diversity and resilience. There is strong evidence of the role of TEK in building resilience and informing environmental governance, which provides the ability to better understand local socio-ecological systems beyond standard scientific methods. Indigenous peoples as carriers of traditional environmental knowledge have a significant role in transmitting the knowledge as well as articulating it. The increasing engagement of Indigenous peoples and integration of TEK in environmental governance framework and policies is vital for the future of the Arctic.

Key questions towards building a common understanding of engaging indigenous peoples in Arctic environmental governance are:

1. How to best facilitate the representation of indigenous peoples in environmental governance and guarantee the extension of climate justice?
2. What instruments exist and can be leveraged to make the process of knowledge synthesis inclusive?

Let's look into some of the existing modalities.

UN Declaration on the Rights of Indigenous Peoples (UNDRIP) as a Global Instrument

First, we look at the UNDRIP, adopted in 2007 by the United Nations General Assembly. The UNDRIP was adopted with a majority of 144 states in favour, 4 votes against (Australia, Canada, New Zealand, and the United States), and 11 abstentions (Azerbaijan, Bangladesh, Bhutan, Burundi, Colombia, Georgia, Kenya, Nigeria, Russian Federation, Samoa, and Ukraine). The Declaration is considered to be a “soft” law and is [not a legally binding document](#). However, it serves as a comprehensive [global instrument](#) recognising Indigenous peoples as holders of the collective right to the conservation and protection of the environment, the right to self-determination, and the right to development. All four countries that voted against the UNDRIP initially have now endorsed it. Therefore, all the Arctic states officially endorsed the Declaration, except for the Russian Federation.

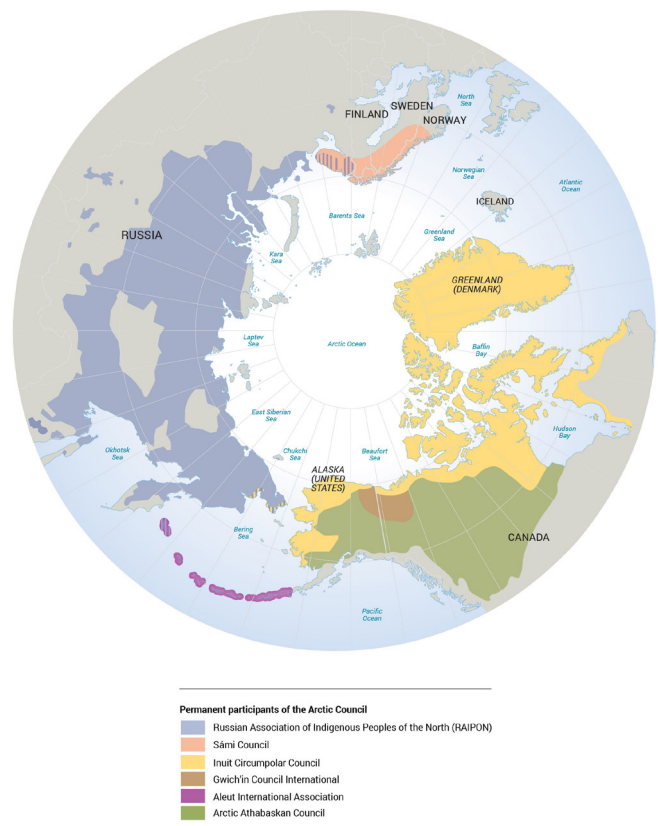
UNDRIP has several provisions which protect Indigenous

Box 1

Traditional Ecological knowledge (TEK), is defined as [“a cumulative body of knowledge, practice, and belief, evolving by adaptive processes and handed down through generations by cultural transmission, about the relationship of living beings \(including humans\) with one another and with their environment”](#). TEK is particularly relevant in the context of planning climate change-related agendas and strategies, as traditional knowledge built on long-term observations provides ‘local specific perspectives’ to manage environmental change.

Climate change endangers the traditional livelihoods of Indigenous peoples with impacts on harvesting, economies, identities, and health rendering local communities vulnerable. Consequently, adaptation strategies and policies have high significance and are more likely to be successful, when developed in consultation with local communities.

Indigenous Peoples



Source: Levi Westerveld and Philippe Rekacewicz, [GRID-Arendal](#) (2019)

peoples' environmental rights, particularly articles 26, 28, 29, 31, and 41. Scholars agree that progress has been made since the adoption of UNDRIP, but that it should be updated to guarantee effective environment-rights protection for Indigenous peoples. For example, [Giunta \(2019\)](#) criticises the UNDRIP for the lack of capacity to deal with climate change, the extractive industry, and trade deal situations. [Smith and Mitchell \(2020\)](#) identified weaknesses and vulnerabilities of current UNDRIP monitoring mechanisms and suggested a methodological tool to assess compliance with the UNDRIP, based on international rights standards. They insist that the UNDRIP assessment tool is important for providing a clear indication of the status of Indigenous rights in the form of a quantified measure of compliance.

Interpreting UNDRIP - An Indigenous Perspective on Indigenous Knowledge

The view from the Arctic, as presented by the Inuit Circumpolar Council (2022) in "[Circumpolar Inuit Protocols for Equitable and Ethical Engagement](#)" provides the definition illustrated in Box 2.

Box 2

Indigenous Knowledge guides our understanding of, and relationships with, everything. Our knowledge cannot be separated from our identity, our values, spirituality and worldviews. While words alone cannot explain our knowledge, ICC utilizes the following definition –

Indigenous Knowledge is a systematic way of thinking applied to phenomena across biological, cultural, and spiritual systems. It includes insights based on evidence acquired through direct and long-term experiences and extensive and multigenerational observations, lessons, and skills. It has developed over millennia and is still developing in a living process, including knowledge acquired today and in the future, and it is passed on from generation to generation.

Under this definition, Indigenous Knowledge goes beyond observations and ecological knowledge, offering a unique way of knowing to identify research needs and apply to research, monitoring, assessments, decision-making, policy and overall understanding of the Arctic – it is a way of life.

Old patterns of exploitation will be recycled, and colonial practices of appropriation will simply be applied to new domains of knowledge synthesis, without the transformative change that can be facilitated by recognising that UNDRIP

commits signatories to respect Indigenous Peoples, their knowledge and their rights. This is a cornerstone of international negotiations for [Inuit](#). UNDRIP creates international governance pathways and provides pragmatic arguments for valuing broader, [inclusive participation](#), thus enhancing and enriching understandings through equitable co-production. For example, Inuit have reported the acceleration of environmental changes linked to climate for decades, observations that are increasingly validated by big science. So, there is moral and pragmatic justification for the recognition of the right to self-determination as a practical matter for reshaping Arctic Environmental Governance.

Based on Inuit models to achieve a framework for creating more inclusive and nuanced regional environmental governance practices. Taking note of [existing initiatives](#) by global actors suggests a list of practices operating in the UN context, assessed in light of the "[Circumpolar Inuit Protocols for Equitable and Ethical Engagement](#)" eight principles/ protocols are identified within it:

1. "Nothing about us without us" - always engage with Inuit - Recognize Inuit Rights
2. Recognize Indigenous Knowledge in its own right - Trust and Respect Our Knowledge
3. Practice Good Governance
4. Communicate with intent
5. Exercise accountability - Building trust: Be accountable and build your capacity
6. Build meaningful Partnerships - Adopt processes and approaches that foster meaningful partnerships
7. Information and data sharing, ownership, and permissions - Recognize Inuit Ownership of Information
8. Equitably fund Inuit representation and Knowledge - Provide Equitable Funding

An articulated strategy by the [Inuit Circumpolar Council \(2022\)](#) in "[Circumpolar Inuit Protocols for Equitable and Ethical Engagement](#)", supports the call to action and intends to guide the implementation of the protocols. The full text needs to be taken as a whole, rather than compartmentalised, to accommodate the holistic worldview which is its source, and so the paraphrased summary above needs to be [read in context](#). It is widely accepted that assessing the points outlined in this engagement strategy could help create a common ground that fairly integrates local (in this case Inuit perspectives, rights, claims and stakes) to organise

¹ The points reported above offer an overview, and the full text should be consulted. This text also notes the existence of other statements and the autonomy of other Inuit bodies and communities which may develop their own positions.

cooperation possibilities for further actions and designing inclusive initiatives at the national and regional levels.

Do we have examples of Indigenous Engagement by Global Institutions?

To showcase how the exchange of knowledge has been facilitated between Indigenous peoples and global institutions, we looked at two examples provided by UNFCCC and FAO.

UNFCCC – the Local Communities and Indigenous Peoples Platform

In 2011 the United Nations Permanent Forum on Indigenous Issues (UNPFII) [called upon](#) the United Nations Framework Convention on Climate Change (UNFCCC) and state parties thereto to develop mechanisms to promote the participation of Indigenous peoples in all aspects of the international dialogue on climate change. After several years following this request and a sequence of decisions taken at COPs (COP21 – Paris 2015, COP22 – Marrakech 2016, and COP23 – Bonn 2017),

UNFCCC established the Local Communities and Indigenous Peoples Platform (LCIPP). The LCIPP is an example of a mechanism for engaging Indigenous peoples in environmental discussions by providing a functional platform. In other words, the LCIPP could best be described as a knowledge exchange arrangement under the Paris Agreement, advancing the representation of Indigenous peoples as well as local communities and sharing traditional ecological knowledge within the UNFCCC process. The main purpose of the LCIPP is to support a better response to climate change by enabling [“the exchange of experiences and sharing of best practices on mitigation and adaptation in a holistic and integrated manner”](#).

With three main functions, shortly described as knowledge, capacity for engagement, and climate change policies and actions, LCIPP strives to promote the exchange of experience and best practices, to preserve traditional knowledge and technologies. The LCIPP remains a relatively new mechanism within the UNFCCC, and its development continues. At COP24 in Katowice in 2018, the Facilitative Working Group (FWG) of the LCIPP was established to further operationalise the platform and facilitate the implementation of the three functions. There are in total 14 members of the FWG, made of 7 representatives of Parties and 7 representatives from Indigenous peoples’ organisations. The work of FWG is directed by [the second three-year work plan for the period of 2022-2024](#). The FWG activities are aimed at having multi-

level impacts at all levels and providing collaborations among Parties, Indigenous peoples, and local communities in addressing and responding to climate change.

The expert community positively welcomed LCIPP creation, quoting [“a procedural achievement, establishing the first formal, permanent, and distinct space created for IPs within the UNFCCC”](#). However, the empirical analysis of the platform shows that there are challenges concerning its effective functioning. [Belfer et al. \(2019\)](#) point out that tokenism and a lack of meaningful recognition further constrains the participation of Indigenous peoples in UNFCCC, but the strengthening of formal and informal channels for Indigenous peoples to directly participate in negotiations, as well as providing support for delegates’ participation, could improve its operational efficiency.

LCIPP approaches the Arctic region as one of the UN socio-cultural Indigenous regions. Even though Indigenous participation has been recognised as a crucial part of environmental governance, the outcome of Arctic Indigenous participation is quite limited in the UNFCCC process. Sabaa Ahmad Khan (2021) critically noted that the concerns of Arctic Indigenous groups regarding the role of black carbon have not been addressed in UNFCCC processes to date and the overwhelming majority of UNFCCC members ignore the issue of black carbon emissions in their reporting commitments under the Paris Agreement. This signals that Indigenous participation needs consultative engagement by UNFCCC and requires their serious acknowledgement.

FAO’s engagement with Indigenous and Tribal Peoples

The Food and Agriculture Organisation formulated its “Policy on Indigenous and Tribal Peoples” in 2015 with the main aim [“to ensure that FAO will make all due efforts to respect, include and promote Indigenous issues in relevant work”](#). Additionally, FAO provides practical examples of strategic engagement with Arctic Indigenous peoples in the area of environment, fisheries, and food security. In September 2019 the Expert Seminar on Traditional Knowledge and Indigenous Peoples Fisheries in the Arctic Region paved the way for [the Indigenous Peoples Rome Declaration on the Arctic Region Fisheries and Environment](#). The Declaration contains a list of recommendations from the Indigenous representatives to the Member States and to FAO, which are aimed at supporting Arctic Indigenous fisheries, hunting, and the intergenerational transmission of Indigenous knowledge. To implement the Declaration, [FAO created the Arctic Working Group](#), joining the expertise of the Fisheries Department and Indigenous

Peoples Unit and with the advice of Indigenous peoples' representatives.

Another example is the Arctic Indigenous Peoples' Regional Dialogue on Food Systems (June 2021) jointly organised by the Inuit Circumpolar Council, Saami Council, FAO Indigenous Peoples Unit (PSUI), and UNPFII. The Regional Dialogue resulted in [the Arctic Region Declaration in Preparation for the Global Food Systems Summit](#). The Declaration emphasises the fundamental and direct link between food systems, the right to self-determination, and the rights to lands, territories, and natural resources of Indigenous peoples and offered recommendations to the United Nations Secretary-General, United Nations Agencies the Member States, and the private sector. [The Declaration was presented](#) at the event "Indigenous Peoples' food systems and climate change in the Polar Oceans" during COP26 in Glasgow. FAO's examples serve as a good practice for implementing Indigenous policies at the international level and engaging Indigenous communities by providing inclusive space for dialogue.

What could be done?

We believe there are more examples of engagement and knowledge exchange between global institutions and Indigenous peoples, but they are not obvious in the public space. The lack of visibility of such practices makes it even clearer that more effort is required to create platforms for Indigenous representation in environmental governance, including those voices raising the growing [concern of climate crisis](#) in the Arctic region.

We have outlined key narratives based on existing information and knowledge to demonstrate that the engagement of [Indigenous peoples](#) in [environmental governance](#) is crucial and has the potential for playing an important role in creating more sustainable governance models. In addition, we argue that this effort should be intensified and that the challenges of representation and inclusion be addressed in order to widen and diversify the discussion, including the global discourse on climate action. The five key points below could serve as reference points in that context:

1. *Leveraging the Existing Modalities:* UNDRIP and the [International Indigenous Peoples Forum on Climate Change \(IIPFCC\)](#) has supported the engagement of Indigenous peoples that began with the UNFCCC in 2000. At COP 27, the Forum positioned Indigenous People's stakes and rights to the Cover Decision of COP27 calling to [build upon the progress made so far](#)

[and the need for clear indicators](#) for a drastic reduction of greenhouse gas emissions, including the accelerated phase-out of fossil fuels to maintain the 1.5-degree Paris commitment.



IIPFCC at COP 27, Egypt (Nov. 2023)

Source: Nidhi Nagabhatla

2. *Acknowledgement of TEK and IK systems:* The recently concluded COP 27 discussions stimulated the agencies and [institutional documentation](#) to mainstream TEK and IK climate considerations into national planning and budgeting and addressing institutional capacity gaps required for the implementation of the Paris Agreement, gender mainstreaming, and local and indigenous capacities. Many states from the global North and South expressed concern that references to human rights, Indigenous Peoples' rights, gender and youth aspects [were not considered adequately](#) in the COP work programme.

Another example, which provides a case for the need of TEK and IK systems is [the statement by Inuit Circumpolar Council given at the First Intergovernmental Negotiating Committee \(INC-1\) meeting to negotiate a legally binding, global instrument on plastics \(Uruguay, 28 November - 2 December 2022\)](#). Inuit urged that the future treaty to recognise and include the significant role of Indigenous Knowledge as well as include Indigenous Knowledge in monitoring activities in order to achieve a holistic understanding of plastics in the environment. We argue that these concerns should have standing,



At the recent high level global event COP 27 in the Egyptian city of Sharm el-Sheikh close to 250 Indigenous people from around the globe attended, presented and outlined their agenda.

Photo: Nidhi Nagabhatla

taking note of Actions of Indigenous Peoples Organizations from colonial-era initiatives with the League of Nations, to post-cold war work in regional theatres including the Inuit Circumpolar Conference (now Council), the Nordic Sami Council and Sami Parliament, and the World Council of Indigenous Peoples provide evidence of Indigenous People's participation in the formation of international laws and policies, including the establishment of the Permanent Representative, UNDRIP; participation at meetings of the parties to the Convention on International Trade in Endangered Species (CITES), and the International Whaling Commission (IWC). However, the narrative has to evolve from reference and consultation to active participation.

3. *Focused Funding for Transformative Change:* create, pledge, and promote more Indigenous peoples' initiatives at the global level, which would engage Indigenous peoples, provide space for dialogue, and apply regional approaches, including the Arctic region. Previous experience demonstrated certain effectiveness and provided necessary recognition of Indigenous peoples in governance processes. For instance, the instrumental view of knowledge integration may be attractive externally, but from the viewpoint of the indigenous communities like in the case of Inuit Circumpolar Council, Inuit knowledge is holistic and cannot and should not be selectively fragmented. This view is also held and articulated by many Indigenous Peoples from around the world. This is the fundamental point of difference observable between the discourses

listed previously and the brief introduction to Inuit knowledge provided here. Indigenous peoples do not wish to be construed as sources of knowledge to integrate into other processes based on science. From their perspective, this is untenable. The viable option is the formation of true and just partnerships on terms acceptable to the Indigenous people themselves. And it is such partnerships that will enable clear thinking and the right action on climate and environmental security.

4. *Broadening the Agenda:* for Indigenous peoples' engagement in the domain of Arctic environmental governance (e.g. natural resources management, water security, waste management, green energy and climate resilient Arctic Region). Aligning multiple sustainability agenda's, including sustainable water management, sustainable food production and water security planning and also, climate action strategies could be one way forward to address interconnected challenges. To realise this vision, the Indigenous peoples at COP 27 requested communities directly receive funding for climate action with emphases on co-creation and accounting for indigenous cultural practices in designing a climate action agenda.
5. *Understanding Gaps and Synergies in Existing Global Environmental Governance Mechanisms:* first it is clear that most indigenous communities worldwide are at the front line of the battle against the global environmental and climate crisis. The coming years will define how this fact is positioned in global sustainability discourses to best address challenges faced by communities and restore nature and ecosystems in the region. While there is general agreement that innovations and scalable solutions can help tackle the challenges, this would not happen unless we can foster active partnerships to collectively mobilise action toward the formation of a collective vision for sustainable future, bridging the science-society and the science-policy interfaces and working together with communities. This could also mean incorporation of existing mechanisms that recognise Indigenous rights viz., UNDRIP into current global environmental frameworks and sustainability agendas, including the SDGs ([Sustainable Development Goals](#)), and better monitoring of the UNDRIP's implementation internationally and domestically. Improved UNDRIP monitoring tools at national and global levels would facilitate compliance with the Declaration as well as provide feedback to support performance assessments.

In collaboration with



Copyright © United Nations University Institute on Comparative Regional Integration Studies, 2023

The views expressed in this publication are those of the authors and do not necessarily reflect the views of the United Nations University.

Published by: United Nations University Institute on Comparative Regional Integration Studies (UNU-CRIS), Bruges, Belgium

Natalia Skripnikova was a Research Intern at UNU-CRIS from October 2020 - May 2021. Currently, Natalia is working as an Associate Expert at GRID-Arendal (Arendal, Norway).

Nidhi Nagabhatla is a Senior Research Fellow at UNU-CRIS and coordinator of the Nature, Climate and Health cluster. She is Adjunct Associate Professor School of Earth, Environment & Society at McMaster University.

Nancy Doubleday is Director of Water Without Borders, the Joint Graduate Diploma Program of McMaster University and UNU INWEH. She serves as Associate Professor in the Department of Philosophy at McMaster.

This policy brief was accepted for publication on 6 December 2022.