

Arctic EIA project:

Meaningful Engagement of Indigenous Peoples within the Environmental Impact Assessment (EIA) – a summary of the workshop in Utqiagvik (Barrow), Alaska November 27-29, 2017:

On November 2017 in Utqiagvik, Alaska, Indigenous Peoples, Alaska Native corporations, government agencies, industry, Indigenous Knowledge holders, and scientists came together to discuss Meaningful Engagement of Indigenous Peoples within an Environmental Impact Assessment (EIA). This was the first workshop held for the Arctic EIA project (full name: Good Practice Recommendations for Environmental Impact Assessment and Public Participation in the Arctic). The workshop organizers were **Institute of the North, Voice of the Arctic Inupiat and Inuit Circumpolar Council** in cooperation with the Arctic EIA project.

The workshop brought together a variety of local, state, national, and international experts and community members to hear directly from Indigenous Peoples about their experiences and perspectives in an effort to move from consultation to meaningful engagement, and how to improve the utilization of Indigenous Knowledge in EIAs. Sharing knowledge, experiences and different points of view was facilitated through listening circles, panel, presentations, discussions, and reviews of Alaskan and international case studies relating to Indigenous perspectives and Arctic EIA processes. The workshop advanced the gathering of lessons learned, challenges and good practices in the field.

The Arctic EIA project (2017-2019) works under the auspice of the Arctic Council's Sustainable Development Working Group.

The results from the workshop are not conclusive. Additional work to review and consider what was presented and discussed is being undertaken by the international Editorial group of the project, with the final aim of producing good practice recommendations for EIA and public participation in the Arctic.

The agenda began with a listening circle composed of local and regional North Slope Indigenous Peoples followed by a statewide Indigenous Peoples listening circle. The listening circles focused broadly on the goals of consultation from different perspectives, the expectations of communities and Indigenous Peoples, where and what has been learned from past mistakes, where success is today and in the future, existing barriers to meaningful engagement, what meaningful engagement should look like, and how Indigenous Knowledge should be utilized.

A number of themes emerged over the course of the workshop, many of which apply well beyond an EIA. These include e.g. the need to:

- Build strong relationships in the region prior to any discussion of a project.
- Engage Indigenous Peoples throughout all stages of an EIA, prior to scoping and prior to any decisions being made, with an effort to turn consultation into meaningful engagement.
- Respectfully utilize Indigenous Knowledge by bringing Indigenous Knowledge holders to the table every step of the process in order to fully understand the changes within the Arctic.
- Recognize that meaningful engagement of Indigenous Peoples and Indigenous Knowledge are two different things and can be achieved through a good EIA process.

- Urge agencies and industry to be accountable for following up with communities on whether and how their testimonies have impacted the trade-off decisions made.
- Recognize there are needs for institutions to adapt and policies to change in order for Indigenous Peoples to have an equitable role in EIA process.

While there are many good practices, it is important to hear directly from Indigenous Peoples on what is and what is not working. Indigenous Peoples at the workshop expressed a need for improvement and a desire to share how they interpret ‘meaningful engagement’, such as Alaska Native Tribes having the opportunity to serve, not as stakeholders, but as cooperating partners on an EIA.

Participants shared information about agencies, research institutes, consultants and communities with strong relationships. Relationships have developed through individuals who have spent decades collaborating with one another and whose experience is hard to replicate. The care with which they approach issues – and the trust they have earned – goes well beyond a good practice.

Industry has, to a large extent, moved more quickly to practice meaningful engagement, with researchers and government agencies being less nimble. While government practices catch up to community expectations, it was clear from the workshop that communities and Indigenous Peoples are not waiting. Alaska Native regional and village corporations are being proactive by striving to create seats at tables where decisions are made, by instituting local partnerships and mutually beneficial priorities.

It was also brought up that Tribes, as sovereign nations in the USA, are not mentioned in the statutory language of the U.S. National Environmental Policy Act (NEPA), and that according to Indigenous experience, EIA policies have not been designed for the best interest of Indigenous Peoples. However, it is important to add that legislative changes are not in the scope of the Arctic EIA project.

There are clear barriers within the system that are challenging to overcome. These can range from the logistics in responding to multiple agencies involved, to meeting burnout, to overwhelming amounts of information to be reviewed in EIA processes. Past

Said in the Indigenous Peoples listening circles:

- “When you’re pulling knowledge from me, I want something back to me.”
- “Follow-up component is always missing!”
- “It’s about building a relationship with people. You are not going to get our actual opinions if you don’t have a relationship, if you don’t have trust.”
- “There is 20 years’ history of consultation now... Engagement needs to be much more. I don’t know how it looks like, it is different in different places.”
- “Are we being genuinely heard?”
- “You need to talk to scientists and locals at the same time – not scientists first and locals after.”
- “Mistakes are still made. The federal government has to learn how to have one meeting instead of four.”
- “Don’t waste my time.”
- “Stay focused what the true meaning is. What does the weight mean? What is my weight compared to the company?”
- “Ban ‘stakeholder’. We are rights holders.”
- “Meaningful engagement is to listen, to work together – not learning one way.”
- “To communicate and truly collaborate – that’s what’s the question is about.”

mistakes – and real frustration in not having been listened to – may result in a decreased likelihood of community input.

In conclusion

Meaningful engagement should happen early, before a project scoping has occurred to help shape that scoping, and throughout the entire process. Indigenous knowledge holders should have equitable and meaningful roles of the utilization of their knowledge, where Indigenous Knowledge and science can work alongside each other from conception of the project through scoping, implementation, review and analysis that informs decision-making. Finally, Indigenous Peoples should see – and have helped to determine – a decision that reflects indigenous values.

Great appreciation is extended to sponsors of the workshop:

North Slope Borough, North Slope Science Initiative, ConocoPhillips, ExxonMobil

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