

GROWING INDIGENOUS INCLUSION AND ENGAGEMENT

A Strategic Assessment of Nature
Canada's Commitment to Reconciliation



Watershed
Partners

Nature
CANADA

FOREWORD

Since time immemorial, Indigenous peoples have been the Guardians of the land and oceans that we call Canada. The nature community has a long history of breaking that sacred trust, displacing First Peoples and impacting their culture. In our work to protect and enjoy nature we have been complicit in irreparable harm and we acknowledge and accept our responsibility to join with Indigenous peoples on the journey of reconciliation.

So we have asked ourselves, what does reconciliation look like for the longest standing nature group in this country? And so we reached out for help to look inward and do a strategic assessment on ourselves and our relationships with Indigenous peoples and their work. Researchers Dan and Rachel from Watershed Partners have given us something even better. They have given us a starting point. A place of departure. A path to follow. And so we can feel guided and supported on our journey of reconciliation. We are honoured and grateful.

Their assessment of Nature Canada comes in two parts. This first report gives an overview of our baseline with recommendations that we can start acting on right away. The second report, which we will also share widely, will be a more detailed, reflective piece, a deep dive if you will.

This work will be of benefit to Nature Canada but we also hope to share the learnings with other groups. To that end, the work includes a framework that can be used by any group and we hope to engage in conversations, not only about what we are doing but about what others are doing or could be doing as they seek to address these issues in their own way.

Looking forward to it,



Graham Saul
Executive Director
Nature Canada

About Us

Nature Canada worked with two assessors on this project: Dan Pujdak and Rachel Arsenault. Dan Pujdak is the Executive Lead of Watershed Partners' Canadian advisory practice. Previously, he served as an advisor to the Government of Canada on matters related to reconciliation, and to the Chiefs of Ontario and the Assembly of First Nations on matters related to the environment and natural resources. Rachel Arsenault is a second year PhD student at York University in Toronto and is a band member of Wiikwemkoong Unceded First Nation. She has over seven years of experience working with and for Indigenous peoples in various capacities and completed a masters degree in Indigenous Relations through Laurentian University in Sudbury, Ontario.

Overview

Nature Canada endeavors to grow awareness and bridge understandings of the relationships and rights held between Indigenous peoples and nature. To that end, Nature Canada's work is guided by a set of principles that describes how the organization will advance its mandate to defend and advocate for nature while advancing reconciliation. The organization's vision of reconciliation is premised on acknowledging nation-to-nation relationships, recognizing Indigenous rights and traditional land stewardship, and working with communities to achieve mutual benefits.

In 2019, Nature Canada began to undertake a strategic assessment of how the organization has internalized and operationalized its commitment to reconciliation. The primary purpose of the strategic assessment is to determine an organizational baseline from which to grow. Nature Canada contracted arms-length third parties to: a) design an assessment framework; b) apply the assessment framework to Nature Canada's ongoing work; and c) provide insights and recommendations on how Nature Canada can grow from its baseline.

This report represents Nature Canada's first baseline assessment. This assessment is based on interviews with Nature Canada team members related to core aspects of the organization's ongoing work, including the following programs:

- Protected Areas
- Naturehood
- Nature-Based Solutions
- Bird Friendly Cities

Programmatic interviews assessed how Nature Canada's programs and campaigns currently support indigenous inclusivity and could continue to in the future. The interviews followed a standard question format but left room for free conversation on any topics of particular interest or relevance. Interviewees discussed efforts that the organization has made to date to include and engage Indigenous peoples as well as the challenges and opportunities.

In addition, the assessment considers strategic undertakings of the organization. These strategic undertakings included:

- Communications
- Governance
- Partnerships

Interviews on these undertakings were primarily conducted with senior Nature Canada staff. Some of the interviews with Nature Canada staff were conducted individually and some were conducted in groups and each interview was completed through zoom. The staff were asked questions on how they thought Indigenous participation and engagement could be improved within Nature Canada and some were asked follow up questions on their perspectives on reconciliation as well.

Overall, the assessors found that:

- Nature Canada at a staff and organizational level have a high degree of commitment to advancing reconciliation and working in partnership with Indigenous peoples.
- Where Nature Canada has built relationships, those relationships appear to be strong, lasting, and stable.
- Nature Canada staff have a good baseline level of knowledge about Indigenous peoples and Indigenous communities and can identify engagement opportunities. Nonetheless, they often lack confidence to begin building relationships with Indigenous communities and organizations.
- Nature Canada staff have a realistic understanding of the challenges that may prevent it from working on a project - or organizational - basis with Indigenous groups. Staff are uncertain how to address or overcome these challenges and often, this uncertainty precludes them from proactively taking steps to build relationships.
- Nature Canada staff recognize that their work may be relevant to Indigenous peoples but struggle to find and explain why and how Nature Canada's value proposition is mutually beneficial. As a result, staff often lack confidence to proactively build relationships.
- Nature Canada staff can and do proactively identify areas where they would like to learn more to enhance their partnership capabilities. Those areas include: (a) understanding traditional knowledge and how to respectfully engage with it and with knowledge holders; (b) understanding the roles, structures and mandates of regional and national Indigenous organizations; (c) best practices for cold outreaches to Indigenous communities and/or organizations; (d) best practices for relationship building when there is not an immediate opportunity at hand to do work together; and (e) best practices for information sharing.
- On an organizational level, Nature Canada's learning and development and training activities should focus on embedding confidence into staff to proactively reach out and build relationships with Indigenous peoples
- On an organizational level, Nature Canada could benefit from codifying practices related to Indigenous inclusion in contracting, procurement and hiring.
- On an organizational level, Nature Canada could benefit from cataloguing the types of primary incidental benefits its activities create and considering how those benefits could accrue to Indigenous peoples or persons.
- The observations above are based on the information which was shared by Nature Canada staff during the interview process. A separate report on the interviews conducted with Nature Canada's staff was also shared with the organization. It is our understanding that this more detailed report will be released by Nature Canada following final edits. Subsequently, this recommendations report offers feedback and guidance based on the questions, comments, and other requests from the participating staff members.

Analytical Approach

Nature Canada has never undergone an assessment related to reconciliation and Indigenous inclusion and therefore required the creation of an approach that can a) establish a baseline considering current and potential future practices, and b) be replicated in the future in order to determine growth over time.

The assessors considered Nature Canada's principles for working with Indigenous peoples as a foundation for the assessment. In the view of the assessors, the principles describe two specific considerations related to Indigenous reconciliation: (a) recognition of rights and (b) community inclusion through the sharing of benefits. Both of these pillars relate specifically to aspects of reconciliation that are expressed at rights-representative levels, which is understood in Canada to be at the level of community-wide decision making (i.e., aggregate). In this regard, Nature Canada's principles speak to how the organization will work with the types of Indigenous collectives contemplated by other rights-based frameworks, like the *United Nations Declaration on the Rights of Indigenous Peoples* and reflects the general principles of those types of frameworks. The assessors identified 5 thematic indicators to help set a baseline for how Nature Canada is engaging and including Indigenous peoples at the rights-representative level.

The assessors expanded on the principles to consider how Indigenous persons may be involved or benefit from Nature Canada activities. For example, not Indigenous rights-holding collectives but specifically Indigenous individuals in their own personal capacity. This builds from general diversity and inclusion approaches that an organization might undertake for diversity groups. The assessors felt including these considerations to be appropriate given: (a) Nature Canada's programs can be correlated to opportunities that might exist at the individual level and might not at the rights-holder level (e.g., employment, contracting, or training); (b) the organization as a whole is committed to Indigenous inclusion which, reasonably, would include the involvement of Indigenous individuals; (c) that the rights-based framework does not necessarily capture inclusion opportunities that might be considered if evaluating inclusion of other diversity groups given that such inquiries tend to consider individuals as well as groups; and (d) Nature Canada has programming where Indigenous individuals may be involved at the individual level (e.g., urban programming). The assessors identified 3 thematic indicators to help set a baseline for how Nature Canada is engaging and including Indigenous persons at the individual level.

It should be noted that not every project or activity could be assessed against all indicators. For this reason, the assessors established 3 threshold indicators that speak to organizational due diligence (i.e., did Nature Canada evaluate for opportunities and did it design its approaches in such a way as to allow for opportunities). These indicators can be used to determine whether indicators in the rights-representative or individual-level categories may be relevant. For instance, if Nature Canada did full due diligence to scan for interested Indigenous parties, reach out to them, design projects in such a way that inclusion has no - or low - barriers to entry, and yet it finds that no Indigenous parties are interested, rights-representative level indicators may not be relevant, and more analysis is unlikely to be required. Were Nature Canada to discover that an undertaking was designed with significant contracting opportunities with high barriers to entry that precluded Indigenous supplier arrangements, significant analysis would likely be required against multiple indicators.

Below is an explanation of the indicators used in this assessment. These indicators are meant to be used on a qualitative basis unless otherwise noted.

Threshold Indicators

- 1. Indigenous Interest:** this indicator considers whether there has been an effort to identify potential Indigenous interests and/or whether potentially interested Indigenous groups have indicated a level of interest in a subject matter of mutual interest. Key questions the assessors included within this indicator are: (a) what steps were taken to identify potentially interested Indigenous parties; (b) were those parties contacted; (c) did those parties state an interest.
- 2. Indigenous Participation:** this indicator considers whether Indigenous persons or peoples are participating in an activity, program or undertaking where they may have interest in doing so. While the indicator is binary and can be answered quantitatively, the assessors included key qualitative questions within it: (a) are interested Indigenous peoples/persons participating; (b) if they are not, did they indicate structural or external reasons for not doing so; (c) if they are, did they indicate any barriers to their participation and, if so, were those barriers addressed.
- 3. Indigenous Inclusivity:** this indicator considers whether a project design invites or precludes Indigenous participation. Key questions the assessor included within this indicator are: (a) are there elements of the design that could encourage Indigenous engagement from the beginning and preliminary planning phases to the project completion phase; (b) are there elements of the design that could preclude Indigenous engagement from the beginning and preliminary planning phases to the project completion phase; (c) are there elements of the design that could encourage Indigenous engagement after the undertaking begins (e.g., mid-stream); (d) are there elements of the design that could preclude Indigenous engagement after the undertaking begins.

Rights-Representative Level Indicators

- 4. Indigenous Partnership:** this indicator considers the degree to which Indigenous parties are partners in an activity based on governance design and administrative structures. It considers the existence and substance of partnership agreements, funding agreements, capacity sharing agreements, project management structure, in-kind or cash contributions, and any other such arrangements that provide insight into the governance and administrative design of activities. Key questions the assessors included within this indicator are: (a) have Indigenous communities or organizations stated that they have delegated the responsibility to represent them as formal partners in the activity; (b) if they have delegated responsibility to represent them as formal partners in an activity, how is the partnership structured; (c) how are funding arrangements structured, (d) which parties have effective governance control; (e) which partners have effective administrative control. The assessors take no view as to what level of governance and administrative cooperation is appropriate or right, recognizing that governance and administrative arrangements can reflect capacity, resources, and the weighted priorities of each party.
- 5. Informed Consent:** this indicator considers whether Indigenous communities have granted their free prior and informed consent (FPIC) for activities with the potential to impact or define the scope of their rights. The assessors take their understanding of FPIC from UNDRIP. Key questions include: (a) whether Indigenous communities have sufficient information to provide *informed* consent, (b) whether the information is shared in an accessible way and with sufficient time to be *prior* informed consent, (c) whether consent was provided, and (d) whether the project is designed with a recognition that consent can be withdrawn.
- 6. Indigenous Leadership:** this indicator considers the origination of an activity and the intellectual drivers for it. Key questions the assessors included in this indicator include: (a) how the activity originated; (b) which parties designed the activity from an intellectual perspective; (c) based on decision-making structures, which parties drive the activity from an intellectual perspective.
- 7. Indigenous Benefits:** this indicator considers whether Indigenous communities or organizations that represent them are benefiting from an activity. Benefits could include capacity, in-kind contributions, monetary contributions, political or policy outcomes, or outcomes that support/advance assertions to title or rights. Key questions include: (a) whether an activity will create benefits, and if so (b) how those benefits are created; (c) how those benefits are accrued.

8. **Intellectual Property:** this indicator considers whether intellectual property, data, or other intangibles either (a) are contributed by Indigenous peoples or (b) are created by an activity and are derived from or relate to Indigenous peoples. This indicator recognizes Ownership, Control, Access, and Possession (OCAP)[®], a concept trademarked by the First Nations Information Governance Centre (see: www.fnigc.ca/ocap), as a best practice.
9. **Culture & Heritage:** this indicator considers whether Indigenous culture and/or heritage is included in an activity and, if so, whether the inclusion is respectful. If Indigenous culture and/or heritage is not included, the indicator considers whether there were opportunities to include either into an activity. Key questions include: (a) how a decision to include/not include culture/heritage was made; (b) whether such a decision was made deliberately as part of the project design; (c) whether such a decision was made which followed or involved protocol or ceremony; (d) whether positive/negative feedback has been received.

Individual Level Indicators

10. **Indigenous Content:** this indicator considers procurement and contracting from Indigenous individuals and/or businesses. The indicator does not propose a definition for Indigenous individuals or Indigenous businesses. Key questions include: (a) whether contractors are receiving financial benefits from the activity and, if so, whether contractors self-identify as Indigenous; (b) whether businesses are receiving financial benefit from an activity and, if so, whether those businesses are understood as Indigenous.
11. **Indigenous Employment:** this indicator considers the employment of individuals who self-identify as Indigenous. Since this scope of assessment does not include the full range of diversity and inclusion considerations, this indicator was considered based on a binary outcome (i.e., an Indigenous person has been/was not hired). No consideration was taken regarding recruitment or retention processes, applications received, or other factors required for robust analysis.
12. **Skills & Training:** this indicator considers whether Indigenous individuals are benefiting from skills, training, or learning opportunities created by an activity. The assessors considered binary outcomes for this indicator (i.e., yes/no).

Recommendations on Next Steps

After the interviews were concluded with the Nature Canada staff, several areas were identified as priorities for the organization. The following are a list of recommendations on next steps for Nature Canada staff following the assessments.

Individualized and Group Training Opportunities: Individualized and group training opportunities are a viable pathway for Nature Canada to address one of its most substantial barriers to working with Indigenous peoples: the lack of confidence within their staff. Offering such opportunities correlates strongly with the desires of current staff.

The assessors suggest exploring formal training, informal speaker opportunities, or other learning opportunities related to: Indigenous led conservation, Traditional Knowledge Systems (which includes TK, TEK, IQ, etc.), natural law and Indigenous laws, the structure of Indigenous organizations, outreach and partnership considerations with Indigenous groups, and regional Indigenous realities to correspond with campaign areas. This training would build on the foundational knowledge most Nature Canada staff already have related to Indigenous history and relations with Canada.

As an outcome of training and/or learning, Nature Canada staff should have baseline knowledge to:

- approach knowledge holders in a respectful way
- understand the role of knowledge keepers and Elders
- find out about appropriate protocols and/or ceremonies and participate in them
- differentiate between rights-holding collectives and non-rights representing service providers
- differentiate between advocacy, inclusion and partnership
- understand complex issues related to Indigenous rights, such as FPIC (free, prior and informed consent), UNDRIP, and section 35 of the constitution
- understand issues related to Indigenous identity
- identify Indigenous organizations with potential interests in an area
- navigate Indigenous governance structures
- feel comfortable taking the first steps towards relationship building

Continue to Take a Learning Mindset: The lack of confidence that holds back staff from proactively building relationships with Indigenous peoples can also be partially addressed by an organizational learning mindset that accepts, acknowledges, and then learns from mistakes and failures. This seems to be consistent with Nature Canada's current approaches; however, Nature Canada senior management should consider how to reinforce this as a cultural norm. Managers may wish to consider how to incentivize group learnings from mistakes or failures in order to encourage ownership and learning, as well as measured risk taking.

Partnership through Thought Leadership: Nature Canada routinely identified its intention to "lead from behind" as a supporter of Indigenous peoples. Additionally, the organization routinely identified communications capacity as a core benefit it can offer to support Indigenous peoples. To that end, Nature Canada should consider how to leverage its social media platforms and other communications media in order to amplify Indigenous voices on issues related to conservation and nature. This could include topics such as co-governance, which was identified as an interest area by senior staff. Opportunities could include:

- guest bloggers / writers, especially for LinkedIn articles
- guest tweeters
- partnerships with content creators with an agreement to like and share certain content
- creating a collaborative blog on the Nature Canada website

Suggestions for targets on Indigenous participation: Nature Canada staff asked the assessors for some advice on establishing organizational targets for Indigenous participation. Some suggestions include:

- a) That the organization establishes a realistic target for growing its relationships with Indigenous peoples. Targets should be based on actions taken by Nature Canada and not dependent on partnership outcomes in order to incentivize the right types of behaviours. We recommend outreach to a set number of environment directors/managers of provincial or territorial level Indigenous organizations for introductory conversations, and to representatives from the friendship centre movement related to urban programming, within one year of this report for introductory conversations as a realistic target.
- b) That the organization assess its capacity for partnerships and set goals accordingly. Staff discussed internal capacity challenges at Nature Canada that could preclude partnership building, so it is advisable to keep outreach within a manageable range.
- c) That the organization should establish realistic timelines for Indigenous engagement and potential partnerships. For example, during many discussions with Nature Canada staff there was a mention of the timeframes required for establishing meaningful partnerships. There was an acknowledgement and understanding by Nature Canada staff that meaningful relationships take time to establish and time to strengthen.
- d) That the organization set targets for supporting its partnership network to grow their capacity for Indigenous participation. Staff highlighted how much of Nature Canada's work is dependent on their partnership base and the interest of that network to also grow capacity to partner with Indigenous peoples.
- e) Establish workable long-term targets. For example, make a five-year workplan as well as a one-year workplan on how the organization can implement some of these suggestions and recommendations within shorter and longer timeframes. That will assist the organization with making realistic goals.

Suggestions for Indigenous outreach: In each program area, the interviewed staff had numerous questions on Indigenous outreach. There are relatively simple ways that this can be done, but it may be very time consuming for staff to conduct this type of research. Some Nature Canada staff stated that finding time for Indigenous outreach was a barrier for conducting that work because it will be challenging to do on top of existing workloads.

It is our understanding that Nature Canada currently uses and manages a contact database system.

We recommend that, in order to facilitate future outreach:

- The manager for the database uploads publicly available contact points for Indigenous groups, including:
 - The community and organizational list from the Assembly of First Nations website
 - The organizational list from the Inuit Tapariit Kanatami website
 - Contact lists from regional Métis organizations and governments
 - Lists from the National Association of Friendship Centres website
 - Lists from the Ontario Federation of Indigenous Friendship Centres website

If there are reasons that make it undesirable to add these lists into Nature Canada's system, we recommend that, at minimum, staff be made aware of these websites.

We also recommend that the organization create relationships with contractors that have significant experience building Indigenous partnerships so that their advice and support can be sought for specific campaigns or geographical outreach.

Compiling a list of Nature Canada benefits and refining a value proposition: Nature Canada staff noted that partnering with the organization can open access to benefits for Indigenous groups. Notwithstanding, staff also noted hesitancy about approaching Indigenous groups due to capacity and other limitations within Indigenous organizations. Staff struggled to articulate a clear and consistent value proposition across the organization.

Nature Canada should inventory potential benefits and undergo an exercise to create value propositions for partnerships with each program area. Doing so will increase the transparency and relevance of Nature Canada's outreach, lowering the barrier to entry for new prospective Indigenous partners.

Value proposition exercises can be internally facilitated using publicly available tools or can be contracted out to firms that specialize in organizational development and that have experience working with Indigenous communities.

Expand the Indigenous outreach to Indigenous service providers, especially for urban area programming: Staff were able to recognize opportunities to work with Indigenous governments on rights-based issues, such as establishing conservation areas in traditional territories, but do not appear to be working with Indigenous service providers on general programming that may be of interest to Indigenous individuals. Programming, especially in urban areas, may be more accessible through partnerships with service providers – especially when the programming targets educational or health outcomes.

Policy frameworks for contracting: Staff noted that the organization has contracting opportunities, including for part-time positions, consultants, and other needs. It is unclear whether Nature Canada has a contracting policy in place respecting diversity, equity and inclusion, or reconciliation. Nature Canada should consider building on best practices from other sectors, including the public sector, to incentivize contracting to Indigenous individuals and firms. Furthermore, Nature Canada should identify an Indigenous suppliers list to solicit services and/or goods (e.g., design or printing work, consulting services, etc.)

Co-designing for future campaigns: Nature Canada has identified “leading from behind” as a priority for supporting Indigenous protected areas. The organization also identified capacity shortages within Indigenous organizations as a major barrier to partnership. In our interviews, it seemed that Nature Canada staff might be more prone to seeking direction on activities from Indigenous groups as opposed to seeking a mandate to help, in general.

In addition, Nature Canada has noted its interest in co-governance, co-leadership, and innovative forms of partnerships. By definition, partnership structures require collaboration to design and implement.

Following best practices from other sectors, Nature Canada should consider implementing co-design methodologies as part of the pre-planning stage for future campaigns. The co-designing methodology would invite Indigenous partners to the table to create a general alignment on campaign outcomes and themes and would enable the creation of innovative partnership structures. Furthermore, doing so would allow Nature Canada greater flexibility to pursue those outcomes in line with the priorities of Indigenous partners and within the organizations' own mandate.