

*[Draft: For Discussion Purposes]*

## **Participation of Indigenous Peoples in the CEC**

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## EXECUTIVE SUMMARY

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### Introduction

Following JPAC Advice 02-11, which states: “Repeatedly, the need for efforts to engage indigenous peoples in the programs and projects of the CEC was raised. This is an issue that has preoccupied JPAC for some years and ... we see few concrete improvements. JPAC strongly urges Council to direct the Secretariat to improve this situation,” and the Council’s response: “We recognize that there is still room for improvement, and look forward to working together with the Secretariat and the JPAC to explore additional measures that could be taken to engage indigenous people in the work of the CEC,” the Secretariat has undertaken to review the participation of indigenous peoples in CEC work and identify potential changes and improvements. This report, completed as part of that review, helps to identify:

- What the CEC is currently doing in regards to the participation of indigenous peoples.
- What the challenges and practical constraints are for the CEC.
- What the potential opportunities and involvements for the CEC are, and how the discussion might continue on what the organization can realistically do.

This report is not a definitive analysis; rather it is intended to help identify questions that must be asked to determine an appropriate path forward for the CEC. The challenge now is how to move forward on the myriad opportunities and give practical expression to the JPAC advice and Council’s direction.

### Methodology

Individuals internal and external to the CEC were interviewed in order to review past and current practices with respect to the role of indigenous peoples in CEC activities and obtain their ideas on an appropriate role for increased participation of indigenous peoples in the organization. Applicable documents were also reviewed related to the participation of indigenous peoples in the CEC and in various forums and agencies in Canada, Mexico, the United States and internationally.

### North American Indigenous Peoples

Indigenous peoples are the descendants of the original inhabitants of North America. There are approximately 12 to 16 million indigenous people living in North America:

- Approximately 1 million live in Canada (approximately three percent of the population).
- Between 8.4 and 12.7 million live in Mexico (between nine and 13 percent of population).
- Approximately 2.5 million live in the USA (approximately one percent of the population).

There is a great diversity of indigenous peoples and in their respective situations among the three countries; for example, the concept of an official “status Indian,” or “registered Indian,” or of “reserves” exists in Canada and the United States, but not in Mexico. The 2001 Constitutional Reforms in Mexico are now, however, introducing substantial changes in the policies of the country as regards indigenous peoples.

### Authority

North American indigenous peoples in Canada, Mexico and the United States possess significant existing, and increasing regulatory authority. The amount of territory under different forms of aboriginal jurisdiction is growing significantly, particularly in Canada. There, between 30 and 40 percent of the territory will be under some form of aboriginal management in the future (amounting to between 14 and 19 percent of the total area of North America).

Overview information on indigenous peoples in Canada, Mexico and the United States is provided in the report. The potential benefits to the CEC from increased engagement of indigenous peoples are also discussed.

## **Past and Current CEC Activities with Indigenous Peoples**

This study found that:

- JPAC has regularly provided valuable advice on the importance of indigenous participation and options to increase that participation, and initiated important outreach activities.
- Efforts have been made in the past by several CEC programs to include Indigenous representation, and there has been some representation on specific program committees.
- There is not at present a CEC planning process for the involvement of indigenous peoples, and it is often done on an ad hoc basis.
- The CEC does not have a specific database for indigenous peoples. Many CEC managers are not sure how to engage the indigenous peoples, and it is recognized that they do not have an effective network to access Indigenous communities.
- The profile and knowledge of the CEC and its activities appears to be low or absent among many indigenous peoples and indigenous organizations.

## **Looking to the Future**

Increased participation of indigenous peoples in the CEC will potentially require a partnership approach, and a longer-term perspective and commitment on the part of the CEC to the engagement of indigenous peoples.

## ***Next Steps***

The following is an overview of the more detailed recommendations found in the report and offers both short and medium-term actions to address the issues that have been raised in the report:

- Develop a strategy for enhancing the role of indigenous peoples in the work of the CEC.
- Examine ways to make use of traditional knowledge within CEC activities.
- Initiate awareness raising in the CEC and its work with indigenous people.
- Increase the level of representation and participation of indigenous peoples in CEC initiatives.
- Strengthen coordination between the various CEC bodies and the Parties related to issues affecting indigenous peoples.