

# Governance Links between Indigenous Treaties and the SDGs

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# Introduction

- In Canadian context, “modern treaties” between the government and individual indigenous communities have started to change the way that rights and obligations are defined and enforced.
- This change is particularly important in the context of environmental issues and biological diversity conservation.

# Introduction

- There are 3 key areas in which governance mechanisms are used as part of these treaties and intersect with the SDGs in terms of biological diversity:
  - 1) Environmental Impact Assessments/implementation
  - 2) Use of joint boards/governing entities to control natural resources and the environment
  - 3) Devolution of powers over certain aspects of environmental protection and enforcement to local communities

# Environmental Impact Assessments

- Requirements for the national government/provincial government and indigenous communities to create and implement EIAs together, often with focus on resilience and capacity-building
- Use of Environmental Impact Screening and Review process, in particular for water related uses and potential impacts

# Environmental Impact Assessments

- Use of Wildlife Impact Assessments for potential development activities within indigenous community lands
- Specific requirements of public hearings/participation
- Overall, the use of EIAs in the treaties reflects:
  - SDG 3
  - SDG 13
  - SDG 14
  - SDG 15

# Joint Boards/Governing Entities

- Some of these relate to entire territories subject to the treaty
- Some of these relate to particular areas/topics
  - Joint Fisheries Management Councils
  - Game Councils
  - Hunters/Trappers Councils
  - Research Advisory Councils
- Overall, the use of these entities in the treaties reflects:
  - SDG 8
  - SDG 10
  - SDG 12
  - SDG 13
  - SDG 14
  - SDG 15

# Joint Boards/Governing Entities

- Some relate to specific species & resources
  - Renewable resources
  - Non-renewable resources
  - Plant species
  - Fish species, particularly salmon
  - Animal species, such as moose, seal and caribou

# Devolved Powers

- As part of self-government agreements which form a component of the larger treaties, indigenous communities are typically vested with the ability to regulate environmental pollution and protect, as long as there is no conflict with national/provincial law
- Overall, the devolved powers used in the treaties reflect:
  - SDG 6
  - SDG 8
  - SDG 12
  - SDG 13
  - SDG 14
  - SDG 15

# Lessons

- Treaties with indigenous communities can, among other things, be integral in meeting States' obligations under the SDGs
- At the same time, the SDGs can advance the ways in which these treaties are honoured and applied, especially in the context of governance mechanisms
- Well crafted and contextually appropriate governance mechanisms are vital

# Conclusion

- Thank you