



An Exploratory Review of Select Collaborative Governance and Management Models

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Prepared by:
Jodi Gustafson, Research Associate, Round River Conservation Studies, with Holly Diepraam,
Independent Researcher

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The 3 Nations - British Columbia Collaborative Stewardship Forum



Summary

This report is intended to assist the 3 Nations - BC Collaborative Stewardship Forum with their objective of co-designing an arrangement to enable shared responsibility for wildlife management. It explores a select sample of established and emerging collaborative governance and management models between Indigenous and Crown parties currently in place in Canada and New Zealand, examining the basics of their legal mechanisms, decision-making processes and a snapshot assessment by some participants of their effectiveness in practice. It attempts to explore the durability of collaborative governance and management, and to draw attention to where these systems could be strengthened.

Methods of research consisted of interviews with staff and/or Crown and Indigenous-appointed participants from each of the reviewed co-governance and co-management structures. Each interview followed the same line of questioning, allowing for similarities and differences in opinion and experience to become clearly evident. A literary and web-based review of select collaborative governance and collaborative management models was also undertaken. This was accompanied by an examination of literature regarding best practices for collaborative arrangements, and an overview of articles related to relevant legislative and systematic considerations that emerged throughout the research. The scope and limitations of this research should be kept top of mind when reading this report. Our findings only scratch the surface of an ever-evolving arena of learning and practice and of what are highly contextual arrangements.

Our research revealed several concepts and lessons the 3N-BC team may wish to use to drive discussion in design of a collaborative framework. First and foremost, the importance of relationship and trust building and management within arrangements cannot be overemphasized. Processes, practices and institutions to foster and sustain good relationships among the individuals responsible for implementing these agreements ought to be given as much forethought and intention as is typically invested in designing the structures and decision-making processes of the agreements themselves. Parties should explore the influences on trust in a collaborative arrangement, and be particularly mindful about the traits of individuals within an arrangement. Physical presence and time spent within a community are important aspects to consider, as is an individual's solutions-orientation and openness to cross-cultural learning.

The identification of shared values appears to be incredibly important within collaborative arrangements and can assist with fostering trust and consensus-building. Exploration of shared values amongst the parties is where we recommend design of a framework begin. This appears to be just as, if not more important than having clear dispute resolution processes in place.

Capacity constraints are a widespread issue amongst collaborative arrangements that parties should plan to address from the outset and integrate into design of a framework. Parties should be particularly mindful of the issue of over-extension of leaders in small communities. Abating capacity gaps between parties through a phased approach to accountability, a capacity building fund, secondments, regional support bodies, secretariat support, and youth engagement for succession planning are some avenues to consider to mitigate for this systemic issue.

Two-way capacity building is especially prevalent in this era of reconciliation. Sharing stories and lessons learned between Indigenous and non-Indigenous people, respecting and participating in cultural protocols, having Crown enforcement and Indigenous land officer staff work together, and training how to collect and use traditional knowledge effectively within co-management boards are all ways this can be operationalized to allow for more culturally balanced practices over time. The fostering of a two-eyed seeing approach, embracing both Western and Indigenous knowledge and worldviews can also be strengthened through delineating Indigenous constructs in legislation.

The importance of funding for research with arrangements appears to be a key factor to enable boards to perform their duties responsibly and in alignment with an evidence-based decision-making approach. Collaborative bodies cannot effectively manage what they cannot measure. This is a particularly relevant consideration for wildlife management in Northern BC. The authority that accompanies funding for research and direction over what research is conducted ought to be given due consideration within a collaborative agreement. Access to data and authority over research is powerful, and data asymmetry gaps between parties can further power imbalances within frameworks. Moreover, information sharing protocols are integral.

Maintaining a constituency of support within an arrangement is crucial. This can be operationalized through ensuring effective feedback mechanisms for public input on decisions and through providing opportunities for community members to engage with an arrangement through community projects. Continued communication and outreach is also key; sharing progress made and communicating rationale for decisions are important to build public confidence within a body. Creation of dedicated forums, such as a licensee table within a collaborative arrangement, is an increasingly popular mechanism to engage other stakeholders, particularly industry stakeholders.

Co-recognition of jurisdiction appears to be an incredibly important component of a functional collaborative arrangement. Representatives at the table must have the legitimate authority to participate fully and make decisions. For mutual jurisdiction to be effectively advanced, acknowledgement of Indigenous rights regarding the resource in question must adequately be provided for, with the understanding that rights extend beyond mere rights of access to a resource in question. Rights, from an Indigenous perspective, often focus largely on stewardship responsibilities and responsibilities are actualized through the authority to make decisions and judgments for the resource in question.

At the same time, parties ought to give due consideration to accountability that accompanies differing levels of authority; attention should particularly be paid to potential indemnification that can result when a joint decision undergoes a judicial review, potential conflicts of interest, and decision-making parties' compliance with regulatory standards. Ensuring that parties have a mutual understanding of terminology within an arrangement, particularly as it relates to authority, duties and accountability is paramount. Integrating components of both co-governance and co-management may best ensure that parties' objectives are achieved.

Establishment and implementation of a collaborative decision-making arrangement for wildlife in Northern BC provides the Province with ample opportunity to operationalize the principles of UNDRIP and recently introduced Bill 41 in British Columbia.

All in all, collaborative management and governance arrangements appear to be improving in terms of enabling more balanced and representative decision-making over time. This research also illustrates the global challenges faced by Indigenous groups and Crown governments working to improve these arrangements in an era of reconciliation amidst the lasting impacts of colonization. We recommend the parties give careful consideration to the challenges, opportunities and lessons learned that are highlighted within this report. May this help inform an adaptive and effective framework that restores balance and enables Indigenous Nations to fulfill their ancestral stewardship responsibilities to the lands, waters and wildlife they've related with since time immemorial.

Gunalchéesh. Meduh. Sógá sénlá'. Thank you.

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Final Report Information

The final report for this project can be found through the 3 Nations British Columbia CSF, the Government of British Columbia, and the 3 Nations Society.