

The Climate Emergency & the Colonial Response

By Eriel Deranger

Colonization caused climate change. Indigenous rights are the solutions

THIS WEEK, North America is gripped by an unprecedented heat wave - a “heat dome” that is putting all life at risk. Taking action on climate has never been so important. Yet, colonial governments continue to drag their feet on real action, getting stuck in theory and rhetoric while silencing some of the most powerful voices advocating for climate justice. This past month, the United Nations wrapped up the [Climate Change subsidiary bodies sessions](#), where state nationals debated next steps for implementation of the Paris Agreement. A preliminary draft of the annual [Intergovernmental Panel on Climate Change \(IPCC\) report](#) was leaked, painting a grim picture of planetary health in the near future. Where does Canada actually stand on this global emergency?

Indigenous Climate Action’s recent report, [Decolonizing Climate Policy in Canada](#), provides an Indigenous critique of Trudeau’s two major climate plans. We critically examined the *Pan Canadian Framework on Clean Growth and Climate Change* (PCF), released in 2016, and the more recent *A Healthy Environment and a Healthy Economy* (HEHE), released in 2020, to determine whether climate policy and planning in Canada includes effective climate action and included Indigenous rights and addressed the root causes of the climate crisis.

Our analysis reinforces a well-understood experience for Indigenous peoples. Though Indigenous peoples are referenced repeatedly in these reports, once again, we have been structurally excluded from decision-making tables where plans about our future are made.

The PCF and HEHE were developed without direct engagement and consultation with our communities and nations and without our participation in any of the expert tables that provided the recommendations for these plans. We argue in our report that our continued exclusion from the highest levels of decision making with respect to our lands, territories, and communities constitutes a violation of our inherent rights as Indigenous peoples and our right to self-determination and free, prior and informed consent (FPIC), as defined by the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) 2007.

This structural exclusion isn’t to say that the government doesn’t acknowledge our inherent rights. In fact, within the PCF and HEHE, there are 168 references to Indigenous peoples, our rights, and our knowledge. Yet, there remain no tangible steps to actualize this empty recognition. In addition, within the earlier report — the PCF — there is even reference that “hereon” (from 2016), Canada will work with Indigenous people on a nation-to-nation basis to fulfil the plan’s mandate to “do it right.” However, six years later, the HEHE resulted in even less engagement and consultation than the PCF.

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This brief lays out what is at stake in these exclusions. What does a climate plan look like without consideration of Indigenous rights? And what should they look like from our perspective?

STRUCTURAL EXCLUSION IS NOT A NATION-TO-NATION RELATIONSHIP

Indigenous peoples, first and foremost, are meant to have a seat at these climate tables. Our structural exclusion is in direct conflict with the Liberal government's **commitments** to reconciliation. Trudeau has stated, "No relationship is more important to Canada than the relationship with Indigenous peoples. Our Government is working together with Indigenous peoples to build a nation-to-nation, Inuit-Crown, government-to-government relationship — one based on respect, partnership, and recognition of rights."

But the absence of consultation and consent-building with Indigenous peoples regarding the development of Canada's climate policies ignores many of the Calls to Action emanating from the **Truth and Reconciliation Commission (TRC)**, the **Royal Commission on Aboriginal Peoples (RCAP)** and the **National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG)**. For just one example, the final report of the MMIWG Inquiry calls on extractive and development industries to "consider the safety and security of Indigenous women, girls, and 2SLGBTQIA people, as well as their equitable benefit from development, at all stages of project planning, assessment, implementation, management, and monitoring." However, none of these provisions are included in the PCF, or HEHE plans to regulate fossil fuels industries.

Both of the Liberal government's climate plans are also in violation of the UNDRIP. In May 2016, around the same time the PCF was being developed, the Minister of Indigenous and Northern Affairs announced that Canada was now "a full supporter, without qualification," of the UNDRIP. Article 18 of UNDRIP states that, "Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own Indigenous decision making institutions." However, Indigenous peoples were considered another stakeholder in climate discussions and not decision-makers in the process.

Consultations are not the same as decision-making power. Article 19 of UNDRIP stipulates that "States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them."

Yet, Indigenous peoples' free, prior and informed consent — enshrined in UNDRIP — was not sought or obtained in the climate policy frameworks and planning. Consultation with the National Indigenous Organizations (NIOs) is not a consent-building process with title-holders on the land and in cities.

Provinces also fell short in their commitment to climate justice. When the First Ministers met in March 2016 to commit to a pan-Canadian Framework on climate, for example, Indigenous peoples were not at the table. In September 2016, Inuit Tapiriit Kanatami (ITK) released a **statement** making clear that "while the Vancouver Declaration recognizes that Indigenous peoples have an important role to play in ensuring a sustainable and prosperous future for Canada, the federal-provincial-territorial working groups that developed policy options for Canada's Climate Strategy did not include Indigenous representatives."

WHAT DID CANADA MISS BY EXCLUDING INDIGENOUS PEOPLES FROM THE TABLE?

First and foremost, they avoided having their feet held to the fire of this burning planet to make real change. Our research uncovered that both the PCF and HEHE failed to create substantive plans to reduce national Greenhouse Gases (GHG), and in fact, allowed for the continued expansion and development of fossil fuels projects while relying heavily on carbon taxes and offsets to meet “net zero” targets for 2050.

In addition to a lack of focus on emission reductions, there are also huge concessions made to allow the fossil fuel industry to continue through massive financial subsidies. For instance, during the height of the pandemic in 2020, the government of Canada **increased fossil fuel subsidies to a staggering \$18 billion**.

In another hidden subsidy, Canada also created a “polluters pay” system, or a mechanism for industries to buy their way out of actual emissions reductions. “Nature-based solutions,” or “land-based offsets,” pose serious risks to Indigenous peoples because they act like a new form of colonization in the guise of climate change mitigation. **Nature-based Solutions** are “actions to protect, sustainably manage and restore natural and modified ecosystems in ways that address societal challenges effectively and adaptively, to provide both human well-being and biodiversity benefits.”

While this sounds like a great idea on the surface, multinational oil and gas corporations are already investing millions of dollars to buy up land to offset their emissions, rather than phase out fossil fuels or reduce their emissions.

Extractive and destructive industries are already relying on conservation offsets — “habitat restoration, creation of enhancements,” to “compensate” for negative or destructive impacts caused through “development” — another tool to buy their way out of impacts on Indigenous rights and culture. The combination of conservation offsets and nature-based solutions, both developed without Indigenous people or even safeguards for the rights of Indigenous peoples, allow for GHG emitting industries and governments to continue to skirt their obligations to respect our FPIC while promoting the appropriation of Indigenous lands and territories for the good of climate mitigation.

Previous iterations of nature-based solutions programs, such as Reducing Emissions from Deforestation and Forest Degradation (REDD+) **have exposed the dangers of these types of programs on Indigenous peoples** and pave the way for a repeat of history that we witnessed during the creation of **national parks and conservation areas in the early 1900s**. Indigenous peoples continue to be further removed from our lands and territories for colonial systems of power and dominance.

Moreover, these plans ignore the fact that “business as usual” in the fossil fuels sector means the continuation of violations of the rights of Indigenous peoples — from **lack of Free, Prior and Informed Consent** (FPIC) to the degradation of keystone ecosystems and species critical to our culture and identities, these infringements ultimately lead to a degradation of overall human health in our communities.

But by far the most glaring omission of both reports is the lack of recognition or planning for Indigenous communities *already experiencing* infrastructure failure. There are no references to the legacy and unique challenges Indigenous communities face in acquiring basic human dignities like clean drinking water, effective sanitation systems, and sufficient housing on reserves. These are all indicators of *existing extreme vulnerability* without the added stress on infrastructure due to climate instability.

Yet, the current plans prioritize big business and focus primarily on the needs of settler society in urban centers (i.e. public transportation and electric vehicles that do little to address needs in Indigenous communities for sustainable and accessible energy, food, and healthcare).

By excluding Indigenous peoples, our realities and needs within climate policies, Canada simply reproduces the inequality we end up paying for with our lives.

Climate change is already impacting communities, from increased temperatures that affect keystone species and subsistence foods to increased annual forest fires and flooding that displace communities and further exacerbate our housing crises, to dangerous impacts on communities that rely on winter roads — now freezing later and melting earlier each year, contracting the crucial period for bringing over heavy supplies and equipment. We need plans that consider and address our circumstances, not new ways to circumvent them.

Furthermore, when we are excluded from developing plans and strategies for our lands and territories, this exclusion sets the stage to paint our communities as adversaries to “progress.” So, when our communities begin to push back on proposed plans and projects (e.g. Indigenous opposition to the TMX tar sands pipeline or Muskrat Falls Hydro project - both identified by Canada as part of the “healthy economy”), we are criminalized and vilified as enemies of the state. We are depicted as standing in the way of jobs rather than recognized for our efforts to protect and support a healthy climate for all.

THE LEADERSHIP HAS BEEN SHOWN, CANADA JUST NEEDS TO TAKE IT

In addition, our troublesome findings indicate Canada’s willful ignorance that Indigenous peoples have been some of the most formidable advocates in advancing climate change as a global political issue. We have been calling for the most progressive targets, mitigation, and adaptation strategies in the world, grounded in Indigenous values and cosmology. Indigenous peoples are behind the *Declaration of Kari-Oca* (1992) prior to the Rio Earth Summit, the *Anchorage Declaration* (2009) before Copenhagen COP15, and more recently, the preamble text of the *Paris Agreement* (2015). All of these international instruments have acknowledged and underscored the importance of Indigenous knowledge, sovereignty, and rights as critical to climate solutions and stabilization. Almost all hinged upon the premise of Indigenous self-determination, FPIC, and control over our lands and territories as defined now under *UNDRIP*.

Our findings on the current Canadian climate plans aren’t surprising because Indigenous people in so-called Canada have been historically left out of decision making and matters related to developing federal, provincial and regional climate change plans and policies since first contact.

Despite generations of knowledge about the biomes, years of national and international climate and environmental advocacy and actions as leaders in climate justice, and recognition of our status as sovereign peoples and nations, we remain relegated as stakeholders in colonial political affairs.

Despite the plethora of legal, moral and ethical instruments and reports to support Indigenous knowledge, rights and culture as critical to developing climate solutions, our communities continue to be treated as merely stakeholders undermining these legal rights. It is as if these colonial instruments are allowing for ongoing tokenization of our people, rather than the respect they had promised.

What is truly alarming is that current climate plans and policies in so-called Canada are some of the strongest colonial climate policies we have seen to date, generating a sense of urgency for the work that is necessary to ensure progress towards climate stabilization. Despite this, we must understand that the exclusion of Indigenous climate leadership and denial of our rights to self-determination actually forecloses some of the most powerful solutions for transformative, systemic change in Canada. Our communities have been at the forefront of challenging the expansion of *dirty fossil fuels*, *mega hydro projects*, and other *ecosystems destroying extractive industries*, resulting in the *protection and preservation of billions of gigatons of carbon sequestration*.

Much of this resistance has been femme-led and rooted in anti-patriarchal Indigenous rights that highlight the impacts these projects have on women and girls through increased sexual violence and crimes (MMIWG). It's our values, our relationships with the natural world and each other, and the millennia of knowledge passed down through the generations that guide these actions. Our resistance to colonial extractivism, patriarchy, and capitalism has been critical to preserving some of the remaining biodiverse regions of the world.

Don't get it twisted, though: we aren't just resisting and pushing back against white settler colonialism.

We are innovators and creators, and our communities are responding to the climate crisis in ways that draw from our traditional knowledge systems and merge colonial technologies to create locally controlled and sustainable energy, food, and economic climate solutions.

Our climate solutions are rooted in Indigenous and community values and we are creating language camps that connect the new generation to land and culture; building off-grid renewable energy systems that support energy sovereignty; and building and operating food security mitigation strategies that restore traditional harvesting and foods, just to name a few.

NEXT STEPS

As we approach the upcoming proposed UN Climate Meeting — Conference of the Parties (COP) 26 — set to take place in Glasgow, Scotland, this November, governments are amping up their plans, policies, strategies, and targets to enter the arena as climate leaders. Canada is no stranger to the song and dance of the UN Climate talks and is quick to act and posture, presenting themselves as a leading climate champion and a nation that respects and upholds Indigenous rights. However, we must hold Canada to account.

Internationally, at the United Nations Framework Convention on Climate Change (UNFCCC) level and in accordance with the Paris Agreement and [Decision 1/CP.21](#), the rights of Indigenous peoples should be respected, promoted and considered when developing climate action and plans. In 2016, the [Local Communities and Indigenous Peoples Platform \(LCIPP\)](#), driven by an all-Indigenous and Indigenous-identified Facilitated Working Group, was created to facilitate the “integration of diverse knowledge systems, practices and innovations in designing and implementing international and national actions, programmes and policies in a manner that respects and promotes the rights and interest of... Indigenous peoples.” Canada continues to be one of the key allies to advancing Indigenous rights and the work of the LCIPP within the UNFCCC negotiations. Yet, there remains no harmonization between international best practices and domestic processes where Indigenous peoples remain systematically excluded.

Simply having a seat at the table will not resolve historical inequalities. The federal government continues to impede and obstruct the rights of Indigenous peoples domestically while simultaneously resourcing industries dangerous to achieving climate targets.

We need deeper investment and respect for Indigenous-led solutions that promote Indigenous sovereignty and self-determination, and demonstrate a more holistic approach to climate action and a just transition.

Projects like the [Sacred Earth Solar project in Lubicon Cree First Nation](#), and many more profiled in the [Power to the People TV series](#), are just a few examples of how our knowledge, our culture, and our rights can pave the way for a climate just future — but the government keeps getting in the way. Decolonial policy means policy created *by and for* Indigenous peoples that advances, promotes, and uplifts our rights, culture, knowledge, and people.

Let's start by closing the gap on the infrastructure deficit in Indigenous communities so that we can all benefit equally from emerging climate solutions. Next, let's implement the following steps:

- **Include Indigenous communities** and nations as full partners at policy decision-making tables;
- **Raise up the leadership** from Indigenous women and 2SLGBTQIA+ folks;
- Respect Indigenous rights to self-determination and FPIC in the process of developing policy and in the contents of the policies and plans, as well;
- **Adhere to federal commitments** to Nation-to-Nation, Inuit-Crown, government-to-government relationships;
- **Uphold the Calls to Actions** emanating from the Truth and Reconciliation Commission and other government led-inquiries, including the Royal Commission on Aboriginal Peoples and the National Inquiry into Missing and Murdered Indigenous Women and Girls;
- **Promote climate solutions** that take into account the realities faced by Indigenous communities and nations, both rural and urban;
- **Acknowledge and actively address structural inequalities** that are continually being reproduced through colonial relationships, processes, and structures in so-called Canada;
- **Address the root causes** of climate change (e.g. colonial capitalism and extraction);
- **Engage in an intersectional understanding** of climate to design intersectional climate solutions that simultaneously reduce emissions and tackle systemic oppressions.

Moreover, for us to begin to unravel the damage that has been done to the planet, we need to acknowledge and address the legacy of harm caused by colonialism while uplifting the contributions that Indigenous peoples have made and continue to make in protecting, advocating, and advancing the rights of nature.

This work envisions a world where Indigenous-led climate solutions are the standard and where colonial structures are doing the work to figure out where their resources and knowledge can offer support to existing Indigenous systems, not the other way around.

This will require a deconstruction and undoing of current systems to create space for our own independent processes and plans built around a more holistic, interconnected, balanced approach based on reciprocity and respect with the natural world.

Our analysis of the Liberal government's climate policies was Phase 1 of this work. Indigenous Climate Action (ICA) has now begun **Phase 2 of Decolonizing Climate Policy in Canada**, working with an Advisory Council of Indigenous knowledge holders, leaders, youth, and community members to develop pathways, processes, and needs for decolonial climate policies and plans.

This group will undertake the important work to strategize, knowledge share, and work with the broader community through interviews, surveys, and gatherings to draft an Indigenous Climate Declaration that will advance an Indigenous climate justice framework. Phase 3 will begin in 2022 with the goal of bringing Indigenous climate experts, knowledge holders, youth, and land defenders together to develop a vision for decolonial climate policies and plans that serve our communities first and foremost. Please consider supporting this work and participating by contact climatepolicy@indigenousclimateaction.com or donating to ICA today.

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