Policy Landscape for Northern and Remote Indigenous Food Sovereignty

written by: Hugo Martorell

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FLEdGE (Food: Locally Embedded Globally Engaged) and Food Secure Canada

This discussion paper was developed as a part of a community-academic collaborative project between Food Secure Canada and FLEdGE (Food: Locally Embedded, Globally Engaged) to map the existing agri-food policy landscape in Canada. The views presented are those of the author do not necessarily present those of either FSC or FLEdGE.
# Table of Contents

**Policy Landscape for Northern and Remote Indigenous Food Sovereignty**  

**Introduction**  
   Methodology  

**Federal, Provincial and Territorial Governments**  
   Federal approaches  
      Health promotion  
      Environmental resource management  
   Provincial-territorial healthy food initiatives  
      Case of Nunavut  
      Case of Manitoba  
      Other provinces and territories  

**First nations leadership and community approaches**  
   Local governments and procurement  
   Community-led assessments  
   Regional and national planning  
      The Case of the Nishnawbe Aski Nation in Ontario  
      The Case of the Cree of East James Bay  
      The Case of the Inuit Nunangat  

**Co-management and arrangements between settler and Indigenous institutions**  
   Health prevention and health care  
   Environmental co-management and stewardship  
      Fisheries  
      Hunter support programs  

**Discussion**  
   Best practices  
   Constraints and gaps  
   Opportunities for scaling up  

**Bibliography**
Introduction

A major nutrition transition is underway in Canada’s northern regions and among Indigenous peoples, representing a shift in diets from nutrient-dense, “traditional” or “country” foods provided by nature to nutrient-poor, store-bought food delivered by the market (CCA 2014, p. 116). The continued, or renewed access to traditional foods has been historically governed as common-pool resources and intimately tied to family and tribal usufruct rights and trap lines, traditional ecological knowledge and sacred natural laws.

Aboriginal rights to hunt, fish, harvest and trap are legally recognized under land claim agreements stipulated in Section 35 of the Canadian Constitution (1982). Yet, there are systemic obstacles for Indigenous people to hunt, fish and harvest food and affirm cultural self-determination, not least the colonial policies implemented by successive Canadian governments.

In 2015, Canada officially adopted the United Nations Declaration on the Rights of Indigenous People. However, many policy and regulatory instruments continue to affect the daily lives of Indigenous harvesting practice, namely national parks legislation (Brussières, 2005), food safety regulations (Pedersen, 2015), gun licensing (Gardner, H. & Tsuji, 2015), marketing monopolies (Thompson et al, 2011), quota allocation (CCA, 2014) and moratoriums on wildlife (Kopnina, 2017; CBC December 20th, 2014). One dramatic instance is that Section 32(1) of the Indian Act, which prohibited, until 2010, Indigenous people (AB, SK, MB) from selling and bartering for agricultural products (Canada Gazette, 2010).

The mounting pressures associated with climate change and biodiversity loss on Indigenous food security and food sovereignty means that adequate policy responses are urgently needed. The starting point of this discussion paper is the concept of Indigenous food sovereignty (IFS), which “describes, rather than defines, the present day strategies that enable and support the ability of Indigenous communities to sustain traditional hunting, fishing, gathering, farming and distribution activities (Morrison, 2011, p. 97). At the heart of IFS lie the concepts and practices of traditional food activities and ceremonial rituals, self-determination and policy reform (Working Group on Indigenous Food Sovereignty, 2011).

Indigenous governance systems are complex and plural, ranging from single Band Councils and Tribal Councils representing several First Nations, to province-wide and national organizations and confederations (Kaufman and Roberge, 2015). Further, “Coastal peoples have different practices from inland hunters/gatherers, whose practices differ in turn from those of Northern peoples and Southern farming peoples” (FSC, 2010, p. 5).

This discussion paper is designed to support reflection on policy reform from the perspective of Indigenous Food Sovereignty within academia, civil society and governments. In designing this paper, the author grappled with issues of legal precedence (common law versus customary law) and the degree to which Indigenous peoples themselves participate in the design and implementation of a given policy. To remedy this, the policy landscape is presented along an institutional continuum that includes

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1 In this paper, the term Indigenous people is used over aboriginal people. It refers to the descendants of the original inhabitants of North America. In Canada, Aboriginal peoples comprise of First Nations People, Métis and Inuit.
3 Canada, Australia, the United States and New Zealand were the only four states that initially voted against the Declaration in 2007
4 The Convention on Biological Diversity is another example of Canada’s international recognition of the protection and preservation traditional ecological knowledge and the customary use of biological resources (Higgins, 1998).
5 Kaufman and Roberge speak of 80 Indigenous governance clusters in Canada.
federal/provincial/territorial governments on the one hand, and Indigenous self-governing institutions on the other. I situate, in the middle, shared jurisdictions and instances of co-management. The policies identified (legislation, programs and plans) span across two main policy domains and public mandates with the stated aims to improve access to “traditional” foods: health promotion and environmental management. This paper therefore puts less emphasis on imported, store-bought food (CCA, 2014).

In the first section, the paper provides an overview of policies designed by the Canadian settler state. It looks at the federal departments involved in food access and environmental sustainability. It also draws from the experiences of provinces and territories, where existing policy initiatives are mainly structured as grant-based programs in the context of health promotion and poverty-reduction efforts. Included in this section are the Nutrition North program, Manitoba’s Northern Healthy Food Initiative and Nunavut’s Food Security Coalition.

The second part of this paper focuses on Indigenous self-organization. I start from the ground up by highlighting the role of local governments and community-led assessments. To illustrate how these can be scaled up, this section draws from regional and national strategies as models to guide policy reform. The Nishnawbe Aski Nation, the Cree of East James Bay and the Inuit Nunangat embody Indigenous food self determination in three territories and three provinces.

After introducing the policy landscape at each end of the spectrum - the FPT governments and Indigenous self-governing institutions - the paper looks at some of the hybrid and negotiated arrangements in the field of environmental co-management. Indeed, there are examples in Canada’s legal frameworks that support the development of plural, yet contested, co-management strategies (Stevenson, 2004; CCA, 2014; Natcher et al, 2015). This is the case of land claim agreements, which generally regulate traditional hunting, fishing and harvesting, depending on whether they include harvester support programs, specific hunting rights or integrate traditional ecological knowledge. Finally, I end on some elements of context to understand fisheries policy, such as legal court cases and environmental assessments.

This paper is introductory and descriptive in scope, with a focus on access to traditional foods. With the exception of the report by the Council of Canadian Academies (2014), we found no systematic review of the national food policy landscape that bridges the gap between FPT governments and Indigenous self-governing institutions across policy silos. In turn, the reader will likely notice gaps in this discussion paper which are determinants to Indigenous Food Sovereignty, such as climate change, species loss, invasive species, biodiversity loss, ocean stewardship and Indigenous resistance and cultural, socioeconomic and political resurgence (ex: intellectual property, land titles, human rights, business and investment etc.). The continuum on which the background information on policies and initiatives is presented invites future research to coordinate in evaluating initiatives and policies that impact Indigenous Food Sovereignty.
Methodology

This discussion paper is one of six discussion papers on the Canadian food policy and institutional landscape. The research was the result of a partnership between Food Secure Canada (FSC) and Food: Locally Embedded, Globally Engaged (FLEdGE), led out of Wilfrid Laurier Universities’ Centre for Sustainable Food Systems.

The research questions, analysis and results were co-developed with community leaders in the FSC network. The starting point of the research was to better understand enabling frameworks, good practices, gaps and obstacles in provincial and federal policy interventions.

The topic of this discussion paper was selected following a short survey with provincial networks. The concept of Indigenous food sovereignty aligns with FSC’s direct engagement on the issue since the launch of the Indigenous Circle in the mid-2000s, the People’s Food Policy (2011) and its Eat Think Vote campaign (2015).

In the context of this paper, we draw from semi-structured interviews with four informants from Newfoundland, Ontario, Alberta and Yukon. To complete these interviews and provide a more complete policy context, we consulted relevant government websites, academic and grey literature. Furthermore, we designed two policy summary tables, available in the annex, which review the main policy instruments and institutional arrangements at both the federal and inter-provincial/territorial level.

We also relied on informal scoping conversations and available documentation. The maps were used in two workshops (October 2016), and were sent to FSC provincial/territorial networks, which provided an opportunity for timely feedback. A first draft of this discussion paper was also reviewed Kelly Skinner, who is Assistant Professor in the School of Public Health and Health Systems at the University of Waterloo. A second draft was then reviewed by Fiona Meyer Cook, Professor in Social Work at Vancouver Island University.

As with the other papers, we paid particular attention to Indigenous, provincial/territorial and federal jurisdictions and good practices that a joined-up approach to food policy could build on. The reader can also refer to the policy table and maps, which were designed to summarize and illustrate the discussion paper. The policy matrix provides both a federal and inter-provincial outlook.

Other discussion papers that were developed are: Community and Household Food Security, Local and Sustainable Food Systems, Sustainable Agriculture, New Farmers and Healthy School Food.

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6 A national coalition of individuals and organizations working towards zero hunger, healthy and safe food, and sustainable food systems. See: foodsecurecanada.org
7 See https://foodsecurecanada.org/resources-news/newsletters/discussion-papers-peoples-food-policy
Federal, Provincial and Territorial Governments

Federal approaches

Health promotion

The federal government is leading several health prevention policy initiatives. The Northern Food Security Directorate at the Ministry of Indigenous and Northern Affairs is responsible for the Nutrition North Canada (NNC) Program (previously the Food Mail Program). This program was included in the minister’s mandate letters, which tasks the minister to “work with the Minister of Health to update and expand the Nutrition North program, in consultation with Northern communities” (PMO, 2015).

Over the years, reports from the Auditor General of Canada (2014), the Canadian Council of Academics (2014), the Nunavut Food Security Coalition (2015) as well as the research community argued the program’s ‘market-based subsidy model’ is failing to provide affordable food for consumers. Reports systematically raise issues related to the subsidy eligibility criteria which identify communities, food items, retailers and transportation methods, as well as the lack of accountability and feedback mechanisms (Galloway, 2014, Burnett et al, 2015, Chin-Yee & Chin-Yee, 2015).

The lack of flexibility and costs incurred on hunters by the program are also barriers to making traditional foods available for the communities that need it. For example, harvested meats can only be subsidized as part of the NNC’s Country Food Initiative if they have first been certified by one of the three federally regulated meat processing facilities situated in the territories (Burnett et al, 2015).

Since the 2015 mandate letter, the program should be progressively extended to 37 communities in the north of Ontario, Manitoba and Saskatchewan (CBC July 18th, 2016). Interestingly, media outlets have also mentioned the possibility of piloting hunter support models, an announcement which prompted us to learn more about how hunter support programs have been institutionalized as part of land claim agreements since the 1970s.

Another key institution at the federal level is the First Nations and Inuit Health Branch of Health Canada. It operates the Aboriginal Diabetes Initiative (2010-2015 Framework), and has put in place a Food Security Reference Group. In this context, Health Canada has developed a conceptual model for promoting food security First Nations and Inuit communities.

In 2010, when food security funds were allocated by the ADI to the Ontario First Nations Integrated Health Promotion Working Group, the latter decided to fund all 133 communities (each receiving $2,750) (OGNS 2013, p. 7). The Nishnawbe Aski Nation First Nations in Ontario has recommended that gardening and hunting material be eligible for ADI funding criteria (NAN, 2016).

The Public Health Agency of Canada (PHAC) manages the Canada Prenatal Nutrition Program, a program created to support young and vulnerable mothers. PHAC has also designed an Innovation Strategy on mental health and healthy weights, investing $52 million between 2011 and 2017. In this context, PHAC has partnered with provincial food security organizations like the Arctic Institute for Community-based research (YT), Food Matters Manitoba (MB) and the Ecology Action Center (NS).

One noticeable gap is that Indigenous food sovereignty does not appear to be integrated as part of the government’s social inclusion and poverty reduction agenda. As part of its mandate, the department Employment and Social Development launched a consultation toward a Poverty Reduction Strategy.
Environmental resource management

Health and environmental policy are generally conceived in silos. The second policy stream that we found critical to understand traditional food access relates to environmental policy, law and regulation (Benoit, 2011; CCA, 2014). In this arena, the institutional landscape significantly complexifies as it relates to issues such as climate change, wildlife and biodiversity, marine and terrestrial stewardship.

The following sample of institutional arrangements illustrates the complexity and breadth of policies that are relevant to Indigenous food sovereignty. It is unclear, however, to what degree Indigenous people are included in the design of these various policies.

- Environment and Climate Change Canada is responsible for:
- Canadian Environmental Assessment Agency manages the federal environmental assessments process\(^8\) (see changes below)
- Since Canada has ratified the Convention on Biological Diversity\(^9\) (CBD, 1992) and in the context of the UN Decade on Biodiversity (2011-2020), the Federal Government has developed a National Biodiversity Strategy\(^10\) (CCA, 2014).

Protected Areas Policy (PAP) is one area of environmental co-management\(^11\) where the Federal Government has jurisdiction (Brussières, 2005):

- National parks: there are co-management boards in a number of national parks, but there is great variability in the involvement of Indigenous people (ex. advisory role v. decision making role) (Parks Canada\(^12\), National Parks Act).
- Marine protected areas (MPA): no MPAs have been designated on Aboriginal land to date. As of 2005, only one National Marine Conservation Area had been created in Ontario (Parks Canada, National Marine Conservation Act, 2002), and two Marine Protected Areas in British Columbia and Nova Scotia (Department of Oceans and Fisheries, Oceans Act, 1997).

Canada's oceans, water and fisheries policies are also relevant to access to traditional foods by coastal peoples. Specifically, the Department of Fisheries and Oceans (DFO) is responsible for the the Oceans Act (1996). Part II of this act is dedicated to the development of an Oceans Management Strategy, tasking the Minister to “lead and facilitate the development and implementation of plans for the integrated management of all activities or measures in affecting estuaries, coastal waters and marine waters.” There are five large ocean marine areas (LOMA).

\(^8\) Significant legislative and regulatory changes were made over the course of the Conservative government’s mandate in office (2006-2015), including to the Fisheries Act (FA), to the Canadian Environmental Agency Act (CEEA) and to the Navigable Water Protection Act (NWPA, Transport Canada) as part of what are commonly referred to as omnibus bills C-38 and C-45 (Hutchings & Post, 2013; Winegardner et al, 2015). “The habitats of most freshwater fish species in Canada, including the majority of threatened and endangered fishes, will no longer be protected.” (Hutchings and Post, 2013). Further, “the combination of these changes and new Acts [CEEA and NWPA] will result in substantial reductions of environmental assessments on aquatic systems” (Winegardner et al, 2015)

\(^9\) The provisions in Article 8(j) and 10(c) of the CBD require the protection and preservation traditional ecological knowledge and the customary use of biological resources (Higgins, 1998).

\(^10\) The National Forestry Strategy is another federal arrangement that is co-managed with Indigenous peoples.

\(^11\) We could also include migratory bird sanctuaries. There are 92 across Canada, which account for 11.5 million hectares of protected habitat in terrestrial and marine environments. However, we found no information vis-à-vis co-management.

\(^12\) Parks Canada completed a brief overview of cooperative management of twenty five national parks with Indigenous people (available online)
The Oceans Act\textsuperscript{13} “provides a framework for comprehensive oceans policy and management for Canada’s three oceans” (Berkes et al, 2001, p. 454). Kearney et al (2007, abstract) argue “The implementation of the Oceans Act and oceans policy has resulted in some steps toward participatory governance but has not adequately provided the mechanisms for a strong role for communities in integrated coastal and ocean management (ICOM)”.

\section*{Provincial-Territorial Healthy Food Initiatives}

Several provinces and territories have shown a commitment to strengthen food self-sufficiency in the north and remote regions. In this section, Nunavut and Manitoba are specifically highlighted.

\subsection*{Case of Nunavut}

In Nunavut, where food insecurity is highest in Canada, the Nunavut Food Security Coalition has released a collective vision and \textit{2014-2016 action plan}. The NFSC is “a collaborative group of government departments, Inuit organizations, nongovernmental organizations, and the private sector working together to improve food security in Nunavut” (NFSC, 2015).

Highlights of the NFSC activities:
\begin{itemize}
\item Policy recommendations made on the Nutrition North Program (NFSC, 2015)
\item The overview of community-based food programs available at the local level (NFSC, 2015) and an annual food price survey.
\item The development of country food guidelines for government-funded and community programs (NFSC, 2016)
\item A partnership with the \textit{Country Food Distribution Programs} to develop a country food commercialization project.
\item Support to community-based initiatives through community-led food assessments (i.e. Baker Lake), food security forums and grants.
\end{itemize}

The NFSC commits to work across departments, to support community-driven initiatives and support the traditional harvesting economy.

\subsection*{Case of Manitoba}

In Manitoba, the \textit{Food Price Report (2003)} raised concerns over food insecurity in Indigenous communities in northern and remote regions of the province. In response to this report, the province launched the Northern Healthy Food Initiative (NHFI). The “NHFI is coordinated by a multi-department government team led by Aboriginal & Northern Affairs and programs are implemented through a funding partnership with three northern regional non-governmental organizations (NGOs), a school division and a province-wide food security organization” (Thompson et al, 2012, p.15).

The NHFI is an example of a joint-programming arrangement between CSOs and governments. As part of the program, CSOs and networks pool resources to build greater community capacity for self-provisioning. NHFI funding is used, for example, to purchase seeds, materials and tools, to build community gardens and greenhouses, and to provide training opportunities around farming and cooking. The evaluation of the NHFI program provides evidence of the positive effects of food-related

\textsuperscript{13} Others policies includes: The \textit{International Joint Commission Boundary Waters Treaty} (1909, 1985) and the United Nations Convention on the Law of the Sea (1982) regulate international disputes and national responsibilities. Transport Canada is responsible for the Canada Shipping Act, the Navigable Water Protection Act (NWPA) and the Arctic Waters Pollution Prevention Act.
community economic development “in northern communities where food insecurity rates are very high at 75%” (Thompson et al, 2012). A 2013 report maps out fifteen community-based initiatives across northern and remote regions of the province, including Land Based Education Programs, Community Freezer Programs, Community Organized Hunts (MFM, 2013).

In turn, the provincial “All Aboard” Food Security Action Plan, which is part of the poverty reduction plan shows a commitment to food security in Indigenous communities. Further, the government indicates that it will explore how to “provide stable and streamlined support through the Provincial Reducing Red Tape Initiative for Not-for-profit Organizations (...) This initiative better enables government partners to take long-term, strategic and effective action to address food insecurity” (Government of Manitoba, 2013, p.7).

The NHFI is one of several food-related Community Economic Development (CED) initiatives in northern Manitoba. There is evidence that the NHFI was a springboard to increase capacity. The establishment of a public-private-collective funding partnership, the Northern Manitoba Food, Culture and Community Fund, is such an example. Food Matters Manitoba, the provincial networking organization, was engaged on multiple levels by the government seeking advice on regulatory obstacles for small- and medium-sized farmers and local institutional food procurement. There is, however, uncertainty since the electoral changes (2016).

Other provinces and territories

Other provinces and territories have also designed programs and partnerships:
- Time-Honoured Aboriginal Actions Sustaining Traditional Eating (TAASTE)\(^\text{14}\) (NT)
- Produce Availability in Remote Communities Initiatives (BC)
- Northern Healthy Communities Partnership (SK)
- Northern School Fruit and Vegetable Program (ON)

The airfood lift subsidy in Newfoundland and Labrador is another example of provincial intervention. This subsidy was previously subsidizing retailers, and is now directly transferred to three Indigenous communities (Nunatsiavut, Innu Nation, NunatuKavut (Labrador Metis) under the designation of ‘Nutrition programs and artistic endeavour’ (110, 2016). The downfall is that this new program is actually streamlining several funds the government was disinvesting itself from or had eliminated.

It is also noteworthy that Indigenous food self-sufficiency can also be encouraged through the department of agriculture, a policy arena that was, until now, absent from the discussion. In the Northwest Territories, the Small Scale Food Program “enables the installation and establishment of self-sufficient community-based gardens and greenhouses in 30 communities”. It is unique, as it provides health benefits through the federal/provincial/territorial Agriculture Policy Framework. Furthermore, the previous federal administration (2006-2015) had also committed to investments in greenhouses via the CanNor regional economic development agency (Nation Talk, 2015).

\(^{14}\) The NT health promotion website Choose, which provided information on programming, was available until 2016.
First Nations Leadership and Community Approaches

In this section, we identify First Nations and Inuit governments that are taking steps towards cultural self-determination, food security and access to natural resources. The work remains incomplete to date, but provides an overview of existing initiatives.

Local Governments and Procurement

One respondent highlighted the role of local government to foster food self-determination of Indigenous peoples:

“I’ve seen in a handful of communities that have made food a portfolio of band councillors (Fort Albany, Wapekeka, Aroland). Natural resources and forestry are independent portfolios and a band councillor is responsible for them, but they usually consult their respective industries, and food is absent from the conversation... This is a critical first step of how we structure ourselves” (I17, 2016).

In municipalities such as Thunder Bay and Sudbury, food strategies have been designed in an inclusive way to help articulate the interests and needs of Indigenous communities. In Kenora, the municipality and First Nations leaders developed a common-ground agreement as a step towards working together as partners (I17, 2016).

Local governments often play a key role in the development of land-based programs:

“In a small community of Ontario of 70 band members with no infrastructure, the band council bought communal equipment (quads, boats, guns). Everyone is employed through the band council, which encourage people to go on the land half of the week. Half of the harvest goes to the community freezers. It’s been so successful that the band council send food to neighbouring communities. It’s an example of a contemporary model of an operational tribal economic system. (…) The success of the programs requires free mobility on the land and suitable community size. I've seen smaller communities thriving, whereas larger ones [do not as the] result of [a] forced sedentary lifestyle” (I17, 2016)

Furthermore, schools and health services are key actors to improve food security and well-being through increased use of (i.e. knowledge sharing) and access to traditional foods (Wesche et al, 2016). Local initiatives span community-organized hunts, traditional food education (camps, workshops, snacks), harvester support and community freezer programs. There are also non-land-based activities, such as gardening, farming training centres and greenhouses (Skinner et al, 2014).

These activities may be supported in the context of health promotion efforts, education programming, and community development or environment stewardship. The following institutional-level innovations in health and education services are incomplete, but provide examples to build on and scale up.

* On the northern coast of British Columbia, the Masset-Haida Gwaii Farm to School Salad Bar Program ¹⁵.

¹⁵ See http://www.farmtocafeteriacanada.ca/school-food-map/
● In the Yukon, the First Nations Health Programs of the Whitehorse General Hospital provides access to traditional food and medicine while Indigenous patients are in care,
● In the south of the Northwest Territories, the Dene-Métis communities of Fort Providence and Fort Resolution have developed land-based programs thanks to the leadership of school principals and staff (Wesche and Robidoux, 2016),
● In Manitoba, the Frontier School Division is one of the five partners of the Northern Healthy Food Initiative (Thompson et al, 2011),
● Fort Albany, Ontario has one of the longest-standing community-based school nutrition programs (Gates et al, 2011),
● The passing of Bill Pr15 2001 led to the establishment of the Sioux Lookout Meno-Ya-Win Health Centre. The hospital provides traditional healing and medicines, and includes a section on traditional foods (Section 6.1). “The Health Centre may make available to patients, their visitors and Health Centre staff uninspected meat from animals and birds killed by way of hunting.”

Community-led Assessments

The development of partnerships between Indigenous communities, researchers and provincial non-profits is one way to build community capacity. Respondents mentioned several cases of “community-led food assessments”:

● In Newfoundland and Labrador, Food First NL also worked with various federal and First Nations government stakeholders in Rigolet, Nain and Hopedale. The Nunavut Food Security Coalition and Food First NL have partnered with the Baker Lake First Nations community, and supported community-led food assessments to help identify local strengths, knowledge and aspirations (I10, 2016).
● In Yukon, the Arctic Institute for Community Based Research 16 has been doing similar work in 6 communities, including with Kluane First Nation, Selkirk First Nation, and others. Interviewees in Yukon described how fundamental this preliminary phase is as a first step towards a joined-up approach or any kind of program delivery. However, capacity is limited and much outreach remains to be done (I12, 2016).

In both cases, community-led assessments were funded through the Public Health Agency (Innovation Strategy) and Health Canada (Climate Change and Health Adaptation Program). We found that the Federal Sustainable Development Strategy adopts a similar approach. The strategy mentions that “in-kind support and funding for climate resilience” for First Nations and Inuit communities will be provided to develop climate-change adaptations, regional health adaptation plans, assessment projects and projects that “improve training, build capacity, support evaluation and promote information sharing, with a focus on northern transportation infrastructure” (Government of Canada, 2016).

Regional and National Planning

Regional planning is another arena where we can highlight Indigenous leadership. Regional planning within Indigenous institutions may be a way to scale up the practices highlighted at the local and municipal level. The degree of institutional diversity and hybridity makes analysis particularly challenging, however.

16 The First Nations and Inuit Health Branch (Health Canada), the Public Health Agency of Canada, the Hopedale Inuit Community Government and the Department of Health and Nunatsiavut Government.
Community-led food initiatives are scattered across large tracts of land. Regional initiatives have developed maps as tools to raise the profile of food security initiatives in First Nations, Métis and Inuit communities across northern Canada. This is an indispensable first step for future programs and policies to build on existing networks and knowledge. While these maps and inventories cover all territories, they are only available to a limited number of provinces and are not integrated with one another.

One research identifies twenty-four community-based Indigenous food initiatives in Western Canada, such as school, community and market gardens, traditional food education programs and co-operatives (Martens, 2015). In the context of this paper, we would highlight the role of decentralized organizations to engage in policy change, such as the BC Food Systems Network Working Group on Indigenous Food Sovereignty, the Coastal Stewardship Network (8 First Nations in BC) and the Vancouver Island Traditional Food Network 17. In BC, the First Nations Wildcrafters Tseshah First Nation have ten years of experience in culturally sustainable forest-management training. The Athabasca Chipewyan First Nation and Mikisew Cree First Nation (AB) implemented community-based bio-monitoring programming (Martens, 2015).

The Case of the Nishnawbe Aski Nation in Ontario

In Ontario, the Mushkegowuk Council (representing Attawapiskat, Kashechewan, Fort Albany and Moose Cree First Nations) has adopted a resolution to create a Food Security Advisory Group. The Nishnawbe Aski Nation stands out for developing the Northern Food Strategy, which is grounded on six pillars to reclaiming the right to food self-determination: traditional practices, imported food, local production, nutrition practices, planning, policy and advocacy and, lastly, knowledge and research transfer. The multi-faceted approach of the NAN Food Strategy is “exploring a collaborative approach” and “to leverage funds” with its current seventeen non-profit, academic, provincial and federal partners. One policy change mentioned is to make gardening and hunting activities and equipment eligible in the Aboriginal Diabetes Initiative (NAN, 2016).

The Ontario Food and Nutrition Strategy “was developed by a dedicated group of key actors with the goal of strengthening Ontario’s food systems and improving the health and well-being of Ontarians.” (OFNS 2017) It has served as a province-wide planning process in which the NAN, as well as Chiefs of Ontario, are represented. “We knew that they had to be part of the process, that it was not a one time consultation” (I7, 2016). Other Indigenous organizations were involved in engagement meetings and discussions, including the Association of Iroquois and Allied Indians, the Grand Council Treaty #3, the Ontario Federation of Indigenous Friendship Centers, Ontario First Nations Integrated Health Strategy Working Group and the Ontario Native Women’s Association. The OFNS First Nations on-reserve planning committee19 became a vehicle to emphasize “the need for community-based and community driven food strategies that promote, protect and use traditional food systems” (OFNS 2017, p. 98).

The Case of the Cree of East James Bay

The James Bay is a useful case for exploring environmental governance. The bay is surrounded by a number of provinces (QC, ON and MB) and territories (NT, NU). The Cree of Quebec were the first

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17 These include: a Healthy Living Inventory Map in the Yukon and Northwest Territories (AICBR), The Nuluq Project in Inuit circumpolar territories (ITK) and the Manitoba Traditional Foods Initiative (Manitoba Food Matters).


to sign a comprehensive land claim agreement, the James Bay and Northern Quebec Agreement of 1975. Kaufman and Robege highlight how Indigenous governance in Quebec differs from the rest of the country (2015, p. 24): “Ironically, the only bright spot on this bleak Aboriginal landscape was in Quebec (...) Indeed, the PQ [Parti Québécois] was willing to recognize a wide range of First Nation jurisdiction powers, both on and off their lands, as well as to share resource revenues.”

While land use still remains contested, as in other parts of the country, the Cree have developed unique institutional arrangements (Brussières, 2005). These provide us an overview of a complex policy landscape:

- **Eeyou Marine Region Land Claims Agreement (2010)** is an ‘offshore agreement’ that grants ownership over the area to the Cree, as well as joint ownership, for the northern region, with Nunavik Inuit.
- **Cree Nation Governance Agreement** was signed with the government of Canada (2008). It entails a transfer of constitutional authority from Ottawa (Cree-Naaskapi Act) to the Cree, extends financial agreements to 2040 and greater autonomy over land.
- **Cree Regional Conservation Strategy**: this strategy followed the creation of the Paakumshumwaau-Mautuskaau Biodiversity Reserve (2008), which prohibits resource-extraction activities while still allowing for hunting, harvesting and fishing.

The Hudson Bay Consortium is emerging from an inter-jurisdictional gap and is an instance of a watershed-planning approach. The governance report underscores, “Hudson Bay clearly lacks the overlay of a central, coordinating structure and an integrated management plan,” (Benoit, 2011, p. 49), for which the federal government is responsible under the Oceans Act.

The Case of the Inuit Nunangat

In the Inuvialuit Settlement Region (ISR) in the Northwest Territories, a regional workshop was held with Indigenous leaders, researchers and government officials: “The group elaborated missions for the region that address the following issues: (a) capacity building within communities; (b) promotion of the use of traditional foods to address food security; (c) research to better understand the linkages between diseases and contaminants in traditional foods, market foods and lifestyle choices; (d) and promotion of affordable housing.” Based on these priorities, an Inuvialuit Food Security Strategic Plan was developed (Fillon et al., 2014).

The food security plans in the ISR and Nunavut (i.e. Nunavut Food Security Coalition) already provide a territorial basis for the Inuit National Food Security Strategy. The Inuit Tapiriit Kanatami (ITK) is the Inuit national organization representing four Inuit Land Claim Regions that span Nunatsiavut (Labrador), Nunavik (Quebec), Nunavut and the ISR (Northwest Territories). The ITK has launched a Food Security Working Group (ITK 2012, p. 4) with representatives from the Inuit Land Claims Organizations, Pauktuutit Inuit Women of Canada, the National Inuit Youth Council and the Inuit Circumpolar Council.

As one step towards a National Inuit Food Security Strategy, an online interactive map called **The Nuluqaq Project** was created: “These initiatives are very diverse and include food banks, land-based programs and community kitchens. They also employ a range of approaches from supporting nutritional needs, teaching traditional skills, and strengthening social connections around food.” (ITK 2016).

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21 The Beaufort Sea Beluga Management Plan in the Inuvialuit Settlement Region represents a “multi-level, coordinated management from the local scale to the national and international” (Berkes et al., 2001, 455).

22 We’ve selected the two tools that were developed with an explicit food lens. Alternatively, the **Inuit Mental Health and Wellness Map**, developed by the Inuit Circumpolar Council of Canada (ICC) provides an overview of health and social centres.
Co-management and Arrangements Between Settler and Indigenous Institutions

Health Prevention and Health Care

Healthcare is organized differently in each province and territory (Lazar, 2009). Each of these will therefore have different institutional arrangements (or lack of) with Indigenous people. A deeper study is needed to contextualize Indigenous food sovereignty within the healthcare system. We found two instances of co-management agreements between PT healthcare authorities and Indigenous peoples that have resulted in the development of food security initiatives.

Alberta has convened a Health Co-management Committee’s First Nations Food Security Strategy, which shows the potential of bringing northern and Indigenous food systems onto the policy agenda. “The Alberta First Nations Food Security Strategy remains based on a small scale, pilot project funding. There is no funding stream for implementation, no regional infrastructure. We need to continue building a case for this.” (I4). Policy recommendations include:

- “Creating healthy policies restricting or banning unhealthy options in vending machines in schools, health facilities, band offices, government buildings, and other appropriate places,
- Creating policies to protect the land, water, and the environment as the ultimate source of food,
- Introducing subsidies to make food more affordable and accessible. For example, if the price of liquor is the same across the province, even in remote and rural areas, why can’t the price of food likewise be regulated? Or, if corn is subsidized to largely go into corn syrup, why can’t healthier foods be subsidized?” (Pedersen, 2015, p. 19).

The case of British Columbia exemplifies an arrangement that grants more autonomy and power to Indigenous people. Following the Tripartite Framework Agreement, “Health Canada transferred its role in the design, management, and delivery of First Nations health programming in British Columbia to the new First Nations Health Authority” (HC, 2011). The FNHA is now developing a Food/Healthy Eating Strategy.

Environmental Co-management and Stewardship

Indigenous environmental stewardship is situated in a historically contested political space with provincial and federal governments over entitlements to land, water and natural resources. The term “co-management” refers to the hybrid and negotiated arrangements emerging between Indigenous self-determination and FPT governments. We use below the examples of Comprehensive Land Claim Agreements (CLCA), and then draw on fisheries and wildlife co-management.

Natural resource management (land, water, wildlife, etc..) eleven of which are situated in the Yukon Territories, are set up through sectoral self government (n=2) and comprehensive land claim agreements (n=26) in treaties that have been ratified between First Nations, Inuit and the federal government since 1976. As one interviewee says, “Food security has always been a priority, that's why we settled the land claims, and included species conservation and access to the homeland” (I12, 2016).

Each land claim agreement stipulated a regulatory process for environmental assessment, land use and renewable resources. These agreements are playing a pivotal role in the governance systems of wildlife in the northern part of the country. Their importance is highlighted on the policy map. They have, for instance, instituted a set of advisory bodies for fish and wildlife management, which coordinate with local
In the Yukon Territories, the **Yukon Fish and Wildlife Management Board** was mandated under the Umbrella Final Agreement (1990). The eleven (out of fourteen) land claim agreements that followed included **Renewable Resource Councils**, responsible for managing fish, wildlife, habitat and forestry; In the Northwest Territories, Renewable Resource Boards exist under each of the three First Nations land claims (Gwich’in, Sahtu and Tlicho) of the Mackenzie Valley Region. The Inuvialuit Game Council and Wildlife Management Advisory Council have similar responsibilities for the Inuvialuit Settlement Region. These boards and councils come together annually in the **Northwest Board Forum**. In Nunavut, the **Nunavut Wildlife Management Board** and the Nunavut Inuit Wildlife Secretariat coordinate with the 27 community-based Hunters and Trappers Organizations (HTOs) and three Regional Wildlife Organizations (RWOs).

Some researchers have identified the degree to which traditional knowledge is established in specific areas of environmental management strategies. One study, from 2001, provides an overview: “The use of traditional ecological knowledge is relatively well established in fish and wildlife co-management and in protected areas co-management. It is gaining currency in marine and coastal integrated management, contaminants research and environmental assessment (Berkes 1999, eds. Sadler and Boothroyd 1994). It holds potential for ecosystem health monitoring and in climate change research” (Berkes et al, 2001, p. 465).

Land co-management is generally determined by CLCAs. However, the policy landscape is uneven. Several land treaties, in Quebec, Yukon and Nunavut, require by law that environmental co-management strategies draw from traditional Indigenous knowledge. These provisions increase the likelihood that First Nations and Inuit people have a voice in the management of their natural resources, but highlight the gap in other territories.

Land treaties may also regulate traditional hunting, fishing and harvesting differently, depending on whether they include hunter, fisher or harvester support programs, or specific hunting rights, like quota levels (e.g., Inuit Domestic Harvest Limits) (CCA, 2014, p. 154). In the research, we found mentions of moratoriums on seals and caribou in Nunavut, and on fish in the Yukon Territories. We lack a full picture of the wildlife population’s health. Moratoriums can serve as indicators to identify environmental management gaps and zones under pressure (i.e. changes in weather patterns etc.) These are important considering they are likely to impact people’s access to traditional foods.

During the 1990s, Métis harvesting rights received increased attention as the hearing of the **Powley Supreme Court case** took place. It was a major landmark (2003) to accommodate Métis trapping rights and instigated further Métis-led efforts to recognize their harvesting rights in a number of provinces. These have played out in a number of court decisions in Ontario (R. v. Laurin and Lemieux, 2007), Manitoba (R v. Goodon, 2009), Saskatchewan (R. v. Morin & Daigneault, 1996; R. v. Laviolette, 2005; R. v. Belhumeur, 2007) and Alberta (R. v. Hirsekorn, 2013) (MNC, 2011).

The Ontario Métis Nations was the first to reach an agreement with the province to issue Métis harvesting licenses (capped at 1250 in 2004, and 1450 in 2015,) and harvesting areas (MNO 2016). This was followed, in 2012, by an agreement reached between the Manitoba Métis Federation and the provincial government “that recognizes Métis rights to harvest for natural resources for food and domestic use in the defined area of Manitoba indicated in the Metis Recognized Harvesting Area Map (…)” (Manitoba Métis Federation 2013). According to the Métis Harvesting Guide, negotiations were still underway in Alberta, Saskatchewan and British Columbia (MNC, 2011).
Fisheries

Fisheries is another area co-managed between First Nations and provincial and federal governments, a jurisdictional grey zone which has been clarified in several Supreme Court cases (R. v. Sparrow, 1990; R. v. Van Der Peet, 1996; R. v. Smokehouse, 1996; R. v. Gladstone, 1996) where First Nations have called upon Section 35(1) of the Constitution Act (1982) to recognize and affirm their Aboriginal and treaty rights.

In 1999, the Marshall case in Atlantic Canada affirmed the right to earn ‘moderate livelihood’ from hunting, fishing and gathering” of 34 Mi’kmaq and Maliseet First Nations in New Brunswick, Prince Edward Island, Nova Scotia and Quebec (AFN 2011, 10). This same case triggered the Marshall Response Initiative from the Department of Oceans and Fisheries as a means to build the harvesting participation of Mi’kmaq and Maliseet First Nations in the region.

More recently, Porten et al. highlight the pressure for change along the Pacific Coast, where, through court hearings, Indigenous peoples have gained fishing rights, including the right to fish and sell any species of fish (ex: Nuu-chah-nulth Nations,) and prohibiting or halting commercial fisheries (ex: Haida Nation) (2016, p. 69). The article further provides policy recommendations that align with inherent Indigenous rights to problems encountered in herring fishing governance (Porten et al. 2016), such as the incongruence between DFO policy and Indigenous laws and policies, Indigenous rights to decision making, the integration of traditional knowledge systems and sustainable harvesting.

This is not to say that regulatory changes are not needed, as they can become barriers to the food security of northern and Indigenous communities. In Manitoba for instance, the Freshwater Fish Marketing Act is blamed for creating a monopoly that “sets prices too low for northern fishermen to make a living” (Thompson et al. 2011, p. 23; Thompson et al. 2014).

Hunter Support Programs

Hunter support programs are one area where policy greatly overlaps with issues of equity, health and sustainability. The Aarluk Consulting report (2008) provides detail on programs and resources in Nunavut, Nunavut Tunngavik Inc., Northwest Territories and other jurisdictions, but is outdated. A more updated review is currently in process in Nunavut (NFSC 2014, 17). The Nunavut Hunter Support Program had been interrupted since 2014, and is now known as the Hunters Income Support Trust.

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23 The Department of Fisheries (1) manages the Aboriginal Fisheries Programs: the Aboriginal Fisheries Strategy, Aboriginal Aquatic Resource and Oceans Management Program, the Aboriginal Fund for Species at Risk Program; as well as the Atlantic and Pacific Integrated Commercial Fisheries Initiatives (AICFI & PICFI) (DFO, 2016) and (2) allocates licenses to keep harvesting at sustainable levels. The Aboriginal Communal Fisheries Licenses Regulations are tied to the Fisheries Act.
24 Peace and Friendship Treaties of 1760-61
25 Nunavut Harvester Support Program, Community Harvesters Assistance Program, Community Organized Hunts, Hunters' and Trappers Disaster Compensation, Hunters' and Trappers' Organizations, Regional Wildlife Organizations, Memorandum of Understanding with Workers Compensation Board, Fur Pricing Program
26 Capital Equipment Program, Small Equipment Program, Women’s Role in Harvesting Program, Traditional Knowledge Enhancement Program, Community Harvest Program
27 Local Management Committee funding, Community Harvester Assistance Program, Disaster Compensation Program, Workers Compensation Board program, Community Harvester’s Assistance Program, Western Harvesters Assistance Program and Inuvialuit Harvesters Assistance Program, Traditional Harvest program, Inuvialuit Harvesters Assistance Program (Inuvialuit Final Agreement)
28 Cree Hunters and Trappers Income Security Program and Inuit Hunter and Trapper Income Security Program (IBNQC)
Additional insights are provided by Natcher and colleagues (2015) with respect to HSP managed by the Innu nation, as well as the specific case of Yukon. In Yukon, “the Umbrella Final Agreement (1990) included a provision for a study to examine the possible implementation of an HSP. However, no program has yet been implemented and there is no indication that either the territorial or federal governments are inclined to support a program in the future. In its absence, a number of Yukon First Nations have implemented their own programs that provide small subsidies to harvesters for the purchase of gas or other small equipment needs” (Natcher 2015, 5).

Hunter support programs are a strong foundation for community economic development, food security and knowledge exchange. Access to traditional food has traditionally been co-regulated through customary practices, connection to the land and trading routes, but these have largely been culturally uprooted by government policy (Truth and Reconciliation Commission 2015).

Furthermore, the threats of warming water temperatures and ice cap melt show how interdependent these HSPs are with climate-change negotiations between provinces, territories, the federal government and the international community, as summarized here: “Hunter subsidies and support programs are increasingly important, and as the ice melts and the environment becomes more unpredictable, we need to be much more creative in accessing our traditional foods.” (I12).
Discussion

Best Practices

Indigenous peoples have demonstrated a capacity to adapt over the course of thousands of years. Although it is challenging to determine when and how co-management is beneficial to Indigenous peoples themselves, this discussion paper has attempted to highlight Indigenous forms of self-organization through community-led food assessment, championing of traditional food systems by local governments and regional and national planning strategies. These models, as exemplified by the Haida, the Nishnawbe Aski Nation, the Cree and the Inuit, constitute potential guides for how to rebuild Indigenous food sovereignty in Canada.

The traditional harvesting economy is part of the sociocultural fabric of Indigenous peoples. Harvesting support programs have been critical components of land-claim and impact-benefit agreements. Community economic development approaches and land-based programs focused on youth and elders have shown to make a difference in remote, ‘food insecure’ communities (Thompson, 2011; Gates et al, 2011). While historically governed in community-sharing networks, there are rare but promising traditional food procurement experiences with schools and hospitals. The implementation of country food guidelines for government-funded and community programs in Nunavut is one step to leverage public funding toward sustainable harvesting (NFSC, 2016). Furthermore, small-scale farming in remote communities has received more attention by some PT governments (NT, MB, YT).

Constraints and Gaps

On the issue of health prevention and nutrition, there is a limited integration of traditional diets, self-sufficiency and culinary knowledge in federal policy interventions. For example, non-food items, such as hunting and processing equipment or farming tools, are not eligible in Nutrition North or the Aboriginal Diabetes Initiative, and traditional cooking is not emphasized in the Prenatal Nutrition North Program. “In reviewing the literature, it was found that current policies in Canada are woefully falling short when it comes to addressing food security in the nation’s northern reaches” (Dillabough, 2016, p. 9). There is mounting pressure on the Nutrition North program over issues related to eligibility and transparency.

While there are many community-based initiatives underway, health-promotion efforts in northern and remote Indigenous territories are suffering a regional governance and policy gap. Furthermore, land-based nutrition “intervention programs require both capital input as well as a longer term plan for continuity.”

In contrast with health-prevention arrangements, environmental governance is far more complex, structured and firmly contested. Comprehensive land-claim agreements have been, and still are, negotiated at great costs and over long periods of time (Stevenson, 2004). The constitution recognizes harvesting rights under the CLCAAs, but decade-long legal battles (over fisheries, Métis rights, etc.) continue to safeguard Indigenous rights. Unequal protection over natural resources (land, water,) and unequal involvement of Indigenous people in decision-making are gaps mentioned in this paper.

There are, moreover, systematic regulatory, bureaucratic and policy obstacles across Canada that continue to limit access to traditional foods by Indigenous people. Government policy frameworks and
programs are misaligned with Indigenous environmental stewardship laws and policies. The emergence of non-governmental arrangements, such as the Hudson Bay Consortium and the Boreal Forestry Agreement, highlights policy and governance gaps in which the federal government could play a role.

Opportunities for Scaling Up

The scaling up of Indigenous North Sovereignty needs to take place across the institutional continuum, meaning within Indigenous self-governing structures, as well as with and within FPT governments. We delineated the jurisdiction of the federal government, which in turn have raised how Indigenous Food Sovereignty could be applied in the context of a national food policy:

- The implementation phase of a culturally appropriate Canadian Food Guide could provide the capacity for government-funded institutions to integrate land-based programs into primary health, and be a step towards a fuller integration of food in the healthcare system.
- Integrate traditional food in federal health-promotion and food-security programs, such as Nutrition North, Health Canada and the Public Health Agency, in partnership with regional and national Indigenous people working in food security, health promotion and environmental management.
- Explicitly acknowledge the contribution of the traditional harvesting economy in upcoming poverty-reduction, community-development, and social innovations, and regional/rural development strategies.
- Co-host regional forums and support the development of community-led and regional food-security assessments as climate-change adaptation under the Federal Sustainable Development Strategy,
- Identify and promote territorial planning models and engage strategic stakeholders, including hunter and trappers organizations, wildlife and renewable-resource councils, conservation and environmental non-government organizations, research and industry, ex: Boreal Forestry Agreement, Hudson Bay Consortium,
- Identify and promote instances of policy alignment between fisheries and forestry policies with Indigenous laws and policies.

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30 The BFA was signed by major environmental NGOs and industry members of the Forestry Products Association of Canada covering 73 million Has. see more: http://cbfa-eefbc.ca/
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