

DECOLONIZING MARINE SAFETY AND SHIPPING IN THE INUVIALUIT
SETTLEMENT REGION:
LOOKING INWARDS AND TO INUVIALUIT FOR INSIGHTS FOR
RECONCILIATION

by

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Dalhousie University is located in Mi'kma'ki, the
ancestral and unceded territory of the Mi'kmaq.
We are all Treaty people.

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DEDICATION PAGE

This thesis is dedicated to all those who have suffered the injustices of colonization; to those who have fought to have Indigenous voices heard and rights recognized; and to those who remain dedicated and committed to a future where reconciliation is a reality instead of an aspiration. May this work be a contribution.

TABLE OF CONTENTS

List of Tables	vii
List of Figures.....	viii
Abstract.....	ix
List of Abbreviations Used.....	x
Acknowledgements	xii
Chapter 1: Introduction	1
1.1 Research Context	4
1.2 Research Motivations and Intentions.....	12
1.3 Thesis Outline.....	14
Chapter 2: Methodology.....	17
2.1 Introduction: A Decolonizing Agenda	17
2.2 Building a Conceptual and Theoretical Framework	19
2.2.1 Seeing Through my Western Academic Eye	25
2.2.2 Seeing Through my Indigenous Eye.....	30
2.2.3 Seeing Through Both Eyes	35
2.3 Research Questions and Objectives	39
2.4 The Inuvialuit Settlement Region.....	40
2.5 Methodology	44
2.6 Methods.....	47
2.6.1 The Research Journey	49
Research Phase I: The workshop and transcript analysis (October 2021 – March 2022).....	53
Research Phase II: The interviews and policy analysis (April – December 2022).....	58

Research Phase III: Insights for reconciliation (January – April 2023)	60
2.6.2 Reflexivity Within All My Relations.....	61
2.7 Limitations.....	65
2.8 Conclusions.....	68
2.9 Glossary	70
Chapter 3: Background on The Inuvialuit-Crown Relationship and Governance of Shipping in the Inuvialuit Settlement Region	73
3.1 Introduction.....	73
3.2 The Inuvialuit-Crown Relationship	75
3.2.1 The Inuvialuit Final Agreement.....	81
3.2.2 A Commitment to Renew the Relationship	86
3.3 Shipping and its Governance	88
3.3.1 International Shipping Governance	89
3.3.2 Domestic Shipping Governance and Initiatives.....	93
3.3.3 Regional Roles, Responsibilities and Endeavours.....	97
3.4 Conclusions.....	102
3.5 Reflections During the Research Journey	103
Chapter 4: Concerns of the Inuvialuit Game Council with Marine Safety and Shipping in their Region and Solutions for Moving Forward	105
4.1 Introduction.....	105
4.2 Concerns of the Inuvialuit Game Council with Shipping in their Waters.....	108
4.2.1 Context: The Importance of the Land.....	108
4.2.2 Noise	110
4.2.3 Pollutants.....	113
Operational discharges	113

Accidental discharges (spills).....	116
4.2.4 Maritime Situational Awareness.....	118
4.2.5 Low Impact Shipping Corridors	126
4.3 From Issues and Concerns to Solutions and Next Steps	133
4.3.1 Improving Monitoring and Enforcement	134
Proposed approach: Phasing in an Inuvialuit-led Enforcement Program..	135
Alternative approaches	140
Discussion.....	142
4.3.2 Improving the Management of Shipping in the Inuvialuit Settlement Region by Increasing Inuvialuit Involvement in its Governance	147
Proposed approach: Inuvialuit-Crown Shipping Committee	150
Alternative approaches	157
Discussion.....	159
4.4 Discussion and Conclusions	165
4.5 Reflections During the Research Journey	172
Chapter 5: Insights for Decolonization and Reconciliation	180
5.1 Introduction.....	180
5.2 Understanding Reconciliation and Decolonization.....	181
5.2.1 Reconciliation	181
5.2.2 Decolonization	185
5.3 The Importance of Ontological Decolonization	188
5.4 Enacting a Decolonized Ontology in the Governance of Shipping... 195	
5.5 Conclusions	202
5.6 Reflections During the Research Journey	207
Chapter 6: Conclusions	209
6.1 Introduction.....	209

6.2	Reflecting on the Research Approach.....	210
6.2.1	Recommendations.....	214
6.3	Responding to the Research Questions	215
6.3.1	Recommendations.....	223
6.4	In Closing.....	226
	Bibliography	233
	Annex A: Research Ethics Board Approval.....	267
	Annex B: Northwest Territories Scientific Research Licence	268
	Annex C: Workshop Report	269
	Annex D: Committees and Boards that the Inuvialuit Game Council appoints Members to	276

LIST OF TABLES

<i>Table 1.</i> Adjustments to the research project in response to key messages from the IGC during the December 2021 workshop.	58
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LIST OF FIGURES

<i>Figure 1.</i> Map of (a) Inuit Nunangat (Inuit Tapiriit Kanatami [ITK], 2019) and (b) the circumpolar Inuit homeland (Inuit Circumpolar Council-Alaska, 2020).	1
<i>Figure 2.</i> My theoretical and conceptual framework.....	39
<i>Figure 3.</i> The Inuvialuit Settlement Region (IRC, n.d.b).	41
<i>Figure 4.</i> The research journey for this doctoral thesis.	51
<i>Figure 5.</i> Voluntary protection measures to reduce the risk of ship strikes and to minimize the impact of noise on Beluga and Bowhead whales from June 1 – October 31, 2022 (CCG, 2022, p. 29).	128

ABSTRACT

The governance of shipping in Inuit Nunangat has been evolving in response to a growing interest in polar navigation and a recognition that while such navigation is possible, it comes with unique risks and operating considerations. More recently, this recognition has also included an acknowledgement that Indigenous peoples have inherent rights in the region, as affirmed by the *United Nations Declaration on the Rights of Indigenous Peoples*, which comes alongside a growing yet separate narrative of reconciliation. This thesis sets out to bring these two developments together to answer the question: Can marine safety and shipping initiatives contribute to the process of reconciliation, and if so, how?

The primary source of information for this research was a workshop in the Inuvialuit Settlement Region (Western Canadian Arctic) with the Inuvialuit Game Council that sought to understand their experiences working with the Government of Canada on marine safety and shipping initiatives, and how these relate to the broader context and process of reconciliation. To support the interests of the Inuvialuit Game Council, this research offers options for marine safety and shipping initiatives that respond to the concerns of Inuvialuit and align with their interests and rights: an Inuvialuit-led monitoring and enforcement program, and a governance approach that integrates the actors and interests within the Inuvialuit Settlement Region with the national maritime administration and the broader Inuit-Crown relationship.

The concepts of decolonization and reconciliation are then investigated to better understand what is required to achieve them. It is argued that reconciliation is about moving towards a new relationship between Indigenous and non-Indigenous peoples based on respect of one another's rights. This requires apologies for harms done, healing, rebuilding trust, and decolonization, and the consequential need for redistribution of power within the institutional framework for the governance of shipping to reflect and enable the desired new relationships. To support decolonization of governance structures and reconciliation, it is argued that ontological decolonization, particularly within the federal public service responsible for navigation and shipping, is essential to enable those tasked with finding new ways of working together to think differently and interact differently with their Indigenous partners. Learning from the experiences of the Inuvialuit Game Council and the researcher, this thesis concludes that marine safety and shipping initiatives provide opportunities, perhaps even a model, for decolonization, and if a new relationship is established and maintained through a marine safety and shipping initiative, then it can also contribute to reconciliation. However, truly achieving reconciliation requires greater institutional change within the Government of Canada.

LIST OF ABBREVIATIONS USED

AIS	Automatic Identification System
AMSA	Arctic Marine Shipping Assessment Report
ANMPA	Anguniaqvia Niqiqyuam Marine Protected Area
ASSPPR	<i>Arctic Shipping Safety and Pollution Prevention Regulations</i>
AWPPA	<i>Arctic Waters Pollution Prevention Act</i>
BSBMP	Beaufort Sea Beluga Management Plan
CCG	Canadian Coast Guard
CHS	Canadian Hydrographic Service
COPE	Committee of Original People's Entitlement
COSEWIC	Committee on the Status of Endangered Wildlife in Canada
CSA, 2001	<i>Canada Shipping Act, 2001</i>
DFO	Department of Fisheries and Oceans
DOJ	Department of Justice
EIRB	Environmental Impact Review Board
EISC	Environmental Impact Screening Committee
EMSA	Enhanced Maritime Situational Awareness
EPPR	Emergency Prevention Preparedness and Response
FJMC	Fisheries Joint Management Committee
GIS	Geographic Information System
HBC	Hudson's Bay Company
HTC	Hunters and Trappers Committee
ICC	Inuit Circumpolar Council
ICPC	Inuit-Crown Partnership Committee
IFA	<i>Inuvialuit Final Agreement</i>
IGC	Inuvialuit Game Council
IMO	International Maritime Organization

IOMP	Integrated Ocean Management Plan
IRC	Inuvialuit Regional Corporation
ISR	Inuvialuit Settlement Region
ITK	Inuit Tapiriit Kanatami
MARPOL	<i>International Convention for the Prevention of Pollution from Ships</i>
MPA	Marine Protected Area
NORDREG	<i>Northern Canada Vessel Traffic Services Zone Regulations</i>
NOTMAR	Notice to Mariners
NTI	Nunavut Tunngavik Incorporated
OPP	Oceans Protection Plan
PAME	Protection of the Arctic Marine Environment
PAR	Participatory Action Research
PEMSA	Program to Enhance Maritime Situational Awareness
Polar Code	<i>International Code for Ships Operating in Polar Waters</i>
PVM	Proactive Vessel Management
RCMP	Royal Canadian Mounted Police
SOLAS	<i>International Convention for the Safety of Life at Sea</i>
TC	Transport Canada
TINMCA	Tallurutiup Imanga National Marine Conservation Area
TNMPA	Tarium Niryutait Marine Protected Area
TRC	Truth and Reconciliation Commission of Canada
UNCLOS	<i>United Nations Convention on the Law of the Sea</i>
UNDA	<i>United Nations Declaration on the Rights of Indigenous Peoples Act</i>
UNDRIP	<i>United Nations Declaration on the Rights of Indigenous Peoples</i>
USCG	United States Coast Guard

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I would like to acknowledge Creator and the Universe for guiding me to this moment in time. I cannot say this is where I thought I would be, but I trust that it is where I am meant to be.

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CHAPTER 1: INTRODUCTION

This research journey began in the spring of 2016 when I first applied to the Interdisciplinary Ph.D. Program at Dalhousie University. At this time, I was contributing to a project on Arctic maritime risk and surveillance systems and observed a lack of clear consideration of Inuit interests and concerns, let alone involvement of Inuit, in decision-making for the use and management of their waters. I refer to “their” waters because, as per traditional use and occupancy (Milton Freeman Research Ltd., 1976) and as recognized in the four Inuit land claims agreements across Inuit Nunangat, the waters are part of their homeland (Figure 1a). The “boundaries” of Inuit Nunangat are outlined by the boundaries of the land claims agreements between the Government of Canada and Inuit of the four regions: the *Inuvialuit Final Agreement* (1984), the *Nunavut Land Claims Agreement* (1993), the *Labrador Inuit Land Claims Agreement* (2005), and the *Nunavik Inuit Land Claims Agreement* (2006).¹

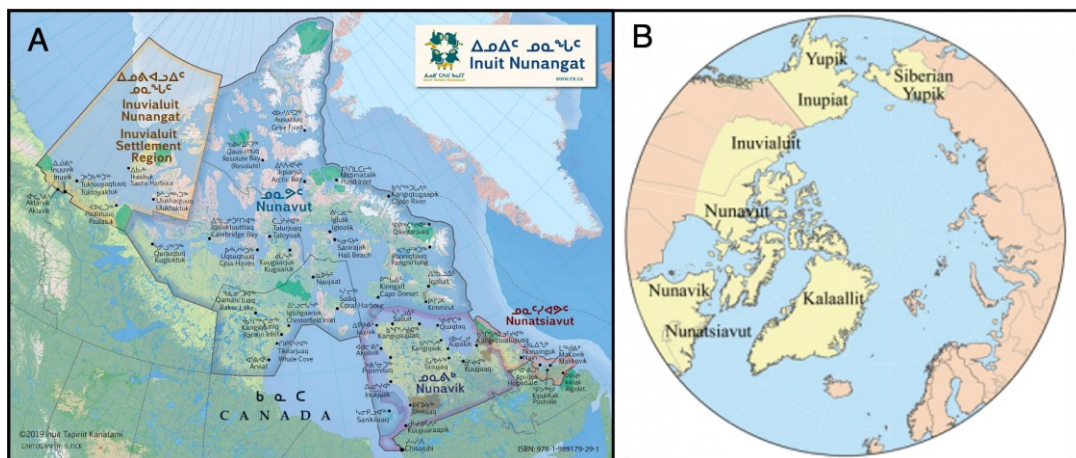


Figure 1. Map of (a) Inuit Nunangat (Inuit Tapiriit Kanatami [ITK], 2019) and (b) the circumpolar Inuit homeland (Inuit Circumpolar Council-Alaska, 2020).

¹ There is also the *James Bay and Northern Quebec Agreement* signed in 1975, but it does not extend beyond the low-tide mark, nor does it apply to any aspect of the offshore.

Inuit are a circumpolar people, though, and the greater homeland of Inuit – Inuit Nunaat – extends beyond international borders to Alaska, Chukotka (Russia), and Greenland (Figure 1b). In Inuit cosmology, the waters of Inuit Nunangat are home to Sedna, the goddess of the sea, providing many of the animals they depend upon for survival both historically and today. The legend of Sedna, as told by Pauktuutit Inuit Women of Canada (2006),

provides insight into how Inuit culture values the family and children very highly, and yet due to the challenging environment in which they exist, are sometimes forced to make difficult decisions. The overpowering role of nature is always evident, as is the presence of sometimes malevolent forces.

According to one version of this legend, Sedna was a beautiful Inuit girl who was pressured into marriage by her father. Unknown to Sedna, her new husband was actually a raven who fed her fish and kept her in a nest on an island far away from her family. Her father, who missed Sedna terribly, went in his kayak to rescue her but the raven, with his special powers, called up a storm. The father panicked and pushed Sedna into the cold water. As she clung to the kayak, her frozen fingers and hands were broken off and fell into the sea where they became seals, whales and other sea mammals. Sedna could no longer struggle and sank into the water where she became a goddess of the sea. Her frustration and anger continue to be expressed through the creation of storms and high seas. Inuit hunters have treated Sedna with respect for centuries to ensure she will allow Inuit to harvest her bounty. Today some hunters still sprinkle a few drops of fresh water into the mouths of sea mammals they harvest to thank Sedna for her generosity. (p. 4)

When I applied to the Interdisciplinary Ph.D. Program, my intent was to study the issues surrounding the use of and navigation in Tallurutiup Imanga (Lancaster Sound, NU) with special attention to Inuit interests, and to explore the policies, legal tools, management frameworks, and practices that could be applied to Tallurutiup Imanga in order to address any identified issues and to satisfy the needs of stakeholders, particularly Inuit. However, shortly after I began the Interdisciplinary Ph.D. Program, the context of the research plan changed. The Government of Canada made renewing the relationship with Indigenous peoples a central federal priority (e.g., Prime Minister’s Office [PMO], 2015a), including in the context of marine safety and security through the announcement of the Oceans Protection Plan (PMO, 2016). Concurrently, I was going through a time of personal evolution: I moved to Ottawa to work for Transport Canada (TC), I met my now fiancé, and I was participating in “training” with an Elder to prepare for engaging with Indigenous peoples as a federal public servant. The result of the change in the research context and my personal positioning led me to rethink the research that would comprise this thesis.

In February 2020, I was invited to a presentation by the Tuktoyaktuk Marine Coordinator on the Enhanced Maritime Situational Awareness (EMSA) Initiative, which is part of the Oceans Protection Plan (OPP). Led by TC, the purpose of the Initiative is to collaboratively develop a platform for partnering communities to access information about the activities within their waters, including vessel traffic (Transport Canada [TC], 2020). After walking the audience through the Initiative and how it has been delivered in their community of Tuktoyaktuk, the Marine Coordinator said, “this is reconciliation.”

This is the inspiration of this thesis, for how could a data information platform be reconciliation?

1.1 Research Context

Maritime shipping is an inherently transnational industry, with ships navigating through the waters of various jurisdictions. Consequently, the governance of the industry is a web of interrelated and interdependent international, domestic, and regional instruments that support uniformity of maritime law around the world (Chircop et al., 2016). Historically, the groups involved in defining these instruments have not included Indigenous peoples, nor have they prioritized Indigenous interests or considerations. However, the Arctic is proving itself to be a unique case that has gained attention because of the increase in activity in the region over the past two decades. Dawson and colleagues (2018) report that between 1990 and 2015, the total number of kilometers traveled by ships² within the Canadian Arctic has nearly tripled, with the most rapid growth in activity occurring between 2006 and 2010. Lasserre (2023), too, found that the number of ship³ voyages has steadily increased from 2009 to 2021, though there were fewer in 2020 due to the ban on pleasure craft and cruise ships in the region because of the COVID-19 pandemic. He found that the main drivers in recent years have been increasing mining activities, namely

² Dawson et al. (2018) include the following ship types in their calculations: tugs/barges, tanker ships, pleasure craft, passenger ships, oil/gas exploration/exploitation, government vessels and icebreakers, cargo ships, fishing vessels, bulk carriers, and other.

³ Lasserre (2023) include the following ship types in his calculations: fishing, general cargo, tanker, dry bulk, tugs and barges, pleasure craft, cruise/passenger vessels, government vessels (icebreakers, navy), research vessels, and other.

on Baffin Island and in Nunavik, and increased community resupply along the Mackenzie River and in northern Ontario.

Recognition within the governance of shipping that arctic marine spaces require special consideration dates back to the negotiation of the *United Nations Convention on the Law of the Sea* (UNCLOS), which, in the end, concluded that coastal states bordering ice-covered waters can legislate and enforce mandatory measures for protecting such waters from marine pollution from vessels (Art. 234). In Canada, specifically, the *Arctic Waters Pollution Prevention Act* (AWPPA) was introduced even ahead of UNCLOS for the purpose of protecting the regional environment from the impacts of shipping. The international maritime community, through the International Maritime Organization (IMO), has since introduced the *International Code for Ships Operating in Polar Waters* (the Polar Code) to introduce additional safety, environmental and training requirements to address safety and environmental concerns more broadly in the circumpolar regions.

While the tables that negotiated UNCLOS, drafted the AWPPA, and developed the Polar Code did not include Indigenous peoples directly, the AWPPA and the Polar Code do draw connections between the shipping industry and the interests of Arctic Indigenous peoples. The Preamble of the AWPPA acknowledges “Canada’s responsibility for the welfare of the Inuit,” and furthermore that this responsibility includes to protect the “water, ice and land areas of the Canadian arctic” (preambular para. 2). The Polar Code acknowledges the vulnerability of Arctic coastal communities in its Preamble and suggests that operators consider areas of cultural heritage and significance in their voyage plans (Part I-B, para. 12). Furthermore, work towards the Polar Code was supported by the Arctic Council, an intergovernmental forum of Arctic States that includes a dedicated

role for Arctic Indigenous peoples' organizations to enable them to be consulted on all negotiations and decisions. One of these organizations, the Inuit Circumpolar Council (ICC), has more recently also secured Provisional Consultative Status at the IMO in 2021, enabling Inuit the opportunity to directly advance their rights and interests at the table alongside industry and state representatives (Ell-Kanayuk & Aporta, 2023; International Maritime Organization [IMO], 2021). This was the first time that an Indigenous organization has held its own seat at the IMO. In March 2023, the ICC requested that the IMO formalize its consultative status (Inuit Circumpolar Council [ICC], 2023), but at the time of writing, the decision had yet to be released.

Domestically, changes are underway that have resulted in greater engagement of Inuit in shipping governance, for example, through the OPP (announced November 2016), the Low Impact Shipping Corridors (revamped by the OPP to include collaborative governance), and a new Arctic Region for the Department of Fisheries and Oceans (DFO) and the Canadian Coast Guard (CCG) that aligns with Inuit Nunangat. This engagement is not a standalone development, though, but rather occurs within the broader international and national discourse on reconciliation. In Canada today the policy context includes Canada's commitment to implement the Truth and Reconciliation Commission of Canada's (TRC's) 94 Calls to Action (PMO, 2015b; Truth and Reconciliation Commission of Canada [TRC], 2015a) and the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) via the *United Nations Declaration on the Rights of Indigenous Peoples Act* (UNDA); the release of the co-developed Arctic and Northern Policy Framework (Crown-Indigenous Relations and Northern Affairs Canada [CIRNAC], 2019) and the commitment to implement its goals

and objectives (PMO, 2019a); the enactment and ongoing operation of the Inuit-Crown Partnership Committee (PMO, 2017); and the commitment to accelerate implementation of the Inuit Nunangat Policy (PMO, 2019a, b). However, through preliminary literature research, I found that studies of “shipping” were very separate from those of “reconciliation,” and as a result, any assessments of the interactions, engagements, or partnerships between Inuit and the Government of Canada on marine safety and shipping may be inaccurate. The lack of intersection between scholarly works on “shipping” and “reconciliation” also limits the ability to share lessons learned from within the realm of marine safety and shipping to other sectors and disciplines, which could lead to missed opportunities for creative and positive advancements in Inuit-Crown and Indigenous-government relations more broadly.

While the interest and involvement of Indigenous peoples in marine safety and shipping governance is a relatively new area of academic inquiry, there is a growing body of scholarly and non-scholarly work regarding the potential impacts of an increase in ship activity in the Arctic on the regions’ Indigenous peoples (e.g., Arctic Council, 2005, 2009a; Conference Board of Canada, 2013; Hodgson et al., 2008; Howell & Yackel, 2004; Inuit Circumpolar Council-Canada, 2008, 2014; Kelley & Ljubicic, 2012; Raymond-Yakoubian, 2018). A common approach to research on the potential impacts of shipping on Arctic Indigenous peoples has been participatory mapping, which is a well-used approach to documenting Indigenous knowledge and their use of and relationships with space and place (e.g., Aporta, 2010; Jones et al., 2010; Laidler, et al. 2010; Tipa & Nelson, 2008). In the context of shipping, a key example is the Arctic Corridors and

Northern Voices project. Led by the team of Dr. Jackie Dawson,⁴ the Arctic Corridors and Northern Voices project seeks to document marine areas that are of cultural significance to Inuit through a community-based partnership approach and participatory mapping with communities across Inuit Nunangat. Their methodology and findings have been published in a number of scholarly articles (e.g., Carter et al., 2019; Dawson et al., 2020) and reports from each of the 14 communities with which they collaborated (e.g., Reid & Dawson, 2019), including all six Inuvialuit communities (Carter, Dawson, Parker, Cary, et al., 2018a, 2018b, 2018c, 2018d, 2018e; Carter, Dawson, Parker, Joyce et al., 2018). These reports describe the seasons and seasonal harvesting cycles in the communities; provide various maps of local and marine uses and culturally significant marine areas (e.g., travel routes, harvesting areas, and animal distributions); list potential impacts of marine vessels were they to be encouraged to use the prospective Low Impact Shipping Corridors, including the season in which such impacts could occur; and outline recommendations for marine vessel management in the respective waters. These reports are important contributions to understanding how shipping can impact Inuit and for informing where ships should go and/or avoid, but they do not reflect on whether and how Inuit are engaged by the maritime administration, and are not positioned in the context of reconciliation.

The body of literature that seeks to document how Indigenous peoples use marine spaces and that explores how Inuit uses interact with shipping is expanding, but there is a far smaller body of work that looks to interactions between governments and Indigenous

⁴ Dr. Jackie Dawson is Canada Research Chair in Environment, Society and Policy, and Associate Professor in the Department of Geography at the University of Ottawa.

peoples on marine safety and shipping issues. An example is the work of Stetson in Alaska. Supported by the United States Coast Guard (USCG), Stetson (2014) studied the perceptions of Alaskan Native peoples on increasing vessel traffic in the Bering Strait region and policies that mitigate impacts on their communities, and assessed the quality of the consultation and collaboration processes used by the USCG. Stetson and Mumme (2016) highlight some of the key challenges the USCG faces in working with Alaska Native peoples, including travel, inclusivity, and the ability to ensure the Alaska Native peoples feel heard and valued in the process. With respect to the latter issue, facilitators in cross-cultural communications and support for “regionally grounded approaches” are recommended to address the concerns of travel and inclusivity. Stetson (2014) also provides insights on procedural aspects, for example, by explaining in brief the actions taken by a state biologist to rebuild a relationship, how the USCG District 17 engaged Alaska Native organizations, and ways that United States agencies can meaningfully collaborate with Alaskan Natives in a manner that recognizes and respects that they are not “ordinary stakeholders.”

Aporta, Kane, and Chircop (2018) also contribute to this body of work by exploring the tensions that arise between Inuit and the shipping industry with respect to the conceptualization of sea ice and what this could mean for governance. They highlight the role of sea ice for travel and navigation by ships and Inuit, and the significance of the continuum of the land-sea ice interface for Inuit. The authors also draw linkages to legal tensions between the UNDRIP and the Polar Code, noting that at the time of writing, the rights of Inuit were not being reflected in the governance regime for Arctic shipping (Aporta et al., 2018). Bishop and colleagues (2022) similarly assessed how sea ice is

conceptualized within key instruments that govern shipping, specifically with respect to icebreaking activities, and how these conceptualizations relate to and interact with Inuit conceptualizations of sea ice and their knowledge and governance systems. They found that the rights, interests, and knowledge systems of Inuit are not fully reflected in the instruments that govern shipping, specifically those that pertain to icebreaking, but that opportunities exist for ameliorating the discrepancies. The works of Aporta et al. (2018) and Bishop et al. (2022) are incredibly insightful for highlighting and understanding some of the key tensions that exist not only in the way marine spaces are used by ships and Inuit, but also how decisions are and would be made by maritime administrations and Inuit.

Although the literature on Indigenous engagements on the topic of Arctic shipping is relatively limited, there is a substantial body of scholarly work on co-management that can be drawn upon, most of which stems from the realm of natural resource management (e.g., forestry, wildlife, and fisheries). The co-management approach can take a number of different forms depending on the context, but there is general agreement across the literature that “mere consultation or ad hoc public participation [is not] co-management” (Berkes, 2008, p. 1693; see also, e.g., Castro & Nielsen, 2001; Tupa & Welch, 2006). Some models have been deemed “successful” in the literature, but there are also many authors that view co-management as perpetuating the colonial status quo, including power imbalances, marginalization, and the disregard for Indigenous knowledge and worldviews (e.g., Castro & Nielsen, 2001; Desbiens & Rivard, 2014; Ellis, 2005; Nadasdy, 2003, 2005; Pickerill, 2009; Vaudry, 2016).

The importance of decision-making processes is often a focal point in the literature on Indigenous-inclusive governance, but the question of process is often left out of discussions on advancing the level of Indigenous involvement; the issue is identified and explored, the desired end product or features of the end product are described, but how the desired outcome (e.g., shared power) can be achieved is not articulated. Kelly, Ellis, and Flannery (2018) also found this gap with respect to the literature on marine governance writ large, noting that although there is much work that collectively calls for change, there is very little direction provided as to how to overcome the institutional barriers that have thus far prevented the realization of change; the works in Fanning et al. (2022) are key examples of the research that does exist for ocean governance broadly. That this gap exists in the context of Indigenous-inclusive governance models is particularly interesting given the number of authors who emphasize the importance of process for achieving meaningful collaboration through co-management regimes (Berkes, 2008; Bowie, 2013; Carlsson & Berkes, 2005; Tiakiwai et al., 2017; Tipa & Welch, 2006; White, 2006, 2008).

At a higher level, there is some direction as to how to approach cross-cultural and collaborative engagements, which can be summarized as the “three T formula” (Pickerill, 2009). The first T is for “talk,” and pertains to the importance of communication, cross-cultural dialogue, and of creating spaces for relationships to develop (Berkes, 2008; Bowie, 2013; Dodson, 2014; Hill, 2011; Moller et al., 2009; Sable et al., 2006; Stephenson & Moller, 2009; Stetson & Mumme, 2016; Stevenson, 2006; Tipa & Welch, 2006; Tyrrell, 2005; Yunupingu & Muller, 2009). This leads to the second T, “time,” for relationships will not be built and agreements will not be reached overnight. Both “time”

and “talk” are required to generate the third T: “trust” (Dodson, 2014; Mulrennan & Scott, 2005; Stetson & Mumme, 2016; Zurba, 2009). Underlying all three is mutual respect for each other’s ways of knowing and being (Bowie, 2013; Hemmingsen & Marshall, 2008; Jacobson et al., 2016; Jones et al., 2010; Moller et al., 2009; Nesbitt, 2016; Ross et al., 2009; Stetson & Mumme, 2016; Tester & Irniq, 2008), for there cannot be meaningful dialogue and trust cannot be generated, no matter how much time passes or effort is put into the process, if there is not underlying respect for one another.

1.2 Research Motivations and Intentions

“For me, writing is an act of reciprocity with the world; it is what I can give back in return for everything that has been given to me” (Wall Kimmerer, 2015, p. 152). My personal intention for pursuing a doctoral degree has changed over time. At the beginning, it was largely driven by the need and desire for a Ph.D. for career advancement. Today, though, it is driven almost solely by my desire to “be the change I wish to see in the world” (Mahatma Gandhi), and I wish to see change in the way non-Indigenous peoples see, think about, and interact with Indigenous peoples. As a member of the settled society in Canada, I want to be a good Treaty partner to Inuvialuit, and all Indigenous peoples in what is now known as Canada. This thesis represents a personal commitment and journey to learning about the process and impacts of colonization; to reflecting on who I am, how I see the world, and how I carry out my life as a result of growing up surrounded only by the narrative of the colonizer; and to taking action to change how I see the world and how I conduct myself within it, including how I undertake this research.

My personal reason for working in the Inuvialuit Settlement Region (ISR) is to fulfill a commitment I made to the Inuvialuit Game Council (IGC) in 2014. I had conducted research on the roles of various players in the management of shipping in the Beaufort Sea (Ualiniup Tariunga) but had not gone to any communities or met with any beneficiaries of the *Inuvialuit Final Agreement* (though I had interviewed a representative of the Inuvialuit Regional Corporation (IRC)). I presented this work to the IGC in December 2014, and they immediately informed me that I had not done the research in a good way. They were right, and I asked them to please consider that moment “day zero.” I could not tell them when or how, but I told them that someday I would be back to conduct research the right way. At the core of my approach to this research is my commitment to uphold this promise I made nearly a decade ago.

My intention as a research partner is to contribute knowledge and, through the research outputs, advocate for action to support the goals and interests of the IGC. As such, this thesis does not represent research *about* Inuvialuit. I position the words of Inuvialuit in the same light as scholarly publications. Their expertise in terms of research and knowledge gaps, and proper ways of conducting research in their region and with them shaped my research questions and methods. By doing so, I reflect not only what I feel to be the most respectful way of doing this work, but also the recommended approach for working with Indigenous peoples by the Tri-Council Agencies (Canadian Institute of Health Research [CIHR] et al., 2022), Inuit organizations (ITK, 2018; ITK & Nunavut Research Institute [NRI], 2007; Inuvialuit Regional Corporation [IRC], n.d.a) and many authors (e.g., Kovach, 2009; Tuhiwai Smith, 2008).

My intention as a member of the scholarly community is to contribute to filling the gap identified in the literature with regards to how Inuit are involved in marine safety and shipping positioned in the context of the narrative of reconciliation. The objectives are to add a new lens to the discussions on marine safety and shipping both nationally and internationally and to advance the literature on Indigenous-settler relations, including co-management, by exploring “the circumstances and conditions in which reconciliation either fails or flourishes” (TRC, 2015b, p. 125) and drawing attention to the small, tangible, and manageable steps (Harrowell, 2018) along the path of and towards reconciliation. To do so, this thesis aims to address the following research question: Can marine safety and shipping initiatives contribute to the process of reconciliation, and if so, how? To structure the work, there are two general sub-questions: (1) What have been the experiences of Inuvialuit interacting with the Government of Canada on marine safety and shipping matters? And (2) how can these experiences be framed in the broader context and process of reconciliation? Beyond the scope of marine safety and shipping, though, the conceptual and theoretical framework underpinning this work and the methodology employed to answer the research questions are further sources of insight for how researchers can contribute to the process of reconciliation, too, by decolonizing their own approaches and work. I share and reflect on my own journey throughout the thesis to highlight these additional insights.

1.3 Thesis Outline

As the introduction to the thesis, this chapter has positioned the project within existing research and within my own personal journey of this doctoral thesis. While research has been conducted previously on Inuit concerns with shipping, and on co-management in a

variety of natural resource management fields, there remains a gap of directly intertwining the realms of Arctic shipping governance and the process of reconciliation. From here, Chapter 2 outlines the theoretical and conceptual frameworks underlying the research, along with the methodology and methods that will be employed to answer the research questions. Chapter 3 then provides the foundational information I deem necessary to proceed with considering Arctic shipping governance in the context of reconciliation: the Inuvialuit-Crown relationship and shipping and its governance. This chapter is based on the literature and is to be considered background to the subsequent two analytical chapters.

Chapter 4 contains two key parts: the first presents the concerns of the IGC with marine safety and shipping in their region, but the second goes a step further to offer solutions. The first part of the chapter – the issues and concerns – is based on fieldwork and focuses only on those issues raised by the IGC. The second part represents the outcomes of policy analyses that were guided and supported by the IGC Board members themselves, and are conducted using the approach of the federal government to prepare a Memorandum to Cabinet, i.e., the decision-making document used by Ministers in Cabinet Committees and Sub-Committees. Chapter 5 is a more philosophical discussion that reflects on the words and stories of Inuvialuit, the literature, and my own personal experiences throughout this research journey to offer insights for reconciliation. Finally, Chapter 6 summarizes the research journey and directly responds to the research question and sub-questions.

Chapters 3-5 were written in that order, and while I have gone back to add important elements I may have missed in earlier drafts, I have largely left the writing

untouched. I chose to do this because I hope that as you read this thesis you not only see the development of the research – each chapter building from the conclusions of the preceding chapter – but that you also see an evolution in *me*; in how I write about the issues and solutions and in what I highlight as important. Rupert Ross made this same decision when he republished *Dancing with a Ghost* (2006):

It was a tempting offer [to revise the book instead of just re-releasing the original version] because I cringe a little at how off-base, or shallow, or partial, many of my observations and musings were, and I'd like very much to "re-interpret" them in light of my subsequent experiences. Many people have told me, however, that a big part of the fun was coming along with me on the journey. They said they felt more involved in the adventure when they shared my stumbles with me. When they moved on to *Returning to the Teachings* and its various "re-interpretations," they were introduced to the teaching that is perhaps the most important one of all: that we can never achieve "the truth," since we will always be re-interpreting the world as our experience of it deepens, so we have a duty to maintain a fundamental humility as we stumble along. (pp. xxvi-xxvii)

Therefore, while this piece of writing is a thesis in partial fulfilment of a doctoral degree, it is also a story that includes insights, lessons, and "findings" from my personal journey of conducting this research that are intended to help translate this thesis from the academe to the lives of its readers.

CHAPTER 2: METHODOLOGY

2.1 Introduction: A Decolonizing Agenda

My personal intentions for this doctoral project were to be a good Treaty partner and research partner, and by doing so, to contribute to **decolonization** and **reconciliation** through my own actions, separate from any potential contributions of this research to the scholarly community and the ways in which shipping is governed. Historically, scientific research projects relating to Indigenous peoples and communities typically have not resulted in positive experiences or outcomes for the participants. Research globally was a means by which non-Indigenous peoples came to communities to take from Indigenous peoples, be it their knowledge or biological material (Tuhiwai Smith, 2008). In this sense, Indigenous peoples were “subjects” or even “objects” of research and were represented (or not) in research at the discretion of the author (Tuhiwai Smith, 2008). Science involving Indigenous peoples was often an extension of the colonial enterprise. Histories were told from the viewpoint of the powerful, excluding, marginalizing, and “Othering” Indigenous peoples. Today, Indigenous authors such as Linda Tuhiwai Smith (2008) and Margaret Kovach (2010), Indigenous (including Inuit) organizations (ITK, 2018; ITK & NRI, 2007; IRC, n.d.a), as well as non-Indigenous authors (e.g., Dawson et al., 2017; Evans et al., 2009; Porsanger, 2004; K. J. Wilson et al., 2020) advocate that research involving Indigenous peoples should be inherently driven by the goal of decolonization and the self-determination of Indigenous peoples; i.e., there should be a **decolonizing agenda** embedded in research.

There are a number of ways in which a decolonizing agenda can be implemented, such as by examining the relationships and power (im)balances between Indigenous and settler peoples (e.g., Kovach, 2010); by giving voice and power to Indigenous peoples and privileging their knowledge over Western knowledge within the research (e.g., Drawson et al., 2017; Kovach, 2010; K. J. Wilson et al., 2020); and by rewriting “history” from the standpoint of these voices and knowledge (e.g., Neeson, 2019; Tuhiwai Smith, 2008). Depending on the project, Indigenous people can be participants, partners, or even owners of the research. No matter the instance, though, they are no longer to be solely subjects of research; they are to have some form of decision-making power over the research agenda as well as the research process. To support this, there must be a collaborative relationship between the researcher and the Indigenous research participants/partners/owners, and furthermore, one that is based on trust, respect, and reciprocity, wherein the knowledge shared by the Indigenous research participants is honoured and respected (Drawson et al., 2017; Lavallée, 2009; Porsanger, 2004; Tuhiwai Smith, 2008). In Canada, guidance on how to carry out research that involves Indigenous peoples ethically is provided by Chapter 9 of the Tri-Council Policy Statement (CIHR et al., 2018), which embodies all these same principles, as well as relationships, collaboration, and engagement. Inuit specifically have articulated their interest with respect to research through their National Inuit Strategy on Research, which “envision[s] research [as] producing new knowledge that empowers [Inuit] in meeting the needs and priorities of [their] families and communities. [They] see achieving self-determination in research as the means for ensuring that research governance bodies, policies, and practices are consistent with this vision” (ITK, 2018, p. 8).

To begin to build my “ologies” (Rand, 2020), I thus sought out approaches that position Indigenous peoples as partners in research, and their knowledge as equal to that generated through academic pursuits. Furthermore, I needed to find an approach that would enable the principles of trust, respect, and reciprocity to be central.

2.2 Building a Conceptual and Theoretical Framework

Participatory Action Research (PAR) has become a popular approach to working with Indigenous peoples (Baum et al., 2006; Caxaj, 2015; Drawson et al., 2017; Lavallée, 2009), and can be found throughout the fields of education, health, community development, agriculture, and social work, and in the writings of sociologists, anthropologists, feminists, and community-based researchers (MacDonald, 2012; Morris, 2016). PAR seeks emancipatory knowledge to ignite action and change in society through participatory research approaches (Baum et al., 2006; Caxaj, 2015; Creswell, 2013; Drawson et al., 2017; Evans et al., 2009; Kovach, 2009; Lavallée, 2009; MacDonald, 2012; Morris, 2016; Peltier, 2018). In this sense, PAR has a purpose, which is driven by the primary goal of contributing to the community (Caxaj, 2015; Kovach, 2009; Morris, 2016; Peltier, 2018; Tuhiwai Smith, 2008). PAR frameworks shift the power within a project from the researcher to the “researched,” wherein the latter become collaborators instead of subjects. Through the collaborative process, participants are actively involved in setting the research agenda, collecting and analyzing information, and determining the action that should come from the research process. The researcher is also directed to place value on experiences and experiential learning (Baum et al., 2006; Evans et al., 2009) and to give voice to participants (Creswell, 2013). A good example of the use of PAR with Indigenous peoples can be found in Moller et al. (2009), wherein the

researchers used a PAR framework to “identify critical determinants of success of [a] partnership” between Māori and scientists for the sustainability of Tītī harvesting by Rakiura Maori through adaptive co-management (p. 211). Morris (2016) also employed a PAR approach in her work with Pauktuutit Inuit Women of Canada to explore Inuit youth violence prevention through social media. Through this project, Morris also provided methodological insights, finding that the principles of PAR align with *Inuit Qaujimagatuqangit* (Inuktut for the Inuit traditional knowledge system) specifically.

Beyond the concepts of a decolonizing agenda and PAR, though, I knew that work such as I was envisioning required a framework through which I could conceptualize the theoretical underpinnings of this research and construct the methodology. This approach needed to not only incorporate different ways of knowing, but also to give power to multiple ways of knowing and, by doing so, to reflect the collaboration and partnership across ways of knowing that is central to both the decolonizing agenda and PAR. An approach that is gaining significant attention in the context of working with Indigenous peoples, specifically, across various disciplines is **Two-Eyed Seeing** (e.g., Almack et al., 2023; Marsh et al., 2015; Marsh et al., 2022; Martin, 2012; Martin et al., 2017; Peltier, 2018; Ray, 2021; Reid et al., 2021; Smith et al., 2023; A. L. Wright, Gabel, Ballentyne, et al., 2019; A. L. Wright, Gabel, Bomberry & Wahoush, 2019). There are other similar Indigenous frameworks, such as the Haudenosaunee concept of the Two-Row Wampum or the Māori concept of the Double Canoe (Reid et al., 2021), but I chose to engage with Two-Eyed Seeing because of its origins in Mi’kma’ki where I grew up and because of my familiarity with the concept.

Coined by Mi'kmaq Elder Albert Marshall, Two-Eyed Seeing is where one learns to see with both Indigenous and Western eyes, “weaving” between the two ways of knowing, leveraging the strengths of each and constantly “looking for another perspective and better ways of doing things” (Bartlett et al., 2012, p. 336; see also Martin, 2012). The concept emerged from work between Mi'kmaq from Eskasoni First Nation and scientists from Cape Breton University. They were trying to address the low numbers of Mi'kmaq students enrolled in science programs at the University by “making science curricula more appealing to aboriginal students in the region by including Mi'kmaq and other Indigenous knowledge and ways of knowing side-by-side with mainstream knowledge and ways of knowing in post-secondary science curricula” (Barlett et al., 2012, p. 333). Two-Eyed Seeing was one of the lessons learned throughout the journey of those involved in reconsidering the curricula. Another lesson learned was that underlying Two-Eyed Seeing was the need to acknowledge that various knowledge types need one another, for if they do not, “then an attempt to weave Indigenous knowledge and mainstream knowledges and ways of knowing is destined to evolve into mere show, the only question being how long that might take” (Barlett et al., 2012, p. 334).

Wright, Gabel, Ballentyne, and colleagues (2019a) conducted a review of the use of Two-Eyed Seeing in research with Indigenous people and found that there are many ways in which the framework is interpreted and applied. Oftentimes, particularly by non-Indigenous authors, Two-Eyed Seeing is applied as a framework within which a cross-cultural team can function: the non-Indigenous academics and the Indigenous research partners each bring their own knowledge to the table, and collectively make decisions on how to weave the knowledge together. In this way, it is a framework that can connect

Indigenous peoples with “allies and accomplices who support revitalization in solidarity with Indigenous leaders” (Smith et al., 2023, p. 137). In contrast, though, and more-often seen when the author is Indigenous, Two-Eyed Seeing is applied by an individual to their own work and ways of thinking (e.g., Marsh et al., 2015; Peltier, 2018). While Two-Eyed Seeing is a relatively new concept to the scholarly world, ever since colonization Indigenous peoples have had to practice Two-Eyed Seeing in order to survive. Indigenous peoples have an Indigenous eye, but through colonization and the ongoing dominance of Western education and societal systems, they have been forced to learn to see through a Western lens. In some cases, such as was the goal of residential schools, some Indigenous people have lost their Indigenous eye. In others, though, particularly through the resurgence of Indigenous cultures and identities, they practice the act of Two-Eyed Seeing on a day-to-day basis – they actively see the world and engage with it through two lenses – and therefore it should not be surprising that this understanding is reflected in their writings. As Smith and colleagues (2023) explain, though, this practice requires “a tremendous amount of work,” particularly for Indigenous leaders who try to advocate for their communities and live “within a system and world that was not created by or for Indigenous peoples” (p. 122). In turn, it should also not be surprising that I have observed very few examples where a non-Indigenous person has described an application of Two-Eyed Seeing to themselves in this same way given that non-Indigenous peoples have not been forced to learn to see the world through an Indigenous eye to survive and engage in society.

Though neither explicitly refer to Two-Eyed Seeing, the works of Indigenous authors Robin Wall Kimmerer (2013) and Jody Wilson-Raybould (2022) are examples of

how one person can actively see with both eyes. Wall Kimmerer's book is, as she refers to it, "a braid of stories meant to heal our relationship with the world [that] is woven from three strands: Indigenous ways of knowing, scientific knowledge, and the story of an Anishinabekwe scientist trying to bring them together in service to what matters most" (2013, p. x). Throughout, Wall Kimmerer seamlessly weaves between her botanical training and Indigenous teachings to discuss various ecological concepts. Wilson-Raybould's book, in contrast, alternates between her own words, the words of colonial leaders and publications, and the words of Indigenous peoples and leaders throughout history to offer a more comprehensive and accurate depiction of what colonization looked and continues to look like in Canada, and one that is more aligned to the history she knows and has experienced as an Indigenous person. In both these examples, there are three voices in their stories: the western, the Indigenous, and the author.

Though I had been introduced to the concept of Two-Eyed Seeing previously, I did not truly understand or appreciate it until explained to me in training offered specifically for those federal public servants that would be engaging with Indigenous peoples on the Oceans Protection Plan. At the time, I was employed by Transport Canada to engage and advise others on engaging with Inuit on the various initiatives and overall purpose of the OPP. The training was delivered through three two-day sessions, wherein we joined in Circle led by an Elder and Indigenous scholar. My take-aways from the training included an introduction to an Indigenous way of seeing the world, of judgement and leadership, and of myself. The Elder encouraged us to "take down our armour" and open ourselves to Creator and to Indigenous peoples. In one session in particular, sitting in the Kumik Lodge in Gatineau, QC, I asked the Elder in the context of Two-Eyed Seeing: how can I

possibly understand an Indigenous worldview if that way of knowing the world is based on experience and participation in the culture? He responded that, in his view, the Indigenous worldview is not only for Indigenous peoples; it is open to anyone who wishes and is willing to learn how to see in their ways (see also Porsanger, 2004; Tuhiwai Smith, 2008). This was a pivotal moment for me; it was as if the lightbulb went on: I could embrace an Indigenous way of knowing and being in the world without being Indigenous or holding Indigenous knowledge.

Jenny Rand's doctoral thesis (2020) is an example of how a non-Indigenous person can engage as an individual with the concept of Two-Eyed Seeing. She looked at the alignment between community-based participatory research and Indigenous ways of knowing through a case study on HIV prevention interventions in Nunavut. Rand (2020) used Two-Eyed Seeing as a guide in place of social science theories in her research because she did not feel that theories borne from academic institutions that had a history of harming Indigenous peoples could serve the Indigenous communities she was working with. In her words, she applied Two-Eyed Seeing by "hold[ing] space for Inuit and Western ways of knowing" (p. 118), incorporating "reciprocity, collectivity, creativity and weaving capacity" (p. 120) into decision-making processes for the research, and carefully listening and observing, and then acting upon what she learned. Her Western academic lens was provided by the framework of community-based participatory research, while the Inuit lens was provided by *Inuit Qaujimagatuqangit* and supported by Inuit advisors.

For non-Indigenous peoples seeking to engage in the practice of Two-Eyed Seeing, Smith and colleagues (2023) argue that the approach must be centered on an ethic of

solidarity, which comes from having shared goals amongst those involved. As they explain,

An ethic of solidarity is required for two-eyed seeing because of the longstanding history of Indigenous peoples working under duress, in oppressive systems that have not yet succeeded in building a bridge across knowledge communities. ... we need to look to Indigenous peoples themselves to understand the issue, without reproducing the tokenism or overburdening of Indigenous peoples in addressing long-standing disjunctures and concerns. (Smith et al., 2023, p. 136)

The ethic of solidarity described by Smith and colleagues (2023) reflects many of the concepts within a decolonizing agenda and PAR described above: it enables research that not only involves both knowledge systems but that targets topics of interest to all, and furthermore aims to produce outcomes that are mutually supportive, i.e., that address the needs of both the Indigenous and academic partners in the research.

2.2.1 Seeing Through my Western Academic Eye

This research aimed to understand how Inuit can and/or should be involved in marine safety and shipping in the context of reconciliation through a decolonizing agenda and PAR approach. Reconciliation is a complex and multi-faceted issue (Hoehn, 2016; Younging et al., 2009), with economic, environmental, social, emotional, political, and legal aspects, and there is no one single interpretation of how reconciliation should be actioned or the specific outcome that it intends to achieve (Manley-Casimir, 2011; TRC, 2015b). While academically it may be presented as mere concept or process, it is one that deals with the real lives of both Indigenous and non-Indigenous peoples across Canada

with implications for all sectors of society. In other words, reconciliation is a “wicked problem”; it is difficult to define, solutions do not exist within any disciplinary framework, and no true final resolution is possible since any potential solutions simply generate new problems (Bernstein, 2015; Rittel & Webber, 1973; Zurba et al., 2019). As Bernstein (2015) describes, wicked problems “are pressing problems, even crises, reaching in multiple domains or dimensions and involving not just academic disciplines and the interplay among them but also practitioners seeking solutions in the real world outside the academy” (p. 9). As such, wicked problems have become a focus of **transdisciplinary research** (Bernstein, 2015; von Seggern et al., 2023).

Unlike disciplinary inquiries, transdisciplinary research roots itself in the inquiry and in events and people rather than theory, and is free to transcend across disciplinary boundaries to creatively interrogate a problem in new ways, unbound by the paradigms of any discipline (Bernstein, 2015; Montuori, 2013a, 2013b). Transdisciplinarity thus goes beyond the notion of interdisciplinarity, which integrates two or more paradigms, to throw away the confines of disciplines and paradigms all together and “assemble new approaches from scratch, using materials from existing scholarly disciplines for new purposes” (Bernstein, 2015, p. 7). Beyond the notion of transcending boundaries between disciplines, transdisciplinarity also seeks to transcend across types of knowledge by bringing non-academic partners (e.g., research participants, institutions, stakeholders, governments, etc.) into a research project as equals to the researchers to support creative and imaginative thinking to solve the complex and wicked problems it seeks to tackle (Bernstein, 2015; von Seggern et al., 2023).

Transdisciplinarity has been used in many research contexts, such as sustainability, social justice (crime, poverty, education, health, sanitation, housing), and nanotechnology (Bernstein, 2015), as well as when working with Indigenous peoples. Manuel-Navarrete and colleagues (2012), for example, looked at transdisciplinarity in the context of knowledge co-production. They found that while it is a helpful and often-used approach in such situations, it does not inherently remove the barriers and power dynamics resulting from a history of colonialism in research and society. To overcome these barriers and to contribute to the decolonization of research, Manuel-Navarrete et al. (2012) emphasize the importance of “critical consciousness” of one’s own epistemology to enable the incorporation of Indigenous epistemologies in the research. Furthermore, they recommend ensuring that Indigenous peoples participate in a project on “equal footing,” and that their contributions to a project are fairly recognized and rewarded.

Kassam (2021) further supports the use of transdisciplinary research for bringing together what he refers to as “communities of enquiry” (academics) and “communities of social practice,” which can include Indigenous peoples. He argues that for sociocultural and ecological transformation to occur, as is required to address the wicked problems that transdisciplinary research often targets, there must be concurrent transformation in one’s own thinking and work, for “transformation emerges from reflection through self-interrogation of assumptions and conclusions” (Kassam, 2021, p. 134). Barnes and colleagues (2021) further discuss transdisciplinary approaches to research with Indigenous peoples in the context of the decolonizing agenda. Their work with Indigenous-led research in Aotearoa, New Zealand, found that while such research is inherently transdisciplinary, it can and must go beyond transdisciplinarity to strengthen

cultural identity, centre Indigenous voices, and build Indigenous capacity and capabilities. Towards these goals, they offer specific guidance for research and practice, ensuring there is genuine collaboration, which requires recognition that Indigenous/settler pluralism is ontological, epistemological, and methodological; underpinning research and practice with principles of social justice and equity, emphasizing mutual respect for each other's values, knowledges, and aspirations; and taking a transformative approach that challenges and incorporates reflexivity about cultural biases.

Across these authors, and as aligned with a decolonizing agenda, is a call for the critical consciousness and engagement of the researcher in the research process. In other words, there is a need for **reflexivity**, which is not unique to transdisciplinarity, but is also a core component of PAR (Evans et al., 2009) and Two-Eyed Seeing (Martin, 2012). Reflexivity is grounded in the concept that researchers see themselves as beings-in-the-world, and thus unable to remove themselves from their experiences and presuppositions. Subsequently, it requires researchers to critically reflect upon how they think, and furthermore to understand how their way of thinking influences the research and its outcomes (Evans et al., 2009; Martin, 2012; von Seggern et al., 2023). An acceptance that researchers' own thinking shapes their reality is tied to an acceptance that realities, generally, are a product of our consciousness and experiences as a being-in-the-world "as opposed to the self-contained individual confronting a world 'out there'" (Ingold, 2000, p. 173). Ingold (2000) describes this as taking a "dwelling perspective," wherein it is through the inhabitation of the world that it "becomes a meaningful environment for people" (p. 173), which is the ontological underpinning for **phenomenology** (Creswell, 2013; Groenewald, 2004; Ingold, 2000). Phenomenologists, however, see the option of

bracketing as a way of presenting their biases for the purposes of setting them aside. From Montuori's (2013b) conceptualization of transdisciplinarity, though, there is no option of removing the researcher from the research:

[there is] the basic assumption that every inquiry is conducted by an inquirer, a person with a history, a social and historical context, beliefs, values, biases, blind spots, ways of thinking, and so on. This means that the inquirer is part of the inquiry. In order to understand the subject of my inquiry, I also need to pay attention to *who* is doing this inquiry, and understand myself. Every inquiry is therefore potentially an avenue for self-inquiry. And furthermore, the process of inquiry and the knowledge that is used for, and being generated by, the inquiry is not somehow “external” to the inquirer. The inquirer is not transparent, not a bystander. The reasons for the inquiry, the philosophical and methodological approaches that are brought together, these are all brought by the inquirer to the inquiry – by somebody from somewhere. (p. 205)

That a researcher has the *choice* of embracing Montuori's concept that the inquirers are inherently connected to the inquiry through transdisciplinarity, or to bracket themselves through a phenomenological approach speaks to the core of the western academic lens: all ontological frameworks are options that we can choose between, for at its core, scientific inquiry is rooted in the **Naturalist ontology** (Blaser, 2009). At the heart of this worldview is, as Latour calls it, the “Great Divide between Nature and Culture” (as cited in Blaser, 2009, p. 887), wherein Nature – the natural world – is something we aim to come to know, and to which Culture is entirely independent (Ingold, 2000). Ingold (2000) discusses how those residing within such an ontology often interpret

their way of seeing the world and their position within it as *the* way, with all others simply being perspectives, or cultural constructions, of the one real (and right) way of understanding the world (see also Blaser, 2009; Rasing, 2017). All these theoretical and conceptual frameworks available for academics to employ are therefore just different angles through which research can investigate the one true reality.

2.2.2 Seeing Through my Indigenous Eye

In contrast to the Naturalist ontology which underpins much of Western governance and institutions, an Inuit and Inuvialuit way of knowing and being in the world, like that of many other Indigenous peoples, is rooted in what some scholars have defined as an animist or **relational ontology** (Blaser, 2009; Heyes, 2007). Through such a lens, there is no division between nature and culture, nor between people and the natural world; all elements of life are interconnected in a single network of social, non-dominant, and respectful relationships that transcends physical and spiritual boundaries (Aporta, 2002, 2010, 2011; Botha, 2011; Dowsley, 2015; Ingold, 2000; Kovach, 2009, 2010; Laidler, 2006, 2007; Lavallée, 2009; Tester & Irniq, 2008; Tyrrell, 2005; S. Wilson, 2001). Such a single comprehensive network cannot be divided, for example across academic disciplines, to later be reconstructed. Instead, Tester and Irniq (2008) argued that “**avaluqanngittuq**” (Inuktitut for “that which has no circle or border around it”) is a more appropriate concept and term in the context of understanding Inuit knowledge because it accounts for the lack of boundaries within the relational ontology. Looking through an *avaluqanngittuq* lens thus

requires attention to the whole of the world through ongoing interactions with it and the active application of knowledge within it. ... Through a lifelong learning process, one is trained to be attentive and attuned to particular aspects of the world, depending on the activities with which the individual is engaged. Knowledge is not something one gains, stores, and transmits; it is discovered and lived through everyday practices; it is a process rather than a transaction. (Beveridge, 2020, p. 143)

As such, knowledge is not something one *has*, but it rather refers to how one *is* in the world; it is a way of being (Dowsley, 2015; Rasing, 2017; Searles, 2009, 2010; Tester & Irniq, 2008; Tyrrell, 2005; Whitridge, 2004). While Inuit elsewhere refer to this knowledge and way of being with the term *Inuit Quajimajatuqangit*, Inuvialuit use the term **Traditional Knowledge (TK)**. As described by then Chair of the Inuvik Community Corporation and now President and CEO of the Inuvialuit Regional Corporation, Duane Smith,

Traditional knowledge is a cumulative body of knowledge, know-how, practices and representations maintained and developed by the peoples over a long period of time. This encompasses spiritual relationships, historical and present relationships with the natural environment, and the use of natural resources. It is generally expressed in oral form, and passed on from generation to generation by story telling and practical teaching. (Inuvik Community Corporation et al., 2006, p. i)

As described by Smith, knowledge through such a lens is found both in the formal classroom of educational institutions and even more so is discovered through interactions

with Elders, spirits (Creator or otherwise), family and friends, as well as the in-the-world experiences of everyday life and, particularly for Inuvialuit, time spent on-the-land. As described in Hart (2011), the place names of the land represent more than a map of the terrain; they hold the stories of Inuvialuit history, legend, and culture that also “remind people how to behave in relation to one another, to nature, or to the spiritual world” (p. 9).

The relational ontological lens also means that realities are multiple, dynamic, and personal, as they are borne and maintained through a person’s relationships with all of the *avaluqanngittuq* world, and particularly the land. The knowledge generation process, then, needs to incorporate attention to the knowledge generated through all relations and an understanding of how that shapes the research process. Through a Western academic lens this would be considered reflexivity, however, I understand the Indigenous concept of **relationality** to be far broader, as it is about all of life – with people, spirits, and the land – as opposed to an individual’s reflections on their role as researcher or within a single project (e.g., see von Seggern et al., 2023).

While I present my understanding of the foundational elements of the “Indigenous lens,” the reality is that I have not lived the life of Indigenous culture and spirit, and therefore I cannot fully understand or embody this lens. In the context of Mi’kmaq traditional knowledge, Elder Murdena Marshall (Bartlett et al., 2012) explains that there are four levels of an Indigenous or traditional knowledge system, visualized as concentric circles. The outermost is physical knowledge, which is largely empirical and therefore can easily be shared across Indigenous and science knowledge systems. The second and third layers are an individual personal connection and respect for, in the context that

Elder Marshall described, the plant and medicine. Knowledge can be shared at these levels if there is a passion for the matter. The fourth and innermost level, though, is sacred knowledge, which “can only truly be understood within the language of the particular aboriginal or indigenous peoples of the area; it is not possible to translate this knowledge into another language” (Bartlett et al., 2012, p. 336). I acknowledge and respect that I do not hold the sacred knowledge of any Indigenous people, but I do not see this fact as absolving me of the need to try to learn to generate new knowledge through an Indigenous lens. Otherwise, if I do not, I am simply maintaining the colonial status quo by demanding that my Indigenous research partners translate into my ontological language without making any effort myself to learn to hear them through theirs. To mitigate the nascency of my Indigenous eye, I take a similar approach to Rand (2020) in that I rely on the words of Indigenous authors and the direction from my Inuvialuit partners as the “experts” in their own worldviews to ensure the world as viewed through their ontological lens is adequately presented.

Two-Eyed Seeing is the framework through which I am learning to see through my “Indigenous” eye, but it is also a part of this lens as it is an Indigenous concept. As such, it must be remembered that it goes beyond the simple notion of positioning the two knowledges side-by-side, but incorporates Indigenous principles such as respect, reciprocity, and trust (Drawson et al., 2017; Lavallée, 2009; Porsanger, 2004; Tuhiwai Smith, 2008). As Elder Albert Marshall explains,

[Two-Eyed Seeing] is about life: what you do, what kind of responsibilities you have, how you should live while on Earth ... i.e., a guiding principle that covers all

aspects of our lives: social, economic, environmental, etc. (as cited in Bartlett et al., 2012, p. 336)

This responsibility for how you are in this world also relates to an accountability to research participants, communities, and all of my relations (Kovach, 2009; Tuhiwai Smith, 2008; Weber-Pillwax, 2001). The responsibility and accountability tied to an Indigenous lens in research centred my personal intentions in the research design and execution: a responsibility as a Treaty partner, as a research partner, and as a member of the settler society to contribute to decolonization and reconciliation. In this way, it took my **positionality** beyond my resumé to also include my motives and intentions (Absolon, 2010). Within and beyond this research I must acknowledge, respect, and never forget that I am not Indigenous, and I have primarily been trained in how to think and interact with the world by colonial educational institutions and society. I am both a doctoral student and a federal public servant, and I must ensure that I fulfill my responsibility to decolonize myself and my work and to advance reconciliation in any way that I can. Within this research project I was particularly accountable to Inuvialuit because I did this work with them, and because I made them a specific promise in 2014 to return to do research with them in a good way. As I ventured forward, I heeded the words of Tuhiwai Smith (2008) that in becoming an “intellectual,” I was taking on the responsibility of being a leader “for society in relation to knowledge” (p. 129); I heard the words of Kovach (2009) that “responsibility implies knowledge and action. It seeks to genuinely serve others and is inseparable from respect and reciprocity” (p. 178); and I recalled the words of the Elder: that Creator gifts us responsibilities and only asks of us what Creator knows we can achieve.

2.2.3 Seeing Through Both Eyes

I used Two-Eyed Seeing as a method for conceptualizing my own ontology that incorporates both the Western academic lens that my education has afforded me and the Indigenous lens I am working to develop. While this is a framework introduced by a Mi'kmaq Elder, my use of the approach does not project a Mi'kmaq lens onto the research or analyses, but rather offers a way for envisioning how the Western and Indigenous – in this case Inuvialuit – worldviews can be positioned beside each other and can work together. I can choose to close one eye or the other, but the goal is to see out of both. In this way, I did not leave the ability to practice Two-Eyed Seeing – or the job of decolonizing this research – to any Indigenous peoples or participants. Beyond the work to adequately develop my Western academic lens to satisfy the requirements of a doctoral degree, I also needed to adequately develop my Indigenous lens so I could practice Two-Eyed Seeing myself.

Unique to my Western academic eye is that I could study just reconciliation and shipping (though it must be in context), and I could draw insights from scholarly literature, disciplinary or otherwise, to build an understanding of this phenomenon. Furthermore, I could utilize frameworks from across disciplines and theories to construct a methodology that suited this specific inquiry and context. At every step I had a responsibility in this work to ensure it was respectful, honoured the contributions of all those who participated, and gave back to the community. My Indigenous lens took this responsibility beyond that of just this research, though, to ensure that I was and continue to be a person in this world who is respectful, honours the contributions of all my

relations, and gives back to the physical and spiritual world to make it a better place, including through this research. Furthermore, I must be held accountable.

Through both my Western academic and Indigenous lenses, I valued the knowledge generated by others, Indigenous partners in particular, positioning their knowledge as equal to that generated through scholarly academic inquiry. I also valued my own knowledge and intuitions, and turned to myself for insights. The Western academic lens would consider this incorporating reflexivity, but through my Indigenous lens it goes beyond notions of reflexivity to offer greater insights from my interactions and relations with all of the *avaluqanngittuq* world, not only during the research process but throughout all of life. I paid attention to these interactions and relations as sources of knowledge, experience, and insight, and brought them directly and explicitly into the research process. As such, throughout this thesis are narratives of my self-reflections and -evolution, thus ensuring that I and the research stayed connected to my positionality within all my relations.

When I see through both these eyes together, my worldview has two key tenets. First, truths and realities are individual and multiple; they are the product of an individual's own journey, which includes their formal education through Western institutions and processes, and the relationships and everyday interactions they have with all elements of the world around them. Embracing that all a person's experiences are valid and relevant knowledge means that within this research I endeavoured to ensure that I did not compartmentalize or inadvertently exclude particular aspects of what I was told by research participants. Although there may be commonalities in the realities across research participants, there may also be very different and individual experiences,

understandings, and “realities.” I aimed to ensure that participants were able to raise and discuss any and all experiences, and that over-generalizations were not made through the analyses.

Second, stemming from the first (that truths and realities are the product of an individual’s unique journey through this world), is that my own journey inherently influenced how I understood my research partners, what I deemed important information to include in my analyses, and ultimately the results that I put forward. In other words, this research is not only a product of my research journey, but a product of who I am. My knowledge is mine, generated from the many interactions I have had throughout this research and my life. I could not remove my experiences or my person from my mind, and therefore from my analyses, interpretations, and the research writ large. I tried my very best to embrace and incorporate the entirety of the truths and realities that were shared with me (linked to the first element of my framework), but the reality is that I interpreted them through my own lens. As such, I was inherently a participant in the research; there was no option of being an observer.

As demonstrated by Wall Kimmerer (2013) and Wilson-Raybould (2022), though, in addition to the Western and Indigenous lenses and voices is my voice – *myself* – and there is more to who I am than this theoretical and conceptual framework, as described in the following fieldnotes:

Monday, March 6, 2023 – Inuvik, NWT

This research process has been as much about my personal journey of self-discovery as it has been about academic pursuit. Through this journey, I currently come to see myself and my world through the following ways:

- Live with peace – with oneself, those around you, and all of the world.
- Slow down – sit with your emotions, thought processes; question them with compassion.
- Be less competitive – I don't have to be "the best" to be everything I am meant to achieve in this world; results in less combativeness and conflict.
- Give voice to your inner compass; listen to the direction your heart / the Universe / Creator is pointing you toward.
- At all times and in all interactions, be human – have compassion; do what you can to put yourself in their shoes, to see through their lens.
- Know what you can and can't control. For things you can't control, let them go. For the things you can control, you have a responsibility to do your absolute best.
 - I can control how I think, how I am in this world, and what work I do and how I do it.
- I am an optimist. Some used to call me naïve, and perhaps I am, but I believe there is always a solution.
 - I believe everything happens for a reason. Sometimes you have to wait a long time, but the reason will appear if you are open to it. There is a lesson to be learned in everything.
- Work hard, always, so when opportunity knocks, you're ready.
- Be humble, but you're allowed to be proud of yourself.

These elements of who I am were foundational to my work. My research was driven and guided by my inner compass and what I feel in my soul to be right, and I have worked hard to hear and listen to this voice and leverage the power and control I did have as the researcher to be medicine in this world.⁵ The writing style I have chosen to communicate with the world reflects the compassion I have for my Indigenous partners, the humility I feel that Creator gifted me this work and trusted me to carry it out in a good

⁵ One of the teachings from the Elder was that, in all we do, we should strive to be medicine.

way, the peace that comes from doing work aligned with my personal ethics and values, and optimism for the future. In this way, while this theoretical and conceptual framework is a result of the Two-Eyed Seeing “glasses” I wear, it is me, the person, who is wearing them (Figure 2).

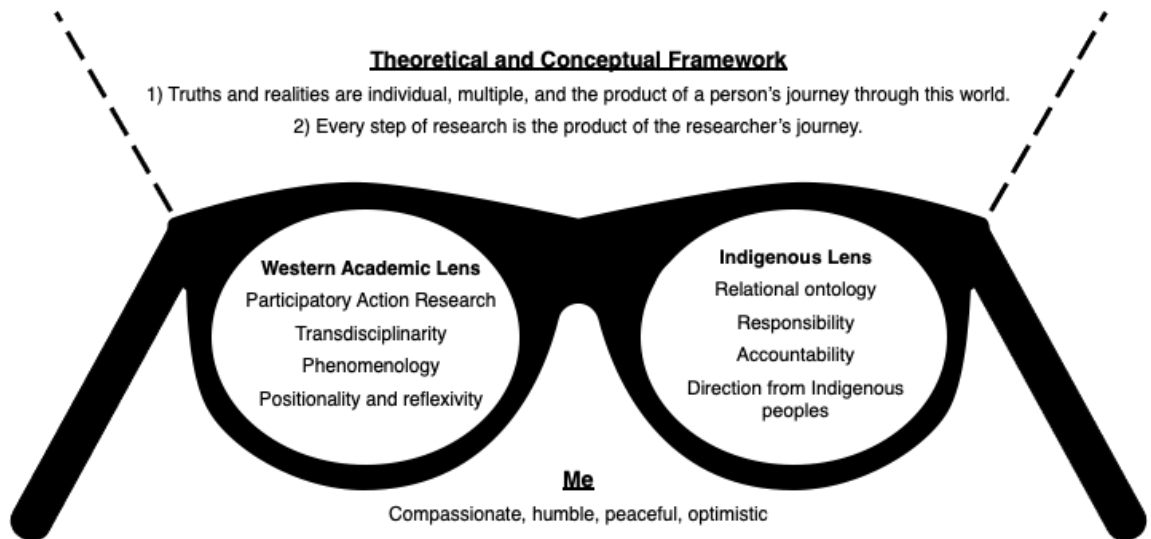


Figure 2. My theoretical and conceptual framework.

2.3 Research Questions and Objectives

This thesis aimed to address the following research question: Can marine safety and shipping initiatives contribute to the process of reconciliation, and if so, how?

Reconciliation, as defined by the TRC, is “an ongoing process of establishing and maintaining respectful relationships” (2015b, p. 11), recognizing that it means different things to different people, communities, and organizations (see also Younging et al., 2009). Therefore, to look at potential linkages between marine safety and shipping initiatives and reconciliation requires an investigation of the relationships within marine

safety and shipping initiatives. The subsidiary questions that were used to structure the research approach reflect this emphasis on relationships: (1) What have been the experiences of Inuvialuit interacting with the Government of Canada on marine safety and shipping matters over time? And (2) how can these experiences be framed in the broader context and process of reconciliation?

The purpose of this research was to contribute to filling the gap identified in the literature with regard to how Inuit are involved in marine safety and shipping in the context of reconciliation. The objectives were to add a new lens to the discussions on marine safety and shipping both nationally and internationally and to advance the literature on Indigenous-settler relations, including co-management, by exploring “the circumstances and conditions in which reconciliation either fails or flourishes” (TRC, 2015b, p. 125) and drawing attention to the small, tangible, and manageable steps (Harrowell, 2018) along the path of and towards reconciliation. While shipping is international by nature with many operational decisions implemented by the industry itself, this research focused on how the Government of Canada and Inuit can, could, or should work together to develop and implement the framework that governs shipping in the waters of Arctic Canada and Inuit Nunangat in a way that reflects and supports the broader processes of reconciliation and decolonization.

2.4 The Inuvialuit Settlement Region

This research was conducted through a case study in the Inuvialuit Settlement Region, and furthermore, in collaboration with the Inuvialuit Game Council. Inuvialuit are the Indigenous people of the coast of the Western Arctic. Their homeland – Inuvialuit

Nunangat – is one of four Inuit regions in Inuit Nunangat (Figure 1a, p. 1). The boundaries of the region (Figure 3) were formalized in 1984 with the signing of the *Inuvialuit Final Agreement* (IFA), the second comprehensive land claim between Inuit and the Government of Canada, the first North of the 60th parallel, and the first to include marine waters. While the IFA does not specifically address marine safety or shipping, it does define rights and roles with respect to the management of the land and resources of the ISR. It also establishes a number of bodies to carry out various functions under the Agreement, including for co-management.

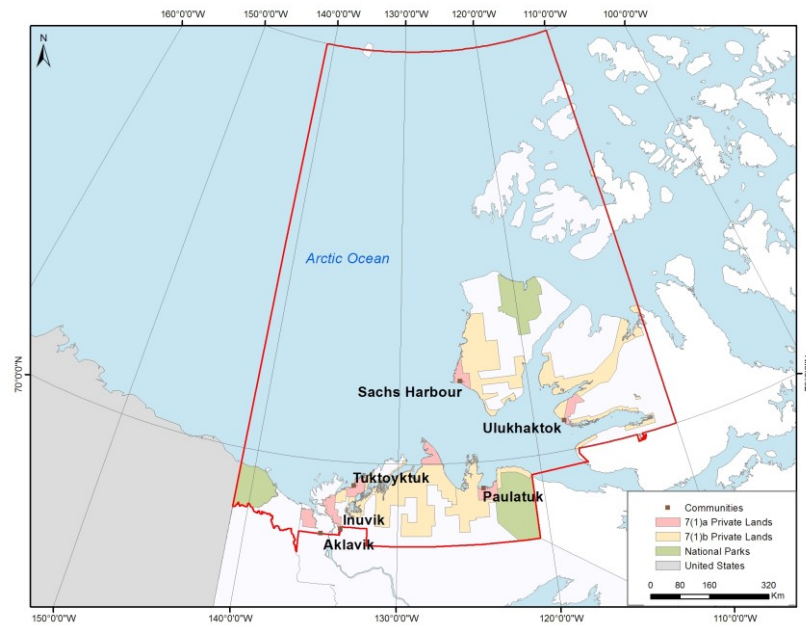


Figure 3. The Inuvialuit Settlement Region (IRC, n.d.b).

Initiated namely by American whalers, the first major interactions between Inuvialuit and non-Indigenous peoples began in the 1800s (Berger, 1977; IRC, 2009; Lajeunesse and Lackenbauer, 2023; Lyons, 2007; Usher, 1971, 1973). The relationship at first was namely economic and beneficial to Inuvialuit, though the introduction of the

new trade economy and associated material items were not without implication for Inuvialuit culture and society. The most devastating introduction to Inuvialuit, though, was disease, which reduced the population of Inuvialuit to less than a 10th by the early 1900s (IRC, 2009). Around the same time, Anglican and Catholic missionaries came to the region and began putting Inuvialuit and other Indigenous children in schools, establishing an away-from-home school system later to involve the Government of Canada (TRC, 2015c). As is described more fully in Chapter 3, these changes have and continue to fundamentally impact Inuvialuit and their present-day relationship with non-Indigenous people and the federal government.

Today, the population in the ISR is approximately 6,000, of which 4,644 are Inuvialuit (Northwest Territories Bureau of Statistics, 2022), spread across six communities: Aklavik, Inuvik, Tuktoyaktuk, Ulukhaktok, Paulatuk, and Sachs Harbour. The public sector has been a key driver of the economy in the ISR, with Inuvik serving as the administrative hub for the region (IRC, n.d.c; Qatalyst Research Group, 2023). A recent study on the economic opportunities in the greater region of the Beaufort Delta (the ISR and the neighbouring communities of Fort McPherson and Tsiigehtchic) shows interest and promise for development in a number of areas, such as education and research, tourism (including cruise traffic), oil and gas exploration and development (including offshore), remediation and site reclamation, and renewable or alternative energies (Qatalyst Research Group, 2023). As is described further in Chapter 4, though, regardless of these economic developments, Inuvialuit maintain their culture through connection to land and traditional activities, such as harvesting and consuming traditional

foods; drum dancing; making clothing, arts, and crafts; and playing traditional games (IRC, n.d.d).

My first introduction to the ISR was in 2013. I was a student in the Marine Affairs Program at Dalhousie University interested in conducting my graduate project in the realm of coastal climate change adaptation. My summer internship was with the Geological Survey of Canada based in Dartmouth, NS, within a team that had conducted research in the ISR, particularly in and around Tuktoyaktuk for decades. While I was not able to travel to the ISR, I did have access to many datasets and learned about the region from the scientists who had spent years traveling there and conducting their research in partnership with Inuvialuit.

My first trip to the ISR was in August 2014. I was a research assistant at the time on a project studying Arctic shipping risk and surveillance systems, and travelled to Yellowknife and Inuvik to conduct interviews to understand the roles of different stakeholders in the management of shipping and their respective concerns with a growing shipping industry in the Beaufort Sea (Ualiniup Tariunga). I was in Inuvik for a total of two days and met with a representative of the IRC and of the Government of the Northwest Territories. I then returned to Inuvik in December of that year to present the findings of the research to the IGC at their invitation. As indicated above, this was not well received.

My next trip to the ISR, again just to Inuvik, was in October 2017. This time I was there as part of a team at Dalhousie University that was contracted to do work for the World Wildlife Fund and the IRC on the potential for marine spatial planning in the

Beaufort Sea (Ualiniup Tariunga). Our group presented at a Beaufort Sea Partnership Meeting, which included representatives from the IRC, IGC, other co-management bodies, the communities, federal and territorial departments, and other stakeholder groups. This time we were not reprimanded by any participant, including the IGC, though we were not overly praised, either.

In 2018, in my capacity as a federal public servant, I traveled to Inuvik twice: once in February for a meeting with the IRC to discuss the Oceans Protection Plan, and once in October for another Beaufort Sea Partnership Meeting. By this time, I was beginning to know members of the IRC and the IGC, as well as the Joint Secretariat which provides administrative support to the IGC and the other co-management boards.

With each subsequent research project and trip to the ISR (Inuvik) I learned more about the region and its history, and yet discovered how much more I had to learn and experience. For one, I knew I needed to spend time in a community other than Inuvik, which is more influenced by government and industry than the others. Second, I knew that I needed to learn more *from* Inuvialuit, as opposed to learning *about* them. This shift in how I positioned Inuvialuit in the research process influenced the remainder of the research journey, including where I sought and how I prioritized information.

2.5 Methodology

The Two-Eyed Seeing nature of my theoretical and conceptual framework called for the construction of a methodology that satisfied the purpose of research through both a Western academic lens and an Indigenous lens. This meant that I had to design a methodological approach that was not only rigorous, robust, real, theorized, valid, and

reliable, as per Western research standards, but that it was also useful, friendly, and just (Tuhwai Smith, 2008). Drawing from PAR and incorporating a decolonizing agenda, I ensured the priorities, approaches, and ways of knowing of the IGC were incorporated into the methodology. One important way I did this was by treating Inuvialuit as my partners or collaborators in the research project and deciding on the research topic, methods, and outputs with them to ensure the research fulfilled both our needs (Henshaw, 2010; Laidler, 2007; Moller et al., 2009; Porsanger, 2004; Sable et al., 2006; Stephenson & Moller, 2009; Tuhwai Smith, 2008); i.e., I needed to deliver a thesis of original research, while the IGC was interested in products that realized change in their communities. Treating Inuvialuit as my research partners did not detract from the fact that they were also research participants, but it did shift the power over the research from *my* hands to *our* hands. Furthermore, I prioritized and gave power to the knowledge and words of Inuvialuit in the event they conflicted with that which I had learned through Western scientific/academic processes, i.e., the colonizing perspective (Kovach, 2009; Tuhwai Smith, 2008), and ensured that in addition to the requirements of a doctoral degree, I delivered products the IGC deemed important and necessary towards realizing their interests in this project. This approach not only impacted the methodology and methods, but also the meaning-making process and the presentation of the findings. As someone who grew up under the narrative of the colonizer, and even more so someone who is now employed by the Government of Canada, I knew that I would more easily see the benefits and outcomes for me than for Inuvialuit. However, through self-awareness, self-discipline, and ultimately self-decolonization, I worked through this process by questioning every decision I made regarding my research to ensure that it was not only

rigorous and legitimate through a Western academic lens, but also served as medicine through its process and outputs.

The phenomenological component of my ontological framework offered a strong starting point for constructing my methodology. In phenomenology, realities and experiences are the phenomena of study, “and the only absolute data from where to begin” (Groenewald, 2004, p. 43). As such, phenomenological research aims to understand the meaning of a phenomenon to a group of people through the study of their lived experiences; what was experienced and how? (Creswell, 2013). Here, the phenomenon of study was that of Inuvialuit-federal relations on marine safety and shipping positioned in the context of reconciliation. The focus on the experiences and stories of research participants and the value placed on contextualized knowledge led Kovach (2009) to consider phenomenology an ally to Indigenous methodologies. Some phenomenological studies employ the practice of bracketing, wherein the researchers present their own experiences with the intent of allowing the readers to “judge for themselves whether the researcher focused solely on the participants’ experiences in the description without bringing [themselves] into the picture” (Creswell, 2013). This, I believe, is where phenomenology diverges from an approach that embraces the Indigenous relational ontology, and therefore is one of the areas I reflected upon and advanced my decolonizing agenda and Two-Eyed Seeing approach. Rather than presenting myself with the intention of setting myself aside (bracketing), I presented myself with the intention of bringing myself – my experiences and relations – into the research. I allowed my relationships with spiritual and physical beings, myself, and with the research participants to be present and explained how those relationships and my

experiences shaped how I interpret information and carried out my analyses. I did this by explicitly and openly locating myself through the incorporation of reflexivity and personal reflection into the research process, as was done by Botha (2011), for example, who “revisited and reflectively interrogated the practical, cognitive and emotional experiences of [their] fieldwork, making use of the concept of ‘lived experiences’” (p. 317). Botha used their interview data, research diary and photographs as “audio and visual cues” to write about their experiences as part of their research findings. This allowed them to examine not only the Western-indigenous relations in research, but also to “interrogate” their own positionality; their assumptions, biases, and approaches. Kovach (2009) also embraced this notion of openly including herself in her research; she took the approach of writing a reflective opening and closing for each chapter of her book, as well as a prologue and epilogue that located herself within the topic being discussed, allowing her own truths, reflections, and intuitions to be available to the reader and contribute to the interpretation of the story she presented.

2.6 Methods

Phenomenological studies follow a general research process (Creswell, 2013; Groenewald, 2004): data are collected, primarily through in-depth interviews but also through participant observation, and are systematically analyzed by identifying significant statements or units of meaning within transcripts which are then clustered into themes and presented as textual descriptions. A structural description is developed to outline the context and setting of the experiences, and a final composite description summarizing the “essence” of the experience of the phenomenon is written in conclusion. This approach closely aligns with the approach proposed by Montuori (2013a) for

undertaking transdisciplinary research: “begin with the phenomenon, develop a rich description through a narrative, ask questions, and then learn where we might find relevant information, based on what arises as we begin our exploration and description of our topic” (p. 46). To decolonize my work, though, I modified the approach.

For one, I did not consider my interactions with Inuvialuit as “data collection.” Carter and colleagues (2019) use the term “knowledge documentation” instead to reflect the reciprocal sharing of knowledge and experiences, as opposed to the taking or “collecting” of data by researchers. To me, though, this still reflects a one-way sharing of information. While some elements of this research do represent “knowledge documentation,” the approach of the conversational interview more closely aligns with the partnership approach I tried to take. The conversational method to interviewing provides a way to engage with research participants that respects reciprocity in research and knowledge creation and creates space for open and extensive interactions between interlocutors (Drawson et al., 2017; Kovach, 2009, 2010; Peltier, 2018; Tuhiwai Smith, 2008; Weber-Pillwax, 2001). The method reflects the open-ended, semi-structured interview that is often used when working with Indigenous peoples (e.g., Carter et al., 2019; Heyes, 2007; Kielsen Holm, 2010; Laidler, 2007; Laidler et al., 2010; White, 2006, 2008), but as Kovach (2009) explains, “it becomes less about research participants responding to questions, and more about the participants sharing their stories in relation to the question” (p. 125). The conversational method also more openly acknowledges the researcher’s participation in the conversation and thus the knowledge co-creation process (Kovach, 2010). Furthermore, the conversational method provides the necessary flexibility within the interaction to accommodate oral traditions and give greater control

to the participant to determine the direction the conversation will go and the knowledge and experiences they wish to share (Kovach, 2009).

Beyond the conversational interviews, though, I embraced that I would gain information and generate knowledge through every interaction I had from the beginning to the end of this research project. Weber-Pillwax (2001) considers this a method that is steeped in responsibility, accountability, and trust between the researcher and those they speak to. In the context of transdisciplinary research, Montuori (2013b) considers the “simple dialogue with colleagues, playing with ideas over coffee, arguing over dinner and a bottle of wine, the excitement of sharing ideas with friends late into the night, the more convivial, everyday, unstructured processes” (p 219) as important lived experiences where knowledge is generated. Through an Indigenous lens, though, I see this as simply embracing the relational ontology and being aware and attuned to all my interactions so I may honour each one, no matter how formal or informal, big or small. In line with Weber-Pillwax (2001), I recognize that this introduced a responsibility and accountability between me and everyone I spoke to, as they either trusted me or trusted someone who vouched for me. I hope that all those I met with and spoke to in the many and varying capacities over the course of this research journey see their insights incorporated, acknowledged, and respectfully represented in one way or another in this thesis.

2.6.1 The Research Journey

Given that I shared the power of this research project with my Inuvialuit partners, the specific methods were left to emerge through working together. As such, the result was a research journey (Figure 4), through which the “right” methods emerged along the way.

This journey formally began in early 2020 following the presentation by the Tuktoyaktuk Marine Coordinator on the Enhanced Maritime Situational Awareness initiative. Shortly after the presentation, I spoke with the Marine Coordinator and representatives of the IRC and the IGC to scope out the research project and to construct the thesis proposal, which was defended in February 2021. Both these organizations were established by the IFA and have been particularly active in marine safety and shipping matters. The IRC was established to represent the interests of Inuvialuit and is the Inuit Treaty Organization in the ISR. In addition to interacting with the Government of Canada on federal initiatives (e.g., under the OPP), the IRC has also released its own cruise and yacht management plan (2022). The Board of Directors of the IRC is comprised of the Chair of each of the six Community Corporations and the Chair and CEO of the IRC, who is elected by the Community Corporations. The IGC, on the other hand, was established by the IFA to represent the interests of Inuvialuit with respect to wildlife and wildlife habitat management, including in marine spaces. The IGC has been actively involved in federal shipping initiatives, including under the OPP, and has led shipping workshops in 2019 and 2020. These workshops brought together federal and territorial governments, community and regional organizations, and co-management bodies to discuss shipping in the ISR. The IGC is comprised of two representatives from each of the six Hunters and Trappers Committees (HTC) and a Chair that is elected by the HTCs.

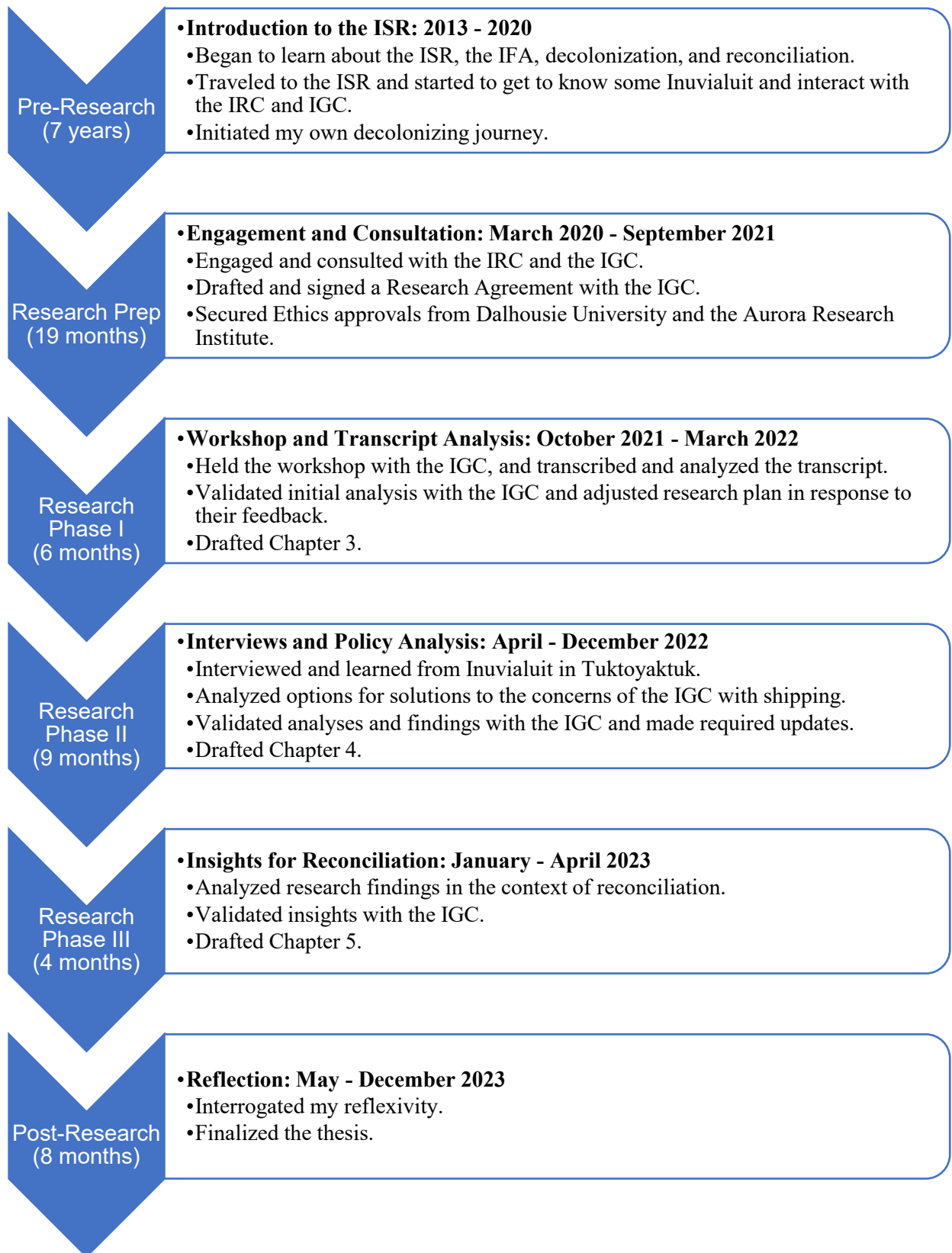


Figure 4. The research journey for this doctoral thesis.

Engagement and consultation regarding this research project took place with both the IRC and the IGC throughout 2020-2021, culminating with the signing of a Research Agreement with the IGC in September 2021 that outlines the scope of research, the research participants, the responsibilities of all parties, and ownership and publication requirements. The Research Agreement stipulates that the IGC is the owner of any and all information produced through interactions with Inuvialuit, and that the IGC will be given 90 days to review any drafts of research products. This Agreement was required as part of securing further approval from Dalhousie University's Research Ethics Board (Annex A) and a Scientific Research Licence from the Aurora Research Institute⁶ (Annex B). Approval from the Dalhousie Research Ethics Board was obtained in October 2021, and renewed in October 2022 (REB #2021-5786). The Scientific Research Licence was required because all research in the Northwest Territories must be licenced (Aurora College Research Institute, n.d.). The application is not only reviewed by the licencing body, but is also distributed to affected and potentially interested communities – in this case the Hamlet Offices and the Community Corporations of Aklavik, Inuvik, Ulukhaktok, Tuktoyaktuk, Paulatuk, and Sachs Harbour – for their review, comment, and approval, too. The research licence (No. 16917) was obtained in November 2021. Both the Dalhousie University Research Ethics Board and the Aurora Research Institute's approval and licencing processes ensure that research meets the standards of the Tri-Council Agencies' policies on the ethical conduct of research involving humans (CIHR et al., 2022).

⁶ As of April 1, 2023, the Aurora Research Institute no longer processes and issues research licences. This function has been taken on by the Government of the Northwest Territories.

Research Phase I: The workshop and transcript analysis (October 2021 – March 2022)

With the Agreement in place, formal invitations were sent in November 2021 to the IGC and the IRC by email seeking participation from their organizations in a workshop to discuss the participants' experiences working with the Government of Canada on marine safety and shipping initiatives. The IRC was not able to participate, but the full IGC did. The workshop therefore included two representatives from each of the HTCs, including the Chair of the IGC at the time, for a total of 12 participants. The ages and experiences of participants varied, but all were men and were appointed by their communities to represent them in matters of wildlife and wildlife habitat management, including in marine spaces and for shipping initiatives. That the board members at the time of the workshop were all men is aligned with the findings of Natcher (2013) that natural resource co-management boards in northern Canada are typically majority or all male. Staples and Natcher (2015) investigated the impact of the male-dominant nature of the natural resource co-management boards in the Yukon, specifically, and found that gender can influence decision-making processes and collaborative efforts. Therefore, the fact that the participants were all men may have impacted the findings of this work. However, I did not introduce any gender criteria for this research, as my intent was to align my approach with Article 18 of UNDRIP: that Inuvialuit have the right to participate through representatives chosen by themselves. The workshop took place on December 5, 2021, in Inuvik, NWT, at the Midnight Sun Complex, a venue suggested by the Joint Secretariat. All costs associated with the workshop, including honorarium for the participants and lunch, was covered by the research budget.

The intent of bringing the IGC members together as the first “knowledge documentation” effort was to respect and integrate the collective and shared nature of Inuvialuit Traditional Knowledge, and to support the efforts of Inuvialuit to improve their ongoing engagement on issues related to shipping in their waters. It also responded to the advice from the IRC and the IGC to ensure that all six of the Inuvialuit communities were included in the research project. Furthermore, by focusing on sharing stories and experiences, the intent was to provide a forum where Inuvialuit could identify and discuss what has worked well, what could be improved, and how they can move forward together to continue to act upon their right to self-determination in the context of marine safety and shipping. Respecting the nature of Inuvialuit Traditional Knowledge, supporting Inuvialuit interests in the research, and following the advice, guidance, and requests of Inuvialuit organizations is all part of doing research that gives back to community.

Much research from southern Canada and other Indigenous contexts references talking or sharing circles as important approaches to organizing these types of events (e.g., Evans et al., 2009; Wilson, 2001). As Lavallée (2009) notes, the key difference between a formalized circle and other kinds of gatherings is their “sacred meaning” and intent to serve as a venue to share “all aspects of the individual – heart, mind, body, and spirit” (p. 28). It is important, though, that an approach that worked well with one Indigenous group (e.g., a First Nation) is not blindly applied to another (Kovach, 2009). Rather, it is important to work with research partners to determine the most appropriate approach in their community. I asked the Marine Coordinator whether a “circle” would be appropriate, but they⁷ advised that since many of the prospective participants were

⁷ I use the pronoun “they/them” to protect the identity of the Marine Coordinator.

members of one or more boards in the ISR, it would be more effective to take the approach they all use in their own meetings: raise of hands and roundtable.

Five questions were prepared to support the workshop discussion, but the intent was to leave the course of the dialogue in the hands of the workshop attendees and use the questions as and when needed to prompt conversation:

- (1) Why are you interested and involved in marine safety and shipping issues?
- (2) How did you first get involved in marine safety and shipping issues?
- (3) How have you worked with the Government of Canada on marine safety and shipping issues?
- (4) Have you found that the Government of Canada has changed how it interacts and engages with you on marine safety and shipping issues?
- (5) What are some things that have stood out to you over the years while interacting with the Government of Canada on marine safety and shipping issues?

Following the ethics guidelines and requirements of the Aurora Research Institute, the IRC, and Dalhousie University, consent was sought from all participants prior to starting the workshop. The informed consent process included consent to audio record the workshop. The purpose of audio recording was to allow for my complete presence and participation as a reciprocal actor in the discussions. I then transcribed the recording myself in the days following the workshop in order to “relive those conversations with people and to hear the stories anew”; as with Kovach (2009), I found this process “exceedingly beneficial and powerful” (p. 128), offering an opportunity not only to record what I heard in writing, but to begin to identify common themes at the same time.

I stayed in Inuvik for two weeks following the workshop so that I could transcribe and analyze the recording while fully immersed *in situ* in a space of reflection on what I heard, felt, and thought.

Following the framework of a phenomenological study and Montuori's (2013a) approach to transdisciplinary research, I began by distilling the key points that were made by the IGC through their conversation during the workshop. These key points were then clustered into four emerging themes: (1) concerns and issues of the IGC with marine safety and shipping in the ISR; (2) the EMSA Initiative; (3) ideas and recommendations to address the concerns and issues raised; and (4) IGC member experiences interacting with federal officials and southern researchers. For the purposes of writing this thesis, these were then grouped into two: interests, concerns, and solutions regarding shipping in the ISR; and experiences of, concerns with, and insights for interactions between Inuvialuit and non-Indigenous peoples and reconciliation. To validate the identification of the key points and themes, I drafted a workshop report (Annex C) that includes a brief description of the key messages heard relating to each theme for approval by the IGC at their meeting in March 2022. The IGC approved the report, confirming that I had properly heard them and understood what they were trying to tell me.

Although the analysis was facilitated through the identification of key points, messages and themes, the words of the IGC Board members and interviewees are presented throughout this thesis as longer excerpts from the workshop and conversational interviews. The purpose of sharing what some may find lengthy quotations is to respect the contributions of my Inuvialuit partners and the oral and story-telling nature of Inuvialuit knowledge; to mitigate the risk that I would misrepresent or lose the full

meaning of what participants told me as a result of interpreting their words through my own ontological lens; and to reflect the importance of context in the knowledge-generation process. I have also chosen to italicize quotations from Inuvialuit as a means of emphasizing their voice over quotations from non-Inuvialuit. Differentiation between voices within the audio-recording of the workshop transcript was not possible, and therefore all quotations and excerpts from the workshop are anonymous.

An outcome of the workshop was also that adjustments needed to be made to the research project in response to key messages from the workshop attendees (Table 1). Flexibility and a willingness to adapt to reflect the interests and desired approach of research partners is a key element of collaborative research such as this (e.g., Henshaw, 2010; Laidler, 2007; Sable et al., 2006; Stephenson & Moller, 2009). Proposed changes were submitted to the IGC for consideration at their March 2022 meeting; all were approved, and no further changes were requested.

While in Inuvik I also met with the IRC and spent time with the Marine Coordinator and their family. I do not refer to any of the things said to me outside the workshop, but the words of those I met with and the ways in which they interacted with me had a profound impact on how I heard and interpreted the words of others. This observation is particularly applicable to the Marine Coordinator, whose openness significantly contributed to my own personal growth and shaped how I carried out this entire research project.

Table 1. Adjustments to the research project in response to key messages from the IGC during the December 2021 workshop.

Key Message	Proposed Change
The term “reconciliation” is not appropriate in the context of this project	Change the title of the project to “Decolonizing Marine Safety and Shipping in the Inuvialuit Settlement Region.”
There must be a benefit to the IGC; there needs to be action	The following three products would be prepared for the IGC: <ol style="list-style-type: none"> 1. A background report on the governance of shipping in the ISR. 2. Two policy briefs on ideas raised at the workshop for how to address key concerns: <ol style="list-style-type: none"> a. Moving towards mandatory measures for shipping in the ISR, such as a 10-knot speed reduction b. Improving monitoring and enforcement of measures in the ISR, for example through an Inuvialuit-led monitoring program 3. A draft letter that the IGC could send to federal Ministers outlining the concerns that were raised during the workshop and summarizing the findings of the policy briefs.
IGC members are extremely busy	IGC members would not be required to participate in any interviews. Leah may reach out to some members to discuss specific items, but these conversations could take place by phone or virtually. If a member would like to discuss something with Leah, they can always let her know.
The IGC Board meetings have very full and very busy agendas	Leah would visit Tuktoyaktuk for one week in June 2022 to see “marine safety and shipping” in action, depending on the state of the pandemic. It is proposed that Leah return to the ISR for the March 2023 meeting.

Research Phase II: The interviews and policy analysis (April – December 2022)

To further explore the concepts raised during the workshop, I next traveled to the ISR in June 2022, this time to Tuktoyaktuk, the only coastal community in the ISR accessible by road. I planned the trip in collaboration with the Marine Coordinator, who reached out to key individuals within the community who they thought should be interviewed. Four formal interviews were conducted at the Tuktoyaktuk HTC building, each taking the same approach as the workshop: the five guiding questions were used as prompts, but

ultimately the course of the conversation was left to the participant. These interviews were not only opportunities to hear about the participants' concerns, but also to begin to gain a sense of what they may consider to be viable solutions to their concerns, as per the new direction for the research. Following the ethics guidelines and requirements of the Aurora Research Institute and Dalhousie University, consent was sought from the participants prior to starting the interviews, including to audio-record the conversation. I made key notes by hand during the interviews and transcribed the recordings myself in the hours and days following while still in the community. I also compared what I had heard in the interviews with the key messages I had distilled from the workshop. Given the partnership with the IGC, I did not alter the analysis of the workshop transcript based on this new information, but I did use the additional knowledge garnered by speaking to people in Tuktoyaktuk to further augment my understanding of the topics. As with excerpts from the workshop, excerpts from the interviews are longer than may be considered typical in order to respect the oral and story-telling nature of Inuvialuit knowledge, to mitigate the risk that I would misrepresent or lose the full meaning of what interviewees told me, and to reflect the importance of context in the knowledge-generation process. Unlike for the workshop, though, the excerpt is attributed to the speaker, with their permission, because their identity was known.

While in Tuktoyaktuk I spent much time with the Marine Coordinator, listening and learning as much as I could. During this trip, I was also taken on a boat ride to a fishing camp. Again, while these experiences do not formally appear in the "results" of this research, they heavily influenced me, how I processed the information I did "collect," and therefore the research outcomes.

Over the remainder of the summer of 2022, I focused my attention on preparing the textual descriptions of the first grouping of themes that relate to shipping in the waters of the ISR, which involved further analysis to devise solutions to the concerns of the IGC and those Inuvialuit I spoke to in ways that aligned with their interests and preferred approaches (Chapter 4). Given the interest in designing viable solutions, i.e., those that could be put before federal departments and ministers for action, the Privy Council Office's *A Drafter's Guide to Cabinet Documents* (2013) was used as a framework for developing the arguments for the solutions. In particular, I relied on the guidance for writing the Ministerial Recommendation component of a Memorandum to Cabinet,⁸ which is the document used to support Cabinet and Cabinet Committee meetings. This framework was chosen because it is within such meetings that decisions about the creation or renewal of programs are made. The options for solutions were presented to the IGC at its December 2022 Board meeting. While Board members had additional insights and considerations to be included, they approved the solutions I had drafted, which are presented alongside the issues and concerns in Chapter 4.

Research Phase III: Insights for reconciliation (January – April 2023)

The last step was to return to the research question to position what I had learned in the context of the broader process of reconciliation. As per the phenomenological methodology, I also needed to include a final composite description summarizing the “essence” of the experience of working with the federal government on marine safety and

⁸ The other elements of a Memorandum to Cabinet are annexes with detailed costing information, and a plan for implementing the recommended option, communications, and engaging with stakeholders and parliamentarians.

shipping issues. These findings are all presented in Chapter 5. Throughout the course of the research, I reflected on these matters, and presented my insights to the IGC at its meeting in March 2023. During the meeting, Board members voiced support for the findings and insights presented.

2.6.2 Reflexivity Within All My Relations

To support my own accountability to a decolonizing agenda I practiced reflexivity throughout the research journey. Beyond self-reflection in the context of this research project and topic, though, I reflected on my positionality within all my relations, with particular attention to the broader concepts of decolonization and reconciliation and how I as a person, not only as a researcher, fit into these processes. The self-reflection was constant, whether I was taking my lunch break from my public servant job, driving to pick a kid up from school, or flying to the ISR once again. Not all these reflections were recorded in writing, but while traveling for fieldwork I prioritized journaling while in the place of the research (Botha, 2011; Kovach, 2009; Weber-Pillwax, 2001). I include some of these raw field notes alongside the chapter that was drafted during the corresponding period of time (i.e., fieldnotes taken between October 2021 and March 2022 are presented in Chapter 3; refer to Figure 4). These raw notes are supported by additional reflections made later, which I refer to in Figure 4 as the final stage of this research journey (Post-Research). I decided to include the raw notes and later reflections to give context to the chapter itself by helping to explain why it focused on certain things or why it was written in a certain way. I have also come to realize that these self-reflections are meaningful contributions to the scholarly community in and of themselves by offering insights into how to apply a decolonizing agenda and Two-Eyed Seeing approach to research as a non-

Indigenous person. As such, I also included a discussion of these insights to encourage and support readers to interrogate their own positionality in the name of decolonization.

One space that I repeatedly reflected upon, and something that I really struggled with throughout the research journey, was the tension between my Western academic and Indigenous lenses as I tried to navigate between them to advance decolonization and reconciliation. I reflected heavily on this tension while doing fieldwork, as described in my fieldnotes on my way to Tuktoyaktuk in June 2022:

Tuesday, June 21, 2022 – Edmonton, AB (layover en route to Tuktoyaktuk)

[...] I'm reading Lyons (2010) – about the social memory of Inuvialuit Elders. She wrote about how the Elders, even though they agreed to be interviewed, were “eloquently critical” of ethnographers. This is something that hasn't sat well with me as I've gone along my journey of decolonizing myself and my thinking: doing research on or about Inuvialuit. Unless my entire thesis were to be a giant quote, I can't imagine doing it. I've tried to put myself in the position of the “researched” – having someone come interview me, my family and friends, and then analyze and discuss what we think and experience... [...] So then what's the point of “interviewing” them? Of going to the ISR if I'm not going to research Inuvialuit or the ISR?

→ Personal experience; context; perspective; positioning

I can write about my experiences and reflections on conversations and interactions – talk about what these things mean to me – but that's as far as it goes. From an “Indigenous” lens, though, those reflections/experiences/interactions/relationships have value – the insights are meaningful.

“All” this time spent is shaping and directing the work because it shapes how I think.

Hearing that the IGC doesn't feel their concerns are being heard and they don't know why solutions aren't being put in place “directs” me to do what the Government of Canada isn't → the policy analysis.

Wednesday, June 22, 2022 – In-Air (en route to Tuktoyaktuk)

As I was boarding the plane to Yellowknife and on to Inuvik I had the realization of the slight shift in language that communicates a key difference (I think) for decolonization:

I'm not doing this research and reporting the stories of Inuvialuit, I'm doing it for Inuvialuit.

Not because I think it's important, though, but because I've been told "these are the important stories, considerations and issues" and "this is what problem-solving should look at."

The stories and experiences of Inuvialuit will still be a central tenet and focus, but the analysis will not be on them; it will be for them.

Positioning Inuvialuit as a partner in the research that guided what information was included, what analyses were conducted, and what research products were generated is, to me, an essential part of treating Inuvialuit as my partners through a lens of decolonization. I looked to the IGC for validation and guidance the same way I looked to my supervisors and supervisory committee; they did not do the work for me, but they helped to ensure I stayed on the right path. At the end of each phase of research I validated with the IGC Board what I had heard, how I had interpreted what I heard, and where I was thinking to go next. Most importantly for gaining the trust of the IGC Board, I think, was that I did not progress with the research until I had confirmed my interpretations were aligned with their intentions, and even more so, I ensured that all I did maintained alignment with those intentions. To me, the greatest risk of undertaking research such as that contained in this thesis was that I misrepresented Inuvialuit or repeated colonial approaches to working with them.

This tension was also particularly strong in the preparation of this chapter as I sought to justify my research approaches. One example was developing my conceptualization of reflexivity. von Seggern and colleagues (2023) explain the concept as rooted in anthropology and sociology, citing Geertz (2015) as coming up with the idea of "reflexive anthropology" where researchers are "enmeshed in webs of cultural meaning" (p. 2). Smithers Graeme and Mandawe (2017), too, describe reflexivity as "informed by social constructionism and widely embraced within feminist scholarship"

(p. 3). Indigenous knowledge and ways of understanding the world are inherently “reflexive,” and in fact go beyond it, but they are not credited here; Indigenous people are not cited or honoured for their relational ontology or what this way of thinking could contribute to broader ways of knowing in the same ways an academic would cite Foucault, for example, as von Seggern et al. (2023) did. In other words, Indigenous knowledge is not treated as equal. This was the case, too, in writing this thesis. Presenting the Indigenous concepts of relationality, a researcher as person in the world, or the non-existence of disciplines or boundaries was insufficient. I had to present how these concepts fit alongside western scientific theories, for this doctoral research is an academic pursuit and there are well-established academic concepts that must be acknowledged. However, I could have advanced the concepts of positionality, reflexivity, and transdisciplinarity without discussing how they relate to Indigenous ontological concepts of relationality or knowledge as being. I do not highlight this as a criticism of my Supervisory Committee, for they are supporting me to succeed as an academic. Instead, I raise it to draw attention to the modern manifestations of the colonial underpinnings within academia.

These reflections, as with all others throughout this thesis, are not presented for the purpose of pointing fingers or laying blame. They are presented so that other non-Indigenous students and scholars may be triggered to interrogate their own positionality not only as a researcher, but as a member of society and a person in this world. In doing so, I encourage readers to reflect on their own journey – their own experiences and ways of seeing the world separate from any theories or frameworks they may have learned through Western education systems – and to chart their own path of decolonizing

themselves and their work. In the end, there may be similarities between research approaches, but it is almost guaranteed that there will be differences; each researcher will have their own reality and set of truths, as will each Indigenous research partner. It is most important that when these realities and truths come together, for example the Two-Eyed Seeing approach is applied, they are not forced into a pre-existing framework or approach, but rather they are brought together through open and honest discussion to determine the important questions that need to be answered, the best processes through which those questions can be answered, and the most effective means through which the findings can be disseminated to ensure the goals of all sides of the partnership in the research are achieved. It may be that these approaches align with a scholarly theoretical or methodological framework, but they must not be limited by existing theoretical or disciplinary boundaries. This concept aligns with transdisciplinarity, but, as with Manuel-Navarette et al. (2012), Kassam (2021), and Barnes et al. (2021), as non-Indigenous researchers, we must take a transformative approach based on critical self-interrogation and -reflection to recognize and respect the ontological, epistemological, and methodological plurality that exists when multiple worldviews are brought together. Furthermore, I argue that we, as non-Indigenous people, need to do more to develop our Indigenous eye. We have demanded our Indigenous partners learn to see and engage in the world through our Western lens; it is our turn to learn to see the world their way so we may truly meet in the middle to walk the path of reconciliation together as equals.

2.7 Limitations

This research has been designed and conducted independent of any broader project, meaning that funding was limited and had to be sourced on an ad hoc basis. Furthermore,

as a full-time federal public servant, my time within the ISR was limited to that which I could take off work. The limited time and financial resources available for this research resulted in three progressively shorter trips to the ISR – two weeks in December 2021 in Inuvik, one week in June 2022 in Tuktoyaktuk, and a few days in December 2022 and March 2023 in Inuvik – and an inability to spend time in all six of the ISR communities. With limited time in the ISR, I was only able to conduct a small number of interviews, and with only being able to visit Tuktoyaktuk, these interviews represent the additional insights from only one of the six communities. I overcame these limitations by focusing the research on the workshop transcript, which includes the voices and interests of all six communities; the IRC and IGC told me this was important during the pre-research engagement and consultation. Although my participants only represent a small portion of the Inuvialuit population, it includes those individuals appointed by the communities themselves to represent them in matters of wildlife and wildlife habitat management, including in marine spaces and for shipping initiatives.

My reflexivity on my positionality in all my relations also enabled me to overcome the limited number of formal interviews. Throughout my time in the ISR, and particularly in Tuktoyaktuk, there was generally an openness among people I met to speak with me or teach me, but many were not interested in formally being interviewed. However, if I consider my personal experiences in those interactions – my insights and reflections on the conversation – as valid information to draw upon in this research, then their teachings still influence the research. My approach to reflexivity also mitigated the potential limitation that my position as a federal public servant might have placed on this research; instead of constructing a barrier in my mind between myself and my experiences as a

researcher and as a federal public servant, I allowed myself to look at my experiences in their entirety to develop ideas and insights. I did, however, need to remain cognizant of where these insights were drawn from to ensure that I did not overstep my ethical boundaries as a public servant or break Cabinet confidence. The self-awareness needed to respect these boundaries is no different than that required to respect the ethical requirements of research, though, and therefore was not seen as a great limitation. Instead, the experience as a federal public servant was seen as a strength to be drawn upon given the intent to develop solutions.

Although it is the existence of the gap in the literature itself that necessitates this research, the lack of studies that look at both shipping and reconciliation challenged my ability to find support in the literature for the arguments and ideas I sought to advance. The transdisciplinary approach to the research enabled me to seek insights from across disciplines, but with so much available, it also easily became overwhelming and challenging to identify where to focus my efforts in seeking out literature. Furthermore, it was at times difficult to translate findings from other disciplines, for example community planning or nursing, to the governance of Arctic shipping. Recalling, though, that as a decolonizing act, I gave equal power to the voices of Inuvialuit as I did to the voices of scholars as written in peer-reviewed articles, I had before me a wealth of information specific to the research topic to draw upon, which could further be supported by my own experiences since they, too, were considered valid and relevant. I acknowledge that this is not a traditional approach to scholarly research, though, and so I recognize that this may limit the use of the findings of this research elsewhere.

2.8 Conclusions

This chapter outlined the thought process behind and approach to the design and execution of this research project. A decolonizing agenda underpinned the entirety of this research, including the development of a theoretical and conceptual framework emerging from a Two-Eyed Seeing approach to conceptualizing my own ontology and embracing Inuvialuit ways of knowing. The Western academic lens drew from PAR, transdisciplinarity, and phenomenology, incorporating positionality and reflexivity. The Indigenous lens, however, took many of the ontological tenets of these theoretical frameworks a step further to encompass all my relations in a world without boundaries between disciplines or between myself as researcher and human being. It also kept the responsibility and accountability I had in this work to all my relations at the forefront, but in particular to Inuvialuit. I acknowledge that, as with Laidler (2007),

I can never fully overcome issues of positionality in this research. I cannot alter the compositional (i.e. what sort of person I am) and contextual (i.e. where I come from) elements that I have learned from, and become accustomed to. No matter how I conduct the research, I am still a white, female, 'southerner' researching a topic in a northern community. (p. 64)

As such, I looked to the IGC, the Marine Coordinator, Inuvialuit, and really any Indigenous person for guidance to ensure that I was understanding and acting on my understanding in a way that did, in fact, reflect their way of being and knowing.

When I look through these two eyes together, the world I see has two core concepts: truths and realities are multiple and borne from all the experiences and

teachings of an individual throughout their life. Subsequently, this meant this research, as a part of my truth and reality, was borne from all my experiences and learnings, meaning that I was inherently a participant in the research. The methodology stemming from this was largely guided by phenomenology with heavy emphasis placed on my own personal involvement and responsibility in the research to reflect my Indigenous lens.

Phenomenology was used as the starting point for designing the methods, which were modified to incorporate the specific guidance and advice for working with Inuvialuit and the IGC and the interests of the IGC Board. Given the continuous validation of the research approach and findings throughout the research process with the IGC, the methods – particularly the analyses – evolved over time to ensure the interests of my research partners were being met and presented accurately. As such, while the research presented in the following chapters was conducted solely by me, the doctoral candidate, the project itself represents a joint venture with the IGC. The first draft of this thesis was provided to the IGC for consideration at their Board meeting in June 2023; the feedback was that the Council was confident their reflections had been accurately captured through the workshop.

2.9 Glossary

Avaluqannittuq: Inuktitut for “that which has no circle or border around it”; used to help describe the relational ontology.

Decolonization: The many elements necessary to enable the establishment and maintenance of respectful relationships between Indigenous and non-Indigenous peoples (reconciliation), including the deconstruction of frameworks that maintain colonial power over Indigenous peoples (see Chapter 5 for a greater discussion).

Decolonizing agenda: A research agenda with the central goal of contributing to decolonization and the self-determination of Indigenous peoples.

Naturalist ontology: The ontology underpinning the Westminster system and the governance of shipping that is rooted in an understanding that people can separate themselves from the “natural” world and segment it into portions that can individually be studied and managed. Knowledge is generated through inquiry and formal teaching, and therefore there is one truth and one reality that we are all trying to know.

Participatory Action Research: Research that seeks emancipatory knowledge and to ignite action and change in society through approaches wherein participants become collaborators.

Phenomenology: A research methodology wherein truths and realities are multiple and based on the experiences of individuals. As such, the purpose of inquiry is to come to develop an understanding of the experiences with a phenomenon.

Phenomenology is also a research method wherein data is collected primarily through in-depth interviews and participant observation and is systematically analyzed by identifying significant statements or units of meaning within transcripts which are then clustered into themes and presented as textual descriptions. A structural description is developed to outline the context and setting of the experiences, and a final composite description summarizing the “essence” of the experience of the phenomenon is written in conclusion.

Positionality: The position of the researcher in the world; as a member of a family, community, society, sector, etc.

Reconciliation: “an ongoing process of establishing and maintaining respectful relationships” (TRC, 2015b, p. 11; see Chapter 5 for a greater discussion).

Reflexivity: The continuous exercise of self-reflection in the context of the research project and topic.

Relational ontology: The ontology that is common among Indigenous cultures that is rooted in a lack of division between people and the “natural” world; all elements of life are interconnected in a single network of social, non-dominant, and respectful relationships that transcends physical and spiritual boundaries. Knowledge is gained through experience and therefore truths and realities are multiple.

Relationality: Reflexivity applied in the context of the relational ontology, i.e., all of life.

Traditional Knowledge: “the knowledge gained by Inuvialuit individuals through traditional learning patterns (stories/songs), and through living on and using the

land” (Inuvik Community Corporation et al., 2006, p. 6-1), and how one is in the world as a result.

Transdisciplinary research: Research that is rooted in the inquiry and in events, and draws from any discipline and type of knowledge to support creative and solutions-oriented research.

Two-Eyed Seeing: A concept introduced by Mi’kmaq Elder Albert Marshall, wherein an individual or group of individuals learns to see with an Indigenous ontology (lens) and a Western ontology (lens), or wherein individuals with a Western ontology (lens) and individuals with an Indigenous ontology (lens) work together, weaving between the two to find new and better ways of doing things.

CHAPTER 3: BACKGROUND ON THE INUVIALUIT-CROWN RELATIONSHIP AND GOVERNANCE OF SHIPPING IN THE INUVIALUIT SETTLEMENT REGION

3.1 Introduction

The purpose of this chapter is to outline the foundational information required to embark on research to answer the question: Can marine safety and shipping initiatives contribute to the process of reconciliation, and if so, how? To answer this question, I see there to be two particularly relevant systems that must be described: reconciliation, and marine safety and shipping. The theoretical framework that underpins this research includes an understanding that relationships are at the center of reconciliation, which is also reflected in the works of the Royal Commission on Aboriginal Peoples (1996), the Truth and Reconciliation Commission of Canada (2015d), and the National Inquiry into Missing and Murdered Indigenous Women and Girls (2019). As I have described elsewhere,

Relationship-building requires human interactions, or encounters, which means there must be compassion for the multigenerational experiences and intergenerational traumas of Indigenous peoples. Such compassion is not possible unless there is an understanding of the true histories and realities of Inuit and the Inuit-Crown relationship. (Beveridge, 2023, p. 101)

This chapter therefore aims to situate present-day Inuvialuit-Crown interactions within the context of the historical relationship. To do so, this chapter begins with a brief overview of colonization in the Inuvialuit Settlement Region and the negotiation of the modern comprehensive land claim agreement, the *Inuvialuit Final Agreement*, with particular attention to events and provisions that are relevant for shipping governance. An

overview of more recent events pertaining to a renewal of the Inuvialuit-Crown relationship under the reconciliation agenda of the Liberal Government elected in 2015 is presented in conclusion. Though not explicitly raised in the chapter, the broader Indigenous-Crown relationship must also be mentioned, as the many failed promises, litigation, unimplemented accords and agreements, and assimilationist policies (and attempted policies) of governments past and the settlers before that set a tone for the Inuvialuit-Crown relationship, too.

Given the overarching intent to center the voices of Inuvialuit, this part of the chapter relies most heavily on materials authored, co-authored, or referred to by Inuvialuit. As described by Lyons (2007, 2010), Inuvialuit experiences, history and culture are not often presented as their own, but rather are compiled with that of Inuit in Nunavut, Nunavik, and Nunatsiavut and presented as a single, homogenous story. In this way, the unique history and reality of Inuvialuit is not often defined. Care is thus taken to only discuss the history of the ISR and the Inuvialuit-Crown relationship.

The second portion of the chapter then focuses on shipping governance, providing the necessary background information and context needed to discuss reconciliation in the context of marine safety and shipping. This section begins with a brief history of shipping in the ISR, followed by a description of the key organizations involved in the governance of the industry and the associated instruments. These include international conventions and organizations, nation-wide and Arctic-specific federal maritime laws and regulations, and ISR-specific regulations and initiatives.

3.2 The Inuvialuit-Crown Relationship

Inuvialuit, like Inuit across Inuit Nunangat, have inhabited their homeland for millennia, inclusive of the land, sea, and sea ice, through a semi-nomadic lifestyle guided by the hunting, trapping, and fishing seasons (IRC, 2009). Non-Indigenous peoples first came to the region in the 1700s as explorers, but in the 1800s they came as whalers, fur traders, and the Hudson's Bay Company (HBC) (Berger, 1977; IRC, 2009; Lajeunesse & Lackenbauer, 2023; Lyons, 2007; Usher, 1971, 1973). When the HBC first came to this northwestern corner of the continent, trade with Inuvialuit was limited, and largely occurred through Gwich'in intermediaries given the nearest trading post – that of Peel River (later Fort MacPherson) – was located on their territory. Instead, in the early days of interactions, it was the whalers who had the greatest influence on Inuvialuit ways of life.

The whalers first reached Herschel Island in 1889, which subsequently became an important site of intercultural interactions, trade, and debauchery (IRC, 2009; Lyons, 2007; Usher, 1971). As Usher (1971) writes,

By 1900, [Captain] Bodfish was taking orders from Eskimos at Baillie Island for goods from San Francisco, to be brought up the next year. Such orders were not for flour and tea but for whale boats and the finest American rifles. In short, unlike other parts of the Canadian Arctic, the new Western Arctic fur trade was characterized by individual enterprise, competitive trade, and an abundance of material goods; an economic milieu already familiar to the Eskimos of that region from the whaling days. (p. 174-175)

As a result of the heavy American presence in the region, Royal Canadian Mounted Policy (RCMP) posts were established at Herschel Island and Fort MacPherson (TRC, 2015c), but the whaling industry collapsed only a short time later, in 1907, as the population of bowhead whales was quickly decimated by over-hunting. The whalers, while present in the region, had a preference for eating inland animals as opposed to marine mammals, and as a consequence, the caribou were also in severe decline (IRC, 2009; Lyons, 2007; Usher, 1971).

As the whaling industry exited the region, the fur trade took its place. The HBC post remained in Fort MacPherson (previously the Peel River Post), and a new post was established at Herschel Island in 1915, the first coastal trading post in the Arctic that was followed by many more (Lyons, 2007; Usher, 1971). The hub of trading, though, was at Pokiak Point, which was first established by a trapper named Pokiak and later replaced by an HBC trading post. Aklavik was established nearby, and by 1919 became the centre of trading and administration for the region. In response to the growing and successful trade economy, there was not only an influx of people, including the RCMP, missionaries, and Inupiat,⁹ but also greater inhabitation of the areas surrounding Aklavik – the Mackenzie Delta – year-round, which was not typical of Inuvialuit patterns of mobility and residency (Lyons, 2007; Usher, 1971). In the 1930s, the populations of game started to suffer along the coast, pushing even more people into the central region of the Mackenzie Delta. Fur prices began to drop shortly thereafter, and by the mid-1940s the fur trade in the region was collapsing (IRC, 2009; Lyons, 2007; Usher, 1971).

⁹ Inupiat are Inuit from Alaska.

The whalers and fur traders fundamentally changed Inuvialuit culture and society through the introduction of the trade economy, schooners, firearms, communities, etc., but it has been remarked that the most devastating impacts on Inuvialuit were from the disease brought to the region (Lyons, 2007; Usher, 1971). By 1905, the number of Inuvialuit dropped from 2,500 to only 250, and by 1910, the Inuvialuit Regional Corporation documents that only 150 Inuvialuit remained (2009). As described by Randal Pokiak (as cited in IRC, 2009), the fight for Inuvialuit culture was not only a matter of resisting outside forces, but of truly maintaining Inuvialuit as a people:

From the 1920s to the 1960s, Inuvialuit families had the responsibility of re-populating, and making sure Inuvialuit customs and traditions were passed on. It was really important ... It made people close knit. Inuvialuit interests were the priority, regardless of which community you lived in. (p. 19)

Anglican and Catholic missionaries also inserted themselves into the lives of Inuvialuit at this time, including by taking children from homes and bringing them to schools wherein the intent was to convert the Inuvialuit children to Christianity (Rasing, 2017; see also Beveridge, 2023). As Anthony Thrasher recounted in his testimony to the TRC, he “remember[s] waving to [his father] from the railing as The Immaculata pulled out into the bay and headed south towards Aklavik. [He] was crying” (TRC, 2015c, p. 39). In addition to the intent to convert the children from an Inuvialuit to a Christian lifestyle and religion, the schools offered poor living conditions where “disease and death [were] common” (TRC, 2015c, p. 27); limited amounts of food were imported to the schools, and the parents of the children at the schools were often relied upon to supplement the stores.

In the 1940s, the Government of Canada took over the education system in Inuit Nunangat driven by growing interest in the region for military activities and natural resource extraction, social movements stemming from World War II, and the “diplomatic embarrassment” of American officers and civilians questioning Canada publicly about the poverty and lack of care for Indigenous peoples in the region (TRC, 2015c, p. 51). The residential school system, by this time, was widespread across southern Canada, and a federal report had concluded that “the residential school [was] perhaps the most effective way of giving children from primitive environments, experience in education along the lines of civilization leading to vocational training to fit them for occupations in the white man’s economy” (TRC, 2015c, p. 54).

Studies were also starting to emerge, though, that spoke against the residential school system, and some residential schools were beginning to close in southern Canada. However, the decision was still made to move forward with establishing a similar school system in the North. Between 1948 and 1954, nine federal schools were established in the Northwest Territories (at the time, Nunavut was not established) and northern Quebec, and by 1959 there would be more than 1,000 full-time Inuit students in these schools (TRC, 2015c).

The federal school system established in the North was a collaborative effort with the existing Anglican and Catholic institutions in the region that resulted in a hostel-day school system; the federal government became responsible for education while the missionaries continued to provide boarding for the students. The concept was that “the classroom learning would provide the theoretical lessons about modernity and life in Canada, and the hostel would make these lessons concrete” (TRC, 2015c, p. 87). The

TRC went to great lengths to document the stories of survivors of the residential and day schools in Canada, including the experiences of Inuit (TRC, 2015c). While some aspects of survivors' experiences were positive, "the overall assessment, however, was that their time at the school had alienated them from [their] communities, broken their links to their culture, and diminished their capacity to serve as effective parents" (TRC, 2015c, p. 99).

The children's story *Fatty Legs* (Jordan-Fenton & Pokiak-Fenton, 2010) paints a picture of the experience of Margaret, a child from Sachs Harbour (an Inuvialuit community) who attended residential school in Aklavik, wherein her interest in and the positive outcomes of learning are juxtaposed against the hardships of the realities for Indigenous children in the school. As a children's book, though, the story falls short of describing the abuse and devastating implications of attempts at cultural genocide that Inuvialuit live with today. This includes the impacts of multigenerational trauma, wherein even those who did not experience such abuse firsthand at the school still live with the consequences of the experiences of their parents.

Around the time of the residential schools, the Government of Canada was undertaking a number of concurrent efforts to colonize the region, including by relocating Aklavik and creating Inuvik as a center for government and industry (Lyons, 2007). Inuvialuit were particularly resistant to moving to Inuvik given its great distance from hunting sites, and they had never been consulted on the creation of the community or its location. Those who chose to move to Inuvik were offered \$70 and a promise of housing, which amounted to living in the "tent town" without access to water and waste services like the rest of the town (Lyons, 2010; Usher, 1973). The divergence between the "sides" of town in Inuvik is still visible today.

To further incentivize Inuvialuit to move to the communities, the Government opened health services and nursing stations and offered a Mother's Allowance – a tax-free in-kind stipend (in southern Canada it was a cash stipend) – for mothers who enrolled their children in the day schools (Lyons, 2010; Usher, 1973). Federal laws and regulations were also introduced both on Inuvialuit (e.g., requiring traplines to be registered) and on the use of the lands and resources upon which they depended (e.g., the 1916 Canada-US Migratory Bird Convention). All these changes were made without consulting Inuvialuit (IRC, 2009). As stated by Joey Carpenter (as cited in IRC, 2009), former Vice-Chair of the Sachs Harbour Hunters and Trappers Committee:

“Our forefathers were proud, independent people. Then government imposed regulations on traditional activities contrary to traditional lifestyle and often in conflict with traditional knowledge. For example, in the Delta, new laws required Inuvialuit to register their traplines. Such restrictions caused difficulty and hardship.” (p. 22)

The oil and gas industry then arrived in the Western Arctic in the 1960s, and still, Inuvialuit were not meaningfully consulted and their interests and concerns did not inform decision-making (IRC, 2009). As Randal Pokiak describes (as cited in IRC, 2009):

“The government was giving leases for exploration, to Esso and Gulf on the East Side of the Mackenzie River. That was the designated group trapping area for Tuktoyaktuk, the only area where we were allowed to trap and hunt... Oil companies filled out an application for [the Department of Indian and Northern

Development] when they wanted an exploration permit. By the time the oil companies came to Tuk to speak to us, they had already been given their permits. So what good was our response to the application now? To me, it didn't make sense... We tried to bring this to the attention of Government and Industry, but by the time our mail goes out and we receive a response, Industry has already started their activity.” (p. 24)

The potential for the oil and gas industry to move into Inuvialuit Nunangat was a key driver behind the move by Inuvialuit to ensure their interests were represented, their voices heard, and their rights and lands protected through the negotiation of a modern comprehensive land claim. With insights from Eben Hopson, then leader of Alaskan Inupiat and the Northwest Territories Indian Brotherhood, the concept of an organization for the Indigenous peoples of the Western Arctic emerged, and on January 28, 1970, the Committee of Original People's Entitlement (COPE) was formed (IRC, 2009). The purpose of this organization was to provide “a united voice for all the original people of the [Northwest Territories and work] for the establishment and the realization of native rights” (IRC, 2009, p. 26). Over time, the scope of COPE was changed, and the group negotiated a land claims agreement with the Government of Canada on behalf of Inuvialuit only.

3.2.1 The Inuvialuit Final Agreement

In 1973 the Supreme Court of Canada acknowledged that Aboriginal peoples have title to land (*Calder v. British Columbia*). That same year, the Government of Canada announced its willingness to enter into land claims agreements to negotiate and provide certainty

about the specific rights of an Indigenous people, the government, and industry over the use and management of such lands (Department of Indian Affairs and Northern Development [DIAND], 1986). This policy was reviewed in 1981 and replaced five years later with the Comprehensive Land Claims Policy. Within this time frame, the Canadian Constitution was amended to recognize and affirm “the existing aboriginal and treaty rights of the aboriginal peoples of Canada” (s. 35), i.e., those “that now exist by way of land claims agreements or may be so acquired” (s. 35(3)). A key driver of the review of the 1973 policy was the concern from Indigenous peoples about a clause within the land claims that extinguished their rights and interests to their land and its resources “in exchange for the benefits provided through the settlement agreement” (DIAND, 1986, p. 6). While the term “extinguishment” was removed in the 1986 policy, the concept was maintained through the language of “cede, release and surrender” instead. In 2014, an interim policy was introduced to support discussions towards renewal and reform of the 1986 policy (Aboriginal Affairs and Northern Development Canada [AANDC], 2014). This interim policy recognizes that it is not necessary to extinguish Indigenous rights not explicitly articulated within a land claim agreement in order to provide the clarity sought-after by the 1973 policy regarding the use and management of lands and resources (AANDC, 2014). However, by the time this interim policy came into being or even into thought, a land claims agreement had already been signed with Inuvialuit.

After 14 years of negotiations led by COPE, the *Inuvialuit Final Agreement* was signed on June 5, 1984 (IRC, 2009). While not the first in Canada,¹⁰ the IFA is the first

¹⁰ The first comprehensive land claim agreement signed in Canada was the *James Bay and Northern Quebec Agreement* in 1975 with the Cree and Inuit of Northern Quebec (Nunavik).

land claims agreement North of the 60th parallel in Canada and the first to include marine waters, ensuring Inuvialuit would have a voice in decision-making as the pressure to explore and develop oil and gas offshore increased and concerns from Inuvialuit about the potential impacts and benefits grew (IRC, 2009). However, as described by Nellie Cournoyea, former President of COPE and member of the team that negotiated the IFA (as cited in IRC, 2009), the land claim was about far more than simply the oil and gas industry:

“There was a substantial gap for people, between their traditional roots and the modern society. It was not just about the alienation of land for exploration, but our culture, our traditional games, our language, and our drum dancing were disappearing. So the claim was not only about the economics but the social well-being of the Inuvialuit.” (p. 24)

Peter Green, another former President of COPE, further articulated the goals of the IFA (as cited in IRC, 2009), which included ensuring a role for Inuvialuit within their own communities and within Canada:

“We wanted to make sure there were provisions in the agreement to maintain and to keep what the Inuvialuit always stood for and where we came from: how we lived, what language we spoke, where we hunted, how we fished, and trapped. Our livelihoods must be preserved. The second goal was to ensure that we have equal and meaningful participation in the northern and the national economy and society. That meant we did not want to be treated differently, or in any way that would diminish our place in the Canadian economy. We wanted to be full partners in

businesses happening around us, we wanted to ensure that we benefited when others were benefiting, from our lands. The third goal was to ensure that the environment and the wildlife were protected.” (p. 29)

These goals were achieved in the IFA (s. 1), which defines rights and roles with respect to the management of the land and resources of the ISR, an area of nearly 1.2 million km² of land and offshore areas in the Western Arctic that are traditionally used by Inuvialuit (see Figure 3, p. 41). Of this expanse of land and marine space, Inuvialuit own approximately 90,000 km² of surface lands and 15,000 km² of subsurface lands, including any oil, gas, and minerals (s. 7). The selection of these Inuvialuit title lands was based on the traditional use and occupation of the land by Inuvialuit, and on criteria such as the importance of the land for “biological productivity or traditional pursuits” such as hunting, trapping, or fishing, economic opportunities and tourism, and historic sites or burial groups (s. 9.2). Inuvialuit own the beds of rivers, lakes, and other water bodies in their lands (s. 7.2), but Canada retains ownership over the water column (s. 7.3), including “for the purpose of carrying out governmental functions relating to navigation, transportation” (s. 7.85(b)), and for the management of fish and migratory birds, notwithstanding any consultation requirements and co-management arrangements under the IFA. The IFA also defines that Inuvialuit themselves will determine the beneficiaries of their agreement (s. 2, s. 5).

Given the federal policy at the time of negotiation, the IFA does include a clause that all Inuvialuit “claims, rights, title and interests whatever they may be” are extinguished (s. 3.5) and, by way of the signing of the Agreement, that “Inuvialuit cede, release, surrender and convey all their aboriginal claims, rights, title and interests,

whatever they may be, in and to the Northwest Territories and Yukon Territory and adjacent offshore areas” (s. 3.4). In the end, COPE ceded their claim to 335,000 km² of land Inuvialuit deemed their traditional land (Office of the Auditor General, 2007) and received compensation in the form of “land, wildlife management and money” (IRC, n.d.f).

While the IFA was negotiated by COPE on behalf of Inuvialuit, the Agreement established a new body – the IRC – to represent Inuvialuit and oversee the Agreement’s implementation.¹¹ The IRC is controlled by six Community Corporations, one for each of the Inuvialuit communities: Inuvik, Aklavik, Tuktoyaktuk, Sachs Harbour, Paulatuk, and Ulukhaktok. Within their respective communities, the Community Corporations regulate matters of local concern, control development and activity on their community’s lands and the distribution of funding for the community, and establish HTC’s responsible for managing harvesting by Inuvialuit of their communities. The six HTC’s (one from each community) come together to advise and form the Inuvialuit Game Council, which is responsible for representing Inuvialuit interests with respect to wildlife. One of the ways they do this is through the appointment of members to various co-management bodies (see Annex D for a complete list of the committees and boards that the IGC appoints members to). Five of the co-management bodies are established pursuant to the IFA: the Fisheries Joint Management Committee (FJMC), responsible for co-managing fish, fish habitat, and marine mammals in the ISR; the Wildlife Management Advisory Councils – one for the Yukon North Slope and one for the Northwest Territories – that are responsible for co-managing wildlife, their habitat and harvesting; and the Environmental

¹¹ COPE was subsequently dissolved, though not by way of the IFA.

Impact Screening Committee (EISC) and Environmental Impact Review Board (EIRB), that together are responsible for evaluating the potential negative impacts of prospective developments in the region and advising on whether projects should proceed and under what terms and conditions.

The IFA was a monumental document that changed the course of the Inuvialuit-Crown relationship and paved the road for future land claims agreements in Canada. However, the full implementation of the IFA is still an ongoing project, including to ensure efforts and financial supports are updated in line with the Agreement and evolving economic reality (Implementation Coordinating Committee, 2022). More recently, though, new forums have emerged wherein Inuvialuit can push for “full, effective and expedient” implementation of their land claim (CIRNAC, 2022).

3.2.2 A Commitment to Renew the Relationship

The election of the Liberal Government led by Prime Minister Justin Trudeau in 2015 came with a commitment to renew the Inuit-Crown relationship “based on a recognition of rights, respect, co-operation and partnership as the foundation for transformative change” (Department of Justice, 2018). Actions to this end have included the adoption of the *United Nations Declaration on the Rights of Indigenous Peoples* and its implementation through the *United Nations Declaration on the Rights of Indigenous Peoples Act*, and the introduction of a new Collaborative Modern Treaty Implementation Policy (CIRNAC, 2023). The latter articulates the Government of Canada’s commitment to institutional cultural change, “reflected in behaviour, decision-making and actions at every level of the federal government” to “advance the evolution of a transformational

shift towards genuine reconciliation.” Specific actions to improve the Inuit-Crown relationship include the establishment of the Inuit-Crown Partnership Committee (ICPC) (PMO, 2017), one of three permanent bilateral mechanisms with First Nations, Métis, and Inuit. The ICPC offers a forum rooted in the recognition of the rights of Inuit as an Indigenous people, wherein Inuit and federal leadership can “collaboratively identify and take action on shared priorities” as they strive for greater socio-economic and cultural equity for Inuit in Canada. The ICPC has, to date, accomplished much (Government of Canada, 2022a), including the endorsement of the co-developed Inuit Nunangat Policy (CIRNAC, 2022a; PMO, 2022a) and Co-Development Principles (CIRNAC, 2022b; Inuit-Crown Partnership Committee [ICPC], 2022).

The Inuit Nunangat Policy is the first co-developed, distinctions-based policy in Canada, and applies to all federal departments and agencies. Its intent is to guide federal public servants in the design, development, and delivery of new and renewed policies, programs, services, and initiatives that apply in Inuit Nunangat or benefit Inuit, including programs of general application, with the intent to improve socio-economic and cultural equity and to support Inuit self-determination. One of the guiding principles of the Policy is a recognition that

Inuit are the most knowledgeable about the issues affecting their communities, regions, and society and must, therefore, maintain an integral role and progressive responsibility in decision-making over matters that apply to Inuit and/or in Inuit Nunangat. (para 3.1.4)

Subsequently, the direction of the Policy is to ensure that Inuit are engaged when there could be implications for their interests, rights, people, or lands, regardless of whether the legal duty to consult is triggered. The Co-Development Principles are intended to complement the Policy by providing 10 principles that address what co-development is, the linkages between co-development and Inuit rights, and how to approach working together through a co-development approach.

3.3 Shipping and its Governance

Industrial maritime activity in the Canadian Arctic did not significantly increase until the exploration and exploitation of offshore natural resources. Nearly forty wells were drilled in the Beaufort Sea (Ualiniup Tariunga) throughout the 1970s, which was economically beneficial for Tuktoyaktuk in particular, as it served as an important harbour for the oil companies (Andrachuk, 2008; Couture et al., 2002). While the “boom” of the offshore oil and gas industry declined at the end of the 1980s and entirely ended with the federal government’s announcement of an oil and gas moratorium in the Canadian Arctic in 2016 (*Order Prohibiting Certain Activities in Arctic Offshore Waters*), vessel activity in the ISR continued to increase over time, namely by government vessels and icebreakers, passenger ships, and tugs and barges, i.e., community resupply (Dawson et al., 2018). These vessels are governed by a framework composed of interacting and interdependent instruments at the international, regional, domestic, and sub-national scales, making shipping governance particularly complex.

3.3.1 International Shipping Governance

The overarching international body for shipping governance is the International Maritime Organization, a specialized agency of the United Nations created by the *Convention on the International Maritime Organization* in 1948 and formally established in 1958. The purpose of the IMO has evolved over time, with a modern intent to set the global standards for the safety, security and environmental performance of international shipping. Its mandate is in part derived from the *United Nations Convention on the Law of the Sea*, which calls for the “competent international organization” with respect to international shipping, understood to be the IMO, to carry out a number of functions, which today include work on ship design, construction, equipment, manning, operation, and recycling (Chircop, 2017). Through its work, the IMO has established an array of international conventions and standards¹² that are to be implemented and enforced by Member States within their own jurisdictions. The universal adoption and uniform implementation of the international framework is important given the global and transnational nature of the maritime industry; vessels enjoy navigation rights across marine areas and jurisdictions, and if each coastal state were to develop its own framework without regard for the approaches of other states, the ability for and efficiency of international trade would be severely challenged (Chircop et al., 2016). The IMO is thus also responsible for ensuring the universality and uniformity of shipping governance internationally, supported by UNCLOS, which requires that states develop their domestic

¹² For example: the *International Convention for the Safety of Life at Sea*, *International Convention for the Prevention of Pollution from Ships*, *International Convention on Standards of Training, Certification and Watchkeeping*, and the *Convention on the International Regulations for Preventing Collisions at Sea*.

laws and regulations in a manner that is “in conformity” with UNCLOS and “other rules of international law” (art. 21), understood to be the minimum standards set by the IMO.

Although these global regimes are in place, the international shipping community recognized the need for additional safety and environmental protection measures for arctic and polar waters. At first, these were just guidelines,¹³ but it was determined that mandatory measures were required. This turned into a comprehensive overhaul and significant development, resulting in a new Chapter XIV within the *International Convention for the Safety of Life at Sea* (SOLAS) along with significant amendments to Annexes I, II, IV and V of the *International Convention for the Prevention of Pollution from Ships* (MARPOL). Together, these amendments and additions were consolidated in the *International Code for Ships Operating in Polar Waters*, which entered into force January 1, 2017. Additional amendments to the *International Convention on Standards of Training, Certification and Watchkeeping* and the *Seafarer’s Training Certification and Watchkeeping Code* were also made and entered into force a year later.

Supporting the work of the IMO is the Arctic Council, an intergovernmental forum dedicated to promoting “cooperation, coordination and interaction” among Arctic players to address common Arctic issues, namely those related to sustainable development and environmental protection (Arctic Council Secretariat, 2021). There are three forms of membership to the Arctic Council: (1) as one of the eight Arctic states (Canada, Denmark, Finland, Iceland, Norway, Russia, Sweden, and the United States) with

¹³ The *Guidelines for Ships Operating in Arctic Ice-covered Waters* (2002), *Guidelines on Voyage Planning for Passenger Ships Operating in Remote Areas* (2008), and the *Guidelines for Ships Operating in Polar Waters* (2010).

decision-making power; (2) as an observer¹⁴ with no role in decision-making; or (3) as a Permanent Participant, which hold a higher status than observer states and are consulted on all negotiations and decisions, but do not hold voting power like the eight Arctic states. The category of Permanent Participant is unique to the Arctic Council and is reserved for Indigenous peoples' organizations (the Aleut International Association, Arctic Athabaskan Council, Gwich'in Council International, ICC, Russian Association of Indigenous Peoples of the North, and the Saami Council).

Much of the work of the Arctic Council is carried out through six working groups, two of which have undertaken important work in relation to Arctic shipping. The first is the Emergency Prevention Preparedness and Response (EPPR) Working Group, which has taken the lead on producing agreements that are legally-binding on the Arctic States for cooperation on aeronautical and maritime search and rescue (2013), and marine oil pollution preparedness and response in the Arctic (2011). EPPR has also been delegated work by the IMO, including by the Sub-Committee on Pollution Prevention and Response to develop guidelines for oil spill response (IMO, 2017). The second Arctic Council Working Group particularly involved in arctic shipping is the Protection of the Arctic Marine Environment (PAME) Working Group, which has developed guidelines for Arctic offshore oil and gas (Arctic Council, 2009b) and marine tourism (Protection of the Arctic Marine Environment, 2015), as well as the widely known and referenced Arctic Marine Shipping Assessment Report (AMSA) (Arctic Council, 2009a). AMSA is

¹⁴ Observer states of the Arctic Council at the time of writing are France, Germany, the Italian Republic, Japan, the Netherlands, People's Republic of China, Poland, Republic of India, Republic of Korea, Republic of Singapore, Spain, Switzerland, and the United Kingdom.

considered to be “the most comprehensive assessment of shipping risks in the Arctic to date and provides a policy road map for decision-makers to enhance safety, security and environmental protection of Arctic waters” (Porta et al., 2017, p. 81). It has 17 recommendations across the themes of Arctic marine safety, protecting Arctic people and the environment, and building marine infrastructure in the Arctic. Since the Polar Code entered into force, PAME has also established the Arctic Shipping Best Practices Forum and the Arctic Shipping Expert Group, and has taken on work to support the harmonization and implementation of the Polar Code by Arctic states, to address concerns related to heavy fuel oil, and to improve knowledge of the marine environment.

The ICC – the international representative body for Inuit in Canada, Denmark (Greenland), the Russian Federation, and the United States – has been involved in the work of the Arctic Council through its role as a Permanent Participant and through the development of its own reports (ICC-Canada, 2008, 2013, 2014). The ICC was also granted Provisional Consultative Status at the IMO for two years (IMO, 2022), and has requested to be granted permanent consultative status (ICC, 2023); at the time of writing a decision had yet to be made by the IMO on their request. As described by Monica Ell-Kanayuk, former President of ICC-Canada (as cited in Ell-Kanayuk & Aporta, 2023), this is an important step for Inuit:

“That status is crucial to us, and it will be used by ICC to represent ourselves: no one else is going to represent us now at IMO. It will advance our status, our rights, our role, autonomously from those who may have interests that are not always aligned with our perspectives as Indigenous people. There are many foreign actors in this space, shipping companies, investors, resource companies... and this is Inuit

Nunangat... this is our homeland, we see our sovereignty over these waters. We need to be part of the decisions both in the Arctic and elsewhere. Our voices must be heard, and this is one avenue to have our voices heard.” (p. 32)

To support the ICC in its efforts to participate at the IMO, the Government of Canada committed to work with Inuit through the ICPC (ITK, 2022, 2023).

3.3.2 Domestic Shipping Governance and Initiatives

In Canada, the principal maritime statute is the *Canada Shipping Act, 2001* (CSA, 2001), which addresses the safety of marine transportation and vessel source pollution. The CSA, 2001 is supported by various other maritime and environmental statutes, such as the *Canadian Navigable Waters Act*, the *Marine Liability Act*, the *Marine Transportation Security Act*, the *Canadian Environmental Protection Act*, the *Oceans Act*, and the *Migratory Birds Convention Act, 1994*.¹⁵ With respect to Arctic waters specifically, the *Arctic Waters Pollution Prevention Act* plays the principal role in the governance of Arctic shipping in Canada. Although its introduction pre-dated UNCLOS, the AWPPA was legitimized in international law through Article 234 of UNCLOS. This vital article dedicated to polar marine spaces provides coastal states bordering ice-covered waters¹⁶ additional authority to legislate and enforce mandatory measures to “prevent, reduce and control marine pollution from vessels” in such waters within their exclusive economic zone based on scientific justification. Together with the CSA, 2001, the AWPPA serves

¹⁵ For a user-friendly overview of legislation applicable to shipping in Canada, see Clear Seas’ Wheel of Maritime Law at <https://clearseas.org/resources/publications-library/>.

¹⁶ Ice-covered waters are those waters where ice creates “obstructions or exceptional hazards to navigation, and pollution of the marine environment could cause major harm to or irreversible disturbance of the ecological balance”.

as parent legislation for the *Arctic Shipping Safety and Pollution Prevention Regulations* (ASSPPR) that bring Canadian domestic regulation in line with the Polar Code.

Transport Canada serves as Canada's national maritime administration, i.e., the contact point for the international maritime conventions, representation of Canada at the IMO, and lead for the creation, maintenance, and enforcement of most of Canada's maritime laws and regulations. However, there are many departments with various interests and roles in the governance of shipping (Chircop, 2022). For example, the Department of Fisheries and Oceans leads ocean management for Canadian waters, including ocean charting and hydrographic surveys, led by the Canadian Hydrographic Service (CHS). The Canadian Coast Guard, a special operating agency of DFO since 2005, is the lead agency for search and rescue, aids to navigation, environmental response, icebreaking, marine communications, and marine and vessel traffic services.

There are also a number of important policies and programs that influence the mobility and activities of ships in addition to the legislative and regulatory framework. While still under development, the most significant current initiative for arctic waters is the Low Impact Shipping Corridors (Chénier et al., 2017; Dawson & Song, 2023). Led by TC, the CCG and CHS, the Corridors initiative is intended to prioritize federal investments in the northern marine transportation system along designated routes, and by doing so, to encourage vessels to use those corridors. To date, provisional corridors have been identified based on analyses of shipping data and navigation information to determine where ships have been operating and, based on the safety of navigation, where they should be transiting (Chénier et al., 2017). However, this initiative has broadened in scope since its inception to include the development of a "collaborative governance

framework” with northern peoples, including Inuvialuit. Through a partnership with academia, Inuit across Inuit Nunangat, including of the six communities of the ISR, have also been engaged to identify environmental and cultural areas that should be avoided by vessels, thus informing the ideal location of the corridors (Arctic Corridors and Northern Voices Project). While a significant volume of information has been gathered and analyzed by academia as part of this project, the federal government has yet to formally update or even designate the Corridors since their inception, nor has any information been released about the intended collaborative governance framework. At a workshop in August 2022, representatives from TC, CCG and the CHS noted the importance of working together to ensure the Corridors and the governance framework account for Inuit interests, and their plans to continue to engage on the initiative over the coming years.

Although the Corridors is a stand-alone initiative, it was also supported by the Oceans Protection Plan. Announced in 2016, the OPP was a \$1.5 billion national investment over five years to improve the marine transportation system under four pillars: (1) developing a world-leading marine safety system through prevention and response; (2) preserving and restoring marine ecosystems; (3) strengthening Indigenous partnerships; and (4) establishing a stronger evidence base to improve decision-making (PMO, 2016). Key investments in the North included in basic marine infrastructure, training programs for northerners offered in the North (Hay River and Iqaluit), CCG Auxiliaries, and community search and rescue and environmental response capabilities. Beyond investments, the OPP also enabled new approaches to be piloted, such as through the Proactive Vessel Management (PVM) initiative, which provided the space for TC and northern partners, including Inuit, to explore the development of non-regulatory tools to

better respond to local marine traffic issues (Government of Canada, 2020). The PVM initiative was piloted on the Arctic and the Pacific coasts and has resulted in guidance to users of local waterways. For example, the Arctic project was developed in partnership with TC, CCG, the Ekaluktutiak (Cambridge Bay, NU) Hunters and Trappers Organization, and other federal departments and stakeholders, and focused on addressing concerns associated with icebreaking on the use of sea ice by Inuit hunters and the Dolphin and Union Caribou (Beveridge, 2021). The guidance developed has been issued through a Notice to Mariners (NOTMAR) that delineates a voluntary protection zone with avoidance and slowdown measures for all vessels (Canadian Coast Guard [CCG], 2022). Another example is from the pilot project for the North Coast of British Columbia that is being carried out in partnership with the Gitga'at and Gitxaala Nations (Beveridge, 2021). Through the PVM project, these Nations collaboratively developed the British Columbia North Coast Waterway Management Guidelines with the Government of Canada and key stakeholders, such as the British Columbia Coast Pilots (North Coast Proactive Vessel Management Pilot Committee, 2022). The Guidelines address many local concerns, including routing measures and speed reductions, and were issued by TC through a Ship Safety Bulletin (TC, 2022a).

While the ISR communities were not initially part of the PVM initiative, in 2019, TC, CCG, the IRC, and the IGC came together to establish the Inuvialuit Settlement Region Proactive Vessel Management Working Group (IRC, 2020a). Together, they identified eight priority areas: small and recreational vessels, cruise ships, ship speed and marine mammals, seismic testing, fuel spills, ballast water, grey water, and safety and search and rescue. Only three of these concerns are considered by Inuvialuit as

addressable through a PVM approach, i.e., addressed through voluntary measures: small and recreational vessels, cruise ships, and ship speed and marine mammals. For the others, they feel mandatory measures are required (IRC, 2020a).

In the 2022 Federal Budget it was announced that the OPP would continue beyond its initial five years, with a total of \$2 billion in new investments over nine years and \$136.4 million annually beyond that for the renewal and expansion of the OPP (Department of Finance, 2022). At the time of writing, the specific allocation of these funds across departments, agencies, programs, and initiative was not announced, and therefore it is not known what kind of investments or programs may be applicable in the Arctic and the ISR.

3.3.3 Regional Roles, Responsibilities and Endeavours

Inuvialuit do not have any explicit or legislated control or roles in shipping governance in their waters, but the IFA provides mechanisms through which their interests and voices are to be represented in the decision-making processes. The IGC, for example, has the role of advising governments on “policy, legislation, regulation and administration respecting wildlife, conservation, research, management and enforcement” (s. 14.76(g)), and “any proposed Canadian position for international purposes that affects wildlife in the ISR” (s. 14.74(e)). The IGC can also “appoint members whenever possible or appropriate for any Canadian delegation that deals with international matters affecting wildlife harvesting by the Inuvialuit” (s. 14.73). In 2020, the IGC did just that when one of its members joined the Canadian delegation to the IMO for the meeting of the Sub-Committee on Pollution Prevention and Response, where the potential ban on heavy fuel

oil for use and carriage for use as fuel was being discussed (International Maritime Organization Sub-Committee on Pollution Prevention and Response, 2020). There is also the environmental impact screening and review process for developments that are likely to result in a negative environmental impact. Proponents of development activities¹⁷ must apply to the EISC, which assesses whether the project is likely to have a negative impact on the environment or to present or future wildlife harvesting by Inuvialuit. If it is determined that there is likely to be a negative impact, then the project is referred to the EIRB for a more comprehensive assessment, at the conclusion of which the EIRB makes a recommendation to the relevant permitting authority about whether the project should proceed, and any terms and conditions deemed necessary to ensure the risks to the environment and Inuvialuit harvesting are mitigated. The relevant authority still holds final decision-making power, though, on whether the project should proceed.

Another mechanism through which Inuvialuit can influence shipping is through ocean management more generally. While not obligated under the IFA, DFO is mandated by the *Oceans Act* to collaborate with “aboriginal organizations, coastal communities and other persons and bodies, including those bodies established under land claims agreements” on integrated ocean management planning (s. 31). In 2005, the Beaufort Sea (i.e., the waters of the ISR) was designated as one of five large ocean management areas where integrated ocean management planning would be piloted in Canada, and in 2009, the Beaufort Sea Integrated Ocean Management Plan (IOMP) was released. The Beaufort Sea IOMP strives to achieve a “Beaufort Sea ecosystem [that] is healthy and supports

¹⁷ From research projects to industrial undertakings on and offshore, “including support and transportation facilities relating to the extraction of non-renewable resources from the Beaufort Sea, other than commercial wildlife harvest” (IFA, s. 2).

sustainable communities and economies for the benefit of current and future generations,” and was developed in collaboration with Inuvialuit, federal and territorial governments, industry, non-governmental organizations, and others that form the Beaufort Sea Partnership (Beaufort Sea Partnership [BSP], 2009, p. 7). The Beaufort Sea Partnership is led by a Regional Coordination Committee co-chaired by DFO, the IRC and the IGC, and continues to work on the themes of the Beaufort Sea IOMP today: governance, economic, cultural, social, traditional and local knowledge, and ecosystem. TC is implicated across these themes, including with regard to maintaining ecosystem integrity, increasing community capacity to respond to challenges and opportunities pertaining to the oceans, preparing to take advantage of large-scale economic opportunities in the coastal and marine environment, and managing large-scale marine traffic.

The process of designating or managing marine protected areas (MPAs) is also not a part of the IFA, but the only MPAs in the Canadian Arctic to date are within the waters of the ISR: the Tarium Niryutait MPA (TNMPA) established in 2010, and the Anguniaqvia Niqiqyuam MPA (ANMPA) established in 2016, both of which were developed through substantial collaboration between DFO and Inuvialuit. The driver behind the MPA planning process in the ISR was the Beaufort Sea Beluga Management Plan (BSBMP), which was developed and managed by DFO and the FJMC. However, the BSBMP did not put in place any mandatory measures to protect beluga, a key species harvested by Inuvialuit, and there remained concerns that beluga “had little more protection than a handshake agreement with industry and the regulators” (Department of Fisheries and Oceans & Fisheries Joint Management Committee, 2013). The purpose of

the TNMPA was thus to formalize protection for beluga, as well as other marine species (Department of Fisheries and Oceans [DFO], 2019a). The ANMPA also aims to protect beluga and other species such as char and seals (DFO, 2019b). The management plan has not yet been released for the ANMPA, but work to date towards this end has been a collaborative process involving the IRC, FJMC, IGC, Paulatuk (the closest community to the ANMPA) HTC, and DFO (BSP, n.d.).

While the MPAs do not prohibit or restrict any freedoms of navigation, any activity that disturbs, damages, destroys, or removes marine organisms or any part of the habitat is prohibited, including depositing, discharging, or dumping anything in the waters (*Tarium Niryutait Marine Protected Area Regulations*, s. 6; *Anguniaqvia Niqiyuam Marine Protected Area Regulations*, s. 3). The regulations for the two MPAs are supported by annual NOTMARs, which include that ships are prohibited from approaching traditional marine mammals harvesting grounds or marine mammals, unless for the purpose of traditional harvesting (CCG, 2022). The NOTMARs also provide additional guidance for transiting through the MPAs, including encouraging vessels to follow the routes of community supply and the Low Impact Shipping Corridors, and identifying areas where speeds should be reduced to protect bowhead and beluga whales from ship strikes and the impacts of noise.

One of the key drivers of increasing maritime activity in the ISR is passenger ships. In response, the IRC, guided by the Inuvialuit Cruise Management Advisory

Committee,¹⁸ has released the *Inuvialuit Settlement Region Cruise Ship Management Plan, 2022-2025*. Building upon the *Inuvialuit Cruise and Yacht Management Strategy 2018-2023*, the Cruise Ship Management Plan outlines actions that cruise ships, expedition cruise ships, and commercial yachts shall take when transiting the waters of the ISR. The Plan is intended to “uphold the values outlined in the IFA [and] focuses on the strengthening of Inuvialuit beneficiaries and communities through the optimization of economic, cultural, and social opportunities” (IRC, 2022, p. 7). The themes of the Plan were identified through community consultations conducted to develop the Strategy: protect the environment; protect and preserve sensitive sites; preserve Inuvialuit culture; ensure effective communication, monitoring and enforcement; ensure a balance between economic benefits and environmental preservation; and support community capacity and economic development. The Management Plan supports adherence to international and federal laws and federal guidance, including the Low Impact Shipping Corridors and guidelines for cruise ships and passenger vessels in arctic waters (TC, 2017). It also provides further direction to owners and operators for vessel management, marine environmental protection, community and shore visitations, and monitoring and enforcement. The Plan includes a Code of Conduct for vessels operating in the ISR, Wildlife Viewing Guidelines, and a section on emergency response and safety.

¹⁸ The Inuvialuit Cruise Management Advisory Committee includes the IRC, Inuvialuit Community Economic Development Organization, Inuvialuit Development Corporation, Joint Secretariat, IGC, and EISC.

3.4 Conclusions

The purpose of this chapter was to outline foundational information about the Inuvialuit-Crown relationship and shipping governance to enable research into whether marine safety and shipping initiatives could contribute to the process of reconciliation, and if so, how. The chapter began by describing how Inuvialuit have been resisting colonization since non-Indigenous peoples first arrived in the ISR, fighting long and hard to formalize their rights as an Indigenous people in the format demanded by the federal government: a comprehensive land claim. They did so in the face of assimilationist federal policy and colonialist decision-making processes that did not want to hear Inuvialuit voices or to consider their interests. Today, the fight continues to see the provisions of the IFA implemented and the rights of Inuvialuit respected, though hopefully with less resistance given the emphasis since 2015 to renew relationships with Indigenous peoples across Canada, the endorsement of the Inuit Nunangat Policy and the Co-Development Principles, and the introduction of the new Collaborative Modern Treaty Implementation Policy intended to provide federal public servants with direction on “the evolution of a transformational shift towards genuine reconciliation.”

Transformation in the context of the Inuvialuit-Crown relationship broadly is also being sought after in the context of shipping governance, which is a complex array of international organizations and instruments, federal departments and agencies, mandatory and voluntary measures, interests, stakes, and rights. With leadership from those in Canada, Inuit are finding ways to insert their voices into the decision-making processes for shipping. Inuvialuit have leveraged land and resource management mechanisms within their land claim to do so, too, and continue to pursue additional means through

which to assert control over the activities that take place in their homeland. The ongoing stated commitment of the federal government to transform its relationship with Indigenous peoples would suggest that opportunities could continue to be created for Inuvialuit voices to influence, and perhaps someday direct the way shipping is managed in the region.

With this foundational information in place to situate the research in the context of the Inuvialuit-Crown relationship and shipping governance broadly, the next chapter will present the first of the research findings: the key concerns of the IGC with marine safety and shipping and its present-day governance, and ways in which its concerns could be addressed in line with the evolving Inuvialuit-Crown relationship.

3.5 Reflections During the Research Journey

I drafted this chapter as part of the first phase of research (Working and Transcript Analysis: October 2021-March 2022; see Figure 4, p. 51) and my initial trips to Inuvik as a doctoral candidate. Throughout this phase of the research, I found myself reflecting heavily on the context within which my research was taking place, particularly with respect to the current realities of Inuvialuit as a consequence of historical wrong-doings. The following is an excerpt from my fieldnotes during my first trip, at which time I was really struggling with my own awareness and what to do with it in terms of my relationship with Inuvialuit in the context of this research:

Friday, December 3, 2021 – Inuvik, NWT

I am currently sitting in Shivers. The lounge/restaurant of the Mackenzie Hotel. [...] As I enjoy my beer, burger, and salad – which I don't even worry about the cost of because I'm on per diem – I find myself smacked in the face with the situation

described by Usher (1973) when he wrote of the history and reasoning behind COPE [Committee of Original People's Entitlement]. [...] [When] I went to the grocery store and tried to think of what to get. The only lunch/dinner options I quickly and easily thought of while there were instant Thai noodles, veggies and dip and cheese/crackers, and frozen meals. I bought Granny Smith apples, but the fruit/veggie selection was not good (keep in mind I have a healthy budget thanks to per diem rates). Other options were frozen meals. The meat selection was horrific [compared to what I am used to]. As I wandered around choosing whatever I wanted, including choosing to eat out, I realized the situation described by Usher hasn't changed much. I have sourced [research funding], traveled here, and will live here for 2 weeks at \$0 charge to me. AND it will advance my career. From a "reciprocity" point of view:

★ what in the world are my partners getting?

They're getting an honorarium... [...] That doesn't equate when I also walk away with a PhD and a phenomenal personal and career advancing experience...

How can I make this reciprocal? Tully (2018) wrote of the importance of (essentially) starting transformation from within the vicious cycles we find ourselves. I am in a vicious cycle (see above) but how can I try to change? Here's what I'm doing to try:

#1 I have no idea what our conversation will hold on Sunday (the workshop). And I am not going to direct the conversation. I'm going to participate; ask questions, do my best to keep the conversation going, but it's not up to me to tell Inuvialuit what's important to talk about, especially when it comes to the use of their waters and something as important as reconciliation.

But what does this do beyond this project? How can I make sure this somehow contributes to something?

The sudden realization of the extent of my privilege was jarring and embarrassing, and I really struggled with understanding how my own relationship with Inuvialuit could possibly be anything other than a reflection of the colonial researcher-researched relationship. Everything I had learned about how to work with Indigenous peoples through a decolonizing agenda/participatory action research approach said that my work needed to give back to the community, and the question I did not have an answer to was: how? Finding a meaningful answer and taking action became my central focus as I prepared for and carried out the next phase of research.

CHAPTER 4: CONCERNS OF THE INUVIALUIT GAME COUNCIL WITH MARINE SAFETY AND SHIPPING IN THEIR REGION AND SOLUTIONS FOR MOVING FORWARD

4.1 Introduction

Inuit have long been concerned with the potential impacts of increased shipping in arctic waters on the marine environment and their communities, and have sought ways to participate in its management (Beveridge, 2023; Bishop et al., 2021; Carter, Dawson, Parker, Cary, et al., 2018a, 2018b, 2018c, 2018d, 2018e; Carter, Dawson, Parker, Joyce et al., 2018; Ell-Kanayuk & Aporta, 2023; Inuit Circumpolar Council-Canada, 2008, 2013, 2014; IRC, 2020b; ITK, 2023; Kelley & Ljubicic, 2012; Lam & Parker, 2019; Pikialasorsuaq Commission, 2017). However, there is a sense among members of the Inuvialuit Game Council that conversations have not advanced beyond simply talking about the issues, and that attention must turn to solutions:

A lot of the stuff we talk about here and I see a lot of the co-management boards, we're talking about the same stuff from 20 years. I think we need to stop keeping stuff on the shelf and have some action and do some going forward now instead of talking about this thing another five years somehow. (workshop participant, 5 December 2021)

This chapter is therefore comprised of two parts: the first outlines the current and most pressing concerns from the perspective of the IGC, while the second presents policy options that could address their concerns in a way that aligns with their interests and that supports the decolonization of Arctic shipping in the Inuvialuit Settlement Region. The issues and proposed solutions herein are based primarily on the insights and voices of the

IGC Board members themselves and are derived primarily from the transcript of the workshop with the IGC Board in December 2021; information garnered through interviews in Tuktoyaktuk in June 2022 are used to augment my understanding of the issues and proposed solutions. Throughout, I maintain excerpts from the workshop, which may include the voices of multiple participants. Differentiation between voices within the audio-recording of the workshop transcript was not possible, and therefore all quotes and excerpts from the workshop are anonymous. I include the excerpts, which in some cases are quite long, as a way of recognizing and respecting the contributions of Inuvialuit who gave their time and knowledge to this research; to respect the oral and story-telling nature of Inuvialuit knowledge; to mitigate the risk that I will misrepresent or lose the full meaning of what participants told me as a result of stripping the points of their greater context; and to reflect the importance of context in the Inuvialuit knowledge-generation process. I have also chosen to italicize quotations from Inuvialuit as a means of emphasizing their voice over quotes from non-Inuvialuit people.

The key points raised during this workshop were identified and clustered into four emerging themes (1) concerns and issues of the IGC with marine safety and shipping in the ISR; (2) the Enhanced Maritime Situational Awareness Initiatives; (3) ideas and recommendations to address the concerns and issues raised; and (4) IGC member experiences interacting with federal officials and southern researchers. To validate that I correctly identified the key points and themes, I drafted a workshop report (Annex A) that the IGC approved at its Board meeting in March 2022. The first part of this chapter therefore presents themes one and two, while the second part builds upon the third theme to develop potential solutions; the fourth theme is presented in the next chapter. The

proposed solutions are presented in the general format of the Ministerial Recommendation component of a Memorandum to Cabinet,¹⁹ as outlined in the Privy Council Office's *A Drafter's Guide to Cabinet Documents* (2013), which is the document used to support Cabinet and Cabinet Committee meetings. This framework was chosen because it is within such meetings that decisions about the creation or renewal of programs are made. As such, the analyses present a recommended option and alternative though less desirable approaches, along with a discussion of key considerations. These proposed solutions were approved by the IGC Board at their meeting in December 2022.

There is a substantial amount of literature from around the globe that speaks to the need for Indigenous peoples to be involved in decision-making for natural resource management and what shared decision-making, as an ideal, should include. However, there is very little direction provided as to how to practically overcome the barriers that have thus far prevented the desired change from coming to fruition (Kelly et al., 2018). Therefore, this chapter not only seeks to highlight the importance of changing the approach to managing shipping in the waters of the ISR, but to delve into the specifics of how such change could be achieved in practice through viable policy and program options. Viable, here, refers to the workability of the approach from the perspective of Inuvialuit and the federal government.

¹⁹ The other elements of a Memorandum to Cabinet are annexes with detailed costing information, and a plan for implementing the recommended option, communications, and engaging with stakeholders and parliamentarians.

4.2 Concerns of the Inuvialuit Game Council with Shipping in their Waters

While many concerns were raised during the workshop in December 2021 with the IGC, four were discussed more than others: noise, pollution, awareness of ship locations and activities (i.e., maritime situational awareness), and the Low Impact Shipping Corridors. Concerns with cruise ships and marine tourism and a perceived lack of mandatory measures intersected across the four key concerns. These four main concerns will therefore serve as the framework for this part of the chapter, while concerns with cruise ships and marine tourism arise throughout. For each of the sections, the words of the IGC are prioritized and other sources (e.g., scientific literature, federal reports) are used to support the description. This approach, including the key concerns to be addressed, was verified with the IGC through a presentation and discussion with Board members as part of their meeting in December 2022.

4.2.1 Context: *The Importance of the Land*

Throughout the workshop, there was a consistent core concern: protecting the “land,” understood as the homeland of Inuvialuit and the animals and other resources upon which they and their culture depend (Hart, 2011). The importance of the land to Inuvialuit could not be emphasized to me enough no matter where I was or with whom I was speaking. As I have explored elsewhere, the concept of “land” from the relational and “wholistic” ontology of Inuit (including Inuvialuit) represents more than a surface upon which life is carried out; it is the platform through which life is lived (Aporta & Watt, 2020; Beveridge, 2020). The land is what sustains Inuvialuit and makes them who they are. In Tuktoyaktuk, for example, I was told there used to be many full-time harvesters, but now

there are only a few. Many had to give up time on the land to take positions with co-management bodies, the Community Corporations, or Hamlet offices, all so they could try to make a difference for their people and communities. Inuvialuit have to pay bills, too, so in some cases they have no choice but to partake in the wage economy. But even with employment, it is not enough to sustain their families. Inuvialuit also cannot survive without harvesting from the land; the cost of living is simply too high. One man described how he has two full-time jobs, his wife works full-time, and he still has to rely on the land. As part of Statistics Canada's 2017 Aboriginal Peoples Survey, it was found that nearly one fifth of Inuvialuit participate in the land-based economy to supplement their income (Arriagada & Bleakney, 2019) and that over two thirds of Inuvialuit over the age of 15 living in the ISR experience food insecurity²⁰ (ITK, 2021).

That's where we live it's 30-40% of our diet is from our marine area, from our oceans and our waters, and we'd like to keep protecting what we eat. And if we eat all the pollutants and stuff like that... Without our fish and whales we'd be living from the store, but with the price up here it's so hard to – like [another participant] said earlier – prices are so high in other communities. We're fortunate that our prices aren't that high, and it's all due to food security and things like that; food sovereignty. (workshop participant, 5 December 2021)

When I was in Tuktoyaktuk, there was no fresh meat in the store; it was all packaged and frozen. There is no alternative to fresh harvested fish, beluga, or caribou,

²⁰ Food insecurity is understood by Inuit Tapiriit Kanatami as “encompass[ing] different states that range from not having the ability to afford a balanced diet, persistent worrying about not being able to access food, missing meals, or not eating for days at a time” (ITK, 2021, p. 11).

for example, and certainly not at an affordable price. The limited availability of fresh meat is not only a matter of values, but one of quality of life and, in some cases, the ability to live at all. The land is thus significant for not only the meaning and feeling of being Inuvialuit, but for the ability to survive and live a good life in the region. It is no wonder the Board members and other Inuvialuit I spoke with were so passionate about the importance of protecting the land from the impacts of outside interests, be it directly from maritime activities themselves, or indirectly from management decisions.

4.2.2 Noise

One of the first concerns raised by IGC Board members in the workshop was the impacts of noise from ships on whales. Specifically, they were concerned that the noise would cause the whales to leave traditional areas, and subsequently they would not be able to harvest them. Through both the Traditional Knowledge and personal experiences of Board members, they know their concern is founded:

Through Traditional Knowledge, when the whaling camp used to hunt altogether, they would use noise to herd the whales into shallower waters. They would pound on the bottom of their boat and drive the whales in. Through Traditional Knowledge we know that noise can deter the whales. It's what they used to do – pound on the bottom of the boat and they'll herd the whales into shallower water where they can harvest. We know as Inuvialuit noise is a real pollution for the marine environment. (workshop participant, 5 December 2021)

Do you remember in the past they were doing some seismic and there was a lot of concerns about whales. How they did it: there's a seismic boat and they got one in

the front, that's the one they call chase boat, and I kept commenting to them "you know that chase boat, that's a good name you put it, to call it that" and they asked me how come and I said "well you chase the whales away out of your way to do this seismic." (workshop participant, 5 December 2021)

A few years ago ... I met this guy from the Eastern Arctic in Nunavut and he warned me, he said that since they started shipping close to his community they have no more wildlife in their ocean, that's how much that noise pollution affects the wildlife and he said "we have to order marine food from other communities, we have no more access to getting food ourselves because of the shipping corridors." I just thought I would point that out, it's really, our ecosystem is very fragile especially to noise pollution. That guy from Nunavut though did warn me, "it's going to, if you get shipping in your area it's going to definitely affect your livelihood and you're going to have to order food from elsewhere just to eat traditional foods." (workshop participant, 5 December 2021)

Inuvialuit have previously raised their concern with the potential impacts of noise on whales (e.g., Carter, Dawson, Parker, Cary, et al., 2018a, 2018b, 2018d, 2018e; Carter, Dawson, Parker, Joyce et al., 2018; IRC, 2020b; Lam & Parker, 2019), as have other Inuit communities and organizations (e.g., Flynn, 2013; ICC-Canada, 2008, 2013, 2014; ITK, 2023; Kelley & Ljubicic, 2012; Pikialasorsuaq Commission, 2017; van Luijk et al., 2022). Other organizations and academics have also documented the potential and real impacts of noise on marine mammals (e.g., Arctic Council, 2009a; Conference Board of Canada, 2013; Dorough, 2017; Erbe & Farmer, 2000; Friends of the Earth International [FOEI] et al., 2009, 2010; Halliday et al., 2017; Hildebrand, 2005; Hodgson et al., 2013;

Hodgson et al., 2008; Ljungblad et al., 1988; Molenaar & Corell, 2009; Olsen, 2020; Parsons, 2012; Skjoldal et al., 2009; Smiley, 1990; Tyrrell, 2007; Weilgart, 2007; J. Wright, 2014). Even a single vessel or low levels of noise can affect the behaviour of whales, such as where they go, their ability to communicate, and their stress levels. This is particularly true in ice-covered waters; for example, Halliday et al. (2017) found that in the Western Canadian Arctic, some vessels could be heard over 100 km away because the region is naturally so quiet.

Under the Oceans Protection Plan, the Government of Canada introduced a number of initiatives to try to better protect whales, though the focus was on two species in particular: the Southern Resident Killer Whale on the West Coast, and the North Atlantic Right Whale on the East Coast. Non-regulatory measures that have been introduced include working with industry and Indigenous peoples to test moving vessel traffic away from foraging areas; introducing a voluntary measure in collaboration with the Vancouver Fraser Port Authority to slow down traffic in the Haro Strait; improving monitoring of underwater noise and whale locations; enhancing education and awareness programs for recreational boaters and small craft operators; and increasing on-water enforcement (TC, 2022b). Canada has also announced that at least some of this work will continue under the second phase of the OPP (TC, 2022c). To date, the OPP has not included any measures to protect whales from noise in the ISR. However, the actions and efforts made elsewhere in Canada do set a precedent for measures that could eventually be introduced in the ISR, if deemed necessary.

4.2.3 Pollutants

The risk of pollution and the subsequent impacts to the marine environment were raised in the workshop and are often referenced in the literature and the media. A wide range of potential pollutants can emanate from ships, including both operational (inherent pollution produced from the operation of ships) and accidental (pollution unintentionally introduced into the environment) discharges. The concern with these pollutants is that they will directly impact a variety of species in the marine environment, and through bioaccumulation, the entire food chain will be at risk. This pollution impacts Inuvialuit through two mechanisms: by ingesting toxins that are within fish and whales, and through a loss of animals to harvest.

Operational discharges

Concerns about two operational discharges came up frequently during the workshop: grey water and ballast water. The former is water from sinks, showers, laundry, and galleys, and therefore can contain nutrients (e.g., from food waste), detergents, oil and grease, medical waste, and faecal coliform bacteria, but does not include sewage (FOEI et al., 2010; IRC, 2020b; Parsons, 2012). Unlike many other forms of vessel-generated waste such as sewage, greywater is not captured under the *International Convention for the Prevention of Pollution from Ships*. Cruise ships are a particular concern with respect to grey water because they generate a significant amount of this form of discharge because of the typically large number of people onboard (FOEI et al., 2016; IRC, 2020b; World Wildlife Fund [WWF], 2022). The potential impacts of grey water on the marine environment have been raised as a concern by the Arctic Council (2009a), the Inuit

Circumpolar Council-Canada (2013, 2014), Inuit Tapiriit Kanatami (2023), academics (Dorough, 2017; Olsen, 2020; van Luijk et al., 2022), and non-governmental organizations (FOEI et al., 2009, 2010, 2016; Parsons, 2012; WWF, 2022).

Under the *Arctic Waters Pollution Prevention Act*, no waste can be discharged in arctic waters, including the ISR, though there are exemptions.²¹ The AWPPA defines “waste” in section 2 as:

- (a) any substance that, if added to any water, would degrade or alter or form part of a process of degradation or alteration of the quality of that water to an extent that is detrimental to their use by man or by any animal, fish or plant that is useful to man, and
- (b) any water that contains a substance in such quantity or concentration, or that has been so treated, processed or changed, by heat or other means, from a natural state that it would, if added to any other water, degrade or alter or form part of a process of degradation or alteration of the quality of that water to the extent described in paragraph (a).

It is possible that grey water falls under this definition; however, whether vessels dump grey water or not “has not been monitored or enforced due to the lack of any practical alternatives” (Vard Marine Inc., 2018, p. 34). If grey water is considered a waste and therefore its discharge is prohibited, then a vessel must carry its grey water until it can reach an onshore treatment facility, but there are none in the Canadian Arctic.

²¹ Exemptions to this rule are outlined in Annex IV of MARPOL, as implemented by the *Arctic Shipping Safety and Pollution Prevention Regulations*.

Therefore, a vessel must have the ship-based capacity to carry all its grey water for the entirety of its voyage, and few vessels have this kind of capacity (Toth, 2018). As noted, grey water is a particular concern in the cruise industry, and the IRC is working with industry and the territorial permitting agency – the Government of the Northwest Territories’ Department of Industry, Tourism and Investment – to develop memorandums of understanding on a commitment not to dump grey water (IRC, 2022). For the 2022 cruise ship season, TC also issued non-mandatory measures for all cruise ships (100 passengers or more) operating in Canadian waters to withhold from discharging greywater within three nautical miles from shore and treating greywater between three and 12 nautical miles from shore (TC, 2022d).

Ballast water is also a well-documented concern of shipping in the Arctic (Arctic Council, 2009a; Chan et al., 2013; Conference Board, 2013; Hall et al., 2010; Hodgson et al., 2008; ICC-Canada, 2014; Kaiser et al., 2015; Molenaar, 2009; Molenaar & Corell, 2009; Molnar et al., 2008; Niimi, 2007; Olsen, 2020; Rahel & Olden, 2008; Roberts, 2007; Skjoldal et al., 2009; Vermeij & Roopnarine, 2008; van Luijk et al., 2022). Ballast is brought on board a ship to keep it sitting a certain depth in the water to help with the vessel’s stability. It is typically picked up in one location, kept onboard for a transit, and released elsewhere, making it an easy mechanism through which foreign organisms can be introduced to a region. The Canadian Arctic has yet to face a high level of threat from invasive species because of the harsh environment and the low number of vessels entering the Arctic with ballast from outside the region, but as the climate continues to change and vessel traffic increases, so too will the likelihood that invasive species will be

brought to and survive in the Canadian Arctic (e.g., Chan et al., 2013; Molenaar, 2009; Niimi, 2007).

In Canada, the regulations for ballast water management were updated in 2021 with the introduction of the *Ballast Water Regulations*²² that bring Canadian maritime law in line with the international standard – the *International Convention for the Control and Management of Ship's Ballast Water and Sediments, 2004* – that came into force in 2017. Before the new regulations were introduced in 2021, the approach to protecting the marine environment from the potential impacts of ballast water was to regulate where ships exchanged their ballast water. Now, though, there are also mandatory measures that address the need to ensure that ballast water is safe before it is discharged (TC, 2021). There is flexibility available for a vessel to achieve the goal of protecting the marine environment from the potential impacts of ballast water, but the specifics must be outlined in a Ballast Water Management Plan that the Government of Canada must approve before a vessel may transit Canadian waters.

Accidental discharges (spills)

Oftentimes, the focus of discussion on accidental discharges is on major oil spills (Arctic Council, 2005, 2009a; Brown, 1990; Clark, 2008; Conference Board of Canada, 2013; Det Norske Veritas, 2010; Emmerson & Lahn, 2012; Hodgson et al., 2008; Nuka Research and Planning Group, 2007; Parsons, 2012; Roberts, 2007; Skjoldal et al., 2009). While oil spills did come up in conversation, the focus at the workshop was the risk of

²² The *Ballast Water Regulations* replaced the *Ballast Water Control and Management Regulations*.

spills during fuel transfers. All six of the ISR communities receive their fuel (including diesel to heat homes and other buildings) from barges operated by the Government of the Northwest Territories' Marine Transportation Services, though Inuvik also receives fuel by road, at times. The fuel is then transferred from ship to a shore-based storage facility through a hose that floats on the water and can be multiple kilometers long.

Transferring fuel across bodies of waters is allowed in certain areas but it's a huge concern not only for everybody but for the company, too, and Transport Canada regulates that. It's paperwork is what it is. That's basically what it is. We try and eliminate those situations, we don't want to transfer fuel over water at all. Try to eliminate that at all costs, but it does happen. (workshop participant, 5 December 2021)

As noted by the workshop participant, there are regulations in Canada that cover ship-to-shore transfers, the *Vessel Pollution and Dangerous Chemicals Regulations* under the *Canada Shipping Act, 2001*, which are supported by additional guidance (e.g., Arctic Council, 2004; TC, 1997). However, there is still risk of a spill, including at the connection from the ship to the hose, along the hose itself, and at the connection of the hose and the shore facility. The shore-based infrastructure, including the storage facilities, are also potential sites of a spill, particularly “if they are not properly protected from floods, storm surges, ice overrides, and other hazards” (IRC, 2022, p. 9).

Refueling of ships can also be cause for concern, both in the context of large commercial vessels and smaller pleasure craft, the latter of which are refueled in communities. Given there are no marinas in the communities of the ISR, this process

does not occur under ideal conditions. As with operational discharges, monitoring and enforcement of small accidental discharges is a major gap in the current ability to ensure and to know whether rules are being followed and the land is being protected. However, Inuvialuit in the communities are aware when spills occur, but from the perspective of the IGC Board members, their concerns are not taken seriously by federal authorities:

I actually witnessed a fuel company in Tuk filling up sailboats – not happened once but it happened a few times – at the dock in Tuk. They have no containment whatsoever. And people actually fish in the harbour. Just imagine if you have a spill from the truck and there’s no secondary containment. And I’ve actually seen it a few times when I lived in Tuk for a number of years. We report it to Transport Canada but that’s as far as it goes. No one investigates, you don’t get a call back or anything. It’s really an issue that we’re not hearing back from Transport Canada when it comes to issues like this. How do we make our voices heard? I think that’s what we’re trying to get at here. They don’t call back. It just gets put on the back burner and that’s it. (workshop participant, 5 December 2021)

4.2.4 Maritime Situational Awareness

A key cross-cutting concern raised at the workshop was the fact that Inuvialuit, for the most part, do not know what ships are in the ISR, where they are, and what they are doing. In many cases, information about ship locations is not shared until after the fact, and in some instances, not until months after the shipping season has ended. This is a problem to the IGC because it does not enable its members to be proactive and protect

their waters before accidents happen, or to be ready in the event an incident does occur.

This is a concern particularly in the context of marine tourism:

If you can point out on a map where your safe harbours are or refuges are, the concern was, what do they want to use it for? How is it going to benefit the communities? [...] Do we want 18 boats or larger, maybe 20 foot boats to understand and notice, put on their inReach, where they put on their inReach and they know where those places are? For large cruise ships or yachts, if we identify those areas and they misuse them, what do we do? What kind of regulations can we set in regards to the safety issue? Certainly, we want to ensure that travelers are safe and they have areas they can go into but not abuse. So, what do we do in regards to setting safety measures in the region? I know we all have areas where we're traveling [...] we know where the safe areas are, do we want cruise ships to know that? Because they can put their little deck boats or blow-up boats down and have those cruise ship people get off and go check out the areas, what do we do with that? (workshop participant, 5 December 2021)

There is an international and domestic regulatory framework in place to ensure the safety and security of passenger vessels (those carrying 12 passengers or more) and the protection of the marine environment from cruise activities (e.g., the *International Convention for the Safety of Life at Sea*, MARPOL, the *International Code for Ships Operating in Polar Waters*, the CSA, 2001, and the AWPPA). These mandatory measures are further supported by guidelines (e.g., IMO, 2008; TC, 2017) and industry standards and policies (e.g., Arctic Expedition Cruise Operators, 2021; the policies of

Cruise Lines International Association²³) and a complex permitting process (Dawson et al., 2014; Greentree, 2023) for both marine and land-based activities. The IRC has also published the *Inuvialuit Settlement Region Cruise Ship Management Plan 2022-2025*, which applies to both cruise ships and commercial yachts. In particular, Inuvialuit are strongly against cruise ships and vessels entering traditional harvesting areas during prime harvesting seasons. However, there is limited oversight of small pleasure craft, which was a key gap raised during the workshop (see also Johnston et al., 2017).

Through the first investment of the OPP in 2016, TC introduced the EMSA initiative, which aims to provide communities with information about the activities taking place in their waters. Thirteen communities across Canada were selected as pilot sites for the initiative, and the industry partner was selected through a collaborative process between TC and those communities. To be the developer, applicants first had to be screened by TC to ensure they were eligible for the contract, but the communities were present for demonstrations by the companies and ultimately made the decision together about which company would win the bid. In the end, Fujitsu was chosen and a working group with the company, TC, and all community partners was established. This group meets regularly and serves as a forum for communities to bring forward their ideas.

One of the pilot projects is in Tuktoyaktuk, and the community partner (the Tuktoyaktuk Community Corporation) has the sense that TC and Fujitsu will do everything they can to implement their ideas into EMSA.

²³ The policies of Cruise Lines International Association can be found at: <https://cruising.org/en/about-the-industry/policy-priorities/cruise-industry-policies>.

It's kind of a living technology I guess is how I'd put it. Because anything we want to see put into EMSA, as long as we have the ability to go into that data source we can put it on there. It's constantly developing. Anything you guys recommend you want to see in there I can bring it forward to our working group. And Fujitsu and Transport Canada will do everything they can to implement it in there ...

(workshop participant, 5 December 2021)

EMSA is now available as a website and a phone application for the participating communities. There are 2,700 different datasets available to users, including vessel sailing plans submitted to TC ahead of a ship's voyage, as per the *Northern Canada Vessel Traffic Services Zone Regulations* (NORDREG). The system has access to eight different satellites and displays live Automatic Identification Systems (AIS) data that are updated every six minutes, on average. Through the platform, a user can click on a vessel and see its details, such as its size, flag, where it has been, how fast it was moving, etc. The user can also put in place geofences so that when a ship enters an area, the user can be notified. While this significantly improves local users' knowledge of the locations of larger ships – i.e., those required to carry AIS – smaller pleasure craft, at this time, are not required to carry AIS or to submit sailing plans or other reporting under NORDREG, and therefore they are not captured in EMSA.

In addition to providing information about the use of ISR waters by vessels and people from outside the region, the EMSA initiative also supports improved knowledge of local use of the waters and therefore improved marine safety for community members. Through EMSA, the Tuktoyaktuk Hunters and Trappers Committee has received six

Garmin inReaches,²⁴ each on an unlimited plan, that are available for anyone in the community to borrow. The EMSA platform can incorporate Garmin data, which is updated in real time every 10 minutes. These inReaches, paired with the EMSA platform, are having real and positive impacts for the safety of harvesters and avoiding unnecessary search and rescue missions.

Number one is marine safety, you're talking about marine safety, [another participant], through the EMSA. You know [they're] not only distributing but installing radios and what not. And not only that [they're] bringing inReaches to the community. We're not only seeing where we're at but we're able to message home and say we're okay or this is where I'm at. (workshop participant, 5 December 2021)

I was gonna say also the use of the inReaches, although there are many types, but this one gave the ability, at least gave me the ability to call home or text home from up to 60 miles inland, there's no problem. All I had to do was, [...] connect it to my inReach, my phone, so I could text with my phone instead of the inReach. It cost like \$34 a month but that safety aspect is there. Especially for people who travel alone or who tend to travel alone like myself. [Another participant] knows that there's a few of us that like to go out alone and don't rely so much on other people to supply things for them. I do a lot of travelling when I'm home and it's mostly alone. Sometimes I travel with 1 or 2 guys. It came in handy a couple of times, not for emergencies, but just to let the family know that I might be longer, I might be 3

²⁴ Personal GPS units that use satellites to enable navigation, tracking and two-way communications.

or 4 hours extra, don't get excited. So I messaged them and it comes in so handy. Otherwise, if I didn't have that then people are going to be searching and wondering where I went cause I don't talk to nobody. (workshop participant, 5 December 2021)

The EMSA and inReach system can also be used to support search and rescue missions when they are needed. In 2019, the Tuktoyaktuk HTC hosted an exercise to find a community member who had gone hunting and did not return home. On the first day, the EMSA/inReach tools were not used, and after seven and a half hours they called off the “search” as they still could not locate the missing boat. On the second day, EMSA and the inReaches were used:

From the time the call was made 'til the time they spotted the boat was an hour and seven minutes. So that there shows you what a powerful tools we were able to purchase through this funding. And it'd be a great initiative, in my opinion to see it all over the ISR and actually everywhere in the North, because when you come from a small community you are so close that any time you lose anybody, the whole community feels it. And to know that they have this system in place now and the hunters who are using our equipment go out they have that assurance that somebody is always looking after them or looking out for them. (Raddi, T. in TC, 2019a)

The ability to use the InReach to call for help, and the ability to use EMSA to locate that call for help means that “calls for help” can avoid turning into search and rescue incidents. This not only saves lives but also money, especially if federal resources (e.g.,

the Department of Natural Defence, the Canadian Coast Guard) needed to be called in to help in a search:

Safety for the people. If you break down you hit that button, it'll give you the exact location where you are, and boom you're picked up. You don't have to go up 20 different rivers and look for somebody. (workshop participant, 5 December 2021)

While the EMSA initiative was piloted with the Tuktoyaktuk HTC, the platform has been made available to all the HTCs and Community Corporations in the ISR. The system is not public and communities are able to set their own controls for who can see particular information. For example, messages made by the inReaches are only visible to the Tuktoyaktuk HTC and Fujitsu, not to TC.

In the opinion of those I spoke to, EMSA has been incredibly successful in terms of showing the locations of vessels and community members, but it does not provide information on what vessels are doing and whether they are following any mandatory or voluntary measures, for example, if they are purposefully or accidentally discharging any substances.

A few years ago they had a naval ship the Edmonton and the Yellowknife come up here and they did a search and rescue in one part but they come up to the Region on the 150th Anniversary. [...] The big picture was the naval guard or the ships were up there, the Edmonton and the Yellowknife, but that's just it. What they did out there is beyond us. (workshop participant, 5 December 2021)

I also don't like the thought of cruise ships going to areas where we like to hunt, 'cause you don't know what they're doing there, you don't know what they're dumping, wastewater there. You don't know if they're taking artifacts from the shore there. Like what you mentioned about the ports to be identified, we as hunters, we do know where those ports are, we do know where the places to go are. I agree with you that, it's probably not a good idea to let everyone know where they can go, where they can access. (workshop participant, 5 December 2021)

If someone is out on the water, though, and sees something, such as substances being discharged, they can take a picture or video with their phone and store it in the EMSA phone application. It will then automatically be uploaded to the web application for other users to see as soon as cell service or Wi-Fi is available.

As part of a follow-up to EMSA, TC also funded the Tuktoyaktuk Community Corporation in 2019 to purchase a boat and hire four monitors for one summer.

When we had the PEMSA [Program to Enhance Maritime Situational Awareness] II initiative I actually had [community members serving as monitors] drive right out to the tanker where it was anchored and transferring fuel and had them monitor every day that they were able to get out there. [...] it did give a lot of peace of mind when our own people are coming back and saying that everything went good, there was no fuel spill. I know personally myself when it came from [community member] I knew it was true cause I know [them], [they're] an Inuvialuit and I'd much rather hear it from [them] than Transport Canada employee telling me that nothing happened. (workshop participant, 5 December 2021)

Unfortunately, the monitors were not employed beyond that one year as funding through the OPP was not continued and alternative sources of funds were not found.

4.2.5 Low Impact Shipping Corridors

In 2014, the federal government launched the Northern Marine Transportation Corridors initiative, now referred to as the Northern Low Impact Shipping Corridors (the Corridors), to provide safer navigation routes, support planning for Arctic investments, reduce the risk of spills from vessels, improve environmental protection, encourage economic development, and support community resupply in the Arctic (Chénier et al., 2017). The concept was that strategic investments (e.g., infrastructure, search and rescue capacity) would be made to encourage vessels to transit within desired Corridors through the Canadian Arctic, as opposed to establishing mandatory routing measures. These Corridors were identified through an analysis of Geographic Information System (GIS) data including past vessel traffic patterns, ice data, the locations of protected areas, aids to navigation, places of refuge, and traditional knowledge (Chénier et al., 2017). However, Inuit did not provide direct input into the location of the Corridors, and therefore where ships would be encouraged to transit, which was considered a gap (Dawson et al., 2020). In 2016, as part of the OPP, the initiative was expanded to also include the collaborative development of a governance framework for the Corridors (DFO, 2022). Seven years later, though, the initial locations of the Corridors – those uninformed by Inuit voices – appear to remain the same, they have not been designated or published as formal guidance to mariners, and there is no collaborative governance in place.

The Corridors that run through the ISR overlap almost entirely with ecologically and biologically significant areas, including a portion of the Anguniaqvia Niqiyuam Marine Protected Area. At present, vessels are permitted to transit through the ANMPA but are prohibited from depositing, discharging, or dumping anything into the waters (*Anguniaqvia Niqiyuam Marine Protected Area Regulations*, s. 3) and from approaching traditional marine mammal harvesting grounds or marine mammals (CCG, 2022). However, as stated previously, with limited monitoring capabilities, there is nothing to ascertain whether vessels are complying with the regulations.

Through a Notice to Mariners, “merchant vessels, cruise ships, small vessels and adventure craft” are encouraged to avoid the ANMPA altogether (CCG, 2022). If they cannot avoid the area, though, they are encouraged to reduce their speed to 10 knots and have someone, for example a marine mammal observer, stand watch for whales so the animals may be avoided. If the animal cannot be avoided, then the vessel is then encouraged to “slow down and wait for the animals to move away” at least 400 m before resuming a speed no more than 10 knots (CCG, 2022, p. 28). In this same NOTMAR, vessels are also encouraged to use the Low Impact Shipping Corridors, which transit straight through the ANMPA (Figure 5). Even if the ANMPA were to be avoided, modeling by Halliday et al. (2017) suggests that noise levels from ships transiting the Corridors could still exceed the “behavioural disturbance threshold” for marine life in the ANMPA.²⁵

²⁵ Halliday et al. (2017) use the threshold set by the National Oceanic and Atmospheric Administration, which is the same for all marine mammals.

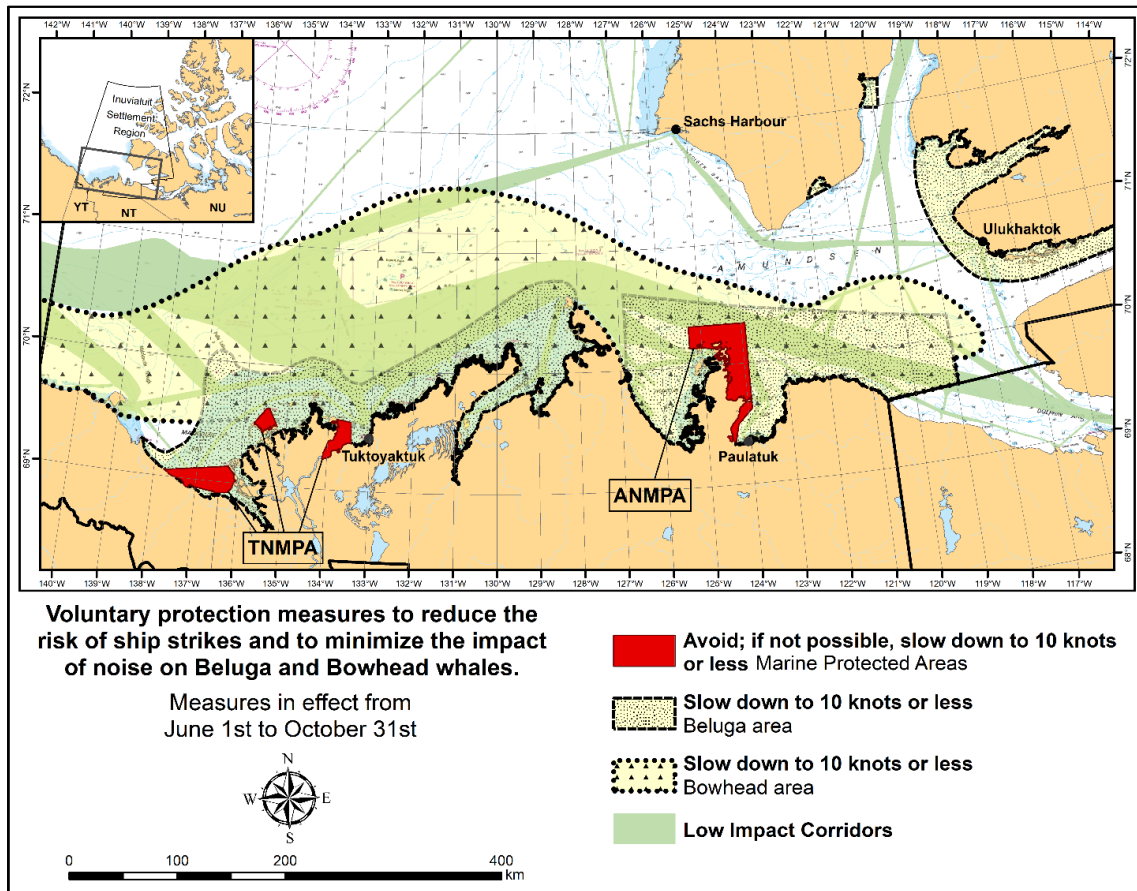


Figure 5. Voluntary protection measures to reduce the risk of ship strikes and to minimize the impact of noise on Beluga and Bowhead whales from June 1 – October 31, 2022 (CCG, 2022, p. 29).

Inuvialuit have been raising concerns about the Corridors for many years, and many frustrations were voiced about the initiative during the workshop and in interviews, including that the locations of the Corridors have not changed in response to their input:

When we first saw it, we all saw the picture of the lines going up and then going down to Parry and then all the way up to Peer Point and across to Amundsen or De Salis and into the Coronation Gulf. That was in the eyes of the federal government that was the safe, low impact shipping corridor. We tried to tell them that how we interpreted that – low impact shipping corridor – as a fault in our eyes because that was the actual migration route for bowhead and beluga. We tried to explain to

them that; how can you interpret a low impact shipping corridor as that when in our eyes that's the highest impact in regard to migrating animals or marine mammals?

[...]

I can add to that, cause when this past year when we had the government come to us with that low impact shipping corridors term, my first comment was there's no way a shipping corridor in the Arctic could be low impact because opening up the Arctic to shipping, especially through the Northwest Passage, there's no way it could be low impact to the Inuit. It would absolutely impact us. Cause if we had shipping opened up into the Arctic to transport goods which probably will happen in the future because of the global warming and the ice opening up, what I found is that how can the Inuit actually have a voice in there that actually explains to the world that: if Canada opens up the Northwest Passage to the world I could see it really impacting our wildlife and our ocean and our people [...] I would rather not have the Ocean opened up to shipping traffic, but can we actually even stop it? I can't see it not impacting us. It scares me thinking about it. It's really important that we do discuss it, because if we don't have our voice spoken in that discussion it's not going to be good for our people when it does open up. That's my main concern about shipping: the shipping routes opening up for the Northwest Passage. Because those big ships, they do give off a lot of noise and you can't trust those ships, their main job is to make money and they will pollute. I think it's really important that we do actually speak up and have a voice in there. But it can't be

low impact, it's going to impact us no matter what. (workshop participants, 5 December 2021)

This was a couple years back with the ANMPA Working Group and not only them, the PHTC [Paulatuk Hunters and Trappers Committee] recommended it. You know we actually said go around Banks Island, and DFO came back with information that it's a highly used area for bowhead and belugas on the outside of there and then said, "well we need to move it away from the ANMPA." You look at maps – the same Corridors, nothing changed.

That's why I say that in our Inuit Working Group Meeting I recommended that they look back in records that we presented to them and consultation with the Game Council, not directly to them but with other groups, consulting company... We advised them that's not true that we want it moved out because we know the area and above Banks Island that was basically off limits because it was a prime area for belugas and bowheads to feed so we asked them to move it from above our MPA, the ANMPA, from inside further out, and they still haven't done that. That's why I say that, [federal official], when he was up here he was taking all of our notes, we had a conference a few years back and he was in agreement with all of us with regards to what our idea of policies were. And it got for him I think from the latest – four years ago was the last time I saw him – was that he just couldn't work as a Canadian government or representative because they just wouldn't listen to him and they wouldn't listen to us and that's why we're still at page one with the Corridor, unfortunately. (workshop participants, 5 December 2021)

As noted at the workshop, some individuals had the opportunity to voice their concerns to consulting companies, to the Department of Fisheries and Oceans through the ANMPA Working Group, and to the CCG and TC directly. The knowledge, concerns, and interests of Inuvialuit for the Corridors was also communicated to federal decision-makers through the Arctic Corridors and Northern Voices Project led by a team at the University of Ottawa. The purpose of the project was to document local and Traditional Knowledge about the marine environment and recommendations for the Corridors from communities across Inuit Nunangat in order to support the Corridors initiative (Dawson et al., 2020). All six of the communities of the ISR participated in this project, and there were many recommendations about the need to move the Corridor to avoid sensitive and important marine areas, including the ANMPA (Carter, Dawson, Parker, Cary, et al., 2018a, 2018b, 2018c, 2018d, 2018e; Carter, Dawson, Parker, Joyce et al., 2018; Dawson et al., 2020), and to ensure that vessels, particularly cruise vessels, do not enter traditional harvesting areas during prime harvesting seasons.

Even if the Corridors were to be modified to reflect the interests of Inuvialuit, the Corridors are not a routing measure and will not introduce any mandatory measures. This was an issue repeated throughout the workshop: that there is a need to put in place regulations to protect fishing, beluga harvesting, bowhead whales, and other areas used by Inuvialuit.

[...] we don't have regulations to protect our areas, we're still stuck on guidelines or Notice to Mariners and basically we can't protect our fishing, we can't protect our beluga harvesting, even the bowhead we can't protect, and there's going to be a free for all if Canada says okay the Northwest Passage is open internationally.

Everybody in regards to the Central Arctic Ocean organization, countries are attempting to open up – China, Korea, Japan – they want it opened up. What are we going to do with regards to protecting ourselves? We need a strong foothold to address it and to ensure that we're well protected. (workshop participant, 5 December 2021)

The example I give them is that I'm driving down the road and it tells me there's a voluntary 100km/hr speed limit; if I do 150 and I know nothing's going to happen to me, then I'm creating hazards all over the place because there's no law saying anything's going to happen to me but there's a law saying I'm driving 50km over. It definitely is something that should be mandatory, especially in our area where we're so sensitive and our ecosystem can be harmed in every way just from a simple little mishap out at sea. (workshop participant, 5 December 2021)

While there is no indication from the Government of Canada that it will introduce specific routing measures or speed restrictions within any arctic waters, mandatory measures were introduced across Canada in 2018 to protect whales as part of the OPP. For one, the *Marine Mammals Regulations* were amended to reduce the extent to which vessels disturb whales (Government of Canada, 2018), for example by requiring all vessels to stay at least 100 m away from whales, dolphins, and porpoises in all Canadian fisheries waters, and 200 m from killer whales in the Pacific Ocean and British Columbia specifically (Schedule VI). However, as previously indicated, with limited monitoring and enforcement capacity, it is not clear whether these new regulations are resulting in any changes. Amendments to the CSA, 2001 in 2018 also included authorization for the Minister of Transport or Fisheries and Oceans to make interim orders to protect the

environment or marine safety from immediate direct or indirect risk (*Budget Implementation Act, 2018, No. 2, Division 22, Part 4*; see amendments at s. 10.1 of the CSA, 2001). The Ministers have not yet exercised this authority in the ISR, but the Minister of Transport has repeatedly issued interim orders to protect the North Atlantic Right Whale in certain zones of the Gulf of St. Lawrence (e.g., Government of Canada, 2022b).

4.3 From Issues and Concerns to Solutions and Next Steps

As noted throughout the workshop, the members of the IGC have been raising their concerns as long as they can each remember and were quite frustrated at the thought that the workshop and this research project would be just another forum to discuss the issues. Their primary interest was developing tangible results:

What I think I came out [of this workshop] with a couples of points with regards to recommendations. Enforcement issues, certainly, and policy making. It starts somewhere. Someone has that grain of idea to create a policy, I think we all have those ideas. We have to get the ball rolling. (workshop participant, 5 December 2021)

While this thesis cannot change federal programming, policy, or approaches, it can put forward “grains of ideas” for how the Government of Canada, namely TC and the CCG, could better work with Inuvialuit to address their concerns with shipping, and in doing so, make progress on federal priorities too. This next section therefore presents two examples of such approaches: monitoring and enforcement, and increased participation in shipping governance. Together, these approaches are proposed as responses to the

concerns raised during the workshop, including the desired involvement of Inuvialuit in decision-making. Following the guidance from the Privy Council Office (2013), each analysis includes four sections: background and context, a proposed approach, alternative approaches, and a discussion of key considerations.

4.3.1 Improving Monitoring and Enforcement

The Minister of Transport and the Minister of Fisheries and Oceans and the Canadian Coast Guard were both instructed in their mandate letters to continue work to achieve the goals of the OPP (PMO, 2021a, b), which was initially launched in 2016 and renewed in 2022 (PMO, 2022b). These goals are intended to make marine traffic safer, to strengthen incident prevention and response, to better protect marine and coastal ecosystems, and to build stronger partnerships with Indigenous and coastal communities. Under the latter goal, the OPP launched the EMSA initiative with 13 coastal communities across Canada, including the Tuktoyaktuk HTC in the ISR. This web-based platform and phone application provide participating communities with a platform to monitor and track vessels – i.e., their own maritime situational awareness – in a format that best suits their needs:

I can also target ships now, I can click on a ship and I can target it and I can print out it's whole path, exactly how fast it was going, where it stopped, there's no more waiting on releases once a year to show us shipping routes. I can go back and I can do it instantly, we can show it in seconds. I monitored heavily the MPAs [marine protected areas] this year and I found only one ship that broke the speed limit and that was the Torrmalis that went 0.6 nautical miles over the recommended speed

limit through the ANMPA. That's something that we're, I believe the Community Corp for sure is going to be writing a letter to the owners of the ship to let them know that we did see you breaking the voluntary speed limit, we do recommend that you do not do it again because we now have the capability of watching your every move while you're out there. (workshop participant, 5 December 2021)

While the EMSA initiative has brought many benefits to the ISR, the IGC has raised its interest in having a greater role in monitoring shipping, including to improve their knowledge of the activities of ships, not just their locations. Furthermore, the IGC has raised a concern that monitoring capabilities, alone, are not sufficient; monitoring must be accompanied by enforcement. A solution will be presented here that seeks to directly address these interests through an Inuvialuit-led maritime monitoring program in the short-term, a training campaign in the ISR to certify the maritime monitors as enforcement officers within their communities in the medium-term, and a co-development process for an Inuvialuit-led maritime enforcement program for the long-term.

Proposed approach: Phasing in an Inuvialuit-led Enforcement Program

In addition to the EMSA program, in 2019, TC also piloted the Program to Enhance Maritime Situational Awareness (PEMSA) II in Tuktoyaktuk and other coastal communities in Canada. In the Tuktoyaktuk pilot project, a boat was purchased for the Tuktoyaktuk Community Corporation and four monitors were hired for the summer to test an Indigenous-led maritime monitoring program at a total cost of approximately \$200,000 (interviewee, June 2022). Two Elders were hired as the captain of the boat and

two youth (under 30) were hired as observers. An Elder and a youth were paired to work 12-hour days for two weeks on–two weeks off, an approach chosen by the Elders as it enabled them to continue to harvest throughout the summer. Only one Elder and one youth worked each day, and monitors were only employed in the summer (open-water and shipping season). The Elder monitors (captains) were paid \$350 a day and the youth monitors (observers) were paid \$300 a day (interviewee, June 2022). This pilot demonstrated that by supporting Inuvialuit to undertake their own on-the-water monitoring, there were many benefits beyond improved maritime situational awareness, including establishing trust between Inuvialuit and the industry, the marine safety of community members, and the transfer of Traditional Knowledge from Elders to younger generations (interviewee, June 2022).

The maritime monitoring program could build from the existing infrastructure and success of the EMSA initiative and the PEMSA II pilot project to expand beyond Tuktoyaktuk and include the other five Inuvialuit communities: Aklavik, Inuvik, Paulatuk, Sachs Harbour, and Ulukhaktok. Tuktoyaktuk received funding to purchase a boat through the PEMSA II pilot project, but boats would need to be sourced for the other communities, and costs for fuel and insurance for the boats would need to be covered on an annual basis. Aklavik, Inuvik, and Ulukhaktok have purchased or repaired boats through the Indigenous Community Volunteer Boat Program (CCG, n.d.), but I was told by community members in the ISR that current arrangements only enable them to use these boats when they are tasked by the Joint Rescue Coordination Centre in Trenton for search and rescue purposes. Amendments to this arrangement could be explored to enable

communities to use these boats for other purposes, such as a monitoring and enforcement program, thus increasing the benefits of existing federal investments.

As piloted through the PEMSA II pilot in Tuktoyaktuk in 2019, four individuals – two Elders and two youth – could be hired in each community to run an on-the-water maritime monitoring program. Costs associated with the monitors would include annual salary and insurance, as well as training to ensure maritime monitors could safely operate their community’s boat. The nearest training facility is run by the Nunavut Fisheries and Marine Training Consortium in Hay River NWT, but training has been offered in recent years in Tuktoyaktuk, for example for Small Vessel Operating Proficiency certifications.

Advancing the existing satellite-based monitoring available through the EMSA system to include on-the-water monitoring would improve the utility of EMSA and would further benefit both Inuvialuit and the Government of Canada with regards to maritime situational awareness. At present, the federal government has limited capacity to monitor arctic waters, including those of the ISR (Office of the Auditor General, 2022; TC, 2022e). This, in turn, limits the government’s ability to ensure compliance with maritime laws and regulations, particularly in the context of pleasure craft that are not required to carry AIS under the NORDREG or the *Navigation Safety Regulations, 2020*, or who choose to turn them off (Johnston et al., 2017). Subsequently, Canada is challenged to ensure marine safety and environmental protection in Arctic waters. Compliance with maritime laws and regulations is essential to achieve the marine safety and environmental protection those laws and regulations set out to achieve.

One of the challenges that Canada faces in ensuring compliance in its arctic waters is the limited federal presence in the region. Through the OPP, Canada has taken steps to increase its presence in the Arctic, including by increasing the number of TC Marine Safety Inspection Officers and extending the operational season of the CCG in the region, but these resources are not based along the Arctic coastline (TC, n.d.). The TC office responsible for the Arctic is in Winnipeg, MB, the CCG's Arctic Region Headquarters is in Yellowknife, NWT, and CCG vessels are stationed in southern ports.

Maritime monitors in each of the communities could also be offered training to become certified enforcement officers. Training could be provided in the winter months when they are not on the water monitoring shipping activities. Maritime monitors that take on the role of being enforcement officers would likely require an increase to their salary and may need to be paid for a greater portion of the year once certified, but it is not anticipated that this would increase the annual operating budget beyond a manageable amount to TC. Training maritime monitors to become enforcement officers would increase the benefits of funding the on-the-water maritime monitoring program, though, as now the officers would not only be able to report any questionable activities observed, but would also be able to act upon this information. It is thus anticipated that the presence of enforcement officers – not just monitors – would further increase the likelihood of compliance. There could also be opportunities to increase the scope of the enforcement duties of the officers, for example, enabling them to enforce provisions of the *Anguniaqvia Nqiqyuam Marine Protected Area Regulations* or the *Fisheries Act*.

In 2018, the CSA, 2001 was amended to enable the Minister of Transport or of Fisheries and Oceans to enter into agreements or arrangements with persons or

organizations, including Indigenous organizations, governments, or councils, regarding the administration or enforcement of any part of the Act or its regulations (*Budget Implementation Act, 2018, No. 2*). Through these arrangements, persons or organizations can be authorized to exercise powers and perform any duties or functions under the Act. Therefore, concurrent to operating a maritime monitoring program and training local enforcement officers, the proposed solution would also incorporate co-development by TC, DFO, CCG, the IRC, and the IGC of such an agreement or arrangement. Costs associated with co-development processes could include federal human resources, legal services, and travel costs for both federal employees and Inuvialuit involved in the process. It is likely that Inuvialuit would seek financial support to establish their own dedicated team to participate in the process, particularly given principle 10 of the Inuit-Crown Co-development Principles regarding resource requirements (ICPC, 2022).

If such an initiative would be undertaken, it would be the first time that the Government of Canada would be delegating authorities to an Indigenous organization under the CSA, 2001, and as such, there are many unknowns with respect to the feasibility of delegating various authorities, including the ability to recruit Inuvialuit to perform delegated duties or functions and the potential costs of an enforcement program. Initial discussions would, therefore, need to focus on understanding the interests of Inuvialuit (i.e., what duties and functions might they want to perform) and setting the scope of the agreement or arrangement.

Alternative approaches

One alternative would be to focus solely on building enforcement capabilities within the ISR by launching a recruitment campaign in the region with the goal of employing Inuvialuit to be enforcement officers based in their own communities. An on-the-water monitoring program would not be developed, and an agreement or arrangement under section 10(1)(i) of the CSA, 2001 to delegate authorities to an Inuvialuit organization would not be co-developed. The renewal of the OPP in 2022 included enhancing the EMSA system and establishing more partnerships with Indigenous coastal communities. Therefore, the other five ISR communities (Aklavik, Inuvik, Paulatuk, Sachs Harbour, and Ulukhaktok) may gain access to the system. However, without the associated on-the-water monitoring of shipping activities, Inuvialuit enforcement officers would face the same challenges as enforcement officers based outside of the region: while they may be able to see where ships are, they would not necessarily know what they were doing. Therefore, this option may not make substantial changes to monitoring or enforcement capabilities.

Another alternative would be to only establish an Inuvialuit-led maritime monitoring program as outlined in the proposed approach, but not to introduce a recruitment campaign to establish community-based enforcement officers or co-develop an agreement to enable Inuvialuit to exercise powers or perform duties and functions under the CSA, 2001 or its regulations. This option would still require the one-time purchase of a boat and safety equipment for each of Aklavik, Inuvik, Paulatuk, Sachs Harbour, and Ulukhaktok and/or amendments to current arrangements for boats purchased under the Indigenous Community Volunteer Boat Program; fuel and insurance

for the boats in all six communities annually; and training, salary, and insurance for the monitors. This option has a reduced scope of work compared to the larger proposed approach described above and would likely be easier to achieve than the first alternative given that the EMSA and PEMSA II initiatives in Tuktoyaktuk would simply be renewed and expanded to the other communities. However, it is anticipated that there would be significant frustrations over the lack of enforcement capabilities; while Inuvialuit would have better awareness of activities in the region, this option does not empower them to take action to address any concerns themselves.

A third option would be to simply continue to extend the EMSA initiative in partnership with coastal communities, including to expand the system to the other communities of the ISR, and to integrate other monitoring programs in the region into the system. For example, using EMSA for recording and sharing whale monitoring data, as is being tested already in Tuktoyaktuk:

I took the beluga whale monitoring form, borrowed it from FJMC [Fisheries Joint Management Committee] that the monitors fill out. I now have that on My EMSA Only, my own map. The whole form is on there. I can fill out everything that's on that form; whatever was on there is on my platform now and as soon as I click enter I can make that available to every HTC [Hunters and Trappers Committee] or whoever owns the data. (workshop participant, 5 December 2021)

Focusing solely on expanding and improving the EMSA system could allow for greater integration and coordination of existing federal initiatives aimed at improving knowledge of marine environmental conditions in the ISR. However, this option would

not address the IGC's concerns about the need to monitor the activities (not only the locations) of large and small vessels in the waters of the ISR, it would not contribute to federal maritime situational awareness, and it would not take any steps to increase enforcement capabilities in the region.

Discussion

The idea of an Indigenous-led maritime monitoring program to improve situational awareness was first advanced in 2017 by Nunavut Tunngavik Incorporated (NTI) with support from Oceans North (Nunavut Tunngavik Incorporated, 2017). NTI's Inuit Marine Monitoring Program sought to monitor vessel activities within the Nunavut Settlement Area by building a network of AIS receivers and on-the-ground Inuit marine monitors in various communities. The information collected by the monitors includes the type of vessels, their locations on a map, behaviours, and any concerns that the monitor may identify with respect to these aspects. Marine stewardship and guardian programs have also been advanced for the Wrecks of Erebus and Terror National Historic Site at Gjoa Haven, NU and for the Tallurutiup Imanga National Marine Conservation Area (TINMCA) at Arctic Bay, NU. The guardian programs for the wrecks resembles the typical model in Canada – wherein the guardians share knowledge with site managers and visitors and monitor the site – but the TINMCA Guardians may include more as “the funding will also enable the Qikiqtani Inuit Association to explore how the program could best contribute to the management of the entire [National Marine Conservation Area]” (Qikiqtani Inuit Association, 2018).

Stewardship and guardian programs are common approaches for providing Indigenous organizations a role in environmental management (Karen Peachey Consulting, 2015; Sable et al., 2006; Social Ventures Australia, 2016; Thomas, 2009), including in the ISR, where the Imaryuk Monitoring Program (fish monitoring in the Husky Lakes) and the Munaqsiyit Community Monitoring Project (harvest monitoring in all six communities) are already operating. However, throughout the workshop, IGC Board members discussed that, while positive, the lack of enforcement in the region is a major gap:

I was part of the first interviews we had in regards to Munaqsiyit being a regional officer or protective agency in regards to our environment or wildlife. They asked me on a questionnaire, through the phone, what do you see as we called them Munaqsiyit back then. That was like six years ago. So I thought, if they applied Munaqsiyit in full in all the six communities, that they would be doing the job of fisheries officers because we had complaints, not only in our community, but of individuals saying that they had a fishing license coming from out of town, which they actually didn't and if we questioned them they wouldn't show their papers because we didn't have the authority. We thought to address that, Munaqsiyit might be that tool, but it's not. It's getting there, the Imaryuk monitors are more closely related to enforcement than Munaqsiyit.

[...]

Officer of patrolmen in the communities. Patrolmen cannot enforce. They can report but they cannot do enforcement duties, same thing as Munaqsiyit.

They're just monitors, monitors in their quarters.

All they can do is report.

[...]

[...] Husky Lakes hasn't got any enforcement, there's no way we can do that. Even recommending barbless hooks, nobody's enforcing that. We need to get to that next step. (workshop participants, 5 December 2021)

While stewardship, guardian, and monitoring programs may be common, implementing an Inuvialuit-led maritime enforcement program is novel. To date, no Minister has exercised authority under section 10(1)(i) of the CSA, 2001 to delegate powers or duties to an Indigenous organization. The *Wrecked, Abandoned or Hazardous Vessels Act* also includes this authority, though with the exception of section 11 (the authority to exclude a vessel or wreck from provisions of the Act), but this has also yet to be exercised.

An enforcement program would also offer full-time careers to Inuvialuit, as opposed to the seasonal work of monitors, with subsequent benefits for their families and communities overall. Statistics Canada found that the ISR had the second highest unemployment rate (21.8%) in Inuit Nunangat in 2017, compared to only 5.7% in the rest of Canada for the same time (Arriagada & Bleakney, 2019; Statistics Canada, 2018). One of the challenges with securing employment is that people are required to leave their communities, and oftentimes the ISR entirely to receive the necessary education and training to be eligible for many of the employment opportunities in their communities,

which are limited to begin with. Many young people are uninterested in leaving or unable to leave their communities for extended periods of time, be it because they have a young family or because they need to harvest food to sustain themselves, their family, and/or their community throughout the year. Offering short-term training with the guarantee of employment that is not only based within the communities but that is supportive of a mixed economy lifestyle could offer a viable option to many in the region:

When you're working with the federal government there's so much red tape and stuff like that and like we're bringing up a lot of our younger generations and that that want to try to pursue these kind of careers and that but they have criminal records and that but then when they grow up and that they're a changed person and that but then that criminal record when they were a young adult and that it's like a road block for them and that and when you try to get a job with the federal government it's very difficult up in our area here. [...] There's some [young people] that want to further their education and stuff and then you know their older brothers and sisters go pursue their education and stuff and then they get all their education and that they come back home and that and they can't find the work, right. So the younger siblings basically say, well, why go down for a year or two and then come back home and that. We're trying to promote education, education for our students and that, but then you know what you see, what kids see, right, they see like that and it's like a deterrent in the end because they're so limited up here for work wise and that. [...] If the training was offered here there'd be a lot more involvement with stuff like that. Right now, well not right now but I think forever it's been, or a lot of people don't really want to go away for two, three months or

longer and that, you know, some of them got young families and that it's another barrier there, unless you start thinking of that career when you're in high school, then you know maybe that could happen. (Jim Elias, interview in Tuktoyaktuk, ISR, June 2022)

The employment opportunities offered by a maritime monitoring program would only be seasonal (i.e., only in the summer months when shipping is occurring), though, and therefore this element alone would not fully address the lack of employment opportunities in the region. However, as maritime activities increase, as they are anticipated to do with the recession of sea ice, the number of months that monitors could be active could also increase. Furthermore, through the employment of enforcement officers and the co-development process, associated activities to keep Inuvialuit employed throughout the winter could be identified. There would be cost implications if the number of months worked by monitors expanded over time, which would require additional authorities for increased and ongoing funding.

Empowering Inuvialuit to improve their own awareness of maritime activities, to serve as enforcement officers, and to exercise powers and perform duties and functions under the CSA, 2001 and its regulations would take substantial steps to respond to the concerns and interests of the IGC to play a greater role in protecting their region and to supporting their self-determination. It would also contribute to the mandates of the Ministers of Transport and of Fisheries and Oceans and the Canadian Coast Guard with respect to marine safety and environmental protection from shipping (PMO, 2021a, b), and to the intent of the second phase of the OPP to “advance partnerships and training opportunities for Indigenous and coastal communities to incorporate their expertise and

experiences in various aspects of marine safety and ecosystem protection” (PMO, 2022b). Such an approach also aligns with the Arctic and Northern Policy Framework, specifically Goal 5 (Canadian Arctic and northern ecosystems are healthy and resilient), by contributing to safe and environmentally-responsible shipping, and Goal 7 (the Canadian Arctic and North and its people are safe, secure and well-defended) by strengthening Canada’s domain awareness, surveillance and control capabilities in the region and increasing enforcement of the legislative and regulatory frameworks that govern marine transportation and environmental protection (CIRNAC, 2019). Furthermore, it aligns with the recommendations of ITK for marine policy in Inuit Nunangat to “co-develop regionally specific training, mentorship, employment, and procurement strategies aimed at increasing the presence of Inuit staff in Federal, Provincial and Territorial offices in Inuit Nunangat” (ITK, 2023, p. 24), to create an Inuit carve-out of EMSA, to “expand programs like the Inuit Marine Monitoring Program across Inuit Nunangat” (p. 28), and to collaboratively consider and develop various regulations and policies to address key Inuit concerns with shipping, such as grey water and the lack of AIS requirements for smaller vessels.

4.3.2 Improving the Management of Shipping in the Inuvialuit Settlement Region by Increasing Inuvialuit Involvement in its Governance

Also encompassed within the goals of the OPP (PMO, 2022b), and thus the mandate letters of the Ministers of Transport and of Fisheries and Oceans and the Canadian Coast Guard (PMO, 2021a, b), is the need to improve the management of shipping in the Arctic. The AWPPA, the CSA, 2001, and their pursuant regulations establish a strong domestic regulatory framework for maritime activities in Canadian arctic waters that is aligned

with the international regime (e.g., the UNCLOS and the instruments of the IMO). A number of initiatives also seek to support this regime of mandatory measures with voluntary guidance to ensure safety of navigation and protection of the marine environment, most notably the Northern Low Impact Shipping Corridors and the Proactive Vessel Management initiative.

In 2014, TC, the CCG, and the Canadian Hydrographic Service launched the Corridors initiative to encourage vessels transiting through the Canadian Arctic to navigate along routes that were safer and that reduced the potential impacts on wildlife, as well as to guide future federal investments to support the northern marine transportation system. In 2016, the initiative was expanded as part of the OPP to also ensure respect of culturally and ecologically sensitive areas and to collaboratively develop a governance framework that would support the ongoing management of the Corridors. While Inuvialuit have been engaged on the identification of the Corridors through the waters of the ISR (e.g., Carter, Dawson, Parker, Cary, et al., 2018a, 2018b, 2018c, 2018d, 2018e; Carter, Dawson, Parker, Joyce, et al., 2018), the Corridors have not been altered since their inception. For example, the IGC is seeking to route the Corridors around the ANMPA as opposed to through the upper portion of the MPA, as is currently the case.

Under the OPP, the PVM initiative seeks to explore ways to address local marine traffic issues collaboratively between the federal government, Indigenous partners, and other stakeholders through voluntary measures. In its first phase (2016-17 to 2021-22), pilot projects were run in Cambridge Bay, NU and along the Pacific Coast in British Columbia, both of which resulted in voluntary measures and guidance for shipping in the

waters surrounding their communities that were communicated through Notices to Mariners. The PVM initiative is being continued as part of the renewal of the OPP in 2022. While not initially part of the PVM initiative, in 2019, a PVM Working Group was established in the ISR between TC, CCG, the IRC, and the IGC. This Working Group identified eight priority areas, three of which Inuvialuit report could be dealt with through voluntary measures (small and recreational vessels, cruise ships, and ship speed and marine mammals), and five that would require regulatory initiatives (seismic testing, fuel spills, ballast water, grey water, and safety and search and rescue) (IRC, 2020b).

Though not explicitly a part of the OPP, engagement was also conducted by TC with the IGC on a potential regulatory roundtable, which was envisioned as a multi-stakeholder platform for dialogue wherein non-technical interests, including those of Indigenous peoples, could be brought forward in the policy discussions that inform the regulatory impact analyses and ultimately the development or amendment of regulations and/or legislation itself (Beveridge, 2021). However, at the time of the workshop, IGC members had not been contacted since this initial engagement about the future of this initiative or any regulatory developments to address their concerns with shipping.

Even with so many initiatives underway to address shipping concerns in the ISR, the IGC still does not feel its concerns are being listened to or that all necessary actions are being taken to protect its interests (the land, wildlife, Inuvialuit, and their way of life) from the potential impacts of shipping, particularly with respect to putting in place mandatory measures as a means of increasing the likelihood of compliance and therefore environmental protection. A solution will be argued here to improve coordination across the many existing initiatives in the region, and to enable both voluntary and mandatory

measures to be considered to ensure protection of the marine environment, the safety of navigation, and respect of Inuvialuit rights and interests.

Proposed approach: Inuvialuit-Crown Shipping Committee

A governance model that has enabled Inuit and the Crown to make progress on a number of shared priorities is the Inuit-Crown Partnership Committee, which was formed in 2017 through the signing of the *Inuit Nunangat Declaration* (PMO, 2017). The ICPC is a partnership between the federal government, led by the Minister of Crown-Indigenous Relations, and Inuit: ITK and the four Inuit Treaty Organizations. At the outset of the ICPC there were seven joint priorities (Indigenous and Northern Affairs Canada, 2017), which today has expanded to 14, including “international affairs” that will, for now, focus on shipping (ITK, 2022, 2023; PMO, 2022a). There is a working group for each of these joint priorities with participation from ITK, the Inuit Treaty Organizations, and relevant federal departments. The technical working groups report to senior officials who report to their leaders (federal Ministers and the Prime Minister, the leaders of the Inuit Treaty Organizations, and the President of ITK). Senior officials and leaders meet three times a year; twice, leaders’ meetings are co-chaired by the Minister of Crown-Indigenous Relations and the President of ITK, and once a year it is co-chaired by the Prime Minister and the President (CIRNAC, 2022a).

Given the success of the ICPC for advancing Inuit priorities in partnership (ICPC, 2023) and its new work on shipping, a governance model for shipping in the ISR could both learn from and tie into the ICPC. An Inuvialuit-Crown Shipping Committee of federal and Inuit senior officials could be established in the short-term, with working

groups for each of the Corridors, PVM, and regulatory initiatives. The roles, responsibilities, and expectations of the Committee and working groups would be outlined in Terms of Reference that would be co-developed by TC, CCG, the IRC, and the IGC, at minimum. The Committee and its working groups would focus on jointly setting out priorities for shipping governance (e.g., the environmental concerns that need to be addressed, the approaches to address them, where investments need to be made), as opposed to making operational day-to-day decisions regarding individual vessels.

The Corridors Working Group would be comprised of TC, CCG, CHS, the IRC, and the IGC. Its focus would be to determine the locations of the Corridors through ISR waters in a way that aligns with an Inuvialuit understanding of “low impact.” This would include updating the Corridors to align with the concurrent guidance from the CCG to mariners through the NOTMARs: small and large vessels should avoid the ANMPA (CCG, 2022). Moving forward, guidance with regards to the locations of the Corridors and advice for transiting therein would continue to be communicated through the annual NOTMARs. This Working Group would also liaise and coordinate with the broader Corridors project and would be responsible for monitoring whether vessels follow the Corridors, and therefore, whether the measure is effective at achieving the goal of routing vessels. The EMSA initiative established through the first investment under the OPP would be an important tool in this regard.

The existing ISR PVM Working Group could continue to develop additional guidance for mariners, starting with those items identified by the working group as appropriate for voluntary measures: small and recreational vessels, cruise ships, and ship speed and marine mammals. This Working Group could also explore developing

guidance with respect to the timing of icebreaking in the region, as was done through the Cambridge Bay PVM pilot project. Guidance could continue to be communicated to mariners through annual NOTMARs. The Working Group would also be responsible for monitoring whether vessels follow any guidance issued by them, and therefore, whether the voluntary measures are effective. The EMSA initiative would be an important tool here, too, though further monitoring measures may need to be developed, depending on the activity being monitored (e.g., monitoring what ships are doing as opposed to simply where they are going, when, and how fast).

A Regulatory Working Group would also be established, building from the concept of the regulatory roundtable that was already discussed with the IGC in 2020. TC would be the lead federal partner, but other departments and agencies, as necessary, would also be involved; the Department of Justice (DOJ) and CCG would be important partners throughout. Both the IRC and the IGC would participate. At the outset, this Working Group would ensure a common understanding of the regulatory amendment/development process and the role of the Regulatory Impact Analysis Statement (see Beveridge, 2021). The Working Group would then undertake assessments to determine which Inuvialuit concerns require and could feasibly be addressed through regulatory action. Based on the priorities of the existing ISR PVM Working Group, the following areas of concern would be under consideration: seismic testing, fuel spills, ballast water, grey water, and safety and search and rescue. If regulatory action was determined to be necessary and feasible, TC, in collaboration with DOJ and other federal departments and agencies as appropriate and necessary, would undertake the process to develop new regulations or amend existing regulations to address the concerns. This proposed approach does not oblige the

government to create or amend any regulations, but the agreement to consider such activities would likely introduce an expectation that regulations would be amended or developed. While a commitment can be made to collaboratively explore the need and options for regulations, a promise could not be made to take regulatory action prior to completing the necessary analyses and consultations. However, the Regulatory Working Group would provide a forum where Inuvialuit and the federal government could have clear and open conversations on this matter, thus mitigating the risk of unmet expectations.

Each of these three working groups would establish their own work plans with timelines and milestones, meeting as determined by each group. The working groups would report to the Inuvialuit-Crown Shipping Committee, which would meet periodically, for example quarterly, to track progress, take stock of the effectiveness of any measures introduced, ensure coordination across working groups, and address any challenges or barriers that could not be overcome in the working groups themselves. The Committee could also provide updates to the International Working Group of the ICPC, thus providing a way to share lessons learned and progress with the other Inuit regions and to ensure that the work of the Committee and working groups remained aligned with the broader developments to manage shipping across Inuit Nunangat. Connecting the Inuvialuit-Crown Shipping Committee with the ICPC process would also provide an avenue through which issues could be raised to federal and Inuit leadership for further discussion or direction if needed.

Two liaison officers would also be hired and based in Inuvik, ISR, one employed by TC and one by CCG. Their role would be to facilitate, support, and coordinate the

working groups and the Inuvialuit-Crown Shipping Committee, and to liaise between Inuvialuit and TC and CCG Headquarters. These employees should be Inuvialuit, and would be stationed at the DFO office, enabling them to also collaborate with the DFO senior biologist stationed in Inuvik to work on integrated ocean management in the Western Arctic.

Regardless of whether the liaison officers were Inuvialuit, they would need to be carefully selected to ensure they had the correct skillset, experience, and characteristics to successfully establish, build and maintain the federal-Inuvialuit relationship. The IGC provides the following advice and guidance for federal officials seeking to work in partnership with the IGC:

Go to the communities, meet the Boards, sit with the Boards, sit down with them, the HTC, Boards and sit down, have a meeting with them. Tell them who you are, that way they see, [...]. So that's consultation, coming here. That's a good way of introducing yourself is coming into the communities and do consultations with the HTC, [the Community Corporation] or wherever's own Board there, that's a good communication, is to come sit down face-to-face instead of a letter and whatever "I don't know who this guy is, Richard? Who's that guy?" Yah know? Come face-to-face, sit down with the Boards and that's consultation. (workshop participant, 5 December 2021)

In their job description, let's say "consultation with Indigenous groups" is part of their job description. Federal and territorial governments have their own perception of "consultation," I think that's why you ask. In our eyes it's face-to-

face meetings like this and you know meaningful talks or discussions. But in the government's eyes it's a phone call or it's a piece of paper saying, "well I consulted with them through email or I sent them a letter," that's their terminology for consultation. In our case it's always been face-to-face because we don't like people lying to us on a piece of paper and saying "okay, I sent them that, that's good, they'll take it or leave it, so, life goes on." It doesn't work that way up here. It's been that way for quite some time and we want to change it. Consultation in our eyes is face-to-face. That should be his first job.

When we say "community consultation" that's the whole community, not just the Boards.

Two meetings: the Board meeting and a community meeting, I think that's the way it should be done.

Give them a full run down of what you're there for, how to contact you. [agreement from the room]

Cause when you go to a community you got to be open to the community, not just the appointed directors.

And everybody that surrounds the ocean, shipping file or, MPA working groups, anybody involved in that area.

I just think what they're bringing up with the community consultations, everything is very important. I don't think a blanket thing for the whole ISR would work. We definitely need the input of each community even though we are one people our

communities rely heavily on different species and different things we want to see so very important that it's not just a one blanket thing for the whole ISR and that they do definitely have to come and meet face-to-face. That's how we judge – not judge people – but that's how we get a good feeling about people is seeing them. It's harder to hide behind your actions visually than on a piece of paper and listening to typed out words and don't have to answer any questions on it immediately, you got time to think about it, which I believe gives a false meaning to what we're trying to implement here. Because in order to really get a feel of a researcher or organization you have to meet with them and having it done in each community to identify each community's priorities is the way to go.

Also I think it's very important that anybody that comes to consult with us has to understand, meaningfully understand us and saying that, anything we've discussed over the last 20 years they should have access to some of that information that they already heard 20 years ago, right?

[...]

I think I mentioned that a little while ago: they need to understand us in every way.

We've got a lifestyle, there's a reason we go here, a reason we go there.

Understanding us.

TK – Traditional Knowledge.

I think it's happened at the Game Council meetings also where we have meetings with one of the co-management government bodies and [...] we see what they put

back down on the report and paper and none of that reflects what the Game Council Board itself discussed. There's stuff left out. We gotta make sure when we discuss something we hear something from the Game Council it should be addressed or answered to.

My first comment to the new guy would be: be available. All of you I'm pretty sure have tried to contact someone in the territorial or the federal government on many occasions and you get a recording, a "please leave a message," and that's always the case with government employees. So how do you address that? If there's only one person and you have him working 9-5, you have him answering all the emails, all the calls, and you have to be patient, but that person has to make himself available. Every day, 9-5, five days a week. And he's stationed in Inuvik. (workshop participants, 5 December 2021)

The Corridors and PVM Initiatives are ongoing, and therefore existing human resources within TC, CCG, and CHS could be leveraged to carry out work under the Corridors and PVM Working Groups. However, the Regulatory Working Group would be undertaking new work, which would require dedicated human resources within TC.

Alternative approaches

One alternative would be to only establish a Regulatory Working Group, as described in the proposed approach. Rather than report to an Inuvialuit-Crown Shipping Committee, federal and Inuvialuit officials would report to their respective senior officials. All the benefits and risks of exploring regulatory co-development with Inuvialuit for shipping that are outlined in the proposed approach would apply to this option. Only one TC

liaison officer in Inuvik, NWT, would be required, though, as this option does not require coordination of a governance structure with multiple bodies, but it does involve heightened engagement between the federal government and Inuvialuit. A CCG liaison officer would not be required given that CCG does not have regulatory powers within the maritime governance regime. A new team would also need to be established in TC and capacity would need to be built within Inuvialuit organizations, though not to the same extent as the proposed option given the reduced scope of work.

A new initiative focusing solely on regulatory work would not preclude work towards voluntary measures through the existing Corridors and PVM initiatives, but this option would not include overarching governance to ensure coordination across the various initiatives or continuity over time. Without such coordination, there is a risk that efforts would be duplicated and gaps would remain, thus risking that Inuvialuit concerns go unaddressed. Duplication of effort is most likely to be felt by Inuvialuit organizations who would be engaged through multiple individual forums as opposed to a single, coordinated approach. This risk could be mitigated through greater coordination across federal departments and agencies. There is also the risk that, without adequate coordination and alignment, the assessment of the need for regulatory development would not be informed by the evaluation of any voluntary measures introduced through other lines of collaboration, such as the Corridors or the PVM initiatives.

Another option would be to establish a governance framework, as outlined in the proposed approach, without a Regulatory Working Group or contemplation of mandatory measures to address the concerns of Inuvialuit with regards to shipping in their waters. There would be a need for capacity-building within Inuvialuit communities, for two

liaison officers based in Inuvik, and for travel for community engagement and in-person meetings. However, no further human resources would be required within federal departments as this approach would not involve any new work, but rather simply improved coordination across existing initiatives. All the benefits of increasing coordination across federal efforts outlined in the proposed approach would still apply. It is anticipated that Inuvialuit would accept this option but would voice frustration at Canada's unwillingness to consider new mandatory measures for shipping to address their concerns, particularly because they were already engaged on the idea of a regulatory roundtable.

Discussion

Inuvialuit, as Indigenous people, have the right to participate in decision making in matters that may affect their rights through representatives chosen by themselves in accordance with their own procedures (*United Nations Declaration on the Rights of Indigenous Peoples* [UNDRIP], Art. 18; see also Singleton, 2009; Tiakiwai et al., 2017; Tipa & Welch, 2006; von der Porten & de Loe, 2013). As Inuit and Inuvialuit have stated, this right includes decision-making with respect to shipping given the many potential impacts on them and their culture if shipping is not managed in a way that respects their rights, interests, and concerns, which can only be achieved if they are involved (Dorough, 2017; Ell-Kanayuk & Aporta, 2023; ICC-Canada, 2008; 2013; 2014; ITK, 2023; Pikiilasorsuaq Commission, 2017). One of the rights that must be respected is their right to their spiritual relationship with the land:

Article 25 in UNDRIP states: Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard. I state that because a couple years ago I went down to Connecticut to a park – Mystic River or Mystic something – we were down there anyway. So, one of the questions that were posed to me from the delegates that were down there – we were talking about beluga, and they asked me if, they asked myself and [Inuvialuk] and the rest of the group if we had spiritual ties to our beluga. And my immediate answer to them was, “well when you colonized western North America, you took all of that away. You took our spiritual connection away from us with our animals: caribou, beluga, muskox, polar bear. When you colonized the region, you input a new type of religion and took ours away.” So, I told them, “until we get our ties back, until we’re really knitted together with our culture, our traditional way of living then we’ll get our spiritual ties back with our lands and species.” They took it well, they agreed “yes”; westernizing the Inuvialuit and Indigenous groups was wrong, and they agreed to that. So, when they make a statement of spiritual ties or spiritual relationships, we still have to get that back. I know my dad had it. In the past when we looked at a program that was produced by the National Film Board of Canada, Tuktu it was called – you guys remember that – and that’s the way we used to – I like that terminology: and that’s the way we used to live. We used to watch them melting ice and putting water in a dead seal’s mouth, that was in my

eyes spiritual ties and how you respected the animal.²⁶ They didn't understand that. It was a type of religion or a method of respect. Do we still practice that? I don't think so. Certainly, we keep in our mind, but if I did that to a seal and said to [...] they'd think "you're trying to give water to a dead animal" but they don't understand it's a way of respecting the animal and moving them on in life. That understanding is not there. [...] to address this topic we have to reach deep and understand why we're trying to get to the point of applying regulations. (workshop participant, 5 December 2021)

Through the OPP, Canada has demonstrated its willingness to involve Indigenous peoples, including Inuit and Inuvialuit, in the development of voluntary measures for shipping. However, the federal government only recently indicated its interest or willingness to contemplate increased Indigenous participation in the regulatory development process for shipping through the regulatory roundtables (Beveridge, 2021). Engaging Inuvialuit on the regulatory roundtables has created an expectation that such conversations will continue, and IGC Board members are increasingly frustrated that they have not been re-engaged, particularly since regulatory action has been taken elsewhere in Canada to address concerns with shipping.

In 2018, the CSA, 2001 was amended to authorize the Minister of Transport or the Minister of Fisheries and Oceans to make interim orders for the purposes of marine safety or to protect the environment from immediate direct or indirect risk (s. 10.1; *Budget Implementation Act, 2018, No. 2*). The Minister of Transport has repeatedly exercised this

²⁶ Recall the legend of Sedna on page 2.

authority to protect the North Atlantic right whale, most recently by placing dynamic speed restrictions on vessels of 13 m or more in length operating in certain zones of the Gulf of St. Lawrence from June to November 2022 (Government of Canada, 2022b). The *Marine Mammal Regulations* were also amended to require all vessels to stay at least 100 m away from whales, dolphins, and porpoises in all Canadian fisheries waters, and 200 m from killer whales off the coast of British Columbia (Schedule VI; Government of Canada, 2018). The implementation of these protections is driven by the extent to which the population of whale is endangered, not by the knowledge of Indigenous peoples, and certainly not in relation to the concerns of Inuvialuit.

Developing new regulations for shipping in Canadian arctic waters does have unique considerations, though, including Canada's ability to monitor and enforce them, and its relationships with other states. The global nature of shipping, including transit through the Northwest Passage and the ISR, makes uniformity in maritime law essential to ensure the efficiency of international maritime trade (Chircop et al., 2016). However, there is clear recognition in the *United Nations Convention on the Law of the Sea* and through the introduction of the Polar Code that arctic waters internationally require special consideration. In anticipation of the special provisions that would be provided by Article 234 of UNCLOS pertaining to ice-covered waters, Canada also introduced the AWPPA in 1970 to unilaterally address particular environmental concerns with shipping in the region. Taking additional measures to ensure the protection of the marine environment, and therefore of Inuvialuit, would align with previous actions taken in Canada and by the international community. However, the potential implications of such

actions on inter-state relations, particularly with the United States, must also be considered.

Canada takes the position that Canadian Arctic waters are internal sovereign waters as a result of straight baselines surrounding the Canadian Arctic Archipelago (*Territorial Sea Geographical Co-ordinates (Area 7) Order*). As such, according to Canada, ships only have a right to innocent passage, meaning that Canadian maritime laws and regulations apply to them. However, not all states agree; others, most notably the United States, claim that the Northwest Passage constitutes an international strait and therefore ships have a right to transit passage, meaning they may freely transit through the Northwest Passage and therefore the ISR (Côté & Dufresne, 2008; Pharand, 2007; Rothwell, 2017). While Canada and the United States have agreed to disagree, for now, contemplation of new regulations that go beyond the standards in the Polar Code within these waters could instigate challenges to Canada's position, which could have negative impacts for Canadian arctic waters and federal and Inuvialuit interests overall.

Assessing the need for and appropriateness of regulations, and any subsequent regulatory development usually takes significant time, much longer than is likely to develop and implement voluntary measures or guidance for shipping through the annual NOTMARs. Therefore, the proposed phased approach that integrates both short-term voluntary measures and long-term consideration of regulatory action is beneficial as the effectiveness of voluntary measures and guidelines could be evaluated and inform analyses to determine the need for regulatory action. If regulatory action was determined unnecessary or not feasible, then the issues could still be addressed through the Corridors or PVM avenues. Engagement with industry stakeholders throughout, for example

through the Canadian Marine Advisory Council, could further support the effectiveness of voluntary measures emerging from the Corridors or PVM working groups.

This approach is anticipated to be well-received by Inuvialuit because it includes consideration of both mandatory and voluntary measures, is driven by their own interests, including all those outlined by the ISR PVM Working Group, provides them access to senior federal officials, and, if connected to the ICPC model, federal Ministers, and the Prime Minister.

If we want change and we want our input to hold value then we have to go to the top. Have federal regulators sit down at the table with us and want to make change. [...] We have to look forward to the future. When we're not sitting at this table, but have the decisions made or create the guidelines and the regulations along with the federal government and have those changes for the future and then when that starts changing, the next generation can do that. I think we should, really, if they want change, they should have the federal government sitting here, with the regulations in hand, and we sit down and cross things out or we add. That's the way to make change. Instead of working our way up we should work from the top down.

(workshop participant, 5 December 2021)

The nested governance framework proposed enables each of the individual initiatives to carry out the work in a focused manner, while providing a mechanism for coordination across initiatives. The integration of the initiatives through the representation of the working groups at the Inuvialuit-Crown Shipping Committee is also a more efficient mechanism for senior officials to discuss key issues. Establishing a

single overarching committee enables continuity of the governance framework as well as flexibility for working groups to evolve over time as current concerns are addressed and new concerns emerge, as has occurred within the ICPC.

4.4 Discussion and Conclusions

The purpose of this chapter was to move beyond a discussion of issues to devise tangible and viable solutions to address the concerns of the IGC with shipping in their waters. The first part of this chapter presented the issues most discussed during the workshop with the IGC in December 2021. Four issues were the focus – noise, pollutants, maritime situational awareness, and the Low Impact Shipping Corridors – but many others were also raised. At the core of the concerns of the IGC is protection of the land and Inuvialuit, most of whom depend on the land for food security, not to mention the cultural value and connectedness that comes with being on and a part of the land. I do not claim to understand this connection, but through time spent in the region and with Inuvialuit, I have been fortunate to have seen glimpses into this relationship.

When meeting with Inuvialuit in a board room it is easy to lose sight of the many values and benefits of protecting the land, but when on the land alongside them, it becomes easier to understand why they continue to raise their concerns at every opportunity. Subsequently, it becomes easier to understand and have compassion for their frustration with the seemingly little if any change to the ways shipping is governed and managed, even though they have been raising the same concerns for years:

I'd just like to go back to when I first heard or got involved in the shipping world back in 2016 or 2017 [...] at the time and all these concerns that are looping

around this table I've heard it from day one, you know from that day 'til today and you look at information that come back on the Corridors or regulations or who's going to regulate, I mean, you know, obviously something, someone's not listening and somebody's not doing anything. I mean, for us to circulate all these concerns and issues we have and the government not stepping up and taking care of us, that's pretty sad. We're 2021 [...] I'd imagine you've all heard this for years, too. I'd like to put that on record that they know, they heard all these concerns. It's been discussed at many other tables other than this table and somebody simply needs to step up and take care of us. (workshop participant, 5 December 2021)

Since 2013 I have sat at various tables where Inuvialuit have raised their concerns to federal officials and I was surprised to hear that, in the eyes of Board members, nothing had changed. This lack of change in their eyes was the driver behind the second part of this chapter, which has demonstrated that it is possible to devise viable options to address the concerns of the IGC and align with their interests: to be involved in the management of shipping in their Region, and to have more authority than to simply report concerns and hope that action is taken.

The first suggested initiative is an Inuvialuit maritime monitoring and enforcement program that would improve maritime situational awareness for Inuvialuit and also contribute to greater compliance of existing laws and regulations relating to marine environmental protection, including pollution of various kinds. By empowering Inuvialuit to carry out the work of monitoring and enforcement themselves, such an initiative would support their self-determination and offer other benefits, such as employment within communities.

The second proposition is a tiered governance structure that integrates the existing PVM and Low Impact Shipping Corridors initiatives, and the proposed Regulatory Roundtable Initiative, and ties work within the region into the efforts of the ICPC. By doing so, efforts would be able to progress at the working level and within the Region, but through regional and Inuit Nunangat-wide senior officials' and leaders' tables, issues could be escalated if necessary. The governance mechanism would support collaborative efforts to address Inuvialuit concerns with the Corridors, would enable the short-term advancement of voluntary measures to address the concerns of Inuvialuit through the work of the Corridors and the PVM initiatives, and would consider the potential need for regulatory action in the longer-term if voluntary measures were not successful, all with added coordination through an Inuvialuit-Crown Shipping Committee.

The premise of both an Inuvialuit maritime monitoring and enforcement program and a comprehensive, integrated governance mechanism – as envisioned by the proposed approach – is that the work is defined and executed in partnership between Inuvialuit and the Crown. In marine safety and shipping initiatives, this approach is still relatively new, particularly for regulatory development and the delegation of authorities. Products co-developed through the ICPC can serve as important guides. The first is the Inuit Nunangat Policy, which was endorsed by the ICPC on April 21, 2022 (CIRNAC, 2022a; PMO, 2022a). The Policy applies to the design, development, and delivery of new or renewed policies, programs, services, and initiatives that apply in Inuit Nunangat and/or benefit Inuit²⁷ across all federal departments and agencies. The Policy is intended to serve

²⁷ Inuit, for the purposes of the Inuit Nunangat Policy, are people enrolled by the IRC, Nunavut Tunngavik Incorporated, Makivik Corporation, and the Nunatsiavut

as a guide for federal officials in an effort to address the inequities between Inuit regions, and between Inuit and most other Canadians. It formally recognizes Inuit Nunangat as the homeland of Inuit and Inuktitut as their language. It states Canada’s recognition of self-determination as a fundamental human right in the *United Nations Declaration on the Rights of Indigenous Peoples*, and furthermore that self-determination can be supported both through the exercise of jurisdiction as per modern treaties and self-government agreements, and also through the administration of federally funded programs, policies, services, and initiatives. Furthermore, it directs departments and agencies to consider funding Inuit directly, acknowledging that new funding mechanisms may be required.

The second guiding document is the Inuit-Crown Co-development Principles, which was endorsed on December 2, 2022 (CIRNAC, 2022b; ICPC, 2022). As with the Inuit Nunangat Policy, the Co-development Principles apply to all “collaborative work undertaken by Inuit and federal partners,” and they also apply to the development of content for federal legislation and regulations. Ten principles in total speak to what co-development is, the linkages between co-development and Inuit rights, and the principles of working together through co-development, all of which are complementary to the Inuit Nunangat Policy. A key principle within this document is consensus-based decision-making, which is a common approach used in collaborative decision-making, including the draft National Framework for Proactive Vessel Management (TC, 2019b) and many of the co-management boards in the ISR. A key challenge with consensus-based approaches, though, is what to do in the event that consensus cannot be reached. In many

Government. The Inuit Nunangat Policy does not comment on who is or is not Inuit or a holder of section 35 rights under the Canadian Constitution and should not be used for the purposes of defining who is or is not Inuit or a holder of section 35 rights.

cases, such as for the co-management boards, the “decisions” arrived at through consensus are simply recommendations put forward to the responsible federal Minister who retains the authority to make the final decision (Boudreau & Fanning, 2016; Bowie, 2013; Nadasdy, 2005; Nesbitt, 2016; Stevenson, 2006; White, 2008). In the case of the Gwaii Haanas National Park Reserve, though, items that cannot be agreed upon are to be held in abeyance and addressed at a later time (Thomlinson & Crouch, 2012). However, to set aside an issue for later discussion is to *de facto* decide to maintain the status quo.

The importance of recognizing resource requirements is also included in the Co-Development Principles, though is not often referenced directly in the literature. In the Principles, the resource requirements point to the need for federal funding to support Inuit participation in the co-development process. Cost is a key element in the federal decision-making process (Privy Council Office, 2013). In some cases, funds may be available within a department to support an expanded or new initiative, for example, to continue work on the PVM or the Corridors initiatives. However, when these funds exceed internally available resources, new funds must be requested from the Minister of Finance (Beveridge, 2021). One way is through the annual federal budget, another is through a Memorandum to Cabinet and a subsequent Treasury Board Submission, both of which require a detailed costing template to justify each cost element in a request. The potential for an initiative to create expectations for further investments, either to keep an initiative running or to expand its scope, must be considered, which introduces another key consideration: the precedent-setting nature of an initiative. For example, given that NTI had previously sought federal support for its own Inuit Marine Monitoring Program, it can be expected that, if an initiative such as the Inuvialuit maritime monitoring and

enforcement initiative were to be advanced, NTI would also seek to have its program supported and potentially expanded. This desire would trigger section 5.2.3(i) of the Inuit Nunangat Policy, meaning that ITK would need to be engaged and the interest of Makivik Corporation and the Nunatsiavut Government in establishing their own programs, too, would need to be gauged to ensure equitable opportunities across Inuit Nunangat. Expanding beyond the ISR to one or more regions of Inuit Nunangat would have substantial cost implications. The willingness and ability of the federal government to make such investments would therefore need to be strongly considered prior to investing in an initiative such as an Inuvialuit maritime monitoring and enforcement program in the ISR. It can furthermore be envisaged that other coastal Indigenous organizations would also be interested in setting up their own maritime monitoring and potentially enforcement programs, particularly other communities already involved in the EMSA initiative.

Though the governance approach suggested does not have the same financial requirements, it sets out a new way of working together and a commitment to collaboratively consider regulatory action to address Inuvialuit concerns. But Inuvialuit were not the only Indigenous organization engaged on a potential regulatory roundtable initiative, nor was the IGC the only organization to show interest (Beveridge, 2021). Moving forward with Inuvialuit on discussions regarding regulatory initiatives would not necessarily create a new expectation or interest from other Indigenous organizations, but Canada must be willing to pursue similar conversations with other interested parties. The same point applies to the establishment of governance structures for marine safety and

shipping, particularly in other regions in Inuit Nunangat given that shipping has been identified as a joint priority for Inuit more broadly under the ICPC.

Neither of these factors – the cost or the precedent-setting nature – should be considered as sound reasons in and of themselves to disengage from exploring these ideas further. Rather, the intent of highlighting them is to describe some of the elements that determine whether an initiative is viable or not from the perspective of the federal government both now and in the future. Other key factors include concurrent government priorities and potential implications for other governing bodies and stakeholders (Privy Council Office, 2013). Though not stated in the Privy Council Office’s Guide, the degree to which the federal government, in particular departments involved in marine safety and shipping management, takes its stated commitment to reconciliation seriously will also influence the options developed and the decisions made.

The options presented above, of course, are not the only solutions. Other approaches, such as a Vessel Traffic Management Centre similar to what has been established for the East and West coasts and for the St. Lawrence Seaway, could also be considered. Ultimately, the path forward for shipping governance and management in ISR waters should be collaboratively explored and decided by the federal government and Inuvialuit. This chapter sought to offer ideas to begin such collective discussions and to demonstrate that at least some of the concerns and interests of Inuvialuit with the governance and management of shipping in their waters can be addressed through existing decision-making mechanisms and in line with existing federal priorities and direction. The next chapter will build on these analyses to position the findings of this chapter explicitly in the context of reconciliation and decolonization.

4.5 Reflections During the Research Journey

Fifteen months passed between the workshop with the IGC Board and completion of this chapter, which was a period of intense self-reflection in the context of the research intentions, plans, and contributions, as well as myself as a participant in reconciliation. It was a very unsettling time for me as I found myself grappling with questions about my integrity and ethics as a person and a researcher. I really struggled with understanding how I could possibly do research that did not simply reflect the historical colonial relationship in research and in shipping governance. Leaving Inuvik in December 2021, I felt overwhelmed with the journey ahead, as recorded in my fieldnotes:

Tuesday, December 7, 2021 – Inuvik, ISR

Sunday's workshop felt so anticlimactic. The conversation seemed the same as those I've heard and read about for years. [...] All I gathered at first blush was they needed and wanted action that I just couldn't deliver. I can't make regulations, and to be honest, their voice probably carries more weight than mine does! I felt overwhelmed and every feeling of inadequacy reared its head. I felt I had misled them with respect to the project and what I could do, what the project would or could do.

Monday came and I got myself to start listening to the recording. As I listened – with a little separation from the feelings of the day before – and I realized that, although they may have said the same thing they had before, I was hearing something new. New points and pieces were standing out to me. This time, instead of hearing the issues with shipping, I heard the issues with how they had and continue to be treated. I heard the questions of “why?!” I heard the unfair treatment of a group of people.

[...]

I also arranged to chat with [people in the IRC that I know]. [...]

I don't know why but walking out of that chat I felt different than after the workshop. Seeing the [person's] face relax when I spoke of my intentions, of what I think is important and how all I want to do is give back to Inuvialuit – it felt like maybe I could make a difference. It also helped put it all in context. I can't promise this one project will yield direct (or even indirect) changes with respect to shipping. But I can promise that this experience and the responsibility I feel coming out of it is something I will carry for the rest of my life.

I came to Shivers because I wanted to reflect. I need to be sure I am constantly reflecting. Thoughts I have coming out of the last few days, messages I'm hearing:

- If we stop putting pressure on for half a second we'll lose whatever attention we've got. If we don't lobby, advocate, wave flags, make noise, we'll be forgotten – HOW EXHAUSTING! [...]
- Exacerbation: How can we have our voice heard? Why aren't we having our voice heard? When will they start listening? Again, how exhausting, how demoralizing... [...] to be asking people for years to listen, to telling representatives, and then the next cohort shows up and isn't even mildly aware of anything you said... Inuvialuit deserve so much recognition and respect for their perseverance. But imagine if that energy could be directed toward implementing things instead of pleading to be heard. Imagine where things could be...

[...]

I'm still not sure where to go from here. I'm not entirely sure what to do with all these reflections, but I believe there has to be something. There has to be something I can do that helps Inuvialuit be heard. That helps advance their interests and rights. That helps someone else grow and be a better partner not only to Inuvialuit, not only to Inuit, but to any Indigenous person they come across in any aspect of their life – honestly I just want to write something or say something that might strike a chord – that they may reflect on and that ultimately leads them to live a more mindful and compassionate life. I believe this is how we make the world better and change the Indigenous-Crown relationship.

Wednesday, December 15, 2021 – Yellowknife, NWT (layover)

One of the things I've struggled with the more I've learned about the treatment of Inuvialuit and the concept that I could see the world through their lens has been how I can possibly give back. How can I repay [name] for everything [they] did for me? How can I repay the Game Council for giving me a chance? What can this research possibly do for them that's equivalent to my PhD or publications or career advancement? Whether it's right or not, I feel like it's bigger than that. It's not a tit for tat kind of thing. It's how you treat all people and what I give back to our (Inuvialuit and my) community. Did I hear [name] when [they] talked about the importance of mental health? Did I hear [name] say the importance of compassion?

[...]

I suppose this speaks to the importance of actually spending time in the community, and not with respect to nights or days spent but actual time. And not going around giving presentations and doing all the talking – but listening! Just being. I'm glad I came alone. It forced me to look around. Forced me to reflect. The only conversations I had were with people who lived through a different lens. Had I come with someone it would have been us, conversing in our "language," talking about the "other." Instead I

could just be here and see if I could understand. See if I could really hear what was being said to me.

So what did I hear?

“Why? How? When?” Here is a group of people who jump through every hoop the Government of Canada has put in front of them, and still their needs aren’t being met. I know personally, when I feel I am going above and beyond what I think is reasonable and my needs still aren’t met I’m beside myself. I’m angry, hurt, and eventually just give up and say “it’s not worth it.” And yet Inuvialuit continue to show up. They show up for their communities and people and continue to jump through the hoops, continue to show up to workshops to say, yet again, what the issues are and even to offer ideas about how to fix the problems. How is that fair? We show up when it works for us, talk about what we want to talk about and then leave... until the next initiative comes up. [Name] said it so well: before coming, do your homework. At least know the conversations that have taken place → within those departments and agencies working on maritime issues, then, there needs to be record keeping and sharing of information across departments, branches and teams.

Thursday, December 16, 2021 – In-Air

I’m sitting on the Calgary-Ottawa flight reading the Berger Report (1977) and something written on page 52 just hit me smack in the face:

The development of shipping through the Arctic benefits Southern ports, Southern import/export companies, Southern businesses selling things to foreign markets or stocking their shelves with foreign goods. We know from research on a potential Arctic shipping model (e.g., the work of Frédéric Lasserre) that one of the reasons ships aren’t jumping at the bit to transit the Northwest Passage is because there are no ports of call along the route. So you’re asking Inuvialuit/Inuit to stand by while the federal government regulates an industry as they see fit for their own benefit... when has that worked out for Inuit, Inuvialuit, or any Indigenous group in Canada or the world?!

“Well if it benefits Canada it benefits all Canadians.” There is a gross sense that Canada is not meeting the needs of Inuit across Inuit Nunangat (e.g., housing) – like they’ve just been forgotten about, especially in the ISR, where the sense is they’re invisible behind Nunavut.

“Well we want to protect the environment, too.” Yes, but the consequences to you, sitting in Ottawa or Winnipeg, are absolutely nothing compared to the consequences for the cultures that are so closely tied to the marine environment, and for the ability for the people of these communities to feed their families. The existence of a food subsidy program (Nutrition North) isn’t actually that great if people still can’t feed their families because (see Berger, 1977, p. 54 for example)

- (1) Food costs are so high
- (2) Other costs of living are so high
- (3) There aren’t many job opportunities, let alone ones that pay well
- (4) The cost and educational requirements to get the good paying jobs is limited

Not to mention the need to combat intergenerational traumas from the residential school days, ongoing racism, etc. The ability to harvest food from a cultural and survival perspective is therefore crucial. As Berger writes (page 29) – the value between environment versus industry/development is inherently at odds here.

Following the workshop in Inuvik I frantically searched for the great scholarly contributions I could make; my *raison d'être*. I listened to and read the workshop transcript over and over again and tried to determine what in the world to do with the information and knowledge that had been shared with me. I was so overwhelmed with the concern of re-enacting a colonial relationship with the research, or of *de facto* wasting my partners' time by not producing meaningful research outputs. What I realized, though, was that I needed to stop searching and just listen, not only to those around me but to my own inner voice. This became the whole intent of my trip to Tuktoyaktuk in June 2022; I simply stopped and let myself be present. A doctoral research project got me to Tuktoyaktuk, but I was there as a person, and instead of focusing my attention on what everything meant for the *research*, I found myself asking, what did everything mean for *me*? In other words, I was shifting the emphasis from seeing through my Western academic lens, to engaging more strongly with an “Indigenous lens.” Interestingly, while before this trip I had turned to Shivers (a restaurant and lounge) for a space to reflect, now, I turned to the land.

Sunday, June 26, 2022 – Tuktoyaktuk, ISR

I walked out onto the beach and I've just been sitting here, and I couldn't even tell you what I was thinking about for the first 20+ minutes. I'm really enjoying being alone. I'm really enjoying just sitting on this giant piece of driftwood while the wind blows and the waves lap at the beach.

A man came running out (well kind of) onto the beach, too; felt the water, undressed and got in. It was interesting to watch someone check something off their bucket list. This is my first time being in the North when there are also tourists around. It makes me reflect on the pride of Inuvialuit for their culture and home. I think about how it makes me feel when people want to come to Nova Scotia, or do come and are so excited about it. This led me to think about what it would be like to live here. I was thinking about fishing, harvesting, diets ... and I realized that I had gone to the store to buy dinner foods the other day and there was no unfrozen meat... there was limited fresh produce, but absolutely no meat (other than the processed stuff). The only way they can get meat, then, is by driving to Inuvik (and let's be honest, that's probably not that fresh either) or by hunting or fishing. Imagine! No meat counter, no butcher. You have one source of meat worth eating. Tell me you wouldn't want outside interests – even more, interests that don't benefit you in the least – harming that. I have no comparable because I have options. Someone destroys my garden: I'd be pretty upset but I could go to a local farm or a grocery store; no problem, no impact.



We wouldn't allow a road or a railway to be put in somewhere where it would harm dairy cows without regulating it to protect those cows.

And now I'm reflecting on how [...] can you do this for the whole country? Not just in dollars but in human-time, too. How do you justify Tuk over the West or East coast or Nunavut? How do you coordinate investments and programming across so many departments?

Tuk is just one of the many places in the country that want/need to see change. And one of the barriers to this change is often the scalability of the idea in terms of costs but also federal capacity. [...]

Monday-Tuesday, June 27-28, 2022 – Tuktoyaktuk/Inuvik, NWT

I just got back from the “boat ride” with [grandparent], [grandchild], and [name]. It wasn't a tourist boat ride. I've been on boats, and on the ocean – that was special but wasn't the part that hit my soul. It was [grandparent] talking to [grandchild]. Pointing out pingos, telling [them] to “watch the land, always watch the land.” Telling [them] and getting [them] to repeat “it's great to be Inuvialuit!” Imagining everything through the eyes of a [toddler] sitting on [their grandparent's] lap learning your homeland and what it means to be Inuvialuit.

[Name] and [grandparent] also took me to one of the camps. Men, boys, and an Elder were all there.

We drank coffee together and [the Elder] talked to me about fishing and all the cabins at this location. I would have stayed there forever. I wanted someone to explain all the structures to me – to talk to me about the fish lying on the beach that they'd caught, about the fish eggs, about the land. I felt so foreign – like a real complete outsider – but at the same time like I belonged ... well, I wanted to belong. I just wanted to observe. I didn't even want to speak. I wanted to ask every question but couldn't think of a single one. I just wanted to listen. I wanted to remember every inch of that cabin. [...] I stood in that doorway trying to put it all to memory. [...]



The whole drive down to Inuvik I kept thinking of what [grandparent] had said to [grandchild]: “this is all yours, my [child], this is what it means to be Inuvialuit.” I looked at the landscape completely differently. I looked out and imagined the fishing cabins on the shores of Imaryuk/Husky Lakes. I looked further – at the shape of the horizon. At the layers of horizon in between. And I felt the change coming into Inuvik. How busy and populated it was in comparison to Tuk. How developed it felt with the paved roads.

After the boat ride [name] invited me to have some smoked tea. You make tea over a fire. You're supposed to use a certain kind of driftwood – makes smoke with the best flavour [...] you cover the kettle with tinfoil while you bring the tea to boil. Once boiling, you remove the tinfoil and try to make sure it's in the smoke to get the flavour. I added one small scoop of sugar and it was so phenomenally good! [We] sat there looking out over Inuvialuit Nunangat at midnight under the sun chatting, including about bringing my family up. It was such a perfect end to a perfect night.



I came back from Tuktoyaktuk a different person. The intense self-reflection I undertook while in Tuktoyaktuk helped me to understand myself and what I could offer through this doctoral research. I am in a unique position, for not only am I a doctoral candidate, I am also a federal public servant. By embracing the concept that all of me – all my knowledge and experiences – are available for insight, I can draw from my insights to how the federal decision-making process works. In this way, I practiced Two-Eyed Seeing in that I leveraged an Indigenous epistemology to “access” my public-servant knowledge and experiences, thereby also enacting the notion of transdisciplinarity, all within my own mind! My personal evolution over this period, I believe, is summed up well in my fieldnotes from my next trip to the ISR:

Wednesday, November 30, 2022 – Inuvik, NWT

I believe in my soul that there is a way to do things differently today. I know that the entire system needs to be re-looked at, I know that there are barriers and challenges within the system that simply cannot be worked around, however I truly believe that with a little creativity and meaningful thought that today we can start to think and work differently.

I wanted to do these analyses because I wanted to show how it could be done differently. I wanted to show that listening and acting on what was being heard was possible. I understand and value the importance of standard process, due diligence, and Cabinet confidence, but I also value honesty in a working relationship. Through my own experiences I have had to navigate the challenges of co-development, which have included telling partners that I don't have the authority to do what they would like to do. However, that did not stop our work. It was simply a point of fact. And we discussed the various options for moving forward, and the pros and cons of the various options, and collectively we chose which path to take. I don't see why that same conversation couldn't be had with regards to choosing to pursue voluntary versus regulatory measures. Through conversation, dialogue, honesty, and openness, and a common understanding of what it would entail to try to move regulatory measures through the federal system, accounting for all the existing pieces of the process, that decisions could be made together. That doesn't mean that Inuvialuit or any Indigenous organization would hold final decision-making power over a regulatory initiative, but whether or not to go down the path of assessing need or validity or feasibility could be made together.

I'm sitting in my hotel room in Inuvik – it's my third night here and the night before I present my ideas to the Game Council. I'm not nervous. I'm excited because I know that I've listened, and I am so hopeful they'll see and feel that. They took a chance on me. I remember being up here a year ago and being so nervous – I felt so inadequate and like there was nothing I could actually do to make a difference, and therefore I was wasting Game Council members' time and basically lying to them. I don't feel that way today. I don't know if there will be any uptake on this research or the analyses, but one way or another through the course of life I will bring something back to Inuvialuit.

CHAPTER 5: INSIGHTS FOR DECOLONIZATION AND RECONCILIATION

5.1 Introduction

Reconciliation and the call for renewed relationships with Indigenous peoples have been a core narrative of the party platform commitments of the Liberal Government led by Prime Minister Justin Trudeau and the mandate letters to his Ministers over the years. In the context of shipping, the core avenue through which a renewed relationship with Indigenous peoples is being pursued has been through the Oceans Protection Plan, and some initiatives, such as the Enhanced Maritime Situational Awareness initiative, are demonstrating reconciliation (Tuktoyaktuk Marine Coordinator, presentation to CIRNAC, February 2020). Understanding how the EMSA initiative – a data visualization platform – could possibly represent reconciliation was the impetus for this thesis. However, at a workshop with members of the Inuvialuit Game Council in December 2021, I heard a very different narrative when the discussion expanded from EMSA to the broader management and governance of shipping: that nothing had changed in their interactions with the Government of Canada on shipping. Furthermore, the IGC Board told me that “reconciliation” was not even the correct term to use in the context of shipping; collaboration or decolonization were more appropriate. Therefore, the purpose of this chapter is to understand what “reconciliation” and “decolonization” mean, what is required to advance them, and to understand if marine safety and shipping initiatives have a role in these processes and what that may be.

5.2 Understanding Reconciliation and Decolonization

Reconciliation and decolonization are two terms often used, but not always well-defined, including in the literature. In some cases, one of the terms is used in the title but nowhere in the work. In others, the terms are used heavily in a discussion without ever offering a definition. Further still, works such as the reports of the Truth and Reconciliation Commission (2015b), the Aboriginal Healing Foundation (Younging et al., 2009), and Craft and Regan (2020) demonstrate that these terms mean different things to different people. I present here what these terms mean to me based on my own personal journey and this research. I ground myself in the words of the IGC Board members and other Inuvialuit/Indigenous peoples I have engaged with, as well as the work of the TRC, the latter of which is understood to be representative of the voices of Indigenous peoples across Canada (National Centre for Truth and Reconciliation, n.d.).

5.2.1 Reconciliation

The TRC presents reconciliation as “an ongoing process of establishing and maintaining respectful relationships,” and as such, reconciliation can never truly be achieved for it must continuously be enacted (2015b, p. 11). The centrality of “relationships” to the concept of reconciliation is common (Harrowell, 2018) and is also found in the reports of the Royal Commission on Aboriginal Peoples (1996) and the National Inquiry into Missing and Murdered Indigenous Women and Girls (2019). At the core of these relationships must be a recognition of and respect for different ways of knowing and being, and of the unique rights of Indigenous peoples (Borrows, 1997; Craft & Regan, 2020; Gunstone, 2014; Hossain, 2013; Mackenzie, 2009; Manley-Casimir, 2011; TRC,

2015b; Younging et al., 2009). These relationships must not only exist between people and institutions, but also with the land, and as such, the need to return land to Indigenous peoples is a common theme in works on reconciliation (e.g., Borrows, 1997 Craft & Regan, 2020; Hossain, 2013; Manley-Casimir, 2011; Simon, 2017; TRC, 2015b).

For reconciliation to occur, though, trust must be rebuilt and there must be healing at different levels: individually, as communities, across cultures, and with the land (Gunstone, 2014; Hossain, 2013; Neeson, 2019; Simon, 2017; TRC, 2015b). Healing and change demand true dialogue, including creating the space for storytelling by those who have been harmed, meaningful listening by both those who caused the harm and who benefited from the results, and recognition of the consequences (Cabel, 2019; Gunstone 2014; Manley-Casimir 2011; Neeson 2019; TRC, 2015b; Younging et al., 2009).

So I'm dealing with this new group of people at – they're older than I am or about the same age, well a couple of them are older than me and they know this thing about reconciliation and residential schools and they're all not Inuvialuit, there's one Inuvialuit [...] – So these guys want to understand us as a group of people. So I asked them, "well how do you want to do that? How do you want to understand Inuvialuit as a group or as a people?" So they said, "well we want to see them talk to each other about how Canada treated the Indigenous peoples." They want to do that before they even get further in the Committee stuff, they want to understand us as a people and how Canada treated us through colonization and all of that stuff up until residential schools because one of the guys on our Committee actually was almost in tears because of what Canada did to us. That's how interested they are in understanding us as a people, as Indigenous groups. They know what Canada did

to us, but how are we adapting to it? Or how have we changed, or colonized to change to that westernization. It was quite interesting to hear that from non-Indigenous people, that although their children don't know about it they want to teach their children of how Canada treated the Indigenous people. It's interesting to hear that from someone that lives in Ottawa or Winnipeg, one from [British Columbia], it's interesting that they want to know what Canada did to us as a people. It's nice to get that off my chest because it was really kind of heartwarming to hear there are some people out there that have compassion. (workshop participant, 5 December 2021)

Not only must there be efforts to understand, but there must be an apology for harms done and subsequent actions to change (Craft & Regan, 2020; Manley-Casimir, 2011; TRC, 2015b):

When I first saw this “reconciliation through marine safety” I thought we were going to have a couple people from the federal level coming and saying “Sorry. Where did we go wrong? How can we fix it?” That was when I saw “reconciliation” in there and it was like, “oh, it's just us talking.” (workshop participant, 5 December 2021)

To members of the IGC, reconciliation cannot be sought through shipping or ocean management because, to them, there is a direct association with the concept of reconciliation and the residential school system:

In our [Fisheries Joint Management Committee] meeting, and [another participant] was there, [they were] sitting beside me and [they] felt pretty bad that

[the Department of Fisheries and Oceans] wanted to reconcile with the Inuvialuit through the oceans management, or [Large Ocean Management Area] I think it was. And [the Inuvialuk] sitting beside [federal official] and [they were] saying “this is reconciliation through that” and [the Inuvialuk] felt really bad [...]. So, [the Inuvialuk] tried to explain as best as [they] could how [they] felt when they used the terminology “reconciliation.” It meant something else to [the Inuvialuk] than it did the federal people. And I understood that [...] I had to talk in their language more or less in regards to reconciliation because you don’t use that term to an individual who’s suffered so much through their residential school issues and expect them to understand what you’re trying to say. [The Inuvialuk] took it one way only, only one way [they] could take it is this term caused me so much problems or issues that I still live with. [...] To many people who went through the residential school thing. We see it as a way for Canada to apologize to us, not to reconcile with shipping or parks or other such matters that government want. [...] But reconciliation for me, even that, just saying that to somebody, the first thought that comes to my head is, “okay residential schools,” that’s it. In the federal government’s eyes it means that they’re trying to appease us through reconciliation. That’s how I see it. (workshop participant, 5 December 2021)

As stated by this Board member and echoed by others, reconciliation is not about Indigenous peoples coming to terms with the present-day structure and finding a place within it (Manley-Casimir, 2011; McFarlane & Schabus, 2017; TRC, 2015b):

We don’t want to be the poor Inuvialuit sitting by trying to reconcile the shipping industry – it’s a collaboration, and that’s what we want, we just want to

collaborate, I think. [agreement from the room]. (workshop participant, 5 December 2021)

Rather, reconciliation is about rethinking the structure and relationships therein to ensure there are roles and opportunities for all that reflect respect for each other and each other's rights.

5.2.2 Decolonization

I understand “decolonization” as the many elements necessary to enable the establishment and maintenance of respectful relationships, i.e., reconciliation. At the centre of the process of decolonization lies the theme of power, particularly resistance to and confrontation of colonial power and a redistribution of power between Indigenous peoples and the settler state (e.g., Archibald, 2006; Craft & Regan, 2020; National Inquiry into Missing and Murdered Indigenous Women and Girls [MMIWG], 2019; Rodgers & Ingram, 2019; Ugarte, 2014). Many authors that discuss decolonization also emphasize the importance of returning land to Indigenous peoples, for only then would they be able to practice their culture, return to their ways of being, and break free from the poverty and dependency resulting from colonization (e.g., Corntassel, 2008; Greenwood, 2019; McFarlane & Schabus, 2017; Tuck & Yang, 2012).

In a literature review, Ugarte (2014) found that decolonization is presented as a process for both Indigenous and non-Indigenous peoples, and for individuals and institutions. Decolonization within individuals is described by Ugarte as an ethics-based approach, wherein the process targets “understandings, assumptions, and entrenched ideas that perpetuate colonial approaches” (p. 407) to “[unsettle] the theoretical,

epistemological, and normative assumptions underlying [a discipline] and broad social understandings that shape Indigenous/non-Indigenous relations” (p. 409). Focusing on institutional and structural change, instead, is considered by Ugarte as taking a rights-based approach to decolonization, and is where the “language of Indigenous rights, sovereignty, and self-determination” (2014, p. 409) come to play, as well as the formal redistribution of power. While most of the literature reviewed argues for both types of decolonization, Ugarte (2014) found that authors tended to emphasize one over the other; I found the same when reviewing the literature, too. Greenwood (2019), for example, emphasizes the importance of “decolonial soul work” – “practices that continually support our own ontological becoming-in relationship with ourselves, each other, the land, and the cosmos itself” (p. 369) – while Tuck and Yang (2012) take the position that focusing inward in the way Greenwood presents is not decolonization at all, but rather is what they refer to as “conscientization,” and “does not inherently offer any pathways that lead to decolonization” (p. 22). However, as highlighted during the workshop with the IGC, changing how people think is an important step towards changing how things are done:

Who here remembers discussing policies on COSEWIC [Committee on the Status of Endangered Wildlife in Canada]? [...] That was like 7 or 8 years ago and the policies were written in stone; “COSEWIC is this way and that’s how it’s going to be.” It took us forever, until today or last week to finally, our recommendations – regional aspects of it, of COSEWIC, was never an idea or a thought in the federal government’s eyes. They had no interest in discussing regional issues. It was a national thing. So if there was a sick seal in Nunavut, there was a sick seal in

Paulatuk, that's how they saw it. Or there was a population drop in a community in Nunavut because their harvesters said "I only got three this year and last year I got 10" it becomes an issue, they apply it to the NWT region as a national issue. So they're finally up to last week that was the thought. Now they've changed. The Inuit Knowledge Sub-Committee it took us awhile [...] to finally get them to change their thought process in regard to the North, in regards to policies. We, once a draft is finalized, we as an Inuvialuit group have the opportunity to get one vote on COSEWIC now. And we'll recommend that the rotation be one vote for every 3-4 years. (workshop participant, 5 December 2021)

I agree with Ugarte's (2014) presentation of the two forms of decolonization: one that focuses on individuals, and one that focuses on institutional reconfigurations and power redistributions. I will refer to the latter as institutional/structural decolonization as opposed to a rights-based approach to decolonization, as Ugarte does. Furthermore, I agree with Tuck and Yang (2012) that individualistic decolonization, if understood as the development of critical consciousness, amounts to nothing more than a "newfound awareness." However, perceiving the ethics-based decolonization described by Ugarte (2014) as a mind-based process alone misses the soul-based nature of the self-decolonization that Greenwood (2019) speaks of, which goes beyond learning of truths. It represents a personal journey of ontological transformation where you learn to identify colonial influences in your own everyday thinking and behaviours, not just in the history of your country and workplace (Greenwood, 2019; Ugarte, 2014). This conceptualization of what I will refer to as ontological decolonization and institutional/structural decolonization aligns well with the core practices that Wilson-Raybould (2022) believes

are necessary for reconciliation to occur: *Learn*, *Understand*, and *Act*. To her, the foundational element is learning about the true history and why it occurred the way it did. Building from this, Wilson-Raybould argues that we must understand two key sets of connections: “(1) the connection between our worldviews and the world we create; and (2) the connection between Indigenous rights and the social and economic reality of Indigenous Peoples” (p. 187). And finally, we must take action to “address the harms, injustices, disadvantages, and lack of opportunity that are part of the legacy of colonialism” (p. 279). Wilson-Raybould’s (2022) concepts of *Learn* and *Understand* relate to the single concept of ontological decolonization that I have presented, while her concept of *Act* relates to institutional/structural decolonization. By presenting learning and understanding together in a single concept, though, I hope to emphasize the integral nature of undertaking the two together, for, as I will discuss throughout the remainder of this chapter, I believe that the notion of *Understand* is missing in our current efforts. As such, I will present that ontological decolonization has a key role to play in enabling institutional/structural decolonization and reconciliation, and one that is not fully being enacted.

5.3 The Importance of Ontological Decolonization

The processes of decolonization and reconciliation fundamentally require a complete transformation of the institutional structures and relationships of and within Canada, but systems do not change on their own; change is enacted by people. The Government of Canada is often presented in the literature and conversations as if it is one being with a single mind. Recognition that the Government is comprised of multiple institutions and individuals who may or may not share a way of thinking appears to be missing. Decisions

made by “The Government” are the product of those individuals’ ways of knowing, being, and doing business; not only the Prime Minister of the day and their Cabinet, but the hundreds of thousands of public servants whose job it is to design, develop, and deliver the laws, policies, programs, and services of the Government of Canada (Treasury Board Secretariat, 2023). The Prime Minister and Ministers set mandates and priorities, but they do not dictate the fine details of how those mandates are actioned. It is within a Department across various levels of seniority that options are designed and decisions are made and implemented. Therefore, a call for institutional change is not separate from a call for individual change, but rather is a call for change within a specific sector of society: the federal public service.

“If we are a product of our conditioning, a kind of colonizing of the mind, then we must learn how to identify this conditioning, and to some extent rewire it” (Greenwood, 2019, p. 362). The federal public service operates within a system borne from a Naturalist ontology, which, as a foundational element, perceives people (the federal government) as being able to be truly objective and to separate themselves from their inherent values and ontologies (Blaser, 2009; Ingold, 2000). Those who see the world through a Naturalist lens see it as *the* world, with all others being differences in perspective and opinion rather than completely different worlds borne of different ontologies (Blaser, 2009; Boutet, 2014; Bowie, 2013; Ermine, 2007; Dodson, 2014; Greenwood, 2019; Leduc, 2007; Mulrennan & Scott, 2005; Reilly, 2006; Tester & Irniq, 2008; Thomlinson & Crouch, 2012; Tiakiwai et al., 2017; Tipa & Welch, 2006; Vaudry, 2016; White, 2008). An example is a question that was raised at the “Shipping Risk Mitigation Research and Practice in Canada” workshop in Halifax, NS, in August 2021: How do you bring values

into the discussion of making decisions for shipping? This question suggests that, at present, values are not a part of discussions and decision-making. But we all have values, and they influence all that we do.

The inability to recognize “the deeper level thoughts, interests and assumptions [...] inevitably influence[s] and animate[s] the kind of relationship the two [Indigenous and non-Indigenous peoples] can have” (Ermine, 2007, p. 195) and riddles our attempts to work effectively together exactly because many of those engaging in cross-cultural endeavours do not see that there are different ontologies at play. Stetson and Mumme (2016) allude to this inability in the context of shipping. They identified that the lack of understanding of Indigenous Alaskans in conversations pertaining to vessel traffic and its management is interpreted as an issue of plain language, which “may well run deeper than that, grounded as it is in fundamentally different approaches to understanding and knowledge validation claims that left unaddressed may undermine collaborative initiatives” (p. 799). Viveiros de Castro (2004) refers to this scenario as “equivocations,” which are “not just a ‘failure to understand’, but a failure to understand that understandings are necessarily not the same, and that they are not related to imaginary ways of ‘seeing the world’ but to the real worlds that are being seen” (p. 11). Blaser (2009) makes similar observations, adding that conflicts that arise do so not necessarily because whatever is at stake generates a conflict, but because the conflict is predicated on an assumption that both parties are debating the same thing. From Ermine’s (2007) perspective, this situation occurs because there is no “substance or depth to the encounter” (p. 195). The concept that a shipping corridor could be “low impact,” as described in the previous chapter, is an example of an actual and active equivocation.

This discussion is not the first time the importance of ontological awareness when working with Indigenous peoples has arisen in this thesis; the first was in the Methodology chapter (Chapter 2). In comparing the discussion of this chapter with that of the Methodology chapter, there are many overlaps that can be found in the issues at hand and the solutions put forward. Research on how to conduct research with Indigenous peoples seems far more advanced than research on how the federal public service as a collective of individuals can work with Indigenous peoples in the name of decolonization, though. Both the academic community and federal public servants share the same colonial relationship with Indigenous peoples, who have not traditionally been seen as potential partners. In both cases, there are calls for decolonization in the relationship and the institutions in which the relationships function. The ways in which such decolonization can be advanced in both settings is comparable: look at the structure and balance of power within the relationships; give voice and power to Indigenous peoples and their knowledge, including in decision-making; and interrogate your own assumptions and conclusions to develop a critical consciousness (Barnes et al., 2021; Botha, 2011; Evans et al., 2009; Kassam, 2021; Kovach, 2009; Manuel-Navarette et al., 2012; Martin, 2012; Smithers Graeme & Mandawe, 2017; von Seggern et al., 2023). In academic terms, this critical self-awareness is often referred to as reflexivity, whereas in the context of this discussion on decolonization more broadly, I have referred to it as ontological decolonization, but the purpose is the same: to identify your biases and inherent assumptions so you may be capable of combatting the colonial influences in your mind and subsequently in the world around you, i.e., you can contribute to institutional/structural decolonization and reconciliation.

To support the ability to see one's own assumptions in the name of decolonization within the academe, Lindstrom et al. (2022) developed the "disrupting interview," which was modified from the decoding interview used to help experts identify the inherent assumptions within their discipline to help them teach their discipline. The disrupting interview builds on the decoding interview to challenge the inherent assumptions themselves. The goal of the disrupting interview is thus "to stage an encounter between teachers and their discipline's knowledge" (p. 4) and to find "what appears to be the *impassable route*, that place where at the moment participants cannot seem to think beyond," for it is here that "colonialist assumptions... can be questioned and probed" (p. 9, original emphasis). Applying this perspective to federal public servants working in the realm of shipping and marine safety, the disrupting interview would thus aim to support participants to find their own "impassable route." Perhaps it is the concept that the foundational maritime laws and conventions are simply human constructions (Ermine, 2007).

We draw participants towards places where they feel discomfort, where they find gaps in their understanding, places where they do not have an answer. We encourage them to stay with that discomfort rather than pushing it away, to hold it, examine it, ask why. (Lindstrom et al., 2022, p. 9)

The important role of these moments of unsettling and discomfort where one's own ignorance is revealed can be found elsewhere in the literature, too (e.g., Rodgers & Ingram, 2019; Tuck & Yang, 2012; Ugarte, 2014), including Greenwood (2019):

After the talk I was approached by another scholar who introduced himself to me as an Indigenous person with ancestral ties to the Palouse. He gestured to the photograph I had left on the screen as a background image during the discussion period: a brilliant picture of Steptoe Butte, a conical green mountain rising out of a sea of rolling hills, the iconic image of the Palouse region I called home. For me, this was a sacred place of communion with the land. I had a relationship with the place that I still carry in my body, and I had wanted it with me for my visit to Vancouver. Here is what I recall this person saying: That is a sacred mountain to my people. It's one of four sacred landmarks for us, a reminder that we have reached our seasonal gathering grounds. You shouldn't show such an image if you don't know about it. It's also a place for vision quests and ceremony. His tone was accusatory. **I was embarrassed** and felt my defenses rising. **I was being called out** for reproducing the colonial act of erasure buried beneath my homesteading. **Worse, I realized** that in all my talk about place as an intellectual construct, I had neglected to say anything meaningful about the place where I actually lived. [...]

[...] **But I don't think I realized until then how deeply my identity is buried in my everyday way of being and knowing.** (p. 366, emphasis added)

One of these moments was also described at the workshop with the IGC:

There was this one project that this guy was doing in regards to red foxes. He did a study of red foxes based on information he was using from the Hudson's Bay 1960s! From the Hudson Bay documents that they collected in the 1960s! Saying it was really hard for the Indigenous population in the North to catch or trap red

*foxes. After he was done, I let him go again. So, I pulled him over at the end of his presentation, we were on break so I chatted with him. I asked him, “where did you get that information about red foxes and how hard they were to trap? Cause based on my knowledge, if I whistled for a red fox and he’s within ear shot, that red fox is going to stop and come to me.” And based on the information he got from all of those HBC documents he said they’re really hard to catch. That’s what he was spreading as information that he got from the Hudson’s Bay Company, **and holy smokes, it opened his eyes, he said.** (workshop participant, 5 December 2021, emphasis added)*

In my own life, I have had these moments, too. I was raised on Mi’kmaq Territory, but learning about Indigenous peoples or the true history of Canada, let alone Indigenous ways of knowing, was not part of my home or schooling. In fact, it was not until my last year of my undergraduate degree that I learned of residential schools, of the stories that emerged from them, and worse yet, that they operated within my lifetime. I still remember sitting in the back of the tiny classroom at St. Francis Xavier University – it was a night class – crying; in shock at what I was learning, ashamed that I had inadvertently been part of the problem of racism against Indigenous peoples and infuriated that I had never been taught the true history and therefore given a chance to do differently. Moments such as these left me speechless; I felt guilt, shame, embarrassment, remorse, and a plethora of other emotions associated with learning about a horrible and intentionally hidden past, and even worse, about how this “past” is not actually something of the past at all, but rather something that I have been helping to maintain simply through my ignorance and subsequent inaction towards change. Those moments have

stayed with me as I have grappled with trying to understand my own mind; trying to identify the colonial pieces and processes within how I think and see the world so that perhaps I may have the opportunity to change. I will never forget these moments that have had such a profound impact on how I see the world in which I live and how I behave in it, and nor should I, for the journey of self-decolonization does not make me “innocent” in the colonial history or present day (Tuck & Yang, 2012). In speaking with others who have undertaken their own decolonizing journey, they, too, recall key moments that fundamentally changed how they approach their interactions and work with Indigenous peoples.

5.4 Enacting a Decolonized Ontology in the Governance of Shipping

If the desire is for public servants and federal officials to present Ministers with options that align with the spirit and intent of the *United Nations Declaration on the Rights of Indigenous Peoples* (as called for in the *United Nations Declaration on the Rights of Indigenous Peoples Act*) and reconciliation, then efforts must first be taken to ensure that public servants can think beyond the “impassable route” and envision a governance model that is built from a different base: one that includes Indigenous peoples as nations with interests and concerns equal to those of the settler State. In this way, ontological decolonization enables the conceptualization of alternatives to the status quo. However, simply being able to envision such a future does not in and of itself amount to institutional or structural decolonization or reconciliation; it must be acted upon for change to materialize and for such decolonization and reconciliation to be advanced (Maddison, 2022; Tuck & Yang, 2012; Ugarte, 2014).

Today, ways of governing “differently” to respect Indigenous rights are largely being advanced under the umbrella of co-management, which can take many different forms ranging from consultation to co-governance (Castro & Nielsen, 2001; Tupa & Welch, 2006), though “most authors do not regard mere consultation or ad hoc public participation as co-management” (Berkes, 2008, p. 1693). Regardless of the variances in models, Carlsson and Berkes (2005) summarize three commonalities found throughout the literature on co-management:

- (1) [Authors] explicitly associate the concept of co-management with natural resource management;
- (2) They regard co-management as some kind of partnership between public and private actors; and
- (3) They stress that co-management is not a fixed state but a process that takes place along a continuum. (p. 67)

Most of the literature on co-management stems from the realm of natural resource (forestry, wildlife, and fisheries) management. It implies there is a partnership (though defined differently depending on the case) between an authoritative body and an Indigenous group, and often the assumption that as relationships develop, so too does the governance model. There also seems to be consistency in the literature that, even where models are deemed “successful” by whatever and whoever’s terms, it is also acknowledged that it has not yet been determined how power can truly be shared. Even so, as Nadasdy (2003) observes, there is not a single case where a co-management model is deemed “failed.” For example, Jacobson et al. (2016) report on the management of Auyuittuq National Park in Nunavut, where Parks Canada and Inuit use a multitude of

tools and approaches to include Inuit and their knowledge in the management of the Park. Yet even with a variety of working groups, committees, meetings, and community consultations, community members still did not feel they were adequately involved. The authors attribute community members' feelings to their lack of experience in such co-management systems, which are considered "forms of organisation somewhat new to Inuit, who have traditionally applied consensus-based decision-making in smaller family groupings rather than engaging in processes derived largely from the colonial Westminster system" (p. 13). They further anticipate that research participants' opinions will change "as they themselves learn to navigate [the new western systems of governance]" (p. 17).

The concept that Inuit simply need to learn to navigate a structure derived from the colonial Westminster system does not indicate a willingness to work together as equals, as is called for through the processes of decolonization and reconciliation. Rather, it indicates that the door is open for Inuit to participate in the colonial system, which is reflective of previous assimilationist policies, such as the 1969 White Paper (DIAND, 1969) introduced by the Honourable Jean Chrétien, then Minister of Indian Affairs and Northern Development, that was vehemently opposed by Indigenous peoples (Wilson-Raybould, 2022). Maddison (2022) argues that this type of engagement within the existing system amounts to nothing more than inclusion, even if it is done under the narrative of reconciliation, because it does not involve any element of institutional or structural change as is required for decolonization. Such an approach reduces reconciliation to simply rhetoric (see also Gaudry & Lorenz, 2018), ignoring the fact that structural changes to institutions and their governing frameworks are required. Therefore,

to truly advance institutional/structural decolonization and thus reconciliation, there needs to be an openness to new models that incorporate both institutional change and a rebalancing of power in how decisions are made, which may require current approaches for working together to be thrown out entirely (Cabel, 2019; Hoehn, 2016; Hossain, 2013; Nakimayak, 2017; Simon, 2017; Younging et al., 2009), including existing conceptualizations of co-management. There is diversity in the models of co-management, the processes through which they were devised, and the relationships that have come to exist within them, and so this is not to suggest that every governance arrangement between an Indigenous group and the Crown must be redesigned. Rather, it is an argument for a willingness to do so if the Indigenous partner does not feel the current approach reflects the respectful relationship envisioned through reconciliation and decolonization.

In the context of Arctic shipping, this means that more needs to be done than to simply allow Indigenous peoples to operate within the existing colonial system, such as by delegating authorities derived from the existing regulatory framework to Indigenous peoples (i.e., the amendments to the *Canada Shipping Act, 2001*). Some of the initiatives under the OPP, such as Proactive Vessel Management, have explored alternative approaches to working together that reflect a renewed relationship where the interests and concerns of Indigenous peoples and the Government of Canada are considered equal at the table. The Low Impact Shipping Corridors initiative has also promised to collaboratively develop a governance framework for the Corridors with Indigenous peoples of the region (DFO, 2022), though given this work has not significantly advanced, it is not clear what this could truly incorporate. While efforts such as these are

important steps, there is one major gap: they do not actually change the framework itself; they are all examples of finding opportunities for Indigenous peoples to *participate in* instead of *shape* the way shipping is governed and regulated.

The Constitution allocates power to the Government of Canada, and more specifically departments such as Transport Canada for the sole authority to regulate navigation and the shipping industry. This allocation of power is a key pillar of the Government's firmness on being the sole regulator, an argument that is "solidified" through the justification that Canada must maintain sole authority because of the conception of sovereign states within the international community, including within the International Maritime Organization and under the *United Nations Convention on the Law of the Sea*. But the disrupting interview of Lindstrom et al. (2022) requires a reconsideration of the foundational elements of its governance today to understand and challenge the current framework. Maritime laws, even the Constitution, in and of themselves are nothing more than words on pages that gain power from their enactment. These are documents that can be changed to create space for Indigenous peoples, as evidenced by the introduction of section 35 on the rights of Indigenous peoples in 1982 and the changes introduced to the CSA, 2001 in 2018 to enable the Minister of Transport or of Fisheries and Oceans to enter into agreements or arrangements with Indigenous organizations, governments, or councils, regarding the administration or enforcement of any part of the Act or its regulations (*Budget Implementation Act, 2018, No. 2*).

The international nature of shipping and the necessity for uniformity in maritime law certainly aggravates and limits the ability for the Government of Canada to work with Indigenous nations to find new ways of governing shipping, though, for any

processes and decisions must account for the overarching international framework set out by the UNCLOS and the IMO. The international regime was not created with Indigenous peoples, or even with their interests or rights in mind. Even in arctic waters where there is an acknowledgement that special treatment is required for the purposes of environmental protection, these unique considerations are to be understood through the lens of the “Western” conceptualization of risks and impacts to the environment, which do not at present account for Indigenous relationships with the “environment” (Bishop et al., 2022). However, with the introduction of the UNDRIP, which applies to the IMO as a special operating agency of the United Nations, there is impetus for change at the international level, too (UNDRIP, Art. 42). Here, Inuit, as represented by the Inuit Circumpolar Council, are leading the way by securing Provisional Consultative Status at the IMO, allowing them to represent themselves and their interests (IMO, 2022; Eil-Kanayuk & Aporta, 2023), and the Government of Canada, led by TC, has committed to support the ICC in its efforts (ITK, 2022, 2023). The coming years thus hold significant potential and will be telling with regards to how Inuit participate in and are accepted by the international maritime community.

The Government of Canada may be limited by the international nature of shipping and its current governance, but changes can still be co-developed and co-implemented today within the existing framework that incorporate and reflect the rights of Indigenous peoples, at least in part, as was demonstrated in Chapter 4, while the greater governance of Canada is decolonized. For example, TC could establish offices within Inuit Nunangat to enable more face-to-face interactions and relationship-building; currently, the closest TC office to Inuit Nunangat is the head office for the Prairies & Northern Region in

Winnipeg, MB. The Department of Fisheries and the Canadian Coast Guard have set a precedent for such institutional structural change by dividing its Central & Arctic Region into two, working with Inuit to define the boundaries of its new Arctic Region, establishing the regional office for the DFO in Nunavut and for CCG in Yellowknife, NWT, and hiring an Inuk to be the first Regional Director General for the new Region. The success of these endeavours and others, though, in terms of achieving meaningful and long-term change in the relationship with Inuit will take great creativity and commitment, both in terms of financial resources and time (Beveridge, 2021). While such lessons can be learned from the existing endeavours, the most essential element is that the path forward is not devised or decided without the involvement of Indigenous peoples themselves. As discussed in the context of research in the Methodology chapter, true decolonizing efforts require the participation of Indigenous and non-Indigenous peoples in the spirit of genuine collaboration, where there is trust, respect, and reciprocity, and the needs and contributions of all are honoured (Barnes et al., 2021; Dawson et al., 2017; Henshaw, 2010; Laidler, 2007; Lavallée, 2009; Manuel-Navarette et al., 2012; Moller et al., 2009; Porsanger, 2004; Sable et al., 2006; Stephenson & Moller, 2009; Tuhiwai Smith, 2008). To do so, TC needs to undertake a significant culture shift supported by the process of ontological decolonization to enable those working within the national maritime administration to think beyond the boundaries of traditional maritime law and governance. Two-Eyed Seeing is one framework that can be helpful, but I do not argue that this is *the* solution; it is *a* solution. I applied Two-Eyed Seeing to myself for this research because the concept resonated with me, personally. It may not resonate with everyone. For example, the Haudenosaunee may prefer their concept of the Two-Row

Wampum to be applied in collaborative efforts with them (Reid et al., 2021). As with research methodologies, a concept or approach that works with one Indigenous people – in the case of Two-Eyed Seeing, the Mi'kmaq – should not be ubiquitously applied to all (Kovach, 2009); one should not enter a hopeful new relationship with a preconceived notion of the framework, conceptual or otherwise, that will guide how to work together. Rather, how parties will work together should be the first topic of discussion.

Although I do not delve into the matter here, capacity limitations on both sides must also be acknowledged and addressed to enable meaningful interaction and collaboration. This includes ensuring there is the time to engage or to be engaged in the desired way, that both sides of the table have the necessary knowledge to meaningfully and thoughtfully participate in the desired discussions, and that supports are found to ensure that Indigenous partners are able to fully participate (Beveridge 2021; ICPC, 2022).

5.5 Conclusions

The intent of this chapter was to present my conceptualizations of reconciliation and decolonization and to outline a path forward towards these goals. Reconciliation is about the relationship between Indigenous and non-Indigenous peoples, and actions towards reconciliation must therefore respond to the encounters in history that have shaped that relationship today: decimation of the Inuvialuit population from disease brought by whalers and fur traders, attempted assimilation, and destruction of Inuvialuit culture through the residential schools, etc. (see Chapter 3). Decolonization, in contrast, is a

multi-pronged process, which includes transforming colonial ontologies and institutional and structural frameworks to enable new relationships to exist.

Interestingly, very little scholarly literature discusses the interrelationship between reconciliation and decolonization explicitly. That which focuses on reconciliation, though, often references decolonization or elements of it, such as the need for institutional change and a balancing of power in decision-making processes, the enactment of Indigenous self-determination, or the need for a resurgence of Indigenous languages, laws, and governance, or for the repatriation of land (Anaya, 2009; Cabel, 2019; Harrowell, 2018; Hossain, 2013; Hoehn 2016; Joffe, 2010; Nakimayak, 2017; Simon, 2017; Younging et al., 2009). These actions are seen as so critical for reconciliation that many argue that reconciliation cannot be achieved without them. In contrast, some literature discusses decolonization without referencing reconciliation at all. I agree that reconciliation requires the institutional structures and systematic frameworks that serve as the space within which collaborations and relationships exist to be broken down and rebuilt to enable to new kinds of relationships to emerge. At the same time, though, efforts to rebuild structures and systems must be pursued through new relationships in order to actually reflect reconciliation; it would not reflect a relationship based on equal respect and power if the colonial enterprise reconstructs governance in Canada on its own, telling Indigenous peoples their role. In this way, reconciliation cannot precede decolonization or vice versa, and the two cannot exist independently. As such, the relationship between the two is mutualistic: changes in the overarching relationship (reconciliation) influence changes in institutional structures and systematic frameworks (institutional/structural decolonization); and changes in the structures and

frameworks (institutional/structural decolonization) influence changes in the overarching relationship (reconciliation). Furthermore, I have argued that reconciliation and institutional/structural decolonization require ontological decolonization, which is a soul-based process where individuals become aware of their inherent biases and assumptions, sit with the discomfort of coming to terms with the influences of the Western (colonizer's) worldview on how they think and act in this world, and then take action to challenge these ways of thinking to enable new ways of working (institutional/structural decolonization) and new relationships (reconciliation).

The EMSA initiative provides a strong example of the mutualistic relationship between reconciliation and institutional/structural decolonization, and furthermore the catalyst role of ontological decolonization. Prime Minister Justin Trudeau directed his Cabinet to place emphasis on renewing the nation-to-nation relationship with Indigenous peoples built on recognition of rights, respect, co-operation, and partnership. This direction subsequently enabled the OPP to come to life: a program and investment premised on a new way of doing business, wherein there was collaboration with Indigenous peoples on matters of maritime administration. This act of structural decolonization provided an opportunity for the institutional system of maritime administration to change. This system was not going to change itself, though; it required public servants – individuals – who would be delivering the initiatives of the OPP to enact that change. Subsequently, a new form of training was offered (another institutional change) to those public servants working on EMSA, as well as other initiatives of the OPP that would require engagement with Indigenous peoples. The training was delivered by an Elder and a facilitator in a healing lodge on the premises of the federal government.

For three, two-day sessions, co-workers gathered with the Elder and facilitator to not simply learn about the history of the Indigenous-Crown relationship, but to learn about Indigenous ontologies and ways of being. Participants were engaged in the topics of Creator, Ancestors, the Universe, judgement, and forgiveness through open dialogue in Circle. This ontological decolonization training (as I refer to it) enabled them to interact differently with their Indigenous partners and to come up with new ideas through new processes for how the systems of administration and decision-making could work (Beveridge, 2021). These new systems were implemented through the EMSA initiative, which has opened the door for further change, such as that proposed in the previous chapter. The result of these mutually supportive processes of structural/institutional and ontological decolonization is a program and product that left at least some Indigenous partners stating, “this is reconciliation.” Therefore, I have come to agree with my Inuvialuit partners that reconciliation does not occur through marine safety and shipping initiatives; the EMSA initiative – a data visualization platform – did not achieve reconciliation (new relationships). Rather, the EMSA initiative was the formal space wherein informal interactions between Indigenous and federal partners could occur, and it is within these interactions that the work of reconciliation was done. It is the process that led to and was employed through EMSA – acting on the concerns and interests of Inuvialuit – that formed a more positive, respectful, collaborative, and equal relationship in that context: that is reconciliation. And that reconciliation was not possible without concurrent institutional/structural and ontological decolonization.

The Canada School of Public Service offers many “Indigenous learning products,” for public servants who wish to learn, including online (self-paced) and classroom

courses, most of which target sharing information about Canada’s colonial history (Canada School of Public Service [CSPS], 2023). However, there is only one course specific to Indigenous peoples that is mandatory across the public service, and that is for functional specialists in the realm of procurement only; it is a 1.5-hour online course that addresses specific considerations for Indigenous peoples in the context of procurement (CSPS, 2022a). Training or education about Indigenous peoples, Canada’s relationship and the past wrong-doings, or how to effectively work together is not a standard requirement by the Secretary of the Treasury Board for federal employees, though specific Deputy Heads may make it a requirement within their given department (CSPS, 2022b). While those who choose to engage in the learning may benefit from the knowledge they gain from these classroom or online courses, it seems highly unlikely that they will experience an ontological or soulful transformation. To help move past a newfound awareness towards ontological decolonization, the Canada School of Public Service can learn from the disrupting interview of Lindstrom et al. (2022), which guides participants towards and beyond their own “impassable routes” and helps them locate and stay in the spaces of discomfort where they discover the existence and influence of their own colonial ontological assumptions and biases and are supported to challenge them. It is unlikely that such “an individual, critical and reflexive journey” (Urgarte, 2014, p. 408) will be successful through online and classroom-based learning, though, which was echoed by the IGC at our final check-in in March 2023. Such personal journeys of ontological decolonization in and of themselves will not result in institutional decolonization or reconciliation, but changing how federal public servants think is the

necessary first step to change how they perform their functions and duties; in other words, to changing how the work of the Government of Canada is carried out.

It has often been said that “we all have a responsibility for reconciliation,” but what does that truly mean? As an individual, it means I have a responsibility to decolonize my ontology – it is not the responsibility of Indigenous peoples to ensure I learn, but it is mine – which, if truly done, will change how I interact with others. As the TRC stated in its sixth volume, “we must learn to practice reconciliation in our everyday lives” (2015a, p. 17). As a member of the academic community, though, and even more so as a public servant, I have an additional responsibility to ensure that any and all encounters I have with Indigenous peoples contribute to a different experience for them, and to ensure that the work that I do – the analyses I conduct, the advice I provide, and the decisions I make – all enact my ongoing journey of ontological decolonization and contribute to institutional decolonization for all of my career and my life.

5.6 Reflections During the Research Journey

This chapter, above all others, was the one that would ultimately answer the question: did I get it? Did I understand what my Inuvialuit partners had been trying to tell and show me since I first began interacting with them in 2013 about how to work with them? Did I hear them? I turn to my fieldnotes from my last trip to the ISR as part of this research to answer the question:

Wednesday, March 8, 2023 – Inuvik, ISR

I just finished my “presentation” to the Game Council. The final presentation of this project. The answer to 4 key reflective questions:

(1) What is reconciliation?

- (2) What is decolonization?
- (3) How do they fit together?
- (4) Where do we go from here?

I went in with peace in my heart and one hope: that when I presented my answers, they would feel my sincerity, my commitment, and above all else, they would feel heard.

A few things happened that make me feel I am on the right path in who I am becoming, and for this project:

- [...]
- Every suggestion they had in terms of how Inuvialuit were portrayed in the research, I could say I was already doing it, e.g.:
 - Acknowledging those who contributed
 - Placing their knowledge as equal to that of academics
- They looked at me, and they nodded.
- [Name] said [they were] glad to hear I was taking it personally.
- When I said I didn't know if/when I'd be coming back to the ISR they were not critical. [Two people] shook my hand.

While this is one of the last milestones on my PhD research journey, I feel like it's only one of the first in terms of my personal journey.

This chapter focused on the importance of decolonizing oneself – one's ontology – and by this point in this thesis it should not be a surprise given my own personal journey that has occurred alongside the research. From the beginning, I made this a personal endeavour, a response to a personal commitment, and that is what I am advocating for now within shipping governance. So, to all public servants, I urge you to make your “mandate” to contribute to decolonization and reconciliation personal. Do the hard soul-work so you can really think and act differently and bring to life a relationship between Indigenous peoples and the Crown that has not yet existed. If it is truly a personal endeavour it will not matter if work can organize and/or pay for the kind of training offered to those that were engaging under the OPP, for you will find ways to transform yourself through your personal life, as you do for any other personal growth you wish to undertake.

CHAPTER 6: CONCLUSIONS

6.1 Introduction

Both the regime that governs Arctic shipping and the relationship between non-Indigenous and Indigenous peoples are evolving; the former towards a tailored approach that responds to the unique and changing operating environment, the latter driven by the narrative of reconciliation. While the tables that govern shipping seem to be becoming aware that Inuit are one of the unique elements of the Arctic, there has yet to be a direct discussion of reconciliation in the context of the governance of Arctic shipping. The same is true in the scholarly literature; while the concerns of Inuit regarding the impacts of shipping and their interests for seeing it managed in a different way are increasingly acknowledged and described, a gap remains with regards to how these matters interact with the broader concept of reconciliation. As such, through this thesis, I set out to fill a gap in the literature with regards to how Inuit are involved in marine safety and shipping positioned explicitly in the context of reconciliation. The objectives were to add a new lens to the discussions on marine safety and shipping both nationally and internationally, and to contribute to the literature on Indigenous-settler relations. However, these scholarly objectives were not the only intentions of this project. Of equal importance to me were my personal intentions to be a good Treaty partner to Inuvialuit and all Indigenous peoples in what is now known as Canada by learning about the process and impacts of colonization, and to taking action to change how I see the world and conduct myself within it. I was also committed to fulfilling a promise I made to the Inuvialuit Game Council in 2014 to return to the Inuvialuit Settlement Region and carry out research in the right way by working with them as research partners and producing

research that advanced their goals and interests. As such, this chapter not only summarizes the findings of the research, but also of my own journey as I tried to be a good partner in reconciliation and research through intensive self-reflection.

6.2 Reflecting on the Research Approach

A decolonizing agenda was at the heart of this research, meaning there was the central goal of contributing to decolonization and the self-determination of Indigenous peoples. This agenda was pursued by positioning Indigenous peoples as partners in research and with knowledge equal to that of the scholarly community, and by using a theoretical and conceptual framework that emerged through an application of Two-Eyed Seeing.

Two-Eyed Seeing is a framework that can be applied to an individual or group, wherein work is approached by seeing through Indigenous and Western eyes, together, pulling from the strengths and mitigating the weaknesses in each to find new ways of doing things. My Western academic lens drew from Participatory Action Research, transdisciplinarity, and phenomenology, incorporating positionality and reflexivity, while my Indigenous lens allowed me to embrace all my relations in a world without boundaries between disciplines or between myself as a researcher and a human being. It also brought forward a strong element of responsibility and accountability, which married my research and personal intentions together. The resulting theoretical and conceptual framework when both lenses were applied together had two core concepts: (1) truths and realities are multiple, borne from all the experiences of an individual throughout their life; and subsequently, (2) research is borne from all my experiences, meaning that I am inherently a participant.

A methodology was then developed that reflected the purpose of doing research from both a Western academic and Indigenous perspective: it had to be rigorous, robust, real, theorized, valid, reliable, useful, friendly, and just. One framework that offered much promise was phenomenology, not only because it was already part of my Western academic lens, but also because it supported centring the lived experiences of my Inuvialuit research partners. Using the standard approach to phenomenological research as a starting point, I constructed a set of methods to carry out the research that also reflected my Indigenous lens and the decolonizing agenda. The methods were modified throughout the research journey to respond to the interests and feedback of the IGC. In the end, there were three phases of research that spanned 19 months:

- (I) October 2021 – March 2022: I held a workshop in Inuvik with the IGC, and transcribed and analyzed the transcript. I validated these initial results of the analysis with members of the IGC and adjusted the research plan in response to their feedback.
- (II) April – December 2022: I returned to the ISR to interview and learn from Inuvialuit in Tuktoyaktuk, specifically, to further develop the ideas emerging from the analysis in Phase I. I updated the analyses from the workshop transcripts, prepared a draft of Chapter 4, and validated the results with the IGC.
- (III) January – April 2023: The final research phase involved analyzing the findings throughout the research journey in the context of reconciliation. This led to a draft of Chapter 5 which was validated with the IGC.

What these three phases of research do not reflect are the seven years before the research began, during which time I started learning about the ISR and the *Inuvialuit Final Agreement*, traveling to the Region and getting to know people and what was important to them, learning what decolonization and reconciliation were and why they were important, and becoming aware of the need for me to undertake my own journey so I could contribute to these processes. After these seven years I spent another 19 months – an equivalent amount of time to that spent on the research itself – speaking with the Inuvialuit Regional Corporation and the IGC to scope out a research concept, to sign a research agreement (in the end, just with the IGC), and to secure approvals from the Dalhousie Ethics Review Board and the Aurora Research Institute. While this significantly extended the length of time it has taken to complete what Dalhousie University tells me is only a four-year Interdisciplinary Ph.D. program, this research would not exist had I not taken the additional time. I do not know if the IGC would have signed a research agreement with me if I was new to the region and had not taken the time to hear their interests and ensure they were reflected in the research; I do not think the IGC Board members would have spent a Sunday before a week of meetings in the workshop unless they thought it was worth their time; and I do not think that the Marine Coordinator would have welcomed me into their home and community if they did not think I was there for the right reasons. I do not wish to speak for the IGC Board members or any Inuvialuk, but I have been operating under the assumption that they trust me to do this work in a good way, and that part of the reason they trust me is because I have continued to return to the region, I have listened each time, and I have adjusted myself

and the project to ensure it aligns with what I have heard. The exchanges during my final visit to the ISR in March 2023 and their feedback on the thesis indicates as much.

These three research phases also do not include the reflection that took place over the eight months following as I turned drafted chapters and analyses into a coherent and meaningful thesis. The most trying part of this process was navigating the tension between needing to do scholarly research within the structural confines of the academe (colonizer's institution) that also reflected Indigenous concepts, and subsequently my own values and beliefs. In other words: applying Two-Eyed Seeing as an ontological framework as opposed to simply a theoretical and conceptual framework. To do so, I drew great insight from the works of Robin Wall Kimmerer (2013), Jody Wilson-Raybould (2022), and Margaret Kovach (2009), who all incorporated and weaved between three voices in their work: that of the colonizer/scientific community, that of (an) Indigenous people/knowledge, and their own. I have done the same, and as such, "I" appear throughout the thesis. In Chapter 3 I presented what I see to be two systems that are most relevant in working on this wicked problem called reconciliation in the context of marine safety and shipping: the Inuvialuit-Crown history and present-day relationship, and the governance framework for shipping within the waters of the ISR. Chapters 4 and 5 are very solutions- and action-oriented, which is both as a result of the request from the IGC, as well as my own mindset. Chapter 5 also presents the relationship between reconciliation and institutional/structural decolonization as *mutualistic*, with ontological decolonization serving as a *catalyst*. I drew these concepts from my education as an undergraduate student (Bachelor of Science), with mutualism being an ecological concept, and catalyst coming from chemistry. My experiences are unique and have

shaped how I interpret and analyze information as part of my thought processes. Because I chose to emphasize the world and reality I saw when I applied the “Indigenous lens” I was trying to develop, I draw attention to these influences as a positive and an opportunity for new insights, and allow them to be visible, instead of trying to set them aside (bracketing).

6.2.1 Recommendations

At the conclusion of this research journey, I reflect on what I may offer future researchers in terms of how to work with Indigenous peoples through research to advance decolonizing approaches. I echo the recommendation of scholars that have come before me that Indigenous peoples should be positioned as partners in research and with knowledge equal to that of the scholarly community. To truly reflect a partnership, though, and one in the name of decolonization and reconciliation, I recommend that:

- Non-Indigenous researchers undertake their own personal and lifelong journeys of ontological decolonization, following the approach laid out in this thesis;
- Researchers commit to long-term relationship-building with a people and their land;
- Non-Indigenous researchers put effort towards learning to see the world through their Indigenous research partners’ specific lens to support the true integration of knowledge types in research and as part of the ontological decolonization process;
- Decisions about a research project (e.g., topic, purpose, methods, products) be made jointly between researcher and Indigenous partners; and,

- Students are supported to chart their own path forward in research with their Indigenous partners, as I was, recognizing that to truly reflect a new relationship between researchers and Indigenous peoples, an approach outside the typical graduate studies framework is likely needed.

It was observed in the development of the research methodology that while non-Indigenous peoples typically use Two-Eyed Seeing as a framework for cross-cultural collaboration, Indigenous peoples often practice seeing through both eyes themselves, whether it be through the explicit framework of Two-Eyed Seeing or not. Future research could thus explore and test the use of Two-Eyed Seeing and other similar conceptual frameworks, such as the Haudenosaunee concept of the Two-Row Wampum or the Māori concept of the Double Canoe by non-Indigenous researchers on themselves to support them in their ontological decolonizing journeys by helping them to learn to see through their Indigenous partners' eyes.

6.3 Responding to the Research Questions

The Truth and Reconciliation Commission of Canada, along with many other authors, place respectful relationships at the centre of the concept of reconciliation, and therefore, the research questions, too, focused on relationships. Through a case study in the ISR, I investigated the phenomenon of the relationship between Inuvialuit and the federal government on marine safety and shipping in the context of reconciliation with the intent of answering one research question: Can marine safety and shipping initiatives contribute to the process of reconciliation, and if so, how? The work to answer this question was guided by two sub-questions: (1) What have been the experiences of Inuvialuit

interacting with the Government of Canada on marine safety and shipping matters? And (2) how can these experiences be framed in the broader context and process of reconciliation?

A modified phenomenological study was used to answer these questions. I began with a workshop in Inuvik with the IGC, which included two representatives from each of the six Hunters and Trappers Committees. This approach was recommended by the IGC and the IRC for doing research in the ISR. During the workshop we discussed the participants' interests and involvement in marine safety and shipping issues, and their experiences working with the Government of Canada on these matters. I transcribed and analyzed the audio-recording of the workshop by distilling key points made by participants throughout the day and grouping them into four themes: (1) concerns and issues of the IGC with marine safety and shipping in the ISR; (2) the Enhanced Maritime Situational Awareness Initiative; (3) ideas and recommendations to address the concerns and issues raised; and (4) IGC members' experiences interacting with federal officials and southern researchers. These themes shaped Chapter 4, including by directing the research to include policy analyses to respond to the importance to participants of developing solutions to address the concerns and issues identified. To further explore these themes, I travelled to Tuktoyaktuk to conduct interviews and to spend time within a community so I could better understand why these themes were important in the day-to-day lives of Inuvialuit. The four formal interviews were supplemented by time spent with community members, including on the water, which provided additional context and understanding to my conversations that could not have been garnered through any learning process other than one that was experiential.

Upon completion of the analyses of the themes, I then returned to the phenomenon at hand – the relationship – and sought to understand how research findings so far could provide insights to the broader process of reconciliation, which is presented in Chapter 5. Finally, I needed to address the research questions themselves and prepare final composite descriptions summarizing the “essence” of the IGC Board members’ experiences of working with the federal government on marine safety and shipping issues. These descriptions are set out with the caveat that I spoke to a small proportion of the Inuvialuit population, and thus I do not present the experiences of all Inuvialuit.

Throughout the workshop, the interviews, and all the informal conversations I had with Inuvialuit, there was a general common narrative that they are not feeling heard. They are increasingly being engaged, for example on the Low Impact Shipping Corridors or the idea of a regulatory roundtable, but these engagements are not leading to material change for them or in their communities. They simply continue to be engaged on the same conversations: what are your concerns with shipping? The turn-over within the federal government, combined with the seeming lack of awareness from one cohort of public servants to the next of the input of Inuvialuit to these conversations also contributes to the frustration. There was a strong desire to stop talking about the issues and to finally come up with solutions. Furthermore, it was clear that it was not simply a matter of having a solution, but the process through which these solutions are defined, designed, and delivered that would determine their contribution to reconciliation. The process must be one that empowers Inuvialuit to make their own decisions regarding the future of their own region. Only then would Canada fulfill its stated commitment and intent to implement the rights and obligations of the IFA and *United Nations Declaration*

on the Rights of Indigenous Peoples. Until this occurs, the relationship will not change, and reconciliation certainly will not be advanced. Examples of defining, designing, and delivering solutions in a way that reflects a renewed relationship remain limited and relatively isolated to interactions between specific Inuvialuit and specific public servants, such as within the EMSA initiative. Nonetheless, initiatives such as EMSA are incredibly important for providing lessons learned for other initiatives and individuals who intend to contribute to reconciliation and as a means of demonstrating that a different relationship is possible today. It is possible to work together and to align a program with the interests and rights of an Indigenous people, while still advancing federal interests, too.

While I have discussed the potential for reconciliation to be advanced with Inuvialuit through marine safety and shipping initiatives, it is important to note that while any interaction between Indigenous and non-Indigenous peoples offers an opportunity to improve the relationship, in order for this to amount to a step on the path of reconciliation, a linkage must be made to the residential school experience. As such, use of the term “reconciliation” only in the context of marine safety and shipping, or any element of marine management for that matter, is not appropriate; for example, stating that you are speaking with Inuvialuit on their shipping concerns as part of reconciliation. Actions must be taken by non-Indigenous interlocutor within the engagement to respond to the encounters in history that have shaped that relationship today (see Chapter 3), including apologizing at the outset for harms done through the residential schools, healing, and rebuilding trust, in order for efforts to have the potential to contribute substantively to reconciliation.

Reconciliation also requires decolonization, understood as the many elements necessary to enable the establishment and maintenance of respectful relationships. Decolonization involves redistributing power within institutions and systems to reflect and enable that new relationship (institutional/structural decolonization); Indigenous peoples cannot simply be offered a seat at the existing Westminster table. Rather, Indigenous peoples and the settler state must, together, reconsider existing structures from a position of equality and equitability to ensure space within the country's governance for the Indigenous peoples of this land who have historically been excluded. To enable such a reconsideration, federal public servants must critically examine and reflect upon how they see the world, and particularly how their membership in the society of the colonizer has led to certain biases and assumptions and influences how they interpret and participate in the Indigenous-Crown relationship (ontological decolonization).

In the context of shipping, one of the key elements that must be recognized and addressed is that the entire governance framework is rooted in an international system and industry that did not consider the interests, let alone the rights of Indigenous peoples when it was created. Indigenous peoples did not participate in the negotiation of the *United Nations Convention on the Law of the Sea* and they do not have a role to play like Member States or key industry stakeholders at the International Maritime Organization or even the Arctic Council. Therefore, their lack of involvement today is not necessarily because they have nothing to offer or no stake in the matter, but rather a result of historical and institutional exclusion. Therefore, in order for marine safety and shipping initiatives to contribute to reconciliation, there must also be an acknowledgement and

apology for the exclusion of Indigenous peoples from decision-making tables and processes and action to change this. To start, there is a need to critically examine the governance of shipping, including the overarching international framework of UNCLOS and the foundational conventions of the IMO, in collaboration with Indigenous peoples themselves to identify barriers to the full exercise of their rights. It is likely that not all elements of the governance of shipping will need to be reconsidered, particularly at the international level, such as measures addressing specific equipment onboard a ship. Beyond the identification of barriers, though, action must also be taken to remove them to ensure the interests and rights of Indigenous peoples are respected within the governance of shipping. This line of action will not be a quick or simple process, and there could be a long way to go before such a revisit may even be considered. In the meantime, though, smaller steps can be taken in that direction, and the Arctic is leading in this regard. The *International Code for Ships Operating in Polar Waters* acknowledges the vulnerability of Arctic coastal communities in the Preamble and suggests that operators consider areas of cultural heritage and significance in their voyage plans (Part I-B, para. 12); and the Inuit Circumpolar Council has been granted Provisional Consultative Status at the IMO, enabling it to directly advance the rights and interests of Inuit at the table alongside industry and state representatives (IMO, 2022).

While the international nature of the shipping industry demands change within the international governance framework, this thesis focused on the domestic relationship between Indigenous peoples, specifically Inuvialuit, and the Government of Canada. As the national maritime administration, Transport Canada is responsible for leading any efforts to decolonize shipping governance in Canada. The OPP has been a key avenue

through which TC is exploring alternative governance models to provide a greater role for Indigenous peoples, including Inuit and Inuvialuit, with respect to decision-making for marine safety and shipping. This exploration includes the collaborative governance for the Low Impact Shipping Corridors, Proactive Vessel Management, and the regulatory roundtables. Paramount to each of these is that the model, and the process for determining the model, are co-developed by the federal government and the relevant Indigenous partner(s).

Another example of recent change towards greater involvement of Indigenous peoples in shipping governance is the amendments to the *Canada Shipping Act, 2001* to enable the Minister of Transport or of Fisheries and Oceans to enter into agreements or arrangements with Indigenous organizations, governments, or councils, regarding the administration or enforcement of any part of the Act or its regulations (*Budget Implementation Act, 2018, No. 2*). The extent to which these amendments achieve institutional change and result in a different experience for Indigenous peoples, such as Inuvialuit, will come down to how and to what extent they are acted upon.

As suggested in Chapter 4, one way through which a delegation of authorities could directly respond to the interests of Inuvialuit would be in the context of monitoring and enforcement. Through a phased approach, Inuvialuit could be supported to take on responsibility for monitoring the activities of ships in their waters and enforcing maritime laws and regulations therein. In doing so, Inuvialuit would be able to ensure the protection of their waters themselves. However, this step would not enable Inuvialuit to have a say in setting the laws or regulations they would be empowered to enforce. This transfer of responsibility is an example of allowing Indigenous peoples into the existing

governance system, but not of reconsidering the governance system itself. Therefore, such an initiative alone does not equate to decolonization of shipping governance because it does not respond to the need to reconsider the broader governance framework of shipping that is built from a recognition of the interests and rights of both national governments and Indigenous peoples. To address this element, an integrated governance structure was suggested: an Inuvialuit-Crown Shipping Committee. This body would have three initial working groups: one for each of the Low Impact Shipping Corridors, PVM, and regulatory development. With such a structure, voluntary and mandatory measures could be created to address the concerns of Inuvialuit while remaining connected to the broader developments for Canadian waters writ large. Furthermore, this body could be linked to the Inuit-Crown Partnership Committee, and by doing so, the governance of shipping in the ISR could be integrated with the collaborative work to support the efforts of the ICC at the IMO.

The approaches developed and presented through this doctoral research are examples of decolonization, but moving beyond decolonization to reconciliation requires more. Reconciliation requires action today to respond to the actions of the past that have directly shaped the relationships today. The governance of shipping was developed in a time when Indigenous peoples were not considered as eligible participants in the framework, and as such, the regime is not justification for continuing to exclude them, but rather is a barrier to their inclusion. Therefore, in order to move beyond decolonization to reconciliation, such as through the examples and suggestions noted throughout this thesis (which should not be diminished for their potential positive impacts), action must be taken to decolonize the broader governance systems in Canada

as a whole – not just in the realm of specific sectors or initiatives – to enable the renewed relationships that would constitute reconciliation. Undertaking such a process in the context of marine safety and shipping, however, could certainly contribute to this greater process.

6.3.1 Recommendations

Emerging from the answers to the research questions, conversations with Inuvialuit, and my own personal experiences are a number of recommendations for the federal government on how decolonization and reconciliation can be advanced within maritime administration, engagements and partnership with Indigenous peoples generally, and across the Government of Canada writ large. The IGC also offers specific advice to the federal government, as outlined Chapter 4 (see p. 154-157) and in the Workshop Report (Annex C).

1. Recommendations for the Government of Canada:

- Incorporate the voices of Indigenous peoples within Memorandum to Cabinet, as relevant and appropriate to the particular issue at hand, be it quotes and excerpts, as was the approach taken in this thesis, or text drafted by the representative Indigenous organizations of the affected or interested Indigenous peoples;
- Reframe conceptualizations of reconciliation from a work objective to a personal commitment to respect and support the rights of Indigenous peoples; and,
- Support ontological decolonization of the federal public service and make such training mandatory by the Treasury Board Secretariat for *all* public servants.

2. Recommendations for those public servants and teams that will be engaging and partnering with Indigenous peoples:
- Support and encourage employees that will be participating in engagements and partnerships with Indigenous peoples to remain in their position for longer durations to support relationship-building and continuity in conversations;
 - Ensure new team members are briefed on past and present discussions with Indigenous partners to support continuity in conversations and progress when turnover does occur, particularly within the executive cadre;
 - Ensure strong record keeping of discussions using methods determined in collaboration with Indigenous interlocutors (e.g., recording key conversations and preparing reports validated by both sides, as was done for the workshop) to support the onboarding of new team members;
 - Prior to meeting with a new Indigenous person or group, particularly on behalf of the federal government, ensure knowledge of the history of the relationship between the peoples of the Indigenous person or group and the Government of Canada, and at the outset of initial meetings, acknowledge and apologize for any wrong-doing;
 - Meet face to face whenever possible, but particularly for initial meetings with new partners;
 - Have conversations about concerns that need to be addressed, but also the solutions to respond to those concerns;
 - Prior to delving into discussions of concerns and solutions, ensure a shared understanding of terms (e.g., “low impact”); and,

- Be willing to acknowledge that the way things are (the structures, frameworks, laws, regulations, processes, etc.) simply may not be able to achieve shared goals, and be willing to discuss what to do (e.g., alternative smaller steps) in the event this situation arises.
3. Recommendations for maritime administration in Canada, specifically:
- Encourage ships to follow the guidance of Part I-B, para. 12 of the Polar Code – to consider areas of cultural heritage and significance in voyage plans – as well as the regional guidance and requests of specific Indigenous groups;
 - Continue to support the ICC to be a leader at the IMO in the consideration of the interest of Indigenous peoples and the inclusion of Indigenous peoples themselves;
 - Continue and augment efforts to incorporate input from Inuit (including Inuvialuit) into the locations of the Low Impact Shipping Corridors, to develop collaborative governance for the Corridors, to co-develop guidance through the Proactive Vessel Management Initiative, and to work together on regulatory initiatives, for example through the Regulatory Roundtables; and,
 - Explore opportunities to leverage the newly introduced section 10(1) of the CSA, 2001 to enter into agreements or arrangements with Indigenous organizations, governments, or councils, regarding the administration or enforcement of any part of the Act or its regulations.

One of the purposes for bringing together the literature on reconciliation and shipping governance was to support the accuracy of assessments of the interactions,

engagements, or partnerships between Inuit and the Government of Canada on marine safety and shipping for their contributions to reconciliation. Therefore, building on the work herein, future research could assess marine safety and shipping initiatives advanced with the intention of supporting reconciliation, for example those of the OPP, to evaluate if they contributed to decolonization and/or reconciliation and to what degree. The specific processes taken within these initiatives and the ways in which people interacted throughout them would be important to investigate, particularly with respect to their ability to build stronger, more positive relationships between Indigenous and non-Indigenous interlocutors, and whether and how those relationships at the individual level contribute to organizational and institutional relationships. Such studies could focus on a shorter time-period, for example the 1-4 year life-span of a specific initiative, but could also look at longer-term trends across a series of initiatives on a common topic (e.g., improving maritime situational awareness) to explore whether and how initiatives and those working on them build on previous experiences to contribute to a different relationship over time.

6.4 In Closing

Answering the research questions and fulfilling the requirements of a doctoral degree were the academic intentions of this research, and were the driving forces at the beginning of the research journey. However, at the end of this journey, the primary intention steering my decisions is to be an actor of change toward reconciliation. As such, I have endeavoured to use this thesis as an opportunity to put forward a story that both fills a gap in the scholarly literature and is, in and of itself, a decolonizing act by encouraging and supporting future researchers to interrogate their own positionality in the

name of decolonization. What I have found, though, is that these insights into how to work effectively with Indigenous peoples apply beyond the silo of academic research and could support anyone on this shared path of reconciliation, including federal public servants.

The transdisciplinary and relational ontology employed in this work enabled me to draw from my own academic journey of deciphering and explaining my methodology to find insights for the research question. In this way, I transcended the disciplinary boundaries between methodological and public administration research and between personal experiences, academic knowledge, and Indigenous wisdom. In doing so, I found significant overlap between the discussions on how to conduct decolonizing research with Indigenous peoples and how to advance reconciliation in the Indigenous-Crown relationship. I see this overlap as supporting the notion that reconciliation is a societal process, not something to be left to only those mandated to “work on” or “advance” reconciliation, for the message is the same: each and every individual must learn and understand how and why we got here (Wilson-Raybould, 2022). How we act upon this new understanding will be different depending on the contexts we find ourselves, but the starting point is the same: ontological decolonization. This is a process through which an individual interrogates their own ontology to develop a critical consciousness of their inherent biases and assumptions, and identifies the influences of the colonial worldview. Most importantly, though, is that they must then wrestle with this realization – an uncomfortable process to say the least – and challenge these influences, biases, and assumptions to enable new ways of thinking and understanding. This process occurs within the mind and soul of an individual, and as such, it transcends across any and all

hats that an individual may wear. Some argue that such a process amounts to nothing more than a newfound awareness, and as such serves to maintain colonialism and hinder decolonization. I agree that simply building awareness does not change realities, but based on my own experiences, I believe it is the essential first step. In the context of this research, my own ontological decolonization was necessary so I could wholly engage with the concept of Two-Eyed Seeing myself. Had I not done the soul-based work of critically questioning and challenging my ontology, I would have prepared solutions through my pre-existing thought processes which may have resulted in solutions that did not adequately reflect the interests or intent of the IGC – that certainly would have hindered decolonization and my own relationship with them. As described in my field notes from my final trip to the ISR for this research, I have significantly grown as a result of this process of ontological decolonization:

Sunday, March 5, 2023 – In-Air

I feel like I was just in Inuvik, but it also feels like forever ago. My goal for this trip is to really reflect on the journey of this PhD process. When I started in 2016 I was so sure of what I was going to do – find the solutions! Solve the problem and save the day! Well that got turned on its head alright. I discovered pretty quickly that just about all my assumptions about government were wrong, and that my “big solutions” had already been thought of and were being worked on.

Taking a job in this government turned out to be the best thing for this thesis, because it connected me directly with the operational reality.

I think one of my biggest personal developments that occurred alongside this research journey is how I saw myself and the research fitting into the bigger picture. At the outset (2016) I wanted to solve the problem; bring the solution. What a “colonizer” thing to think. (A) How do I think I could possibly “solve” the problem. (B) It is so inappropriate for me to try to solve the problem. The entire point of Indigenous self-determination is that they – the communities and Nations – get to be part of determining the solution.

Particularly around the time of the workshop, I really struggled to see what value I could possibly bring. I’m not a federal decision-maker; I can’t actually make any

changes, and I'm not Inuvialuit, so I shouldn't be speaking for them or about them... I still wrestle with that latter point.

So who am I in this project?

I am a listener. Above all else I have tried my hardest to truly listen and hear what is being said to me. Not just in terms of the items on the list of concerns or desired outcomes, but everything in between that situates those line items. I remember learning about the role of storytelling in Indigenous, including Inuit/Inuvialuit culture; of how every story is told for a reason – there's something being communicated to you.

I am a person. While during my earlier trips to Inuvik/Inuit Nunangat generally I went as “researcher, observer,” I changed and travelled as a person. This was particularly true during the June trip to Tuktoyaktuk. I went as me, and I tried to just be present in every moment. To sit on the beach, on a pingo. I tried to personally engage with the Inuvialuit homeland. I engaged with people as people, not as participants.

Wednesday, March 8, 2023 – In-Air

I'm sitting on the Canadian North flight from Inuvik-Edmonton, currently on the Norman Wells to Yellowknife leg. Before boarding and from Inuvik to Norman Wells I was reading back through my journal entries and reflecting on this journey, and I found four fairly distinct groups of emotions/states of being:

- (1) Nervous, scared, uncertain, hesitant (December 2021)
 - What am I doing?
 - Please don't say the wrong thing!
 - How can I possibly do anything meaningful in this context?
- (2) Curious, quiet, attentive, hesitant (December 2021 / June 2022)
 - Let me learn; teach me; let me watch
- (3) Energetic, determined (June / December 2022)
 - I can do this! Let's do this!
 - There's an answer! Let's show them it's possible!
- (4) Reserved, dedicated (March 2023)
 - I am still curious and seeking to learn through attentiveness to things around me, but I am equally as attentive to within me. Rather than feeling driven to tell everyone what I have learned, I find myself staying quiet and reflecting on what I am learning instead.
 - How does this resonate with what I believe?
 - What does this new learning mean for me and how I am?
 - I am finding it more difficult to write journal entries as a result – it's more “soul” based than “brain” based.

Throughout the seven years of officially being a doctoral student and candidate, there have been advancements in the use of the narrative of reconciliation and efforts

made by non-Indigenous people and institutions to work and relate differently to Indigenous peoples. I am motivated by their existence, but apprehensive about whether they will amount to lasting and institutional/structural change, and ultimately, to reconciliation, for as I heard from my Inuvialuit partners, a narrative of doing differently is not the same as experiencing a different reality. I share the sentiment of Wilson-Raybould (2022) that we are in a pivotal moment where momentum has been built and there is opportunity for real transformative change of the Nation, but it will take us all:

The work of effecting change often happens out of sight – unrecognized and unrealized – because it happens through people in their own lives and realities doing things differently, making different choices, and often sacrificing in new ways. Real change is not the sole domain of leaders and so-called heroes; rather, change is driven forward by the choices and actions of each and every one of us. The big moments, the ones recorded for all time in the history books, are often moments where we suddenly realize how much has changed (and feel the effects of that change), or they are catalysts that significantly shift the direction or accelerate the work of change to come. But the changes themselves? They are chosen, advanced, acted upon, and implemented on the ground, including through what each of us chooses to do in our lives. (p 23)

So be the change you wish to see in this world and embrace the learning and personal growth that lay ahead of you. I know from personal experience – as I have tried to share throughout this thesis – that this requires that you ask yourself hard questions about who you are and what your impact has and will continue to be in this world. I know the feeling that comes of realizing your own privilege as a result of your non-Indigeneity;

that comes from realizing all the ways you have perpetuated the status quo through either direct actions or inaction to make things different simply because you did not know or understand. If you have read this thesis then you can no longer say you do not know, and you are now left with the same choice I faced: will you maintain the status quo or will you contribute to change?

I recognize that most of the insights and recommendations throughout this thesis have been written for the non-Indigenous reader. I also recognize, though, that you, the reader, may be Indigenous, and I would like to close with a message to you:

I am sorry. I'm sorry for the hurt I, those that came before me, and those around me today have caused both through direct action and through inaction. I'm sorry for the decisions of past governments and people such as putting in place the residential school systems, the High Arctic Relocation, and the other attempts at cultural genocide, and the consequences that have resulted, including the intergenerational trauma. No one should have to endure the kind of discrimination and pain – physical, mental, emotional, spiritual, etc. – that has been intentionally directed at you, your family, your community. I'm sorry that you still need to fight to have those decisions reversed, and that current governments and people still make decisions that do not fully account for or enable you to enact your rights. I'm sorry that it has taken me as an individual and us as a collective of non-Indigenous people this long to listen. I'm sorry that the world is such that doctoral research on how not to discriminate and how to work together respectfully is even needed. I hope that what is written in this thesis is useful, friendly, and just, as Linda Tuhiwai Smith (2008) calls for. I hope that at minimum I have communicated my commitment to keep learning and trying to be better medicine. Like the promise I made to

the Inuvialuit Game Council in 2014, I promise to continue down this path and to keep listening, learning, and trying to work with you in a good way – the right way.

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ANNEX A: RESEARCH ETHICS BOARD APPROVAL



Social Sciences & Humanities Research Ethics Board Letter of Approval

October 07, 2021
Leah Beveridge
Science\Marine Affairs Program (Science)

Dear Leah,

REB #: 2021-5786
Project Title: Reconciliation through Marine Safety and Shipping? Inuvialuit experiences and engagement

Effective Date: October 07, 2021
Expiry Date: October 07, 2022

The Social Sciences & Humanities Research Ethics Board has reviewed your application for research involving humans and found the proposed research to be in accordance with the Tri-Council Policy Statement on *Ethical Conduct for Research Involving Humans*. This approval will be in effect for 12 months as indicated above. This approval is subject to the conditions listed below which constitute your on-going responsibilities with respect to the ethical conduct of this research.

Effective March 16, 2020: Notwithstanding this approval, any research conducted during the COVID-19 public health emergency must comply with federal and provincial public health advice as well as directives from Dalhousie University (and/or other facilities or jurisdictions where the research will occur) regarding preventing the spread of COVID-19.

Sincerely,

Dr. Karen Foster, Chair

FUNDED
SSHRCC: 752-2016-0085

ANNEX B: NORTHWEST TERRITORIES SCIENTIFIC RESEARCH LICENCE

*License No. 16917
File Number: 12 410 1000
November 25, 2021*

2021

Northwest Territories Scientific Research Licence

Issued by: Aurora Research Institute - Aurora College
Inuvik, Northwest Territories

Issued to: Ms. Leah F Beveridge
Dalhousie University
1355 Oxford Street
Room 805
Halifax, NS
B3H 4R2
Phone: (902) 789-1133
Email: leah.beveridge@dal.ca

Affiliation: Dalhousie University

Funding: Social Sciences & Humanities Research Council
Oceans Frontier Institute
Marine Environmental Observation, Prediction and Response Network
Northern Scientific Training Program

Team Members:

Title: Reconciliation through Marine Safety and Shipping? Inuvialuit experiences and engagement

Objectives: To help improve future engagement on marine safety and shipping in the Inuvialuit Settlement Region by talking to Inuvialuit about what has worked well in the past, what could be improved, and whether the interactions with the federal government have changed over time.

Dates of data collection: December 5, 2021 to December 31, 2021

Locations: Aklavik, Ulukhaktok, Inuvik, Sachs Harbour, Tuktoyaktuk, Paulatuk.

Licence No. 16917 expires on December 31, 2021
Issued in the Town of Inuvik on November 25, 2021

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ANNEX C: WORKSHOP REPORT

December 5, 2021

MARINE SAFETY & SHIPPING

This workshop was organized in partnership between Leah Beveridge, Tyrone Raddi, and the Inuvialuit Game Council. The Game Council was asked to participate in the one-day workshop to share their experiences working with the federal government on shipping issues over time, and to explain what has been important when working together and why. The topics discussed and the order they came up were determined by Game Council members; the purpose was for them to discuss the items they felt important with respect to the topics of marine safety and shipping.

SUMMARY OF THE WORKSHOP DISCUSSIONS

The conversation topics can be grouped around four themes:

1. Concerns and issues of the IGC with marine safety and shipping in the ISR
2. EMSA (Enhanced Maritime Situational Awareness)
3. Ideas and recommendation to address the concerns and issues raised
4. IGC member experiences interacting with federal officials & southern researchers

Each of these themes is described in more detail below.

Other important items that were raised during the workshop are:

- Tuktoyaktuk is working with the Coast Guard Arctic Region to try to get an In-shore Rescue Boat (IRB) station. Right now, there is only one in the Arctic, and that is in Rankin Inlet, Nunavut. If Tuktoyaktuk does get the IRB station, then there would be 2 full-time Coast Guard search and rescue staff in Tuktoyaktuk, and there would be the chance to train and employ 6 Inuvialuit post-secondary students. If the post-secondary students wanted to have a career in the Coast Guard, then they could be fast-tracked into the Coast Guard College in Sydney, Nova Scotia.
- Through the Indigenous Community Boat Volunteer Pilot Program under the Oceans Protection Plan, Aklavik is getting their Coast Guard Auxiliary search and rescue boat built right now. It will be 26-feet long with two 200s-250s. This boat will be tasked through Trenton and is to be used for search and rescue only. Being associated with the Coast Guard Auxiliary means that if you have to go out to do search and rescue, if something happens you are covered by insurance through the Coast Guard Auxiliary. Ulukhaktok, Tuktoyaktuk, and

Inuvik have also all received a boat through the Indigenous Community Boat Volunteer Pilot Program. This years' application process is closed.

- There was a question about whether military or naval ships could dump grey water or refuse anywhere. Military, naval or war ships from other countries do not have to obey Canadian laws for dumping. However, if they don't respect Canadian law while in Canadian waters, then Canada can ask them to leave our waters. If a Canadian military, naval or war ship causes harm, including to the marine environment, then the Crown can be sued.

THEME 1: Concerns and issues with marine safety and shipping in the ISR

Throughout the day, the following concerns and issues came up during discussions.

- The current location of the shipping corridor through the ISR goes straight through the migration route and prime feeding area for bowhead and beluga, even though Inuvialuit have been raising for years that the corridor needs to be moved.
- It is anticipated that shipping routes will open through the Northwest Passage, and there are concerns about the impacts those will bring for whales and other wildlife (for example noise, grey water, spills, and other pollution), and what that would mean for the food security/sovereignty and livelihood of Inuvialuit.
- In many cases, Inuvialuit only find out about where ships go after the fact, in some cases not until months after the shipping season has ended. This is a problem because it does not enable Inuvialuit to be proactive and protect their area before something happens.
- There is not much knowledge or information about what ships are doing when while at sea, and whether they are following voluntary or mandatory measures in place. In particular, information is needed on when and where ships are dumping grey water and refuelling.
- The same is true with respect to the activities of tourists on cruise ships: what are they doing when they leave the cruise ship? Inuvialuit do not want them going to hunting areas, in part because they don't know what they are doing there.
- There is a sense that there are not enough regulations in place to protect Inuvialuit areas, fishing, beluga harvesting, and bowhead whale. There are voluntary measures and guidelines, but these are not enough. Even where there are regulations, there is not the monitoring and enforcement in place to ensure the rules are followed and actions are taken when the rules are broken or the guidance isn't followed.
- Politics have impacted the ability to make progress on key issues in the ISR. For example, the politics and debate between conservation versus development have stalled progress on both protecting the environment and advancing development for Inuvialuit.

- It is not clear who has authority over the different issues, and no one seems to want to take responsibility for dealing with the issues. Each government, department or agency simply points at another. For example, federal departments seem to be piggy backing on ENR too much.
- Although there is a need to identify safe harbours for the safety of harvesters, it is important that large cruise ships, yachts or pleasure craft don't take advantage of these areas and misuse or abuse the places.
- The ocean charts in the ISR are very outdated, which is an issue for the safety of small and large vessels.

THEME 2: EMSA (Enhanced Marine Situational Awareness)

The EMSA program – or Enhanced Marine Situational Awareness – is funded by Transport Canada. Fujitsu is the developer. They were chosen by Indigenous partners of the EMSA program from across Canada. There is a working group with Transport Canada, Fujitsu and the 13 partners. Inuvialuit, as one of the partners, can bring forward ideas to the working group, and Fujitsu and Transport Canada will do everything they can to implement the idea into EMSA.

Right now, EMSA has 2,700 different data sets, including ship sailing plans that are submitted to Transport Canada before the ship arrives in the ISR (instead of months after the shipping season ends). You can also have live AIS data, which updates every 6 minutes, on average. You can also target a ship and see its path, how fast it's going, and have access to all the details about how big it is, what country it belongs to, etc.

Through the EMSA initiative, 6 inReaches have been supplied to the Tuktoyaktuk HTC that can be signed out by anyone. They are all on unlimited plans and provide updates about where the person is every 10 minutes. EMSA works with Garmin, so all the data can be viewed through EMSA. They also allow users to message home and provide updates, which helps people know if someone is just running late or if they actually need help, and it helps point search and rescue to the right place so they aren't wasting time searching.

EMSA is not only available as a website, but also as a phone app. One of the things you can do through the phone app is upload pictures and videos. If you are out on the water and you see something happening (for example a ship polluting the water), you can take a picture or video and store it in the EMSA app on your phone. Once you have cellular service or wifi, that picture or video will automatically be uploaded for others to see. Forms can also be added to EMSA, such as the beluga whale monitoring form from FJMC. You have everything you need right there.

You can also set controls on the data sets, too, so if you have information that you only want accessible to your organization, you can make it so others can't see it.

Tyrone will be conducting a community tour to show HTCs and CCs what EMSA can do and how to use it. He will also be organizing a large 2-3 day training session for all organizations in the ISR to learn how to use the system.

There is a hope that through Oceans Protection Plan #2, the EMSA program will get a 4-year extension through Transport Canada. There is also a hope to expand the program through funding from the Coast Guard to IRC to buy inReaches for other communities, too. The Coast Guard is also funding IRC to buy 92 more AIS units, which would go to Paulatuk, Ulukhaktok and Sachs Harbour.

The EMSA program is helping to improve marine safety for Inuvialuit. It is important to convince Inuvialuit and Inuvialuit organizations to download the software and to start using it.

THEME 3: Ideas and recommendations to address the concerns and issues

There have been many discussions in the past about the concerns and issues with marine safety and shipping in the ISR. An emphasis in this workshop was on what the next steps should be. Here are some of the ideas that came up:

- Make sure Inuvialuit have a voice and are heard and listened to. Inuvialuit should be included at a federal level when making decisions for Inuvialuit and the ISR.
- The current location of the shipping corridor should be moved away from the ANMPA.
- Ships traveling through the waters of the ISR should be required by regulation to reduce their speed, for example by 10 knots, like has been done on the Atlantic and Pacific coasts.
- There should be movement away from voluntary measures to mandatory measures, such as regulations. Inuvialuit should be involved in drafting these regulations with the federal government.
- Community Conservation Plans are a mechanism to incorporate community-based advice into the Environmental Impact Screening Committee's process. Communities could review their Plans to make sure their advice for cruise ships is incorporated.
- Community resupply (run by MTS through the GNWT) should utilize the Tuk Highway to get supplies to Tuktoyaktuk earlier in the year so that barges can distribute supplies to communities sooner. This way communities wouldn't have to fly as much in, which is very expensive.
- Programs and/or technologies should be developed and implemented in the ISR that do a better job of monitoring what ships do, not just where they go. For example, having a sensor that monitors when a ship dumps wastewater or ballast water.
- The Munaqsiyit and Imaryuk monitors should be empowered with enforcement capabilities. Monitoring of ships and their activities could build off these programs.
- Make it mandatory for any boats passing through the ISR, including small pleasure craft, to have their AIS on.

- There should be a single refueling site in a safe location for the ships and the environment. Having a single location would make monitoring much easier.

THEME 4: Interactions between Inuvialuit and southern researchers and officials

After reflecting on the conversations of the day, there were three key take-aways with regards to how members of the Inuvialuit Game Council have been treated in the past and how they continue to be treated when it comes to trying to make progress on their priorities.

(1) Inuvialuit have not been listened to or respected when it comes to shipping issues.

- The same issues and concerns have been raised for decades, and federal officials and researchers have heard them, but nothing ever happens. People come in, talk about their project or program, and then go away and nothing is ever heard. The government has not and will not take care of Inuvialuit.
- Even when issues or incidents have been reported to departments or agencies, for example that a spill has happened when refuelling a sailboat in the Tuk harbour, nothing ever comes of it. And if something does happen, no one ever tells the community or the person who reported the incident.
- The only way to get the federal government's attention is to make constant noise, otherwise the concerns of the Inuvialuit die and they're forgotten about. Someone will only keep engaging with you if you stay on them.
- All the attention is on Nunavut. This includes from researchers (for example, at ArcticNet) and from the federal government (for example, the funding that was given through the Tallurutiup Imanga National Marine Conservation Area or placing the new DFO office in Rankin Inlet while not having any fisheries officers in the ISR).

(2) Inuvialuit must constantly set the record straight

- There were many stories of times that Game Council Board members had to listen to someone giving misinformation to a large audience, and then having to correct that. This included scientists and federal employees.

(3) There isn't always a common understanding or interpretation of terminology or ideas

Two examples of terms that were discussed during the workshop were "low impact" shipping corridors and "reconciliation".

- With regards to the "low impact" shipping corridors, in the eyes of Game Council members, there is no such thing, for any shipping corridor through the Northwest Passage will impact Inuvialuit and Inuit. In order for a corridor to be lower impact, the recommendations of Inuvialuit must be reflected.

- Reconciliation is a term that is associated with the harms from the residential schools and triggers the thought that there will be an apology. Inuvialuit are not ‘reconciling’ with shipping; Inuvialuit want to collaborate. The process is more like decolonizing.

There are some examples where things are starting to change, such as through the EMSA program described above. The Imaryuk monitors, too, are not able to assist researchers; when they started they could only report and observe. COSEWIC is also now willing to discuss regional issues, something they refused to consider up until now.

With regards to moving forward, two general sets of insights came up:

(1) *There are new arguments to be made now that the United Nations Declaration on the Rights of Indigenous Peoples is supported by Canada*

Two articles in particular came up during the workshop, Article 18 and 25.

- Article 18: Indigenous peoples have the right to participate in decision making in matters that may 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.
 - Interpretation by Game Council: Inuvialuit have a right to make decisions regarding the ISR
- Article 25: Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.
 - Comment by a Board member: The federal government’s treatment of Inuvialuit in the past took away spiritual ties, and Inuvialuit are trying to get it back; trying to get back to “the way we used to live”.

(2) *Meaningfully consult and collaborate with Inuvialuit*

- Step one should be coming to the region. You must meet face-to-face with the community as well as the HTC’s, CC’s and other relevant Boards. Do not introduce yourself through a letter or try to consult over the phone or by email.
- You should explain why you’re there and you must provide contact information and be available; answer your emails and your phone.
- Each community relies on different species, needs different things, and has different priorities. Therefore, you must consult with all the communities.
- Do your homework to understand Inuvialuit. Understand that Inuvialuit have a lifestyle and reasons for doing what they do. Read previous reports so your conversation can focus on moving forward instead of talking about the same issues that have been on the table for decades.

- Accurately and fully report back to Inuvialuit in a timely fashion. If questions were raised, they should be answered. If ideas were discussed, updates should be provided.
- Have compassion. Demonstrate you want to understand what it has been like for Inuvialuit and how to do better.

ACTION ITEMS FOR THE GAME COUNCIL

- Invite Tyrone to present on EMSA at the March Game Council meeting.
- Raise the topic of safe harbours for large ships at the next ANMPA Working Group meeting.
- Write a letter to the Assistant Commissioner of the Arctic Region for the Canadian Coast Guard requesting better enforcement in the ISR. This letter would be stronger if the letter was written with the IRC, FJMC, and as many other organizations as possible.

Get in touch with Amy Amos, who is now the Director of Arctic Operations for the new Arctic Region of DFO

ANNEX D: COMMITTEES AND BOARDS THAT THE INUVIALUIT GAME COUNCIL APPOINTS MEMBERS TO

Committee or Board	Purpose	Membership and/or appointing bodies (other than the IGC)
Fisheries Joint Management Committee	To advise the Minister of Fisheries and Oceans on all decisions regarding fish, fish habitat, and marine mammals in the ISR.	Department of Fisheries and Oceans
Wildlife Management Advisory Council – Northwest Territories	To advise federal and territorial governments on all wildlife, habitat and harvesting policy, management, regulation, and administration issues within the Northwest Territories region.	Canadian Wildlife Service, Government of the Northwest Territories
Wildlife Management Advisory Council – North Slope	To advise federal and territorial governments on all wildlife, habitat and harvesting policy, management, regulation, and administration issues within the region of the Yukon North Slope.	Parks Canada, Yukon Government
Environmental Impact Screening Committee	To screen proposed onshore and offshore development activities in the ISR and determine if they should be referred to the Environmental Impact Review Board.	Crown-Indigenous Relations and Northern Affairs Canada, Yukon Government, Government of the Northwest Territories
Environmental Impact Review Board	To facilitate public participation in the review of an onshore or offshore development activity referred by the Environmental Impact Screening Committee and provide recommendations to the applicant or permitting authority.	Crown-Indigenous Relations and Northern Affairs Canada, Yukon Government, Government of the Northwest Territories
Northwest Territories Cumulative Impact Monitoring Program Steering Committee	To guide the Northwest Territories Cumulative Impact Monitoring Program, which “coordinates, conducts and funds monitoring and research activities” to support decision-making for resource management in the Northwest Territories.	Gwich’in Tribal Council, Sahtu Secretariat Incorporated, Tłıchǫ Government, Northwest Territories Métis Nation, North Slave Métis Alliance, Department of Fisheries and Oceans, Government of the Northwest Territories

Committee or Board	Purpose	Membership and/or appointing bodies (other than the IGC)
Inuvialuit-Inupiat Joint Commission for the Management of Beluga Whales	To share information between Inuvialuit and Inupiat on beluga stocks, deaths, research, and harvesting, as well as traditional ecological knowledge, hunting methods and uses of the whales; and to plan, conduct and guide joint research for the betterment of the stock and those who depend upon it.	North Slope Fish and Game Management Committee, Kivialina Whaling Captains Association
Inuvialuit-Inupiat Joint Commission on Polar Bears	To coordinate the management and protection of polar bears between Inuvialuit and the Inupiat of the North Slope Borough.	North Slope Borough Fish and Game Management Committee
Porcupine Caribou Management Board	To gather scientific and traditional information on the herd and its habitat and sustainable management; to facilitate sharing of this information; and to advise federal and territorial decision-makers on the management of the herd and its habitat.	Gwich'in Tribal Council, Na-cho Nyak Dün, Vuntut Gwitchin, Tr'ondëk Hwëch'in, Government of the Northwest Territories, Yukon Government, Environment and Climate Change Canada
Tuktut Nogait National Park Management Board	To advise on all planning, operations, and management decisions for the Tuktut Nogait National Park	Inuvialuit Regional Corporation, Parks Canada, Government of the Northwest Territories
Polar Bear Technical Committee	To serve as the scientific advisory body to the Polar Bear Administrative Committee,	Governments of Manitoba, Newfoundland and Labrador, the Northwest Territories, Nunavut, Ontario, Quebec and Yukon; experts from Indigenous user groups; Wildlife Management Boards; United States Fish and Wildlife Service; United States Geological Society; the North Slope Borough; and the Greenland Institute of Natural Resources.

Committee or Board	Purpose	Membership and/or appointing bodies (other than the IGC)
Polar Bear Administrative Committee	To support the cooperative management of polar bear in Canada and to ensure Canada's obligations under the <i>Agreement on the Conservation of Polar Bears</i> are fulfilled.	Environment and Climate Change Canada, Parks Canada; Governments of Manitoba, Newfoundland and Labrador, the Northwest Territories, Nunavut, Ontario, Quebec, and Yukon; co-management partners under Land Claims Agreements; organizations representing Indigenous peoples.
IFA Implementation Coordinating Committee	To monitor the implementation of obligations of the parties under the IFA and address any issues that may arise with regards to the implementation of the IFA.	IRC, Government of the Northwest Territories, Yukon Government, Crown-Indigenous Relations and Northern Affairs Canada.
Inuvialuit-Inuit (West Kitikmeot) Joint Commission on Polar Bear	To coordinate the management and protection of polar bears between Inuvialuit and the Inuit of the West Kitikmeot region of Nunavut.	Kitikmeot Hunters and Trappers' Association
Inuvialuit Harvesters Assistance Program Review Committee	To consider applications to the Inuvialuit Harvesters Assistance Program, and to advise the ISR on any adjustments that may be required to the Program's Policy and Procedures.	Inuvialuit Regional Corporation
Dall's Sheep Management Plan Working Group	To ensure recognition and protection of the rights of Indigenous peoples with regards to the North Richardson Mountains Dall's Sheep; to promote and strengthen communication and information-sharing across the working groups' membership; and to make recommendations for the management of the Dall's Sheep population, its habitat.	Vuntut Gwitchin Government, Gwich'in Tribal Council, North Yukon Renewable Resources Council, Gwich'in Renewable Resource Board, Yukon Fish and Wildlife Management Board, Wildlife Management Advisory Council-North Slope, Yukon Government, Government of the Northwest Territories