

# Tomorrow's Arctic EIA: Nordic possibilities and perspectives to Environmental Impact Assessments in the Arctic

December 11-12, 2017 Rovaniemi, Finland

Summary of the workshop, open for comments

- The workshop consisted of presentations and working group sessions.
- This ppt summary includes highlights and conclusions of the workshop.
- The workshop program is included on the slides.
- The presentations can be found at the SDWG webpage: <http://www.sdwg.org>



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# How to read this summary of the workshop:

- Please, keep in mind that what you find on these slides are results of the workshop, not an end result of the Arctic EIA project.
- The workshop results will be further reviewed and considered by the international Editorial group of the Arctic EIA project, with the final aim of formulating Good Practice Recommendations for EIA and Public Participation in the Arctic.
- As a participant of the workshop – or a person interested in the topic – you are urged to take a look at the original ppt presentations to possibly find your own highlights and to make your own conclusions. Any comments, questions, ideas, good practice examples are welcomed. Please, communicate to the project coordinator:
- [Paivi.Karvinen@ym.fi](mailto:Paivi.Karvinen@ym.fi), tel. +358 44 599 4706, the Ministry of the Environment, Finland / **After July 2019: [seija.rantakallio@ym.fi](mailto:seija.rantakallio@ym.fi)**
- Thank you, your interest and activity is appreciated!



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# Highlights from the workshop (1)

## Sámi perspective:

- Consider a perspective of seven generations: Would the Arctic look different now if EIAs had been prepared since 1818? How about looking seven generations ahead: Can the Sámi people still maintain their culture and way of life 200 years from now? How should EIAs look like in order to secure this?
- The Akwé: Kon Guidelines under the Convention on Biological Diversity provide a systematic approach to how cultural, environmental and social impacts of a project can be evaluated in a holistic way with a full involvement and participation of Indigenous Peoples.
- There should be allocation of appropriate economic resources to the Sámi (permanent gov. funding) for technical understanding of EIA and more effective engaging in the process.
- Implementation of Free Prior and Informed Consent (FPIC) as an approach in EIA process and respect of international human rights standards, like UNDRIP – the United Nations Declaration on the Rights of Indigenous Peoples.
- Sámi communities should be taken as rights holders. It's the industry, the proponents, who are stakeholders from the Sámi point of view.
- A process should be fair to everyone: participants having enough time to study and understand the documents, being treated equally and respectfully, but also the process not being an undue impediment to the proponent.
- More in-depth knowledge of the Sámi rights and the Sámi culture is needed. E.g. the definition of a *significant* (impact) is culture dependent.
- There should be an expert on Sámi rights and culture within each governmental authority.
- How can the collective rights of Sámi people living in four different states be secured?



# Highlights from the workshop (2)

## Greenlandic perspective:

- In Greenland about 85 % of the population is Inuit.
- There are two EIA systems: A national EIA legislation under the Act of the Protection of Nature, and the other specific for minerals and hydrocarbons under the Mineral Resource Act.
- There are good practice examples: e.g. developers hiring a local translator / guide, who knows the community well and speaks the native language and dialect. As part of the public participation there can be smaller thematic meetings in the communities that occur over several days.
- There are plenty of challenges: e.g. mineral resource legislation can overrule environmental legislation, and there is a lack of a strategy and clear procedure for public participation, including lack of a systematic approach a) to apply Free, Prior and Informed Consent; and b) how to utilize Indigenous knowledge. Funding to facilitate the participation is desired also in Greenland.

## Icelandic perspective:

- There is no Indigenous population in Iceland.
- 63% of the population lives in the capital area. There are polarities between the people in the capital area and people in remote areas, where the conditions are very different.
- Tourism is a benefit and also a cause of polarities.
- How to take equally into account benefits and disadvantages of people in remote areas, and people in the capital area and tourists (often using remote areas for recreation)?
- Social Impact Assessments should play a bigger role in EIAs.
- There is a Supreme Court verdict on a road project in Westfjord peninsula, that is not fully in compliance with EU EIA directive. This causes some unclarity at the moment .

# Highlights from the workshop (3)

## **Norwegian perspective:**

- Scientific program MIKON - Environmental impact on industrial development in the north (2015-2019). MIKON connects research and EIA worlds in order to limit the footprint of industrial activities and to promote environmentally sustainable development in the High North of Norway.
- There is a good practice example of an apartment development plan in Kaldfjord, where the developer and the reindeer herding community looked for mitigating suggestions together through negotiations and ended up with a good overall process and an end result acceptable to all.
- The concept of “ecosystem services” is about to enter in planning processes: there are changes made in “Regulations on impact assessments” in 2017. The inclusion of ecosystem services offers a more holistic approach to impact assessments.

## **Swedish perspective:**

- There is a rapid increase in cumulative effects of exploitation on Sámi reindeer herding lands.
- Government authorities lack resources, capacities, and knowledge of cumulative effects, Sámi rights, and the duty to protect and promote these rights.
- Lack of resources among Sámi reindeer herding communities is a major obstacle to their participation and to the ability of government authorities to enact their duties.
- Better consultation procedures (FPIC – Free, Prior and Informed Consent) would be an important part of the solution. Increased predictability would benefit all actors.

# Highlights from the workshop (4)

## **Finnish perspective:**

- The pilot experiences of using the Akwé: Kon Guidelines are mainly good, but more resources are needed to guarantee the full participation of Sámi. Also more research is needed as well as much wider application in the planning processes. So far only Metsähallitus (a state enterprise for state-owned land and water areas) has utilized the guidelines as an authority.

## **Alaskan perspective:**

- Food security is of utmost importance to Inuit – Inuit being part of the ecosystem where their food comes from, which sustains their culture and identity.
- Indigenous Knowledge (IK) and science are two separate knowledge systems. IK should be utilized along side science to better understand the changes occurring within the Arctic environment and to make trade-off decisions based on the best available information (both IK and science).
- Meaningful engagement of Indigenous Peoples and Indigenous Knowledge are two different things and can be achieved through a good EIA process.
- From the Indigenous point of view, the U.S. National Environmental Policy Act (NEPA) was designed for agencies and has not performed well for Alaskan Native and American Indian tribes.
- There is a need for institutions to adapt and policies to change in order for Indigenous Peoples to have an equitable role within the EIA process. For example, Inuit live in four different states: how can their collective rights be secured?
- Alaska Eskimo Whaling Commission Conflict Avoidance Agreement with industries is a good practice example.

## **Russian perspective:**

- There is a special assessment “ethnological expert evaluation” in the Russian legislation to take into account Indigenous perspective. In the implementation there are several challenges.
- Local people should have the opportunity to obtain shares of the industrial companies, which implement projects of extraction of e.g. mineral resources in the areas of traditional residence of Indigenous Peoples.

# Highlights from the workshop (5)

## **Perspective of cumulative impacts and climate change:**

- Much more attention needed for cumulative impacts and impacts of climate change.
- Climate change reinforces the cumulative impacts by e.g. increasing the access to natural resources and thus increasing the competing land use. Just to name one example.
- Reindeer herding is especially vulnerable to competing land use, cumulative impacts and impacts of climate change.
- Government authorities often lack resources, capacities and knowledge of cumulative impacts.

## **General perspective to Public Participation**

- One needs to build strong relations before any project begins; early engagement is very important.
- There should be less focus on information sharing and more on a true dialogue.
- When politicians are involved with public participation, they should listen more instead of trying to influence people's opinion.
- Transparency and good documentation are important in public participation processes.
- More visual tools should be used in public participation.
- Allocating more resources to public authorities would facilitate public participation.

## **Perspective of monitoring and time frame:**

- Monitoring is important, also in a form of giving the community back what they've given first - time, knowledge, input.
- There is a need for a long-term timeframe in monitoring, collaboration, planning.

# Conclusions 1

- Early engagement and relationship building are crucial in public participation – respect and building trust being key elements.
- More resources are needed both on the Sámi and authority side. For Sámi to be able to fully participate monetary resources would be needed. An expert on Sámi rights and culture would be ideal to have in governmental agencies and also among the staff of the proponent. As a good practice some proponents have hired “local interpreters” of language and culture in Greenland.
- Akwé: Kon Guidelines provides new perspective and tools for the participation processes and utilization of Indigenous Knowledge.
- At the bottom line there is a much more profound issue of Indigenous Peoples’ rights on the table: that Indigenous Peoples should be, not stakeholders, but rights holders. This most important factor is partly beyond the possibilities and scope of the Arctic EIA project, as well as legislative needs emerging from this.
- E.g. in the Finnish Lapland the majority of the inhabitants are Finns. Their possibilities to good participation processes should be guaranteed as well. In Finland, unlike Sweden and Norway, reindeer herding is permitted also to and practiced by Finns.
- At the same time there is a need of access to all data produced in EIAs – and a need for good executive summaries to help out the participants with the load of information.
- When talking about public participation, on the background there’s always the question: Who has the legitimacy to represent who? If and when there’ll be funds to facilitate the participation, this question becomes even more relevant and calls for attention.



# Conclusions 2

- There is a need for a more holistic approach to EIAs, making sure social and cultural impacts and long-term impacts to ecosystem services are included.
- Cumulative impacts and impacts of climate change need much more attention and new methods in order to be comprehensively taken account. Reindeer herding is in the crossroads of climate change, cumulative effects and land use impacts demonstrating the challenges of EIAs in the Arctic.
- There is a strong need to complement project-specific EIAs with their limited scope, with assessment and planning processes that focus on cumulative impacts over long time spans e.g. of mining, other industrial and infrastructure developments, landscape changes, climate change, and social changes. Responsibility for such overall processes and the links to specific EIAs should be made clear. Furthermore, such overall processes need to consider all relevant knowledge, including science and local and Indigenous Knowledge.

# Conclusions 3

- Long term monitoring is needed to improve the quality of both public participation and EIAs in general in the long run.
- The terms used e.g. about public participation differ according to the region and speaker. This is one aspect that Arctic EIA project needs to respond to: What is the true meaning of each term and how and when they can be used side by side.

In the next slide you'll see the titles of the themes that were worked with in the working group sessions.

The presentations can be found at the SDWG's Arctic EIA webpage: <http://www.sdwg.org>

***Great appreciation is extended to the  
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# Working group sessions: Key themes

Participatory process

Cumulative impacts

Socio-economic issues

Indigenous engagement

Baseline data, monitoring, spatial data



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# Program of the workshop, day 1

Monday, December 11, 2017

- 10.00 **Welcome & the Arctic EIA project in a nutshell** – Seija Rantakallio, Ministerial Advisor, Ministry of the Environment, Finland
- 10.20 **This is where we are with Arctic EIA** – Pamela Lesser, Researcher, Arctic Center, University of Lapland, Finland
- 10.40 **Future of EIA in the Arctic; climate change and multiple pressures** – Gunhild Ninis Rosqvist, Professor, Stockholm University and Niila Inga, Reindeer Herder & Chair of the Laevas Saami Community, Sweden
- 11.15 **Saami vision for EIA in 2025?** – Gunn-Britt Retter, Head of the Arctic and Environment Unit, Saami Council and Anni-Helena Ruotsala, Environment Secretary, Saami Parliament of Finland
- 11.40 **Good Greenlandic EIA practices of today and tomorrow** – Parnuna Egede, PhD Student, The Danish Center for Environmental Assessment at Aalborg University & the University of Greenland & Inuit Circumpolar Council (ICC)
- 13.00 **Cumulative impacts, indigenous rights and new visions for EIA: Lessons from critical dialogues with Swedish permit authorities, companies and Sámi communities** – Rasmus Kløcker Larsen, Research Fellow, Stockholm Environment Institute and Kaisa Raitio, Associate Professor, Swedish University of Agricultural Sciences
- 13.20 **Working group session I: What are the criteria for how EIA can meet the present and future challenges of the Arctic region in the Nordic countries?**
- 15.30 **Overview to the answers of the Good EIA Practice questionnaire** – Aino Voutilainen, M.Sc. Student in EIA, University of Jyväskylä, Finland
- 15.50 **Working group session II: Good practice cases – how do they look like, where do we find them?**
- 17.30 **Closing of the day I and invite to the poster sessions and dinner**
- 18.45 - 19.30 **Poster sessions**



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# Program of the workshop, day 2

Tuesday, December 12, 2017

- 8.30            **Recap and reflections from day 1**
- 8.45            **Good Alaskan practices – reflections from the Arctic EIA workshop in Utqiagvik/Barrow, Alaska 27.-29.11.2017 –**  
Verna Angnaboogok, Cultural Sustainability Advisor, Inuit Circumpolar Council
- 9.15            **The role and development of Social Impact Assessment in Icelandic EIA –**  
Hjalte Jóhannesson, Deputy Director, University of Akureyri Research Centre, Iceland
- 9.40            **Involvement of indigenous and local stakeholders: the Norwegian EIA approach –**  
Cathrine Henaug, Research Director, Norwegian Institute for Nature Research
- 10.30          ***Working group session III: How to reach out to good practices? How to get to new voluntary approaches?***  
**What are the knowledge gaps?**
- 13.00          **Understanding the Cultural Impacts and Issues of Lapland Mining: Long-term Perspective on Sustainable Mining Policies in the North –** Teresa Komu, PhD Student, Cultural Anthropology, University of Oulu
- 13.20          **Strengthening participatory rights of Sámi communities through Akwé: Kon Guidelines in Finland –**  
Leena Heinämäki, Senior Researcher and Assi Harkoma, Researcher, Arctic Center, University of Lapland
- 13.45          **Visual tools in public participation, in particular in decision making processes inclusive of indigenous peoples –**  
Ana Roque de Oliveira, PhD student, University of Lisbon
- 14.05          **Panel closing discussion**

Sergey Sizonenko from the Russian Association of Indigenous Peoples of the North (RAIPON) gave an “in addition” presentation about the relationship of EIA and Indigenous Peoples in the Russian Arctic.

- The presentations can be found at the SDWG webpage: <http://www.sdwg.org>

## Sergey Sizonenko, Vice Chairman of the Business Council of RAIPON RAIPON, Russian Association of Indigenous Peoples of the North (1)

Good afternoon, dorobo dogottorum!

First of all, I would like to thank you for the opportunity to speak on behalf of RAIPON at such a representative seminar. I would also like to thank all the workshop organizers for their excellent work.

My name is Sergey Sizonenko. I was born there, where three months are cold and nine months are very cold. It is on the Taimyr Peninsula in Siberia. I am a representative of the Indigenous Peoples of Taimyr and I am Vice-Chairman of the Business Council of RAIPON.

With active industrial activities, native living environment of Indigenous Peoples is exposed to negative impacts and in some cases to complete loss of land and water areas, used for traditional livelihoods. Large areas of reindeer pastures and hunting lands are taken away as well as part of rivers and water bodies, used before for traditional livelihoods. All this undoubtedly leads to a crisis in traditional spheres of economic activities and the aggravation of social problems.

Severe climate and environmental conditions, the vulnerability of traditional lifestyle and the small number of each of the peoples of the North determined the necessity of special national policy-making aimed at their sustainable development. The policy provides for system measures regarding preservation of original culture, traditional lifestyle and native living environment of the Indigenous Peoples in the Russian Federation.

Federal legislation of the Russian Federation includes provisions that protect the traditional lifestyle and natural resource use of Indigenous Peoples and oblige public authorities to ensure the rights of Indigenous Peoples to their original socio-economic and cultural development as well as the protection of their native living environment and traditional livelihoods.

## Sergey Sizonenko, Vice Chairman of the Business Council of RAIPON RAIPON, Russian Association of Indigenous Peoples of the North (2)

### EIA today

The most important condition for getting approval of an industrial project from the population is conducting public hearings. In Russia there are certain rules for public hearings, including presentation of all project documentation, which should also comprise EIA and ethnological impact assessment materials.

In real life this principle is often violated, local people often become aware of projects only after the beginning of some works. Proposal: the time-frame for conducting public hearings from the moment of announcement about a project should be at least 3 months.

### Gained experience

Regarding the conduct of ethnological expert evaluation, some experience has already been gained, primarily in the Yamalo-Nenets Autonomous District, Yakutia and the Krasnoyarsk region. Our Association RAIPON regularly organises discussion platforms involving scientists, community experts as well as representatives of legislative and executive power. They discuss the mechanisms of legislative regulation of interaction between industrial companies and indigenous peoples of the North, Siberia and the Far East of the Russian Federation.

We think that today the conduct of ethnological expert evaluation is the only way to identify the actual impact and to calculate the negative effects of industrial activities on Indigenous Peoples' lifestyle and use of natural resources.

It is also important to carry out high-quality monitoring of the established special conditions for use of natural resources and natural environment protection in the Arctic. Monitoring should also cover remediation of natural landscapes and disposal of toxic industrial wastes particularly in the places of residence of Indigenous population. It is necessary to conduct environmental and ethnological monitoring with the participation of local communities.

## Sergey Sizonenko, Vice Chairman of the Business Council of RAIPON RAIPON, Russian Association of Indigenous Peoples of the North (3)

### Conclusion

In conclusion, I would like to draw attention to the following. We need to ensure, that there is participation of Indigenous Peoples and their opinion is taken into account at each stage of the implementation of industrial activities of companies on the lands of residence of Indigenous population. In the EIA process traditional knowledge should be used to understand possible consequences of predicted impacts and to reduce uncertainties.

Only then we can say that we have established a dialogue with industrial companies. But the main guarantee for taking our opinion into account would be the situation, when local communities would own some shares of the industrial companies, which implement projects of extraction of mineral resources in the areas of traditional residence of Indigenous Peoples.

It is necessary to obtain recognition of the enormous role of traditional knowledge. It is one of the key elements of sustainable development of the Arctic areas. And traditional knowledge should be an essential component of management and rational use of natural resources.

It is necessary to try to establish and ensure conflict-free coexistence of industrial companies and Indigenous population, though practically it is not always possible. Therefore, there is only one way out from objective conflict of interests. It is through the dialogue, negotiations and finding compromise solutions. It means direct participation of Indigenous Peoples in the process.