

PAME I-2019: Agenda 7.2(b)
PAME Offshore Oil and Gas Project 2019-2021
Preliminary Concept Paper

2. Guidance on Engagement of Indigenous Peoples in Offshore Oil and Gas Activities

In response to periodic review of the guidance contained in the 2009 Arctic Offshore Oil and Gas Guidelines, the sections on engagement with Indigenous Peoples was a useful objective.

The guidance for industry and government engagement in offshore oil and gas activities dates to the first Arctic Offshore Oil and Gas Guidelines over 20 years ago in 1997. These recommendations were ground breaking for the Arctic Council. Since then, we have come to a better understanding of this important aspect of regulating and managing activities. In addition, the MEMA project has provided background on meaningful engagement and good practices.

Key Objectives

Possible MEMA follow-up project to update the guidance on engagement of Indigenous Peoples and local communities in offshore oil and gas activities.

NOTE: project will only be considered in 2019-2021 if the ***Information handbook or Reference guide on Meaningful Engagement*** is not initiated.

Possible Approach:

To be discussed within REDEG.

Main Components and Implementation

Following are the 29 recommendations from the AOOGG 2009.

PAME AOOGG 2009

29 Recommendations for engaging Indigenous Peoples and local communities

AOOGG 1.5 Project planning, environmental assessments and regulations should take into account indigenous and traditional knowledge when addressing local concerns and developing ways to mitigate possible environmental damage and negative socioeconomic effects

AOOGG 1.6 Management of Arctic oil and gas activities and their effects on the Arctic offshore

and near shore areas requires participation of governments, the public, non-governmental organizations and operators. In order to implement these Guidelines, institutional mechanisms or capabilities are required at the local, national and regional levels to: • enable government agencies, local communities and non-governmental organizations to participate as appropriate in environmental management.

AOOGG 1.6 Management of Arctic oil and gas activities and their effects on the Arctic offshore

and near shore areas requires participation of governments, the public, non-governmental organizations and operators. In order to implement these Guidelines, institutional mechanisms or capabilities are required at the local, national and regional levels to:

- make sure that scientific, technical and indigenous traditional knowledge are available to the processes and are effectively used

AOOGG 1.6 Efforts to establish effective communication with local residents for all processes

involved in oil and gas activities should make sure that:

- terminology is consistent;
- summaries as well as the complete documents are available in advance of public review and comment meetings; and

AOOGG 1.6 Management of Arctic oil and gas activities and their effects on the Arctic offshore

and near shore areas requires participation of governments, the public, non-governmental organizations and operators. In order to implement these Guidelines, institutional mechanisms or capabilities are required at the local, national and regional levels to:

- facilitate regional activities and mechanisms that best suit the regional physical, biological and socioeconomic environments, and potential regional impacts;
- promote communication between operators, government bodies and communities that is conducted in culturally appropriate ways and in local languages

AOOGG 1.6 Efforts to establish effective communication with local residents for all processes

involved in oil and gas activities should make sure that:

- technical terms and ideas are clearly presented and are not lost in translation to another language;
- adequate advance notice is given of public consultation meetings that take into account local communities harvesting, hunting and fishing annual schedules

AOOGG 2.2 In planning and executing offshore oil and gas operations, necessary measures should be taken, in consultation with neighboring indigenous communities, to recognize and accommodate the cultural heritage, values, practices, rights and resource use of indigenous residents. Arctic States, in cooperation with the oil and gas industry, should address the economic, social, health and educational needs based on equal partnership with indigenous people.

AOOGG 2.2 All phases of oil and gas activity should avoid disturbance of historic or prehistoric

resources including archeological and sacred sites, historic shipwrecks and other potentially important cultural sites.

AOOGG 2.2 Arctic States, in cooperation with the oil and gas industry, should address the economic, social, health and educational needs based on equal partnership with indigenous people

AOOGG 2.3 Advanced information collection and analysis may permit improved consultation

and dialogue to proactively avoid conflicts as well as target enhanced socio-economic impact analysis where required.

AOOGG 2.4 pursue regulatory and political structures that allow for participation of indigenous

people and other local residents in the decision making process as well as the public at large;

AOOGG 2.4 incorporate local and traditional knowledge into the decision-making process including the initial siting studies and disposition of resource use rights. For example, ethnological expert studies are being used in Russia in which scientific and local knowledge are combined;

AOOGG 3 A PEIA (or similar process) is a screening level review that should contain sufficient

detail to permit assessment of whether a proposed activity may have a significant impact and should include: consideration of input from early engagement with local communities potentially impacted from the development.

AOOGG 3 When monitoring biodiversity the best available knowledge, including indigenous and traditional knowledge should be employed. Independent scientific peer review and public input should be used to assure program quality.

AOOGG 3 Sources of Information:

Data for EIA purposes may be gathered from existing sources (scientific literature, databases, registers, indigenous and traditional knowledge, public hearings and comments, etc.) and necessary additional information may be obtained through baseline investigations or monitoring programs.

AOOGG 3 As part of an SEA it is recommended that all available regional baseline monitoring

information be used, as well as meaningful stakeholder and public involvement, and incorporation of indigenous traditional ecological knowledge.

AOOGG 3 An SEA should contain a summary in non-technical language, assisted with figures

and diagrams, of the information specified above. If need be, other means of displaying this information, based on cultural heritage of the local and indigenous residents should be prepared;

AOOGG 3 Consultation should also include input from local communities and interested parties

for risk criteria analysis.

AOOGG 3.6 Consultation is an effective dialogue between and amongst regulators, potential operators and stakeholders. In general, consultation should commence at the planning stage and continue throughout the lifetime of a project.

AOOGG 3.6 Some guiding principles promote effective consultation include:

- effective consultation is two-way;
- identifying and building relationships with potential consultees can take considerable time;
- consultation programmes are integral to project planning and decisions making;
- there are limits to the consultation process; and
- consultation should be open and transparent

AOOGG 3.6 States should consult and cooperate with the indigenous peoples concerned through their own representative institutions in order to understand and integrate their needs and concerns with any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources, such as oil and gas.

AOOGG 3.6 Such information, including vital indigenous and traditional knowledge can enhance

the understanding of the project on all sides, including its social setting, the stakeholder community and the issue and values that are important to those stakeholders.

AOOGG 3.6 To ensure that various deliberative processes protect social and environmental values, timely release and dissemination of critical information to potentially affected parties is essential.

AOOGG 3.6 In order to ensure that local communities are informed and involved in all appropriate phases, alternative methods for communicating information such as translation into indigenous languages, multimedia, radio, TV, public meetings, etc. should be explored

AOOGG 4.3 Whenever appropriate, operators should consider local indigenous populations for

contractual monitoring activities as well as drawing upon indigenous and traditional knowledge for the identification of historical environmental extremes and trends.

AOOGG 4.3 Establishment of cooperative relationships with resident indigenous communities

for biological sample collection, environmental observation and monitoring, should be pursued.

AOOGG 6.6 Information gathering and mitigation measures identified at the environmental assessment stage of project planning should be fully utilized for minimizing the environmental impacts associated with transportation of supplies and people to and from offshore operations.

AOOGG 6.7 Where appropriate, indigenous and traditional knowledge should be used in training programs.

AOOGG 8 Decommissioning plans should be developed in consultation with the competent authorities and stakeholders, including indigenous residents, fishing groups and other interested parties.

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