



### Customary Tenure

A new report maps Maasai knowledge and land use

Page 3



### Mapping

Cartographic alternative represents territorial relations in an innovative way

Pages 4-5



### Indigenous Rights

Researcher and partners advocate for Indigenous autonomy at the IACHR

Page 6



# News

Issue 5

Spring 2021

CENTRE FOR INDIGENOUS CONSERVATION AND DEVELOPMENT ALTERNATIVES

## Transnational community-engaged litigation for Canadian government accountability

By Charis Kamphuis (Thompson Rivers University) and Jackie McVicar

In March 2021, the Federal Court of Canada held two days of hearings in the case of *Imai v Canada*. The case arises from records obtained through access to information requests, that document the response of Canadian officials to precautionary measures issued in 2010 by the Inter-American Commission on Human Rights (IACHR), requesting that Guatemala temporarily suspend the Marlin Mine, then owned by Goldcorp, one of the largest Canadian gold mining companies at the time. These 2010 measures responded in part to a petition filed by 13 Maya Mam and Sipakapense communities in the neighboring municipalities of San Miguel Ixtahuacán and Sipacapa in the department of San Marcos in Guatemala, alleging multiple human rights violations in connection with the mine. Later, five more communities joined the petition for a total of 18 communities.

While the documents are heavily redacted, the disclosed information raises serious concerns that Canadian officials, including ambassadors and cabinet ministers, may have attempted to exercise influence with high level Guatemalan and IACHR decision-makers, in order to undermine the IACHR process in favor of Goldcorp and to the detriment of affected communities. The IACHR subsequently changed the precautionary measures, asking the State to adopt the necessary measures to ensure that the water sources not be contaminated by mining activities.

The objective of the court case is to obtain access to redacted portions of the documents in order to evaluate the extent to which Canadian officials may have acted contrary to Canada's international human rights obligations and corporate social responsibility policies. It results from the work of law students, professors, pro bono lawyers and civil

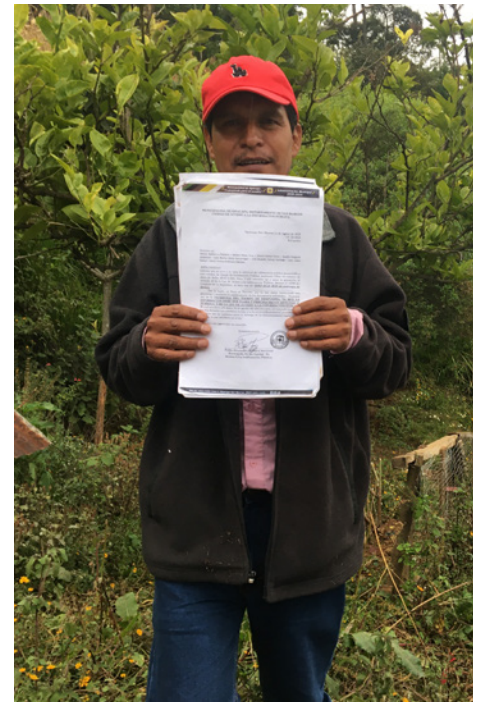


Photo: Jackie McVicar.

society organizations, whose efforts are coordinated by the Justice & Corporate Accountability Project (JCAP). Since 2019, CICADA has provided essential

*Continued on page 2*

Continued from page 1

support to help ensure that affected communities in Guatemala are properly informed and engaged in the process. This work has occurred thanks to the commitment and expertise of two community liaisons: Jackie McVicar, a Canadian living in Guatemala with more than 15 years of experience working with impacted community members; and Sister Maudilia Lopez, a Maya Mam Catholic nun who is the Coordinator of the Defenders of Mother Earth Committee of the Parish of San Miguel Ixtahuacan.

In preparation for the March 2021 hearing, and in spite of extraordinary challenges posed by the pandemic, Jackie and Maudilia worked hard, together with their Canadian partners, to lay the groundwork for engagement with Marlin affected communities. In December 2020, they undertook a series of community visits, meetings and workshops to distribute information regarding the

case and its significance, while committing to keep communities informed regarding the proceedings. Locals also shared present needs and priorities and together, they began to map out how solidarity work around the case might strengthen local efforts.

Despite the many challenges, the pandemic ultimately presented an unexpected silver lining, including greater access to the court proceedings. Since the March hearings took place over Zoom, the virtual presence of affected community members was possible. The judge began the proceedings by recognizing their participation and noting, “Everyone is welcome in my courtroom”.

Also present at the hearing were civil society leaders, academics, members of the press and law students from across Canada. Thanks to this important coalition work, a Spanish language EFE news story about the case was re-published by dozens of outlets around the

world, including in Guatemala.

We look forward to our ongoing collaboration to ensure that legal work in Canada, that pursues accountability and transparency with respect to Canada’s support for Goldcorp, is community-engaged and strengthening of communities’ ongoing efforts to seek justice and defend their rights. ●



Photo: Jackie McVicar.

## Congratulations to our former postdocs!

Postdoctoral researchers Viviane Weitzner and Etienne Roy Grégoire recently completed their fellowships with CICADA. We are not only grateful for the work done during these

fellowships, but very pleased that this collaboration is continuing!

Viviane Weitzner completed her postdoctoral fellowship with Colin Scott last December. She has since become an Adjunct Professor at McGill University and is currently a Senior Program Advisor with CICADA.

Etienne Roy Grégoire completed his fellowship with Kirsten Anker on April

30th and, as of June 1st, he will join the Department of Humanities and Social Sciences at the Université du Québec à Chicoutimi (UQAC) as an Assistant Professor. Etienne will continue his collaboration with CICADA as a co-investigator.

Congratulations to our postdoctoral researchers! CICADA is honoured to continue collaborating with you. ●

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# Maasai Traditional Knowledge Mapping

A new report for Maasai, by Maasai

By Bruce Downie (The Kesho Trust)

The Kesho Trust is pleased to announce the release of a new publication: “Mapping Loita Maasai Land Use and Occupancy, Enguserosambu, Tanzania - Mapping Maasai Life, for Maasai, by Maasai.”

The Kesho Trust has partnered with the Enguserosambu Forest Trust (EFT) since its establishment in 2012. The EFT is the managing authority for the Enguserosambu community forest lands that are central to the protection of culture and livelihoods for local communities.

One of the primary activities identified in the initial planning of the Kesho Trust’s collaboration with and support of the EFT was to undertake traditional knowledge mapping of the cultural characteristics and use of their homeland. The importance of this work was emphasized by Canadian First Nations communities to the EFT representatives who undertook a study tour to Canada in 2019 with the support of the Kesho Trust and the University of Victoria under a SSHRC Connection Grant (read more about the visit in the [second issue of CICADA Newsletter](#)).



First meeting of the Loita Maasai land use and occupancy mapping team at the Almatasia Camp, Nov. 2019 (clockwise from left: Koisikir Nangiria, Erik Val, Stephen Sitei, Terere Tutayo, Mark Talash, Anna Shololoi and Julius Daniel). Photo: E. Val.

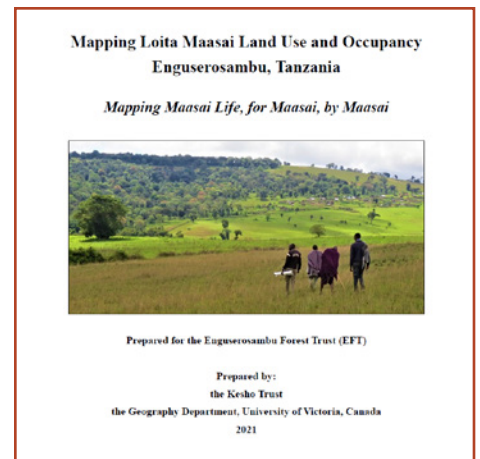
Recognizing this priority, the Kesho Trust undertook a traditional knowledge mapping project based on interviews with over 50 elders and knowledge holders in the four Maasai communities of Enguserosambu Ward. The project was coordinated by a volunteer experienced in the process with Canadian First Nations. Erik Val (Yukon, Canada), who visited Enguserosambu on the first Kesho Trust study tour in 2018, returned to Tanzania and Almatasia Camp to coordinate the research along with the very able assistance of volunteer field coordinator, Julius Daniel (KT Tanzania), and community researchers Koisikir Nangiria, Terere Tutayo, Anna

Shololoi and Stephen Sitei.

Erik produced the final report which is now available online on the Kesho Trust website: [Maasai Traditional Knowledge Mapping](#). Mapping support was provided by Brian Lewis (Montreal, Canada) and the Geography Department of the University of Victoria. ●



Elders in the village working with community researchers to map traditional knowledge. Nov. 2018. Photo: E. Val.



## Citation:

Val, Erik. 2021. *Mapping Loita Maasai Land Use and Occupancy, Enguserosambu, Tanzania - Mapping Maasai Life, for Maasai, by Maasai*. Kesho Trust, Whitehorse, Yukon, Canada, 96 pages.



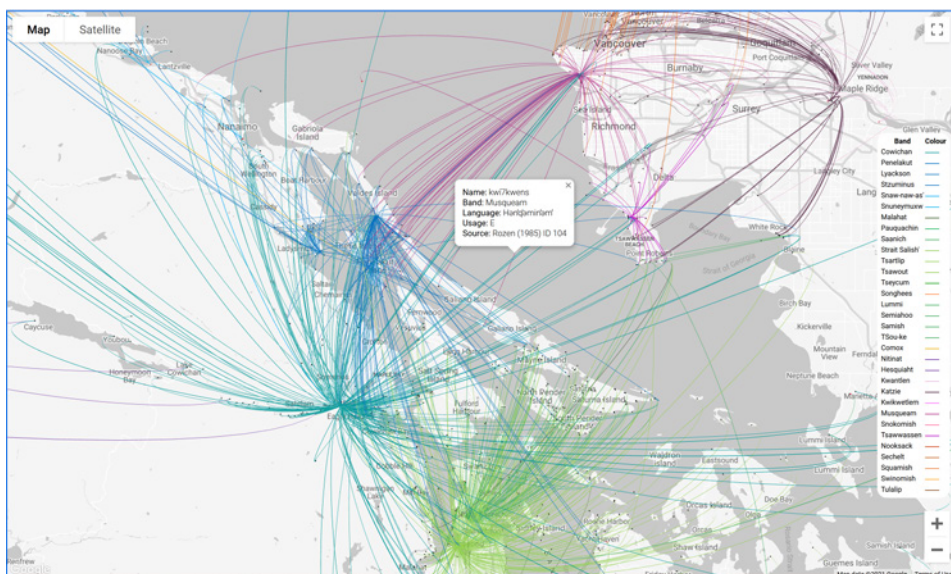


## Ethnographically-Informed Cartographic Alternatives for Representing Indigenous Territorial Relations

By Rachel Stewart-Dziama and Brian Thom (University of Victoria)

As part of our work to innovate and inspire through CICADA’s mapping axis, and in partnership with the Hul’q’umi’num’ Treaty Group, we have undertaken a cartographic experiment to re-imagine map-based visualizations of Indigenous peoples’ territories. Elders we have worked with have long expressed frustration about making territorial maps with deceptively simple boundary lines, lines that belie the relational nature of Indigenous connections to territory (Thom, 2009; Joly *et al*, 2018).

Since the territorial maps by the Bureau of American Ethnology in the 1800s (which were a part of a larger project to remove Indigenous peoples from their lands (Darnell, 2000)), anthropologists have continued to draw territorial maps using a single large “polygon” to encircle Indigenous peoples’ territories. We also know that polygon-based representations of Indigenous territories exacerbate the troubling language of overlapping claims (Thom, 2014), and at times risk perpetuating unintended assumptions about the nature of property, jurisdiction, and cultural practi-



A territorial map experiment using *deck.gl* and drawing on publicly available ethnographies to illustrate territorial relations in the Salish Sea.

ces that go with conceptualizing territory as fixed and contiguous.

Clearly, our technical mapping work needs to live up to the Elders’ expectations, attending to relationships and networks, to long-standing connections to place understood through them. We need to innovate.

A new open-source code library called *deck.gl*—developed to support Uber and Google—allows graphically com-

puting and interactive map visualizations to be available through an internet browser. Our map experiment draws on this powerful *deck.gl* programming script to create an image of Indigenous territoriality based on dynamic radiating lines that highlight networks of relationships of people to places.

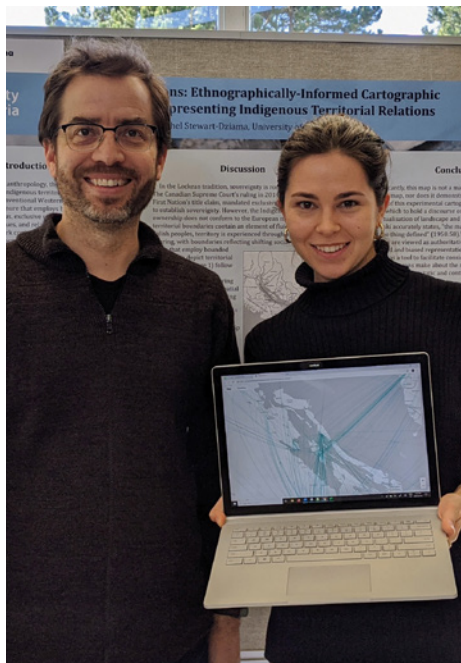
For our map experiment, we drew on a small collection of publicly available





# ⌘ Polygons

ethnographies set in Hul'q'umi'num' and neighbouring Coast Salish communities to create a dataset (spreadsheet) with rows that link the 'home place' mentioned by people, with the places they had relations with across the landscape. We did versions of the map colouring the arcs by traditional village association, contemporary band affiliation, and with language communities.



The Authors sharing the first beta version of the Problematic Polygons map.

This involved more than land use and occupancy mapping, and included place names, cultural sites, places of ancestral connections; the kinds of re-

lationships that inform Indigenous legal orders. The map could be further coded to animate over time, or to highlight kinship connections and any other number of other relationships. These techniques dynamically highlight relations between people and place, imbricated with ties that network intricately across the territories.

We acknowledge that our small dataset is entirely incomplete, and that it only points in new directions. The possibilities are endless. Given that this is an experiment in territorial cartography done with a small sample data set, it is of course intended to be taken without prejudice to Indigenous land rights and title. It is an experiment, not an official map.

In our conversations with Indigenous leaders, negotiators and analysts about our map experiment, they were intrigued about the possibilities of such a map to refocus internal dialogues and attend to Elders' concerns. They also cautioned us about how such an experimental map might be misconstrued or misunderstood by state actors in legal and political processes that have come to expect to see Indigenous territories depicted in the old method of contiguous polygons. Powerful maps always carry risk.

We have provided a completely open licence to use and develop our code on GitHub, along with some more detailed documentation on how the technique can be built on for use by other Indigenous communities: [bit.ly/GitHub-polygons](https://bit.ly/GitHub-polygons).

We are grateful to CICADA, the Information and Communications Technology Council, and UVic's JCURA scholars program, in supporting this experimental cartography project. ●

Darnell, Regna. 2000. "Part III: Continued Mapping of North America in and Along Came Boas: Continuity and Revolution in Americanist Anthropology." In *The Studies in the History of Language Sciences Series of the Amsterdam Studies in the Theory and History of Linguistic Science*, 177-242. Philadelphia: John Benjamins Publishing Co.

Tara L. Joly, Hereward Longley, Carmen Wells, and Jenny Gerbrandt. 2018. "Ethnographic Refusal in Traditional Land Use Mapping." *The Extractive Industries and Society*. 5(2):335-343. <https://doi.org/10.1016/j.exis.2018.03.002>

Thom, Brian. 2009. "The Paradox of Boundaries in Coast Salish Territories." *Cultural Geographies* 16(1): 179-205. <https://doi.org/10.1177/1474474008101516>

Thom, Brian. 2014. "Confusion sur les territoires autochtones au Canada." In *Terres, territoires, ressources : Politiques, pratiques et droits des peuples autochtones*, edited by Irène Bellier. Paris, L'Harmattan, pp. 89-106.



# CICADA research showcased to Inter-American Commission on Human Rights

By Viviane Weitzner (McGill University and CICADA)

On November 5th, 2020, Viviane Weitzner, then a CICADA post-doctoral fellow, presented to the Vice President of the Inter-American Commission on Human Rights, Commissioner Antonia Urejolla and members of her team, a forthcoming book chapter titled “¡Guardia, Guardia!: Autonomías y defensa territorial en el contexto del pos-Acuerdo colombiano” (“Guard! Guard!: Autonomy and territorial defence in the post-Accord context in Colombia”).

Her chapter was selected along with three others to showcase the central ideas underpinning a new book on autonomy and self-government in the Americas (entitled *Autonomías y Autogobierno en la América Diversa*, “Autonomies and self-government in Diverse America”) published by Abya Yala/Universidad Politécnica Salesiana (Ecuador) in February 2021.

The intent of the dialogue was to feed into discussions within the Inter-American Commission as it begins shaping its own theme study on self-determination in the Americas to be undertaken during 2021. The book and ses-



Training on being a member of the Indigenous Guard starts early in the Resguardo Indígena Cañamomo Lomapieta. There is a youth Guardia, who get immersed in all aspects of being land stewards, including spiritual aspects and learning through ceremony. Photo: Yeison Aguirre.

sion were organized in collaboration with IWGIA, the International Work Group for Indigenous Affairs based in Denmark.

Viviane’s chapter examines the experiences of the Embera Chamí people of the Resguardo Colonial Cañamomo Lomapieta (also a CICADA member) and the Black Communities of the Palenke Alto Cauca, underscoring the complexities of exercising autonomy in the context of lethal armed conflict. Members from the Resguardo and the Palenke participated in the discussion.

We highlighted in particular the important role of the unarmed, autonomous Indigenous and Black Guards, ancestral institutions who work hand-in-hand with the traditional authorities to steward the land and uphold ancestral law. The role of the Guardia has become critical at a time of upswing in lethal violence for social leaders as a result of the failure to implement the 2016 Colombian Peace Agreements; and it has become a key mechanism for territorial control and protection as COVID-19 ravages ancestral territories.



In Colombia, there has been revitalization of ancestral land stewards also known as the Indigenous or Cimarrona Guards, with an increasing number of women and youth becoming members. Photo: Yeison Aguirre.

*Autonomías y Autogobierno en la América Diversa* includes 21 chapters examining diverse experiences of autonomy across the Americas. It will be launched at three key events this year to showcase the three parts of the book: namely, post-multiculturalism; towards a peoples’ university; and autonomies as emancipation. The first official launch took place on April 21, 2021.

The volume will be published in English later this year by the University of Calgary Press. ●

# New Book on Indigenous Identity and Culture in Ixtacamaxtitlán, Mexico

By Pierre Beaucage (University of Montreal)

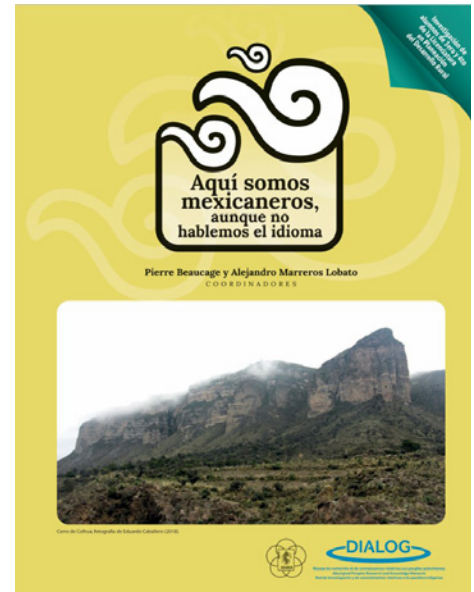
'Aquí somos mexicaneros aunque no hablemos el idioma.' *Identidad y cultura indígenas en Ixtacamaxtitlán*. (Pierre Beaucage and Alejandro Marreros Lobato). Mexico, El Errante Editor / CESDER / DIALOG, 2020.\*

This publication is the result of an ethnographic research that brought together, in a shared anthropological perspective, a Quebec anthropologist and Indigenous co-researchers from the Sierra Norte de Puebla, Mexico. The research had a very specific objective. For more than ten years, a Canadian mining company, Almaden Minerals, has wanted to develop an open-pit gold mine in the municipality of Ixtacamaxtitlán. The inhabitants, mostly Indigenous Nahuas, live mainly from agriculture and small livestock. Grouped in the *Unión de ejidos y comunidades de Ixtacamaxtitlán Atcolua*, they oppose this project, which would use a large part of the already scarce water, in addition to posing a danger to the entire region, in case of toxic spills in the Apulco River. Since 2015, they have been suing the company. Indeed,

Mexico has signed Convention 169 of the International Labor Organization, which requires a free, prior and informed consultation before any 'development project' in Indigenous territory. To circumvent the law, the miner claimed that there were no Indigenous people in Ixtacamaxtitlán.

From September to December 2018, the authors, with the help of 24 students from CESDER (Centro de Estudios para el Desarrollo Rural, a regional university), conducted research on Náhuatl identity and culture in six villages that would be directly affected by the installation of the mine. The results are quite clear: it is an Indigenous people who lives in Ixtacamaxtitlán. Although they no longer speak the Náhuatl language, the peasants interviewed define themselves as Indigenous, and their cultural practices are similar to those of the Amerindian communities in the region. The release of the research report, in February 2019, strengthened the case made by the plaintiffs in court. In March 2019, the courts annulled Almaden's operating permit for failing to

consider the territorial rights of an Indigenous people. ●



\* A summary of the book has been published in French, under the title « La lutte pour la culture : être autochtone à Ixtacamaxtitlán » in *Enjeux et défis du développement international. Acteurs et champs d'action* (P. Beaudet, D. Caouette, P. Aslam and A. Benmahde, eds.) Ottawa, Ottawa University Press, 2019, pp. 431-440.

## Upcoming event: Indigenous Mapping Seminar and Workshops

Val-d'Or, Canada, 12-14 May 2021

The Indigenous Mapping Seminar and Workshops aim to mobilize and disseminate knowledge associated with territorial relations and participatory Indigenous mapping by putting forward a training aspect aimed at equipping Indigenous participants in the production and development of their mapping projects.

In the current pandemic context, we have opted for a hybrid event (virtual and face-to-face). We therefore invite university researchers who live outside the Abitibi-Témiscamingue region and who have access to a good

quality internet network to participate virtually in the conferences. Mapping workshops will be conducted in small groups by invitation only.

The conferences comprise four axes: 1) Negotiation and protection of ancestral territories; 2) Territorial relations and ancestral knowledge transmission; 3) Maps and stories, and; 4) Toponymy. The programme as well as the links to register to the webinars are available on the event's webpage: <https://www.uqat.ca/seminaire-cartographies-autochtones/>.

## Recent publications by CICADA partners

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- Simon, Scott.** 2021. "[Of Boars and Men: Indigenous Knowledge and Co-Management in Taiwan](#)," In *Indigenous Knowledge in Taiwan and Beyond*, edited by Shu-mei Shih and Lin-chin Tsai, 163-179. Singapore: Springer.