

# Confidential Indigenous Knowledge

PRESENTATION TO REGIONAL ASSESSMENT COMMITTEE FOR OFFSHORE  
WIND DEVELOPMENT IN NOVA SCOTIA

MAY 24, 2024



Impact Assessment  
Agency of Canada

Agence d'évaluation  
d'impact du Canada

Canada 

# Requirements of the Impact Assessment Act: Confidential Indigenous Knowledge

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- Mandatory to consider all IK received, including confidential IK
  - Report must state how IK was considered in the effects assessment
  - Confidential IK not subject to Access to Information Act
  - Exemptions under s. 119 of IAA (when it may be necessary to share confidential IK):
    - Publicly available IK
    - Procedural fairness/ natural justice
    - For legal proceedings
    - If regulations created (but no intent to do so)
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# Process Regarding Confidential Indigenous Knowledge

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- Encourage Indigenous groups to summarize or generalize their IK so sensitive details are not submitted to the Committee
  - Discuss confidential knowledge with Indigenous communities early on, advise of exemptions and the process
  - If Indigenous community will share confidential IK, before the IK is submitted, document agreed-upon process with a letter or agreement (template for such a letter available; template for an agreement still in development)
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# Management of Confidential Indigenous Knowledge

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- Ideally, receive confidential IK in an encrypted email or secure USB key
  - Never post confidential IK to registry internet site
  - For transparency and robust record of evidence, put notice on registry that confidential IK received (no content shared). Template for a registry notice available.
  - Report needs to document how IK was used. Report should acknowledge that confidential IK was received, and where related to assessment/analysis and/or conclusions, summarize at a high level so confidential details are not revealed
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# Indigenous Knowledge Policy Products

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Published on website:

- [Frequently asked questions](#) about Indigenous Knowledge, aimed at the general public
- [Indigenous Knowledge Policy Framework](#), aimed at federal officials
- [Indigenous knowledge guidance](#), aimed at proponents
- [Confidential Indigenous knowledge guidance](#), aimed at all participants

Shared with committee today (aimed at Agency staff & members of committees/ review panels):

- Letter template
  - Template for registry notice
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# Thank you! Merci!

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