



DEHCHO

EDUCATION

# Seeking data sovereignty, a First Nation introduces its own licence

Caitrin Pilkington - April 19, 2022



Wetland around the Scotty Creek research station, in the Dehcho, is shown in a photo published by the Canadian Network of Northern Research Operators.

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changing its approach to scientific licensing in an effort to regain sovereignty over research.

The Łı́ı́dlı́ Kų́ę́ First Nation, or LKFN, says it is partnering with the nearby Scotty Creek research facility, outside Fort Simpson, to introduce a new application process for researchers.

The First Nation, which also plans to create a compendium of all research gathered on its land, says the approach will be the first of its kind in the Northwest Territories.

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LKFN says the current NWT-wide licensing system will still stand but a separate system addressing specific concerns was urgently required.

In the wake of a recent [review of post-secondary education](#) in the North, changes like this are being positioned as part of a larger shift in perspective about southern research taking place in the territory.

researcher hoping to study at Scotty Creek and in LKFN territory has been required to fill out a new application form.

“When we get permits now, we independently review them and make sure certain topics are addressed in the application, so that researchers and students understand not just Scotty Creek, but the people on the land they’re on,” said Dieter Cazon, LKFN’s manager of lands and resources.

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The advertisement is a dark blue rectangular box. In the top left corner is a circular logo for 'OCCUPATIONAL & EMERGENCY MEDICINE SOLUTIONS' with a red cross and a yellow caduceus, and '24/7' at the bottom. To the right of the logo is a large yellow speech bubble containing the text 'WE ARE HIRING' in bold blue letters. Below the speech bubble, the text 'REGISTERED NURSE COVID-19 MEDICAL CO-LEAD (DIAVIK)' is written in white. A list of bullet points follows, with some items preceded by a yellow triangle and others by a white 'x'. At the bottom, there are two yellow buttons: 'EMAIL' and 'SUBJECT LINE', with the email address 'CAREERS@OEMS.CA' and the text 'Diavik Medical Co-Lead Position' next to them.

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## How is this different from the current system?

Currently, all research licensing goes through the Aurora Research Institute. The ARI’s form covers many of the same areas as the new LKFN form, but the institute has slightly different requirements for researchers.

The ARI application form asks researchers to:

- describe their methodology; and
- indicate which communities they expect to be affected by their work.

The Łı́ı́dlı́ Kų́ę́ First Nation form asks researchers to:

- explicitly declare that all raw data will be co-owned by the Łı́ı́dlı́ Kų́ę́ First Nation;
- disclose the specific equipment and infrastructure they plan to install on the land, lay out their demobilization plan, and note how often they will be travelling through the land for data collection; and
- explain the steps they've taken to educate themselves about Łı́ı́dlı́ Kų́ę́ First Nation customs and codes of research practice that will apply to their work with the community.

Cazon says the new approach will work in tandem with ARI's system.

“As LKFN receives applications, we review them, and if they're approved by chief and council, then we'll forward approved applications to the Aurora Research Institute for their records and for their own process of approval,” said Cazon.



Dieter Cazon in a photo uploaded to Facebook.

One of the most crucial points for the LKFN is that its new protocol will require all researchers, not just research leaders, to obtain a licence to study on its land.

In the past, Cazon said, researchers have come to Scotty Creek with as many as five people working under the same licence. (The ARI said there is no limit to the number of researchers that can be approved under the same licence, provided they are all members of the same research team.)

“We wanted to engage with researchers individually to help them understand the people and the land they’re working on,” said Cazon. “Even if researchers are working together as a group, we want to ensure that each researcher understands the broader picture of the work we’re trying to accomplish as Łı́ı́dlı́ Kų́ę́ First Nation.”

Bill Quinton, director of the Scotty Creek research station, told Cabin Radio the

regional needs.

“If I wanted to camp in your backyard, I would contact you directly to get your permission. But the present licensing system has us work through a third party, so licences can be granted with little or no contact between researchers and communities,” Quinton said.

“I think this can reinforce some of the negative perceptions in the North that researchers are here for a good time, not a long time.”

The Aurora Research Institute said researchers are asked to provide evidence of correspondence with communities or agencies about their research. The institute acknowledged, though, that even if researchers don’t receive a response, they are given a permit as long as they can show they tried sufficiently hard to gather feedback.

Quinton said southern researchers must be prepared “to accept the possibility that although the current system may be well-intentioned, it actually prevents direct communication between researchers and communities.”



Aurora Research Institute in Inuvik. Luisa Esteban/Cabin Radio

## What's the legal basis for the change?

LKFN believes the legal authority to create its own licensing process lies in the UN Declaration on the Rights of Indigenous Peoples, or UNDRIP. The Canadian government passed a law committing to implement the UN declaration in June 2021.

The preamble to LKFN's new application form states: "In accordance with Article 26 of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), and in recognition that UNDRIP was granted royal assent by the Government of Canada (21 June, 2021), the Łı́ı́dlı́ Kų́ę́ First Nation has introduced a number of new initiatives to exercise our Indigenous rights to manage our traditional lands and resources therein. The introduction of this research licence, passed into law by Band Council Resolution (7 February, 2022), is one such initiative."

"What the band has told me is that we could wait for Ottawa to actually implement UNDRIP," says Quinton. "But

ourselves. And I think Ottawa and the GNWT would be hard-pressed to challenge their right to do that.”

Quinton says this step is part of a wider transition toward LKFN taking on a leadership role at Scotty Creek. He says this idea hasn’t always gone over well at Wilfrid Laurier, the university that currently operates Scotty Creek, and he has had to take a critical look at his own role in an institution with colonial roots.

“I’m very excited about Scotty Creek taking this trajectory but, over the years, when I’ve raised it with my university, Wilfrid Laurier, the response has been profoundly disappointing,” says Quinton.

“It’s opened my eyes to the fact that it’s easy to be part of a system that is biased, and you don’t even realize it.”

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Bill Quinton in a February 2022 interview.

## Why are the stakes around research so high for Indigenous communities?

Darren Thomas, an associate professor of Indigenous studies and vice-president of Laurier’s Indigenous Initiatives program, says the word “research” is loaded with history for many Indigenous communities.

“Research is a swear word, right?” he said, paraphrasing [a line first written by](#)



“When you talk to many communities who have been victimized by poor research, research is a swear word,” said Thomas. “When I do research at Six Nations, in my own community, people question: who am I? What am I doing? What am I doing with the information I’m getting? Even though I was raised in the community. They all know me. But when I enter as a researcher, I’m one of *them*. So you have to be prepared to navigate that.”



Darren Thomas in a photo uploaded to Facebook by Wilfrid Laurier in 2021.

Thomas, who is Onodowa:ga and whose roots are in the Haudenosaunee territory of Oswego in Ontario, believes Indigenous communities in the North need to do more to recognize their power. He believes what’s happening at Scotty Creek is something that should happen across Canada.

But as Indigenous governments continue to build capacity and recover from decades of political railroading and oppression, he says there are other ways to ensure research remains reciprocal.

go to conference presentations. Those are the things in which our merit as scholars is measured. And that doesn't always jive with community," he said.

"With all these pressures, it's important to make sure that any publicly funded research has to meet an ethical guideline."

Thomas stressed the importance of ensuring practices meet the First Nations principles of ownership, control, access and possession, and existing nationwide [ethical research guidelines](#).

Knowledge can't be gained at Scotty Creek without community, he said, adding any community that feels it is being mistreated can contact Wilfrid Laurier or its ethics board.

## What about broader changes?

Even when southern researchers follow the rules, the legacy of a colonial mentality can remain.

"There's always been the issue of people coming here, taking the information they want, filing their papers, and we never see what becomes of it," said Cazon of researchers in and around Scotty Creek.

The new application form seeks to address that phenomenon.

"A lot of work has been done to heal past violence, past behaviour, and lots of things have been put in place to protect

an artist and land-based educator at the NWT-based Dechinta Centre for Research and Learning.



Lianne Marie Leda Charlie in a photo posted to Facebook in 2021.

“Researchers are being asked to be more aware of the way that power operates in a research context,” Charlie said, “but it’s still possible for institutions to just go in and – there’s a name for it, helicopter research – you fly in, take what you need and fly out. And there’s no accountability, no reciprocity.”

Charlie said while it’s important for Indigenous people to step into leadership roles, it’s equally important for southern researchers to realize they are part of a colonial project.

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Lianne Marie Leda Charlie in a March 2022 interview.

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The federal government’s [recent task force](#) report on post-secondary education

Indigenous-led research and learning.

But the report also laid out challenges northern institutions face in securing funding, which often ends up going to southern equivalents.

Kelsey Wrightson, executive director for the Dechinta Centre and a member of the task force, said many factors in the grant process tend to tip the scales in favour of institutions who already have received major grants in the past. For institutions with limited resources and capacity, the process can be challenging.

“In order to get access to funding, researchers, as individuals or as research collectives, have to go through an incredibly rigorous application process,” she said.

“It involves multiple levels of application forms, gathering letters of reference... it’s an incredibly time-consuming and onerous process. And so it takes a lot of capacity for researchers simply to apply to a grant they may or may not get.”



Kelsey Wrightson in a photo uploaded to Facebook in 2020.

Northern post-secondary schools are often not eligible to apply in the first place.

“It’s more complicated than you might think. In order to become a post-secondary institution, you have to be recognized in territorial legislation,” she said, noting the territorial government is working to update its own legislation. Dechinta is not currently recognized as a post-secondary institution.

“That’s one route to solving this problem,” said Wrightson. “The other route, the one we recommend in the task force, is to get the federal organizations that handle research funding to change their eligibility requirements to recognize that there is incredibly important community-based, community-led research being done outside of post-secondary institutions.”

engagement and more northern voices in research leadership.

“It’s hard for a research licensing body to mandate that when it is so detached from community needs,” she said.

“This is why having community licensing bodies like the one the LKFN is proposing [makes more sense]. It immediately connects researchers to the community and to the land itself.”

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Kelsey Wrightson in an April 2022 interview.

For Cazon, the step his community is taking is ultimately about working together more effectively, an approach that’s been described as [two-eyed seeing](#).

“These new applications make it easier for us to educate researchers as well as help them gather the information they need,” he said.

“Take an umbrella topic like climate change. When it comes to climate change, traditional Dene knowledge doesn’t have all the answers. Western science doesn’t have all the answers.

“But collaboratively, we can get a lot closer.”



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