



BACKGROUND

From banning proposed heavy oil pipelines and denying consent following their own in-depth review processes, to upholding tribal park designations and safeguarding the herring fishery, Indigenous nations are taking action using tools grounded in their own laws. And in recent years, these actions have had a transformative impact on environmental decisions and major resource development projects.

Yet in a world where colonialism has profoundly undermined Indigenous legal orders and governance systems – and where unsustainable resource extraction continues around us – the full revitalization of Indigenous law and its application to contemporary land and resource issues is a work in progress.

RELAW is a project of West Coast Environmental Law and the Indigenous Law Research Unit (ILRU) at the University of Victoria, Faculty of Law. Our first cohort, made up of six Indigenous partners from around the province, began in 2016.

Since then, together with the Secwepemc (Shuswap Nation Tribal Council), St'át'imc, Fort Nelson, Tsilhqo'tin, Tsawout and Gitga'at peoples, we've researched Indigenous laws, begun drafting a written summary of their legal principles related to environmental governance, and guided community deliberation about how these principles should be applied on the ground. Each RELAW project is based upon the people's own laws and decision-making processes.

The ILRU and West Coast share the fundamental belief that Indigenous law is law, that Indigenous laws are part of living Indigenous legal orders, and that Indigenous law can and should be used on the ground today. We understand the process of articulating, revitalizing and applying Indigenous law to be collaborative and deliberative, and we are committed to deepening community-based capacity to engage in this process. RELAW is a capacity building initiative that provides training and legal resources for community-based Indigenous law researchers and facilitators.

In recognition of the deep connections of Indigenous peoples to the lands and waters of their territories and their right and responsibility to manage them according to their respective laws and governance systems, this training opportunity has a particular focus on aspects of Indigenous legal orders related to lands and resource management. Participants gain skills and knowledge to assist their people in the process of revitalizing and applying Indigenous law to contemporary environmental problems and proactive land and resource management.

ILRU is a dedicated research and academic unit based out of the University of Victoria Faculty of Law which engages with the full scope of specific practical and theoretical Indigenous law issues. In addition to the development of academic resources, a key goal of ILRU is to work with and support work by Indigenous communities to research, engage with, and articulate Indigenous laws in a rigorous and transparent way so these laws can be accessed, understood and applied today. ILRU has Indigenous law research projects and initiatives across Canada and internationally. The RELAW project benefits from the support and guidance of ILRU.

West Coast Environmental Law is a BC-based non-profit law organization. Our lawyers have long provided legal and strategic support to Indigenous peoples in the deliberative process of articulating and “translating” principles of Indigenous environmental law into plans, maps, codes and other legal instruments, which serve as a bridge between Indigenous law and governance systems and on-the-ground enforcement. Together we are implementing legal strategies designed to achieve the land and resource management goals of Indigenous nations.

