

Indigenous Treaties and the SDGs: Lessons from Canada

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I. Introduction

The Sustainable Development Goals (SDGs) offer the promise of creating a more equitable society for current and future generations at the national and international levels. In this way, the 17 SDGs and their associated targets and indicators offer new insights and opportunities for the implementation of legal systems and practices which are able to ensure development to 2030 and beyond. However, instruments such as the Voluntary National Reviews and analysis of national and international legal systems often overlook the role the sub-national communities, especially indigenous communities, can play in fulfilling the SDGs and assisting with national achievement of the SDGs.

This paper seeks to address the roles of national and indigenous community laws and policies in filling this gap and shedding light on the vital interactions for implementing the SDGs that exist in all levels of society. At the same time, it emphasizes the ways in which existing laws and policies between national and sub-national communities can be viewed as having the potential to further the SDGs despite having been created before the promulgation of the SDGs themselves. The paper does this through the prism of the “modern treaties” in existence between the Government of Canada and a number of First Nations communities.¹ These are concrete legal instruments, negotiated between the parties in order to settle issues related to land claims and indigenous self-governance and yet in the end have a far broader scope. The paper demonstrates the overlaps between the modern treaty terms and the SDGs and notes how this can be of use as a means of analysis of interrelationships between national and indigenous communities in Canada and beyond.

II. Research Background

In August 2018, the authors and several student researchers began an intensive research project for the examination of the relationship between the so-called “modern treaties” in Canada and the SDGs. As noted above, the modern treaties classification refers to those

¹ See also Marie-Claire Cordonier Segger & Alexandra R. Harrington, “Intergenerational Equity, Justice and Modern Treaties between First Nations Communities and Canada,” in *Intergenerational Justice in Sustainable Development Treaty Implementation*, Marie-Claire Cordonier Segger, Marcel Szabo and Alexandra R. Harrington, eds. (forthcoming, Cambridge: Cambridge University Press, 2019).

treaties that have been negotiated and signed between various First Nations communities in Canada and the Canadian government. This is a significant period to examine as it is the result of attempts to reconfigure the relationship between indigenous communities and the national and provincial governments in Canada.² Previously concluded treaties, often referred to as historical treaties, were not the subject of the project analysis at this point, although future studies are planned in order to determine the relationship between these treaties and agreements and the SDGs.³

To date, there have been over 30 modern treaties signed between First Nations communities and the Canadian government, spanning a wide swathe of geography and community identity. In order to provide a deep and rich analysis, the project team selected 15 modern treaties, representing the full break-down of geography and identity, for complete review in regard to the SDGs. These treaties were then thoroughly analyzed, section by section, in conjunction with each of the SDGs and their associated targets and indicators in order to find the areas of correlation.

III. Relationships between the Modern Treaties and the Sustainable Development Goals

In terms of creating a lasting society that fosters inclusion of all members of society, especially vulnerable members and communities, as is a constant theme throughout the SDGs, it should be noted that all modern treaties reviewed contain provisions that address this goal across the legal and cultural spectrum. For example, as part of these treaties, the Canadian government has agreed to provide financial settlements and payments for forest resources that are specifically to be used for economic development of the applicable communities.⁴ Some of these treaties make specific provision for forms of corporations or other entities to be used in the disbursement of these funds, while others simply provide for the funding and allow the communities to determine how best to address the needs of their constituencies.⁵ Additionally, a number of these treaties allow for the

² Crown-Indigenous Relations and Northern Affairs Canada, 'Treaties and agreements', 20 June 2019, <https://www.rcaanc-cirnac.gc.ca/eng/1100100028574/1529354437231>.

³ Ibid.

⁴ *Tsawwassen First Nation Final Agreement* (2007) ch 10(5).

⁵ Ibid.; *Land Claims Agreement between the Inuit of Labrador and Her Majesty the Queen in Right of Newfoundland and Labrador and Her Majesty the Queen in Right of Canada* (2005) pts 4,7 [Inuit of Labrador]; *Carcross/Tagish Agreement among the Government of Canada, the Carcross/Tagish First Nation and the Government of the Yukon* (2005) chs 5, 12; *Champagne and Aishihik First Nations Final Agreement between the Government of Canada, the Champagne and Aishihik First Nations and the Government of the Yukon* (1992) chs 13, 20, 22; *Kwanlin Dun First Nation Final Agreement among the Government of Canada, the Kwanlin Dun First Nation and the Government of the Yukon* (2005) chs 13, 20, 22; *Kluane First Nation Final Agreement among the Government of Canada, the Kluane First Nation and the Government of the Yukon* (2003) chs 13, 20, 22; *Little Salmon/Carmacks First Nation Final Agreement among the Government of Canada, the Little Salmon/Carmacks First Nation and the Government of the Yukon* (1997) chs 13, 20, 22; *Ta'an Kwac'han Final Agreement among the Government of Canada, the Ta'an Kwac'han First Nation and the Government of the Yukon* (2002) chs 13, 20, 22; *Land Claims and Self-Government Agreement among the Tlicho and the Government of the Northwest Territories and the Government of Canada* (2005) chs 24, 25, 26; *Maa'Nulth First Nations Final Agreement* (2009) chs 10, 16, 17; *Tla'Amin Final Agreement* (2016) chs 8, 18, 19; *Governance Agreement between Sioux Valley Dakota*

ability of indigenous communities to directly act on issues and practice relating to the exploitation of natural resources located on community territory.⁶ In this way, the modern treaties assist in the creation of a society at the local, regional and national levels that is more inclusive and that is able to equitably preserve the natural resources found in Canada as well as the traditional knowledge and practices associated with them. This reflects the correlations between the terms of the modern treaties and a number of SDGs in this context, particularly SDG 1 and SDG 10.

There are several mechanisms through which the treaties contain provisions that seek to improve the agricultural productivity and sustainability of indigenous communities and their conduct on indigenous territorial lands. At its core level, the encouragement and development of sustainable, traditional agriculture requires that there be legal and societal recognition and protection of traditional practices, knowledge and land rights. Such recognition and protection is provided for in some of the modern treaties through the legal enshrinement of community land holding rights, including territories used for agricultural practices,⁷ and the ability of indigenous communities to craft and enact their own laws under the terms of many self-governance treaty terms.⁸ This is directly connected with the need to implement sustainable and resilient agricultural practices and patterns, as seen in the terms of many modern treaties which relate to the involvement of the indigenous community and the provincial and governmental communities in determining allowable catches per year, as this has an impact on agricultural ecosystems and conditions as well.⁹ In this way, the modern treaties terms further the Canadian commitments to the SDGs, particularly under SDG 2 and its associated targets.

The majority of modern treaties, especially those with self-governance mechanisms for the applicable indigenous communities, contain terms regarding the devolution of many health-related laws and rules to the local communities.¹⁰ In terms of addressing and preventing potential health related aspects of pollution and contamination, many of the modern treaties provide for the use of environmental impact assessments as tools.¹¹

Nation and Her Majesty the Queen in Right of Canada (2013) art 23; *Comprehensive Land Claim Agreement chs between Her Majesty in Right of Canada and the Gwich'in* (1992) chs 7 – 10.

⁶ *Inuvialuit Final Agreement* (1987) arts 10, 13, 14; *Inuit of Labrador Agreement*, *supra* note 5 at pts 5, 12, 13; *Sioux Valley Dakota Agreement*, *supra* note 5 at art 15; *Carcross/Tagish Agreement*, *supra* note 5 at chs 2, 12; *Gwich'in Agreement*, *supra* note 5 at ch 12.

⁷ See e.g. *Tsawwassen Agreement*, *supra* note 4 at ch 6(4).

⁸ *Ibid.* at ch 9.

⁹ See *ibid.* at chs 9, 10; *Champagne and Aishinik Agreement*, *supra* note 5 at ch 16; *Little Salmon/Carmacks Agreement*, *supra* note 5 at ch 16; *Tlicho Agreement*, *supra* note 5 at chs 7, 12; *Maa'Nulth Agreement*, *supra* note 5 at chs 10, 11; *Inuvialuit Agreement*, *supra* note 6 at ch 12; *Inuit of Labrador Agreement*, *supra* note 5 at pts 5, 12, 13; *Sioux Valley Dakota Agreement*, *supra* note 5 at art 15; *Carcross/Tagish Agreement*, *supra* note 5 at chs 2, 12; *Gwich'in Agreement*, *supra* note 5 at ch 12.

¹⁰ *Inuit of Labrador Agreement*, *supra* note 5 at ch 17; *Sioux Valley Agreement*, *supra* note 5 at pt 19; *Tsawwassen*, *supra* note 4 at ch 16; *Kluane Agreement*, *supra* note 5 at ch 24; *Little Salmon/Carmacks Agreement*, *supra* note 5 at ch 24; *Ta'an Agreement*, *supra* note 5 at ch 24; *Tlicho Agreement*, *supra* note 5 at ch 7; *Maa'Nulth Agreement*, *supra* note 5 at ch 13.22.

¹¹ *Inuit of Labrador*, *supra* note 5 at ch 11; *Tsawwassen*, *supra* note 4 at ch 15; *Champagne and Aishinik Agreement*, *supra* note 5 at ch 14; *Kwanlin Dun Agreement*, *supra* note 5 at ch 14; *Kluane Agreement*, *supra* note 5 at ch 14; *Little Salmon/Carmacks Agreement*, *supra* note 5 at ch 14; *Ta'an Agreement*, *supra* note 5 at ch 14.

Control over education, and the inclusion of cultural and traditional heritage and knowledge in the curricula at all levels, plays a significant part of the modern treaties.¹² In terms of gender equality measures, while the majority of the modern treaties reviewed are silent on gender equality and/or mainstreaming, they are notable for their use of gender-neutral language and terminology.¹³ Taken together, gender equality and education that is available to vulnerable groups in society while taking into account the needs and knowledge of minority communities promotes the accomplishment of intergenerational equity by striving to eliminate bases of bias for the future. Additionally, these measures will allow for the participation of a greater section of society in public life in the future and will empower Canadian society to promote equity as well as equality, in accord with the SDGs, particularly SDG 3, 4 and SDG 5.

Access to water and clean sanitation, the modern treaties are largely protective of the rights of indigenous community members over water resources located within their territories.¹⁴ In particular, the treaties make clear protections for water management and water rights, including provisions that impact on the availability of water for drinking and other purposes within the community and outside the community.¹⁵ This includes powers directly devolved to the community governments through the terms of applicable treaties.¹⁶ The overall protection of natural resources related to water, especially lakes, rivers, and waters in the territories of national parks and preserve areas, is also expressly provided for and understood as a key aspect of community rights.¹⁷ In this way, the modern treaties provisions can be seen as ensuring continued access to vital natural resources that are needed for survival as well as development, and offer the potential to assist Canada in fulfilling its commitments under SDG 6.

In the context of sustainable economic growth and employment opportunities, over half of the modern treaties contain overlapping requirements regarding the use and

¹² *Inuit of Labrador Agreement*, supra note 5 at pt 17; *Sioux Valley Dakota Agreement*, supra note 5 at pt 18; *Carcross/Tagish Agreement*, supra note 5 at chs 23, 24; *Gwich'in Agreement*, supra note 5 at chs 11, 16; *Tsawwassen Agreement*, supra note 5 at chs 14, 16; *Champagne and Aishinik Agreement*, supra note 5 at chs 13, 24; *Kwanlin Dun Agreement*, supra note 5 at chs 13, 24; *Kluane Agreement*, supra note 5 at chs 13, 24; *Little Salmon/Carmacks Agreement*, supra note 5 at chs 13, 24; *Ta'an Agreement*, supra note 5 at chs 13, 14; *Tlicho Agreement*, supra note 5 at ch 7; *James Bay and Northern Quebec Agreement* (1978) sects 8, 16; *Maa'Nulth Agreement*, supra note 5 at chs 13.20, 13.21; *Tla'min Agreement*, supra note 5 at chs 13.20, 13.21.

¹³ See generally *ibid.*

¹⁴ See generally *ibid.*

¹⁵ *Inuit of Labrador Agreement*, supra note 5 at ch 5; *Carcross/Tagish Agreement*, supra note 5 at chs 14, 16; *Gwich'in Agreement*, supra note 5 at chs 12, 19, 24; *Kwanlin Dun Agreement*, supra note 5 at ch 14; *Kluane Agreement*, supra note 5 at 14; *Little Salmon/Carmacks Agreement*, supra note 5 at ch 14; *Tlicho Agreement*, supra note 5 at ch 18; *Tla'Amin Agreement*, supra note 5 at ch 7.2.

¹⁶ *Sioux Valley Dakota Agreement*, supra note 5 at ch 16.01; *Champagne and Aishinik Agreement*, supra note 5 at ch 14; *Kwanlin Dun Agreement*, supra note 5 at ch 14; *Kluane Agreement*, supra note 5 at 14; *Little Salmon/Carmacks Agreement*, supra note 5 at ch 14; *Ta'an Agreement*, supra note 5 at ch 14; *Tlicho Agreement*, supra note 5 at ch 18.

¹⁷ *Inuit of Labrador Agreement*, supra note 5 at chs 6, 9; *Tsawwassen*, supra note 4 at ch 15; *Kluane Agreement*, supra note 5 at 10; *Ta'an Agreement*, supra note 5 at ch 14; *Tlicho Agreement*, supra note 5 at ch 22.

exploitation of natural resources for economic development and job creation.¹⁸ This includes the use of concession fees and similar arrangements under which natural resources can be extracted from indigenous community territories subject to restrictions on the economic, environmental and societal impacts in the long and short term.¹⁹ Some of these treaties pay particular attention to balancing the ability to use cultural heritage resources for economic and employment-based development with the protection of the cultural resources for current and future generations.²⁰ Most of the treaties contain provisions that assist indigenous communities through funding and knowledge transfer that results in sustainable and environmentally protective actions and development.²¹ Relatedly, the modern treaties reviewed often contain an articulated connection between small-scale business and infrastructural concerns as well as for the larger development of infrastructure within the provincial and national communities.²² These terms are contained in many of the self-governance mechanisms created in the treaties as well.²³ Providing for sustainable and technologically advanced industries – and associated employment opportunities – places the modern treaties in a position to assist Canada in meeting the requirements of SDGs 8 and 9.

In relation to cultural heritage and preservation for future generations, it is notable that the vast majority of the modern treaties make significant provisions for the protection of a number of forms of cultural heritage, including tangible and intangible heritage and knowledge.²⁴ Again, devolved powers under the terms of the self-governance agreements play a vital role in establishing the ability of the indigenous communities to preserve, protect and honour their heritage and traditional forms of knowledge.²⁵ Taken together with cultural heritage resource preservation and protection, the sustainable management and use of natural resources in the territories of impacted indigenous communities is critical to advancing intergenerational equity.²⁶ For example, these measures have been

¹⁸ *Inuvialuit Agreement*, *supra* note 6; *James Bay Agreement*, *supra* note 12 at sect 8.

¹⁹ *Inuvialuit Agreement*, *supra* note 6; *Inuit of Labrador Agreement*, *supra* note 5; *Sioux Valley Dakota Agreement*, *supra* note 5; *Carcross/Tagish Agreement*, *supra* note 5; *Gwich'in Agreement*, *supra* note 5; *Tsawwassen Agreement*, *supra* note 5 at ch 9, 16.

²⁰ *Champagne and Aishinik*, *supra* note 5 at ch 13; *Kwanlin Dun Agreement*, *supra* note 5 at ch 13; *Kluane Agreement*, *supra* note 5 at ch 13; *Little Salmon/Carmacks Agreement*, *supra* note 5 at ch 13; *Ta'an Agreement*, *supra* note 5 at ch 13.

²¹ *Tlicho Agreement*, *supra* note 5 at ch 23;

²² *Inuvialuit Agreement*, *supra* note 6; *Inuit of Labrador Agreement*, *supra* note 5.

²³ *Inuit of Labrador Agreement*, *supra* note 5; *Sioux Valley Dakota Agreement*, *supra* note 5.

²⁴ *Inuit of Labrador Agreement*, *supra* note 5 at ch 15; *Carcross/Tagish Agreement*, *supra* note 5 at chs 2, 13; *Gwich'in Agreement*, *supra* note 5 at ch 1; *Champagne and Aishinik Agreement*, *supra* note 5 at chs 10, 13; *Kwanlin Dun Agreement*, *supra* note 5 at chs 10, 13; *Kluane Agreement*, *supra* note 5 at chs 10, 13; *Little Salmon/Carmacks Agreement*, *supra* note 5 at chs 10, 13; *Ta'an Agreement*, *supra* note 5 at ch 13; *Tlicho Agreement*, *supra* note 5 at ch 17; *Maa'Nulth Agreement*, *supra* note 5 at chs 13, 21; *Tla'Amin Agreement*, *supra* note 5 at ch 14.

²⁵ *Champagne and Aishinik Agreement*, *supra* note 5 at ch 24; *Kwanlin Dun Agreement*, *supra* note 5 at ch 24; *Kluane Agreement*, *supra* note 5 at ch 24; *Little Salmon/Carmacks Agreement*, *supra* note 5 at ch 24; *Ta'an Agreement*, *supra* note 5 at ch 24; *Tlicho Agreement*, *supra* note 5 at ch 7; *Tla'Amin Agreement*, *supra* note 5 at ch 15.

²⁶ See *ibid*.

implemented in regards to fish, wild, life and bird species and resources,²⁷ as well as forests and other ecosystem resources.²⁸ Additionally, some modern treaties contain requirements regarding derogation and jurisdiction sharing in regards to waste and other forms of pollution remediation and prevention.²⁹ The terms of the modern treaties which address cultural heritage and natural resources protection directly also relate to Canada's commitments under the SDGs, notably SDGs 11 and 12 ensuring that the resources and heritage passed to the current generation will be available for future generations.

Climate change and related policies play an important, if often unintended, role in modern treaty interpretation. This is perhaps best illustrated by the requirement for the use of environmental impact assessments (EIAs) for indigenous community, provincial and national development activities as well as the need to involve indigenous communities in these EIAs and associated decision-making regarding development.³⁰ Additionally, there are laws regarding indigenous community development and preservation that can also relate to strengthening capacity and resilience.³¹ General EIA requirements are further supplemented by provisions relating to EIAs in maritime contexts in many of the modern treaties.³² This includes provisions requiring the joint administration of maritime resources and implementation of laws and rules by the national, provincial and indigenous authorities.³³ Similar requirements for EIAs and other forms of administration involvement and oversight of development impacting indigenous communities in the context of forests, wetlands and other forms of terrestrial ecosystems.³⁴ Included in these are specialized Wildlife Impact Assessments.³⁵ Related

²⁷ *Tsawwassen Agreement*, *supra* note 4 at ch 9 – 12; *Champagne and Aishinik Agreement*, *supra* note 5 at ch 10, 16, 17; *Kwanlin Dun Agreement*, *supra* note 5 at chs 10, 16, 17, 27; *Kluane Agreement*, *supra* note 5 at chs 10, 16, 17, 27; *Little Salmon/Carmacks Agreement*, *supra* note 5 at chs 10, 16, 17, 27; *Ta'an Agreement*, *supra* note 5 at chs 10, 16, 17, 27; *Maa'Nulth Agreement*, *supra* note 5 at ch 7; *Tla'Amin Agreement*, *supra* note 5 at ch 8; *Inuit of Labrador Agreement*, *supra* note 5 at chs 12, 13; *Carcross/Tagish Agreement*, *supra* note 5 at chs 13, 16, 27; *Gwich'in Agreement*, *supra* note 5 at ch 14.

²⁸ See *Tlicho Agreement*, *supra* note 5 at chs 6, 9, 12, 22; *James Bay Agreement*, *supra* note 12 at chs 5, 6, 7; *Maa'Nulth Agreement*, *supra* note 5 at ch 9; *Tla'Amin Agreement*, *supra* note 5 at ch 12; *Inuvialuit Agreement*, *supra* note 6 at chs 13, 14; *Inuit of Labrador Agreement*, *supra* note 5 at chs 4 – 6, 9; *Carcross/Tagish Agreement*, *supra* note 5 at chs 10, 11, 17, 18; *Gwich'in Agreement*, *supra* note 5 at chs 12, 13, 15, 19, 21, 24, 26;

²⁹ See *Sioux Valley Dakota Agreement*, *supra* note 5 at pt 16.

³⁰ *Ibid.* at pt 16.03; *Inuvialuit Agreement*, *supra* note 6 at chs 11, 12; *Inuit of Labrador Agreement*, *supra* note 5 at chs 10, 11, 17.

³¹ *Inuvialuit Agreement*, *supra* note 6 at chs 11, 12; *Inuit of Labrador Agreement*, *supra* note 5 at chs 10, 11, 17; *Sioux Valley Dakota Agreement*, *supra* note 5 at pt 16.02; *Carcross/Tagish Agreement*, *supra* note 5 at pts 16.9 – 16.11; *Tsawwassen Agreement*, *supra* note 4 at ch 15.

³² *Tsawwassen Agreement*, *supra* note 4 at ch 12, 15; *Inuvialuit Agreement*, *supra* note 6 at sects 7, 8, 13; *Sioux Valley Dakota Agreement*, *supra* note 5 at ch 15.

³³ *Champagne and Aishinik Agreement*, *supra* note 5 at ch 14(6); *Kwanlin Dun Agreement*, *supra* note 5 at ch 14; *Kluane Agreement*, *supra* note 5 at ch 14; *Little Salmon/Carmacks Agreement*, *supra* note 5 at ch 14; *Ta'an Agreement*, *supra* note 5 at ch 14; *Inuvialuit Agreement*, *supra* note 6 at sects 7, 8, 13; *Inuit of Labrador Agreement*, *supra* note 5 at 5, 6, 11, 17; *Carcross/Tagish Agreement*, *supra* note 5 at ch 14, 16, 22, 27; *Gwich'in Agreement*, *supra* note 5 at chs 12, 19, 24.

³⁴ *Inuvialuit Agreement*, *supra* note 6 at ch 10; *Inuit of Labrador Agreement*, *supra* note 5 at chs 4, 7, 10, 11; *Sioux Valley Dakota Agreement*, *supra* note 5 at chs 15, 16; *Carcross/Tagish Agreement*, *supra* note 5 at chs 11, 16, 17; *Gwich'in Agreement*, *supra* note 5 at 12, 13, 15, 24; *Tsawwassen Agreement*, *supra* note 5 at ch 15; *Champagne and Aishinik Agreement*, *supra* note 5 at chs 10, 11; *Kwanlin Dun Agreement*, *supra*

provisions state that, in most instances applicable, it is important to protect and legally recognize the role of bivalves and other forms of marine wildlife for current and future generations within a particular indigenous community and Canada as a whole.³⁶ Of special note for terrestrial resources, the modern treaties contain significant protections for the harvesting of many different forms of wildlife, including those such as caribou, which are of particular import to specific communities and ecosystems.³⁷ Taken together, these modern treaty provisions directly relate to and impact the obligations undertaken by Canada through SDGs 13, 14 and 15 by providing for a thorough evaluation and understanding of the impacts of potential development practices.

One of the enduring elements of the modern treaties is the establishment a variety of governance mechanisms, including committees and boards at the local, provincial and national levels.³⁸ While many of these mechanisms are unique to the needs of the communities and territories over which they have jurisdiction, there are some forms that are fairly uniform among the modern treaties.³⁹ These include joint and cooperative entities for the regulation of hunting and fishing activities, land development, resources management, research activities, and permitting activities.⁴⁰ Not only do these mechanisms ensure equality of participation opportunity, they also promote transparency in the governance processes and the inclusion of accountability at all levels of law, policy, regulation and society.⁴¹ This is essential for passing on equitable and just governance mechanisms to future generations as well as ensuring that future generations exist in a legal system that has entrenched these mechanisms within a sustainable and flexible structure. These provisions and the use of such a wide variety of mechanisms for governance, transparency and accountability at all governmental levels is also an important way for Canada to fulfill its obligations under SDGs 16 and 17.

IV. Conclusions

The modern treaties discussed above offer the promise of greater equity within the context of Canada and the First Nations communities, which is in itself a significant step

note 5 at chs 10, 11; *Kluane Agreement*, *supra* note 5 at chs 10, 11; *Little Salmon/Carmacks Agreement*, *supra* note 5 at chs 10, 11; *Ta'an Agreement*, *supra* note 5 at chs 10, 11; *Tlicho Agreement*, *supra* note 5 at ch 22.2; *James Bay Agreement*, *supra* note 5 at ch 5.1.7; *Maa'Nulth Agreement*, *supra* note 5 at ch 23; *Tla'Amin Agreement*, *supra* note 5 at ch 13.

³⁵ *Inuvialuit Agreement*, *supra* note 6 at ch 13.

³⁶ *Tsawwassen Agreement*, *supra* note 5 at ch 9; *Champagne Agreement*, *supra* note 5 at ch 16; *Kwanlin Dun Agreement*, *supra* note 5 at ch 16; *Kluane Agreement*, *supra* note 5 at ch 16; *Little Salmon/Carmacks Agreement*, *supra* note 5 at ch 16; *Ta'an Agreement*, *supra* note 5 at ch 16; *Maa'Nulth Agreement*, *supra* note 5 at ch 10; *Tla'Amin Agreement*, *supra* note 5 at ch 9; *Inuit of Labrador Agreement*, *supra* note 5 at chs 5, 8, 9; *Carcross/Tagish Agreement*, *supra* note 5 at ch 16; *Gwich'in Agreement*, *supra* note 5 at ch 12.

³⁷ *Inuvialuit Agreement*, *supra* note 6 at chs 14, 24; *Inuit of Labrador Agreement*, *supra* note 5 at ch 12; *Carcross/Tagish Agreement*, *supra* note 5 at ch 16; *Tsawwassen Agreement*, *supra* note 4 at chs 9 – 12; *Kluane Agreement*, *supra* note 5 at ch 16; *Champagne and Aishinik Agreement*, *supra* note 5 at ch 16; *Kwanlin Dun Agreement*, *supra* note 5 at ch 16; *Little Salmon/Carmacks Agreement*, *supra* note 5 at ch 16; *Ta'an Agreement*, *supra* note 5 at ch 16.

³⁸ See generally *ibid.*

³⁹ See *ibid.*

⁴⁰ See *ibid.*

⁴¹ See *ibid.*

for intergenerational equity. In addition, the terms of the modern treaties demonstrate numerous ties with specific areas of law and policy which relate to essential elements for the accomplishment and perpetuation of intergenerational equity.

At the same time, the modern treaties demonstrate ties to the terms and requirements undertaken by Canada as a signatory to and active participant in the SDGs. Indeed, nearly every modern treaty reviewed in this chapter has multiple areas of confluence with the SDGs and their targets. This is of note in itself and offers many potential lessons for ways in which indigenous communities can be brought into the discussion of the SDGs in terms of how they are already functioning to meet the goals and targets prescribed.

Although the terms and historical context of the modern treaties in Canada must be viewed as unique, the lessons to be learned from them in the SDG context are translatable across jurisdictions and policy areas. The framework of analysis used in this project can be instrumental for analysis of other jurisdictions' agreements with indigenous communities – and other forms of sub-national communities – and also for assisting the creating content for new agreements which incorporate the SDGs as methods of understanding and achieving the needs of the constituencies involved.