Impact Benefit Agreements: A Tool for Healthy Inuit Communities?

Aboriginal Policy Research Conference
Ottawa, Ontario
March 11, 2009

Cathleen Knotsch,
Senior Research Officer
and
Jacek Warda,
JPW Innovation Associates Inc.
Background

Roundtable on mining and resource activities in the North
Background

Meeting with Inuit stakeholders following the NAHO roundtable
Background

Negotiating IBA is required on most Inuit lands

**Nunatsiavut** – Labrador Inuit Land Claims Agreement 2005 – IIBAs required


**Nunavut** Land Claims Agreement 1993 – IIBAs required

**Inuvaluit** Final Agreement 1984 – Partnership Agreements required
Background

Economic benefits and community well-being

• Not an automatic relationship

• Economic development not a panacea

• There is a need to formulate goals

• Without implementation, no result
About the Presentation

General overview of Inuit IBAs including international context

• How the process works
• What are good practices
• What are the lessons
• What the future holds
Addressing Community Well-Being

• Social benefits recognized
• ... but not high enough on IBA agenda
• Difficulty to negotiate and attach value metrics
• Negotiation secrecy not helping
Industry:
- Proposes a mine development
- Interested in fast approval

Community:
- Consult and negotiate

Multitude of issues and iterations to consider (Voisey’s Bay 1991-2002)

Deception Bay, Raglan Mine, Nunavik, located near the northern villages of Salluit and Kangiqsujuaq (Photo reproduced by kind permission of Xstrata)
Stakeholder Perspectives

• For Inuit – ensure proper use of land, reduce damages and ensure desired economic benefit

• For Industry – long-term relationships needed for mining project’s success, CSR (reputation), risk mitigation

  • For Government – ensure success of IBA as policy complement

*Meadowbank Gold Project, Kivalliq District, Nunavut, located near the Hamlet of Baker Lake. (Photo: Agnico-Eagle Mines Ltd.)*
Stakeholder Roles

- Government - regulatory function, trustee in process
- Industry – consent and approval, profits seeking
- Inuit land title holders – benefits through profit sharing and social gains

Meadowbank Gold Project, Kivalliq District, Nunavut, located near the Hamlet of Baker Lake. (Photo: Agnico-Eagle Mines Ltd.)
What an IBA Offers

- Legal empowerment tool
- Bargaining tool
- Risk mitigation tool
- Ensures long-term profitability
- Regulatory tool

Recording meteorological data at Xstrata Nickels Raglan operation in Nunavik (Photo: reproduced by kind permission of Xstrata)
IBA Content

**Australia**

Respective rights and responsibilities

‘No go’ areas

Procedures for explorers (environment assessment rehabilitation etc.)

Training and employment

Compensation payable

**Canada-Nunavut**

Human capital development

Business development

Social development

Culture and tradition

Environment impact

Mine exploitation and closure
IBA Negotiations: Lessons Learned

- Learn from others’ experience
- Consult with community
- Be open and transparent
- Know your goals
- Negotiate well-being at par with other benefits
- Ensure effective coordination
- Monitor implementation and relationships
Outstanding Issues

- Increase availability of experienced Inuit negotiators
- Ensure that union agreements do not stand in conflict to IBAs
- Build a sharing culture of the benefits of IBAs
- Include Inuit contractors
- Partner with government in developing training programs
Building Healthy Communities

• Need to preserve culture and traditions of Inuit land owners

• Priority social issues: housing, child care, family counselling and recreation facilities

• In practice, this translates into focus on employment and training
Reasons

• Well-being issues difficult to negotiate – jobs come first

• No clear definition of social well-being: very contextual

• Negotiators’ mindset oriented on direct economic results

• Conflict with government policies and services?
Can IBAs Help?

• Best (and only?) available tool

• Gives power to community

• A flexible tool - communities choose on what and how to spend — community centre, recreation facilities, training etc.

• Impacts future well-being
What is Required?

• Open up the process to let others learn of practices

• Strive for (mutual) trust, understanding and respect

• Ensure that community well-being is top priority in IBA process
Conclusions

• IBA provides recognition of Inuit authority within territory

• Successful IBAs understand and respect the Indigenous land owners, their culture and traditions
Conclusions cont’d

- Well-being still awaits recognition and inclusion
- Is there value in a parallel or dual IBA approach?
- Or having a strong mindset and long-term vision is an answer
THANK YOU

Contact information:

Cathleen Knotsch, Email: cknotsch@naho.ca

Jacek Warda, Email: j-warda@rogers.com