

# The Minerals Industry and Aboriginal Communities: Building partnerships beyond the legal framework

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PDAC



PROSPECTORS &  
DEVELOPERS  
ASSOCIATION  
OF CANADA

# PDAC: Canada's National Association with a Global Reach

## Vision

A competitive Canadian exploration and development industry that operates responsibly around the world to find the minerals and metals that are essential to modern life.

## Mission

- Sustain a vibrant and responsible Canadian mineral exploration and development industry.
- Support the Canadian exploration industry as it operates around the world to secure access to land, skills and capital.



# PDAC Aboriginal Affairs Program: a key priority

Established in 2004 – response to changing landscape

Works to support greater understanding and co-operation between Aboriginal communities and the mineral industry in Canada

Improve relationships between the minerals industry and Aboriginal peoples



**Access to Land**

Enhance Aboriginal Participation in the minerals industry



**Responsible Industry**

# Government – Aboriginal Peoples – Minerals Industry

## ...the legacy

Minerals  
Industry

Lack of trust  
No / Poor Relationships  
Low Support for Projects

Government

Aboriginal  
Communities

- No Recognition of Rights
- Excluded from Processes
- Little-No Project Benefits
- Poor Socio-economic Conditions

# Government – Aboriginal Peoples – Minerals Industry

## ...the legacy

### Legacy Impacts On:

Rights

Trust

Project Support

Benefits from Projects

Capacity Building

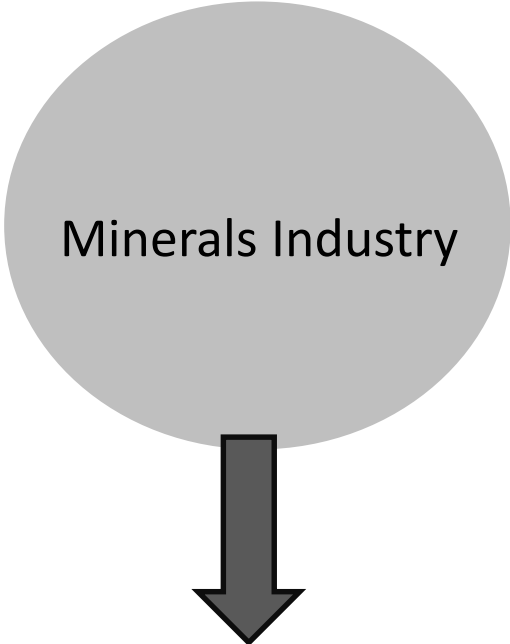
Relationships / Partnerships

Accommodation

# Government – Aboriginal Peoples – Minerals Industry

## ...the evolving landscape

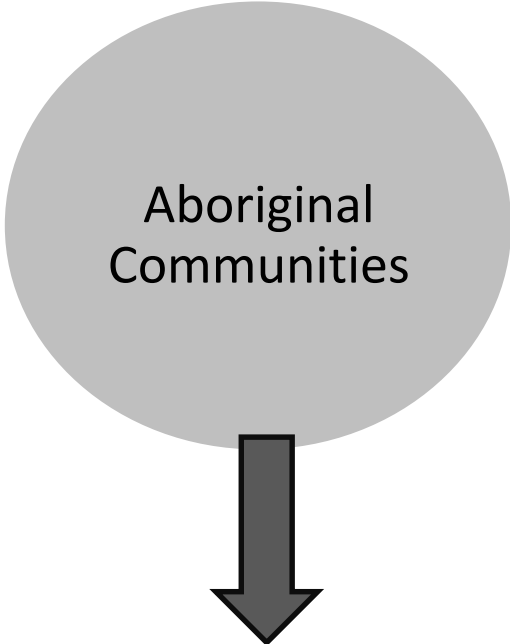
### Parallel Shifts



Minerals Industry

Community Engagement  
Social License

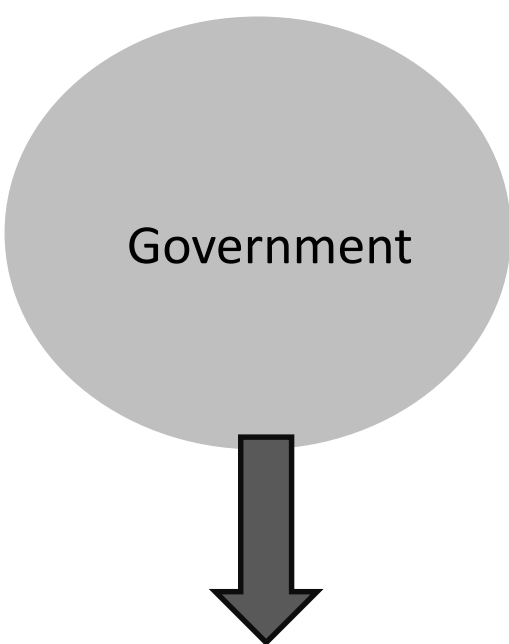
Project Agreements



Aboriginal  
Communities

Section 35 Rights

Increased Participation



Government

Recognition and Protection  
of Aboriginal Rights

Public Policy Changes

# Government – Aboriginal Peoples – Minerals Industry

## ...the evolving legal landscape

### Legal Framework

- Land claims / modern treaties
- Enshrinement of Aboriginal and treaty rights in the *Constitution Act, 1982* and the subsequent evolution of Aboriginal rights jurisprudence
- Duty to Consult and Accommodate
- Permitting and Environmental Assessment processes that include Traditional Knowledge or Aboriginal interests

### Policy decisions

- Capacity Funds
- Government Resource Revenue Sharing

# Government – Aboriginal Peoples – Minerals Industry

## ...ongoing challenges

### Land Claim Agreements:

- Time & cost for negotiations
- Implementation
- Co-management

### Duty to Consult & Accommodate:

- Determination of trigger, scope and nature of consultation
- Identification of communities to be consulted
- Roles & responsibilities - delegation to proponents
- Consultation costs
- Establishing and adhering to timelines for consultation and decision making
- Consultation adequacy
- Accommodation



# The Minerals Industry and Aboriginal Communities in Canada

A group of workers in safety gear standing in a mountainous, snowy landscape. The workers are wearing high-visibility vests and hard hats. One worker in the foreground has 'SHAWN' written on his vest. The background shows a large mountain with patches of snow and a forested valley.

**Commitment to company – community  
partnerships**

**Partnerships build better projects**

# The Minerals Industry and Aboriginal Communities in Canada

## ...the landscape

- Community engagement practices
- Discuss / consider interests and impacts; mitigation measures developed in partnership with communities
- Voluntary company-community arrangements throughout development sequence
  - Training
  - Education supports
  - Employment
  - Capacity support to participate in projects
  - Contracts / local procurement
  - Community development supports
  - Financial contributions

# The Minerals Industry and Aboriginal Communities in Canada

## ...towards leadership

Early and ongoing engagement

Information exchange - shared understanding

Respect and trust

Transparency

Dialogue - Identifying and accommodating impacts

Shared decision-making

Creative approaches

Implementation



Social licence / support for project

Socio-economic development

Employment / local workforce

Training / skills development – capacity

Reduced project costs and timelines

Reduced risks for projects

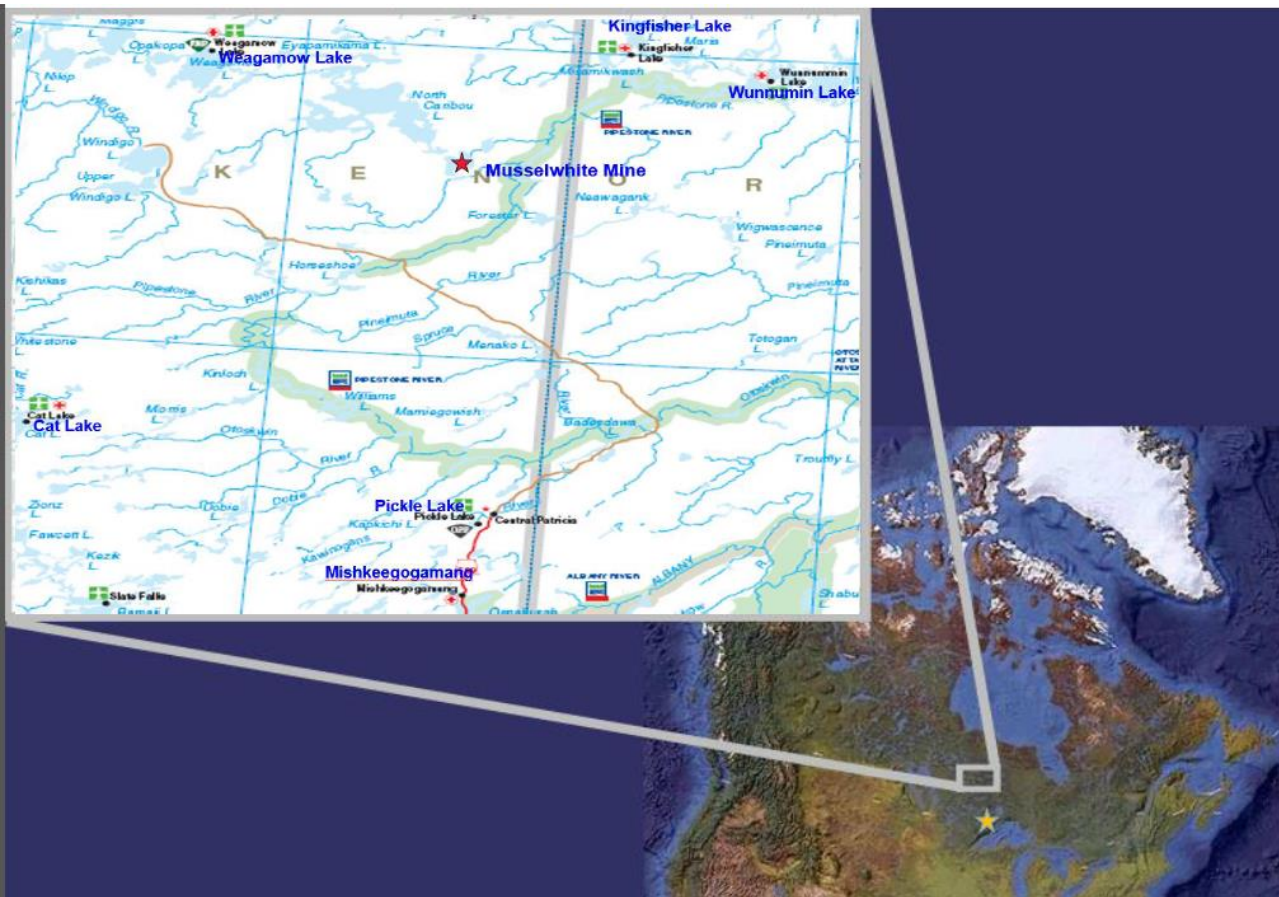
Community knowledge / traditional knowledge

# The Mineral Industry and Aboriginal Communities in Canada

## ...leading the way

Company – Community Agreements: Canada as a leader

Goldcorp, Musselwhite Mine, Ontario



**GOLDCORP**  
MUSSELWHITE MINE

# The Mineral Industry and Aboriginal Communities in Canada

## ...leading the way

Corporate Commitment: Creative approaches to engagement

Sabina Gold & Silver Corp., Back River Project



# The Minerals Industry and Aboriginal Communities in Canada

**...leading the way**

Building Community Capacity:  
Sustainable development planning and participation  
Wahnapiatae First Nation, Ontario



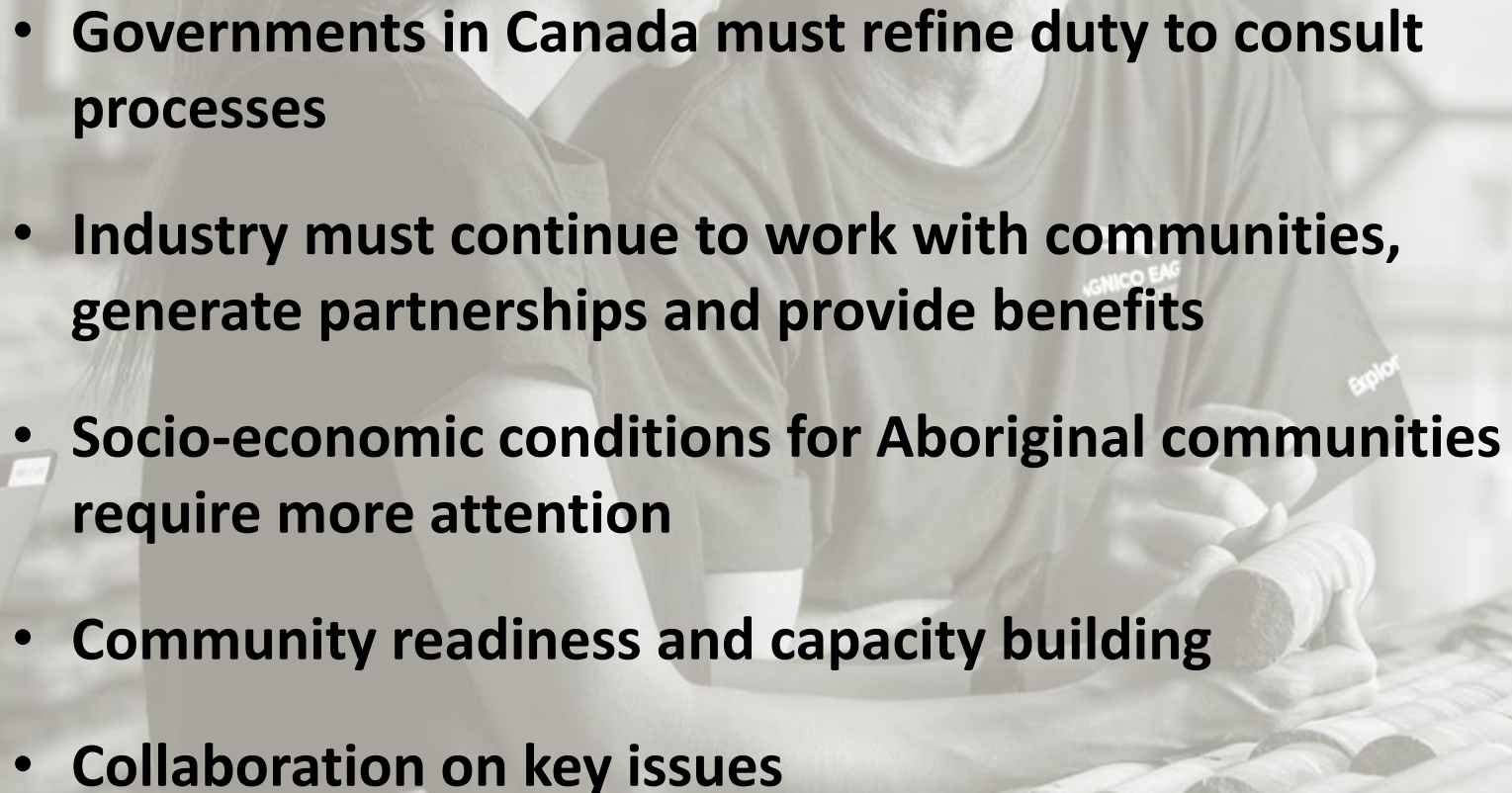
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GUHKINA G'DOO AHNKOOB ICHIGOO MEH - WE ARE ALL CONNECTED

# The Minerals Industry and Aboriginal Communities in Canada

## ...the evolution continues

### Moving Forward:

- **Governments in Canada must refine duty to consult processes**
  - **Industry must continue to work with communities, generate partnerships and provide benefits**
  - **Socio-economic conditions for Aboriginal communities require more attention**
  - **Community readiness and capacity building**
  - **Collaboration on key issues**
- 

# Thank You!

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