

# **Committing to consultation and community relationships: Holding industry and government accountable**

**Janine Lightfoot**

*Jane Glassco Arctic Fellow*

**COMMITTING TO CONSULTATION  
AND COMMUNITY RELATIONSHIPS:  
HOLDING INDUSTRY AND  
GOVERNMENT ACCOUNTABLE**

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## Janine Lightfoot

*Jane Glassco Arctic Fellow*

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Janine Lightfoot was raised in Makkovik, Nunatsiavut, a small community in Northern Labrador. She was raised primarily by her grandparents who taught her to appreciate the land and how to use it. At a very young age, Janine would travel with her family members to fish and hunt throughout the year. Janine credits her grandmother, Clara, for instilling knowledge in her to help with the struggles of Inuit in her region. Clara is one of many who were forcibly relocated from their homes in Hebron and Nutak (at the northern tip of Labrador) in the 1940s and 50s to communities further south, thereby having no choice but to learn English and cope with mainstream ideologies.

### *Education*

It was this history that enticed Janine to pursue a post-secondary education in native studies and political science. She obtained her undergraduate degree from St. Thomas University in Fredericton, N.B., where she took part in the Native Student Council and other social justice organizations in the surrounding area. She had the opportunity to study under two accomplished professors, Dr. Roland Chrisjohn and Professor Andrea Bear-Nicholas, who dedicate their time into teaching and struggling to unveil a historical materialist approach to understanding indigenous and mainstream issues worldwide.

### *Fellowship Focus*

Given this background, Janine has chosen to focus on resource development in Labrador and the adverse effect it has on the Inuit and Innu populations. She has examined the consultation processes that uranium companies adhere to and studied these issues from a historical materialist understanding.

# Table of Contents

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<i>Table of Contents</i>	4
<i>Overview</i>	5
<i>The Issue</i>	6
<i>The Companies</i>	8
1. Nunatsiavut/Inuit and Uranium	8
2. Sheshatshiu/ Innu and HydroElectricity	9
<i>Historical Materialism</i>	11
<i>Consultation</i>	13
<i>Uranium</i>	15
Summary	15
<i>Recommendations</i>	17
Consultation	17
Alternative Energy	17
Government Provisions	18
<i>Endnotes</i>	19

# Overview

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The end goal of this policy paper is to provide a different perspective in relation the red hot topic of resource development in the North. Unlike many other articles that may appear on the desks of right-wing politicians, or pieces chosen by mainstream media sources; the issue is not economic development. Rather this document will shine light on an approach that is not common or popular. One will find recommendations to those involved in developing, changing and approving various legislations surrounding resource development in Labrador. This paper will also focus specifically on policies as it pertains to Nunatsiavut (Northern Labrador) Inuit and Labrador Innu, both of whom are indigenous to various territories throughout Labrador. The majority of Nunatsiavummiut or people from Nunatsiavut are recognized as Inuit or Kablunangajuk<sup>i</sup> (of non-Inuit ancestry), and Innu are recognized as First Nations and various policies apply to both peoples according to their legal definitions. Though policies apply in different ways to Inuit and Innu, living conditions and colonial histories have a striking similarity. This paper will explore the current policies affecting Inuit and Innu as well as provide a historical materialist methodology for understanding the current standards of living, not just among indigenous populations as well. With this approach, it is my hope that it will clearly illustrate the reasons that so many indigenous are subject to the issues that plague our communities today.

# The Issue

There is no doubt that many different Aboriginal organizations have many different approaches to solving some of the issues in our communities. It would be good practice to comprehensively explain that my intentions in writing this paper is not to provide a cure-all solution to a problem deeply rooted in colonial methods of assimilation. The conclusion that I would like for my audience to take away is a history and methodology not commonly recognized by mainstream institutions. I firmly believe that a problem cannot be solved without first exploring the root causes. So, what I am offering is a chance for people to grasp this examination and open the minds of those who truly have an interest in changing the lives of those who live in the North, for the better. We should first recognize the colonial impositions that still play a significant role in perpetuating our traumatic state, and once we have clearly observed these roles, it is then, when we can start to talk about solutions. Therefore, these ideas of economic development and mining in northern communities have a lot of serious implications on the populations surrounding the project and financial prosperity should not be the greatest incentive to proceed with mega projects, particularly when consulting with indigenous populations is fundamental.



Figure 1.1 – The above image indicates the area of Northern Labrador that falls under the Labrador Inuit Land Claims Agreement, often referred to in this paper as “Nunatsiavut”.

This combination causes much controversy over the topic of mining as it creates short-term employment but long-term environmental impacts.

Near the community of Makkovik and Postville (see figure 1.3) on the north east coast of Labrador, there have been recent and renewed efforts to develop uranium mines, which are legally on located on Labrador Inuit Lands. Some of the major players interested in uranium include *Aurora Energy Resources*, *Bayswater Uranium Corporation*, *Cross-Hair Uranium* and *Mega Uranium*. The company with the most active presence in Nunatsiavut communities is Aurora Energy Resources. In inland central Labrador, there have been proposals to develop a hydro-electric dam called ‘the

Figures 1.1 and 1.2 display the vast territory of Labrador. Though our land mass covers a wide area, Labrador’s population is very small. Therefore, any mega projects that have been, and will continue to be proposed has a huge effect on our small population. The cost of living in our northern communities is very high and employment rates are low (though it has been lower in the past), this causes desperation among many families to find full-time and part-time employment to provide for their



Figure 2.2 – The above image indicates where the Innu of Labrador are situated. This paper will put a concentrated emphasis on Sheshatshiu, NL in central Labrador.

Muskrat Falls project.’ The main developer interested is *Nalcor Energy*. Central Labrador is an area historically inhabited by the Innu; their traditional territory also crosses the border into Quebec.

In the realm of information sharing in Nunatsiavut is limited to what has been provided by Uranium companies’ and by the Nunatsiavut Government. The problem with this is that both parties have a financial interest in the outcome of a decision to approve a Uranium mine. A mine, whether it be uranium, nickel or otherwise, would be party to an Impact and Benefits Agreement with the Nunatsiavut Government, much like the *Voisey’s Bay Nickel Mine*<sup>ii</sup>. An Impact and Benefits Agreement would assist the Nunatsiavut Government in areas such as capacity building, economic development, social initiatives and list goes on.

Needless to say, the company party to an Impact and Benefits Agreement would benefit financially. As a result of such interests, the Nunatsiavut Government had sought out a consulting company in the summer of 2011 to provide neutral information (information that is neither pro or anti Uranium mining). *Golder Associates* was contracted to provide Nunatsiavut Government Assembly members with information regarding Uranium mining in a week-long workshop in Goose Bay, Labrador. Golder Associates had worked with another Inuit government regarding similar issues. It had been hired to consult with the Government of Nunavut; it became apparent that the information that was provided was neither reliable nor impartial. The document *A Flawed Foundation: Golder Associates “Uranium in Nunavut Review”* states “the Government of Nunavut presented Nunavummiut with precisely one background document for them to prepare for its review of the current uranium policy. Unfortunately it is deeply flawed – biased, inaccurate, and incomplete – and seriously misrepresents the realities of uranium mining and its impacts, from exploration to mining and processing through to the end uses of the uranium produced.”<sup>iii</sup> This example is one case where misinformation had been distributed and thereby vulnerable to criticism. Policies surrounding these mega projects therefore need to be critically examined to ensure that the public interest is well-informed.

*“Unfortunately it is deeply flawed – biased, inaccurate, and incomplete – and seriously misrepresents the realities of uranium mining and its impacts, from exploration to mining and processing through to the end uses of the uranium produced.”*

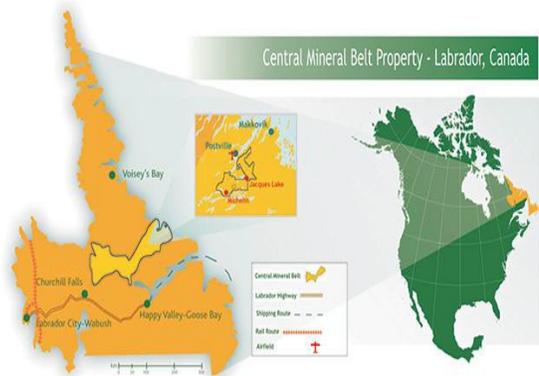
*Jamie Kneen  
Mining Watch Canada*

# The Companies

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## 1. Nunatsiavut/Inuit and Uranium

There are a number of Uranium companies who have been exploring for Uranium in and around the Makkovik and Postville area of Labrador. These companies have also been active in providing residents with updates with what types of projects have been completed as well as what kinds of projects that are of interest to these companies. Most notable and active Uranium Exploration/Mining companies in this region include *Aurora Energy Resources (Aurora)*, *Mega Uranium*, and *Bayswater Uranium Corporation*. Each of these companies has boasted that Uranium exploration and mining is 'environmentally friendly' and new technology has improved greatly from what has been used in the past. Though part of this is true, there are still many dangers involved with Uranium mining that cannot be prevented even with the greatest and safest technologies due to the complexity of Uranium as a heavy metal, particularly in its breakdown into tailings; a mantra not unlike the next company of interest, *Brinex Ltd (British Newfoundland Exploration Limited; a subsidiary of Brinco)*. *Brinex* operated near Makkovik from the 1957 into the 1970's, off and on depending on the cost of Uranium and the amount of Uranium that was found during this time. *Brinex* employed local residents during its exploration operation, however, due to the dramatic fall in the price of Uranium during this time, the operation was shut down. In an information summary compiled by *Brinex* entitled "KITTS-MICHELIN Project, Labrador" of June 1979, page one under the heading labelled "Introduction", it begins: *Energy self-reliance is one of Canada's primary goals and Uranium mining provides a tremendous potential for energy generation and self-reliance in future years. Brinex proposes to construct and operate a uranium mining and concentrating facility in Labrador, about 100 miles north of Goose Bay.... The plant will be modern, clean and safe and will have a good economic impact on Labrador.*<sup>iv</sup> In the community of Makkovik, residents have expressed environmental concerns surrounding the Kitt's Pond area that *Brinex* has operated. This prompted a response by the community to conduct an environmental health impacts study in partnership with other educational institutions. There has been much support in what information will come of this support as it has not yet been completed.



*Aurora Energy Ltd (Aurora)* has a similar message of ensuring environmental responsibility but the company goes a bit further to ensure that it not only need approval from various levels of government, but that it also needs to be accepted by the communities in this area. *Aurora* states that it needs acceptance from community members that the negative effects on the environment will be minimal.<sup>v</sup> *Aurora* has done many things in the way of consulting with Nunatsiavut Inuit. *Aurora Energy* does employ residents from various communities throughout Nunatsiavut, particularly in the Makkovik – Postville area (communities in closest proximity to the proposed site) to engage with residents in the consultation process through a number of initiatives such as hosting an annual volleyball tournament in Makkovik (an effective outlet to reach the youth

population), conduct phone calls to remind residents of upcoming community information sessions, sponsoring various community events and initiatives and being available for questions that the community may have. However, this relationship with the community is not entirely altruistic, there is a specific interest in investing in these communities as *Aurora* has proposed to develop a multi-million dollar site to store tailings ponds directly in Labrador Inuit Lands.

At face value, this could also be a great investment for a community as well, particularly a community who has seen its fair share at economic hardship and poor employment rates annually. In fact, this could be viewed as an opportunity to change things for youth who are eager to obtain a formal education to gain consistent employment. Governments, schools and other institutions have promoted the trades to the Aboriginal populations as a secure and prosperous career. However, if one were to examine resource development, such as uranium mining, in depth, one would find many studies associated with the negative social implications of resource development and poverty stricken areas. The underlying issue, in this case, would be that these poverty stricken areas have been, in some way, been subject to policies of the colonial power.

Resource development is a lot more complicated than just job creation, prosperity and security. And I consider this idea of employment and economic growth to be a smoke screen to distract our people from the environmental effects that it will have on our lives. I would be paraphrasing Professor Andrea Bear Nicholas, chair of the Native Studies Programme at St. Thomas University when I say that multi-million dollar resource development corporations have a specific interest in the land; and the poverty in our Aboriginal communities are exploited by making these promises of jobs. They offer no other options because they have a vested interest in the outcome of any decisions that rest with the Aboriginal group.

To some, this would be considered highly controversial. But, given the history suffered by our neighbours, the Innu. This notion and theory would not be far from the truth. To avoid relationship breakdowns between Aboriginal populations and Provincial/Federal Governments, it would be crucial to shine light on past relations and what can be learned from them.

## **2. Sheshatshiu/ Innu and HydroElectricity**

“The Muskrat Falls Project” has been a prominent issue in various news media outlets, especially in Newfoundland and Labrador. This mega hydroelectric dam has been widely promoted as ‘green energy.’ *Nalcor* has proposed that “the Lower Churchill Generation Project's two proposed installations, Gull Island and Muskrat Falls, will have a combined capacity of 3,074 MW and can provide 16.7 Terawatt hours of electricity per year.<sup>vi</sup> Coincidentally, this project will effectively flood traditional Innu land. The Churchill River has been one the Labrador Innu’s main source of sustenance for thousands of years, so this project has prompted a response of frustration from many Innu residing in Labrador. Like the Inuit in Nunatsiavut, the Innu in Sheshatshiu, NL are facing similar challenges with *Nalcor Energy*, a Crown-owned hydro power corporation that services Newfoundland and Labrador. “The New Dawn Agreement”<sup>vii</sup> was reached between the Innu Nation and the Province of Newfoundland and Labrador to recognize Innu Rights to the land and development of the Lower Churchill River in central Labrador. The representatives who reached this agreement also upheld the promise of economic prosperity and job creation for the Innu of Labrador. However, considerable dispute arose over the consultation process that took place in their territory, or the lack thereof, according to Innu

Elder, Elizabeth (Tshaukuesh) Penashue. Penashue has tried to assert and protect her rights as an Innu woman for years, while trying to also pass this knowledge on to the younger generations. In an interview with CBC's Labrador Morning on 24 November 2010, Penashue and a group of Innu women led a protest to oppose the "New Dawn Agreement" because they stated that they were not informed of the decision by their leaders to accept this agreement.<sup>viii</sup> There were criticisms that this process was happening too rapidly to get information to those who may be affected. This seems to be a common theme regarding resource development and consultation with Aboriginal people across nationally and internationally. This theme also is not a new issue for the Innu.

Much of this hostility has been born out of the Upper Churchill deal as well. The province of Newfoundland under the administration of Joey Smallwood struck a deal with the province of Quebec in 1969 that was considered to be one of the worst agreements in this province's history, with very little economic benefit for what was then the province of Newfoundland. But, one can argue that no one suffered more than the Innu whose land was stolen and whose river was dammed without any consultation. *"The Innu suffered irreparable losses without warning or compensation after the development destroyed ancestral lands, hunting grounds, and burial sites they had used and depended on for generations."*<sup>ix</sup> This is a clear example of a disaster that could have been avoided if governments decided to take the time to consult with the original inhabitants of the Churchill River. Governments had the opportunity to build a respectful relationship with a people whose deep respect and appreciation for the land has taught them to sustain themselves since time immemorial.

Like the Innu, Nunatsiavummiut have such close ties to the land. Our history was and continues to be created on the land, how it was used or more specifically to my point, how it was not used. Practicing our old ways is becoming increasingly limited with new technologies being developed and more companies coming to our territories in search of their own economic prosperity. But, unlike the capitalistic interest of Uranium and Hydro-Electric corporations, we have an environment here that we are entirely dependent upon to preserve our culture. We, the indigenous populations have ways entrenched in our histories to preserve knowledge for the future.

# Historical Materialism

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Historical Materialism is an odd term for those who are not familiar with it, maybe even controversial for those who are. In any event, I have chosen to take this approach because it best illustrates this society we have come to live in. My focus throughout this section of the paper will be geared more toward Inuit because of my own connection. Though I have established a disclaimer of what I hope to accomplish in producing this document, I want to reiterate the fact that not all Inuit would be receptive to this approach. However, it is in my opinion that historical materialism creates a logical understanding of our current state in today's environment. It offers the understanding that we have social and economic hardships because of our relationship with capitalism and all of the ramifications that followed. It also does not suggest that Indigenous people have become dependent on western ideologies and materials through some strange, emotional and unavoidable phenomenon. This methodology clarifies that it was no mistake how I came to live in a completely different world than my grandmother and her grandmother and so on. Historically, Inuit in Labrador survived and thrived in an environment that was so unforgiving that it continues to astonish scientists to this day. Inuit, among all indigenous peoples, have forms of technology that allowed us to adapt to various changes in environment and still provide for our families. It is common knowledge that our ancestors would only take what we needed from the land because it would not be practical if they took more than they could handle before the season was out. Inuit lived a bountiful life on the land. This message is echoed loud and clear to me when I hear elders from my region talk about the days when they would use a dog team to travel and hunt, or where appik (or cloudberry) are plentiful, or what medicines are good for ailments, and the list goes on. Many Labrador Inuit are still very dependent on the land as a source of heat (wooding) and food. Modernity has transformed many aspects of community life in Nunatsiavut, but our traditions have proven to be the most reliable source of sustaining ourselves.

Historical Materialism is a term coined by Marx. I know that some readers may be alarmed by my use "the 'M' word," but this theory is one I find to be most fitting in this case. Basically, it suggests that Marx's idea of *Historical materialism looks for the causes of developments and changes in human society in the means by which humans collectively produce the necessities of life. The non-economic features of a society (e.g. social classes, political structures, ideologies) are seen as being an outgrowth of its economic activity.*<sup>x</sup> When taking all contributing factors into mind, materialism serves as the only determinable cause that can be measured. In other words, the material history of an area determines the social factors that we, as a society, see today. A clear and personal example of this is the history of relocation in Labrador of Inuit. My grandmother was one of many Inuit who were forced to relocate from Hebron (north of Nain, NL) to Makkovik, NL. The church and government were responsible for this forced relocation as it was their legislated mandate. One of many excuses they gave for justifying the move was that, the cost of food was too high to service the community and residents run the risk of starving. Once they were moved from their homes and relocated to a southern community, their traditional knowledge and language were devastated. So, their children and their children's children were then unable to learn about Inuit ways specific to their territory. They were then forced to speak English, thus being robbed of terminology that can only be illustrated in their mother tongue.

To ensure I have not confused anyone by using language that is broad rather than specific to my topic, let me be frank; I am talking about the process of colonization and historical materialism. We have often heard of colonizers who claim that they were “victims of their times” and that “we live in a very different world today”. This is not true purely based on the fact that I still write this piece in English, I am still using technology that is not specific to my culture, but part of the dominant culture and I am still working to change policies that affect our ways of life. Institutions such as churches, schools and various levels of government are responsible for the creating a huge disconnect between Inuit and our traditions, Inuit and our language and Inuit and our land. Various levels of government have made it difficult for us to protect any tradition and languages through various legislations involving language, environment and political structure. Moreover, it has created considerable financial obstacles for us to find ways to pass on this knowledge to our younger generations through policy and legislation. In the 1960’s right on up into the 1990’s, it was residential schools that removed Inuit from our traditions and language. Things have not changed much since these days of operational conquest and assimilation. Residential schools are not currently in operation in Nunatsiavut, but colonialism still takes place through policy, namely educational policies. For example in present day, we do not have Inuttitut immersion schools because of the cost to have these schools in our area, and our language consequently being killed through bureaucracy. We have determined a need for Inuttitut revitalization, in fact, we determined the need many years ago, and still we have only English schools with the option to take Inuttitut immersion up until grade 6, if one is fortunate enough to live in the one community that offers this. Why is this? It is my belief that governments and corporations have an economic incentive to create these obstacles. For example, if we as Inuit maintain our ways of life and continue to use the land and continue to talk in our native language, then we will start to understand why we need to preserve the land for future generations. Much like in the days of residential schools and colonization, Inuit (and Labrador Innu alike) are in the way of economic prosperity. So, through policy and legislation, governments have found ways to assimilate Indigenous community into the mainstream. The solution to ensure that governments can receive royalties from companies and corporations, is to ensure that Inuit do not live a traditional way of life. In order to change this, Canadian law and political processes need to be changed drastically.

# Consultation

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The interpretation of consultation that I will offer can be considered to be three-tier, meaning it will involve three parties; the Federal Government, the Provincial Government and our regional governments. The duty to consult is still a complex issue in Canadian context, in fact, one that has not been clearly defined and is open to interpretation and analysis. This is something that I consider to be incredibly problematic, particularly in relation to Indigenous lands and resources.

Canada is a member of the United Nations, this common knowledge. Canada prides itself as being a champion of Human Rights. However, what is not common knowledge (due to several factors) is the history that Indigenous peoples have had with the Canadian nation. Even though Canada plays an active role within the United Nations forum, it regularly violates many concessions without any notable, legal implications. This is apparent in ILO (International Labour Organisation) Convention 169; to be more specific, Article 6 of ILO Convention 169. It clearly states:

*Article 6:*

1. *In applying the provisions of this Convention, governments shall:*
  - a) *Consult with the people concerned, through appropriate procedures in particular through their representative institutions, whenever consideration is being given to legislative or administrative measures which may affect them directly.*

International documentation requires governments to uphold, at least on paper, an agreement in the interest of those who could potentially be impacted by 'development.' Similarly, in a Canadian context, the relationship that Indigenous people have had with a dominating legislative body has made its way to the highest court of the land. Thomas Isaac offers an interesting observation in his book "Aboriginal Law: commentary, cases and materials" Isaac, along with many others, are keen to the fact that the Crown offers little in the way of establishing a process that offers clarity, consistency and transparency in their dealings with Indigenous populations. He says that:

*"In Delgamuukw the Supreme Court of Canada began its discussion of the Crown's duty to consult by noting that the fiduciary relationship between the Crown and Aboriginal people may be satisfied 'by the involvement of aboriginal peoples in decisions taken with respect to their lands.' Note the use of the word 'involvement' and not, for example, the word 'approval' or 'veto,' and the use of the word 'may' and not 'must.' This demonstrates the Court's attempt to set out an analytical framework for interpreting existing Aboriginal and treaty rights that is, on the one hand, not absolute but, on the other hand, affords these rights adequate and fair treatment by governments."*<sup>xi</sup>

This is an important point to consider as the language that is used is very broad and undetermined. It leaves room for Provincial governments to make statements and decisions without consulting with its population, as is the case with the Lower Churchill development. Taking a step away from Indigenous peoples and consultation, we will look at the non-Indigenous population of Newfoundland and Labrador and the reaction that took place in Labrador to the deal between the Newfoundland and Labrador government and Nova Scotia's Emera Inc<sup>xii</sup>. The greater public expressed huge discontent with the deal. Former Liberal MP Todd Russell expressed his dismay with the way the Provincial government handled the deal within their own province.<sup>xiii</sup> Labradorians have voiced their concerns quite loudly in opposition of the Lower Churchill/Muskrat Falls development project, stating that it will be of very minimal benefit to those who use this river. Coastal Labrador would not receive any of the generation as most of the energy would be transferred to the Maritimes and along the eastern seaboard of the United States.

The same can be said for a News Release that had been published in 2008. In discussions to establish a Uranium Committee here in Makkovik, this media release was brought to my attention by a concerned citizen of Makkovik who was not a beneficiary of the Labrador Inuit Land Claims Agreement. The then Minister of Natural Resources (now Premier) for the province of Newfoundland and Labrador, Kathy Dunderdale made a declaration relating to the Nunatsiavut Government moratorium on Uranium mining:

*"From our perspective, we are confident in our approach to managing uranium development and the regulatory role the Canadian Nuclear Safety Commission has over uranium mining in Canada. I want to ensure the mining community is aware that the rest of the province remains open to uranium development while the Nunatsiavut Government goes through this process."<sup>xiv</sup>*

There is no documentation indicating a consultation process with constituents of the Province, and as a representative of the people of Newfoundland and Labrador, it would have been suitable if the Minister were to first take measures to ensure that this message was first endorsed by the general public.

The Nunatsiavut Government is very young in terms of their establishment as a self-governing body, therefore it would not be unusual for there to be serious concerns regarding consultation processes. But, it would be prudent of the Nunatsiavut Government to understand best practices when it relates to public interest and this would mean examining the experiences of other Aboriginal governments and ensuring that the same errors do not occur.

# Uranium

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The issue of Uranium mining or Uranium exploration is certainly not a new one. Nor is it a concern that is specific to Indigenous populations. It is no surprise that environmentalists, scientists, physicians and defenders of the land see Uranium as deadly. The tailing ponds have notoriously poisoned the environment, the half-life of radium is thousands and thousands of years and it is a heavy metal capable of burning up lakes, trees, and killing animals. Nuclear side effects have proven to cause birth defects in infants and create cancerous cells throughout the human anatomy.

In meeting with various other individuals who head many other organization, messages similar to Mr. Learning's became quite clear. I had the opportunity to talk with Inka Milewski who is originally from Elliot Lake, ON, which is a former Uranium mining town. Ms. Milewski has dedicated her career to research the health and environmental effects of Uranium mining and development. She has produced a number of articles (including two entitled "Cancer: in New Brunswick communities. Investigating the environmental connection) that highlight cases the high rates of cancer in various cities and towns throughout New Brunswick. In each piece, recommendations to focus attention on environmental risk factors have been the key. Furthermore, suggestions were made to request that the Minister of Health and the Minister of Environment work with each other to identify these possible risk factors.<sup>xv</sup> In my conversation with Ms. Milewski, she stated that governments need to fully disclose information to the public regarding health concerns surrounding resource development. At this point, they are not required to do so and this needs to change.

## Summary

Making note of all of these factors that have been linked to resource development and Aboriginal people, it is my hope that one can take away a clear message. Until it is recognized that governments and corporations are imposing conditions on Aboriginal populations that have an assimilationist affect, and strip Indigenous peoples' of their inherent rights to the land – we, the Aboriginal population will continue to live in poverty because we have been forced to become dependent on a system that is based on capital rather than being dependant on renewable resources that have sustained our ancestors since time immemorial. Until we recognize that if one treats the land as a commodity, we will never be able to preserve traditional knowledge. And until we recognize the money is not the solution to our problems, then future generations will not have the options that we have right now to protect what has been passed on to us from our grandmothers and grandfathers. Economic development and capital have never proven to be a secure method of survival. For Inuit, it has harmed us more than it has ever helped us by making us dependent on a system unknown in our history, one that has robbed us of our traditions and language. In fact, if provinces such as British Columbia and Nova Scotia have put in place policies that ban the mining of Uranium, then it should be considered a clear message that the negative effects of Uranium far outweigh any financial compensation that comes with such a project.

We also have to recognize the consultation is a process that is required by companies to ensure that no human rights have been infringed, rather than a process that is based on courtesy. When this process is not clear, consistent and left up to interpretation by the courts, then it leaves room for agreements and deals to be signed under duress; as was the case of the Innu of Labrador with the “New Dawn Agreement” and what I am afraid will be the case with the Nunatsiavut Government and *Aurora Energy Ltd* if action is not taken. Consultation cannot be undertaken by a company by itself, there needs to be consistent consultation carried out by those representing the Aboriginal group to their beneficiaries as well as consultation by the Provincial government.

I have chosen the title “as part of our ongoing commitment to community relationships...” because it is one I find to be most fitting in the arena of resource development and Labradorimiut. Historically, governments have not represented us well and now have an opportunity to change all of that. It is my hope that I have provided an explanation that is realistic and that people can understand. Sure, it is not a popular one; it may even be a controversial one. But, if we want to create change in the north, we need to step away from things that have already been done and have not been successful in bringing down the rates of suicide, rates of violence and rates of poverty. We need to stop pursuing policies that do not serve us. What I am offering is a new way of thinking about the things that influence our everyday lives, whether it is the economy, traditional knowledge, or community relations. Mary Simon, President of Inuit Tapariit Kanatami, along with other Inuit leaders, have said it time and time again that Inuit have quite a remarkable ability to adapt to change. It is true. But, it is also important to recognize that change has not always helped us and that we were brought into many changes without our consent – and until we recognize that fact, then we will continue to find it difficult to teach the younger generations what needs to be preserved and protected in the future to ensure a better life.

# Recommendations

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It would be important to note that recommendations are based on the best interest of public interest as well as the interest of the Nunatsiavut Government, Provincial Government and Federal Government.

## Consultation

1. The Nunatsiavut Government should make provisions to provide funding to conduct baseline studies to any communities who live on or near a proposed Uranium exploration site prior to any exploration activities. This funding should go to the community based committees, volunteer organizations and health organizations.
2. Authorities responsible for the Land Use Plan, including the Minister should actively engage in community consultations at least once a year to update, at least; twice a year, at most to:
  - a. update residents of the communities in Nunatsiavut on ongoing mining developments, exploration developments, and/or proposals of land use.
  - b. to hear any concerns that these residents may have. If there are concerns over costs associated with rigorous traveling, then it may want to consider funding from revenues from ongoing mining operations, or to incorporate these costs into the fiscal financial negotiation process.
3. The consultation process should involve Nunatsiavut Government community information sessions, use of local media (radio and television where available), in both English and Inuttitut, whereby the current Ordinary Member of the Nunatsiavut Government Assembly would act as the representative. The representative would develop newsletters and other user friendly public materials to ensure that beneficiaries have every feasible opportunity to be informed of any updates regarding any projects involving the Labrador Inuit Land Claims Agreement.
4. To ensure that governments and corporations/companies respect the rights of the original inhabitants to a specific territory. All parties should give full disclosure to any development regarding the environmental impact. This would include, what the development is for (Uranium, Nickel, Oil, Hydro, etc), what means would the development be utilizing (mining, dam, etc), and what are *all* of the possible environmental and health impacts can this development have in the territory.

## Alternative Energy

5. If there are other feasible energy developments in the area that have less of an impact on the environment, then governments and companies should make this first priority. More specifically, if there is potential for wind energy or biomass energy rather than mining, then governments should first concentrate their efforts on providing a feasibility study in hopes to provide constituents with a clean

and less costly energy source, after all necessary consultations have taken place by all administrative parties subject to the region in question.

## **Government Provisions**

6. To accomplish the most environmentally and socially responsible approach to resource development, the Nunatsiavut Government may find it practical to establish a department that handles policy analysis particularly in the area of natural resources and socio-economic status.
7. To establish a body akin to the *Nunavut Impact Review Board* whose purpose is dedicated to review impacts of major developments in Inuit regions, such as non-renewable and renewable resource development, shipping routes, research involving wildlife species, etc.

*Nakummesuak ilonnasi.*

# Endnotes

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- <sup>i</sup> Under the *Labrador Inuit Land Claims Agreement*, Inuit and Kablunangajuit are recognized as beneficiaries of the Agreement. Therefore, both are subject to inclusion in this paper.  
P. 30 of the Labrador Inuit Land Claims Agreement defines the term “*Kablunangajuk*” in relation to the Agreement.
- <sup>ii</sup> <http://www.vbnc.com/iba.asp> Date accessed: 24 August 2011
- <sup>iii</sup> Kneen, Jamie. “A flawed foundation: Golder Associates. ‘Uranium in Nunavut Review.’ Commissioned by the Government of Nunavut.” May 2011. Pg. 1.
- <sup>iv</sup> Information Summary Brinex British Newfoundland Exploration Limited. Kitts-Michelin Project, Labrador. June 1979.
- <sup>v</sup> <http://www.aurora-energy.ca/acceptance-and-approval/overview>
- <sup>vi</sup> <http://www.nalcorenergy.com/lower-churchill-project.asp> Date accessed: 20 January 2012.
- <sup>vii</sup> [http://www.laa.gov.nl.ca/laa/land\\_claims/index.html](http://www.laa.gov.nl.ca/laa/land_claims/index.html) Date accessed: 20 January 2012. Website last updated: 25 November 2011.
- <sup>viii</sup> <http://www.cbc.ca/labradormorning/2010/11/24/innu-protest---lower-churchill-new-dawn/>
- <sup>ix</sup> <http://www.heritage.nf.ca/law/cfimpacts.html>
- <sup>x</sup> [http://en.wikipedia.org/wiki/Historical\\_materialism](http://en.wikipedia.org/wiki/Historical_materialism)
- <sup>xi</sup> Isaac, Thomas. *Aboriginal Law: commentary, cases and materials*. 3<sup>rd</sup> edition. 2004. Purich Publishing, Ltd. Saskatoon, SK. Canada.
- <sup>xii</sup> <http://www.cbc.ca/news/canada/newfoundland-labrador/story/2010/11/19/lower-churchill-political-reaction-120.html>
- <sup>xiii</sup> <http://www.cbc.ca/labradormorning/episodes/2011/04/07/lower-churchill-hearings---todd-russell/>
- <sup>xiv</sup> <http://www.releases.gov.nl.ca/releases/2008/nr/0414n05.htm>
- <sup>xv</sup> Milewski, Inka. Liu, Lily. Cancer in New Brunswick communities – Investigating the environmental connection. Part 1. Conservation Council of New Brunswick. Fredericton, NB. 2009.
- <sup>xv</sup> <http://en.wikipedia.org/wiki/Adit>. Date accessed: 22 January 2012.

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Appendix

**Figure 1.1 – Labrador Inuit Land Claims**

Area. <http://www.nps.edu/Academics/centers/ccc/publications/OnlineJournal/2008/Dec/zellenDec08.html>.

Webpage last updated: 20 May 2010. Date accessed: 16 January 2012.

**Figure 1.2 – Labrador Innu.**

<http://www.cbc.ca/news/background/aboriginals/sheshatshiu.html> . Webpage last updated: 14 December 2004. Date accessed: 16 January 2012.



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