

ABORIGINAL COMMUNITIES/  
MINERAL COMPANIES/  
GOVERNMENTS  
WORKING TOGETHER:

A CHECKLIST TO ASSIST MINERAL  
COMPANIES ACTIVE IN AREAS  
NEAR ABORIGINAL COMMUNITIES

IT CAN BE DONE

Sub-committee of the Intergovernmental  
Working Group on the Mineral Industry

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## INTRODUCTION

In the last few years many companies involved in the mineral industry have contacted governments and expressed a willingness to learn about, communicate with, and work with Aboriginal people.

The following checklist has been developed to provide interested companies with some guidance. Its purpose is to ensure that the company's relationship with the Aboriginal people will be as productive as possible.

These guidelines are applicable at all stages of the mining process: staking exploration, development and mine operation as well as closure and rehabilitation. They should also prove helpful if a company becomes involved in a project at an advanced stage. In the event of a change of ownership, it is important that the lines of communications remain open. It is important to stress that, in order to build trust between the mining/exploration company and the local people, community consultations should be done in person.

It should be noted since that much of the information that is mentioned in this brochure is available from the various levels of government, a list of contacts has been included.

The term Aboriginal people refers to the descendants of the original inhabitants of Canada. Aboriginal people are defined in the Constitution Act, 1982 as all indigenous people including Indians, Métis and Inuit.

## REASONS TO CONTACT THE LOCAL ABORIGINAL PEOPLE

- ( ) legal or land claim agreement requirements
- ( ) common courtesy (e.g. your company wishes to explore or develop a site on or near the traditional land of the local Aboriginal people)
- ( ) to inform local Aboriginal people of your company's plans
- ( ) to learn of their concerns about the project and consider how to mitigate them
- ( ) to ensure their understanding of the project
- ( ) to learn about the availability of local labour, businesses, and services
- ( ) to learn about the need for and availability of training programs
- ( ) to determine if there are any conflicts or potential conflicts with Aboriginal Treaty Rights (eg. wildlife harvesting)
- ( ) it is a good business practice

**BEFORE STAKING AND BEFORE INITIAL CONTACT, LEARN THE RULES AND REGULATIONS (IF ANY) WHICH MIGHT AFFECT YOUR DEALINGS WITH THE LOCAL ABORIGINAL PEOPLE**

- ( ) confirm who owns the sub-surface (minerals) in the area to be staked
- ( ) provincial/territorial rules or regulations regarding Aboriginal people (e.g. is a formal Impact and Benefit Agreement or human resource plan mandatory or discretionary?)
- ( ) status of land claims: pending or settled. Obtain and read settled land claim agreements
- ( ) effect, if any of settled land claim on what your company is planning to do
- ( ) is some other type of agreement in force which may affect your project (e.g. interim measures agreements)
- ( ) availability of government programs to encourage Aboriginal participation in your project
- ( ) location of withdrawn areas (e.g. protected areas, parks etc.)

**BEFORE INITIAL CONTACT, LEARN ABOUT THE LOCAL ABORIGINAL PEOPLE**

- ( ) name and location of all affected Aboriginal communities or Aboriginal groups (eg. First Nations)
- ( ) location of nearby Indian Reserves - populated or unpopulated
- ( ) location of lands, or bodies of water which Aboriginal peoples either own or traditionally use
- ( ) who to contact (e.g. name of the Mayor, Band Chief, etc.)
- ( ) location of areas of cultural significance (e.g. burial grounds, other heritage sites)

## WHO TO CONTACT

- ( ) if all possible do all community consultation in person
- ( ) given that the area of traditional use may be extensive, you may have to meet with people from a number of affected Aboriginal communities
- ( ) initial contact should be made with all or any of the following:
  - S the Mayor, Band Chief, Band and/or Tribal Councils, etc.
  - S local economic development or employment officer
  - S Chair and/or Board of Directors of Aboriginal Development Corporation (s)
- ( ) contact should also be made with the general public:
  - S public information sessions
  - S town hall meetings or question and answer sessions
  - S local education boards
- ( ) utilize the local media, including the Aboriginal press (if available), to inform the community(ies) about what the company is doing or planning to do

## WHAT TO INFORM THE LOCAL PEOPLE ABOUT

- ( ) what the company is planning to do and how it will do it (e.g. stake, exploration, develop a deposit, purchase company, etc.)
- ( ) general notice of staking activity
- ( ) actual or approximate location of planned operation
- ( ) if known, discuss the proposed type of operation:
  - S mineral(s) being looked for or developed
  - S type of mine (e.g. open-pit or underground)
  - S type of accommodation (e.g. townsite or fly-in/fly-out)
  - S size of labour force, education and skills required
  - S location of hiring office
  - S planned crew rotations or shift schedules
  - S planned cross-cultural programs
  - S Impact and Benefit Agreement

## **WHAT TO INFORM THE LOCAL PEOPLE ABOUT (CONTD)**

- ( ) if you plan a pro-active Aboriginal hiring program, seek guidance from the community about a possible Native employment co-ordinator
- ( ) if a formal Impact and Benefit Agreement is not required, think about the advisability of entering into a voluntary one to circumvent false expectations
- ( ) potential environmental problems or concerns and proposed mitigation measures (raise these on your own)

## **WHAT TO LEARN FROM THE LOCAL ABORIGINAL PEOPLE**

- ( ) the availability and make-up of the local labour force - education, training, skill levels, etc.
- ( ) the availability and nature of local businesses (e.g. potential sources of construction materials, services contracts, joint ventures, etc.)
- ( ) would they like you to enter into a voluntary Impact and Benefit Agreement
- ( ) their concerns about possible social impacts
- ( ) their concerns about possible environmental impacts
- ( ) Traditional Knowledge and other local knowledge

## **CONTINUE THE CONTACTS STARTED IN THE EARLIEST STAGES OVER THE LIFE OF THE PROJECT**

- ( ) also, if taking over from another company
- ( ) to ensure that the good relationship developed at the beginning continues

## CONTACTS

### NATIONAL HEADQUARTERS OF ABORIGINAL ORGANIZATIONS

Assembly of First Nations,  
Ottawa ..... (613) 241-6789  
..... [www.afn.ca](http://www.afn.ca)

The Congress of Aboriginal People  
Ottawa ..... (613) 238-3511  
..... [www.abo-peoples.org](http://www.abo-peoples.org)

Inuit Tapirisat of Canada,  
Ottawa ..... (613) 238-8181  
..... [www.tapirisat.ca](http://www.tapirisat.ca)

Métis National Council,  
Ottawa ..... (613) 232-3216  
..... [www.metisnation.ca](http://www.metisnation.ca)

Native Women's Association of Canada  
Ottawa ..... (613) 722-3033

### NATIONAL HEADQUARTERS OF MINING ASSOCIATIONS

Mining Association of Canada  
Ottawa ..... (613) 233-9391  
..... [www.mining.ca](http://www.mining.ca)

Prospectors and Developers Association of  
Canada, Toronto ..... (416) 362-1969  
..... [www.pdac.ca](http://www.pdac.ca)

Canadian Aboriginal Minerals Association  
Capreol, ON ..... (705) 858-2817

## CONTACTS (CONTD)

### FEDERAL, PROVINCIAL AND TERRITORIAL GOVERNMENT DEPARTMENTS

#### FEDERAL

Department of Indian Affairs and Northern  
Development  
..... [www.inac.gc.ca](http://www.inac.gc.ca)

#### Headquarters:

Hull, Que. .... (819) 997-0380

#### Regional Offices:

Amherst, NS ..... (Atlantic Canada)  
..... (902) 661-6200

Quebec City, Que. .... (418) 648-3270

Toronto, Ont. .... (416) 973-6234

Winnipeg, Man. .... (204) 983-4928

Regina, Sask. .... (306) 780-5945

Edmonton, Alta. .... (780) 495-2773

Vancouver, B.C. .... (604) 666-7891

Whitehorse, YT ..... (867) 667-3100

Yellowknife, NWT ..... (867) 669-2500

#### PROVINCIAL

##### BRITISH COLUMBIA

Ministry of Aboriginal Affairs  
Victoria, British Columbia  
(250) 356-8281  
[www.aaf.gov.bc.ca](http://www.aaf.gov.bc.ca)

##### ALBERTA

International and Intergovernmental  
Relations  
Aboriginal Relations  
Edmonton, Alberta  
(780) 427-8407  
[www.iir.gov.ab.ca](http://www.iir.gov.ab.ca)

## CONTACTS (CONTD)

### SASKATCHEWAN

Intergovernmental and Aboriginal Affairs  
Regina, Saskatchewan  
(306) 787-5752  
[www.gov.sk.ca/govt/aborig\\_affairs](http://www.gov.sk.ca/govt/aborig_affairs)

### MANITOBA

Manitoba Industry, Trade and Mines  
Winnipeg, Manitoba  
(204) 945-4317  
[www.gov.mb.ca/em](http://www.gov.mb.ca/em)

### ONTARIO

Mines and Minerals Division  
Ministry of Northern Development and Mines  
Sudbury, Ontario  
(705) 670-7236  
[www.gov.on.ca/MNDM](http://www.gov.on.ca/MNDM)

### QUEBEC

Ministry of Natural Resources  
Mineral Industry, Mining Development  
Service  
Charlesbourg , Quebec  
(418) 627-8600  
[www.mrn.gouv.qc.ca](http://www.mrn.gouv.qc.ca)

### NEW BRUNSWICK

Aboriginal Affairs Secretariat  
Fredericton, New Brunswick  
(506) 462-5177  
<http://www.gnb.ca/0056/Index.htm>

### NOVA SCOTIA

Aboriginal Affairs  
Halifax, Nova Scotia  
(902) 424-4931  
[www.gov.ns.ca/abor](http://www.gov.ns.ca/abor)

## CONTACTS (CONTD)

### NEWFOUNDLAND

Department of Energy and Mines  
St. John's, Newfoundland  
(709) 729-6616  
[www.gov.nf.ca/mines&en](http://www.gov.nf.ca/mines&en)

### TERRITORIAL

#### YUKON

Economic Development: Mines and  
Small Business  
Whitehorse, Yukon  
(867) 667-5466  
[www.gov.yk.ca](http://www.gov.yk.ca)

#### NORTHWEST TERRITORIES

Resources, Wildlife and Economic  
Development  
Yellowknife, Northwest Territories  
(867) 873-7315  
[www.rwed.gov.nt.ca](http://www.rwed.gov.nt.ca)

#### NUNAVUT

Department of Sustainable Development  
Mineral and Oil and Gas Division  
Iqaluit, Nunavut  
(867) 975-5900  
[www.gov.nu.ca](http://www.gov.nu.ca)