

4 Gender, indigeneity and mining

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Introduction

Resource extraction has played an enduring role in settler-Indigenous relations around the world. Historically, colonialism routinely dispossessed Indigenous Peoples of their lands in the pursuit of capital accumulation (Holden et al., 2011). This trend is perpetuated today in the global large-scale mining industry as both states and corporations continue to claim ownership over mineral rights within Indigenous lands (Bebbington, 2012; Ruhwii & Carter, 2016). While international agreements such as the International Labour Organization (ILO) Convention 169 and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) have affirmed Indigenous Peoples' rights to their traditional territories, states and corporations continue to exploit Indigenous land in violation of these rights in the pursuit of resource extraction, exacerbating social, economic, environmental, and cultural injustices (Khare, 2018).

Indigenous Peoples are particularly vulnerable to the social, environmental, and cultural costs of mining while often being excluded from the economic and employment benefits (Bebbington, 2012; Horowitz et al., 2018; Langton & Mazel, 2008). Their ability to participate meaningfully in decision making concerning resource development within their own territories is constrained by corporations and states that see Indigenous Peoples as barriers to overcome rather than partners (Gedicks, 2015; Koutouki et al., 2018). Bolstered by the growing national and international recognition of their rights to land, Indigenous Peoples have asserted their role in resource development decision-making (Dalseg et al., 2018) and their right to the protection and control of their lands, territories, and resources (Gedicks, 2015). Indigenous community opposition and resistance to the infringement of large-scale mining on their lands and traditional territories has resulted in extra costs, litigation, stalled projects, and, in some cases, the cancellation of resource development projects (O'Faircheallaigh, 2010; Gedicks, 2015; Owen, 2016; Ruhwii & Carter, 2016). Due to the externalities of project resistance by affected local and Indigenous communities, corporations are becoming increasingly hesitant to risk damage to their reputation, share prices, and earnings. Shareholders are also wary of investing significant capital in projects that risk opposition (Gedicks, 2015).

Internationally, mining corporations have been incentivized to use Corporate Social Responsibility (CSR) to secure their social license to operate (SLO) within Indigenous territories, ensuring the viability of their operations by garnering the support of external stakeholders (O’Faircheallaigh, 2010; Owen & Kemp, 2013). A social license can be considered an “unspoken” contract between mining companies and communities that expands corporate attention beyond shareholder interests to include the interests of local communities and other stakeholders involved (Ruhwii & Carter, 2016). The implicit assumption here is that acting responsibly in relation to a community lends legitimacy to a project (Parsons et al., 2014) and protects a company’s access to the resource being extracted (Owen, 2016). As a related concept, CSR is characterized by voluntary social and environmental initiatives undertaken by mining companies to fulfill ethical and philanthropic responsibilities (Ruhwii & Carter, 2016) and to reduce external negative impacts (Fordham & Robinson, 2018). CSR can provide a framework for companies to secure and fulfill a SLO (Khare, 2018). Internationally, CSR is one of the dominant driving forces behind relations between mining corporations and mine-affected communities as corporations aim to protect their access to resources (Ruhwii & Carter, 2016).

In the Canadian context, CSR does not appear to be the dominant language used in the literature when describing mechanisms shaping mine-Indigenous community relations domestically. Mine-community relations in Canada occur through a variety of processes. Often these relationships are tripartite, involving the state as legally necessitated through the duty to consult and the Environmental Assessment Act (now the Impact Assessment Act). While these formal processes involving the state have seen greater corporate involvement, they do not directly address CSR since they are statutorily mandatory duties held by the Crown while CSR, as defined above, is characterized as voluntarily upheld by corporations. Where mine-community relationships are bilateral, impact-benefit agreements (IBAs) are employed as the driving mechanism between mining corporations and communities. IBAs, which are generally not required by law,¹ can be linked to companies’ CSR strategies. IBAs differ in that they are legally binding private company-community contracts contrary to CSR which is considered “soft law” (Keenen et al., 2014; Gibson & O’Faircheallaigh, 2015). IBAs are the primary mechanism through which mining corporations in Canada are establishing a SLO on Indigenous lands. Rather than CSR agendas, agreements made through legal obligations held by the Crown and by bilateral contractual IBAs remain the dominant mechanisms driving mine-community, and necessarily mine-community-government, relations in Canada.

Throughout decision-making processes, Indigenous communities seek to both improve the benefits and reduce the costs that result from resource development projects. Unfortunately, these processes and their outcomes are not experienced universally within Indigenous communities. Evidence suggests that Indigenous women feel the impacts of resource development differently and more acutely relative to Indigenous men (Horowitz et al., 2018; Koutouki et al., 2018; Nightingale et al., 2017). Similarly, Indigenous women are less likely to experience

the benefits and opportunities posed by resource development (Hoogeveen et al., 2021; Horowitz et al., 2018; Keenen et al., 2014; Nightingale et al., 2017). Indigenous women are also often underrepresented in the decision-making roles and processes that may otherwise allow them to bring about a more equitable balance in the impacts and benefits of extractive projects (Hoogeveen et al., 2021; Horowitz et al., 2018; Mills & Sweeney, 2013).

This division of impacts and benefits as well as decision-making power along gendered lines presents not only a rights-based issue in resource development; it is also complicit in creating a dangerous situation for Indigenous women and girls that can increase their vulnerability and subject them to violence (Hoogeveen et al., 2021). The National Inquiry into Missing and Murdered Indigenous Women and Girls (NIMMIWG, 2019) determined a link between the culture of extractive industries and the current crisis of missing and murdered Indigenous women in Canada. Extractive industries were found to be associated with increases in violence against women, the sex trade, sex trafficking, and even abduction (Knott, 2018; NIMMIWG, 2019). Resultingly, the National Inquiry formed five calls to action² regarding women in all aspects of extractive industries. These calls to action draw attention to the importance of understanding the implications of the gendered distribution of impacts and benefits that result from extractive projects.

In response to the current crisis involving Indigenous women in the extractive industry, this review compiles available academic and grey literature that engages with the intersection of gender and Indigeneity within extractive industries, specifically focusing on the Canadian context while drawing cases from the international context. The focus of this chapter is to examine the gendered dimension of resource development with respect to its impacts and benefits on Indigenous communities and to examine gender in Crown-community consultations, environmental impact assessments (EIAs)/impact assessments (IA), and IBAs as the driving mechanisms behind mine-community relations. This chapter uses gender as an analytical lens to review literature on the distribution of economic benefits related to mining; the socio-cultural dimensions of resource development on women, community, and family; and participation in resource governance and decision making.

Gender as an Analytical Framework

There is a large body of literature that examines the impacts of resource development on women as well as the underrepresentation of women within these industries (see Dalseg et al., 2018; Hoogeveen et al., 2021; Lahiri-Dutt, 2011, 2015; Mills & Sweeney, 2013; Nightingale et al., 2017; O'Faircheallaigh, 2013). Much of this literature has framed the gendered impacts of resource development as happening "to" women without paying attention to how this discursively constructs an understanding of women as passive victims in resource development projects (Lahiri-Dutt, 2011, 2015; Laplonge, 2016). This generalizing approach tends to homogenize women as similar in their victimhood (Keenen et al., 2014) and reaffirm women as the "other" of mining (Lahiri-Dutt, 2015).

Lahiri-Dutt (2011) describes this phenomenon as “reminiscent of biological determinism and essentialism and ignorant of the specifics of social and material contexts or understandings of women” (p. 8 as cited in O’Faircheallaigh, 2013). Similarly, Indigenous Peoples are also commonly portrayed as victims of resource development (Cameron & Levitan, 2014). The intersection of the portrayal of both Indigenous and women as victims of resource development results in the double marginalization of Indigenous women in resource industries. Mills and Sweeney (2013) highlight that the representation of Indigenous women as victims promotes a colonial narrative that juxtaposes the experience of Indigenous women with that of Western women who become the model for emancipated and educated womanhood. Further, Dalseg et al. (2018) postulate that this portrayal of Indigenous women as victims of mining positions Indigenous women and traditional economies as obstacles to be dealt with rather than as meaningful components of complex sociocultural economies. This approach demonstrates a need to alter comprehension to one where women are regarded as key actors in resource development projects (Lahiri-Dutt, 2011).

Criticisms of the “impacts of mining on women” approach have led to calls to diminish the use of gender as a variable in favour of the use of gender as a framework (Dalseg et al., 2018; Keenen et al., 2014). Rather than understanding the gendered dimensions of resource extraction as “women’s issues,” it is important to comprehend that all aspects of resource development projects have gendered implications (Dalseg et al., 2018). Following Keenen et al. (2014), the concept of “gender” should be understood in its broadest sense as a dynamic sociocultural construction of the relationship between women and men accompanied by entrenched inequalities in power and opportunity. In denying the narrow understanding of women as a homogenous group, the concept of gender should also be understood as variably experienced and performed by those with intersecting memberships (Keenen et al., 2014). This is understood as Intersectionality, a feminist theory coined in 1989 by Kimberlé Williams Crenshaw and grounded in black feminist scholarship, Indigenous feminism, third world feminism, and queer and postcolonial theory (Hankivsky, 2012). Intersectional analysis is characterized by the idea that women live multiple, layered identities—such as sexuality, ethnicity, age, ability, race, education, marital status, geography, age, etc. (Kim-Puri, 2005)—derived from social relations, history, and structures of power (Kerr & Tindale, 2004). As such, the application of gender as an intersectional framework allows one to examine the variable impacts of mine development more critically within nuanced Indigenous communities—communities comprised of people with varying and intersecting identities that influence their experiences, power, and position. While this review intends to use gender as an intersectional framework, much of the literature covering gender in resource industries focus on Indigenous women and their relationship with men. As well, the current socioeconomic phenomenon of missing and murdered Indigenous women and girls and the identified ties with the extractive industry (NIMMIWG, 2019) warrants a careful exploration of the gendered implications of mining with a focus on Indigenous women.

Mining and Indigenous Women in Canada

Here, we explore key processes driving mine-community, and mine-community-government, relations in a way that is sensitive to the settler-colonial structures that influence these dynamics in Canada. For the sake of organization, literature will be synthesized following the three main perspectives that tend to characterize literature on gender and resource development as described by Mills et al. (2018): gendered distribution of economic impacts; gendered impacts of resource development on women, community, and family; and gendered participation in resource governance and decision making.

Gendered Distribution of Economic Impacts

Resource development projects are commonly regarded as an avenue for economic development in remote northern Indigenous communities. Though, contention exists around whether the economic opportunities presented by mining projects equate to economic development in Indigenous communities or whether the presence of mines in Indigenous territories is just another example of the “resource curse” thesis³ (See Holcombe & Kemp, 2020). Specifically, Graben et al. (2020) argue that, aside from inequitably distributed increases in income, little evidence suggests that resource development projects lead to greater socioeconomic or physical well-being for Indigenous women or Indigenous communities. Regardless of the contention surrounding the long-term economic benefits of mining on Indigenous communities, the literature suggests that Indigenous women are less likely to benefit from these opportunities (see Keenen et al., 2014) and more likely to experience negative repercussions (see Dalseg et al., 2018; Mills et al., 2018).

Employment is the most prominent economic opportunity introduced by resource development projects. Mines often provide employment opportunities with relatively high wages and on-the-job training in leadership and technical skills (Cameron & Levitan, 2014; Holcombe & Kemp, 2020; Nightingale et al., 2017) offering an economic base for Indigenous Peoples to maintain their socio-cultural vitality (O’Faircheallaigh, 2013). In their work in the Kivalliq District of Nunavut, Nightingale et al. (2017) found that Inuit women who were able to gain employment at the Agnico-Eagle Meadowbank gold mine were able to build independence (particularly financial independence), self-confidence, and employable skills while also having a strong incentive to complete school. Inuit people employed at the mine were found to be able to better provide for their family’s material needs, experience improved food security and an improved quality of life (Nightingale et al., 2017). Whether this socioeconomic improvement is reproduced in the long run and particularly after mine closures is a more contentious topic (see Holcombe & Kemp, 2020), the overall mine employment is celebrated as an opportunity for economic development in Indigenous communities.

Unfortunately, trends in the literature demonstrate that access to resource jobs is inequitably distributed between men and women, with Indigenous women, in particular, experiencing marginalization (Cox & Mills, 2015; Deonandan et al.,

2016; Gibson & O’Faircheallaigh, 2015; Koutouki et al., 2018; Lahiri-Dutt, 2011; Mills et al., 2018; Nightingale et al., 2017). Nightingale et al. (2017) describes data by Agnico-Eagle on their Meadowbank mine that showed that Inuit comprised 24.7% of the total permanent workforce and 71% of temporary employees while Inuit women comprised 6.5% of the permanent workforce and 35.1% of the temporary workforce. Consistently higher numbers of non-Indigenous Peoples, dominantly men, work in mines than Indigenous Peoples, though when Indigenous Peoples are employed, Indigenous men comprise much of the Indigenous workforce (Gibson et al., 2017; Nightingale et al., 2017). This has led to a widening income gap between women and men (Koutouki et al., 2018). While this gender disparity also applies to non-Indigenous women in mining, Indigenous women tend to be more heavily impacted by this exclusion due to the rarity of other employment opportunities in their remote communities (Mills et al., 2018). When Indigenous women are employed, they tend to be overrepresented in precarious and low-wage jobs with little scope for career improvement (Cox & Mills, 2015; Dalseg et al., 2018; Koutouki et al., 2018; Lahiri-Dutt, 2011; Mills et al., 2018). Lahiri-Dutt (2011) explains how women are often pigeonholed into certain types of occupations due to gender stereotyping which reinforces notions of biological essentialism, subsequently constraining women’s career prospects. This is demonstrated in the systematic exclusion of women from male-dominated positions in resource development—such as positions as apprentices, tradespersons, supervisors, and technicians—in favour of traditionally “female” jobs that involve cooking, cleaning, administration, and retail (Koutouki et al., 2018). Moreover, Mills et al. (2018) describe how Indigenous women in resource development industries were not only excluded from male-dominated positions but also from female-dominated administrative and clerical positions. Rather, Indigenous women were often selectively hired in low-paying traditional cleaning, cooking, and housekeeping occupations (Koutouki et al., 2018). Overall, trends in the literature demonstrate that Indigenous women are marginalized from the benefits of mine employment opportunities due to systemic discrimination based on their gender and Indigeneity as well as intersecting identities of age and education level.

The literature points to several systemic barriers that make it difficult for Indigenous women to gain meaningful employment within the mining sector in Canada. According to Mills et al. (2018), the social and cultural construction of mining as a masculine space is a key factor in the exclusion of women in resource industries. This constructed identity of mining as masculine is reproduced in a variety of ways. One such way is through gender stereotyping perpetuated through gendered expectations for youth which tend to translate into gendered training and career development opportunities that shape men for work in resource development and women for work in administration (Mills et al., 2018). Women who break out of these gendered career moulds to pursue work in resource development tend to be placed in precarious occupations, be tokenized by male employees, and experience work environments that are hostile towards them (Cox & Mills, 2015; Dalseg et al., 2018; Gibson et al., 2017; Lahiri-Dutt, 2011; Mills et al., 2018). The problems posed by the hostility of this work

environment are compounded by the lack of human rights and workplace health and safety training, particularly for Indigenous women in the workplace who experience the intersection of gender and race-based discrimination (Nightingale et al., 2017). Troublingly, hostility is often channelled through sexual harassment and even assault against women working in mining and mine camps (Lahiri-Dutt, 2015; Mills et al., 2018; NIMMIWG, 2019). Further, rotational shift-work common in the mining industry, combined with a lack of daycare services, marginalizes women who often bear the responsibility of childcare and increases their burden of responsibilities (Gibson et al., 2017). Women are also at increased risk of sexual harassment and assault due to the vulnerability inherent in shared sleeping quarters (Nightingale et al., 2017). Overall, the lack of education, training opportunities, childcare, safe and respectful work environments, and flexible scheduling that could enable women to benefit from resource industry employment demonstrate systemic barriers. These barriers disregard the rights of women to equitable employment opportunities and deny women the benefits of resource employment.

Another dominant mining-related economic opportunity for Indigenous communities takes the form of resource revenues from profit-sharing arrangements, compensation monies, and other rents that flow from mining companies to communities (Keenen et al., 2014; Mills et al., 2018). Minimal literature has examined how income generated from resource development benefits women, especially in the Canadian context. In the Australian context, O'Faircheallaigh (2007) assessed three models of income distribution and concluded that the allocation formula of only one model fairly considered the gendered risks carried by distinct parts of the population. This model involved the 50/50 division of a one-time lump sum payment between a women's and a men's fund as well as fixed annual payments and profit-related annual payments split between multiple community funds (O'Faircheallaigh as cited in Mills et al., 2018). This model places a portion of money directly under the control of Indigenous women in the community. Unfortunately, this is so far uncommon in the Canadian context. As well, new initiatives see Indigenous Peoples taking ownership of mining entities (Holcombe & Kemp, 2020). Though no studies, to the knowledge of these authors, have deeply explored the gendered distribution of related economic benefits or forms in which this sort of economic benefit can be distributed for Indigenous women to benefit. To provide a broader picture of the gendered economic impacts of resource development projects, there remains the need for greater research in the gendered distribution of resource revenues. Overall, literature tends to agree that Indigenous women are marginalized from the economic benefits of resource extraction projects.

Gendered Socio-Cultural Dimensions of Resource Development on Indigenous Women, Men, Community, and Family

The literature also strongly engages with the ways in which resource development projects produce gendered socio-cultural impacts on Indigenous Peoples at interconnected individual, family, and community levels. The widening income gap

between Indigenous women and men associated with the presence of extractive industries can have negative sociocultural impacts to the detriment of women (Mills et al., 2018). NIMMIWG (2019) found that the presence of mines near Indigenous communities can drive economic insecurity for Indigenous women who are often unable to participate in resource economies, yet still suffer from the externalities of high rates of inflation and housing shortages driven by resource booms. This economic disparity can leave women economically dependent on abusive partners or willing to pursue precarious and unsafe means of securing money to make ends meet (NIMMIWG, 2019). As well, sometimes in situations where women do gain employment, male partners control the use of the income, constraining the economic independence of the woman (NIMMIWG, 2019).

Rotational shift work is also commonly identified as producing gendered socio-cultural impacts that disproportionately affect Indigenous women and girls (Deonandan et al., 2016; Gibson et al., 2017; Nightingale et al., 2017; NIMMIWG, 2019). On this schedule, mine employees depart their communities to work at remote mine sites for several weeks at a time and then return home for several weeks of time off. Most of the research suggests that this model of employment puts significant stress on family dynamics (Deonandan et al., 2016; Horowitz et al., 2018; Mills et al., 2018; Nightingale et al., 2017). The absence of one parental figure due to shift work can impede family cohesion, affecting the relationship between spouses as well as that between children and their parents (Deonandan et al., 2016). When one partner leaves for several weeks of work at the mine, increased pressure is placed on the partner who remains at home with their children (Horowitz et al., 2018; Mills et al., 2018). Often the burden of this responsibility falls onto women since women are expected to assume the role of caregiver. Spouses hired at distant mine sites may spend their paychecks before returning home or may not even return home at all, neglecting their family and familial responsibilities (Mills et al., 2018). When spouses do return home, they are often drained from several long weeks of 12-hour workdays and have little capacity to engage with their family or to perform household chores which can cause tensions and feelings of neglect (Nightingale et al., 2017). Workers home on break may also turn to the abuse of drugs and alcohol, which can increase the incidence of violence (Gibson et al., 2017). Nightingale et al. (2017) explain that in the case of the Agnico-Eagle Meadowbank gold mine, abstinence and zero tolerance for drug possession were strictly enforced. The authors note the tendency for those who faced challenges with substance use to overindulge upon return to their community of Qamani'tuaq which corresponded with a rise of violence in the community, particularly against women. In circumstances where women participated in rotational shift work, concern revolved around how their children and households were being maintained by their spouse at home, placing increased psychological stress on these women (Nightingale et al., 2017). Overall, participation of communities in rotational mine employment is perceived to increase the pressure and burden of familial responsibility on women; alter family dynamics; increase incidences of neglect and violence; and impede the participation of women in the mine workforce (Horowitz et al., 2018).

Gendered implications also exist when communities agree that a mining camp should be located within their territories. Industrial camps can bring benefits to co-located communities by providing employment opportunities, supporting local businesses, investing in local infrastructure, and attracting and retaining nation members to their home territories (Gibson et al., 2017). Unfortunately, the co-location of these camps with Indigenous communities creates an influx of transient workers (generally non-Indigenous males) into these areas. Resultingly, gendered impacts that predominantly affect women and children occur such as increasing incidences of alcohol and drug abuse; sexual harassment and assault; sexually transmitted diseases; and sex trafficking⁴ and sex work (Bond & Quinlan, 2018; Gibson et al., 2017; Knott, 2018; NIMMIWG, 2019; Women's Earth Alliance and Native Youth Sexual Health Network, 2016). Transient workers are concentrated in so-called man camps—temporary housing set up around resource extraction sites—which put this dominantly male, heterosexual population in close contact with Indigenous women and girls (NIMMIWG, 2019). Gibson et al. (2017) describe how the hyper-masculinity of “Rigger Culture”⁵ associated with these “man camps” creates a context in which workers may conduct themselves differently than they might in their home communities. This context combined with the increased prevalence of drug and alcohol abuse in mine camps creates complex sexual dynamics that too often result in violent outcomes for local Indigenous women and girls (Gibson et al., 2017).

Subsistence and/or artisanal production are also often undermined by resource industries (Bond & Quinlan, 2018) which shift economic activities away from traditional economies and towards market-based economies (Mills et al., 2018). While the increase in disposable income associated with mine employment can equate to more money for subsistence supplies, less value is placed on subsistence activities by those engaged in mine work (Dalseg et al., 2018; Mills et al., 2018). As well, time spent doing mine work may impede people's ability to participate in subsistence activities (Deonandan et al., 2016). Further, the geographical area that a mine occupies as well as the environmental degradation that often results from resource extraction can lead to a depleted resource base for subsistence practices (Ahmad & Lahiri-Dutt, 2006; Deonandan et al., 2016; Mills et al., 2018). Various works have illustrated the vital role that subsistence plays in maintaining tradition and social networks and in promoting individual and community well-being (see Gerlach & Loring, 2013; Parlee et al., 2005). As the mixed economy tips in favour of male-dominated resource sectors, women's important roles in subsistence are undermined (Lahiri-Dutt, 2015; Mills et al., 2018). Indigenous women have raised concerns about the effects of this shift on the ability of present and future generations to participate on the land and in traditional economic activities (Dalseg et al., 2018; Nightingale et al., 2017). This reduction in knowledge and practice of traditional economic activities can erode culture and social networks between family and community members and support detrimental sociocultural norms of abuse and violence against women (Deonandan et al., 2016). This is significant because these social networks can provide social protection, particularly for women, from the adverse impacts of mining. Moreover, the shift towards

male-dominated resource economies can undermine the significant role women play in traditional economies (Deonandan et al., 2016; Mills et al., 2018).

Health is also commonly affected by resource development projects. Understanding the disruption of subsistence activities discussed above, a reduction in the consumption of traditional wild foods in favour of store-bought processed foods often occurs in mine adjacent communities (Deonandan et al., 2016). Nightingale et al. (2017) emphasize how country foods are extremely healthy and culturally preferred in comparison to store-bought foods. A study by Deonandan et al. (2016) revealed how a transition from country food to store bought food may negatively affect food security and nutrition. Though, the same study (Deonandan et al., 2016) also revealed that several members of the study expressed cautious optimism that through job creation healthy food might become more available within communities. Nightingale et al. (2017) similarly described how mining employment led to the increased availability of money for food. Of course, understanding the unequal distribution of mine employment, the link between mine employment and improved affordability of food is far from universal. Koutouki et al. (2018) draw attention to the unevenness of employment benefits (which exists along gendered lines) as well as the link between broad increases in disposable income and rising inflation. These connections increase the risk of impoverishment for female-headed households (Koutouki et al., 2018). Further, Mills et al. (2018) and Koutouki et al. (2018) both present concern over the gendered impacts of food insecurity, emphasizing how women are more likely to report skipping meals and reducing food intake to make sure the rest of their family has enough to eat. The Women's Earth Alliance and Native Youth Sexual Health Network (2016) emphasize the connection between extractive industries and negative effects on women's reproductive and bodily health. This connection has been tied to the rise in environmental contaminants (Women's Earth Alliance and Native Youth Sexual Health Network, 2016) as well as to the increased prevalence of sexually transmitted infections related to the mine related sex trade (NIMMIWG, 2019). These impacts are further exacerbated by the presence of health services that are often stretched thin (often predating but worsened by the influx of mine workers) (Gibson et al., 2017).

Gendered Participation in Resource Governance and Decision Making

With the rising international recognition of Indigenous rights and the increasing capacity of Indigenous Peoples to successfully oppose resource extraction projects, Indigenous Peoples have increasingly gained influence over the terms upon which resource development occurs within their territories (Natcher and Brunet, 2020; O'Faircheallaigh, 2013). This capacity allows Indigenous Peoples to more effectively combat the persistent colonial legacies that continue to play out in the distribution of extraction's benefits and costs.

Indigenous women have been disproportionately excluded from the benefits of resource development and forced to bear its costs. Likewise, the dominant view in

the literature is that Indigenous women are underrepresented in decision-making and negotiation processes concerning major resource projects on Indigenous lands (Bond & Quinlan, 2018; Dalseg et al., 2018; Mills et al., 2018). Indigenous women and men do not begin their relationship with these processes in positions of equal political and economic power (Graben et al., 2020). As a result, academics are calling for the incorporation of gender-based practices, in consultation with Indigenous women, into these resource governance and decision-making processes to improve outcomes for Indigenous women (Bond & Quinlan, 2018; Dalseg et al., 2018; Keenen et al., 2014; Hoogeveen et al., 2021). As the main mechanisms driving mine-community relationships in Canada, this section will apply a gendered lens to a review of the literature examining gendered participation in Crown-community consultations, environmental impact assessments (now impact assessment, IA), and IBAs.

A Gendered Review of Legal Mechanism for Engagement in Canada

Crown Duty to Consult and Accommodate

The duty to consult, and if necessary, accommodate, is an obligation held by the Crown to protect Aboriginal and treaty rights as enshrined in Section 35(1) of the Canadian Constitution Act, 1982 (Koutouki et al., 2018). The duty to consult is triggered when the Crown has knowledge, real or constructive, of the potential existence of the Aboriginal right or title and contemplates conduct that might adversely affect it (Anaya, 2014). Constructive knowledge pertains to “knowledge of Aboriginal rights that arises when lands are known or reasonably suspected to have been traditionally occupied by an Indigenous group or when an impact on these rights can be anticipated” (Koutouki et al., 2018, p. 70). This right does not have to be proven but must be credible; the standard to trigger the duty to consult has a low threshold (Koutouki et al., 2018). Once triggered, the requirement for what constitutes proper consultation and accommodation exists along a spectrum related to the strength of the claim and expected impact (Barretto & Lahaie, 2019) as has been determined through Canadian case law (Koutouki et al., 2018). It is understood that the government and Indigenous Peoples have an obligation to negotiate in good faith to balance the interests of each party (Koutouki et al., 2018). It is important to note that the Supreme Court of Canada has established that the duty to consult and accommodate does not equate to a veto. Though, if free and prior informed consent (FPIC),⁶ as recognized by UNDRIP, is not obtained, the Crown must demonstrate that it has balanced the interests of affected Indigenous groups with the broader public interest (Koutouki et al., 2018). Effectively, the focus of the duty to consult is placed on the process and not the outcome; if reasonable, good faith efforts to inform, consult, and, at times, accommodate are carried out, justice is seen to be done (ReconciliAction YEG, 2018). This has led to doubt around the meaningfulness of consultation processes (Anaya, 2014; Cameron & Levitan, 2014; ReconciliAction YEG, 2018).

It is important to understand the entities that are commonly involved in Crown consultation processes. The duty to consult and accommodate rests solely with the Crown (Koutouki et al., 2018). Since natural resources on public lands are under provincial jurisdiction and Indigenous Peoples, under the Indian Act, are under federal jurisdiction, the duty to consult and accommodate with Indigenous Peoples concerning resource development projects implicates both orders of government (Anaya, 2014). Legally the Crown can delegate procedural aspects of the duty to consult to third parties including corporations and institutions of public government (Cameron & Levitan, 2014). Though, third parties are under no legal obligation to consult and accommodate Indigenous Peoples (Cameron & Levitan, 2014). Regardless of who performs the procedural aspects of the duty to consult, the unequal footing upon which parties stand is indicative of unfairness in the consultation process (ReconciliAction YEG, 2018). Governments and corporations have vastly different monetary, legal, and consulting resources at their disposal and often begin the consultation process once substantial project proposals have been created (Cameron & Levitan, 2014). In contrast, Indigenous communities often have significantly less resources at their disposal, are overwhelmed with numerous requests for consultation, and are given a short timeline to review the project and compile their inputs (Anaya, 2014). Resultingly, Indigenous communities are commonly disadvantaged in these “good faith” negotiations.

The Canadian courts have interpreted Aboriginal and treaty rights as collectively held and have determined that the duty is owed to Aboriginal communities, not to individuals (Peach, 2016). As a result, the duty to consult and accommodate occurs at the community level, focusing on Indigenous communities with little regard for the different interests of marginalized groups, particularly women. Band councils are often the most easily recognized government to select as consultation partners by representatives of the Crown; several court cases have determined that democratically elected representatives should be given priority in consultations (see Peach, 2016). Promoting band councils as the primary legitimate authority over Indigenous communities in consultation processes has gendered implications. Despite centuries in which Indigenous women played central roles in Indigenous governance structures and decision-making, the colonial patriarchal system behind the Indian Act and the band structure assumed that women had no capacity for political involvement (Hanson, n.d.). As such, band councils were created as strictly male domain and women were prohibited from becoming chiefs and band councillors until the Indian Act was amended in 1951 (Joseph, 2018). Resultingly, Indigenous women were denied the formal right to participate politically (NIMMIWG, 2019). Moreover, The Indian Act regulated Indian status patrilineally, systematically dispossessing Indigenous women—and their children—of their Indian status if they married a non-Indian (NIMMIWG, 2019). Those who did regain their status with subsequent amendments to the Indian Act often met resistance to their re-integration from Indian Act bands (Graben et al., 2020). This history of systemic gender discrimination has had downstream effects that have resulted in the exceptionally low political representation of

women in band councils (Graben et al., 2020) resulting in the marginalization of women's voices in negotiations (Deonandan et al., 2016).⁷ As a result, Indigenous women's interests are often poorly represented in consultation processes. The legacy of these sexist and colonial policies on the formal political participation of Indigenous women also pervades women's participation in other negotiation processes (Graben et al., 2020).

Environmental Impact Assessment

Another key legal and regulatory requirement that influences mine-community relations in Canada is the environmental impact assessment process (EIA) (IA).⁸ EIAs were initially conceived of as a mechanism for environmental regulation that aimed to limit the impacts of large-scale industrial development (Muldoon et al., 2020). The scope of EIAs evolved over time to encompass diverse environmental and socio-economic impacts of potential development projects as a form of sound environmental planning and decision-making (Muldoon et al., 2020).⁹ Often, the Crown relies on EIA processes to fulfill the duty to consult with Indigenous Peoples who have interests in a project or who have established or asserted Aboriginal and treaty rights that may be impacted by a project (ReconciliAction YEG, 2018).

A small but growing body of research has examined how the gendered nature of environmental decision-making processes, such as EIAs, marginalizes Indigenous women from resource development decision-making processes (Bond & Quinlan, 2018; Cox & Mills, 2015; Dalseg et al., 2018; Nightingale et al., 2017). This is significant because "these processes influence how development proceeds, how benefits are distributed within and among communities, and how negative effects are mitigated" (Dalseg et al., 2018, p. 136). Thus, the meaningful inclusion of Indigenous women in environmental assessments is central to achieving socially equitable resource development outcomes (Cox & Mills, 2015).

In their study, Cox and Mills (2015) examine how Inuit and Innu women's participation in environmental assessment processes influenced EA recommendations at Voisey's Bay Nickel Mine in Labrador. Women were regularly active in the Voisey's Bay EA process. Four Indigenous women's groups received funding from the Canadian Environmental Assessment Agency (CEAA) to participate in scoping meetings where they made collective submissions on a variety of topics. Employment and training were prominently featured in submissions by Indigenous women's groups. Despite the clear submissions made by these groups, the environmental impact statement (EIS) reduced concerns to prioritizing women in the hiring process with no incorporation of measurable goals to evaluate success. Requests for affirmative action to address barriers to employment such as lack of child-care and rotational employment were dismissed by the Voisey's Bay Nickel Company (VBNC) who myopically (and without any sensitivity to gender) assumed that jobs would reduce social problems in communities. Further, in reaction to the EIS, the CEAA only funded one of the women's groups to draft a response submission. By the end of the EIA process, VBNC had

drafted a women's employment plan that minimally considered the submissions of the four women's groups. The draft plan stated that it sought to achieve gender diversity in the workplace "based upon interest and capacity which implies that in some occupations there would be no capacity for women and no interest from them" (Cox & Mills, 2015, p. 252). The federal review panel released its final report with 107 recommendations of which only 3 mentioned women. These recommendations included establishing workshops to respond to the concerns of women, revising the women's employment plan, and including a harassment plan as well as language about childcare during training and employment.

Despite the active participation of women in the EA process, Cox and Mills (2015) found that women working at the site experienced gendered employment barriers similar to women working in resource development elsewhere. Indigenous women still predominantly worked in precarious, low-paying jobs, had limited training and promotion opportunities, and felt (and were treated) as if they were token hires.¹⁰ Overall, the outcomes of this study challenge the assumption that increasing the breadth and quality of public participation will improve resource development outcomes for Indigenous women. Further, implicit in the absence of attention to women's employment is the masculinity and racism within mine culture "that positions Indigenous women workers as less skilled than their white male counterparts" (Cox & Mills, 2015, p. 256). Decision-making processes regarding resource development must incorporate intersectionality and challenge the systemic barriers posed by sexism and racism to achieve more equitable outcomes, particularly for Indigenous women.

Dalseg et al. (2018) compare three EA cases—Voisey's Bay Mine and Mill in Nunatsiavut, the Meadowbank Mine in Nunavut, and the Mackenzie Gas project—to examine how resource decision-making processes in Indigenous mixed economies are gendered. In this review of EIA processes, it was found that Indigenous women experienced many barriers to their participation in resource management which included: a sense of exclusion and alienation from the EIA process; lack of sufficient information to speak in confidence at meetings and panels or, conversely, informational burden resulting from the need to review and digest copious material in a short amount of time; not having enough time for community consultation during the negotiation process; inadequate childcare; and the lack of timely funding to participate in consultations. When Indigenous women were made a part of these EIA processes, their input on resource-development was strongly influenced by the burden they felt from past and present colonial interventions. Their concerns often focused on how the extractive project might influence livelihoods, social relations, culture, and subsistence harvest. Yet, the outcomes of the EIA processes reviewed in this study emphasized women's participation in employment rather than these other important factors raised by Indigenous women. Further, the study found that traditional knowledge was routinely ignored aside from activities problematically constructed as masculine such as hunting and land travel. Other views on the importance of diverse traditional subsistence activities, and of being out on the land, were disregarded. Dalseg et al. (2018) argue that this reinforces (westernized) gender hierarchies and undermines Indigenous mixed economies. Overall, Dalseg et al. (2018)

suggest that the failure to include Indigenous women as full participants and community members on par with men in EIA consultation processes represents a lapse in fulfillment of the Crown's constitutionally enshrined duty to consult.

As a result of the limited inclusion of women, as well as the gendered impacts of resource development, scholars have been widely promoting the use of gender-based analysis throughout environmental decision-making processes (Cox & Mills, 2015; Mills et al., 2018; Nightingale et al., 2017). A Federal review aimed at improving the regulatory and assessment process of the Canadian Environmental Assessment Act (2012) led to its repeal and to its subsequent replacement by the Canadian Impact Assessment Act (2019). Bond (2019) posited that “inclusive impact assessment processes must recognize that Indigenous Peoples are not homogenous groups and that intersectionally vulnerable persons in Indigenous communities (women, children, LGBTQ2S+) are differently affected by industrial projects” (p. 4). This intention is entrenched in Section 22 (s) of Canada's Impact Assessment Act (2019)—which states that impact assessments must consider the intersection of sex and gender with other identity factors—as well as associated guidance for implementing gender-based analysis plus (GBA+) (Bond, 2019). The Government of Canada (2021) defines GBA+ as follows:

GBA+ is an analytical process that provides a rigorous method for the assessment of systemic inequalities, as well as a means to assess how diverse groups of women, men, and gender diverse people may experience policies, programs, and initiatives. The “plus” in GBA+ acknowledges that GBA+ is not just about differences between biological (sexes) and socio-cultural (genders). We all have multiple characteristics that intersect and contribute to who we are. GBA+ considers many other identity factors such as race, ethnicity, religion, age, and mental or physical disability, and how the interaction between these factors influences the way we might experience government policies and initiatives.

(para. 2)

A review of the literature on operationalizing GBA+ in IA by Hooegeven et al. (2021) prescribes the following key components of an inclusive, gender-sensitive IA process:

Meaningful and representative involvement with communities adjacent to project sites, including subgroups that have been historically underserved by IAs like women's and LGBTQ2S+ groups, throughout all IA phases; inclusion of Indigenous knowledge and ways of being during the development of indicators, valued components, or measurements; community-led contextual analysis that begins at baseline to ensure proponent scoping and analysis relevant to individuals affected by extractive projects; and, greater emphasis on Queer and Indigenous guidance in federal policy mandates aimed to implement GBA+ in IA.

(p. 7)

Given the tendency of EIAs to marginalize Indigenous women in resource governance decision-making, the implementation of GBA+ in IAs appears to be a promising response towards a more intersectional approach to environmentally, socially, and culturally sensitive impact assessments.

Impact-Benefit Agreements

IBAs are another key component of resource development decision-making involving projects on traditional Indigenous territories. According to Cameron & Levitan (2014), IBAs are “bilateral contractual agreements... between Indigenous communities and mining companies seeking to extract resources from their traditional territory” (p. 25). These legally binding private company-community agreements are becoming a common mechanism for managing mining impacts and ensuring mine-derived benefits in jurisdictions with legal recognition of customary land rights (Bradshaw et al., 2018; Keenen et al., 2014; Gibson & O’Faircheallaigh, 2015). IBAs are often referred to as “supreregulatory” since they are accessory to state regulations, policies, and practices (Galbraith et al., 2007). Further, IBAs can provide a “social licence to operate”¹¹ by supplementing tenure provided by Crown land leases with formal permission from Indigenous governments (Cameron & Levitan, 2014).¹² As well, IBAs are increasingly being used to fulfill procedural aspects of the duty to consult as the Crown downloads much of this obligation onto industry proponents (Bradshaw et al., 2018; Cameron & Levitan, 2014; Gibson & O’Faircheallaigh, 2015).

As private agreements, IBAs are kept confidential which can make research on IBA participation and outcomes difficult (O’Faircheallaigh, 2011). Resultingly, the body of research examining the gendered dimensions of IBA processes is limited (Keenen et al., 2014). As well, since the regulatory function of IBAs often overlaps with EAs (Cox & Mills, 2015; Gibson & O’Faircheallaigh, 2015), literature examining the gendered dimensions of both environmental decision-making processes tends to overlap.

Some scholars have celebrated IBAs as an instrument to address the areas in which EA negotiations have fallen short (Galbraith et al., 2007; O’Faircheallaigh, 2011). Others have problematized IBAs for the way that they overlap¹³ with the regulatory function of EAs (Bradshaw et al., 2018), often to the detriment of both processes (Cox & Mills, 2015). In the case of the Voisey’s Bay Nickel Mine, Cox and Mills (2015) found that the co-occurrence of EA and IBA processes negatively influenced the outcomes of submissions made by Indigenous women throughout the EA process. For example, socioeconomic concerns—such as women’s employment—that were voiced by women in the EA process were slated for improved adoption in parallel IBA processes. Unfortunately, confidentiality clauses and weaker requirements for transparency in IBA processes made it difficult to monitor whether related provisions were adopted in the IBA. Resultingly, though the Voisey’s Bay IBA prioritized the employment of Indigenous women, this focus was not codified in collective agreements (and so not made expressly public), or other hiring and promotional tools used by contractors, companies, and unions. While interactions between

EA and IBA negotiations are diverse and often case-based, this example from Cox and Mills (2015) directs attention towards how these regulatory mechanisms can negatively interact to the detriment of marginalized groups. Thus, attention should be paid to how the interactions of these two mechanisms influence negotiations.

In terms of the participation of women in IBAs specifically, a study by Keenen et al. (2014) found that the roles of women in negotiations were diverse and context-specific. The study determined that women's overall participation was perceived as lower in contexts where the local culture of either the community or company had a highly patriarchal gender dynamic¹⁴ and where the colonial legacy had resulted in the loss of women's traditional rights to make decisions about the land. As well, the study found that gender intersected with other factors that resulted in sub-groups that were excluded from agreement processes, these included: "middle-aged women who had yet to acquire the status of 'elder,' young women and young mothers; women (and their families) who migrated or married into the community; women in male-headed households; and female-headed households (widows and single mothers)" (p. 611). Socio-economic factors such as lack of education; child and elder care responsibilities; poor health; personal economic dependence; and lack of time and autonomy were also determined to be factors that often led to women's exclusion from negotiation processes. In contrast, the study found that women's participation was perceived as greater in more equitable cultures as well as in formal negotiation processes where negotiation teams were more diverse, where companies approached agreements as long-term mechanisms for engagement and relationship-building, and where negotiations were participatory in nature.

In their work, O'Faircheallaigh (2011) argued that research identifying Indigenous women as excluded from negotiations is often oversimplified. He emphasized that it is important to first look critically at the concept of "negotiation" explaining that there is a tendency to adopt a narrow definition of negotiation in research examining the gendered participation in IBA negotiations. O'Faircheallaigh (2011) elaborates that:

The general and implicit assumption appears to be that negotiation involves a process of (usually formal) discussion, in which representatives of the parties (mining companies, affected indigenous groups and in some cases government) exchange positions and, over time, reach an agreement that represents the end point of the negotiation. It can be argued that negotiation in fact involves much more than this.

(p. 92)

Similarly, Keenen et al. (2014) describe the process of agreement making as including both formal and informal components such as "agenda setting, consultation, consensus building, awareness-raising, and planning, alongside formal discussions that occur at the negotiation table" (p. 610). It is important to examine women's roles in broader aspects of the negotiation process rather than simply what occurs at the formal negotiation table.

Examining the role of Indigenous women in the broader aspects of the negotiation process, O’Faircheallaigh (2011) specifically identifies agenda setting—a stage wherein issues to include in formal negotiations are determined—as critical, and even sometimes “more important than the capacity to determine outcomes in relation to the issues that do make it on the table” (p. 92). Many Indigenous women and women’s groups have participated influentially in steering committees, playing central roles in agenda-setting (O’Faircheallaigh, 2011; 2013). Through these informal processes, Indigenous women were able to influence the principal issues to be emphasized in formal negotiations. Several Indigenous women have also held the role of chief negotiator in negotiation processes in Canada¹⁵ (Graben et al., 2020; O’Faircheallaigh, 2013). While the representation of women in these roles appears promising, there was not sufficient literature to determine if this is an indication of an increasing trend. Though, Indigenous women still tend to be underrepresented in these processes than their male counterparts (Graben et al., 2020).

Whether the inclusion of Indigenous women and their inputs in negotiation processes translates into positive outcomes for Indigenous women and girls is another important question raised in the literature. Nightingale et al. (2017) found that in the case of the Meadowbank mine and the Inuit Impact-Benefit Agreement (IIBA), none of the needs outlined in the agreement manifested in concrete programs, services, or actions despite the transfer of funds from the mining company to the regional Inuit association. Cox & Mills (2015) similarly noted that despite the involvement of women as key participants in negotiations, the Voisey’s Bay IBA incorporated women’s interests minimally in its final terms. As well, the findings of a literature review by Deonandan et al. (2016) suggest that ensuring broad participation is not enough and that focus should also encompass the translation of this participation into meaningful outcomes for Indigenous women. Overall, the literature revealed that the participation of Indigenous women within these negotiation processes does not guarantee gender-sensitive outcomes. Future research should explore how the participation and input of Indigenous women can be better translated into the implementation and outcomes of IBAs to inform change in practice.

Conclusion

This chapter reviewed literature at the intersection of gender and Indigeneity within extractive industries, with a specific focus on the Canadian context. Particularly, it examined the gendered impacts of resource development with respect to how impacts and benefits are distributed along gendered lines and examined gendered participation in Crown-community consultations, environmental impact assessments/impact assessments, and (IBAs) as the driving mechanisms behind mine-community relations in Canada. The literature revealed that Indigenous women in Canada disproportionately bear the impacts of resource development while being excluded from many of the benefits and are underrepresented in related decision-making and negotiation processes. It is important to

note as well that the literature is limited and, in places, dated, demonstrating a need for more research in this area.

According to the reviewed literature, access to resource employment is inequitably distributed between men and women with Indigenous women in particular experiencing marginalization that results in their overrepresentation in low paying, precarious jobs with few prospects for upward mobility as well as in experiences of violence, harassment, and gender-stereotyping. Proposed solutions to fix the underrepresentation of Indigenous women in the workplace tend to focus on hiring strategies rather than on increasing training opportunities for women, creating gender- and culturally- sensitive workplace safety strategies, challenging the masculine culture of the industry, and providing childcare (and eldercare) services and social supports.

As well, the review found that Indigenous women experience many negative socio-cultural impacts resulting from the development of extractive industries on their traditional territories. The increase of incoming money from mine employment can cause inflation and create disparity in incomes between Indigenous women and their partners, both factors that can put women in vulnerable situations of economic dependence and compromise their food security and overall ability to support themselves. The hyper-masculine culture present at mine camps puts Indigenous women at increased risk of violence, sex-trafficking, and STIs; it also creates an environment conducive to the sex trade and can result in lateral violence from Indigenous men who themselves are prone to abuse and discrimination in the workplace. The rotational employment structure common in mines often puts pressure on family dynamics, increases the care burden placed on Indigenous women, increases psychological stress, and puts women employees in dangerous proximity to male sleeping quarters. The co-location of mines and/or the increased prominence of the wage economy as a result of mines can undermine subsistence activities which can negatively impact traditional social support networks, threaten cultural transmission, the consumption of healthy wild foods, and subvert the role of women in what were predominantly subsistence economies. Thus, when resource extraction projects are promoted for their ability to introduce new employment opportunities to remote Indigenous communities, it is important to be critical of who will benefit from these opportunities and how these opportunities might impact socio-cultural and economic dynamics within the affected community, particularly regarding gender.

This review also found that Indigenous women were often underrepresented in consultation and negotiation processes—including duty to consult, EAs, and IBAs—that sought to balance the outcomes of resource development projects in favour of Indigenous communities. This was related to the influence of sexist colonial policies on women's participation in Indigenous band governments since band councils have been recognized as the main and legitimate authorities representing Indigenous communities in consultation and negotiation processes. Literature on EAs and IBAs found that Indigenous women tended to be inequitably represented in negotiation processes. Though, it is important to highlight Indigenous women have played critical roles as chief negotiators as well as in

steering the negotiation agenda in several negotiation processes. Defining the scope of the definition of negotiations more broadly in future research may reveal a greater representation of Indigenous women in informal stages of negotiations. As well, future research should examine more critically how the participation and input of Indigenous women can be better translated into the implementation and outcomes of IBAs. Overall, it is important to understand that these consultation and negotiation processes can be complicit in the marginalization of Indigenous women's political roles and interests in resource development projects. Future research could explore how more gender sensitive consultation and negotiation processes might be introduced to limit the negative impacts related to resource development projects that are felt by Indigenous women and to make more equitable the distribution of benefits.

Overall, we believe that practitioners and policy makers must move beyond the discourse of women as passive victims who have been impacted by mining and instead challenge the patriarchal relationships that tend to dominate extractive industries (Sinclair, 2021). Indigenous women are not intrinsically vulnerable and passive victims of resource development. Rather, they hold positions of power and prominence in their communities and nations—positions that have been heavily impacted by a patriarchal, colonial, and capitalist system that promotes resource extraction over the well-being and health of Indigenous Peoples, particularly women. Given the call to action and justice from the NIMMIQG report for more equitable resource development outcomes for Indigenous women and girls, further research and, more importantly, implementation are crucial. Not only is it necessary to increase the representation and meaningful participation of Indigenous women in decision-making and negotiation processes, but it is also critical that this participation translates into positive development outcomes for Indigenous women and girls. As well, it is important that Indigenous women define what meaningful and successful participation means to them in the context of their community and culture.

Notes

- 1 In Canada, IBAs are not legally required unless stipulated in comprehensive land claims agreements (Kielland, 2015).
- 2 Calls for Extractive and Development Industries (NIMMIWG, 2019):
 - 13.1 We call upon all resource-extraction and development industries to consider the safety and security of Indigenous women, girls, and 2SLGBTQQIA people, as well as their equitable benefit from development, at all stages of project planning, assessment, implementation, management, and monitoring.
 - 13.2 We call upon all governments and bodies mandated to evaluate, approve, and/or monitor development projects to complete gender-based socio-economic impact assessments on all proposed projects as part of their decision making and ongoing monitoring of projects. Project proposals must include provisions and plans to mitigate risks and impacts identified in the impact assessments prior to being approved.
 - 13.3 We call upon all parties involved in the negotiations of IBAs related to resource-extraction and development projects to include provisions that address

the impacts of projects on the safety and security of Indigenous women, girls, and 2SLGBTQQIA people. Provisions must also be included to ensure that Indigenous women and 2SLGBTQQIA people equitably benefit from the projects.

- 13.4 We call upon the federal, provincial, and territorial governments to fund further inquiries and studies in order to better understand the relationship between resource extraction and other development projects and violence against Indigenous women, girls, and 2SLGBTQQIA. At a minimum, we support the call of Indigenous women and leaders for a public inquiry into the sexual violence and racism at hydroelectric projects in northern Manitoba.
 - 13.5 We call upon resource-extraction and development industries and all governments and service providers to anticipate and recognize increased demand on social infrastructure because of development projects and resource extraction, and for mitigation measures to be identified as part of the planning and approval process. Social infrastructure must be expanded, and service capacity built to meet the anticipated needs of the host communities in advance of the start of projects. This includes but is not limited to ensuring that policing, social services, and health services are adequately staffed and resourced (NIMMIWG, 2019, p. 596).
- 3 The resource curse thesis refers to the socio-economic phenomenon where regions rich in natural resources suffer from poor economic growth (Langton & Mazel, 2008). In the context of mines, this thesis is supported by a significant body of research that argues that the location of long-life mines in remote Indigenous communities has failed to generate socio-economic outcomes with many of these mines in the closure phase (Altman & Martin, 2009; Canel et al., 2010 as cited in Holcombe & Kemp, 2020).
 - 4 Mahy (2011) questions the general assumption that sex work in mining communities is 'bad' for women, suggesting that the economic opportunities that emerge may be more beneficial than the related social stigma is harmful.
 - 5 According to Gibson et al. (2017) 'Rigger Culture' refers to the place-based culture of hyper-masculinity, sexism, homophobia, lack of self-care, and disconnection from the local community common in remote industrial camps.
 - 6 FPIC is a specific, collective right held by Indigenous Peoples, embedded within the universal right to self-determination and recognized in the UNDRIP. It is an international human rights standard that affirms the right of Indigenous Peoples to give or withhold consent regarding a project that has the potential to affect their lands, territories, and resources. Consent is understood to be free, given voluntarily and without coercion, intimidation, or manipulation; is sought in advance of the commencement of a project; is generated ongoingly from informed right holders; and is collectively derived from rights holders through a community's customary decision-making process. As well, FPIC enables Indigenous Peoples to negotiate project design, implementation, monitoring, and evaluation (Food and Agriculture Organization of the United Nations, 2014).
 - 7 Section 35(4) of the Constitution ensures that Aboriginal and treaty rights are guaranteed equally as between male and female persons (Koutouki et al., 2018). Extending this recognition of equal rights to consultation processes, Dalseg et al. (2018) suggest that failure to include Indigenous women as full participants and community members on par with men in Crown consultation processes represents a lapse in fulfillment of the Crown's constitutionally enshrined duty to consult.
 - 8 Environmental assessments are a product of environmental assessment law as laid out in the Canadian Environmental Assessment Act 2012 (CEAA). The CEAA was repealed in 2019 and replaced with the Canadian Impact Assessment Act (CIAA) 2019 though, given the recentness of this change to IA, the majority of the literature published to date has focused on Indigenous involvement in EA processes.

- 9 EA focuses on the assessment of mineral deposits that have already completed advanced exploration work (Gibson & O'Faircheallaigh, 2015). As a result, Dalseg et al. (2018) describe EA as a pro-development and top-down approach to environmental planning since EA processes are embedded in a culture that promotes resource development and that implements resource development into communities regardless of a community's visions.
- 10 Indigenous men were also often treated as token hires and faced barriers to advancement but not at the same level of intensity as Indigenous women (Cox & Mills, 2015).
- 11 CSR and SLO are strongly tied in negotiations. Gibson and O'Faircheallaigh (2015) suggest that the ability of an Indigenous community to leverage CSR initiatives from mining companies depends on the capacity of the Indigenous group to inflict damage on the corporation by threatening the loss of its social license to operate. This capacity of Indigenous groups to threaten the reputation of corporations is regarded as a 'crucial lever' in negotiations.
- 12 Cameron and Levitan (2014) describe how IBAs secure community consent to extractive development as a way of removing barriers to capital accumulation and of avoiding confrontation between companies and Indigenous groups at minimal cost to the government and the developer. The securing of Indigenous consent can also act as a gag order through noncompliance provisions in IBAs that seek to remove barriers posed by Indigenous resistance to extractive projects. As well, IBAs may slow progress on comprehensive land claims (see Cameron & Levitan, 2014).
- 13 EAs can occur after IBAs negotiations, before IBA negotiations, and during IBA negotiations; each scenario has its benefits and drawbacks (see Gibson & O'Faircheallaigh, 2015, p. 46).
- 14 Voisey's Bay negotiation process was an exception; women played a significant role at the negotiation table despite the prevailing patriarchal culture (Keenen et al., 2014).
- 15 A woman was appointed as chief negotiators on behalf of the Labrador Inuit in the Voisey's Bay IBA (Graben et al., 2018). As well, a woman was made chief negotiator for the Lutsel K'e Dene community in multiple negotiations with diamond mine companies (O'Faircheallaigh, 2013).

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