



3rd MinErAL Meeting

Detailed Program

June 12 - 14, 2019
Cairns, Australia



MinErAL

Knowledge Network on Mining Encounters
and Indigenous Sustainable Livelihoods



Third Annual Meeting of the MinErAL Network
June 12-14, 2019
Trinity Room, Holiday Inn, 209-217 The Esplanade, Cairns

Dear participants,

The MinErAL Network welcomes you to Network's third meeting in Cairns, Queensland. We would like to thank the Yirrganydji people and the Gimuy Walubara Clan of the Yidinji people for hosting us for these two-day stay on their traditional territory, for a meeting that, we hope, will foster enriching dialogues and teachings between students, researchers, industry and indigenous people.

In the upcoming two days, we will examine the relationship between mining companies and indigenous communities, discuss the implementation of the indigenous right to free, prior and informed consent. We will also look into resource royalties' distribution, mining employment dynamics and the impact of fly-in/fly-out model, an increasingly popular working arrangement.

We hope that this two-day meeting, which brings together researchers, practitioners and members of the Kanak, Yirrganydji and Yidinji will provide a unique space for sharing and learning from the practices, initiatives and research conducted here and abroad, in New Caledonia, Northern Europe and Canada. We further hope that this meeting will create lasting ties between us.

We wish you all a very good meeting!

Thierry Rodon

Principal Investigator of the MinErAL Network,
Political Science Department, Laval University.

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Wednesday, June 12, 2019
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Time	Activity
9:00 am	Opening Ceremony and Welcome to Country
9:30 am	Presentation of the MinErAL Network and its Australian component
10:00 am	Coffee Break
10:30 am	<p><u>Mining in Cairns, Australia Session chaired by Sharon Harwood</u></p> <ol style="list-style-type: none"> <p>1. The importance of mining to Cairns' past, present and future economic development Bill Cummings, Principal at Cummings economics & compass research, Cairns, Australia <i>Cairns, as a city, was originally founded in 1876 as a port to service a newly discovered goldfield. Although the port city has flourished over the years to become the capital of the Peninsula Australia geographic region with major development of agricultural and pastoral industries, fisheries, tourism, marine and aviation services and a defence role, mining has continued to be an important element in its economy. The presentation will set out how mining's economic influence comes from mining in the immediate hinterland of Cairns and from the wider region for which Cairns is the hub/capital city. But the influence of mining activity is wider still. Through air services and shipping services, Cairns supplies FIFO workforce services and supplies as well as corporate services to mining companies across northern Australia, into Papua New Guinea and Papua Indonesia to the near north. The presentation will canvass some likely future developments in the wider area of influence and estimate how much mining related activity contributes to the city and regional economy. The presentation will also outline how mining activity has contributed to the development of Cairns as the major hub airport in the northern Australia immediate Asia Pacific region and its development as the leading marine servicing centre in northern Australia.</i></p> <p>2. Mining in North Queensland: some historical background Janice Wegner, Senior lecturer, College of Arts, Society & Education, James Cook University <i>North Queensland is one of the world's great mining provinces. This paper will present some historical background since European mining began in the 1860s.</i></p>

	<p>3. Aboriginal mining history in North Queensland Gallina (Kal) Ellwood, PhD candidate at James Cook University <i>Aborigines have mined in the north from pre-contact times to the present. They were important for post-contact mining and this is a forgotten story in the history of the region.</i></p>
<p>12:00</p>	<p>Lunch</p>
<p>1:30 pm</p>	<p><u>Native Title Claim and Mining Session chaired by Chris Southcott</u></p> <p>1. UNDRIP principles of FPIC and "the gap" with Native Title in Australia Julia (Jules) Taylor, Northern Queensland Land Council</p> <p>2. Explaining Outcomes from Native Title Agreements Ciaran O'Faircheallaigh, Professor, School of Government and International Relations, Griffith University <i>Outcomes from native title agreements with mining companies vary greatly. Some offer very substantial net benefits for Aboriginal signatories, while others leave them little better off. This presentation summarises the results of a study of 45 agreements across all of Australia's major mining regions that documents and seeks to explain the highly variable outcomes from negotiation of native title agreements.</i></p> <p>3. The Queensland Resource Sector's Strategies to Boost Indigenous participation Melissa Sutton & Michael Limerick, Queensland Resources Council <i>The Queensland Resources Council and Queensland Government have partnered for more than a decade on the MoU to Increase Indigenous Participation in the Queensland Resources Sector. This unique industry-government partnership seeks to boost Aboriginal and Torres Strait Islander economic participation within the sector, by promoting greater collaboration between resource companies and with government agencies. Resource companies are committed to strengthening their social license to operate by demonstrating sustainable benefits to both company and Aboriginal and Torres Strait Islander people from their operations. This has resulted in significant efforts to increase Indigenous employment, training and business procurement outcomes, both directly within their companies and throughout resource sector supply chains. The MoU partnership supports resource companies to enhance strategies for Indigenous employment, training and business participation through a range of events, activities and programs that facilitate the sharing and promoting leading practices, building industry cultural capability, increasing engagement with Indigenous stakeholders and improving industry data collection practices. The partnership also supports improved targeting and alignment of government and industry</i></p>

	<p><i>investments to identified employment and supply chain opportunities and to the needs and ambitions of Indigenous communities (for example, collective investments in Indigenous work preparation and vocational training, employment support and business development).</i></p> <p>4. Negotiating the mining rules in New Caledonia Pierre-Yves Le Meur, Anthropologist, IRD, UMR GRED, Montpellier</p> <p><i>The territorial and land tenure dimension inherent in the negotiations between mining projects and local populations can schematically follow two general patterns as regards the project local anchoring (or its refusal): either local populations comply with the norms of external intervention, or they try to attract the operator to the local ground, that of their norms and representations. The concrete instruments and devices of this articulation are rarely pure expressions of one or the other logic, borrowing from both and evolving according to the conflicts and negotiations that arise. This paper will first present some of the instruments and mechanisms of this articulation, as well as the conceptions of land - partly referring to an idea of indigenusness - that they mobilize and reinforce. The examples illustrating this subject will be Oceania-based and my presentation will then focus on the case of New Caledonia, a former settler colony engaged in an original and ongoing process of negotiated decolonization, and more particularly on the communes of Thio and Yaté in the south of the East Coast. In these two mining communes - the first multi-ethnic, the second almost exclusively Kanak - a series of events, conflicts and negotiations have in recent years generated local responses to mining strategies by which local populations express in various idioms (including the indigenous register) and collective action modes a desire to regain control over their territories, resources and destinies.</i></p>
3:30 pm	Coffee Break
4:00 pm	<p><u>Negotiating across mining life cycles: IBAs, Consultation and Consent Session chaired by Dean Carson</u></p> <p>1. Resource Royalties and Remote Indigenous Community Development in Canada Thierry Rodon, Principal investigator of the MinErAL Network, Political science department, Laval University <i>In this communication, we analyse the different modes of resource revenue distribution and their impacts on the Indigenous communities and their sustainable development. After a discussion of the different distribution models and their positive and negative impacts for communities, we assess each model level of sustainability. In the second part, we present the results of a survey and follow-up interviews conducted with 21 representatives of the 42 Canadian First Nations who had signed an IBA by 2016.</i></p>

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	<p><i>In most surveyed communities, the trust funds are directly managed by the political authority, thus providing no insulation from political influence. The survey also shows that some Indigenous communities are investing programs that should normally be funded by the federal and provincial/territorial governments and it attests to the chronic lack of investment in Indigenous communities in Canada.</i></p> <p><i>Finally, whatever the choice of distribution mode, in order to foster sustainable development, you need to ensure that the lost natural capital (both non-renewable resources depletion and the environmental damage created by the operations) will be replaced for future generations.</i></p> <p>2. How has Koniambo Nickel taken into consideration the local communities around the mining massif? The example of STMK Jean-Louis Thydjepache, Community relations officer, Koniambo Nickel SAS</p> <p>3. The State, Business and Indigenous peoples: Comparing Negotiations for Mineral Extraction in Norway and Australia Catherine Howlett, Senior Lecturer, Gnibi College of Indigenous Knowledge, Lismore <i>This paper presents early comparative findings from the Norwegian Research Council funded project "Tri Arc", which seeks to identify how Indigenous involvement in processes of resource development is informed by international and national political and legal realities, the behavior of various corporative actors, and Indigenous peoples' own institutions.</i></p> <p>4. Making Resources Work for Arctic Communities: What have we learned from the Resources and Sustainable Development in the Arctic (RESDA) project Chris Southcott, Professor, Sociology, Lakehead University <i>Extractive resource exploitation remains a primary source of potential economic benefits for communities in Canada's north. Yet past experience has pointed to many negative impacts. In northern Canada, there is some indication that the emergence of new relationships between communities, national governments, and industry, as seen in new land claim agreements, impact-benefit agreements, co-management boards and other tools, can help ensure more positive benefits. The Resources and Sustainable Development in the Arctic (ReSDA) project brought together researchers and community representatives to conduct and mobilize research aimed at the sustainable development of natural resources in a manner that hopes to improve the well-being of northern communities while preserving the region's unique environment. This presentation will present the findings of research conducted by ReSDA researchers and what it means for communities in Northern Canada, Alaska, and other Arctic regions.</i></p>
6:00 pm	Dinner

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Time	Activity
9:00 am	<p><u>Mining Geographies Session chaired by Pierre-Yves Lemeur</u></p> <ol style="list-style-type: none"> <p>1. Mining activity in rural areas: permanencies ruptures and social transformations of livelihoods in New Caledonia Severine Bouard, researcher, Institut Agronomique Néo-Calédonien, Christine Demmer, CNRS Centre Norbert Elias, Mathilde Baritaud, student, Université de Bordeaux and Louise Decottigny, student, Université de la Sorbonne <i>Based on further studies, this communication sheds light on the work carried out in the project "At the heart of nickel mining corporations in New Caledonia: the labor question ", financed by Mineral. I will firstly show the evolution of relationships between mining and agriculture in rural territories on the long run (i). After that, I will present more recent impacts of mining development on livelihoods strategies and the strong impact of organization of working time on the ability of households to maintain agricultural activity (ii). Then I will present what working to the mine "does" to Kanak people and more especially Kanak women (iii). What does it change in their relation to nature? What does it change in the statuses of household members and the power relations within and among household especially along gender and generation lines? Through their sensorial experience of "digging the mountain", we will explain what mine labour represents, and how it can be tough. We will also explore the place of employment at the mine in the life trajectory of Kanak women, from the first stable job to the mine to a "passage point in their trajectory". Indeed, in areas where employment opportunities are scarce, the mine is almost the unique occasion to find a job for those with few educational resources. Finally, we will explain what mine work represents for the women in relation to the family, in particular the place of the father figure and in relation to their socialization as women (in particular their first experience of gender diversity outside the tribe).</i></p> <p>2. New mines and the land – a case of ‘whose land is it anyway?’” Linus Lundström, Postdoctoral Fellow at Arctic Research Center at Umea University (ARCUM) <i>The article investigates the processes of establishing two controversial new mines in Northern Sweden. Rönnbäcken in Storuman municipality, and Kallak in Jokkmokk municipality. Both places are in Sapmi – the traditional Sami land. The article focuses on the actors in the conflicts that arose regarding the prospective mines; what roles the various stakeholders carried; what claims they had; and what formal rights they owned.</i></p> <p>3. The politics of Indigenous encounters with the mining life cycle – is it helpful to compare Australia and Sweden? Dean Carson, Visiting Professor, Arctic Research Centre, Umeå University <i>The political structures that facilitate or hinder the hearing of Indigenous voices in negotiations about mining developments in Australia and Sweden are radically different, leading to the question of how comparisons can be made, and whether they</i></p>

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	<p><i>can be useful to Indigenous communities. This is especially the case during less legalised parts of the mining life cycle. This presentation looks at some of the differences between the two countries, and discusses why there is nevertheless a growing body of research that is trying to make comparisons.</i></p>
<p>10:30 am</p>	<p>Coffee Break</p>
<p>10:45 am</p>	<p><u>Projects in Development Session chaired by France Bailly</u></p> <ol style="list-style-type: none"> <p>1. Negotiating the Rules of the Game: The influence of Indigenous People on Mining Development in Quebec (Canada) and New Caledonia (France) Sabrina Bourgeois, PhD candidate at Laval University <i>In several countries, colonization compromises the autonomy of nations because colonial legacies define the terms in which political and social mobilizations can be expressed. Self-determination claims can take many forms since they are articulated around diverse objects and strategies depending on the political and social context. Consequently, there are various modalities of self-determination articulated in various international instruments, but also many types of relationships between states and indigenous people today. These emerging political discourses can be associated with a decolonization process as negotiated in New Caledonia since 1988 in some cases or, in other cases, they can claim a greater autonomy as associated with the indigenous discourse in Canada. These demands are not necessarily exclusive, they may be in competition or difficult to apply in certain regions or legal/political contexts. As a result, we are beginning to understand how indigenous peoples are using existing tools to improve the balance of power to their advantage, all the while the continuation of inequalities remains a contentious issue. This thesis project should contribute to our knowledge by highlighting which instruments/ strategies are being used, successfully or unsuccessfully in various legal and policy frameworks, to improve the negotiation capacity of indigenous peoples in mining thereby improving their influence on authorization processes.</i></p> <p>2. Mining Activities, Health and Well-Being in Indigenous Communities Ella Myette, MA student and Melody Lynch, PhD candidate, McGill University <i>In addition to direct effects, mining activities have the potential to indirectly influence the health and well-being of Indigenous communities by modifying the social-ecological determinants of health, i.e., the conditions in which people live. The goal of this project is to develop a comprehensive understanding of the direct and indirect impacts of mining activities on Indigenous Peoples' and communities' health and well-being, their cumulative impacts over time, and their integration in Impact Assessments. This project specifically focusses on Health Impact Assessment (HIA), which pays attention to health and to changes in the social-ecological determinants of health. HIA therefore offers a broader framework than Environmental Impact</i></p>

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Assessment (EIA) and Social Impact Assessment (SIA) in assessing the potential or actual impacts of mining activities on health and well-being. This presentation will summarize the preliminary findings of a scoping review of the scientific literature on Indigenous conceptualizations of health and well-being and associated social-ecological determinants. It will also present the upcoming phases of the project, including a critical discourse analysis of the representations and considerations of Indigenous Peoples' health and well-being meanings, experiences, and priorities in EIA, SIA, and HIA of mining projects, and a case study analysis of the process of HIA in, or by, Indigenous communities.

3. Assessing the Impacts of Mining on Indigenous Well-being – Towards a more Holistic Understanding of Extractive Development Projects on Indigenous Communities in Canada
Karen Bouchard, PhD candidate at Laval University

4. Sustainable Indigenous Livelihoods and Mine Closure Planning: Queensland Policy Analysis
Jesse Marnock, Planning Student, James Cook University

5. Interactions between International Trade and Investments Law and Indigenous Peoples' Rights in mining projects: preliminary results

Zoé Boirin, PhD candidate at University of Ottawa

This presentation is part of the MinErAL subproject entitled: “Mines and indigenous peoples: interactions between indigenous rights and international trade and investment law” directed by Professor Erick Duchesne. Trade and investments agreements are key elements of mining projects. In particular, decision to invest in a mining project depends on the existing legal protection provided by bilateral or multilateral investments agreements. Arbitration cases brought against States by extractive corporations often involve Indigenous communities whose ancestral territories are exploited by corporations. Yet, Indigenous peoples, which are particularly vulnerable to mining projects, seem to be mostly excluded from negotiation of trade and investments agreements and from arbitration procedure. However, the adoption of the Canada-United-States-Mexico Agreement (CUSMA), signed between the three States on November 30, 2018, and which include several provisions on Indigenous peoples' rights, demonstrates a development towards the integration of Indigenous Peoples' rights into international investment law. The objective of this project is to provide an update on the existing interactions between Indigenous Peoples' rights and international investment law in mining projects, based on the analyze of existing literature as well as of trade and investments agreements available in French and English. This presentation will first highlight the methodology used in the project, then expose its preliminary results.

12:30	Lunch
1:30 pm	Free afternoon

9:00 am	General Assembly of the MinErAL Network
	<p>Agenda</p> <ol style="list-style-type: none"> 1- Choice of a secretary and a president for the assembly 2- Approval of the Agenda 3- Approval of the minutes of the last general assembly 4- A word from the principal investigator, Thierry Rodon 5- Presentation of the mid-term achievements of the network 6- Round table : present and upcoming research 7- Activities for the upcoming year <ol style="list-style-type: none"> a. PhD seminar b. Guides c. Regional workshops d. Next call for projects e. Montreal 2020 f. Publications 8- Varia