Assessing the Impacts of Modern treaty on indigenous self-determination and social cohesion in contexts of extractive mineral development in Canada

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Outline

1) Context
2) Theoretical framework
3) Research questions and objectives
4) Methodology
5) Discussion topics
Colonial legacies and persistent inequalities

Reconciliation

- Advancing Indigenous self-government
  - Guaranteed in section 35 of the Constitution Act, 1982
  - Through negotiated self-government agreements
  - Modern treaty making and implementation
    - 2 education agreements involving 35 Indigenous communities
    - 50 self-government negotiation tables
Modern Treaties

• Modern treaties:
  • Indigenous ownership of over 600,000 km² of land
  • certainty with respect to land rights in roughly 40% of Canada's land mass
  • capital transfers of over $3.2 billion

• Objectives:
  • Clarify legal uncertainties on the ownership of Crown lands
  • Direct capital transfers to beneficiary organizations
  • Foster economic development by securing public and private investments

• Debates:
  • Focused on the resolution of land tenure issues
  • Implementation is challenging

• No measures and indicators for assessing the impact of Modern Treaties
  • Registered Indian Human Development Index (Registered Indian HDI)
  • Community Well-Being index (CWBI)
Extractive mineral development

Recognition and autonomy from the state
• Contractual agreements between indigenous communities and mining companies (IBAs)

Source of economic activity and opportunity
• Royalties from mining activities on indigenous lands
• Employment, training and business-development,

Issues
• May contradict democratic indigenous government
• May prevent strategic coalitions and weaken negotiations with state and non-state actors
• May generate negative health impacts
Theoretical framework

• Indigenous well-being
  • Holistic, diverse, complex and culturally constructed
  • Attaining and maintaining a balance
  • Impacts of colonial legacies

• Focus
  • Self-governance
  • Social cohesion and connectedness
Questions

How do regulatory frameworks mitigate or compensate for the negative impacts of extractive mineral development on the well-being of indigenous communities in Canada?

How do Comprehensive land claims agreements impact indigenous self-governance; the ability of indigenous persons and communities to control their individual and collective lives and destinies; the social cohesion of indigenous communities; throughout mining development process?
Objectives

• Meaningful and useful to indigenous partners

• Qualify and quantify the impacts of mining projects on the well-being of indigenous communities in relation to
  • indigenous self-governance;
  • the ability of indigenous persons and communities to control their individual and collective lives and destinies;
  • the social cohesion of indigenous communities;

• Determine the Impacts of Modern treaty on indigenous self-determination and social cohesion in contexts of extractive mineral development in Canada
Methodology

• Literature review
• Qualitative and quantitative Indicators
  • Control and self-governance
  • Social cohesion
Discussion

• Conceptual framework
• Comparative approach: number of cases, and selection process and criteria
• Limited time and resource to conduct qualitative research;
• Quantitative data: scarce and unreliable for longitudinal analysis (limited data sources; data gaps - historically small community numbers; global and partial non-response rates)
• Relationships to land and nature?
Merci!

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