

# MINING, HARVESTING AND DECISION MAKING IN NUNAVUT

## A Case Study of Uranium Mining in Baker Lake

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Warren Bernauer

DEPARTMENT OF NATIVE STUDIES, UNIVERSITY OF MANITOBA

*Despite a growing dependence on the capitalist economy, many Inuit communities in Nunavut continue to rely a great deal on harvesting to satisfy a variety of economic, social and cultural needs. While wage labour employment at mines and other extractive projects may provide income to purchase the equipment and supplies necessary for harvesting, they also threaten and undermine the viability of harvesting activities, primarily by damaging local ecosystems — and therefore the wildlife resources upon which harvesting is based. The coexistence of these two forms of economic activity is dependent upon the ability of Inuit, especially Elders, to participate in decisions regarding mining. The Nunavut Land Claims Agreement has created a variety of mechanisms, including Inuit Qaujimatuaqangit studies, Inuit Impact and Benefit Agreements and consultations, which enable Inuit to exert control over what type of mining activities proceed in their homeland. However, a case study of Areva Resources Canada Inc.'s proposal to mine uranium near Baker Lake reveals that the manner in which these mechanisms are utilized does not always facilitate meaningful input from entire communities. Community consultation meetings — the most prominent method of soliciting Inuit input and commentary for mining projects — suffer from barriers to participation. While this may be indicative of a need to rethink the manner in which consultations take place, an overhaul of the bureaucratic structures involved in community consultations will take time and considerable research. More immediate action is required to facilitate participation in dialogues surrounding contemporary proposals for major mining projects in Nunavut, including Areva's proposal.*

This paper is based upon two months of community-based research in Baker Lake, Nunavut in early 2010. The focus of my research was contemporary Inuit perspectives of uranium mining in the region and the social, economic and political factors that are influencing these perspectives. However, the topics of Inuit control over mining projects and issues with IIBAs, *Inuit Qaujimatuaqangit* studies and community consultations arose frequently in the 25 interviews I

conducted with community members, as well as in informal conversations with many others. Additionally, I was provided with the opportunity to observe one consultation meeting between representatives from Areva Resources and a group of community members, and two community-wide consultation meetings on the topic of Areva's proposal, held by the Kivalliq Inuit Association. This paper begins with a brief discussion of the contemporary harvesting economy in

Baker Lake and mining-related controversy in the region. This is followed by an outline of the various mechanisms that facilitate Inuit participation in decisions related to mining projects on their territory and an analysis of the limitations associated with each of these mechanisms. I conclude with some recommendations to improve the ability of Inuit to partake in these discussions.

### MINING AND HARVESTING IN BAKER LAKE

Subsistence wildlife harvesting, especially of caribou, fox, wolf and lake trout, plays a substantial role in the contemporary well-being of the Inuit of Baker Lake. In 2001, 53% of Inuit adults in Baker Lake reported that they had hunted in the previous year, 62% reported that they had fished in the previous year and 55% reported that they had gathered wild plants in the previous year (Statistics Canada, 2001). While harvesting provides some monetary income to Inuit harvesters through the sale of furs and arts and crafts made from animal products, this income is generally reinvested into harvesting activities in the form of hunting equipment, fuel and ammunition. Thus, the primary net economic benefit Inuit accrue from harvesting is food.

Locally harvested foods, which are generally more nutritious than imported foods sold at local stores (Sharma et al., 2010), are distributed amongst Inuit via a variety of social mechanisms (Wenzel, 1995). Most Inuit with whom I spoke reported that they shared or received food most often through extended kinship networks. These networks included individuals that mainstream western society would normally classify as relatives (children, grandchildren, parents, grandparents, aunts, uncles, cousins, et cetera) as well as individuals that are related in Inuit-specific ways (through adoption, naming practices, et cetera). Many hunters described a particular need to provide food for individuals who could not provide for themselves, including widows, Elders and the disabled. Some politicians and hamlet employees spoke of a desire to retire from their jobs early so they can have more time to hunt for local Elders and widows. Most hunters I spoke to claimed that they would, in general, provide food for anyone who asked and that it was “very diffi-

cult to say no to someone.” One hunter commented, “You’ll probably never hear someone say ‘no, you don’t get some.’” In this sense, the hunting economy can be conceived as an informal, community-driven social-safety net, with the goal of ensuring that all members of the community have access to healthy food—an aspect of the local social economy (Wenzel, 1995).

The mining industry has historically been a source of contention in the community of Baker Lake, primarily because of the impacts exploration activities have had on the harvesting economy and the anticipated impacts of some extractive activities on both harvesting and community health. In 1978, the Hamlet of Baker Lake, the Baker Lake Hunters and Trappers Organization and the Inuit Tapirisat of Canada (now the Inuit Tapiriit Kanatami) sought litigation to halt uranium exploration activities in the area surrounding Baker Lake. They based their case on the argument that Inuit possessed unextinguished Aboriginal Title to the region, rendering existing land use permits invalid. Furthermore, they contended that exploration crews—through noise created by low flying aircraft and drilling—were scaring caribou herds away from the community and creating a situation in which subsiding off of hunting was difficult, if not impossible<sup>1</sup> (*Hamlet of Baker Lake v. Minister of Indian Affairs and Northern Development*, 1978).

Justice Mahoney issued a temporary, one-year injunction in 1978, and reached a final decision in 1979. Mahoney came to the conclusion that Inuit did possess Aboriginal Title to the region, but that it was insufficient to nullify federal land use permits (*Hamlet of Baker Lake v. Minister of Indian Affairs and Northern Development*, 1979: 3). Furthermore, he contended that exploratory activity was not the cause of the caribou herds’ failure to frequent the Baker Lake area during this time period (*ibid.*: 62).

Mining-related controversy returned to the community in the late 1980s, when Urangesellschaft (UG)—a German mining company and one of the defendants in the above-mentioned court case—submitted a proposal to mine uranium at Kiggavik, 80 kilometres west of Baker Lake. Due to the sensitive role the Kiggavik area plays in caribou life cycles,<sup>2</sup> concerns with the radioactive contamination of wildlife and moral qualms with nuclear power

and weaponry, many local residents and politicians took part in a campaign to prevent the mine from opening. Baker Lake residents Joan Scottie and Samson Jorah formed the Baker Lake Concerned Citizens Committee (BLCCC) — a local group with the aim of educating residents about the dangers associated with uranium mining and promoting local participation in the environmental assessment process (Joan Scottie, 1992). A variety of local and regional politicians formed the Northern Anti-Uranium Coalition (NAUC), which sponsored workshops on nuclear power and uranium mining (McPherson, 2003: 174). In 1990, the Hamlet of Baker Lake (which had, up to that point, officially remained neutral in the debate, despite the fact that it appeared to many residents that a number of hamlet counsellors supported the project) agreed to hold a plebiscite to determine the community's position on the project proposal. Over 90% of voters who turned out voted against UG's proposal, with 72% of eligible voters present (*Nunatsiaq News*, September 5, 2003). Levels of opposition, in conjunction with low market prices for uranium, prompted UG to shelve and eventually abandon the Kiggavik proposal.

In recent years, the community of Baker Lake has become more open to mining activity in the region. During my time in the community, I encountered very few people who were opposed to all forms of mining in the region. Agnico-Eagles Mines Ltd. began construction of the Meadowbank gold mine — located 70 kilometres north of Baker Lake — in 2007, with production commencing in early 2010. Despite some controversy around the question of Inuit access to mine roads, language in the workplace and a racially stratified workforce, many local Inuit appear to be content with the role Meadowbank is playing in the community thus far.

Even with this newfound openness to mining in the region, local support for projects is by no means unconditional. Another more recent proposal to mine uranium at Kiggavik, submitted by Areva Resources in 2007, has generated a great deal more public concern than the Meadowbank mine. While opposition to the Kiggavik mine is nowhere near as widespread as it was when UG was the proponent, many community members remain apprehensive about the project and others are actively opposing it.

Support for projects is based on whether or not the project in question will play a positive role in the community. Inuit demand that projects benefit local Inuit — both through employment and resource royalties — and that projects do not substantially harm community health or the harvesting sector. The satisfaction of the latter demand is largely contingent upon the ability of local Inuit to control the characteristics of mining projects in the region. The harvesting mode of production is complex and its success relies upon the guidance of Elders who have a nuanced understanding of local wildlife, survival in the Kivalliq's ecosystem and the social context of Inuit communities. The complexity of the knowledge required to guide and direct local harvesting activities will likely render any unilateral attempt on the part of bureaucratic institutions to manage Inuit harvesting disastrous.

#### COMMUNITY PARTICIPATION IN DECISION MAKING: OPPORTUNITIES AND BARRIERS

A variety of mechanisms currently exist which facilitate Inuit input into the design and operation of mining projects, most of which have their roots in the *Nunavut Land Claims Agreement* (NLCA). The policies of some regulatory boards created by the NLCA stipulate that project proponents must undertake *Inuit Qaujimaqatugangit* (IQ) studies and incorporate these in their Environmental Impact Statements. Furthermore, the NLCA states that mining companies must negotiate Inuit Impact and Benefit Agreements (IIBAs) with Regional Inuit Organizations (in this case, the Kivalliq Inuit Association) and consult extensively with Inuit prior to the commencement of mining activities.

While these stipulations appear to provide Inuit with a great deal of control over projects, a variety of concerns exist regarding their ability to facilitate meaningful Inuit input. IQ is a concept — often likened to Inuit Traditional Knowledge or Inuit Traditional Ecological Knowledge — which was formulated by Inuit in an attempt to facilitate the incorporation of Inuit culture and values into governance when the territory of Nunavut was created in 1999. Specific definitions of the term vary, but in general they all suggest that IQ encompasses the entirety of Inuit knowl-

edge and culture, including worldviews, values, language, social relations, decision making processes, hunting skills, sewing skills, survival skills and intimate knowledge of wildlife and the environment (Oosten, Laugrand & Aupilaarjuk, 2002; Arnakak, 2002; Tester & Irniq, 2009).

A developing scholarly interest in traditional knowledge in general has resulted in numerous academic IQ studies in recent years, the majority of which concern climate change (Department of the Environment, 2005; Leduc, 2006; Thorpe et al., 2002) and wildlife management (Dowsley & Wenzel, 2008). This trend has also resulted in a requirement that mining companies utilize IQ in their environmental impact statements by the Nunavut Impact Review Board (NIRB) (Nunavut Impact Review Board, 2009). Accordingly, in preparation for their environmental impact assessment, Areva Resources has undertaken a baseline IQ study in which twenty local Elders who were born in the Kiggavik region were interviewed.

A great deal of controversy exists surrounding the manner in which IQ is utilized by both academia and industry. These studies often treat IQ as a source of empirical data about wildlife rather than a living body of knowledge that embodies non-western worldviews and ways of being. This can lead to the fragmentation of IQ, removing it from the values and cosmological understandings that give it meaning (Tester & Irniq, 2009). Furthermore, this treatment of IQ may render it available for corporate appropriation. Regarding this issue, Inuit politician and intellectual Jaypeete Arnakak stated:

One of my criticisms of the treatment of indigenous knowledge and IQ is that it's a thinly veiled corporatist agenda regarding the environment. It's way too specific to corporate style resource development and management to really be considered indigenous knowledge (quoted in Leduc, 2006: 27).

The limited number of participants in IQ studies is also a source of concern for many local Inuit. This is largely related to the nature of IQ itself—a variable and individual, rather than universal and objective, body of knowledge. Each Elder possesses their own knowledge and experience, and most place a great deal of value on the different and sometimes contradictory

information and opinions provided by others (Oosten & Laugrand, 1999: 9–10). For some Inuit, the complex nature of IQ and the fact that IQ studies often only include a small number of Inuit rendered them essentially worthless.

I've heard of people collecting traditional knowledge, but often times they hand picked people who they think have traditional knowledge. And if they pick five people from anywhere, they think that's traditional knowledge. I think it should be approved by the whole community. We have so many different tribes and what traditional knowledge are they talking about? How many are they going to interview? Is ten enough or is twenty better? How is our traditional knowledge used? How does it cover all of the areas of traditional knowledge? We may have different knowledge. I don't know a whole lot, I know some, but you'd have to go to someone else to learn about different kinds of traditional knowledge. There's so many things like meat preparing and hunting and land use and wildlife habitats and fishing areas and different seasons. If I say that I hunt in one area, it's not all year long. This might be my seasonal hunting area and then I go somewhere else. And if I get caribou in the month of January it's not the same thing as if I hunt in the month of August. How I prepare and how I hunt. How do they cover all of that stuff? (Joan Scottie)

Some local Elders felt that the only way IQ could be utilized by mining companies in a meaningful fashion was consultation with *all* local Elders regarding every aspect of a mine's design and operation.

Areva's IQ study also exhibits limitations which may be specific to its particular context. The fact that the study focused on Elders who were born in the region is in some ways problematic. The land use patterns of Inuit in the Baker Lake region have shifted a great deal since the movement from scattered camps throughout the Kivalliq region to a centralized settlement in the 1950s and 1960s. Most of the Elders interviewed, as well as their families, now frequent different hunting territories, while a number of families who trace their origins to different areas use the area immediately downstream from Kiggavik for fishing and caribou,

wolf, fox and wolverine hunting. It is likely that Areva's study will do little to help protect the subsistence activities these families rely upon, due to their lack of participation in the research.

IIBAs — agreements which may include local hiring and training initiatives and preferential contracting for Inuit businesses — are also associated with a variety of problems.

IIBAs often focus solely on capitalist economic development, while paying little attention to social and health issues (Knotsch & Warda, 2009). The contents of IIBAs are also often confidential, making it impossible for most Inuit to participate in their negotiation in any meaningful way. The case of Baker Lake seems to fall in line with the trend of confidentiality, as the contents of the IIBA concluded with Agnico-Eagle Mines for the Meadowbank mine are confidential, as are the negotiations of an IIBA with Areva Resources.

Given the numerous issues associated with IQ studies and IIBAs, consultations appear to provide a much more viable avenue for Inuit to control development projects in the interests of protecting the harvesting economy. In Canada, a series of Supreme Court of Canada decisions<sup>3</sup> provide all of Canada's Aboriginal Peoples with the right to be consulted prior to development on their traditional lands. In the case of Inuit, the *Nunavut Land Claims Agreement* has created a regulatory regime which provides opportunity for consultation with Inuit.

Proponents in Baker Lake consult with a wide-array of territorial, regional and local organizations, including Nunavut Tunngavik Incorporated, the Kivalliq Inuit Association, the Baker Lake Hamlet Council, the Baker Lake Hunters and Trappers Organizations and two community liaison committees created by mining companies specifically to facilitate consultations with local Inuit. However, this manner of consultation is victim to many of the problems associated with IQ studies — most notably these meetings do not involve the entire community. Also, many of these organizations are often run by people who, many local Inuit contend, are in a position to benefit from these projects a great deal more than other community members, making their interests conflict with those of many of the Inuit they represent.

In addition to meeting with local and regional organizations, proponents and regulatory

boards hold consultations with entire communities. For example, Areva Resources has held a series of open houses in Baker Lake to seek input regarding what route a road connecting Baker Lake with the proposed Kiggavik mine might take. While these types of meetings are inherently more useful to local Inuit seeking to protect the future of Inuit hunting, a variety of barriers to meaningful Inuit participation still exist. Many of these barriers are most problematic for unilingual Elders, whose meaningful input is by far the most valuable.

Most prominently in the case of consultations dealing with Areva's Kiggavik proposal, many Inuit are finding it difficult to engage mining company representatives in a meaningful discussion because they lack an understanding of the scientific concepts used to explain issues related to the nuclear industry. Concepts like radiation are extremely difficult to translate into Inuktitut, making it hard to discuss the potential dangers of a uranium mine. This should not be interpreted as a claim that Inuit Elders are unintelligent; this could not be further from the truth. The experience, knowledge and wisdom possessed by Elders can make a great deal of academic knowledge appear to hold little practical value. However, the concerns with nuclear science are relatively new to Inuit Elders, and an understanding of nuclear physics has yet to be fully incorporated into IQ.

This problem is made more severe by a variety of structural issues. Some Inuit feel that there is insufficient time available to absorb issues and discuss concerns in the context of short consultation meetings. This is often made more problematic by the fact that many consultation meetings take place without adequate information being sent to the community prior to meetings. Many feel that if more information was made available prior to meetings, allowing Inuit time to discuss and familiarize themselves with issues within the community, that the meetings would be far more productive.

Inuit participation in public consultation meetings is further constrained by difficulties associated with accessing information about potential projects. While project proposals and correspondence is made available on-line by regulatory boards, there is a notable lack of material available in Inuktitut (other than summaries of project proposals) and the proposals and cor-

respondence are organized in a manner which makes it difficult and time consuming for English-speaking academics to locate particular projects of interest. For unilingual Elders or English-speaking Inuit with little formal education,<sup>4</sup> accessing this information would likely be impossible.

The difficulty Inuit experience when attempting to access information means that the primary source of information regarding mining projects (as well as radiation and the nuclear fuel cycle) for most Inuit is oral in nature. In the contemporary context of Baker Lake, this information is generally provided by mining companies. For example, representatives from Areva Resources have gone to great lengths to explain the benefits of the nuclear industry to local Inuit. Community wide open houses are held to explain the nuclear industry to residents of Baker Lake and Inuit are taken on tours of uranium mines in northern Saskatchewan, all on Areva's budget. However, many Inuit Elders feel that the information provided is biased in favour of the mining company's interests, and gives no attention to concerns and drawbacks associated with uranium mining. For some Elders, this has created a situation in which they are unable to engage in a proper dialogue.

According to the Elders ... what I'm hearing is that the mining companies are not completely up to par with their information. The Elders don't feel that the mining companies are giving them all of the information, so that they could be included and be there within the discussions while they [the companies] are looking for answers. All they're doing is making the decisions themselves without the consultation of all of the Elders. (Paul Atutuvaa)

There's not enough discussion in the community. No one talks to the public about the bad parts, only about the good stuff. (Anonymous)

They keep telling you these good stories of products in your own home ... as an example, TV gives off radiation or is made from some sort of radioactive material ... so is your microwave ... so is the clock ... they give out radiation all over the place. They say, if that's safe ... why shouldn't our products be safe ... is the analogy they're using ... obviously it is hard to answer back when you are told

that your TV produces radioactivity ... whether it is your watch, your clock, your fridge, your fast cooker, whatever is electrical it seems. They give you that answer ... it is hard to really talk back. As a real Inuk, you don't really know what else to say. But still, there are questions. It gets to the point where there may be issues that might come up, but given that type of answer it is difficult to try and talk back. You may have concerns, but how do you explain what your concerns might be given the type of answers you are given ... another example they give is that if a person gets cancer they use radiation therapy to correct the cancer. Hearing stuff like that, it is slowly getting harder and harder to talk back. (Anonymous)

Many feel that an appropriate response to this situation should involve sending independent scientists to Baker Lake to discuss the concerns and potential negative impacts of uranium mining to local Elders.

I think it [the presence of independent scientists] would make it fair. It would be very fair for anyone who wants to hear it from the other side as well. If they do that, it's not so much saying that Areva is wrong about uranium and we need to prove it. It's not so much that. What we're trying to say is that 'ok, you've got your scientists, you've got your public relations guys, you've got your psychologists telling us how friendly and good uranium really is. But we're not hearing it from the other side. You know, let's hear it from the other guys as well so that, you know, we can make a sound decision from there. But for now it's really one sided ... (Hugh Ikoe)

For some reason they are not allowing other independent scientists to really explain their side. If there was an open dialogue with other scientists, where they [Inuit] are given the real side, the negative side, the bad side, and have an open dialogue with the Inuit and maybe the company might open up a bit more ... maybe if that dialogue was open between all concerned including the Inuit, the mining company. It might be better if we get other, non-involved scientists to come up and explain things ... just as a regular Inuk you have no idea of where else to turn or who to believe. (Anonymous)

It should be noted that many people who, at the time of my interviews, supported the Kiggavik proposal, also agreed that having an independent expert discuss the potential negative impacts of uranium with local Elders was desirable.

This situation is, to a degree, a symptom of the lack of funding available to community groups. Joan Scottie reformed the Baker Lake Concerned Citizens Committee in response to Areva's interest in the Kiggavik ore body. However, the BLCCC has been unable to obtain any operational funding to assist them in either analyzing Areva's proposal or explaining issues related to it to the community.

Some individuals and community groups have applied to the NIRB for intervener funding, to help them take part in the Environmental Review of the Kiggavik proposal. Some of these individuals and groups (including *Nunavummiut Makitaganarningit* (NM), a new Nunavut-wide non-governmental organization with objectives that include undertaking research and educating Inuit on the dangers associated with uranium mining) have indicated that they wish to use these funds, in part, to hire independent consultants to help them review Areva's proposal. At the time of writing, the amount of intervener funding allotted for the Kiggavik review by Indian and Northern Affairs Canada was \$250,000, and is apparently to be split between ten interested parties. This is a relatively small amount of funding, especially when compared to the combined \$1,976,035 these groups requested. The small amount of funding made available has been criticized by NM, the Beverly and Qamanirjuaq Caribou Management Board and MiningWatch Canada. As a result, the NIRB has written INAC Minister Chuck Strahl, requesting that the minister reconsider the amount of funding allotted for interveners (Arragutainaq, 2009).

## RECOMMENDATIONS

These concerns are not limited to consultation meetings between communities and mining companies. According to many community members, public hearings held by regulatory boards and community consultations undertaken by Inuit Organizations suffer many of the same difficulties. Perhaps the existing logic of consultations needs to be rethought in a manner which facili-

tates community participation to degrees greater than currently exist. A recent study of mining regulatory regimes in Canada's north, commissioned by Indian and Northern Affairs Canada, argued that there is a need to properly define "principles, steps and standards" related to consultations (McCrank, 2009: 34). The concerns discussed in this paper lend support to this claim. However, they also indicate that any attempt to define the consultation process must involve the active participation of Inuit *at the community level*.

Attempts to address problems with the consultation processes will no doubt take a great deal of time and research. In the meantime, Inuit throughout Nunavut are faced with decisions regarding mining projects. Some, like the proposed Kiggavik mine, are a source of a great deal of community concern. Action must be taken immediately to provide Inuit communities with the resources required for full participation in decision making processes. In the context of uranium mining in Baker Lake, an appropriate strategy would involve the allocation of funding for independent experts to further discuss issues related to uranium mining with local Inuit. This would help facilitate the meaningful use of IQ in mining projects. Rather than fragmenting IQ and forcing it into the structures and values systems of western science as studies often do, it would result in the reverse—the incorporation of empirical data provided by science into the cosmological framework of Inuit culture.

## NOTES

1. During this time period the Beverly and Qaminirjuaq caribou herds failed to visit the Baker Lake area in sufficiently large numbers. Biologists attributed this to a decline in caribou populations (Tester & Kulchyski, 2007), while local Elders maintain, to this day, that the caribou had simply changed their migration routes and were frequenting different areas.
2. The Kiggavik area is used by the Beverly caribou herd in the post-calving period of their life cycle. Disturbance to cows in the post-calving period is associated with an increase in calf mortality and a decrease pregnancy rates the following year (BQCMB, 2007).
3. See *Haidi Nation v. British Columbia (Minister of Forests)*, *Taku River Tlingit First Nation v. British Columbia* and *Mikisew Cree First Nation v. Canada (Minister of Canadian Heritage)*.

4. In 2006, 72.6% of Aboriginal People in Baker Lake aged 15 and over did not have any form of certificate, diploma or degree from a formal education institution, including High School diplomas. Additionally, 82.2% of Aboriginal People in Baker Lake did not have any form of certificate, diploma or degree from a post-secondary institution (Terriplan Consultants, 2008: 9–10).

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