

Mining, MMIWG and Market Based Instruments:

Impact Assessment in Treaty 9 First Nations Territories

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Introduction

The Impact Assessment Act of 2019 (IAA 2019) has both broadened and made available the study of complex issues of social and economic impacts to First Nations communities within Impact Assessments (IA). We explore the implications for the role of IA and IBAs in addressing the acute impacts of resource development on Indigenous women, girls, and gender diverse people in Treaty 9. Indigenous women are holders of inherent, constitutional, international and domestic human rights, in addition to special rights under Treaty, land claims and settlement agreements (MMIWG, 2019b). These rights are violated by the encroachment of resource development projects on traditional lands. Indigenous women are acutely impacted by these extractive developments because they are largely excluded from the uptake of potential benefits while experiencing the negative impacts of these development processes. The acute impacts to Indigenous women and gender diverse people from development projects are well documented and studied (Amnesty International, 2016; Bridges et al., 2022, 2023; Bridges & Skelding, 2024; Gibson et al., 2017; Hoogeveen et al., 2021; Levac et al., 2021; Moodie et al., 2021; Pauktuutit Inuit Women of Canada, 2020). Academic, grassroots, and industry publications recognize that this structural violence is upheld and perpetuated by neoliberal policy making around extractive industry activities, particularly in rural and remote regions in the north.

We explore the implications for the role of IA and IBAs in addressing the acute impacts of resource development on Indigenous women, girls, and gender diverse people in Treaty 9.

Introduction

While the Impact Assessment Agency of Canada (IAAC) has made available guidance on best practices for applying Gender Based Analysis Plus (GBA+) in Impact Assessments, there are currently no directives or available instruments that would support implementing MMIWG Calls for Justice outside of GBA+ guidance. There are no specific mandates on the minimum required information to successfully evaluate on GBA+ application. While this has left a significant amount of flexibility for interpretation by both First Nations communities and developers, it has led to confusing processes and inconsistent applications and has not supported adequate disaggregated data collection or consideration of socio-economic factors within a GBA+ context, within regulatory or market-based planning processes.

In Northern Ontario, we propose that the limitations around GBA+ implementation may be attributed to tendencies of stakeholders to lean on Treaty 9 rights and land claims discourse as a traditional focus of consultations around land use planning, this has continued despite the roll-out of the new IAA 2019 legislation. There are many potential reasons why this could be the case, including the fact that IAA 2019 is still a relatively new process, and that GBA+ is a procedurally foreign concept to tackle in an already complex technical review processes, and there is a lack of data available in the first place to do the work. In this article we explore issues and opportunities around GBA+ within the Treaty 9 context and outline specific issues and opportunities for impact mitigation strategies that would maximize the current legislative and market context in addressing Indigenous rights issues.

Introduction

The new IAA 2019 legislation has opened broadened opportunities for socio-economic impact assessment and mitigation, and the possibilities must be explored by governments, developers and First Nation communities and enforced accordingly in collaborative initiatives. To fail to do so risks leaving the structural impacts of resource development on gender and intersectionality as a poorly considered aspect of planning and does not support the MMIWG National Action Plan nor does it cultivate transformational change in industry practices. Poor application of GBA+ in resource development planning and operations will continue to perpetuate widely known fundamental issues affecting marginalized sub-groups, and leaves gaps for industry activities and their ripple effects to continue eroding or largely ignoring national and international commitments (i.e. TRC, DRIPA, RCAP, SDG's, etc.) while also failing to uphold meaningful and equitable engagement and collaborative processes in IA.

The new IAA 2019 legislation has opened broadened opportunities for socio-economic impact assessment and mitigation, and the possibilities must be explored by governments, developers and First Nation communities.

The Acceleration of Change in the North

Treaty 9 First Nations Territory and Northern Ontario

The James Bay Treaty is an agreement between Ojibwe, Cree and other Indigenous nations and the Crown. The Treaty was signed during 1905-1906 and covers the James Bay and Hudson Bay watersheds in Ontario, which is about two-thirds of the provincial landmass (Nishnawbe Aski Nation, 2020). The oral promises made during the signing assured First Nations representatives they would continue to hunt, fish and trap anywhere they wished, that traditional subsistence practices would continue the same as before, and would continue in perpetuity (Nishnawbe Aski Nation, 2020). The oral promises made in Treaty 9 included ‘promises around unrestricted hunting territory, continuity and non-interference with traditional livelihoods’ (Nishnawbe Aski Nation, 2020), for a more complete breakdown and summary please see Nishnawbe Aski Nation for legal and historical documents and information. Treaty 9 was drafted without the presence of the Nations whose lands would be impacted, that Nations agreed to ‘cede, release, surrender and yield up all their rights titles and privileges whatsoever’, laying the groundwork for the Crown to exploit resources uninhibited across what is now called Northern Ontario (Gonzales, 2023).

The historic Treaty 9 and its adhesions are distinct because of the ‘Taken-Up Clause’ that the Crown may take up land for settlement, mining, lumbering or other trading purposes (Tsuji, 2021). The Treaty right to hunt, fish and trap became enshrined into the Constitution Act of 1982, however the Government of Canada can override these rights and develop on First Nations territories if a project was deemed to be in the public interest, of which is a non-Indigenous majority (Tsuji, 2021). Subsequent legislation has been passed for development in Northern Ontario, the Green Energy and Green Economy Act, the Mining Amendment Act and the Far North Act all contain similar clauses to override Indigenous interests in the interest of the public (Tsuji, 2021), perpetuating the erosion of First Nations rights and interests to their traditional territories.

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The Acceleration of Change in the North

Treaty 9 First Nations Territory and Northern Ontario

In 2021 Ontario was the province with the highest number of First Nations peoples, representing 23.9% of the total First Nations population (Statistics Canada, 2023). There are more remote First Nations in Ontario than in any other region and urban centers with significant Indigenous populations include Thunder Bay, Sudbury, Timmins, Sault St. Marie, Ottawa and Toronto (Statistics Canada 2021). There are 133 First Nations reserves located across Ontario, 78% of First Nations communities located in Northern Ontario (Ontario 2022a).

Northern Ontario itself is founded on the denial of First Nations peoples land rights (Angus, 2022). Communities that are or were the key centers of resource production are now some of the most underdeveloped (Angus, 2022). Mining communities have historically and contemporarily generated enormous wealth for the province but have chronically underfunded infrastructure and have poor taxation systems that create barriers for resource-based towns to economically diversify which and has far reaching consequences for architectural investments, urban planning and environmental awareness (Angus, 2022).

The boom-and-bust cycle of development in the mineral sector particularly is not a new concept, it is repeatedly observed on a global scale. Ontario has a long history with mineral development in the rural north. Approximately 95% of the land in Northern Ontario is unorganized, its considered Crown land and managed mainly by the Ministry of Natural Resources and its economy is based primarily on resource export and transportation corridors (Leadbeater, 2024). Northern Ontario is founded on the colonial conditions that include 87% of the land mass of Ontario, central to this is the dispossession and segregation of Indigenous peoples to reserve lands, which form less than 1% of Treaty areas and the systematic denial of sovereignty and continued cultural genocide (Leadbeater, 2024).

“Northern Ontario is founded on the colonial conditions that include 87% of the land mass of Ontario, central to this is the dispossession and segregation of Indigenous peoples to reserve lands, which form less than 1% of Treaty areas and the systematic denial of sovereignty and continued cultural genocide.” (Leadbeater, 2024).

The Acceleration of Change in the North

Mining and the Critical Minerals Strategy

Ontario's growth plans show the issue of 'studying the colonial economy without perceiving colonialism', masking the need for critical research in Northern Ontario about resource extraction, ecology, different future growth opportunities, and more democratic representation of Northern communities and their fundamental relationship to ownership, control and use of lands and resources (Leadbeater, 2024).

Ontario's economy is significantly fuelled by mineral development. Diverse mineral endowment is promoted as being Ontario's strongest economic advantage, with over half of platinum group element reserves in Canada located in Ontario, over a third of nickel reserves and significant amount of graphite reserves, which are key minerals in electric vehicle batteries (OMA, n.d.). In its Critical Minerals Strategy 2022-2027 promotes its plans for the 'Corridor of Prosperity' leading to the Ring of Fire Region, in which is promoted as being an opportunity for intergenerational wealth. Two Impact Assessments, Marten Falls Community Access Road and Webequie Supply Road are the first ever First Nation led Impact Assessments to be undertaken in Canada. Ontario has also promised to invest 1 billion to support legacy road infrastructure on the basis that their contributions will be matched by the federal government (Ontario, 2022).

Marten Falls Community Access Road and Webequie Supply Road are the first ever First Nation led Impact Assessments to be undertaken in Canada.

Ontario's mining royalty tax is based on net profits of 10% for most mines, with 5% rate given to qualifying remote mines, notably Ontario has added the Economic Development Allowance which allows for deductibility of certain payments made under IBAs with First Nations, and other qualifying charity donations and contributions, and has one of the lowest profit-based royalties taxation rates in Canada (MAC, 2008).

The Acceleration of Change in the North

Mining and the Critical Minerals Strategy

Resource developments, and mining in particular are a frequent flashpoint for conflict over rights infringements of First Nations peoples. Several Treaty 9 Nations have commenced litigation against the governments of Ontario and Canada to challenge the Court's jurisdiction over Treaty 9 lands, seeking relief including co-jurisdiction powers and decision-making authority over Treaty 9 lands, as well as damages from the Courts, in response to actions by the government to expedite regulatory permitting processes and resource development in Ontario (Langlois, 2023).

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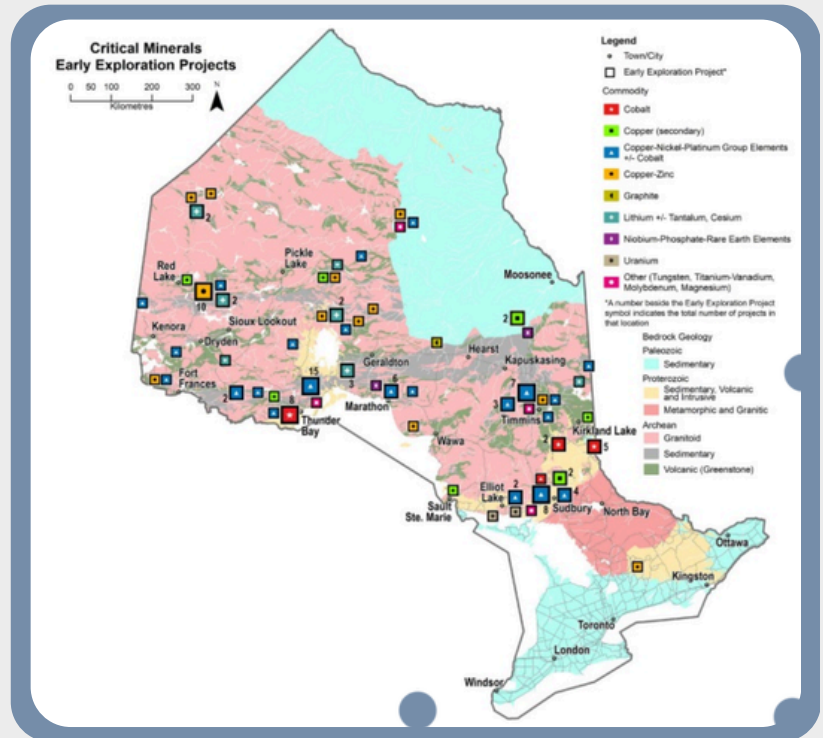


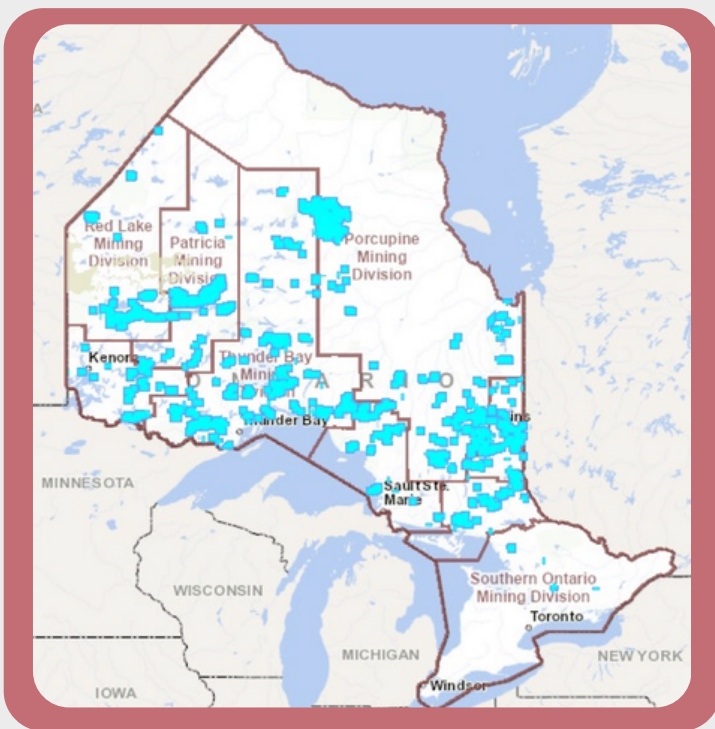
Figure 1: Critical. mineral early exploration projects currently underway in Ontario (as of March 2022) (2025) Ontario's Critical Mineral Strategy Report. Retrieved from [Ontario's Critical Mineral Strategy Report](#)

The Acceleration of Change in the North

Mining and the Critical Minerals Strategy

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Mining Operations are a significant industry represented in rural northern Ontario, with thousands of mineral staking claims and exploration projects occurring across the north. Historical trends of minimal state intervention in prospecting and early exploration and development have affirmed the prioritization of mineral interests over other interests, including surface rights owners and Indigenous peoples (Theriault, S. 2013).



Free-entry mining systems provide the rights for a miner to stake a claim to secure exclusive access to tracts of land to research publicly owned minerals, and these claims may be renewed should the claimant do the minimum required work under regulatory parameters (Theriault, S. 2013). The dispossession of Indigenous lands is facilitated through the institutionalization of sub-surface property rights and is predicated on the erasure of Indigenous claims to lands (Hoogeveen, D. 2014). The Mining Act in Ontario is being challenged as infringing on First Nations rights by awarding mining claims without consultation by seven different First Nations, currently in progress (King, R. 2024).

Figure 2: Active Early Exploration Permits (2025). MLAS Map Viewer. Ontario Ministry of Mines. The MLAS viewer is an integrated component of MLAS, accessible to MINES clients and the general public. The MLAS viewer provides spatial data and related information including current mineral titles and the availability of lands for mining claim acquisition. Retrieved from: [MLAS Map Viewer- Ontario Gov](#)

The Acceleration of Change in the North

Mining and the Critical Minerals Strategy

Resource extractive developments are prevalent in more rural remote areas and continue to be a major contributor to job opportunities available in the north. It is expected that mining will continue to be a dominant economic driver for northern communities. In the context of the current government of Ontario, deregulation and ‘removing red tape’ to facilitate development in Ontario is paving the way for increased friction between land use issues and rights interests between First Nations peoples and the provincial government.

The colonial structure of Northern Ontario is continually reproduced in the reserves system, the disparities by historic Treaty areas from the 2016 census show a 22.4% unemployment rate for on-reserve Indigenous people compared to 9.3% for Northern Ontario, and there is no publication of low-income data for individual on-reserve populations compared to non-Indigenous communities (Leadbeater, 2024). The comprehension of labour market conditions on distributional outcomes in Northern Ontario depends on knowledge on the proportion of persons dependent on labour incomes like wages and salaries (Leadbeater, 2024).

Ontario promotes the that the mineral sector accounts for 11.2% of direct mining jobs for Indigenous people in the province and is purported to be the largest private sector employer of Indigenous people in Canada. Digging deeper, we see that Indigenous women in the mineral industry are severely underrepresented, despite many Indigenous communities being near mineral development projects across the rural north. The representation of women varies widely by occupational choices. Women’s presence forthe mining industry is particularly low because of the combination of jobs on a development site, many mining-centered occupations have less than 30% representation in 72% of jobs (Mining Industry Human Resource Council, 2024) . Women’s presence in the mineral industry is influenced more broadly by career pathways and is generally low in the skilled trades, with 3.6% of positions across Canada occupied by women, since trades account for 13% of mining employment, this has a big impact on representation of women in mining (Mining Industry Human Resource Council, 2024) this number is even lower when accounting for sub-demographics of Indigenous women and gender diverse peoples, discussed later in this chapter.

The Acceleration of Change in the North

Structural Impacts of Resource Development on Indigenous Women

While the focus of GBA+ in Impact Assessments of resource development considers intersectional factors, we focus on issues specific to gendered impacts of developments in this chapter, centering on the issue of violence against Indigenous women. There are several avenues that the addition of a resource development project exacerbates the violence that Indigenous women experience including toxic workplace culture, economic reliance on industry, and disrupted family dynamics (Hettinga & Dean, 2023). To begin, Indigenous women and gender diverse people are more likely to experience workplace sexual harassment and violence when employed in resource development projects (Pauktuutit, 2025; MiHR 2022). This creates a large barrier for Indigenous women and gender diverse people hoping to access gainful employment through the industry. Further, when Indigenous women and gender diverse people are employed through resource development projects they are more likely to be hired in positions that are low-paying (i.e. hospitality services) compared to their male peers who are more likely to be hired for high-paying jobs (Bond & Quinlan, 2018; Gibson et al., 2017; Hettinga & Dean, 2023).

Resource development projects exacerbate violence experienced by Indigenous women, including toxic workplace cultures, economic reliance on industry, and disrupted family dynamics.

The toxic work culture so often attributed to resource development projects impacts the wellbeing of local communities through the increase of human trafficking, substance abuse and addictions, sex work, and violence and harassment that accompanies the influx of workers to an area (Bridges & Skelding, 2024; Gibson et al., 2017; Pauktuutit Inuit Women of Canada, 2020). Moreover, the influx of workers to remote and northern areas due to resource development projects puts increased strain on existing infrastructure, both social and physical. Medical services, schools, community services, housing and more are all impacted by an abrupt increase in population. Road safety is also impacted since there is an increase of vehicles, both commercial and industrial. This boom in population and traffic in the area can place Indigenous women and gender diverse people in a precarious and vulnerable position. Research has demonstrated that equity deserving groups (such as Indigenous communities and more specifically Indigenous women, girls, and gender diverse people) are at greater risk to being impacted by the social and economic changes attributed to resource development projects (Hettinga & Dean, 2023).

The Acceleration of Change in the North

Structural Impacts of Resource Development on Indigenous Women

Another significant barrier for Indigenous women and gender diverse people to access gainful employment through resource development is the lack of childcare services available (Bridges & Skelding, 2024; Gibson et al., 2017). Often work schedules for people working on resource development projects are rotational in nature. Shifts may look like one week on-site and one week off (and often the rotational shifts are longer than a week), meaning that for many projects, employees must stay on-site for the duration of their shift. This means that many Indigenous employees have to rely on family (i.e. grandparents) to watch their children during a work rotation (Bridges & Skelding, 2024; Hettinga & Dean, 2023) . If an employee does not have family support it is very challenging to determine childcare during shifts. This means that many Indigenous employees have to rely on family (i.e. grandparents) to watch their children during a work rotation (Bridges & Skelding, 2024; Hettinga & Dean, 2023) . If an employee does not have family support, it is very challenging to determine childcare during shifts. Two Indigenous women are mentioned in the report *Our Sacred Responsibilities* (Bridges & Skelding, 2024), who explain that they intentionally choose shifts on opposite rotations so that they can watch each other's children on their time off, while others stated that even if childcare were available, they would not leave their children due to rotational work shifts. Regardless of what the childcare options look like it still stands that employment in resource development projects disrupts family dynamics for Indigenous women and gender diverse people. Grandparents are taking on a parenting role in many families and parents are not able to spend critical time with their children. This is placing a strain on both family and community dynamics.

The Acceleration of Change in the North

Structural Impacts of Resource Development on Indigenous Women

Literature around Indigenous women and extractivism is increasing in a variety of disciplines but remains an understudied and ill-attended factor in land use planning and economic development on all sides of development planning, therefore making the national inquiry critical to amplifying the lived experience of Indigenous women across the north. The environmental impacts of resource development projects are well documented however, the social impacts are often overlooked (Hettinga & Dean, 2023) . The lived experience of Indigenous women, girls, and gender diverse people connected to resource development projects showcase how the presence of these projects exacerbates this violence (Bridges & Skelding, 2024; Gibson et al., 2017; Pauktutit Inuit Women of Canada, 2020)



Intersectional Analysis of Gendered Issues in Development

Missing and Murdered Indigenous Women and Girls

Murdered and Missing Indigenous Women and Girls (MMIWG) Calls for Justice implementation in the context of resource development is crucial to address systemic issues of violence, marginalization, disenfranchisement, and exclusion of Indigenous women from industrial development operations. As outlined in the MMIWG Final Report titled 'Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls, Volume 1a, 1b', institutional, systematic, and structural colonial violence persists through 4 major pathways:

- historical, multigenerational, and intergenerational trauma.
- social and economic marginalization.
- maintaining the status quo and institutional lack of will and.
- ignoring the agency and expertise of Indigenous women, girls and 2SLGBTQQIA people.

These pathways represent intersecting aspects that can be experienced individually or cumulatively. Violence is more likely to occur when multiple pathways of colonial violence come together, imposing intersectional barriers of discrimination (MMIWG, 2019a). Indigenous women and gender diverse persons acutely experience dehumanization, racism, and discrimination which transform them into targets for sexual and violently motivated abuses and crimes (Archuleta, 2006) . The national inquiry heard testimonials that directly relate to resource extraction projects as exacerbating the problem of violence against Indigenous women and girls, citing major projects as driving exposure to transient workers, harassment and assault in the workplace, increased substance abuse and addictions, and economic insecurity (MMIWG, 2019b). The national inquiry examines the relationship between resource development projects and violence against Indigenous women, girls, and gender diverse people as well as including five (13.1-13.5) Calls for Justice targeted to the extractive and development industries (MMIWG, 2019a, 2019b) . The Calls for Justice are as follows:

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 impact-benefit agreements 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.

Intersectional Analysis of Gendered Issues in Development

Missing and Murdered Indigenous Women and Girls

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 people. 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.

Indigenous women and girls, two-spirit and gender diverse people are overrepresented as victims of violence in Canada, between 2009 and 2021 the homicide rate among Indigenous women and girls was six times higher than among non-Indigenous women according to Statistics Canada (CIRNAC, 2024). According to data reported to Statistics Canada by 2019 Uniform Crime Reporting Survey, the rate of violence committed by someone other than an intimate partner was four times higher for women in remote areas (Burczycka, 2022) . Testimonials from Indigenous women across Canada have emerged that substantiate linkages to major development industry operations and negative consequences for marginalized groups (Forester, 2022; Morin, 2020; Trumpener, 2022; WEA & NYSHN, 2016) , however when researching numbers and analysis on this issue it immediately becomes difficult to begin to quantify the levels of violence incidents and other crime statistics for First Nations peoples in relation to resource developments, even more so when searching through provincial or regional reports.

A public inquiry into the sexual violence and racism at hydroelectric projects in northern Manitoba is supported by Indigenous women and leaders.

Intersectional Analysis of Gendered Issues in Development

Missing and Murdered Indigenous Women and Girls

The Standing Committee on the Status of Women for the House of Commons has tabled its report ‘Responding to the Calls for Justice: Addressing Violence against Indigenous Women and Girls in the Context of Resource Development Projects’ to the House of Commons. This is informed by a series of briefs submitted by prominent First Nations, activists, research groups and Indigenous organizations that all identify and request action be taken to track and collect data on violence against women (FEWO, 2022). The calls are clear – we need research and program supports that can draw direct linkages of the impacts of transient workers and resource development operations in the rural north, and to provide additional resources that can respond to increased occurrences of violence because of nearby resource developments. In response the Government of Canada outlined actions it has taken including funding programs through IAAC, creation of GBA+ toolkits by Indigenous women’s organizations, and funding into research projects that investigate the Calls for Justice in resource developments and overall makes a commitment of ensuring ‘resource development in Canada respects the rights of Indigenous Peoples; increases social infrastructure and wraparound services for Indigenous women, girls and 2SLGBTQQIA+ people in the resource development sector; and increases skills, representation and opportunities for Indigenous women, girls, and 2SLGBTQQIA+ people in the natural resources sector’ (Parliament of Canada, 2022).

In 2021 the province of Ontario has published its ‘Pathways to Safety’ report detailing its commitments to addressing MMIWG issues, resource development is mentioned in its preventative programs and investments strategy ‘Ontario recognizes the need to address the unique circumstances faced by women in remote or northern communities, including near resource extraction industries. Ontario will explore how the potential negative impacts of infrastructure and resource development projects on Indigenous women, girls, and 2SLGBTQQIA+ people can be considered and mitigated to ensure the economic potential of these important projects can benefit all.’ (Ontario, 2021).

Since the original plan has been released Ontario has funded positions for Anti-Trafficking Liaisons in Thunder Bay, Akwesasne, Ottawa, Fort Frances and Toronto, and are responsive to ‘trends around mining and resource extraction and the increased risk of trafficking in communities that are affected’ (Ontario, 2023). While Ontario has committed to data gathering data to improve the landscape of baseline information on violence against women in Ontario, there has been no substantive linkages or concrete dataset presented in the progress reports to date, nor have there been any direct statements that respond to issues in disaggregated data collection, critical studies of industry operation impacts in northern communities, or other substantive data collection efforts for Northern Ontario and Indigenous peoples.

Intersectional Analysis of Gendered Issues in Development

Missing and Murdered Indigenous Women and Girls

Because of the influence of traditional roles, Indigenous women and gender diverse peoples are considered keepers of specific types of Traditional Knowledge, as such, being equally represented in research to have the opportunity to protect that knowledge is of paramount importance (McGregor, 2018) . A fundamental principle when researching with Indigenous communities is to establish a relationship and mutually determine parameters of study, timelines, and work plans that create a clear and accountable way of conducting research and data gathering (FNMPC, 2020; Indigenous Innovation Initiative, 2021; Inuit Tapiriit Kanatami, 2016;).

Increased representation is critical to ensuring that co-creation of dialogue opportunities exists in communities that are being researched and engaged with, as was called for in testimonials during the National Inquiry (MMIWG, 2019a) . Decolonizing research and planning processes such as IAs begins with creating structures that promote equitable representation of Indigenous women and gender diverse peoples' interests. Becoming meaningful participants in decision-making processes, particularly in the context of Indigenous engagement and consultation is a fundamental component of undoing legacies of misogyny, patriarchy, and colonialism (MMIWG, 2019a). Women's contributions to previous EA processes highlighted broader concerns about the effects of the mine on traditional harvesting, on community well-being, and on the health of individuals and families, the benefits of development, namely employment, and especially better-paid jobs, would not be equally shared by women (Southcott, C. 2022).

There are many methods of collecting data that uplift knowledge system translation, a topic that is being studied heavily in other institutions and organizations. The obscuring of Indigenous women's knowledge is continually perpetuated by western scholarship, and knowledge production on the subject of violence against women is manufactured on their behalf (Ficklin et al., 2022) . There needs to be a focus on knowledge production about the lived experiences of Indigenous women to be created by Indigenous women. Indigenous peoples have used collectivist teachings and community actions to promote awareness and support activism, leading to policy development for the prevention of violence (Ficklin et al.,2022).

Intersectional Analysis of Gendered Issues in Development

Collectivism and co-optation of gendered issues within First Nations communities

GBA+ as a policy development instrument is not adequate to meeting First Nations policy development contexts and would be more appropriately considered within a framework of gender balancing efforts if adapted for internal use by First Nations peoples (Stirbys, 2008) . There is misalignment between Federal efforts to increase equality via gender mainstreaming through legislative channels, and discourse around rights impacts and assessment of gendered impacts on Indigenous communities. From an uptake standpoint of GBA+ in IA, some of this friction stems from the complex dynamic of collectivist worldviews, legacy effects of gendered colonial policies and the systematic disempowerment of Indigenous women of their traditional roles and practices over time. There is a need to critically reflect on Indigenous expressions of gendered analysis from both an internal and external perspective within First Nations communities.

Gendered and sexed land-based belief systems and traditional responsibilities have always formed a part of the social and cultural relationships of Indigenous peoples, and their unique characteristics and distinctions that may not be generalized within a single nation (FNIGC, 2021) . The Eurocentric view of a male and female binary has been disruptive and harmful to First Nations ways of life, and there remains a legacy of intergenerational trauma that is attributed in part to the segregation within Indian boarding schools, combined with racialized biopolitical efforts to force Indigenous peoples to conform to Western ideals of gender and race (Pharaon, 2020). Indigenous women and gender diverse persons are central to intergenerational knowledge transference, and colonial systems have actively worked to disenfranchise women and their children from their cultural practices and homelands through policies such as the Indian Act (De Finney, 2017). Under colonial logic, Indigenous women and Indigenous lands were cast as colonial property, and both have been devalued and constructed as ‘rapeable’ (Simpson, 2013). It’s widely acknowledged and supported is that it’s critical to recognize the importance of Indigenous women in traditional governance structures, pre and post contact, and through intersecting issues of assimilationist and colonial policies there has been an internalization of patriarchal and misogynistic practices that have emerged in First Nations communities (Kuokkanen, 2019b; Palmater, 2020; Sayers & MacDonald, 2001) which has contributed to the systematic exclusion of First Nations women’s voices in land use planning and development consultations.



Intersectional Analysis of Gendered Issues in Development

Collectivism and co-optation of gendered issues within First Nations communities

In reflecting on representation, it's important to understand that there are ways in which information is conveyed in typical engagements commonly occurring across Canada. There is a mapping of rights holders or communities who may hold an interest in being consulted on a given project, the government and proponent then proceeds to open dialogue with the identified communities, through some medium of communication (calls, emails, letters) typically beginning with band offices or tribal councils. We argue that there are instances of locutionary silencing occurring on a regular basis with various projects, this occurs when the platform (IAAC) employs for group speech (Indigenous women, girls, and gender diverse persons) is occupied by someone who lacks the proper authority to speak for the group (cisgender males) and the opportunity for group speech passes (Townsend, 2020). Typically, its band leadership speaking on behalf of the membership, as is their right as elected officials, however the methodology in which information is collected remains unclear how, or if, Indigenous women and gender diverse persons are being centered in consultations.

Furthermore, we argue that illocutionary silencing is occurring when Indigenous groups do present their interests and speak at engagements and their speech is not given appropriate uptake and therefore does not prove to be an effective form of engagement (Townsend, 2020). This can, and has, occurred during the process of giving and receiving information, a proponent or government representatives, taking notes of communications received during an information session, and tasked with reducing feedback to key points of a longer meeting may miss meanings of stories, misinterpret the meaning of words, or ignore specific pathways of discussion that cannot be formatted into a summarized values table. These factors interweave into a prevailing issue of silencing of Indigenous women, girls, and gender diverse persons voices, effectively muting or changing their concerns and priorities to the worldview of the platform holder (band/ tribal leadership) and therefore collective mandates and priorities, which are subsequently filtered by the worldview and priorities of the recipient stakeholder (proponents/government).

We argue that there are instances of locutionary silencing occurring on a regular basis with various projects.

Intersectional Analysis of Gendered Issues in Development

Collectivism and co-optation of gendered issues within First Nations communities

Current self-governance strategies in place are keenly focused on achieving self-determination and decolonization, and there is a tendency to place blame of gender-based disparities on colonization legacy and contemporary policies (Kuokkanen, 2019a). While these barriers are prevalent, they are only part of the picture. It is not sufficient to presume that through self-determination or decolonization alone that communities will be able to eschew gender discrimination, misogyny, sexism, and violence against Indigenous women (Kuokkanen, 2019b). First Nations communities must prioritize gendered assessment and work to rectify policies and internal procedures that perpetuate poor governance processes which maintain a high degree of institutionalization, social dysfunction, lateral and structural violence, capacity issues, a lack of economic opportunity for Indigenous women, as well as unclear community strategic vision and communication between band leaders and membership (Kuokkanen, 2019b). First Nations have identified this and many are in various stages establishing their own procedures that identify and challenge the status quo of patriarchal community governance practices which fail to account for Indigenous women and gender diverse priorities and lived realities in resource development operations.

Equality interests of First Nations women include equal rights and opportunities to participate in governance structures and processes, and to include substantive procedural equality and representation in decisions and acts taken by First Nations governments that affect the rights of Indigenous women (Cornet, 2001). Despite the known acute impacts of resource development on Indigenous women specifically, gendered rights discourse is continually subsumed and co-opted within a wider agenda of historic discrimination against Indigenous peoples (Starblanket, G. 2018; Green, J. 2017). Indigenous women and gender diverse people are currently acting as instruments of the Indigenous rights struggle and are subsumed by the collective while experiencing different and specific impacts to other sub-groups in communities (Starblanket, G. 2018).

Intersectional Analysis of Gendered Issues in Development

Collectivism and co-optation of gendered issues within First Nations communities

Indigenous communities are actively in a state of resurgence, reorganization and establishment of governance processes, while healing from generations of abusive and exclusionary policies and their implications. Simultaneously, wider women's rights movements have accomplished significant progress in Canada's policy and legislative systems. This broader Federal effort of gender mainstreaming is using GBA+ as a blanket assessment instrument that is acting as a catchall for specific issues and policy commitments of the Federal government such as implementing the MMIWG Calls for Justice 13.1-13.5 and UNDRIP into resource development planning. This has led to guidance documents on best practices for incorporating GBA+ in Impact Statements, in which a quality Impact Statement should consider the MMIWG Calls for Justice and specific impacts to Indigenous women in planning (Government of Canada, 2024) .

Gendered Planning Instruments and Opportunities

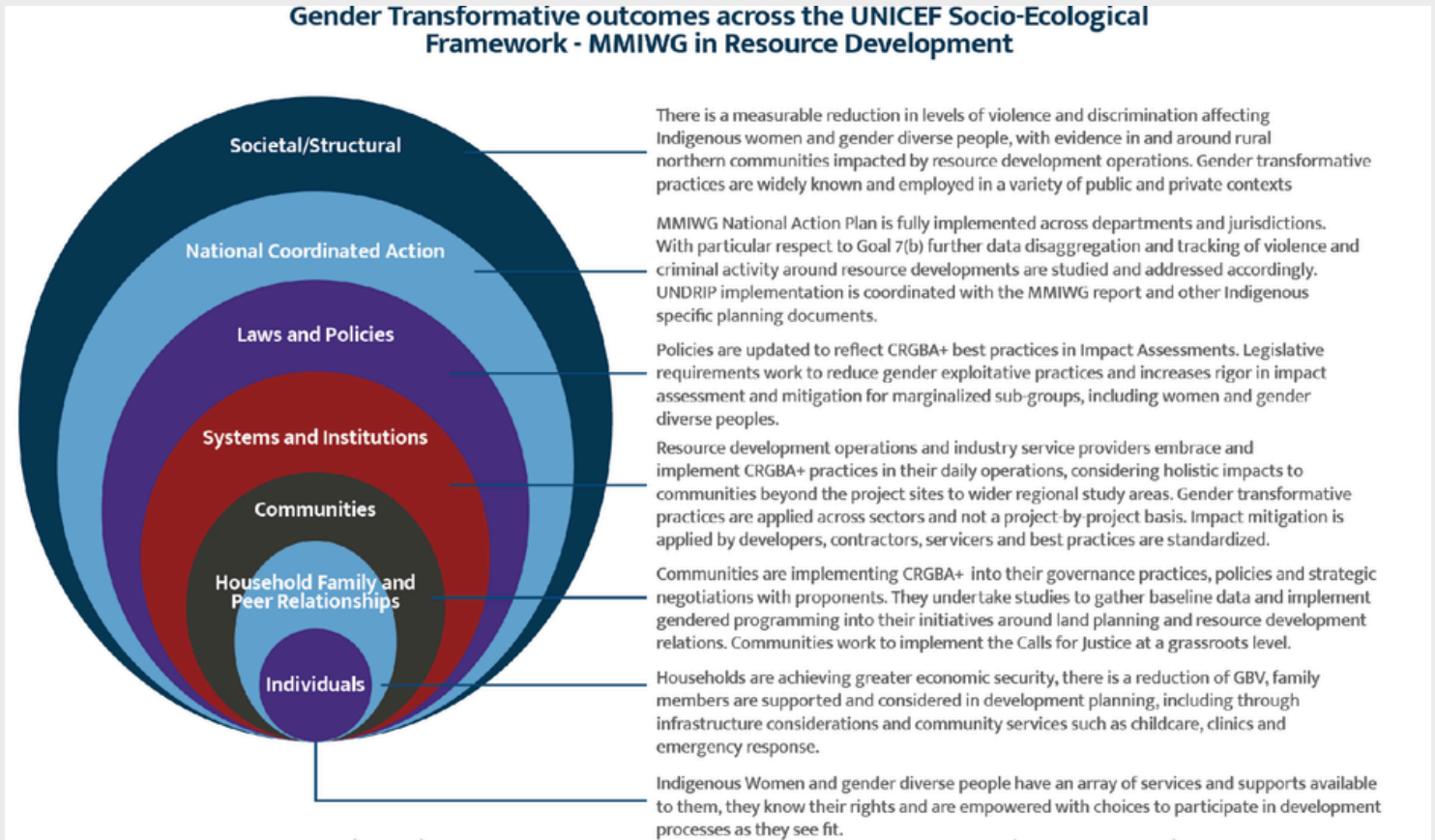
Gender Transformative Outcomes in Impact Assessments

There remains significant work to be undertaken by all stakeholders involved in development project planning. Shifting away from doing GBA+ as a checkbox exercise requires doing gender transformative work, and the application of a participatory and generative process by which the capacity of impacted communities' critical consciousness and confidence in addressing gendered issues of development is built upon and strengthened by development encroachment. Gender transformative research is action-oriented and is a combination of research and practice. It requires reflexivity, and a shared commitment to solutions-based practices in development planning. This entails adopting feminist research methodologies, doing community engaged research and building equitable representation into engagements. It also means applying a reflexive and responsive process that doesn't rely only on fixed knowledge processes, instead adapting to emerging issues in policy and program application. Doing gender transformative research entails taking a deep dive into intersectional gender analyses and combining knowledge with action.

Transformative work that can reduce harms perpetuated against Indigenous women cannot viably be addressed without commitment and enforcement from all involved stakeholders in project planning. Gender transformative learning and change begins with evaluating and addressing social and gender structures that influence opportunities for different groups of people. Through the establishment of a clear vision, with roles and responsibilities of what work needs to be done co-determined, and collaboration in all phases of planning and development, we begin to see multi-level integration strategies become a possibility. By using the socio-ecological framework outlined by UNICEF in its publication 'Gender-Transformative Programming' we can articulate Gender Transformative Outcomes within the context of MMIWG implementation from a systemic standpoint. It becomes clear that there are desired outcomes at each level that must be supported with tangible actions to achieve better development outcomes for marginalized sub-groups.

Gendered Planning Instruments and Opportunities

Gender Transformative Outcomes in Impact Assessments



Your Figure X. An adaptation of the Socio-Ecological Framework presented by UNICEF in their Gender Transformative Programming backgrounder (Marcus et al., 2022) adapted in (Bridges & Skelding, 2024). text

A major component of this is to critically evaluate both the gendering capacity and skills of stakeholders as well as fostering and growing an organizational culture to implement strategic mitigation measures effectively. It is important that all stakeholders can fully appreciate and understand how socio-economic inequalities and power dynamics affect development outcomes. According to work done on behalf of CGIAR by Sarapura and Puskur (2014), organizational culture and structure can build capacity for transformative change when is supported by the following elements: strong leadership; a mission and strategy; incentives for change; work environment; organizational structure; management practices and systems and policies (Sarapura & Puskur, 2014) . Leaders need to recognize and embrace gender equity practices and challenge injustices while institutionalizing gender transformative policies in an iterative and reflexive way (Munive et al., 2022) . It is critical that leadership in both public and private spheres implement leadership practices that promote change.

Gendered Planning Instruments and Opportunities

Gender Transformative Outcomes in Impact Assessments

Leaders must define the purpose and long-term vision for equality in a given sector, generate commitment through building value, foster an organizational culture that embraces and values diversity, to access and build diverse partnerships that collaboratively work towards common vision, in an effort to redistribute power and resources to drive social change (Munive et al., 2022). Leader must become personally invested in gender equality to drive change (Munive et al., 2022).

Gender transformative change is fostered with integrative strategies that are both a technical and political process. It is technical in the sense that there are specific and measurable tasks that can be carried out, like implementing staffing, altering/ implementing organizational regulations and procedures that reflect the specific needs of female staff, targeted training, and professional development for all genders, etc. (Bhatta, 2001). It is a political process in that there is a need to shift organizational culture, ways of thinking and doing, and an all-hands-on deck commitment to address barriers and enhance women's participation (and representation) in the development planning process, via policy making, agenda setting, planning, implementation, and evaluation (Bhatta, 2001). In a very real sense, it's the action of taking inventory of existing services and supports (or lack thereof) and evaluating vulnerabilities and areas of focus in impact mitigation strategies.

Gender transformative change is a way to begin to address these issues and shift towards gender equity. It focuses on building agency, it addresses unequal power relationships, and it works towards changing discriminatory structures. Gender transformative approaches examine and challenge gender inequalities that perpetuate and reinforce gender disparities. This change begins with identifying and engaging with the role that our institutions and social hierarchies play in reinforcing inequity for Indigenous women and gender diverse people. The application of intersectional theory is complex because there exists no standard formula to produce a successful outcome. Intersectional responses need to be grounded in localized context of historical, political, and socio-economic circumstances (Fletcher, 2019). Addressing the known impacts of resource development entails gender transformative practices that are supported and applied by all stakeholders involved in the resource development planning and project life cycle. There remains significant knowledge sharing opportunities between stakeholders and interest groups in advancing (CR)GBA+ in development planning processes. This graph visually depicts principles of building equity in IAs for Indigenous women and gender diverse people to actively contribute to the resilience and livelihoods of communities. Equity and representation of Indigenous women and gender diverse people is foundational to rigorous IA process.

Gendered Planning Instruments and Opportunities

Gender Transformative Outcomes in Impact Assessments



Figure X. Indigenous lens GBA+ framework for Impact Assessments (Bridges et al., 2023) .

This circular model was chosen to indicate a relationship between all IAs, projects that are assessed through the regulatory process cannot be viewed in isolation and instead represent an ongoing process of ‘learning through doing’, this is to acknowledge that GBA+ applications within an IA are an ongoing process.

An important step in ensuring correct impact mitigation by both project proponents and government institutions is through building on existing key findings that are commonly emerging as a product of large-scale extractive projects, and to build a repertoire of best practices that prospective developers may draw upon in future developments (Manning et al., 2018; Moodie et al., 2021)

Gendered Planning Instruments and Opportunities

(CR)GBA+ and Community Empowerment Through Gendered Baseline Assessments

(CR)GBA+ is dependent on the increased awareness of the need for regulatory interventions and development of more effective social and health impact assessments, processes that relate to racialization, ableism, economic status, settler colonialism as well as gender (Hoogeveen, D. et al. 2021). To correctly address the MMIWG Calls for Justice and tackle GBA+ there is a critical need to undertake strategic self-assessment and implementation of gendered policies and programs both internally within First Nations governance practices, and externally with outside imposition such as with planned development operations. To implement CRGBA+ in Federal Impact Assessments means to analyze the social-cultural and historical realities resulting from colonization and systemic racism (Clark & Davis-Alphonse, 2023) . The data collected in these efforts can help to direct the integration of GBA+ practices into wider resource development planning best practices and build knowledge and capacity in other regions.

Many First Nations are already in the process of developing land use plans, consultation protocols, workplace policies, and many are engaged in negotiations for Impact and Benefit sharing agreements and/or Memorandums of Understanding with developers. Communities can proactively conduct gendered baseline assessments that consider wider social and economic impacts of a development project, and to analyze these issues within a Culturally Relevant Gender Based Analysis+ (CRGBA+) framework. The limitations of GBA+ as a traditionally western feminist concept was formed during a period when feminist writings habitually excluded intersectional factors such as, historical displacement of Indigenous people from their lands and resources, and colonial imperialist influences that have uniquely impacted women and gender diverse people of color in unique and specific ways (Ricci, 2017) . This led to GBA+ theory to be examined through an Indigenous lens, and emerging concept in Indigenous feminist circles, advocacy groups and organizations such as the Native Women’s Association of Canada (NWAC) is the use of the term Culturally Relevant Gender Based Analysis+ CR)GBA+ applications into policy development (NWAC, 2020) , which we adopt for the purpose of this writing.

While (CR)GBA+ is a procedurally foreign practice within previous environmental assessments, it remains the primary facet in which the current status of Indigenous women and gender diverse people may be examined within a regulatory context, and therefore may be applied in culturally relevant ways but still maintain the distinctions based analysis to acknowledge the acute impacts to specific groups (Clark & Davis-Alphonse, 2023; NWAC, 2020) . We posit that while limited, the exploration of how CRGBA+ may facilitate a wider support for MMIWG Calls for Justice implementation in IA begs further exploration and articulation of what possibilities may exist to address structural colonial violence on marginalized sub-groups.

Transformative work that can reduce harms perpetuated against Indigenous women cannot viably be addressed without commitment and enforcement from all involved stakeholders in project planning.

Gendered Planning Instruments and Opportunities

(CR)GBA+ and Community Empowerment Through Gendered Baseline Assessments

(CR)GBA+ begins with community visioning and gender responsive ideation which makes space for marginalized groups of people to make themselves heard. It is responsive to cultural traditions and beliefs and effectively bridges western and Indigenous knowledge systems and ways of doing, this makes doing good (CR)GBA+ in a regulatory context closely related to meaningful consultation processes. Tools that may be utilized in doing CRGBA+ research include:

stakeholder mapping and analysis to assess the gendering capacity of everyone involved (communities, proponents);

- gender analysis of context and resources including doing risk assessments; capacity of everyone involved (communities, proponents);
- gender analysis of context and resources including doing risk assessments;
- conducting co-developed baseline studies of socio-economic impacts of development – using existing Indigenous feminist literature and participatory research methods with impacted groups to develop measurement indicators;
- conducting surveys and questionnaires to further integrate more nuanced socio- economic factors through qualitative data gathering such a TEK, attitudes and cultural values;
- and doing participatory problem analysis to co-develop impacts characterizations and definitions used to inform impact mitigation strategies

Applying (CR)GBA+ in any development planning process helps to identify and devise mitigation strategies that address inequity, and to anticipate opportunities to address gendered inequalities emerging from development projects. Areas of focus may include cultural norms and beliefs that perpetuate harmful stereotypes, gender roles in community and types of work being done (paid and unpaid), access to and control to resources and assets, and patterns of power and decision making over lands and resources (Zdrojewski, 2015) .

Gendered Planning Instruments and Opportunities

(CR)GBA+ and Community Empowerment Through Gendered Baseline Assessments

Doing CRGBA+ from a First Nations led perspective requires communities to undertake an assessment of both public and private spheres to establish an understanding of resource generation, allocation and decision making, among other potential indicators. These studies aid in making informed decisions about distributive justice and addressment of social and economic factors that increase intersectional disparities between First Nations internal membership. Without baseline data gathered about these conditions it is difficult to make informed decisions about how to mitigate impacts in ways that can respond to intersecting issues influencing distributional justice. Understanding gendered dimensions of wealth distribution and resource gaps in community is important to both informing (CR)GBA+ baseline studies and to providing data to inform industry-community relationships. Communities can control and leverage their own data to guide strategic visioning in community policies and documentation and may use studies to inform Impact and Benefit Agreements or Community Benefit Agreement negotiations.

Developers, consultants, Chiefs and Councils and Tribal councils may choose to do community inventories to measure socio-economic factors that can inform strategic policy making. Many communities are already doing documentation on Indigenous women's land use practices, other modules could include but are not limited to;

- income type and amount;
- domestic divisions of labour;
- reproductive and sexual health;
- health and well being;
- labour use and time spent in both unpaid and paid roles;
- decision making at the household level;
- primary caregiving duties and responsibilities (including inventory of female-headed households);
- instances of Gender Based Violence (GBV);
- traditional gender roles; cultural beliefs; gender roles and norms;
- education levels and goals;
- employment goals and more;

However, currently many First Nations communities are underrepresented and underserved and therefore do not always have the means to produce reports on baseline data, or the staff and resources to undertake complex and involved studies. This is a space where developers can step in and aid efforts in collecting gendered baseline data to better understand the impact an upcoming/existing project will have or has already had on First Nations communities. We argue that beyond financial considerations developers have an important role to play in assisting and shaping study parameters, particularly in the context of site-specific policies and practices, and have a responsibility to support positive and well-rounded study outcomes. The lack of gendered baseline data should not be used by developers to absolve themselves of responsibility for gendered impacts that accompany their resource development projects.

Gendered Planning Instruments and Opportunities

(CR)GBA+ and Community Empowerment Through Gendered Baseline Assessments

There are various ways of identifying potential assets that may benefit Indigenous women in development projects, as an alternative to income through employment opportunities. As noted, there is a lack of consideration of supports that would reduce barriers to Indigenous women's participation in resource development planning and operational activities, including infrastructure and service constraints around childcare, education and training opportunities and health and treatment supports. There is also a lack of evidence of mitigation measures that specifically include those that are either unable or unwilling to seek employment in resource development operations aside from limited case studies (Gibson et al., 2017). While considering tangible assets, it is also important to consider and encompass intangible items like social capital and education that can be converted into valuable connections and skills. Indigenous women have a right to assets and resource distribution that reflects their interests in development processes, and it is the shared responsibility of all stakeholders, led by Indigenous communities to undertake the work of assessing level and type of rights to assets (land, policy, decision making etc.), and in the case of First Nations for both on reserve and off reserve membership.

To maximize opportunities to collect gendered baseline data that considers a wide breadth of socio-economic factors and investigates strategic responses effectively increases the ability for a significant margin of Indigenous women to be able to benefit in some capacity from industrial development. Leveraging study findings requires input from men and women to ensure support of proposed interventions/ strategies. It may also help determine what barriers may exist around participating, as well as how gender may impact program outcomes. There are great opportunities for implementing focused programs that are oriented around responding to study findings and responding to expected impacts of development proactively and strategically within the regulatory process. While (CR)GBA+ is considered a 'lens' for wider IA planning functions, it risks remaining a simple act of data collection without accompanied commitments to action. Program areas of focus should be action oriented and introduced from planning outset, not simply reacting to problems as they emerge, (e.g. local employment readiness, safety and security, resourcing funds, inter-organizational communication and reporting parameters, environmental monitoring, emergency response, empowerment projects, education and training, entrepreneurship programs, cultural projects, environmental sustainability, health and well-being, etc.).

Indigenous women's equitable control and representation in activities happening on their own lands and resources is critical in ensuring safer communities and preserving spiritual and sociocultural resilience (De Finney, 2017). It is important to center Indigenous resilience in gendered work. In its broadest application, Indigenous resilience is interwoven with the resilience of the land, in conversations about ecological impacts, mitigation options and alternative assessments, Indigenous 'stakeholders' involved in prospective developers bottom lines must not be measured in currency, but in health and well-being, and of the ability for future generations to practice ways of being that have existed for centuries.

Gendered Planning Instruments and Opportunities

Community Driven Impact Characterization

While the agency applies a series of good principles and practices to doing IA they are not mandating specific social elements and indicators that are required to be examined nor mandating specific types of assessment instruments that may be used, while this gives flexibility for stakeholders to interpret the Act in a variety of ways, bringing good flexibility to meet a diverse range of circumstances, it also leaves grey areas of what may or may not be included in the Impact Assessment itself. The information that is collected by/from communities is paramount in shaping the outcome of mitigation strategies resulting during an assessment. Outcomes are largely shaped by baseline data collection of specific gendered impacts in community and the ways in which the information is then interpreted (and by whom) to Indigenous communities' overall benefit, as we've discussed above.

(CR)GBA+ is considered when evaluating the potential for impacts from a prospective development in project planning as is required under the IAA 2019. This may involve the collection of disaggregated data on health, community services, and socio-economic baseline conditions. Proponents are tasked with integrating GBA+ throughout their analysis. Much of the guidance from the agency is less directive in nature and tends lean towards being reflexive to distinct circumstances and various situations, while this is a good blanket approach to information collection that identifies a range of -sub- groups, it does not necessarily translate to specific study parameters or to commitments from developers. There is also little direction on how Indigenous women may bring forward concerns such as environmental destruction as violence against themselves within IA, this is problematic because it fails to capture context-specific realities where GBA+ can arguably become a checkbox exercise rather than a rights-enabling/protecting tool (Seck et al., 2022) .

The development of gendered indicators should involve: the collection of data that are sex-disaggregated and use mixed methods of qualitative and quantitative data collection; are accurate and regionally specific; work to reduce gender-based constraints (ex: labour outputs, access to supports); collect specific indicators developed and informed in partnership with impacted Indigenous women; are time- sensitive and where possible reduce the research burden on the participating people. Guidance from IAAC supports the collection of baseline data that includes disaggregated data by intersecting identify factors; uses a wide range of reports, statistics and publications including grey literature; describes in detail gender dynamics and asset distributions, resource division and decision-making processes intra-household; uses mixed methods to collect information; and works to add to and complement existing data sources (IAAC, 2024) .

Gendered Planning Instruments and Opportunities

Community Driven Impact Characterization

Data and mitigation strategies can be measured by community members using something as simple as a Likert scale to determine areas of priority in determining what mitigation strategies would be most effective. As demonstrated above, it's increasingly clear that without community driven assessments into gendered issues, the lack of disaggregated data available in the north can screen ongoing issues and the risks to Indigenous women associated with development impacts over time.

The Impact Assessment Agency's guidance for effects on Indigenous peoples provides that IA's assess the effects of projects on the health, social and economic conditions of Indigenous peoples of Canada and impacts that could result from changes to the environment, physical and cultural heritage, and use of lands and resources for traditional purposes (IAAC, 2024a). Proponents must describe the effects that are likely to be caused by carrying out the project, and to characterize the extent to which likely adverse federal effects are significant, the table below is an example of this presented in a case study in IAAC's guidance on effect significance characterization:

Extent of significance is high
<p>The potential adverse effects of mining development in a remote Indigenous community were determined to include risks to the health, safety and security of Indigenous women, girls and gender-diverse peoples. An influx of transient workers, fly-in, fly-out rotation schedules, and rapid social change (including the loss of traditional mixed economies) were found to be accompanied by racial and sexual violence, substance abuse, sexually transmitted diseases, crime and adverse effects on home and family life.</p> <ul style="list-style-type: none"> • The valued component was identified as the health and well-being of Indigenous peoples, including the safety and security of Indigenous women, girls and gender-diverse peoples. • Information gathered throughout the impact assessment process focused on the experiences of women and gender-diverse peoples, and on intersecting forms of violence within communities. Qualitative and quantitative data drew from community-specific health and socio-economic information, interviews and focus groups, workshops and ethnographic studies. • Despite strong participation by women's groups and individuals with diverse identities throughout the impact assessment process, women and diverse populations felt that their requests for support, programs and services to influence mining development outcomes and to manage the risks of gender-based violence were weakened by toxic masculinity and systemic barriers within the industry. • Gendered and culturally sensitive approaches to analyzing the effects of violence towards women and gender-diverse peoples highlighted the persistence of such effects in the community, particularly as a result of family breakdown, risks posed by transient workers, and disruptions to cultural traditions. • The proponent committed to providing mechanisms to ensure that Indigenous women and gender-diverse individuals would be consulted throughout the impact assessment process and during all project phases. This would allow gendered effects, including the potential rise in domestic and sexual violence, to be identified early on and to develop mitigation measures to eliminate, reduce or control such effects. Other mitigation measures included the provision of

Gendered Planning Instruments and Opportunities

Community Driven Impact Characterization

childcare services, training to promote and improve cultural and gender-based awareness, zero-tolerance policies for harassment and violence, appropriate healthcare and the removal of barriers to employment through Impact Benefit Agreements that prioritize the hiring of women and diverse populations.

- Risk assessment modelling determined that there was high uncertainty that mitigation measures would ameliorate the potential for sexual or racial violence. Potential effects extended beyond employment equity to concerns about safety and well-being within the community.
- Based on this information, the effects on the health, safety and security of Indigenous women, girls and gender-diverse peoples were determined to be high in magnitude, permanent or long-term, irreversible, with high uncertainty regarding the effectiveness of proposed mitigation measures and high risk of violence.

The extent of significance of the potential effects of gender-based violence on the health and well-being of Indigenous peoples, including the safety and security of Indigenous women, girls and gender-diverse peoples, was determined to be high.

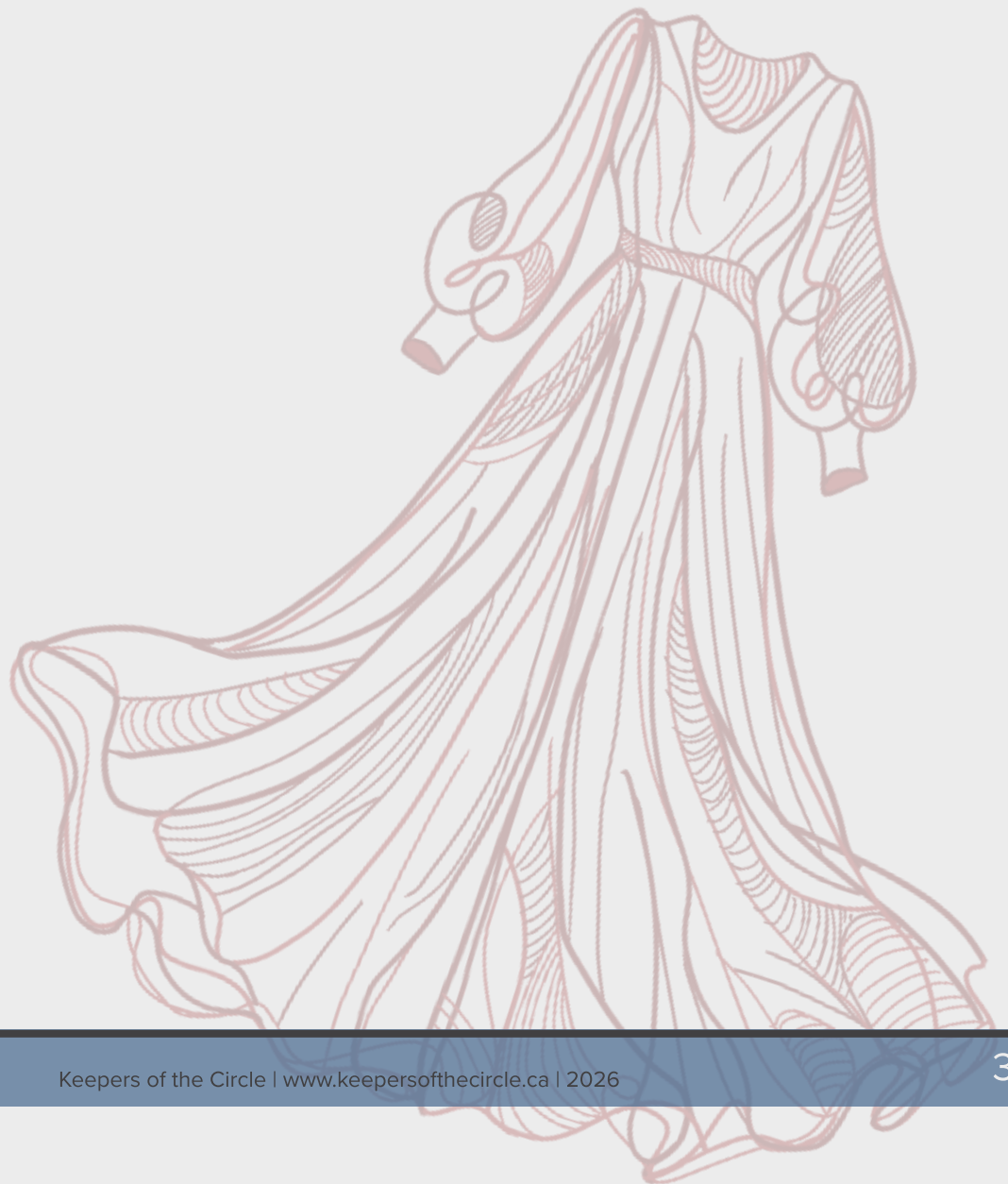
Figure x: Annex 2: Case studies of lower to higher extent of significance of adverse federal effects. Guidance: Describing effects and characterizing extent and significance. Retrieved from: <https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/practitioners-guide-impact-assessment-act/guidance-describing-effects-characterizing-extent-significance.html#toc7>

The agency recommends that where data benchmarks are not available, that instruments can be utilized to inform methods and assessment characterization including effect likelihood, risk assessment, qualitative and quantitative aggregation, reasoned argumentation and professional judgement (IAAC 2024a). The agency further articulates specific criteria for Indigenous rights impacts assessment including community determined criterion over ‘health’ including aspects of physical, emotional, spiritual and mental health such as connections between health and socio-economic conditions, and racism and social exclusion. The case study above and the compartmentalization of GBA+ guidance, effects characterization and assessment of potential rights impacts in the agency guidance documents demonstrates the critical importance of community-driven impacts characterization in impact assessments, = particularly in the context of missing or incomplete data sets.

Gendered Planning Instruments and Opportunities

Community Driven Impact Characterization

In the context of rights holding First Nations, community leadership tends to govern from a collectivist standpoint and therefore apply governance actions that consider the whole rather than specific sub-groups, there remains distinct and acute impacts of development operations on Indigenous women that are not adequately addressed in development project planning. As a consequence, the goals of a particular development intervention may only relate to the household-level or the community-level rather than the individual-level and therefore fail to address specific impacts. It is critical to establish data protocols and governance priorities to support definition of gendered impact parameters which could inform a constitution of infringement on the rights of Indigenous women and gender diverse peoples specifically, and what conditions or remedies may be applied to offset this, just as large-scale developments do in impact assessment.



Conditions and Contracts: Market Based Solutions to Human Issues

Falling Through the Cracks: Rights Discourse and Conditions

The Crown plays a critical role in the control of natural resources, including ways in which they are accessed and produced via formal institutional frameworks (Bourgeois, S.; Zema, A.C. 2024) such as the Impact Assessment Act 2019. The regulatory process presently may include conditions in a decision statement that are issued by Ministry of Environment and Climate Change in which proponents of a designated project must comply, including mitigation measures and follow-up program requirements (IAAC, 2025). The legal definition of what should be considered within the conditions is rather vague but distinctly outlines how they must be within federal authority to exercise and that is it to the ministers discretion and consideration of what appropriate conditions may be applied (Government of Canada 2025). It also states that factors to be considered in determinations consider the impact a project may have on Indigenous groups that are recognized and affirmed by the Constitution Act 1982 (Government of Canada 2025). There exists plenty of critical scholarship and writing on process and procedural limitations of the duty to consult, and it's beyond the scope of this chapter to cover that in depth except for a few key considerations. While consultations with Indigenous peoples will give rise to accommodations in some cases, there is no guarantee that such accommodations will be granted, nor does the decision-making process adequately address aggregate impacts of industrial activities (Ng, R. 2022).

Critically important to IA processes is the directive of Indigenous rights considerations, and to include implementing the IAA 2019 in a way that aligns with the UN Declaration, including 'consideration of health, social and economic factors, including impacts to women, youth and elders' (Government of Canada 2023b). While leaving space for a broader opportunity to address systemic and structural impacts of development, it also creates more nuance to the legal requirements, and to stakeholder interactions and results during the impact assessment process, creating a mismatch of capacity for inclusion and commitment to implementation of findings (Darling, S. et al. 2023). For example are we thinking of rights impacts in terms of human rights? Indigenous rights? How are we taking inventory of what mitigation strategies may be attributed to offsetting direct project impacts vs offsetting indirect exacerbation of existing socio-economic issues? This complicated landscape is important in guiding discussions on what should be part of assessments, particularly if the implementation of a mitigation strategy would offset impacts to Indigenous women living outside of their traditional territories, as well as women and 2SLGBTQQIA+ peoples generally, it should be included within the assessment process and coupled with more integrated and collaborative approaches that share the responsibilities between stakeholders.

While consultations with Indigenous peoples will give rise to accommodations in some cases, there is no guarantee that such accommodations will be granted, nor does the decision-making process adequately address aggregate impacts of industrial activities (Ng, R. 2022).

Conditions and Contracts: Market Based Solutions to Human Issues

Falling Through the Cracks: Rights Discourse and Conditions

It's important to reflect on the issue of what constitutes 'best practices' in applying (CR)GBA+ in project planning in the context of addressing MMIWG and Indigenous women's priorities, including what types of actions and solutions are emerging from regulatory processes, and whom they are truly reaching. During technical reviews we have done of Detailed Project Descriptions on the agency website, there is typically a list of consulted Indigenous communities that are categorized under their level of interest or impact by the proposed project, with First Nations whose Treaty and land rights would be infringed upon are rightfully centered in consultations. Impacted First Nations whose rights would be infringed upon by the proposed development are included in opportunities for participation and co-development in baseline studies as well as impacts and mitigation strategies developed by the proponent.

From what we have seen thus far in our research, there is unclear determination of how GBA+ would be informed by specific studies undertaken by the proponent, nor indication of risk assessment instruments, nor concrete commitments beyond the identification of potential positive and negative consequences, even for rights impacted communities. There is also the question of who is involved in shaping studies, and how wider impacts to Indigenous women in urban areas are captured in current IA. There are Indigenous women who travel to urban areas from remote communities and may be outside of their Treaty area, with no representation in IA consultations, yet still experience the negative impacts of development. Furthermore, Indigenous women who are experiencing Treaty infringement and are living in or near their home communities and have no wish to work in resource development are largely ignored within the IA context beyond being identified as a sub-group that 'may experience increased risk'.

Conditions and Contracts: Market Based Solutions to Human Issues

Falling Through the Cracks: Rights Discourse and Conditions

While the regulatory process supports the identification of gendered impacts, there are limitations as to what potential actions may be taken in response to identified problems on the part of developers. The Cedar LNG project is an important milestone that is arguably setting precedence over what can be expected of (CR)GBA+ inclusion in resource development planning. The word gender is mentioned 15 times throughout the ministers decision statement, and the impacts to the health and safety of Indigenous women and girls are specifically identified and outlined, including direct mention of influx of transient workers and increased risks to sub-groups (IAAC, 2023) . The decision statement outline annual reporting requirements on how the proponent has integrated GBA+, and directly names the MMIWG Final report in is Schedule 3 conditions, as follows:

Decision Statement for the Cedar LNG Project SCHEDULE 3
<p>8.12. The Proponent shall develop, prior to construction and in consultation with Indigenous groups, relevant authorities and community stakeholders, and implement, during all phases of the Designated Project, measures to promote safe, respectful and inclusive conduct in the workplace and the community. The Proponent shall demonstrate how federal adverse effects on Indigenous women and girls and calls to justice 13.1 to 13.5 directed to the extractive and development industries included in Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls are addressed in the development and implementation of the measures. As part of the measures, the Proponent shall:</p> <p style="padding-left: 20px;">8.12.1. implement a workplace anti-harassment, bullying, discrimination and violence policy that contains gender-appropriate and gender-specific policies and processes, including sexual harassment and assault counselling and confidential and culturally sensitive care;</p> <p style="padding-left: 20px;">8.12.2. implement a policy regarding the use and possession of drugs and alcohol in the workplace, with a zero tolerance for use of, or being under the influence of, illicit drugs or alcohol during work hours;</p> <p style="padding-left: 20px;">8.12.3. develop mandatory cross-cultural awareness training in consultation with Indigenous groups, and provide the training to employees of the Designated Project and contractors associated with the Designated Project; and</p> <p style="padding-left: 20px;">8.12.4. develop a Worker Code of Conduct that includes expectations and requirements in relation to the measures developed to promote safe, respectful and inclusive conduct in the workplace and the community (including the policies referred to in conditions 8.12.1 and 8.12.2). When providing the Worker Code of Conduct to the Agency prior to construction, the Proponent shall confirm how employees of the Designated Project and contractors associated with the Designated Project will be made aware of the Worker Code of Conduct and will be required to comply with it.</p>

Figure X: Cedar LNG Decision Statement issued by the Minister of Environment and Climate Change. Retrieved from:

Conditions and Contracts: Market Based Solutions to Human Issues

Falling Through the Cracks: Rights Discourse and Conditions

All references to gendered impact mitigation are in relation to site specific practices and policies, the ways in which the developer may offer training, skills development, employment opportunities and implement policies and practices to reflect MMIWG and violence against women. Off-site impacts are acknowledged as important however there is no translation of how that violence is embedded within a lawmaking instrument like the ministers decision statement. This is a logical way to try to exert control with some level of predictability over site-specific impacts but fails to account for a range of cumulative health and socio-economic impacts to Indigenous women off-site and in the project area. There are excellent workplace programs emerging to address gender disparities and barriers to accessing opportunities from both industry and government, however Indigenous women are underrepresented across resource development sectors in Canada (Baruah, B.; Biskupski-Mujanovic, S. 2023).

The Crawford Nickel Project near Timmins, ON is in Phase 2 of the Impact Assessment process at the time of writing this chapter and Crawford Nickel Co. (CNC) uploaded the Impact Statement for the project On November 22, 2024. The following is an excerpt from Chapter 27 of the CNC Impact Statement:

Disproportionately Distributed Residual Effects on Indigenous Subgroups

Canada Nickel understands that Indigenous women and girls experience disproportionate rates of violence compared to the general population. For instance, 46% of Indigenous women experience sexual violence in their lifetime compared to 33% of non-Indigenous women (Heidinger 2021). In response to the disproportionate rates of violence experienced by Indigenous women and girls, including the 2SLGBTQQIA+ peoples, the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG) was launched in 2016 (GoC 2020). The National Inquiry into MMIWG discussed how the dehumanizing process and structure of colonization has contributed to discrimination, racism and is foundational to the social inequities that contribute to the disproportionate rates of (National Inquiry into Missing and Murdered Indigenous Women and Girls 2019).

As described in Section 27.3, the [rights impacted Indigenous Nations] expressed concerns effects on social well-being from in and out migrations, including crime rates, addiction, mental health, impacts to women, girls, and 2SLGBTQQIA+, and discrimination and violence

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towards its members, and existing issues of human trafficking in their communities and in the broader region. Given that majority of transient workers are anticipated to be men, there remains a degree of safety concerns related to sexual behaviours in the community. Indigenous women and girls and the 2SLGBTQIIA+ community are particularly at risk of being victims of gender-based violence as there is an overrepresentation of intimate partner violence and gender-based violence among these populations.

The number of transient workers required to observe an increase over existing rates in community crime rates is uncertain; however, Canada Nickel will implement and enforce several policies, procedures and training that are anticipated to reduce potential unethical behaviour from workers including having workers adhere to a code of conduct and ethics policy, a violence and harassment policy and a drug and alcohol policy. Failure to comply to these policies can result in worker disciplinary action including termination. Canada Nickel will have internal and external community feedback mechanisms to capture Project-related comments and concerns from community members, which can include unethical observations. Canada Nickel will investigate and document each complaint accordingly and take any necessary follow-up actions.

Canada Nickel is committed to providing cultural awareness training to enhance the outside workforces' understanding of Indigenous histories and cultures and to describe the root causes of inequities that impacted First Nations experience. Canada Nickel will engage with the Indigenous Nations to develop the cultural awareness training so that it includes topics of importance to the Nations (e.g., Treaty 9; MMIWG). Additionally, Canada Nickel will implement an internal whistleblower mechanism for confidential reporting of workplace harassment to mitigate disproportionate effects to Indigenous women and 2SLGBTQIIA+ employed by the Project.

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Falling Through the Cracks: Rights Discourse and Conditions

Positive effects (direct, indirect, and induced) of the Project on employment and labour income in the Economic Conditions LSA are expected to be unevenly distributed as it is likely that a larger percentage of non-Indigenous men will be employed on the Project than other subpopulations. Mitigation and enhancement measures are designed to increase participation among underrepresented groups on the Project who will disproportionately benefit from these measures (e.g., Indigenous men and women). Canada Nickel will also implement measures specifically aimed at increasing economic participation among local and Indigenous businesses. As a result, a disproportionate amount of Project contracting and procurement in Ontario is expected to be realized by Indigenous related businesses. However, the Project is not expected to measurably reduce economic inequities across the Economic Conditions LSA.

With the use of mitigation and enhancement measures described throughout the Impact Statement, including the development and implementation of a feedback process to hear concerns from residents and members of vulnerable groups, Canada Nickel aims to reduce the differential effects on [rights impacted First Nations] sub-groups.

Both the Cedar LNG and Crawford Nickel Project technical documents were prepared by the same consulting group, this may also be why the projects mitigation outcomes are similar in nature. According to the agency guidance, planned projects are encouraged to apply distinctions-based approach, however regulators and First Nations communities need to remain attuned to wider issues of consulting companies applying cookie cutter approaches to geographically and culturally distinct projects and peoples.

While internal policies and practices are important steps to addressing MMIWG on-site there is still the issue of off-site impacts to Indigenous women and gender diverse people that remains to be seen if it can be addressed through the Impact Assessment process. While CNC acknowledges the increased risk Indigenous women, girls and gender diverse persons will experience as a result of the addition of another resource development project to the region there is one actionable item that addresses the off-site behaviour of transient workers connected to the CNC project. This action item describes that CNC will develop and implement a feedback process to hear concerns from residents and members of vulnerable groups. It is not clear if this feedback process will result in actionable items or if the feedback process will actually provide a space for off-site grievance reporting.

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Falling Through the Cracks: Rights Discourse and Conditions

In the mining sector, intersectional employment statistics of the 2016 census data presented by Mining Industry Human Resources Council show that Indigenous women made up 1.7% of the total proportional representation of mining jobs in Canada (Peltier-Huntley, 2022) . While we expect this number to have increased since the IAA 2019 legislation has been passed, we argue that the effectiveness of site-specific practices as outlined in decision statements is creating a small modicum of positive impact and does not adequately reflect residual effects, regional socio-economic consequences and cumulative effects on surrounding communities. Indigenous women’s near total lack of representation in the mining industry is arguably demonstrative of a lack of willingness to engage with industry activities, and there is overwhelming need to strategize impact mitigation outside of site-specific strategies, but proponents are unwilling to take on responsibility of the structural impacts of resource development in the north and Indigenous women are falling through the cracks.

That being said, there remains good opportunities in ongoing monitoring and adaptive management programs that cannot be overlooked for their importance, though it remains to be seen how impactful the new developments in addressing the priorities of First Nations women in resource development play out over time. Currently, the threshold of what could be considered a reasonable accommodation is unclear and difficult to find how exactly decisions are made regarding conditions being implemented, if there are legal definitions or parameters, they are not public facing at this time. The dynamic of Crown influence over resource development impacts as currently presenting in IA outcomes reinforces the rationale for negotiations and benefit sharing, such as Impact and Benefit Agreements (Sabrina Bourgeois & Ana Catarina Zema, 2024) . Stakeholders are leaning on neo-liberal market-based solutions such as Impact and Benefit Agreements (IBAs) to reflexively address nuanced and complex socio-economic issues that are arguably within the sphere of government policy and infrastructure investments to address and enforce, this is especially apparent when considering the cumulative impacts of resource development in the rural north.

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Impact and Benefit Agreements Undermine CRGBA+

Often in tandem with IA there are First Nation-Industry negotiations that emerge to reconcile and provide some form of restitution in exchange for the consent to operate on traditional territory, these are called Impact and Benefit Agreements (IBAs) or more recently Community Benefit Agreements (CBAs). With the announcement of the Critical Minerals Strategy and Net Zero 2030 we are already seeing an increase in mineral development interest in remote regions in Northern Ontario as discussed above, and we expect trends of IBA negotiations to continue and increase over time. The role of IAs and IBAs often overlap in the planning process of a resource development project, however, they are meant to serve very different purposes. We argue that there is a serious risk of conflation between benefits and mitigation measures when it comes to social and economic considerations of a potential project. IBAs only benefit rights holders (i.e. IBA holders) in negotiated private contractual agreements. However, there are many more Indigenous people impacted by a project than the rights holders. Particularly, urbanized Indigenous people experience barriers to accessing gainful employment because they do not hold an IBA with a community in proximity to a project, nor are they provided with ongoing communication and liaison relationships as with communities with existing and established relationship parameters.

There are over 500 Industry-Community agreements in various forms across Canada (MAC 2025) with dozens of current and upcoming IBA agreements, many being spatially located in the province of Ontario. IBAs are a private-law instrument that defines the legal relationship between First Nations and development proponents, these types of agreements largely center around economic benefits for impacted First Nations bands. Typically, within IBAs there are benefits such as preferential hiring and job training opportunities, preference given to Indigenous businesses where possible, and community development ventures and financial compensation arrangements among other confidential parameters that are specific to the context and impacts identified during resource development project planning (Hania, 2019).

There are also concerns of distributional equity and the protection of vulnerable sub-groups that are negatively impacted by the boom effects of development. Impacts such as increased costs of living and increased pressures on the social fabric of communities which are a key topic of concern in both IAs and IBAs (Gibson et al., 2024). There are distinct governance and deliberation processes for Nations, however a fundamental component of completing an agreement that can be fully supported by community is effective communication, building trust and transparency, and enhancement of the outcomes of an agreement (Gibson et al., 2024).

We argue that there is a serious risk of conflation between benefits and mitigation measures when it comes to social and economic considerations of a potential project.

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Impact and Benefit Agreements Undermine CRGBA+

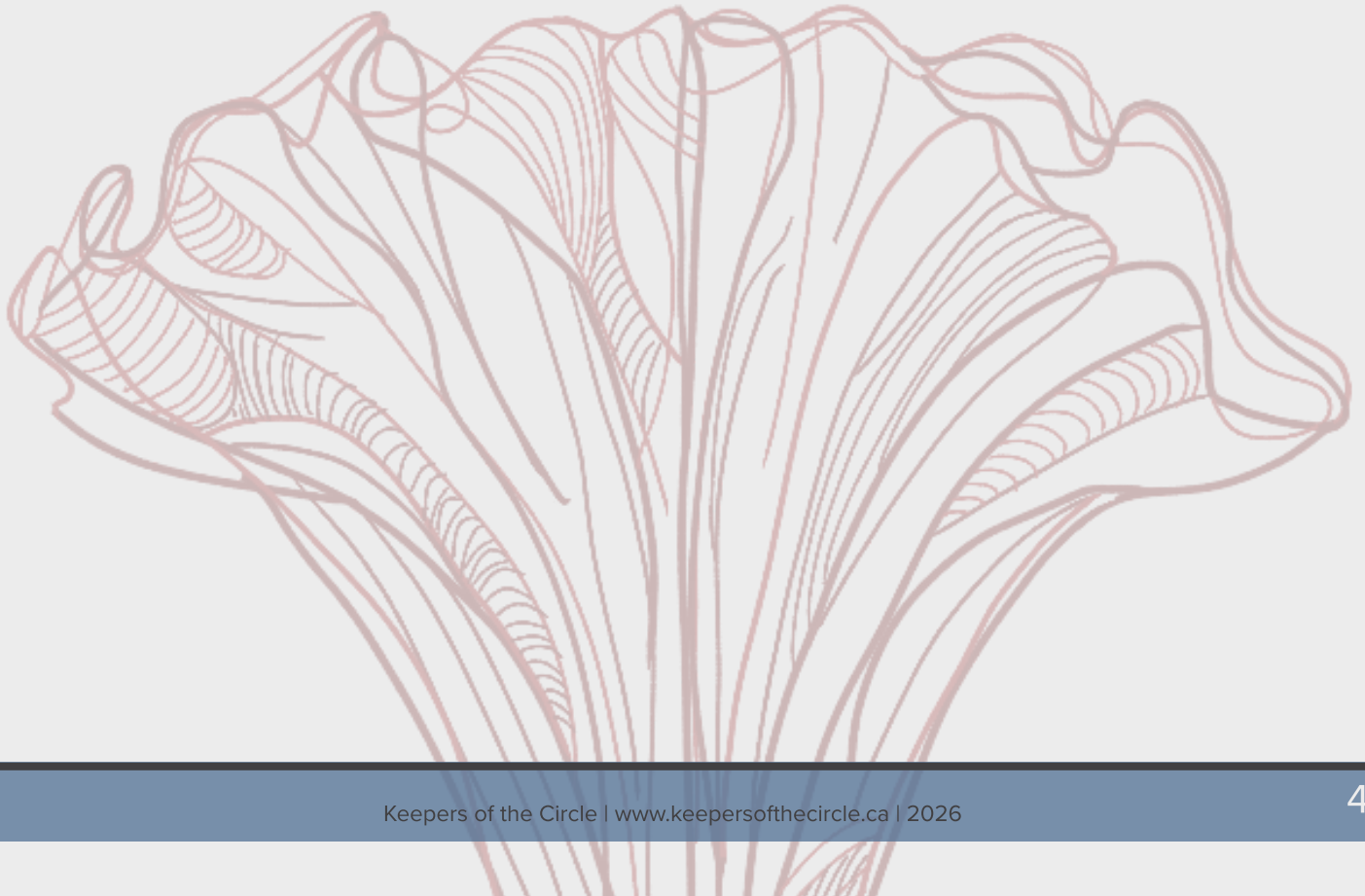
There is little evidence or best practice to demonstrate that gendered analysis is occurring within IBA terms, nor is there analysis of IBA's that would support that they are leading to good measurable outcomes for women (Graben et al., 2021; Keenan et al., 2016) . IBAs have been criticized as failing to affirm the consent of Indigenous women in impacted communities and does not account for the social inequity experienced by women in the Canadian mining sector (Keenan et al., 2016). Its not enough to presume that benefits flowing from IBA's are reaching all membership in equal ways, nor do they provide equal benefits or advantages to those who participate (Graben et al., 2021). For Indigenous women, the incompatibilities between work and homelife manifest differently, and solutions presented by IBA's are highly centric around employment opportunities. Increased income from job opportunities are unevenly distributed across communities and there is little evidence that the exploitation of lands and resources is leading to improved social, economic or physical well-being for Indigenous women, or even the community as a whole (Graben et al., 2021).

There is emerging scholarship pointing to much needed representation and warranties clauses in IBAs that may contribute to increasing validity and enforceability of IBAs (Graben et al., 2021) this is more akin to a risk management business practice in response to the increase of use of IBAs. In response to gendered exclusion there needs to be a more critical analysis of consent and authority of First Nations bands in entering into IBAs with proponents including critical examination of governance practices, negotiation and community organizing to address important issues such as who is actually involved in negotiations and conferring their consent for IBAs, and how are the decisions being made for the wider collective (Keenan et al., 2016). While there is significant literature on safeguards and practices that would lead to better outcomes in IBAs, there is a literary gap that studies the interests and perceptions of Indigenous women of their personal experiences with IBAs, including lessons learned and priorities particularly in the context of Indigenous women's inclusion in negotiation and implementation of IBAs (Graben et al., 2021). There are also criticisms that private contractual regimes such as IBAs normalizes and facilitates state supply of access to Indigenous lands for extractive capital (Scott, 2020) . In academic publications IBAs are largely presented within the context of private governance and a promoted as requiring going beyond contractual consent to include both procedural and substantive legitimacy demands of the Indigenous recipients in which the IBA is intended to represent (Craik et al., 2017) . There is a need to understand factors that are contributing (and detracting) from the perceived legitimacy of Indigenous-industry agreements such as IBAs in order to improve effectiveness of IBAs to meet their objectives (Craik et al., 2017).

Conditions and Contracts: Market Based Solutions to Human Issues

Impact and Benefit Agreements Undermine CRGBA+

Beyond equity and implementation questions about IBA's for First Nations, the mitigation of complex socio-economic issues including monitoring and incident reporting mechanisms, if rested within Industry-Community agreements are not public facing. Therefore, we cannot learn about their outcomes, we cannot monitor to understand the development of processes and their outcomes for communities. Development proponents tend to akin the term 'participation' to a relationship with 'beneficiaries' that are involved in project planning to secure the social license to operate and increase legitimacy and acceptance of the project (Fletcher, 2019) . By applying practices and principles of gender transformative change while doing (CR)GBA+ in assessments, there is great potential to apply to wider impact mitigation strategies for diverse sub-groups to benefit from rather than simply 'rights holders' (i.e. IBA or MOU holders) and often these mitigation strategies offer benefits that can also positively impact settler and immigrant women and gender diverse peoples working at or living near project sites.





Impact Assessment in Treaty 9 First Nations Territories

Discussion

MMIWG and structural impacts of development on Indigenous women are not being adequately responded to resource development planning. IAs and IBAs are not sufficiently upholding good practices of (CR)GBA+ beyond the collection of (available) disaggregated data and outlining service gaps that may increase risk for specific sub-groups. While First Nations communities can influence how mineral activities are conducted, they are constrained in their ability to influence proceedings and outcomes of mineral developments in a co-jurisdiction capacity (Boirin-Fargues, Z.; Thériault, S. 2024). Because of the lack of regulatory direction on metrics and specific indicators for gendered impacts currently in IAA 2019 legislation, nor specific minimum expectations on what impact mitigation strategies would fall within an impact assessment there is a grey area about what could be part of a public Impact Assessment and what may require other interventions. One interesting aspects of the Federal IA decision process are ‘complementary measures’ that can form part of a decision statement, and can include Federal actions to address adverse health, social or economic effects to address the impacts to the rights of Indigenous peoples that are outside of the ‘care and control’ of proponents (IAAC 2024a). Provincial governments are notably missing from this commitment.

Working towards Gender Transformative Change in industry developments that can achieve positive results in addressing violence against women is not only the responsibility of rights holding First Nations to address and take on within IA contexts, or in industry-community benefit agreements. The structural violence that is increased by industry operations is maintained and perpetuated by provincial governance structures that control the rural north as an unorganized, poorly represented series of boom towns and settlement regions that generate enormous wealth from resource exploitation yet see very little return investment into services and infrastructure (Angus, C 2022).

The misalignment between Federal and Provincial government assessment processes is worsened with amendments that are pushing back against the advances made at the Federal level to consider broader issues within an impact assessment. We also recognize there are legacies of complex socio-economic issues affecting Northern communities that are too great for a single project plan to resolve. Treaty 9 is historically under-served and exploited by our provincial and federal government and the practice of land theft and environmental destruction is reinforced via regulatory processes that promise to compromise incrementally but do little to effect significant change to the lived realities of Indigenous women and more broadly, Northern peoples. The regulatory process views projects in isolation, and expressions of commitment to rights impacts are relegated to lip service with no real mechanisms to meaningfully consider national strategies such as MMIWG within Impact Assessments.

Impact Assessment in Treaty 9 First Nations Territories

Discussion

We have covered procedural opportunities and limitations for (CR)GBA+ in an effort to advance knowledge dissemination about the potential opportunities to effect broader systemic change in resource development planning for Indigenous women, through the promotion of breaking away from rights discourse and instead relying on participatory methodologies of gender transformative change and collaborative, transparent and enforceable arenas. We call upon the Ministry of Environment and Climate Change, and more broadly, the Federal government to challenge provincial efforts to reduce and sever Federal authority over important environmental, health and socio-economic issues of Indigenous Nations. Considering the relationship between the Federal government and Indigenous Nations, the provincial government of Ontario's efforts to undermine the Federal process are actively impinging on Indigenous nations ability meaningfully participate in major developments occurring on their territories in Treaty 9. In light of Ontario's historic and ongoing legacies of land seizure, exploitation and theft of resources of it's resident First Nations communities, it has and continues to fall to First Nations to advocate fiercely for Indigenous women and MMIWG specific issues in wider regulatory and policy arenas.

Research funding is required to support specific and targeted Indigenous planning theory projects, to build Indigenous theory and practice of Impact Assessment that reflects First Nations worldviews and cultural resurgence efforts. Indigenous knowledge institutions and data collection efforts are critical to meeting future development demands that can reflect Treaty 9 First Nations interests in light of the Critical Minerals Strategy. All stakeholders have a responsibility to contribute to the rigor of (CR)GBA+ in planned major developments that will permanently alter Treaty 9 territories, and our shared futures.

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