



FEM
NORTH
NET

RESOURCE DEVELOPMENT IN NORTHERN COMMUNITIES; LOCAL WOMEN MATTER

Fact Sheet #10

IMAGINING ALTERNATIVES FOR SUSTAINABLE DEVELOPMENT

The focus of this fact sheet is on the need for sustainable resource development so that local people, including diverse women in northern communities, benefit more. It looks at ways to build a future using new and different principles for resource development. These principles include:

- recognizing Indigenous rights and control over traditional lands
- changing how wealth from resource extraction is distributed, and
- choosing to use natural resources in a slow and sustainable way.

Recognizing Indigenous Rights and Control over Traditional Land

It has taken time, effort and legal challenges for Indigenous people in Canada to begin to regain control over the use of land and waters they traditionally used. It has been a slow process but important legal decisions and negotiations have established greater recognition of Indigenous rights and decision-making power.

The Supreme Court of Canada made an historic decision on June 26, 2014 by recognizing that Indigenous land rights extend to lands used traditionally, outside of settlement sites. The case involved the Tsilhqot'in Nation, in the north central part of British Columbia. For more than 20 years they had used the courts and a blockade to stop resource extraction (logging) in their traditional territory. They were finally successful with this Supreme Court decision.

The significance of the Tsilhqot'in Nation ruling

This Supreme Court ruling set the stage for a new way of dealing with unresolved land claims and future claims for Indigenous title, especially in northern Quebec, eastern Canada and Labrador where treaties do not exist. (Indigenous peoples cede or give up land when they sign a treaty. Where no treaty exists, the land is called unceded.)

This is one in a series of ten fact sheets on women and resource development and extraction. All of the fact sheets are available at www.fnn.criaw-icref.ca and include additional resources on these topics.

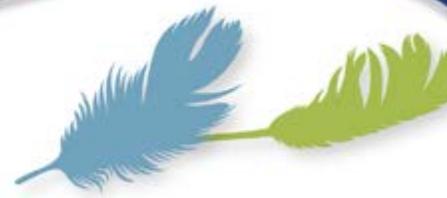
CRIAW-ICREF acknowledges its presence and work on Indigenous Territories. We respectfully recognize the legacy of colonization upon Indigenous Peoples.

This publication was created by CRIAW's Feminist Northern Network. For the full list of contributors refer to our website.

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“Historic Day in Xeni Gwet’in” depicts the meeting between the BC Premier and Minister of Aboriginal Relations and Reconciliation with Tsilhqot’in Nation Chiefs to sign a Letter of Understanding in response to the Supreme Court of Canada’s Tsilhqot’in Nation judgement. – Photo from the Province of British Columbia (2014, licensed under [CC BY-NC-ND 2.0](https://creativecommons.org/licenses/by-nc-nd/2.0/))

This ruling by Canada’s highest court provided a clearer definition of what land title is and how it can be recognized. Because of this ruling, First Nations seeking title for unceded lands have a better idea of how to prove that they have Indigenous title and thus win control over that land.

Gaining title gives Indigenous group the rights to:

- decide how the land will be used
- enjoy and occupy the land
- own the land
- get economic benefits from the land, and
- decide how to use and manage the land.

A new era of consultation and consent

The Tsilhqot’in ruling said the federal government has a duty to get true consent before any kind of development occurs on unceded land. This requirement for consent is not required on land defined by other types of agreements (such as treaties), where only consultation is needed.

The possibility for the future is that Indigenous groups will have a chance to participate in economic development as more equal partners.

Even so, some restrictions apply:

- major projects such as mines or pipelines can be built without Indigenous consent, if the government can establish that the development is “pressing and substantial,” and it compensates the Indigenous group, and
- federal and provincial governments can still regulate economic activity such as forestry practices on unceded lands with consent or without consent, if there is a pressing and substantial public purpose at hand.

Based on the ruling, not all Indigenous peoples will have their title to traditional territory recognized, even if they go to court. That’s because some have surrendered their lands (through treaties). On the other hand, some Indigenous people in Canada and elsewhere in the world believe their rights to the land cannot be bought, sold, traded or extinguished by any government for any reason.

What does the ruling mean in broad terms?

The ruling applies to many Indigenous groups who live on and use unceded territory. This is particularly true for the NunatuKavut Nation—the southern Inuit in Labrador. They have much in common with the Tsilhqot’in Nation:

- Both nations have been denied title due to rules about semi-nomadic life. In the past, they did not meet strict government rules that said they must occupy one place all the time. The Supreme Court in the Tsilhqot’in ruling rejected this idea, saying that semi-nomadic groups do hold title rights for land that they have traditionally occupied.



The village of Red Bay, which was awarded UNESCO World Heritage Site status in 2013 for its historical Basque whaling industry, is located on traditional Nanatukavut territory. Parks Canada is working with the government of NunatuKavut to protect Southern Inuit heritage and sacred sites. – Photo by Wiegee (2004)

- The NunatuKavut community has had Indigenous title acknowledged in the past, but then rejected because it did not pass strict and unreasonable tests about continuity (ongoing relationship with a territory). The Tsilhqot'in ruling redefined continuity and said it is not a good reason for governments to reject title claims.
- Both nations have found governments unwilling to accommodate Indigenous rights; the need for governments to accommodate was clarified by this recent ruling.

The UN Declaration on the Rights of Indigenous Peoples

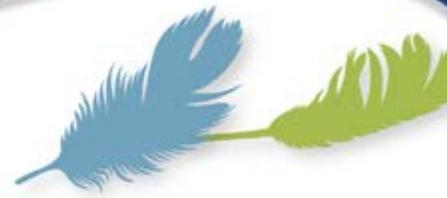
The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) sets out the rights that UN member nations must meet in order to build healthy and sustainable relations with Indigenous peoples. It contains principles for resource development, based on human rights, justice, non-discrimination and reconciliation.

The UN adopted the Declaration in September 2007, after more than 30 years of organizing by Indigenous groups around the world. Canada was one of only four countries that voted against the Declaration when it was first adopted. Canada said UNDRIP went too far in giving Indigenous peoples ownership of their traditional lands and the right to veto national laws and local management of resources. But three years later, in November 2010, the Canadian government signed and endorsed UNDRIP.

This Declaration applies to resource extraction because it:

- requires nation states to recognize, respect and provide rights to Indigenous peoples, their institutions, cultures and traditions
- outlaws discrimination and promotes full participation in all matters that concern Indigenous peoples, including their right to remain distinct and to pursue their own visions of economic and social development
- recognizes Indigenous peoples' right to self-determination
- calls for the full and effective participation of Indigenous peoples in all decisions that may affect their land
- urges partnership and collaboration between states and Indigenous peoples, and
- sets out the need for free, prior and informed consent to protect the right of Indigenous peoples to decide whether and when development should proceed.

The UN Declaration on the Rights of Indigenous People is meant to spur countries to change their laws, practices and programs.



How to apply the UN Declaration on the Rights of Indigenous Peoples:

- Adopt the Declaration and ensure all policies and procedures uphold its standards.
- Work with Indigenous organizations to lobby government and industry to use the Declaration.
- Governments and companies can use the Declaration as a framework to guide their work with Indigenous communities.
- Teachers, professors and other educators can include information on the Declaration in their classes to help educate all Canadians on UNDRIP and its significance in Canada.

Source: Indigenous Bar Association, 2011

The Declaration also says women shall not be forced to change nationality or become stateless due to marriage. As well, nations should take measures to improve the economic and social conditions of Indigenous women.

In Canada UNDRIP can provide local Indigenous people, and women, more ability to protect land and water for future generations. It may also allow them to exert more control over the kind and the scope of resource development in their communities, and how wealth is shared.

Changing how wealth from resource extraction is distributed

UNDRIP uses a human rights lens to envision more equal relations. But this is also an economic issue.

The wealth created by northern resource extraction and development has not been shared. Instead, profits from resource development projects widen the gap between:

- corporations and people
- rich and poor, and
- the north and south of Canada.

Corporations, not people, have benefitted most from Canada's economic boom in resource extraction. The corporate share of national income now sits at its highest level in over 40 years. In the past 15 years, Canadian corporations have racked up profits of over \$700 billion. Meanwhile, householders have been carrying \$660 billion more in debt—\$50,000 per Canadian household.

A growing gap also exists between the rich and the poor in Canada. This is especially true in the province of Newfoundland and Labrador. Between 1981 and 2005, this province had some of the highest levels of economic growth in all of Canada. The provincial economy (Gross Domestic Product) grew from about \$5 billion to about \$21 billion. What happened to this vast amount of wealth?

How is UNDRIP significant for Indigenous women?

Indigenous women were very active in shaping the Declaration over two decades of negotiations. It provides formal rights to Indigenous women in many areas, including:

- the right to be part of decision-making in matters that will affect their rights
- the right to a nationality and the right to belong to an Indigenous community or a nation, based on traditions and customs of the community or nation involved
- the right to all levels and forms of state education without discrimination and the ability to share with future generations their histories, languages, oral traditions, philosophies and literatures, and
- equal rights with men when it comes to participating in politics and public affairs, and representing their communities and countries.

- Profits as a percentage of wages during this time averaged around 70 per cent in Newfoundland and around 51 per cent in the rest of Canada. In other words, companies in this province were paying themselves 70 cents for every dollar paid to workers, compared to 51 cents in the rest of Canada.
- In 2008 profits in Newfoundland and Labrador as a percentage of wages were more than double the rest of Canada, at about 125 per cent. This means that in 2008, companies in the province were paying themselves more than what they paid workers.

The income of already wealthy corporate executives also rose at a much higher rate in Newfoundland than in other provinces. In contrast, workers' wages have not kept pace with overall economic growth. And on average, women's wages for women, Indigenous and disabled people are lower than men's. In other words, people, are not getting an equal share of economic benefits from resource extraction.

As a province, Newfoundland and Labrador has relied in recent years on royalty revenues from resource-based companies for public spending. When global demand for raw resources like oil, gas and iron ore fell in 2015 it reduced the province's revenue. In turn, the NL provincial government drastically cut public spending to deal with its rising debt, after almost a decade as one of the strongest economies in the country. There are better, and smarter, ways to manage the wealth that comes from resource development in Canada's north.

Norway provides a model for Canada's north

Since oil was first discovered on its continental shelf in 1969, Norway has closely managed oil production to create sustainable development. Its policies have protected the environment and set aside wealth for people now, as well as for future generations.

The Norwegian government owns 80 per cent of its oil production and transportation infrastructure. It can define and direct how resources are developed because it collects and invests revenues from oil production on behalf of the Norwegian people.

Norway created the Sovereign Wealth Fund to save and reinvest some of the money made from petroleum extraction. The fund now amounts to \$1.1 trillion.

The Norwegian government has strongly regulated the extraction process itself through its policies and voting power as a shareholder in many corporations that operate in Norway. Environmental protection is a priority that has been reflected through

- heavy monitoring of environmentally risky production, and
- policies based on scientific evidence rather than the goals of keeping profits and economic gains high.

Since 2004, the Fund's ethical guidelines on investment have encouraged ethical practices for both national and foreign companies. If participating companies do not shift to ethical practices, the Fund will not continue to invest in them. In 2011, it withdrew its investment in the Canada Potash Corporation because it did not meet the Norwegian government's ethical and environmental standards.



Draugel Oil Platform off the coast of Norway –
Photo by BoH (2013, licensed under [CC BY-SA 3.0](https://creativecommons.org/licenses/by-sa/3.0/))



Canada produces about the same amount of oil as Norway but has not tried to capture, hold and manage wealth as Norway has. Norway's policies on resource extraction have created one of the most generous social welfare systems in the world that helps to equalize social inequality. As well, income differences are low in Norway, which creates a balance between rich and poor. In contrast, the gap between the wealthy and poor people in Canada has grown dramatically and social programs have been cut due to government policies.

Justice between Canada's south and north

Norway has shown how governments can use wealth from resource extraction for social goals. An important goal that Canada could pursue is to ensure that northern communities get a larger share of economic benefits from resource extraction that happens in their region.

Northern women who are part of FemNorthNet have expressed their anger and frustration that so much wealth has been taken from them and so little invested back into their communities. Many northern communities lack basic infrastructure like paved roads and sidewalks, buses, clean water systems, housing, health and social services, childcare, women's shelters and more.

North-south relations need to be more equitable within Canada. We need greater investments in northern infrastructure, especially social infrastructure like childcare, education, health care, social services, and physical infrastructure like housing.

Choosing to use natural resources in a slow and sustainable way

Vivir bien and *sumak kawsay* are Indigenous concepts in Ecuador and Bolivia that mean "good

living" in Spanish and Quechua, respectively. These words place the well-being of people and Mother Earth above money and material gains.

The governments of Ecuador and Bolivia have put these concepts into their political structures as a way to give rights to Mother Earth. This concept was officially added to Ecuador's constitution in 2008 and Bolivia's in 2010. In Bolivia, it recognizes the rights of all living things and gives the living world the same status and protection as humans.



"First meeting of Peoples of Andean Nationality for Good Living" – Photo by Cancillería del Ecuador (2011, licensed under [CC BY-SA 2.0](https://creativecommons.org/licenses/by-sa/2.0/))

The Bolivian legislation provides the Earth the rights to:

- life and regeneration
- biodiversity and freedom from genetic modification
- pure water
- clean air
- naturally balanced systems
- restoration from the effects of human activity
- freedom from contamination, and
- the right to not be affected by big infrastructure and development projects that affect the balance of ecosystems and the people in local communities.



Decolonizing the past and present

Core parts of *vivir bien* include:

- gaining independence from colonial holds on the nation
- addressing short- and long-term effects and damages that stem from colonial practices, and
- changing the ways that colonizers and those who were colonized see the world.

Decolonizing one's mind is an important part of changing the way developed countries view and treat those living in developing countries. In Canada, this also applies to the way Indigenous people and northern communities are viewed. The process of decolonization here needs to:

- encourage a rethinking of subsistence and non-capitalist societies as backwards and in need of modernization, and
- challenge the Western model of capitalism that is driven by more consumption, more wealth and more economic growth.

The process of decolonization is the opposite of resource development, which mostly ignores the well-being of people and the environment. The goal of limitless growth is wrong-headed because it views the environment as something human beings can consume and exploit.

Development and economic growth are not the only options a developed country like Canada can use to plan for the future. Other concepts have been imagined through a Western and scientific lens as people seek out healthier, more sustainable ways of living.

Western ecological economics

Ecological economics recognizes that the human economy is a subsystem within the earth's ecosystem. This is based on the idea that any

and all economic activity in the human economy depends on the use and reuse of natural or ecological resources.

This approach rejects measures of progress, such as the Gross Domestic Product, that mostly ignores the environment and unpaid labour performed primarily by women. Instead, it tries to shift our understanding of economic progress to one that values the environment and people over economic growth.

Degrowth

The French concept of *décroissance*, or degrowth, goes even further than ecological economics. It provides a critique of consumerism that promotes the idea of "living simply so that others can live."

Degrowth calls for a radical break from traditional economic models based on growth. Those who promote it argue that sustainable growth is not possible under the current economic system that relies on consumption and exploitation.

It asks important questions. How can we:

- invent new ways of life that are based on true democracy?
- shift the focus to sharing and cooperation?
- respect the values of equality and freedom?
- foster an economy that seeks to reduce the use of natural resources and energy?

Degrowth involves economic contraction that will eventually lead to a new kind of economy in developed countries.

Building on ecological economics, it seeks to shift value away from economic growth and financial gain to the value of the environment, the work of women, and any work that does not create goods with high monetary value, such as the work of artists and musicians.



The Leap Manifesto

The Leap Manifesto – a call for Canada based on caring for the earth and each other - provides an important vehicle for discussion about resource development and climate change in Canada. It argues we need to take the leap to do a different set of values that:

- Begin by respecting the inherent rights and title of the original caretakers of this land
- Fully implement the UN Declaration on the Rights of Indigenous Peoples
- Support energy democracy where communities collectively control new energy systems
- Create innovative ownership structures: democratically run, paying living wages and keeping much-needed revenue in communities.

The Leap Manifesto does not speak specifically to the needs of diverse women. But it does call for a universal basic annual income, since so much of the labour of caretaking – whether of people or the planet – is currently unpaid. This initiative aims to spark discussion and debate across Canada, calling for town hall meetings across the country so local people can democratically decide what a genuine leap to another type of economy means in their communities.

We hope communities take up this challenge and encourage diverse women to be at the forefront of leading this change to find sustainable alternatives to the current model of rapid resource extraction.

Suggested citation:

FemNorthNet. (2016). *Imagining Alternatives for Sustainable Development*. Resource Development in Northern Communities: Local Women Matter #10. Ottawa: Canadian Research Institute for the Advancement of Women.

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ABOUT FEMNORTHNET

Economic development centered around resource extraction is changing northern communities in Canada socially, economically, and culturally. FemNorthNet (or the Feminist Northern Network) documented and shared the experiences of diverse, northern women affected by these changes while supporting them in their work to strengthen and build resiliency within their communities. FemNorthNet was initiated by the Canadian Research Institute for the Advancement of Women (CRIAW) and supported by the Social Sciences and

Humanities Research Council. This network engaged over 30 researchers and community activists across Canadian universities, colleges, and northern community organizations, with community partners in Thompson (Manitoba), Happy Valley – Goose Bay (Labrador), and Labrador West (Labrador). Learn more at www.fnn.criaw-icref.ca.

Support the Canadian Research Institute for the Advancement of Women

Since 1976, the Canadian Research Institute for the Advancement of Women (CRIAW) has been documenting the economic and social situation of women in Canada through ground-breaking feminist research. All CRIAW activities flow from an overarching goal to provide tools to help organizations taking action to advance social justice and equality for all women.

As a non-profit organization and charity, CRIAW's activities depend on the support of its members and donors from across Canada. All CRIAW members receive the CRIAW eNewsletter directly in their inbox, along with notices of new reports, policy papers, and fact sheets – like this one.

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