

## Report

# The Niniibawtamin Anishinaabe Aki Gathering: Critical Minerals and Nuclear Waste in Northern Ontario

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**Abstract:** In October 2025 the authors organized a workshop in Thunder Bay, Ontario. The Niniibawtamin Anishinaabe Aki Gathering (stand up for Anishinaabe land gathering) brought together First Nations leaders, community organizers, civil society groups, and scholars to discuss plans for nuclear waste disposal, critical mineral extraction, and associated infrastructure development in northern Ontario. Several cross-cutting themes emerged over the course of the event. Conversations mostly hinged upon prospective critical mineral extraction in the “Ring of Fire” development area and a proposed high-level radioactive waste repository in northern Ontario. Numerous delegates referenced federal and provincial “fast-tracking” legislation as a serious challenge to Indigenous rights. First Nations leaders spoke about the challenges they face in meaningfully participating in decisions because their institutional capacity is taxed with addressing social crises in their communities. Several legal challenges that create uncertainty regarding critical mineral extraction and nuclear waste disposal were discussed. Another common theme was the limitation of settler decision-making processes, including the use of colonial courts to advance Indigenous justice. Several delegates spoke about the value of coalition building and grassroots mobilization. In the context of debates about using critical mineral extraction and nuclear power generation to drive the transition away from fossil fuels, some delegates noted it is important to consider whose way of life will be sacrificed for the clean energy transition.

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Rapport

## Le rassemblement Niniibawtamin Anishinaabe Aki : Minéraux critiques et déchets nucléaires dans le Nord de l'Ontario

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Résumé : En octobre 2025, les auteurs ont organisé un atelier à Thunder Bay, en Ontario. Le rassemblement Niniibawtamin Anishinaabe Aki (« Mobilisation pour le territoire Anishinaabe ») a réuni des chefs de Premières Nations, des organisateurs communautaires, des groupes de la société civile et des universitaires pour discuter des plans d'élimination des déchets nucléaires, d'extraction de minéraux critiques et de développement d'infrastructures énergétiques dans le Nord de l'Ontario. Plusieurs thématiques transversales ont émergé au cours de l'événement. Les échanges ont principalement porté sur l'extraction prospective de minéraux critiques dans la zone de développement du Ring of Fire et sur le projet de dépôt permanent de déchets radioactifs à haut niveau dans le Nord ontarien. Plusieurs délégués ont cité les lois fédérales et provinciales sur le « traitement accéléré » comme constituant un enjeu majeur pour les droits autochtones. Les leaders des Premières Nations ont évoqué les obstacles auxquels ils font face pour participer de manière significative aux processus décisionnels, leur capacité institutionnelle étant entièrement accaparée par la réponse aux crises sociales dans leurs communautés. Plusieurs enjeux liés à des législations créant de l'incertitude quant à l'extraction de minéraux critiques et au dépôt de déchets nucléaires ont également été discutés. Un autre thème récurrent concernait la restriction des processus décisionnels des colons, incluant le recours aux tribunaux coloniaux pour promouvoir la justice autochtone. Plusieurs délégués ont souligné l'importance de bâtir des coalitions et de mobiliser les communautés de base. Enfin, dans le contexte des débats sur l'extraction de minéraux critiques et la production d'énergie nucléaire pour accélérer la transition loin des combustibles fossiles, certains ont noté qu'il est essentiel de se demander quelle partie verra son mode de vie sacrifié pour la transition vers les énergies vertes.

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The authors organized a workshop in Thunder Bay, Ontario, that took place on the Anishinaabe Traditional Territory of Animikii Wajiw, or Fort William First Nation, on October 17 and 18, 2025. The Niniibawtamin Anishinaabe Aki Gathering (stand up for Anishinaabe land gathering) brought together First Nations leaders, community organizers, civil society groups, and scholars to discuss state and private sector plans for nuclear waste disposal, critical mineral extraction, and associated infrastructure development. The overriding goal was to share information and establish partnerships related to waste disposal, extraction, and the movement of materials through lands and across waters of northern Ontario.

The organizers made a conscious effort to avoid a problematic, but not uncommon, dynamic at workshops where settler “experts” take up considerable space, with limited participation from Indigenous delegates. To temper this, they prioritized presentations from First Nations leaders. The event opened and closed with ceremony, participants feasted on traditional foods, and a sacred fire was lit throughout.

The first day of the workshop began with ceremony, followed by speeches from Indigenous leaders and community organizers. Chief Michele Solomon (Fort William First Nation) and Chief Jeffrey Copenace (Ojibways of Onigaming First Nation) spoke about their Nations’ concerns over the potential transportation of nuclear waste through their territories, presenting a clear focus on the dynamics of historical resource claims, present day socio-economic realities, and the uncertainty of future conditions of safety and risk. Wayne Moonias (former Chief of Neskantaga First Nation) presented about his Nation’s interventions into debates about mining in the “Ring of Fire” development area, which extends into their homelands. Michel Koostachin (Attawapiskat First Nation) provided a grassroots Indigenous perspective on extraction and land defence in northern Ontario. Rudy Turtle (former Chief of Grassy Narrows First Nation, Asubpeeschoseewagong Netum Anishinabek / Land Defence Alliance) discussed his organization and explained its coalition-building approach to land defence and stewardship.

Academics, representatives of non-governmental organizations (NGOs), and legal practitioners presented later in the day. Devin Holterman and Jocelyn Cheechoo (World Wildlife Fund Canada) discussed their organization’s collaborative work with First Nations regarding mineral exploration in northern Ontario. Laura Pitkanen (Western Mining Action Network) spoke about the different supports her organization, as a frontline coalition network, can provide to mining-affected communities and the FAIME database (Find An Independent

Mining Expert). Jamie Kneen (Mining Watch Canada) presented about the new political challenges associated with escalating pressure for critical mineral extraction in the region, suggesting that the rhetorical shift to “critical” resource development still adheres to a business-as-usual approach.

A second afternoon panel saw Brennain Lloyd (Northwatch) discuss concerns and regional opposition to a proposed deep geological repository (DGR) for high-level nuclear waste<sup>1</sup> in northwestern Ontario. Laura Tanguay (Harvard University, Weatherhead Center for International Affairs) and Dara Wawatie-Chabot (Algonquin Youth Collective) spoke about Indigenous resistance to a proposed near-surface nuclear waste disposal facility near Ottawa. M.V. Ramana (University of British Columbia, School of Public Policy and Global Affairs) explained why nuclear power is neither a desirable nor feasible solution to the climate crisis (see also Ramana, 2024).

Rounding out the busy day in a third afternoon panel, Dayna Scott (York University, Osgoode Hall Law School) presented her research into extraction in the Ring of Fire, partnered with Neskantaga First Nation, emphasizing the need to consider whose lifeways are being sacrificed for the “green” energy transition (see also Scott, 2025). Larissa Speak (Lakehead University, Bora Laskin Faculty of Law) discussed the need to move beyond the divide and conquer politics of extraction and waste disposal by reviving Indigenous legal traditions, a topic echoed in multiple forms by many workshop participants. Nicholas Daube (Woodward and Co.) spoke about two Indigenous rights legal challenges over extraction in northern Ontario, emphasizing the tangled relations amongst questions of constitutionality, jurisdiction, and the potential long-term effects of development. Lianne Leddy (Wilfrid Laurier University, Department of History) presented her research into historic uranium mining in northern Ontario, emphasizing themes of dispossession and environmental injustice (see also Leddy, 2022).

The second day also began with ceremony at the sacred fire, followed by separate discussion groups for Indigenous and non-Indigenous participants. This was followed by an inclusive larger group discussion to identify next steps for asserting Indigenous stewardship in the face of escalating pressure for critical mineral extraction and nuclear expansion. The second day concluded with the film *The Moth*, by local filmmakers Michelle Derosier and Zoe Gordon, which depicts a future time when one woman survives in a bunker following a nuclear waste disaster.

The conversations were fruitful and wide-ranging. Several cross-cutting themes emerged over the course of the event. We present these here to anchor the debates at the foundation of the workshop and to promote further elaboration, debate, and cooperation.

## Two Contentious Proposals

Conversations mostly hinged upon prospective critical mineral extraction in the Ring of Fire development area and a proposed high-level radioactive waste repository in northwestern Ontario. The Ring of Fire is a crescent-shaped geographical area in the James Bay lowlands of northern Ontario, considered to be one of Canada's most promising prospects for critical mineral extraction, with known deposits of chromite, nickel, copper, platinum group elements, and titanium. Extraction in the Ring of Fire is notably controversial. Some First Nations and individuals support the construction of access roads that could “open up” the area for development, believing that employment and other material benefits to communities will outweigh potential environmental and social harms. Others are opposed to the way in which development is proceeding in the region, professing skepticism about the pace and scale of development, hesitation at the aggressive nature of developmental discourse, and anxiety about uncertain effects and vague promises of future benefits.

The Nuclear Waste Management Organization (NWMO), a private not-for-profit that is federally-mandated to manage Canada's spent nuclear fuel, is proposing to construct a deep geological repository near Ignace, Ontario. If approved, the DGR would store all of Canada's spent nuclear fuel (i.e., high-level radioactive waste). The NWMO's proposed DGR is similarly controversial. While one First Nation supports the project moving forward to assessment and licensing processes, many other First Nations—including those downstream from the proposed DGR site and along potential transportation corridors—remain opposed. One First Nation with overlapping territorial claims is contesting the NWMO's approach to site selection in court.

## Federal and Provincial Fast-Tracking Legislation

Numerous delegates referenced recent federal and provincial “fast-tracking” legislation as a serious challenge to Indigenous rights. The Government of Canada recently passed Bill C-5 (the *One Canadian Economy Act* and the *Building Canada Act*), which allows the federal government to designate specified “national interest projects” that will be subjected to truncated assessment and regulatory processes. The Government of Ontario passed Bill 5 (the *Protecting Ontario by Unleashing Our Economy Act*), which enables the government to exempt development from provincial laws and regulations designed to protect a range of interests, from community economic development to archaeological heritage, and from environmental assessment to endangered species. Nuclear and critical mineral projects were prioritized in the first list of “national interest” projects issued by the Government of Canada, with intense speculation on what might be added to

the priority list. Provincial government officials have indicated their intention to designate the Ring of Fire a “special economic zone.” Both pieces of legislation accelerate the ability to authorize and implement development plans, and both produce negative impacts on community engagement, access to required context and information, and on the monitoring necessary to identify or reduce real or anticipated impacts. Both the federal and provincial legislation also have what was described as a “wild west clause”—the governments are now empowered to designate special economic zones or the so-called nation-building projects, exempting projects from many of the existing social, economic, and environmental protections that governments and industry have deemed to hinder resource development.

Delegates spoke about their opposition to this legislation. Many argued that implementation should and will be resisted. Some delegates argued that it is important to see opportunities in this morass, suggesting that receding federal and provincial governance and regulatory processes could ultimately make more space for Indigenous-led assessments. All agreed in the fundamental importance of protections and shared decision making.

### **States of Emergency**

Several delegates spoke about the challenges First Nations face in meaningfully participating in decisions about extraction and waste disposal because their institutional capacity is taxed with addressing overlapping and mutually reinforcing social crises in their communities. With cascading tragedies and no time to grieve, community capacity to respond is limited. One delegate characterized the situation as being “starved into submission” because of the lack of resources available to address these crises.

For many participants, this state of emergency can be seen as a continuation of the lived historical memory of settler–Indigenous relations in Canada. Several offered reflections on historical claims to safety and the historical antecedents to resource use and extraction in the region. This historical memory presented two sides to community responses to resource and infrastructure proposals. Some suggested emphasizing the importance of past injustices in order to understand and contextualize current proposals (how to use the past to inform positive negotiations now). Others focused more clearly on the continuation of historical divide and conquer tactics as the Canadian state’s mode of securing consent and dampening organized resistance.

## Legal Challenges

Delegates discussed several legal challenges that create uncertainty regarding both critical mineral extraction and nuclear waste disposal in northern Ontario. A coalition of Treaty 9 First Nations have initiated litigation in the Ontario Superior Court of Justice that challenges the Crown's ability to make unilateral decisions about extraction on their territories. These First Nations argue that the provisions in the written version of Treaty 9, which allegedly “cede, release, surrender and yield up” land rights are invalid. As a result, they argue, Canada must enter into a relationship of co-governance with Treaty 9 First Nations before proceeding with development on their lands (Attawapiskat First Nation et al., 2023).

A second coalition of First Nations, including several from northern Ontario, are also challenging federal and provincial fast-tracking legislation in the Ontario Superior Court of Justice. They argue that the honour of the Crown was breached when the legislation was passed because it presents a “clear and present danger” to their rights to self-determination. Both pieces of legislation allow settler governments to push through major projects without considering the costs to First Nations. As a result, the legislation undermines reconciliation (Alderville First Nation et al., 2025).

Eagle Lake First Nation has applied to the Federal Court of Canada for a judicial review of the Nuclear Waste Management Organization's decision to site a deep geological repository on its territory. Eagle Lake argues that it was unfairly excluded from the NWMO's decision-making process and that it should be considered a “host community” with the right to provide or withhold its consent to the proposed repository. According to Eagle Lake, the proposed repository site is located in the heart of its Traditional Territory (Eagle Lake First Nation, 2024).

All three lawsuits are likely to be influenced by the outcome of legal action against a proposed near-surface disposal facility for low-level radioactive waste in eastern Ontario at Chalk River. Kebaowek First Nation brought forward the lawsuit, which alleges that its right to be consulted about the waste facility was breached because the Canadian Nuclear Safety Commission failed to consider the principle of free, prior, and informed consent (FPIC), which is enshrined in the *United Nations Declaration on the Rights of Indigenous Peoples* and its federal enabling legislation, the *United Nations Declaration on the Rights of Indigenous Peoples Act* (UNDRIP Act). In early 2025 the Federal Court of Canada issued a decision that found Kebaowek's right to be consulted had indeed been breached, concluding that the UNDRIP Act enhanced the duty to consult, effectively raising the bar for what is required from the Crown (*Kebaowek v. Canadian Nuclear Laboratories*, 2025). However, the decision is currently under appeal at the Federal Court of Appeal.

## **From FPIC to Indigenous Jurisdiction and Legal Traditions**

Another common theme was the limitation to settler decision-making processes, including using the colonial courts to advance Indigenous justice. Even the principle of free, prior, and informed consent was identified as problematic. Projects like the Ring of Fire and the NWMO's proposed nuclear waste repository claim to operate with Indigenous consent. Yet both prospective developments include a divide and conquer dynamic where the perspectives of First Nations that support extraction or waste disposal are privileged over those who do not.

Delegates identified a pressing need to revive Indigenous legal and political traditions. This includes restoring frameworks for international relations (i.e., relationships between different Indigenous Nations). Such frameworks are better suited, they argued, to address contexts of overlapping territorial claims and shared responsibilities.

## **The Value of Coalition Building and Grassroots Mobilization**

Several delegates spoke about the value of coalition building and grassroots mobilization. They spoke about powerful arrangements where First Nations signed agreements to support one another in land struggles, most notably the Land Defence Alliance—a group of First Nations that includes Grassy Narrows First Nation, Kitchenuhmaykoosib Inninuwug First Nation, Neskantaga First Nation, Muskrat Dam First Nation, Wapekeka First Nation, and Ojibways of Onigaming First Nation. Others argued that, to be successful, land defence struggles require leaders to leverage power by mobilizing grassroots citizens, citing the example of the “Here We Stand” land reoccupation in Treaty 9 territory in response to federal and provincial fast-tracking legislation. Still others emphasized the organizational potential and collaborative capacity of Indigenous youth.

## **Extraction, Waste Disposal, and the Climate Crisis**

In the context of debates about using critical mineral extraction and nuclear power generation to drive the transition away from fossil fuels, some delegates noted that it is important to consider whose way of life will be sacrificed for the clean energy transition, arguing that First Nations lands were being treated like “sacrifice zones.” The increased pressure to use First Nations lands for nuclear waste was characterized as “nuclear colonialism” by some participants. Some suggested that, at this point, energy transitions seem like a disingenuous pretense for extraction and waste disposal because they are not part of a coherent strategy to mitigate climate change. Others questioned whether nuclear energy is a viable solution to the climate crisis, given the long period of time it takes to build new reactors and the incredible urgency of energy transitions. Several participants also linked

both critical mineral extraction and nuclear waste materials to the production of military capacity. Some delegates argued that we cannot discuss climate change mitigation without considering the unsustainable levels of energy and material consumption by the upper and middle classes in the Global North. If such consumption was curbed, energy transitions would not require such large volumes of critical minerals and electricity.

## Looking Forward

Taken together, the presentations and discussions emphasized the deeply contentious nature of critical minerals extraction and nuclear waste disposal in northwestern Ontario. Escalating pressure for extraction and waste disposal—driven by narrowly-conceived energy transitions and geopolitical conflict—is colliding with an increasingly organized Indigenous resistance movement. It therefore remains unclear whether Canada’s efforts to fast-track “nation-building” projects will succeed.

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## Notes

1. While high-level radioactive waste refers to spent nuclear fuel, low-level radioactive waste consists of irradiated materials like protected clothing, tools, and cleaning rags.

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