

Introduction: Consultation and Resource Development in Northern Communities

Greg Poelzer, Guest Editor

This special collection features short discussion papers that are revised and updated versions of papers first presented in September 2014 at the “Walleye Seminar,” an international research workshop held in Northern Saskatchewan, Canada and put on by the ARctic Urban SUstainability in Russia (ARCSUS) research initiative. Specifically, ARCSUS comprises an international and interdisciplinary research network focused on evaluating climate and socio-economic factors related to the sustainability of Russian Arctic urban communities. The network is driven by the overall research question, “given the ongoing and future extraction of Arctic resources, what kinds of urban settlements and their related infrastructure are best suited to ensure sustainability?” Here, sustainability is defined as “meet[ing] the needs of the present without compromising the ability of future generations to meet their own needs” (United Nations, 1987). In response, ARCSUS illuminates the key interactions among the climate, energy, and social variables affecting Russia’s Arctic urban environment, and situates the Russian experience within a global perspective through comparative analyses with experiences of urban communities in Northern Scandinavia and Northern Canada.

Under the auspices of ARCSUS, this special collection focuses on the topics of consultation strategies and stakeholder participation within northern resource extraction and development. Its overall driving hypothesis asserts that large northern urban centres—economic and political capitals—are interdependent in a chain with smaller regional urban centres, including Indigenous communities, and that the sustainability of the chain is only as strong as its weakest link. In cases of resource extraction and development, demand for greater participation and input in the development process

by those affected by the industry has been well documented within the literature. In response, this special collection explores the intricate and dynamic formal and informal processes of stakeholder engagement, which often involves multi-directional interactions between the state, industry, universities, community organizations, Indigenous peoples, and/or the general public. Thus, in order to ensure success in resource development, it can be argued that “greater inclusion results in responsiveness and transparency and, thus, helps resolve conflicting interests and produces outcomes that more stakeholders can agree upon” (G.A. Poelzer, 2015: 42). When comparing cases from Northern Russia, Northern Scandinavia, and Northern Canada, it is evident that the importance of processes for consultation and participant engagement with northern communities and stakeholders in resource development permeate. Concomitantly, discussions of corporate social responsibility, the social licence to operate, sustainable economic development models, community and Indigenous consultation in the environmental assessment process for resource development, and other capacity-building initiatives, emerge in several cases, and these concepts are examined at length within this special collection.

First, this special collection presents articles exploring the need for governments to consult with Indigenous communities, and the processes and governance arrangements that emerge from those consultations. In the context of Northern Scandinavia, Else Grete Broderstad’s *The Finnmark Estate: Dilution of Rights or a Vigorous Compromise?* presents the case of the *Finnmark Act*, hailed as a “constitutional innovation,” derived from active deliberations, consultations, and negotiations between the Norwegian government and the Indigenous Sámi Parliament to address Sámi land claims in the northernmost county of Norway. This article explores the history, process, and implications of the *Finnmark Act*, the unique Sámi Parliament that has combined a non-territorial model of self-determination with territorial arrangements, and the challenges that still remain. Meanwhile, Dwight Newman’s *Emerging Challenges on Consultation with Indigenous Communities in the Canadian Provincial North* underscores Canada’s unique “duty to consult” legal doctrine, which was developed by the Supreme Court of Canada in 2004–2005, and requires governments to consult with Aboriginal communities prior to making governmental administrative decisions that have the potential to adversely affect Aboriginal rights or treaty rights. Unlike the northern Scandinavian context, this policy framework was developed exclusively within the courts, rather than in legislative processes. In turn, this article explores the benefits, critiques, and the intended and

unintended consequences of the policy framework. In northern Russia, Petr Gogolev's *On the Autonomy and Territorial Interests of the Indigenous Peoples of the North, Siberia, and the Far East of Russia at the Present Stage* illustrates the case of Russia, where the right to self-determination of the Indigenous small-numbered peoples of the North, Siberia, and the Far East is commonly fulfilled as it does not threaten Russia's sovereignty and territorial integrity. In this context, Indigenous peoples can advocate for territorial rights or cultural/ethnic rights. Based on the results from recent referendums, whereby Indigenous communities voted to be integrated into subjects of the Russian Federation, Gogolev investigates the results of the referendums and how they can be explained by Russia's unique governance arrangement.

Second, we present articles that examine the process of consultation between industry and local communities. Here, it is found that the concepts of social licence, corporate social responsibility, free and informed consent, and their linkages to possibilities of sustainability, permeate the field. We start with Gregory A. Poelzer's *A Stake in Mining: Participatory Elements in Swedish Mine Development*, which compares and contrasts the concepts of consultation, information sharing, and social licence in legislation vis-à-vis actual practice. His article presents interview data in two Swedish cases—Northlands Resources in Pajala and LKAB in Kiruna. Following, Aileen A. Espiritu's *Kautokeino and Kvaslund Compared: Rejection and Acceptance of Mining in Communities in Northern Norway* demonstrates how the interactions between northern communities and mining companies in two cases with noticeably comparable conditions resulted in different outcomes. Utilizing discourse analysis, Espiritu argues that the notions of the social licence to operate (SLO), inclusivity in community relations and engagement, and the promotion of transparency, play a significant role in leading to the differences in outcomes between the two cases. In Northern Russia, Vladimir A. Kryazhkov's *Legal Regulation of Relationships between Small-Numbered Indigenous Peoples of the North and Subsoil Users in the Russian Federation* provides a comprehensive overview of the legal regulation that governs the relationship between Indigenous peoples of the North and subsurface industries, or "subsoil resource users"; identifies the existing deficiencies in those regulations; and offers recommendations for their improvement.

Third, it has been repeatedly suggested that environmental impact assessment (EIA)—or a process of assessing "proposed actions (from policies to projects) for their likely implication for all aspects of the environmental, from social through to biophysical, before decisions are made to commit to those actions, and developing appropriate responses to the issues identified

in that assessment” (Morgan, 2012: 5)—can offer an evidence-based approach to decision making that takes into account the needs of local communities affected by resource development. In Russia, Anatoly Sleptsov’s *Ethnological Expertise in Yakutia: Regional Experience of Legal Regulation and Enforcement* introduces the concept of “ethnological expertise,” which is comparable to the concept of environmental impact assessment. Sleptsov illustrates the promise and potential for state-sponsored ethnological expertise in accurately assessing the damages to the traditional territories and lifestyles of Indigenous peoples in Northern Russia when faced with opportunities for economic development. Meanwhile, Aniekan Udofia, Bram Noble, and Greg Poelzer’s *Community Engagement in Environmental Assessment for Resource Development: Benefits, Emerging Concerns, Opportunities for Improvement* underscores the contemporary debate surrounding the need for efficient vis-à-vis effective environmental assessments (EA), and articulates three salient challenges to EA in Canadian practice: capacity, streamlining of EA processes, and the timing of EA and engagement in the resource development process.

Next, John F. Young’s *Universities and Northern Economic Development* situates the university within the dynamics of disparate and competing attitudes and interests as they relate to resource development. Drawing from the case studies of Northwest Community College and the University of Northern British Columbia in British Columbia, Canada, Young examines what role(s) universities play and what role(s) universities should play when navigating amidst the complex relationships between local communities and industry.

Finally, Bonita Beatty, Dana Carriere, and Kelton Doraty’s *Engaging Northern Aboriginal Youth Key to Sustainable Development* raises the importance of capacity building in cases of resource development. Specifically, Beatty et al. utilize findings from their qualitative study on northern political engagement to make the case that governments, industry, and educational institutions need to better establish engagement with northern Aboriginal youth in Northern Saskatchewan when it comes to development of and coordination between health programs, and training and economic development programs. They argue that, ultimately, when given the opportunity and incentives, northern Aboriginal youth will engage in the development of themselves and their communities.

One of ARCSUS’s goals is to facilitate understanding, dialogue, and co-operation across international borders, and to build capacity in the field.

We are optimistic that having this special collection of discussion papers translated in English and Russian helps to further this goal.

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References

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