

THE MUSHKEGOWUK RESOURCE DEVELOPMENT PROTOCOL

AGREEMENT-IN-PRINCIPLE

FORT ALBANY
SEPTEMBER, 2006



TABLE OF CONTENTS

- 1 Preamble 1**
- 2 Guiding Principles of the Protocol 2**
- 3 Objectives of the Protocol 2**
- 4 Key Elements of the Protocol..... 3**
- 5 Implementation of the Protocol 4**
- 6 Related Documents 4**

1 PREAMBLE

Therefore be it resolved:

“... that this assembly of Mushkegowuk First Nations endorse a policy of First Nation directed resource development of the traditional lands of the Mushkegowuk People...”
Mushkegowuk Assembly Resolution 1996-08-07

“...that the Grand Chief and Deputy Grand Chief are mandated and directed to begin and co-ordinate work on a Mushkegowuk Land Use Protocol...”
Mushkegowuk Assembly Resolution 1998-08-04

“...that the Mushkegowuk policy staff and advisers strike a team of advisors to develop a policy framework for Mushkegowuk approaches to proposed resource development in Mushkegowuk Territory...”
Mushkegowuk Assembly Resolution 2002-09-38

“...that this Assembly endorses the development of a Mushkegowuk Resource Development Protocol that will serve to set out the principles and terms by which resource development will be undertaken...”
Mushkegowuk Assembly Resolution 2003-09-10

Three years of extensive discussions, community meetings, external consultations and a resource development summit, have led to the development of this Agreement-In-Principle regarding the Mushkegowuk Resource Development Protocol.

The Mushkegowuk Resource Development Protocol is a process that will be used by Mushkegowuk First Nation communities to identify and track proposed resource development projects in the Mushkegowuk territory and to assess the impacts of the proposed projects.

The Protocol is a process that will be applied across the Mushkegowuk region, giving individual communities within the region opportunity to manage resource development and its impacts. Its structure is regional (being coordinated through the Mushkegowuk Council), but its decision-making powers lie with the Mushkegowuk First Nations.

2 GUIDING PRINCIPLES OF THE PROTOCOL

- 2.1 We are adaptive and flexible and our approach to resource development is consistent with Mushkegowuk values, traditions and laws.
- 2.2 The protocol is based on Aboriginal, Treaty and inherent rights.
- 2.3 We are accountable for the social, health, economic, and environmental impacts of our actions.
- 2.4 We communicate clearly and create transparent processes for all parties.
- 2.5 We, the Mushkegowuk people, are united in our approach.

3 OBJECTIVES OF THE PROTOCOL

- 3.1 To preserve and protect our unique natural, heritage, and archaeological features.
- 3.2 To ensure that the Eniniwuk traditions and values are respected, promoted and used to develop and implement the Protocol.
- 3.3 To ensure a long-term approach to sustainable resource management, relying on TEK (traditional ecological knowledge).
- 3.4 To have clearly defined roles and responsibilities for all parties.
- 3.5 To inform and receive input from First Nation communities to ensure their meaningful involvement in resource development.
- 3.6 To become self-sufficient and to create employment in our communities.

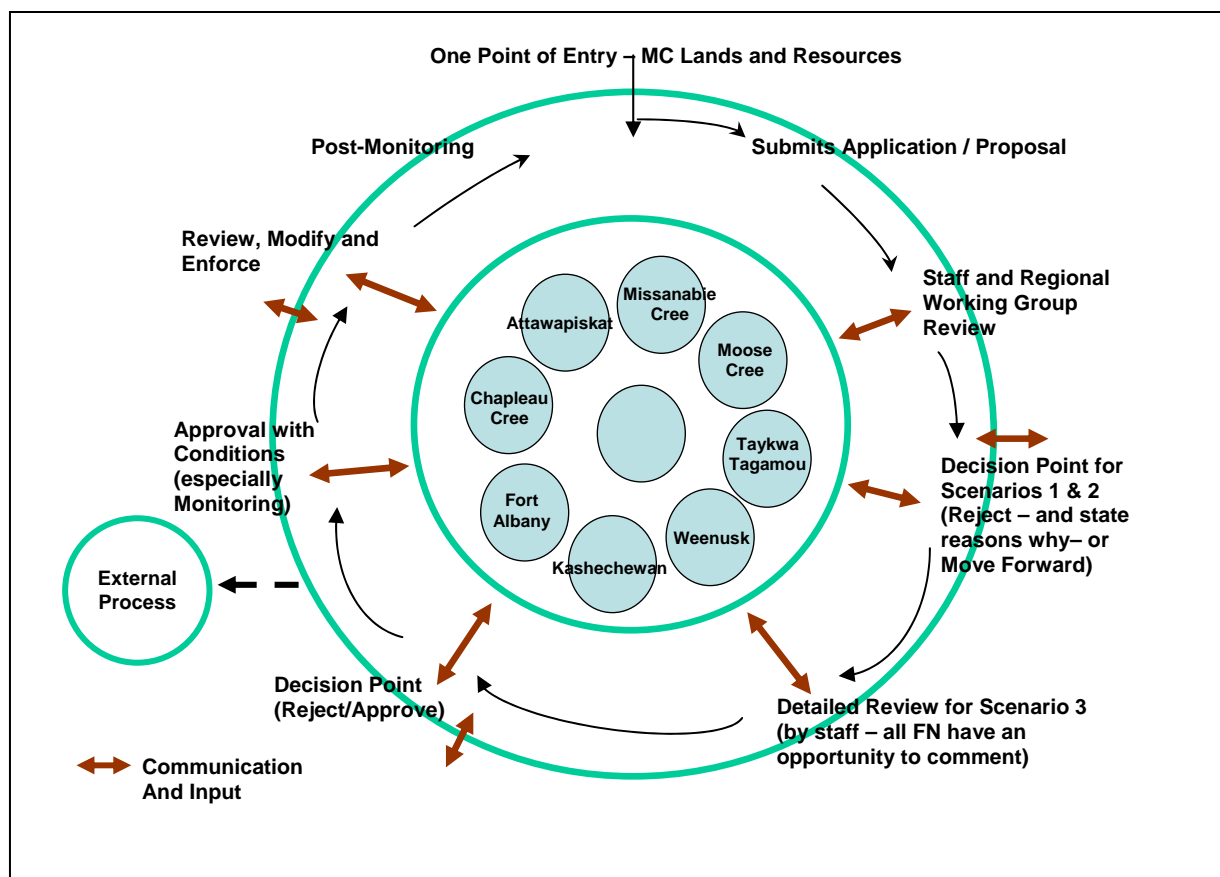


Figure 1: Framework of the Resource Development Protocol

4 KEY ELEMENTS OF THE PROTOCOL

- 4.1 The framework for the Resource Development Protocol is circular and represents the holistic worldview of the Mushkegowuk. The Protocol process is illustrated in Figure 1.
- 4.2 There will be a clear and consistent application process for all new resource development activities in the Mushkegowuk Territory.
- 4.3 There will be different levels of application that will reflect the complexity of the project being proposed. All applications will be submitted through Mushkegowuk Council.
- 4.4 Applications will be reviewed by a combination of staff, the affected communities and a regional working group with representatives from each First Nation.
- 4.5 Technical resources and specialists will be coordinated through Mushkegowuk Council.

- 4.6 After decisions have been reached regarding an application, an official response shall be provided by Mushkegowuk Council.
- 4.7 Project approvals will include provisions for appropriate monitoring.
- 4.8 Applicants will be expected to bear the costs of engaging in the process.

5 IMPLEMENTATION OF THE PROTOCOL

- 5.1 The Resource Development Protocol will apply to all new projects. Existing projects will only be included if they undergo substantial changes or extensions.
- 5.2 Every participating First Nation will refer proponents of all new projects to Mushkegowuk Council to begin the application process.
- 5.3 Every participating First Nation will work with Mushkegowuk Council to identify a Community Coordinator (to be primary point of contact for the process) and a Regional Working Group member. (In some cases these may be the same individual).
- 5.4 After a First Nation adopts the Resource Development Protocol, they will give a minimum of 12 months notice, in writing to Mushkegowuk Council, before withdrawing.

6 RELATED DOCUMENTS

- 6.1 This agreement will be used in conjunction with the Final Report on the *Creation of a Mushkegowuk Resource Development Protocol*, June 30, 2006 which shall provide general guidance to the implementation of the Protocol
- 6.2 As implementation of the Protocol proceeds, Mushkegowuk Council will coordinate the development of relevant guidelines which may include, but are not limited to:
 - An Application Guide for Proponents
 - Process Timelines
 - Criteria for Reviewing Projects
 - Dispute Resolution Mechanisms
 - Working Group Terms of Reference
 - Monitoring Guidelines