

BULLETIN

IMPLEMENTATION OF AN IMPACT AND BENEFITS AGREEMENT

Why implement IBAs?

Implementation ensures that the agreement signed between the First Nations and the proponent is respected.

In 2020, Natural Resources Canada reported 434 impacts and benefits agreements for the mining sector in Canada.

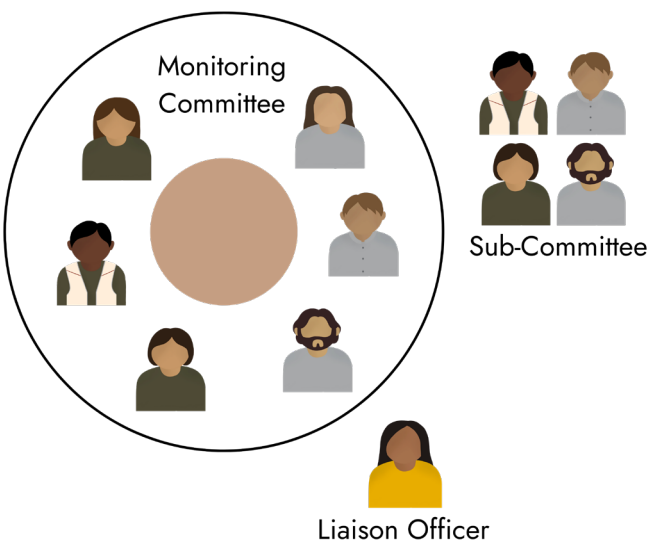


Who implements IBAs?

Implementation is done by the monitoring committee, the liaison officer, and the sub-committees. That being said, there can be several compositions of implementing players in the agreements.

Monitoring Committee

The monitoring committee ensures that the agreement is respected by all parties and that they have good communication.



Sub-Committee

Sub-committees are created to work on specific topics during implementation. Mainly composed of the members of the monitoring committee, some sub-committees are inactive until the subject is on the agenda, such as the closure of a mine.

Liaison Officer

The liaison officer acts as the agreement implementation manager for the First Nation. Hired by the First Nation, they are responsible for bridging the gap between the proponent and the First Nation with their exchange of documents and resolutions, and for monitoring the implementation progress in general.

How to implement IBAs?

1. List of indicators

The parties look at the agreement together and establish indicators. Indicators are used to monitor the fulfillment of the parties' obligations, both one-off obligations and those that must be fulfilled on an ongoing basis.

Example of an obligation	Examples of indicators
Offer cultural training to every employee	Year 1 Choose a training and have it approved by the First Nation
	Following years Offer the training to every new employee
	Every two years Update the training and train all employees

2. Collect information

In this phase, the parties collect and analyze the required information for the IBA implementation on an ongoing basis. The data collection is meant to gather all relevant information that will help to determine if the indicators are reached or not.

3. Review

This final stage uses the information gathered to ensure that the agreement is being implemented and, if necessary, to make recommendations for amending the agreement.

Since an agreement is negotiated for the entire life of a project, it is sometimes necessary to revise the content of the provisions to meet the new realities of the First Nation, the proponent and its project, as well as new laws and regulations.



Tools for implementation

Tracking table

The tracking table consists of a list of the various chapters to be implemented in an agreement. These chapters are then further divided into themes. The chapters to be implemented include those on financial contributions, jobs and training, protection of the environment and Indigenous rights, the monitoring committee and business opportunities.

1. ARTICLE 9 - FINANCIAL PROVISIONS

1.1 Community centre

Article of the agreement

9.1

Objective

Receive payments for the construction of the community centre.

FIRST NATION		
INDICATORS		
1.1.1	Give building material invoices for the community centre to the proponent.	✓

PROPONENT		
INDICATORS		
1.1.2	Payment of \$1,000 upon signature of the agreement.	✓

Gantt Chart

The Gantt Chart is meant to be used in parallel with the tracking table. It is a tool used to follow the progress of the indicators through time. Some indicators have been assigned a deadline during the negotiations and it needs to be respected by all parties. The Gantt chart is therefore used to visualize the tasks to be done and, if a deadline is not respected, to inform each party.

ARTICLES	TASKS	ASSIGNED TO	START	END	RESULTS	2022				2023								
						September	October	November	December	January	February	March	April	May	June	July	August	September
Communication of relevant information																		
2.1.3	Upon signature, transmit members' workforce profiles.	FN	22-10-03	22-10-10	#N/A													
2.1.7	Display in public spaces and broadcast on the radio and on social media the available job opportunities.	FN	date	date	#N/A													

Support with implementing your IBAs

If you require support with implementing your IBAs, whether negotiated with or without our team, you can contact us at the following address: era@iddpnql.ca. It will be our pleasure to support you with the following steps.