



TOWARD A NEW, SHARED VISION OF MINING DEVELOPMENT IN QUÉBEC

Report on the *Institut du Nouveau Monde's Public Conversation
on the Future of Mining in Québec*

SUMMARY

"Citizens expressed high expectations and demands for a new dialogue and new practices in mining development in Québec. This is the price we must pay to be able to build together a new, shared vision of the mining industry, enabling it to carry on developing as harmoniously as possible."

September 2012



THE INSTITUT DU NOUVEAU MONDE

Based in Montréal, the Institut du Nouveau Monde (INM) is a not-for-profit, non-partisan organization with a mission to **increase citizen participation in Québec’s democratic life**. Founded in 2003, the INM works with a view to sustainable development and to social justice and inclusion, with respect for democratic values and in a spirit of openness and innovation. Through its activities, the INM offers a structured deliberative process, based on the formula “be informed, discuss, propose.” The INM’s work helps to increase the proportion of participating citizens as well as the quality of public discussion. Its work helps to strengthen social cohesion and enhance democratic institutions.

Since it was established, the INM has developed recognized expertise in public dialogues and citizen participation. For example, the INM was involved in organizing Québec-wide forums for the Bouchard-Taylor Commission on reasonable accommodation. The INM also made a key contribution to the consultation process that led to the fall 2011 proclamation of Québec’s Agenda 21 for Culture. The Institute gave extensive help to the Regroupement national des conseils régionaux de l’environnement to organize the *Rendez-vous de l’énergie*, which concluded in November 2011 with a Québec-wide forum. The Institut du Nouveau Monde wished to make use of its experience to address the serious, important and controversial question of the future of mining in Québec.

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PART I: THE PROCESS

A favourable context globally and in Québec

Developed starting from fall 2011, the Public Conversation on the Future of Mining in Québec took place in a highly favourable context globally and in Québec.



Worldwide, the golden age of mining seemed to have come again. The demand from emerging economies, such as China and India, outstripped the supply. Prices reached record highs for raw materials – including iron, which is abundant in Côte-Nord. Currency fluctuations caused market increases in the value of gold as a hedge against inflation; there are large deposits of the metal in Abitibi-Témiscamingue. Capital was available for investments worth billions of dollars.

Within Québec, the provincial government announced its intention to establish conditions for a highly proactive approach to take advantage of the mining boom.

In spring 2011, fanfare marked the unveiling of the government's Plan Nord. In September 2011, the National Assembly began studying the new Bill 14, named *An Act respecting the development of mineral resources in keeping with the principles of sustainable development*. In fall 2011, artist Richard Desjardins and his colleague Robert Monderie released their documentary exposé, *Trou Story*. Meanwhile, two bills relating to the Plan Nord were tabled in the National Assembly. At the same time, the controversy surrounding shale gas exploration and extraction raged for much of 2011 and 2012; in the St. Lawrence Valley, hundreds of residents vigorously opposed this industry. On Earth Day (April 22, 2012), Montréal saw the largest demonstration in its history when more than 250,000 residents gathered downtown and at the foot of Mount Royal to show their attachment to the common asset represented by Québec's natural resources.

Objectives and methods

The Public Conversation on the Future of Mining in Québec had four objectives:

- to explain to the general public the major issues related to mineral resource exploration and extraction in Québec, in an objective and impartial manner;
- to provide to the social and economic players as well as citizens a forum in which to express their questions, concerns and possible solutions in connection with mining;
- to promote consensus concerning the most important issues and possible solutions, or, in the absence of consensus, to help identify the subjects deserving the fullest discussion, research or expertise; and
- to inform government, the industry, and social and economic players about the public's state of knowledge and opinion on this subject.

The INM sought to put in place a wide range of practical measures to achieve these objectives:

- production and distribution of relevant, objective documentation on the main mining issues in Québec (posted on the INM website);
- deployment of a communications strategy capable of promoting knowledge of mining industry issues to a broad audience, including direct participants in the process as well as others;
- organization of a tour to 10 towns (Rouyn-Noranda, Chibougamau, Saguenay, Gaspé, Trois-Rivières, Québec City, Sept-Îles, Montréal, Sherbrooke, Val d’Or) where open meetings were held for the general public as well as interested social and economic players;
- creation of an online Web discussion platform to facilitate the participation of citizens who could not attend the public meetings or who wanted to continue discussions after the meetings; and
- publication of a report on results of the process and various communications activities helping to present the results.

The main activities of the Public Conversation took place between March 3 and May 29, 2012.

Funding and governance

Having independently defined the process and the steps involved, the Institut du Nouveau Monde checked whether the mining industry was interested in participating actively in the project, given its publicly expressed commitment to engage in dialogue with local communities and to pay close attention to the general public. The industry was open to the INM’s proposal and it undertook to participate in the public discussion and pay costs, up to a level sufficient to set the project in motion without delay. The Institute subsequently obtained financial support from two other organizations: the Fonds de solidarité FTQ and Bâtirente (the Confédération des syndicats nationaux employee retirement fund). For its part, the Conférence régionale des élus d’Abitibi-Témiscamingue (CRÉ-AT) contributed to the costs of organizing the meeting in Val-d’Or. The organizations we have named here had no other role to play either in organizing the project or defining the subject matter. Attached to this report is a letter of agreement between the INM and Minalliance, drafted by the Institute and available from the start on the Public Conversation website. It explicitly states that the INM has full control of the project. Now that the project has concluded, the Institute can say that the industry complied with this principle of non-interference and that the INM conducted its activities independently and on its own terms.

Again with a view to contributing to the neutrality and independence of the Public Conversation, after putting on paper the principle of non-interference by sponsors, the INM formed an advisory committee mandated to approve the project approach. The committee consisted of representatives of different industries and organizations interested in the issues. It had a balanced and varied makeup. Members included two representatives of the mining industry, one from the exploration sector and the other from operations. Two seats also went to the Coalition Pour que le Québec ait meilleure mine! – a grouping of several citizens’ organizations and unions.

Also taking part in the work of the committee were other environmental groups, such as the Regroupement national des conseils régionaux de l’environnement, the Canadian Boreal Initiative and Nature Québec. Other participants included the two associations of municipalities (the Union des municipalités du Québec and the Fédération québécoise des municipalités), as well as the Fédération des chambres de commerce du Québec, Solidarité rurale du Québec, Investissement Québec and the Syndicat des Métallos FTQ.

PART II: THE RESULTS

Varied participation

Two thirds of the participants were men and one third were women. The age breakdown was quite balanced: a third of participants were under age 35, 41% were aged 35 to 54, and 25% were aged 55 and over. The participants' education level was higher than the average. Three quarters of the participants voluntarily provided information about their education on the registration form; of these individuals, four fifths said that they had studied at university.

The INM asked participants to indicate whether they were members of a group or organization at the time that they registered. Of the total, 181 answered that they were attending the meeting in an individual capacity, as citizens. This was in line with the type of audience that the INM was particularly targeting. Another 142 people said that they represented an organization; this helped to contribute to the content of discussions.

Participants' affiliation	
Individual, citizen	181
Member of an organization	142
Unspecified	52
Media	20

Of the 142 people belonging to an organization, slightly over a third of the participants were from industry (51). Slightly over one fourth were from the public sector, 13 said they were from the research field, 8 were from unions and 7 were from the private sector other than the mining industry. Last, some 20 people said that they represented environmental groups or citizens' committees (civil society).

Organizations represented	
Mining industry	51
Local and regional development organizations (MRC, CLD, CRÉ, etc.)	21
Civil society	20
Research field	13
Government departments/agencies	12
Elected officials	10
Unions	8
Private sector other than mining	7

Impressive statistics

- 9,760,150 media contacts with readers and listeners reached through Québec-wide and regional media
- 12,000 subscribers to the INM newsletter received invitations to participate in the Public Conversation
- 9,500 downloads of the promotional video on the Public Conversation
- 3,270 separate visitors to the website
- 2,000 people who consulted the documents posted on the website
- 1,000 copies of *Le Cahier du participant [Participant's handbook]*, a summary document, distributed throughout Québec
- Some 500 direct participants in the Public Conversation: 487 people registered in 11 regional tour activities; 395 participants who formally registered at the event; 88 participants in the online discussion platform, including 27 who also participated in one of the tour meetings
- 245 Québec-wide and regional reports in the media and on the Web
- 96% satisfaction rate of participants with regard to the documents provided

Overall observations

Citizens would be ready to think more highly of the mining industry if it changed in the right direction

The general impression emerging from the Public Conversation is that Québécois are open to mining development in Québec. Many citizens recognize the positive contribution of the mining industry to

Québec, particularly in terms of jobs created with higher wages and good working conditions. “These are major league businesses that have the wherewithal, the right tools. They can move mountains,” said a Sept-Îles resident. Some welcomed the advances made by part of the industry on environmental issues.

What images come to mind on hearing the word “mine”? Some naturally think of words such as “wealth.” But other expressions come up too. One is “iPad” because 42 different metals go into this communications device. Another is “business opportunities.” But others think of “hole,” “pollution,” “orphan sites,” “unbridled power,” “arrogance,” “cost of living increases,” “greenhouse gases” and even “cowboys.” “Society must again set the ground rules for mines,” said a Gaspé resident. In other words, during the Public Conversation no one shouted “Down with mines!” but citizens expressed considerable distrust of industry players.

Doubts about the urgent need to exploit mineral resources, and a call for government action

A number of citizens expressed doubts about the absolute necessity to exploit mineral resources at an increasing pace. In contrast, others insisted that now – when prices for raw materials are high – is the time to take advantage of favourable market conditions in order to profit from Québec’s subsurface resources.

The Public Conversation helped to detect in a number of citizens a distrust, if not a great disappointment, directed toward government – greater than that directed toward mining companies. The message is quite clear: The government should meet its responsibilities! It is steward of our natural resources and it has a duty to protect them. Environmental laws and regulations should be enforced more strictly! For some, Québec’s Department of Natural Resources and Wildlife cannot on one hand act to protect our land, environment and citizens, and on the other hand be a booster and promoter of the mining industry.

The rationale of sustainable development calls for an end to the “economy first” approach

The question of mining cannot be considered in isolation. Mining development must fit into an overall vision of development. Logically, several participants suggested, the regions should prepare development plans that would also take into account long-term concerns.

Preparation and adoption of these long-term plans would necessitate finding a balance between the advantages and disadvantages of mining development in a given region, compared with other potential land uses: forestry, agriculture, tourism, conservation, vacationing and others. The plans would take into account the informed viewpoint of residents and the impact of mining activities on their quality of life.

Through the expression of different viewpoints, the Public Conversation helped to delineate the rationale of sustainable development, which has two components: (1) setting out a long-term vision of development; and (2) harmonizing the three essential aspects of development – the economic, the social (to which would now be added the cultural) and the environmental aspects. Many citizens have the impression that the economic aspect comes first when the future of mining is discussed, and they deplore this situation.

Industry transparency and access to information

One of the main expectations of participants in the Public Conversation was to obtain more information on the mining sector. People wanted to know everything: the dollar amount of royalties paid by mining companies, the legal framework to which they are subject, the powers of municipalities over the mining industry, data on orphan sites, and more. The tour revealed a strong appetite for information.

This appetite is still stronger when a mining project is in preparation in a given region. In those circumstances, people also want to know the chemical composition of the raw material to be extracted, the composition of the dust that will float in the air during operation of the mine, the number and frequency of dynamite blasts, their strength, the dimensions of the pit in the case of a strip mine, the number of trucks that will drive through the village to transport the mineral, where the workers to be hired will come from, and so on.

An independent cost-benefit analysis of the impacts of mining development

No such study exists. If the aim is to convince Québécois that it is worthwhile to invest in an initiative like the Plan Nord, it will be essential to quickly fill this gap. In his 2009 report on government action in the mining sector, Québec's Auditor General asked the government to see that its actions ensure that the mining industry "generates positive impacts for Québec society," and that "these impacts justify the associated short- and long-term economic, social and environmental costs."¹

During regional meetings of the Public Conversation, citizens insisted that the costs and benefits related to many social and environmental issues – not just economic, tax or financial issues – be considered as important factors in determining the overall cost structure.

An objective review of the mining royalties regime

Like other natural resource industries, the mining sector is subject to a form of double taxation. Mining companies first pay corporate income tax, as does any other company in whatever field of the economy. But mining companies must also pay contributions specific to their industry: this is what is referred to in public discussions as "mining taxes" or "mining royalties."

These levies may take the form of a mining tax on profits, as in Québec, or else fees or royalties applied to production, which may be calculated according to the quantity or value of the mineral extracted. There may also be an intermediary system that combines a tax on profits and levies on production. Some organizations and certain political parties are suggesting that Québec adopt a system of fees calculated on the basis of the value of mine production, or else that it adopt a mixed system.

The citizens who turned out during the INM tour had difficulty deciding between the options. This is why they are calling for a review of the royalties regime in force in Québec. It would take the form of an independent study of the topic. The aim is that on the basis of the study, citizens will be able to make the choice that is best for Québec.

¹ *Rapport du Vérificateur général du Québec à l'Assemblée nationale pour l'année 2008-2009 [Report of the Auditor General of Québec to the National Assembly], Vol. II, Ch. 2 – Interventions gouvernementales dans le secteur minier [Government action in the mining sector], April 1, 2009, pp. 2–13.*

The necessity to consult with citizens, and the social acceptability of projects

Certainly the hottest topic discussed in the Public Conversation was the question of power. Many citizens have the feeling that the mining industry has overly broad powers with regard to land use. Participants criticized section 246 of the *Act Respecting Land use Planning and Development*, which gives precedence to the *Mining Act* with regard to free access to land, or “free mining.” Citizens welcomed the idea of banning mining activity in areas that are densely populated or used for recreation or tourism. Above all, participants demanded the adoption of rules to govern citizen consultation and to measure the social acceptability of projects.

Industry representatives as well as citizens, environmentalists and local elected officials agree on the need to adopt such ground rules. Industry representatives want two things: certainty about the requirements to which they must be subject when they develop a mining project; and equitable application of the rules to the entire industry. The Public Conversation helped show that it is not so easy to define the rules. The following questions come up; they include *information* questions, which must be answered before a project can start, and *consultation* questions, which must be answered in a process assessing the social acceptability of the project:

- At which stage in the project development process must citizen consultation start? From the time of acquisition of a claim (or mine title) giving exploration rights within a specific area (while providing minimal information to citizens on the subject)? From the time drilling starts? Before? Later? In any case, citizens want to be informed and consulted at the earliest possible stage of a project.
- Who must be consulted? People living on the land referred to in the claim? If not, to what distance in the surroundings? Everyone living in a neighbourhood or area? All residents of the town concerned? Residents of the regional county municipality? The region?
- Who must be responsible for administering consultations? What must be the role of the company or the municipality? Must new, independent bodies be established or can the responsibility be entrusted to already existing authorities?
- How can social acceptability be determined? Some citizens suggested that social acceptability must consist of “free and informed prior consent” of the community concerned. To obtain consent, is it necessary to proceed on the basis of consensus, a referendum or a resolution of the municipal council?

An essential step

Citizens raised other questions but the basic need is clear. And, as understood by the INM, the entire process of the Public Conversation on the Future of Mining revealed one fundamental issue that cannot be avoided: Citizens refuse to be forced to accept a mining project on their land, just as they refuse to be forced to accept any other industrial project.

They want to be informed as early as possible in the process, to be consulted, and to be able to call on independent scientific experts so that they can reach a decision about the project proposed to them. They want to be able to rely on professional assistance in the discussions launched under such processes, on the subject of monetary compensation or other points.

A question of fairness

Citizens think that Québec's subsurface natural resources belong to everyone living here. They therefore think that Québec residents should benefit as much as possible from extracting those resources, with a focus on inter-regional and inter-generational equity.

Citizens suggested that the regions directly affected by mining development should receive a sizable portion of the economic benefits resulting from mining activity because they are the ones that suffer from the effects. At the same time citizens wanted greater prudence and foresight. They wanted the players to have a broader and, most important, a longer-term view of the way we use the benefits of mining prosperity, particularly by giving attention right now to what happens after the current boom has passed.

Maximizing benefits for Québec and the regions concerned

- **Government to acquire shares in mining companies or even nationalize them**
- **Secondary and tertiary metal processing in Québec**
- **Local purchasing and local hiring**
- **Creation of regional funds**

In every region visited, participants wanted the regions directly affected by mining activity to receive their fair share of the industry's revenues – for example, through the creation of regional funds, formed from payments of a share of mining royalties to the regions concerned. The funds could also well be used for investing in the infrastructure required to support mining projects and to diversify the regional economy. The argument presented by several participants is quite simple: The area in which a mine is located should receive a share of the royalties to respond to local requirements; the region should also receive its share for regional development purposes; the Québec government would continue to collect its share on behalf of the people of Québec, in accordance with the principle that natural resources belong to all Québécois.

Planning for when the boom is over

In all the regions visited, the participants strongly warned communities and government decision makers about the cyclical effect in the mining industry. How can plans be made to address this effect? Four categories of methods were proposed.

- **Create a sovereign fund:** This suggestion partially picks up the idea presented in the preceding section concerning the regions but extends it to a Québec-wide scale, on the model of what has been done in Norway. The principle involves collecting revenues from mining operations while market prices are high and the demand is strong. The money accumulated during this period of prosperity will help to offset the loss of tax revenue in a few years' time, when the mining industry will face a downturn. Some have already suggested that a sovereign fund would be more useful if it combined revenue from the exploitation of all non-renewable natural resources, not only mines. This would make the fund more sizable.
- **Diversify the regional economy:** To prepare for the end of the boom, the regions should diversify their economies so that they are not dependent on a single industry.
- **Encourage entrepreneurship**
- **Invest in R&D**

Social concerns

Health and quality of life

Few participants directly mentioned the theme of quality of life, but it underlay many of their questions and concerns. Often, the concerns were health-related worries. There are impacts related to environmental quality (air and water quality, noise, dust, soil contamination). Several citizens referred to significant risks related to dependency (drugs, gambling, alcohol, prostitution). The issue of quality of life arose particularly with regard to mining projects located close to cities, in settled areas.

A number of citizens mentioned that the same kind of problems can be caused by certain other industries, such as asbestos or uranium extraction. Some citizens suggested banning these industries, but the Public Conversation did not allow for a consensus to be formed on this issue. The risk perception varied in the different regions visited. The Public Conversation was not an appropriate framework for settling such questions.

Infrastructure and social organization

This question is relatively well documented. The rapid development of mining projects during a boom has unexpected effects on the use of municipal, health, school and other facilities. Housing availability may be affected, with the result of a rise in housing costs in this new situation.

Local hiring, training and school retention

Several participants expressed concerns about hiring, especially in mines in Nord-du-Québec. Citizens feared that instead of hiring locally, companies would increasingly rely on flying in workers from major urban centres. These people would work 14 days straight at the mine and then have 14 days' holiday at their homes in Montréal, Toronto or the United States.

By a very large majority, participants wanted hiring to be local, for economic as well as social reasons – because hiring locally means supporting social peace and regional harmony.

Citizens also targeted the vital need to take advantage of boom times to invest in ongoing personnel training – because after the boom ends, what will the young workers do who were attracted by tempting jobs and therefore did not continue high school beyond getting a Vocational Studies Diploma, which then was enough for the job they wanted in the mining industry? Some people suggested that mining companies be required to set aside a fixed number of hours per week (with pay, of course) to enable interested workers to carry on their studies with the aim of obtaining a qualification higher than what they have.

The impacts of “fly in / fly out”

In Chibougamau, a resident suggested performing studies to measure the impact of this type of work arrangement on families. But mostly, citizens complained about “fly in / fly out” because it does not promote retention of workers in existing towns in Abitibi, Nord-du-Québec, Saguenay or Côte-Nord when the commuters live in Montréal, Québec City, or even Toronto or Plattsburgh in the United States.

The commuting workers do not develop any attachment to the region where they work, they return home with their pay and do not invest a penny in the region. This constitutes a kind of capital flight. The

phenomenon also gives rise to fear of the loss of opportunities for developing regional expertise in the field of mining – expertise that is vital for some mines.

Last, certain local elected officials referred to the threat that the Plan Nord would be implemented “over their heads” by workers who fly from major urban centres to sparsely settled areas in the North. Would the Plan Nord thus benefit the South and mining company shareholders, rather than the actual mining regions? The question awaits an answer.

Environmental concerns

Environmental concerns are local in scope. They have to do with the fate of a drinking water source, the air quality around a strip mine, soil contamination, or site rehabilitation after a mine shuts down. Discussion of these issues is heated mainly when projects are initiated at the local level. During the Public Conversation, the theme of environment was dealt with more broadly at the macro level.

Participants in the Public Conversation mentioned their perception that in recent years the mining industry has shown some progress on the environmental front, particularly in self-regulation and voluntary R&D initiatives – although mining still has what a Rouyn-Noranda resident called “cowboys,” who are deplored even by the industry. According to these participants, progress is due partly to the industry’s self-discipline, but it also owes a great deal to the pressure brought to bear by employees’ unions, as well as the gradual development and stricter enforcement of regulations.

Better enforcing the regulations already in effect

Everywhere, citizens complained about lax enforcement of environmental regulations. For example, there was criticism of the reduction in the number of inspectors, or the immense area that they must cover. Suggestions were made to increase the number of inspection personnel, as well as to try to retain inspection expertise and skills within the public service.

Investing in R&D to reduce the environmental footprint, while developing a high-tech mining industry

Several citizens took the opposite approach to the environmental issue. They suggested making environmental protection a positive, proactive feature, a genuine tool for developing an advanced second- or third-generation mining industry in Québec.

The industry, they argued, has the capacity to invest in research, innovation and development:

- to reduce the environmental footprint of mining projects through the use of high-efficiency technology;
- to reduce mine waste or reuse it for other purposes, because a mine in which all waste is reusable would be a landmark innovation for the mining industry in Québec and worldwide;
- to use the geothermal energy produced by abandoned mines to heat buildings;
- to rehabilitate orphan sites in a way that is useful for the community; or
- to create a metal recycling industry.

In conclusion:

High expectations for a new dialogue and new practices

The citizens who attended the Institut du Nouveau Monde’s Public Conversation on the Future of Mining in Québec expressed high expectations and demands for a new dialogue and new practices in

mining development in Québec. This is the price we must pay to be able to build together a new, shared vision of the mining industry, enabling it to carry on developing as harmoniously as possible

For this goal, a number of participants said that they thought the Public Conversation on the Future of Mining was far from being an end in itself. Instead, more clearly they saw it as **the beginning** of the new dialogue. To clearly express their deep conviction of the absolute necessity of rapidly making tangible progress in this direction, and deriving from it other tangible results of benefit to communities as well as decision makers in government and industry, citizens themselves identified essential lines of action and follow-up:

- The widest possible **distribution** of this report within the political and governmental structure, as well as to industry decision makers and players. The government and the mining industry should commit to this distribution and allocate to it the resources required, as well as external support ensuring that the viewpoint of citizens is well understood.
- A Québec-wide brainstorming exercise, involving the stakeholders, to clearly define **procedures for determining whether development projects are or are not socially acceptable**, whether they involve mining or any other development sector. The procedures must be based on **prior consultation with the citizens concerned, as long in advance as possible**, and on **industry transparency and access to information**. The procedures should provide for a strict framework to eliminate as far as possible the tensions observed in Québec in recent years, when individuals and communities had a strong and harmful perception that they had been stripped of their rights and part of what they had devoted years to build and protect as their heritage.
- An in-depth examination to determine **the best methods for maximizing the positive effects of mining development** in Québec, particularly through government **acquisition of shares** in the industry and **secondary and tertiary mineral processing in Québec**. The examination should be guided by independent studies dealing with the issues of the **cost-benefit effectiveness of local mining projects** and the mining industry in general, as well as an objective review of the existing **mining royalties** regime.
- Consideration and development of **innovative solutions for the social and environmental concerns** that have driven residents of affected regions to speak out, having to do with health, quality of life, infrastructure and “fly in / fly out” workers. There should be a very strong emphasis on planning and organizing in a time when mining is experiencing a boom, but along with that an equal or greater emphasis on **planning with foresight and prudence for a time after the boom or between booms**. The need for this approach has been highlighted particularly by Québec regions that have seen the shiny side of the medal as well as its less attractive reverse side.
- Last, given little attention in the Public Conversation for reasons explained in this report, the undertaking of a Public Conversation on the Future of Mining in Québec with the full involvement of **First Nations and Inuit**. In some respects, they can provide inspiration as well as an example of successful cooperation between citizens, government and the mining industry.

PART III: APPENDICES

These documents are available in French on the INM website: inm.qc.ca/avenir-minier

Initial documentation

Report on discussions on the online platform

Press report

Report on participants' evaluation of activities

Letter of agreement between the Institut du Nouveau Monde and Minalliance

Videos available online



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