

OVERVIEW OF ABORIGINAL COMMUNITIES AND ECONOMIC PARTNER AGREEMENTS IN NORTHERN CANADA

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ABSTRACT

Natural resources are a cornerstone of Canada's economy. Today, natural resources industries support more than 650 communities and accounts for 12% of Canada's Gross Domestic Product (Industry Canada). The Canadian diamond industry in 2004 accounted for 4% of the total expenditures on mining and processing and is poised for significant growth and contribution to the economy of Canada.

This emerging industry has created a unique opportunity for Canada's northern Aboriginal people. In negotiation with the diamond companies the Aboriginal¹ communities have provided their consent for the diamond mines and have ensured their participation in all diamond projects within their traditional territories. Five Aboriginal communities have signed partnership agreements with Diavik Diamond Mines Inc. providing joint control of training, employment and business opportunities. This paper will discuss the commitments, and the progress, made by Diavik in the participation agreements with the First Nation and Aboriginal signatories.

CANADA'S NATURAL RESOURCE ECONOMY

Natural Resources and Mining

The well being of Canada's economy is tied to many factors: the strength of its manufacturing and construction industries; the health of the financial and service sectors; the ability to span distances using communications and transportation technologies; dynamic trade relationships with other nations; the ability to compete in a global marketplace; and the ability to capitalize on its vast natural resources.

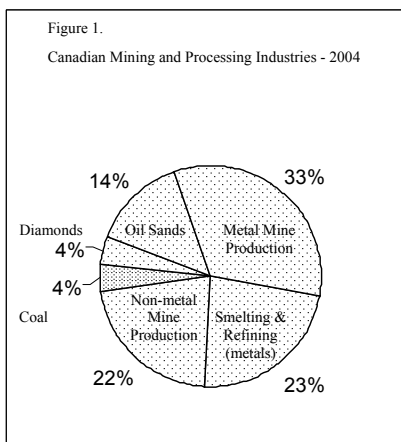
Canada produces more than 60 types of minerals and metals making it one of the largest mining nations in the world. It ranks first in the world for the production of potash and uranium, fifth for the production of nickel, asbestos, zinc, cadmium, titanium, platinum, and gypsum, and more recently third in the world, by value for the production of diamonds.

The natural resources in Canada not only includes primary mining and exploration but is supported by a vast array of economic activity. Value added, knowledge based service and supplier industries (e.g., biotechnology, environmental technologies, robotics) and manufacturing represent a significant component of the secondary resources. However, there is also significant activity in recycling; reuse industries; energy efficiency; renewable and alternative energy industries; and earth and ocean-science based industries (e.g., geosciences, geomatics); and eco-tourism and recreation.

The natural resource sector currently accounts for 12% of Canada's Gross Domestic Product, contributing nearly \$150 billion in exports and has increased at 10% on average per year over the 1990 – 2000 period. This accounts for the \$72 billion trade surplus in 2000. The natural resource sector is the lifeblood of many communities within Canada and employs, either directly or indirectly more than 1.5 million Canadians (Natural Resources Canada, 2005).

Diamond Industry

In 2004 Canada celebrated its sixth year as a diamond producing country since the opening of the BHP Billiton Ekati Diamond Mine. Rio Tinto's and Aber Resources' Diavik Diamond mine, Canada's second diamond mine, became fully operational in January of 2003. These two diamond mines produced a combined 10.8 million carats valued just under \$1.6 billion in 2003. In 2004 the combined production increased to 12.8 million carats, valued at \$2.1 billion. With the production of the two diamond mines Canada accounts for approximately 15% of the world diamond production, placing it as the third largest supplier of diamonds, by value, in the world.



In 2004, the value of production for the Canadian mining and processing industry was approximately \$60 billion dollars as illustrated in figure 1. More than one half of the industry was attributed to the mining, smelting and refining of metals. Diamonds represents 4% with only two producing mines.

The diamond industry is an emerging industry in Canada. The two existing mines have expanded their production plans. Ekati is anticipating the new Panda project – underground mining for the first time in Canada – to be in full operation in 2006. The Panda project is expected to increase the company's annual production by 4.5 million carats of high quality diamonds over the estimated six-year production life of the mine. Diavik has begun the construction of its second dyke providing access to the third kimberlite pipe – the ore body containing diamonds. The new ore body named A418 is scheduled to begin production in 2008 and has an estimated reserve of 32 million carats and is expected to produce 6 million carats in its first three years of operation (Ellis, 2000, p. 4).

Canada's diamond industry is poised for tremendous growth in the next five years. There are 129 active diamond exploration companies searching in Alberta, Saskatchewan, Ontario,

Manitoba, Newfoundland and Labrador. Canada's third diamond mine received approval from the Federal Government in 2004. The De Beers Snap Lake Diamond mine will mark the company's first diamond project outside of South Africa (Wong, 2003, p. D5). The Snap Lake site is expected to produce 1.5 million carats per year and is set to open in 2007. De Beers is planning to open its second diamond mine in Canada when construction begins in early 2006 on the Victor Diamond Project located in the James Bay lowlands of Northern Ontario. The distinction of Canada's first diamond mine outside of the Northwest Territories will probably go to the Jericho project in Nunavut – northern Canada – owned by the Toronto based Tahera Company and is scheduled to begin production in 2006.

THE DIAVIK DIAMOND MINE

Mine Ownership

The Diavik diamond mine is an unincorporated joint venture between Diavik Diamond Mine Incorporated (60%) and Aber Diamond Mines Lt. (40%). Diavik Diamond Mines Inc. is headquartered in Yellowknife, North West Territories in northern Canada. Diavik is a wholly owned subsidiary of Rio Tinto of England and Aber Diamond Mines Ltd.

The Diamond Mine

The Diavik diamond mine is located on a 20 square kilometer island situated in Lac de Gras, approximately 300 kilometers northeast of Yellowknife in the North West Territories in northern Canada. Diavik expects to mine four kimberlite pipes located beneath the waters of Lac de Gras see Appendix 1 for a map of the Northwest Territories showing the Diavik Diamond Mine location. The kimberlite pipes are small compared to the world average but contain a higher than average content of high quality and readily marketable diamonds – four times as rich according to the company's construction video (Diavik, n.d.). The legendary jewelry retailer Tiffany & Co can attest to the quality of Canada's diamonds with their purchase of a 14.3 % share of Aber Resources Ltd. Tiffany's strategically unprecedented move to vertically integrate the company into the rough diamond polishing industry is indicative of the quality of Canadian diamonds – in fact the arrangement provides that Tiffany be paid its ownership profits in rough diamonds.

ABORIGINAL PARTNERSHIP AGREEMENTS

In 2000 and 2001 Diavik had completed negotiations and signed partnership agreements with five neighbouring First Nation² and Aboriginal groups including: the Dogrib, Yellowknives Dene, Lutsel K'e Dene Band, the North Slave Metis Alliance, and the Kitikmeot Inuit Association.

The participation agreements are cooperative agreements between Diavik and each First Nation and Aboriginal group that addresses training, employment and business opportunities. To facilitate the achievement of mutual objectives, the First Nation or Aboriginal group agrees to maintain and make available to Diavik, on an on-going basis, an up-to-date human resource inventory and a business registry for their membership. In addition, each participation agreement calls for the creation of a joint implementation committee to outline responsibilities, tasks, and timelines to reach project-related employment and business development targets. The First Nation or Aboriginal group also agrees to liaise with Diavik on these and other social development issues.

The Aboriginal Partnership Agreements are guided by the terms and conditions set out in the Socio-Economic Monitoring Agreement. It is important to highlight that the partnership agreements were beneficial in that the First Nations and Aboriginal groups gave affirmation of their support for the development, construction and operations of the Diavik diamond mine. In so providing, the First Nation and Aboriginal groups have ratified the Environmental Agreement and the Socio-Economic Monitoring Agreement – essentially giving the final go-ahead to the company to build the diamond mine.

FIRST NATION AND ABORIGINAL COMMUNITIES

The Yellowknives Dene

The Yellowknives Dene are represented by two communities referred to as Ndilo and Dettah have a combined population of 1,213 and are located on the north shore of the Great Slave Lake, in the Northwest Territories. They are an Indian Band according to the Indian Act and have the powers granted by this legislation. The Yellowknives Dene bands are signatories to the 1900 Treaty #8 adherence and are currently part of the Akaitcho Territory government – a multi-community government made up of five other First Nations governments in the region.

Dene people have traditionally hunted and trapped in the area. During the late-18th century, the Yellowknife tribe acquired guns, thereby making them the most powerful group in the region and allowing their Chief Akaitcho to oppress the neighbouring Dene tribes. In 1823, the Dogrib began to retake their old hunting grounds under Chief Edzo who, with the help of his Yellowknife brother-in-law, Kaw-Tay-Whee, made peace with Akaitcho. The Dettah community was a seasonal fish camp until Yellowknife was established as a gold mining centre.

Lutsel K'e Dene Band (Place of Small Fish)

Lutsel k'e is located on the East Arm of Great Slave Lake 201 air km east of Yellowknife – see Appendix 1. The community is located on a peninsula extending into Christie Bay on the south shore of the East Arm on Great Slave Lake. The local languages are Chipewyan and English. The community signed an adherence to Treaty #8 in 1900 with the government of Canada. Often referred to as the Snowdrift people, the Lutselk'e are the descendents of the “cariboo-eater Chipewyans” from Lake Athabasca.

Tlicho (Dogrib) Treaty 11 Council

The Tlicho people are situated on northwestern shore of Great Slave Lake and north to Great Bear Lake.

The Dogrib Treaty 11 Council is made up of four communities and a combined population of 3,621:

Dechi Laot'i First Nations – Snare Lake Settlement (Pop.158)

Dog Rib Rae – Rae-Edzo Settlement (Pop. 2,585)

Gameti First Nation – Rae Lakes Settlement (Pop. 313)

Wha Ti First Nation – Lac La Martre Settlement (Pop. 565)

In 1921, Treaty Number 11 was made for the western half of the Northwest Territories, including the southeast part of Yukon Territory, and was signed with the Dogrib people along with the Slave, Loucheuex and Hare tribes.

In June of 2003 an historic vote held by members of the former Dogrib Treaty 11 (current band members and descendants of Treaty residents), ratified the “Tlicho Agreement,” a far-reaching land claims and self-government document that recognizes the rights and lands of the Tlicho people and establishes an official Tlicho Government. The Tlicho lands cover a 39,000 square kilometer area north of Great Slave Lake, including part of the lake’s North Arm, and the First Nations communities of Gameti, Rae, Wah Ti and Wekweti (Northern Miner, 2003, p. 5). The new Tlicho Government is intended to replace the Dogrib Treaty 11 council, and former band councils. Its constitution is designed to protect the rights of Tlicho citizens, and to protect Tlicho heritage, language and culture.

North Slave Métis Alliance

The contemporary North Slave Métis trace their roots to 2 founding families. Oral history suggests that the founders of the North Slave Métis culture arrived in the area as early as the late 17th century, long before explorers such as Samuel Hearne and Alexander Mackenzie visited Great Slave Lake. The Métis were closely associated with Fort Rae located on the northern part of the Great Slave Lake. Historically, the fort functioned as an important provisioning post during the fur trade for the Mackenzie-Great Slave Lake-Athabasca area.

The North Slave Métis were signatories to Treaty #11 in 1920. In the past their cultural identity and unique heritage has not been widely recognized. As a result of recent Supreme Court of Canada rulings (e.g., *R v Powley*, 2003), Métis as an indigenous people are receiving due recognition of their distinct society within Canada, including their laws, values, beliefs, technologies, economy and history.

The North Slave Métis Alliance (NSMA) was formed in 1996 in order to strengthen the cultural and political identity of the Indigenous Métis peoples of the Northern Great Slave area. The Alliance is a non-profit organization whose central mandate is to represent the interests of the direct descendants of the Métis of the North Slave Region of the Northwest Territories. Its objectives include:

- Unite the members of the indigenous Métis in the North Slave Region, Treaty 11 Area
- Promote a pride of culture and heritage among the indigenous Métis membership
- Negotiate, ratify, and implement a land and resource agreement for the indigenous Métis of the North Slave Region founded on the principles of the inherent right to self-government
- Participate in any fashion with any organizations, political or otherwise, to further the objectives of the alliance
- Promote recognition and entrenchment of Aboriginal and Treaty rights of the indigenous Métis of the North Slave Region, Treaty 11 area

- Promote and enhance the education, economic development, social, and cultural development in any fashion beneficial to the Métis of the North Slave Region, Treaty 11 area
- Ensure that all members are aware of, and assured of their legal, social, economic, and political rights
- Exercise the Métis' inherent responsibility to protect the environment

Kitikmeot Inuit

The objectives of the Kitikmeot Inuit Association (KIA), under the Nunavut Land Claims Agreement, are to defend, preserve and promote social, cultural and economic benefits to Inuit of the Kitikmeot Region. Under the direction, control and accountability of KIA, both the Kitikmeot Corporation and the Kitikmeot Economic Development Commission have been delegated the responsibility of promoting economic development in the region. The KIA focuses directly on the social, cultural, political and overall public economic issues of benefit to the Kitikmeot Inuit and works towards the following objectives:

- Ownership and responsibility for administering surface lands in the region.
- Overall responsibility for defending, promoting and developing social, cultural and economic interests of Inuit of the Kitikmeot.
- Implementing regional responsibilities under the Nunavut Land Claims Agreement.

The Inuit, through the Kitikmeot Inuit Association has the distinct designation of being Canada's diamond valuator. Diamonds International Canada Limited (DICAN), a Yellowknife-based firm, has won the contract to be Canada's federal government diamond valuator for all diamond production in Nunavut and the North West Territories. DICAN is a partnership between Yellowknife based Aboriginal Diamonds Group Limited, owned by Nishi Khon Enterprises Inc., Deton'Cho Corporation, and Kitikmeot Corporation, and WWW International Diamond Consultants Limited, which is based in London, England.

OVERVIEW OF SOCIO-ECONOMIC MONITORING AGREEMENT

On October 2, 1999 Diavik entered into a Socio-Economic Monitoring Agreement with the government of the Northwest Territories and the five First Nations and Aboriginal groups most impacted by the construction and operation of the diamond mine. The monitoring agreement specifies Diavik's commitment to the five First Nation and Aboriginal groups. The primary purpose of the agreement is to meaningfully engage First Nations and Aboriginal people and their communities most affected by the diamond mine. The agreement, through a Communities Advisory Board, will review and monitor the socio-economic impacts of the project; provide recommendations and advice to the communities; provide for an effective working relationship between the First Nation, Aboriginal groups and Diavik; and provide a mechanism whereby effective communications, consultations and cooperation can take place between the parties. Lastly, the purpose of the socio-economic monitoring agreement is to provide for capacity building and sustainable economic development for the First Nations and Aboriginal communities.

Communities Advisory Board

The Communities Advisory Board (CAB) is made up of representatives of the five First Nation and Aboriginal communities and representatives from the Territorial government (GNWT) and Diavik Diamond Mines Inc. The board's responsibility is to monitor, review and make recommendations on the provisions and responsibilities of all parties set out in the agreement. The board plays an important liaison function between the First Nations and Aboriginal communities and Diavik by providing opportunities for public participation and involvement. In situations where a disagreement between the parties cannot be resolved, the board has the ability to forward the dispute to binding arbitration.

Employment and Training

One of the most significant benefits negotiated in the partnerships agreements are the direct employment benefits. Diavik is committed to recruiting and hiring as many northerners as possible during the construction and operations phases of the mine. This commitment has been clarified within the Socio-Economic Monitoring Agreement by establishing employment targets of 66% for northerners during the operations phase of the project. This commitment was further clarified by ensuring that the employment of First Nations and Aboriginal people, including employment by contractors, will make up at least 40% of the total employment through the operation phase (Diavik SEMA, 1999, p.8). This commitment has been reinforced through very specific hiring policies at Diavik to ensure First Nation and Aboriginal people are the first priority in hiring followed by northerners residing in the region of the diamond mine.

The employment commitments within the agreement extend to include pre-employment training, co-funded community research projects directed at addressing employment barriers and to promote and encourage careers in the diamond industry. Diavik has adopted a number of strategies aimed at meeting its employment priorities and targets, such as causing its contractors to adopt policies of employment and recruitment consistent with the commitments within the Socio-Economic Monitoring Agreement. The company also makes provision for transportation and allowances for work related travel.

Diavik has confirmed its commitment to training northern people through its "northern partners, northern success" strategy. The majority of Diavik's construction training courses was delivered in the participants' communities where trainees raised not only their skill levels, but improved their community infrastructure as well. As the diamond project evolved from construction to operations so did the focus of the training. The mine-site training focused on safe and productive employment on Diavik's specialized equipment. The training initiatives eventually expanded to impact the organization throughout all of its levels. In order to continue to promote opportunities for northern First Nation and Aboriginal people to advance within the company, Diavik created its Aboriginal Leadership Program. The program began in April 2005, with nine First Nation and Aboriginal participants, each of who will be mentored by a Diavik Manager.

Direct Economic Benefits

Diavik is committed to building business capacity in the North West Territories. Through its business policies and practices Diavik is able to have a significant impact on the general economy

of the region. This includes the company's commitment to the First Nations and Aboriginal communities within the Aboriginal Partnership Agreements. Diavik will, wherever practical and consistent with sound procurement management, implement policies that are intended to maximize business opportunities for northern businesses. Diavik has established its targets so that 38% of spending during the construction phase and 32% of spending during the operation phase would go to northern business (Diavik SEMA, 1999).

Diavik's procurement priorities give first consideration to First Nation and Aboriginal businesses and second to northern businesses. Special emphasis is placed on the development and patronage of First Nations and Aboriginal businesses. Diavik's procurement policy decisions are also based on sound management practices and as such decisions for procurement contracts will be evaluated on criteria such as costs effectiveness, quality, timely delivery, and ability of the company to deliver the goods and services required.

It is understood that the percentage of Diavik's operational spending that would accrue to northern and Aboriginal businesses is limited by the structure and capacity of the northern economy. The parties have agreed that the development of new businesses and the diversification of the northern economy would be a priority. The government of North West Territories has committed itself to maintain programs and policy that will encourage new businesses, growth and diversification of the northern economy. Diavik is also committed to taking measures in support of northern economic development through its procurement policies and business arrangements. To further broaden and strengthen the northern economy Diavik and the Territorial Government have agreed to work closely on identifying categories of goods and services that can be supplied by northern businesses and to identify matching available government economic development programs.

Secondary Diamond Industry Benefits

Diavik and the government of the North West Territories, through a memorandum of understanding, have committed themselves to ensuring that as many secondary economic benefits from the diamond mine industry remain in northern Canada. Through a process of review, selection, and assessment of secondary diamond manufacturers the parties are able to identify companies with a capacity and willingness to remain in the North West Territories. The selection process is reinforced through the availability of rough diamonds and sales from Diavik to NWT manufacturers. That is Diavik is willing to allow a part of its rough diamond production to remain with northern businesses for further processing – away from its current practice of sending all of its rough diamonds out of the region for sale to diamond processing companies.

Cultural and Community Well Being

The Diavik diamond mine is located 220 kilometers south of the Arctic Circle. The isolation and the pressure of a continuous intensive operation of the mine will have a negative impact on the physical and emotional well being of the employees. This is compounded by the cultural shock associated with the removal of the individual from their communities and support systems such as, family, elders, traditions, and customs.

The First Nation and Aboriginal people have expressed the importance of protecting, maintaining and promoting their language and cultural traditions. During the negotiations

of the partnership agreements they have asked Diavik to ensure certain measures are taken to ensure the cultural and community well being of the First Nation and Aboriginal employees. In response Diavik has instituted a number of culturally sensitive policies to help its First Nation and Aboriginal employees cope with any effects of the diamond mine project.

In order to mitigate the negative aspects of the working conditions and to respond to the First Nations requests, Diavik has implemented a number of cultural and family based practices that range from the provision of traditional foods in the kitchen, dining rooms and kitchenettes to permitting spousal visits and cultural leave for ceremonial purposes. Over and above its employee support initiatives is the implementation of an Employee and Family Assistance Program (EFAP). As with standard corporate employee assistance programs Diavik's EFAP provides rehabilitation programs and support counseling. However, Diavik's employee assistance program also includes culturally specific elements that make it unique and regionally appropriate. The program is focused on the employee and the family, with services provided primarily by local people. In order to round out a culturally supportive work environment Diavik has instituted cross-cultural awareness orientation training for all of its employees in order to address the issue of cultural sensitivity and understanding.

Diavik's cultural and community well being measures also includes a First Nation/Aboriginal language use policy. The language policy not only supports cultural and community well being but is also imperative to practical and safety requirements within a heavy machinery intensive mining operation. The policy encourages First Nation and Aboriginal language speakers at the mine site to communicate in their mother tongue. Further, Diavik has committed to the use of First Nations languages for all community meetings. In order to meet these commitments Diavik has ensured that the employee relations personnel are able to speak at least one First Nations language. If there were an unavailability of First Nations speakers employed within the employee relations department then the company would hire interpreters.

DIAVIK DIAMOND MINE – OPERATIONS AND PROGRESS

Building Capacity

In January 2003, construction was winding down and the diamond mine was shifting into commercial production. At the end of the first year of production Diavik was able to demonstrate its progress and commitment to the north and in particular to First Nations and Aboriginal people.

The First Nations and Aboriginal communities, after the ratifying of the Socio-Economic Monitoring Agreement and essentially allowing the diamond mine project to proceed, were in a position to access training, jobs and business contracts from Diavik. However, entering into the diamond mine industry would prove to be a daunting challenge for the five First Nation and Aboriginal communities that signed partnership agreements with Diavik. There were many seemingly insurmountable challenges that needed to be overcome in order to see any benefit from the diamond mine project. Fortunately, the First Nations and Aboriginal communities found willing partners in the Territorial and Federal government as well as from Diavik.

The North West Territories government has played a key role in business and employment development for First Nation and Aboriginal people in the north by enhancing and supporting

the training opportunities through a number of initiatives including the provision of training allowances, support services, career counseling, and training program delivery.

The Federal Government, through, Indian and Northern Affairs Canada (INAC) has also played a key role by working with northern businesses and the Territorial government to ensure maximum participation rates by First Nations people. Federal programs have been specifically developed, such as the Community Economic Development Program, Resource Partnership Program and the Major Business Projects Program (Indian and Northern Affairs Canada, 2005), to address access and capacity challenges facing First Nations and Aboriginal communities in economic development. In the past four years the Aboriginal Economic Development Division of the Department of Indian Affairs and Northern Development has provided close to \$40 million dollars to 247 projects (INAC, 2005, p. 10). Appendix 2 provides a partial list of the communities and the types of diamond related activities funded by the Department of Indian and Northern Affairs Development for the period of 2000-2004.

EMPLOYMENT

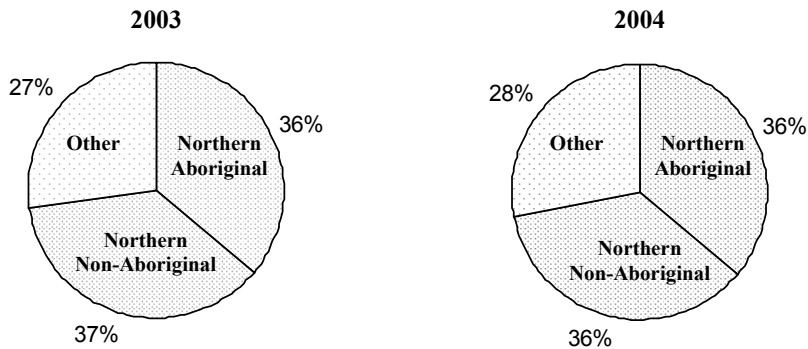
Employment Targets

Northern employment during the construction of the mine has exceeded Diavik's expectations – 44% of employees were northern residents, surpassing the 40% goal that the company had set for itself, and approximately 50% of the northern workforce was First Nations or Aboriginal (Diavik, 2004).

Diavik's employment commitment, including employment from contractors, during the operation phase is to have northern residents comprise 66% and First Nation and Aboriginal employees making up at least 40% of the total workforce. Diavik had surpassed its target of 66% northern residents in its first two years of operation with an average of 73% of Diavik's total workforce being represented by northern residents in 2003 and 72% in 2004. Figure 2 illustrates the annual employment percentage of the two employee target groups for the 2003 and 2004 years of operation. First Nation and Aboriginal people represented an unchanged 36% of Diavik's total workforce during its first two years of operation – just short of its 40% target that the company had set out for itself.

Diavik and its contractors averaged 611 employees during the diamond mine's first year of operation, 2003 (Diavik, 2003, p. 8) and an average of 720 in 2004 (Diavik, 2004, p. 7). The company averaged 221 First Nation and Aboriginal employees in 2003 and an average of 259 in 2004. Although Diavik did not meet its First Nation and Aboriginal employment commitment that it set out for itself in the Socio-Economic Monitoring Agreement the employment rate was higher than it had predicted in its feasibility study – 180 employees based on a total workforce of 450. The average number of First Nations and Aboriginal employees was 221, nearly 23% higher than predicted in 2003 and 259, nearly 45% higher in 2004.

Diavik's outsourcing strategy is designed to support its employment commitments towards a representative workforce. Diavik's procurement policies and practices cause its contractors hiring practices and policies to align with Diavik's. These contractors, the majority of which are First

Figure 2. Diavik Diamond Mine Inc - Employment

Nations and Aboriginal, account for approximately one half of Diavik's total workforce. According to Diavik's management, outsourcing contracts to northern firms will not only encourage capacity building but also believes that these firms will be better positioned to service other customers and businesses. This capacity building has the potential to create additional jobs through growth and diversification among Diavik's contractor companies.

NORTHERN BUSINESS BENEFITS

Northern Opportunities

The First Nation and Aboriginal community leaders have demonstrated an ability to identify opportunities that are consistent with their communities' aspirations and potential. However, the key to successfully creating positive impacts on livelihood was another challenge. The First Nations and Aboriginal communities had to take a proactive approach with government and with Diavik in order to procure any economic opportunities from the diamond mine project. It was to the credit of the First Nations and Aboriginal leaders who negotiated strongly that ensured the opportunity for participation in the Diavik diamond mine project.

At the inset, Diavik recognized that mining could play an important role in creating new and long-term businesses and employment opportunities. They also recognized that this can lead to an increase in businesses capacity for small, medium and large enterprises located in northern Canada – in particular the North West Territories. Further, the company acknowledged that fostering long-term sustainable business relationships in the north is essential to the company's success in meeting its employment commitments. With this in mind Diavik had committed the company to purchasing 70% of its required goods and services for operations from northern companies in the Socio-Economic Monitoring Agreement. The actual expenditures for the first two years have been significantly higher, and combined operating and capital expenditures are exceeding \$200 million annually.

Government Programming

The North West Territories is currently experiencing unprecedented growth and development. Gross Domestic Product has grown to \$3.3 billion in 2003 (Ellis, 2004, p.4.) At a time when the

rest of Canada was experiencing growth in its GDP between minus two and four percent during the period 2000-2001, the Northwest Territories saw their GDP growing at a rate of more than 20% (Government of North West Territories, 2003, CH.9). Much of the growth could be attributed to the development of the Territories vast store of natural resources. The North West Territories has seen significant growth and development in the petroleum exploration and development, gas pipeline projects, tourism, and diamond mining.

The Auditor General of Canada in its 2003 report noted that economic activity could not thrive where there is uncertainty (Auditor General, 2003). The Auditor General also noted that the major responsibility of economic development rests in the hands of First Nations and Aboriginal people. Of course this is not the first time that the same view has been expressed to the Federal Government – First Nations and Aboriginal people have always advanced a similar sentiment. In fact, the inherent rights of Aboriginal people are entrenched in the Canadian Constitution and include the right to self-determination, a right to livelihood and economic development. The Auditor General's report went on to include several observations of First Nation communities' best practices in overcoming barriers to sustainable economic development including the:

- Development of a shared vision to guide decisions on which economic opportunities to pursue.
- Separation of politics, government administration and business management to a sufficient degree to provide the necessary stability for economic development.
- Partnering with the business industry and other First Nation communities in order to create economies of scale and shared expertise.

The Federal Government through the provision of business development and training programs has ensured that northern and Aboriginal businesses could benefit from an emerging diamond industry in northern Canada. Appendix 2 illustrates the types of activities that received financial support from the federal government for the period of 2000 and 2004.

Business Improvement Model

In order to encourage business success in its northern and Aboriginal contractors, Diavik has adopted a business improvement and planning model. The model requires that the northern and Aboriginal contractors and service providers fully embrace Diavik's continued business improvement processes and share its multi-faceted performance accountabilities. As a part of this unique initiative all of Diavik's contractors are required to prepare detailed business plans and report on key performance indicators. The reporting includes such things as safety improvements, business process improvement plans, and a northern participation execution plan. This model not only ensures quality and quantity levels of goods and services for the mine, but is essential to Diavik in meeting its northern business and employment commitments.

The business improvement and business model assists Diavik in meeting its employment targets by causing its contractors to act in manner that is consistent with Diavik's policies and commitments. Appendix 3 provides greater detail about Diavik's unique business improvement model.

Commitment to Northern Business

Diavik's business paragon is aimed at achieving excellence across all of the elements in the business equation, including its core deliverables of yield and cost, and expanded to include deliverables in First Nation and Aboriginal participation, environmental and socio-economic performance.

Diavik's model of best practices will lead all of its business partners on a course of achieving a sustainable diamond mine while building sustainable communities. The alignment of special and general contract conditions assist Diavik in meeting its northern benefit commitments. This alignment process establishes the foundation of Diavik's new business model for creating and balancing contractor performance accountabilities.

In its first two years of operation Diavik has demonstrated the abilities of its best practices approach by drawing a balance of the important elements of its business paragon. The company has been dedicated to its socio-economic commitments by establishing local implementation committees, and transparent, by publishing key reports, about its performance in these areas. The company also provides information sessions within the northern communities on project related opportunities. Finally, Diavik has established a vendor registration process and pre-qualification database to assist with increasing its contactor network. In addition, the company is committed to encouraging and establishing joint ventures between Aboriginal communities and the corporate sector.

Northern Business Success – Construction Phase

During the period of 1991 to 1999 Diavik incurred cumulative costs of \$204 million dollars for the development expenditures relating to the project. To this point the company's expenditures included exploration, feasibility studies, and the public review process. In 2000 the Diavik Feasibility Study estimated the total cost of mine production at \$1.28 billion, which was an increase from the pre-feasibility level of \$875 million (Ellis, 2000, p. 2). By the end of the construction phase in 2003 the total cost was just over \$1.3 billion.

Diavik had committed itself to reaching northern purchasing levels of 38% during its construction phase. At the conclusion of the construction in January 2003, the diamond company had actually reached 74% representing more than \$900 million dollars in contracts to northern companies and two thirds of this amount going to First Nation and Aboriginal companies (Diavik, 2003).

During the first two years of operation Diavik continued its capital expenditures on such things as expanding its accommodation complex; increasing the size and diversity of its fleet; building the ice road; and beginning the construction on the second dike. In 2003 the company's capital expenditures had exceeded \$78 million dollars. In 2004 capital expenditures nearly reached \$42 million dollars.

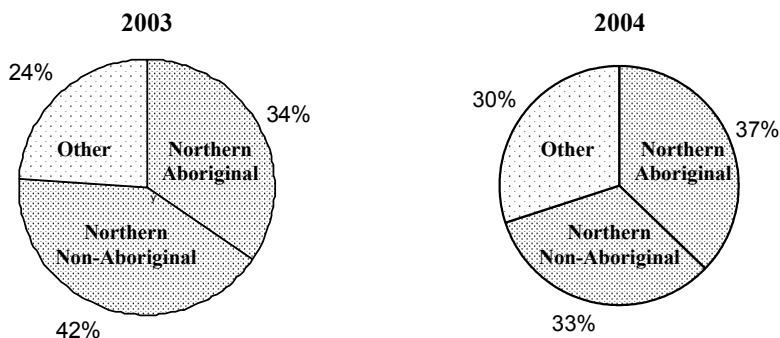
Northern Business Success – Operation Phase

In 1999 Diavik estimated its annual purchase of goods and services needed to support the mine to be \$100 million annually. Diavik's total expenditures on operations were \$174 million

in 2003 and \$227 million in 2004. Diavik's spending to northern businesses was approximately \$132 million in 2003 and \$159 million in 2004 representing 76% and 70% respectively on the total spending on operations for the first two years of operation (Diavik SEMA Report, 2003 and 2004). As a result Diavik had surpassed its target of 70% that it had committed to in the Socio-Economic Monitoring Agreement. During its negotiations with the First Nation and Aboriginal communities Diavik had committed to supporting northern business and creating jobs particularly within the First Nations and Aboriginal communities.

Figure 3 shows the percentage breakdown of total spending on operations for the northern Aboriginal and northern non-Aboriginal businesses for Diavik's first two years of operation.

Figure 3. Operational Expenditures



First Nations and Aboriginal businesses received 34% of the total operational spending in 2003 representing approximately \$60 million dollars. At the end of the second year the proportion of total operational spending that went to First Nations and Aboriginal business had increased to 37% or approximately \$85 million dollars. Appendix 4 provides a sample of the major northern, First Nation and Aboriginal businesses supporting Diavik.

TRAINING

Northern Commitments

At the outset of the diamond mine project Diavik emphasized that as a northern Canadian company, it was committed to providing opportunities to northern people and businesses, with a special emphasis on First Nation and Aboriginal communities.

Diavik quickly realized that it needed to play a significant role in developing a diamond mining industry workforce to support its employment and business commitments. In early 2003 the diamond mine was in transition, with opportunities shifting from construction to longer-term mining operations. Diavik's training commitments are fully described in the Socio-Economic Monitoring Agreement (SEMA, 1999) with the Government of the North West Territories and within the Aboriginal Participation Agreements.

Unique Training Model

Diavik adopted a unique training model in order to develop a qualified northern workforce for the diamond mining industry. Diavik established its community-based training program that included partnerships with northern colleges, government, contractors and communities. Diavik's construction training courses provided for hands-on training under the supervision of trained journeymen trainers. The basic academic and personal skill development training was facilitated by qualified adult educators, and the company also provided each of the participants the opportunity and access to professional career counseling.

The majority of the Diavik's training projects were situated in northern communities. This allowed the participants to remain in their home communities where they had continued access to their cultural and social support systems. These support systems contributed to the high success rate of graduates throughout all of the off-site training programs. Diavik's training initiatives involved projects that was vital to the community where the training projects were hosted. This vitality and the feelings of pride through meaningful service and contribution to the community also led to an increased success rate. Overall Diavik's construction training courses have produced 234 graduates – a 77% success rate. Of these 234 graduates 70% would move on to employment at Diavik, with the mines contractors, at other mine sites, or the local community government according to the 2002 survey of community human resources.

The Department of Indian Affairs in their annual activity report cited additional reasons for the success of the Diavik off-site training initiatives as follows (INAC, 2004):

- Using a partnership approach with northern colleges, federal and territorial governments, First Nation, Aboriginal and community organizations, and northern contractors.
- Providing participants with both classroom and hands-on, practical training on real and meaningful projects within and for the community.
- Building a team environment within which participants learn to work together and accomplish tasks as a group.
- Delivering training in the home communities thereby leveraging the advantages of the communal and family support systems.
- Linking training program objectives with workforce skill requirements at the Diavik project site, thus allowing participants to take advantage of employment opportunities shortly after the completion of their training program.

Success Through Partnerships

Another key element to the success of Diavik's construction training program was the partnerships with the First Nation and Aboriginal communities, government, Chamber of Mines, local colleges, instructors, and northern construction businesses. The window of opportunity was small in preparing a trained construction crew to meet the ambitious deadlines of the construction and operating phases of the Diavik diamond mine project. As a result of the creative and collaborative approach to training the construction phase of the diamond mine was completed three months ahead of schedule.

According to Diavik's Training Manager Glenn Zelinski, the First Nation and Aboriginal communities played a major role in the success of the training courses. The communities took control of the training projects by encouraging participation from their membership, identifying projects and applying for and seeking funding. For example, in Kugluktuk, Diavik led a house renovation project in which the community had applied for funding and selected the housing projects – the same community also approached Diavik to take the lead on an arena upgrade project. In another example, the community of Rea Edzo approached Diavik to help them with three projects that they had secured funding in place. In these projects the participants would learn a variety of skills by refitting and renovating the Catholic Church, building a new bridge, and constructing of a new airstrip for the delivery of essential community goods and services. Appendix 5 identifies some of the major training projects in the communities along with the variety of new skills that were developed and that translated into employment successes.

After the training programs, Diavik had undertaken community skills assessments to identify potential employees and their job skills. The company then established a communities' skills database that now contains more than 1,000 names of people who have expressed an interest in working for the company. The names in this database are then matched with the company's contractors for workers (Natural Resources Canada, 2005).

Site-Based Training

Training shifted from off-site training to site-based training in January 2003 as the diamond mine began production. The company's training focus was now targeted at Diavik specific equipment and operations with the greatest emphasis being placed on safe and productive employment. Diavik's training at this point included overhead crane training, small loader training, aerial lift/platform training, and continued training in security and air exchange. Other site-based training areas included:

- Process plant operations and maintenance
- Operations and maintenance
- Mine operations and equipment
- Mine maintenance
- Safety systems and safety management audits
- Continuous business improvement process
- Integrated process management
- Performance leadership training
- Level I and level II mine safety certification
- Environmental management systems
- Mine rescue operations
- Blasting certification

The on-site training also included specific training related to the ongoing trades apprenticeship programming. In the spring of 2004 there were 15 apprentices working at the Diavik mine. The trades included electrician, millwright, instrumentation technician, welder,

heavy-duty mechanic, and automotive mechanic. In keeping with its social commitments, all of the apprentices were northern residents and two thirds were First Nations or Aboriginal.

DIAVIK TRAINING THE FUTURE

In order to provide a skilled and available workforce for its mine operations over the next twenty years, Diavik has committed itself to the continued training of a northern workforce. In 2003 Diavik had opened the doors to its state-of-the-art workplace-training centre. The learning centre provides the opportunity for Diavik Diamond Mine workers to advance their skills, knowledge and development. Working with skilled adult educators, employees receive professional help with the design of an individualized education plan. The centre also provides a focus on workplace-essential skills, and skills profiles have been developed for all entry-level positions, including process plant operator, site services surface water, warehouse technician, and heavy equipment operator in order to guide training and development efforts.

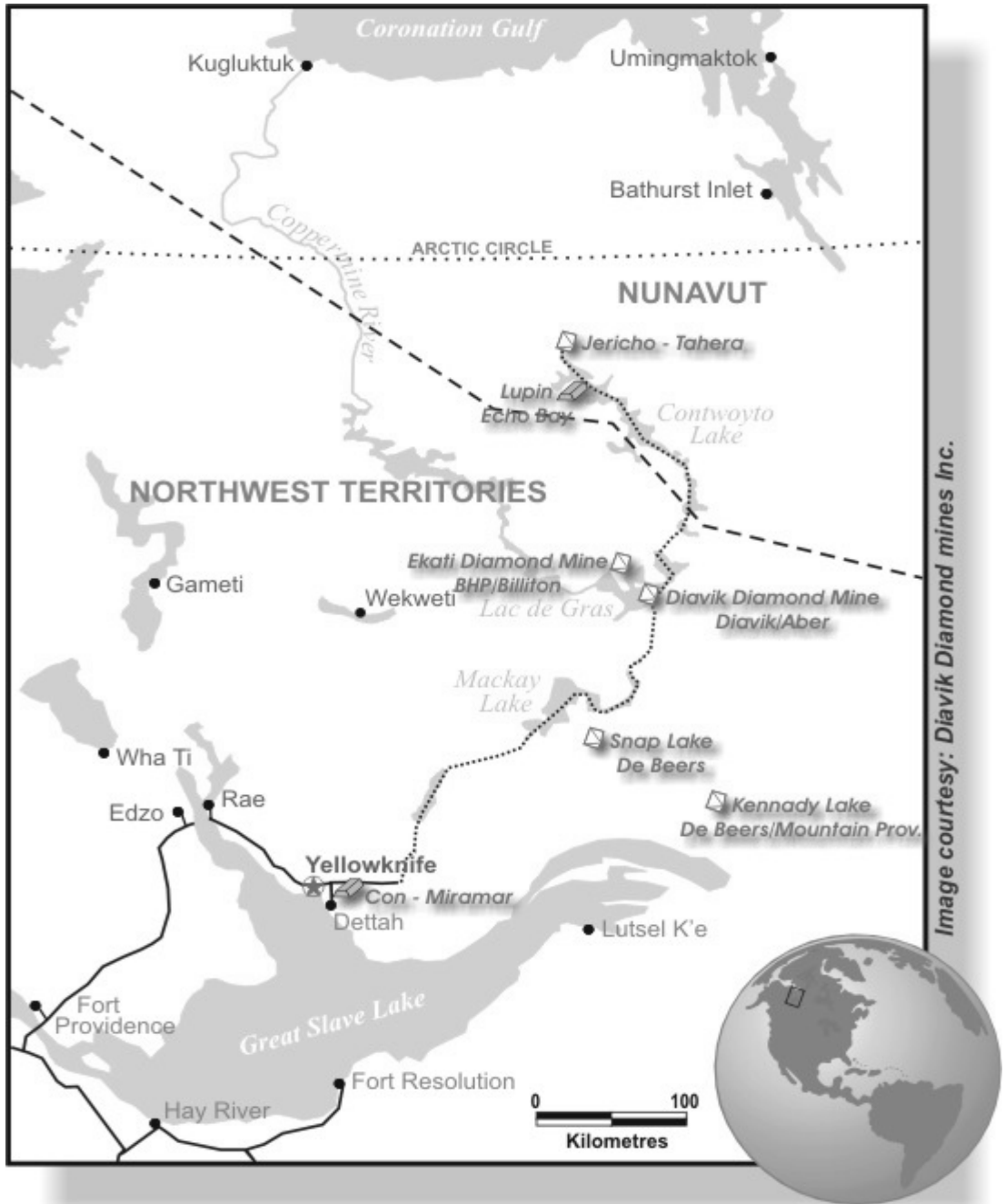
In its quarterly newsletter, Dialogue, Diavik announces its newest training initiative – The Aboriginal Leadership Program. The program began in April 2005 and is targeted at First Nations and Aboriginal people who will complete a nine-month leadership-mentoring program.

The Aboriginal Skills Employment Program is a partnership between the three diamond producers (Diavik, BHP Billiton and De Beers Canada), four First Nation and Aboriginal groups (Yellowknives Dene, Dogrib Treaty 11, Lutsel K'e Dene Band, and the North Slave Metis Alliance), and the Government of the North West Territories. Federal funding was made available for training in various underground mining skills. The diamond producers have identified more than 500 positions in underground mining will come available to meet the diamond mines' demand over the next four years.

Through innovative strategies and partnerships Diavik will continue to work on maintaining and supporting a skilled and capable workforce for the next 20 years of the mine's expected productive life. The Canadian Council for Aboriginal Business has recognized Diavik's business and training efforts in 2005 with the presentation of the Gold level of achievement under the Progressive Aboriginal Relations Program (PAR). Albert Diamond, chair of the PAR program told Diavik: "your company is setting an example of community consultation and participation that is a model for all companies."

APPENDIX I

Diamond and Gold Mines in Northern Canada



APPENDIX 2

Department of Indian Affairs and Northern Development
 Funded Economic Development Initiatives
 2000 - 2004

First Nation	Activity	Amount
Dogrib Rae Band	Economic analysis of secondary diamond processing pipeline	\$40,000
Dogrib Rae Band	Investigate Dog Rib ownership interests in De Beers Winspear project	\$112,000
Denton Cho Corp.	Diamond industry information session attendance	\$5,000
Dogrib Power Corp.	Business case exploration re supply of hydro power to the Ekati Diamond mine site	\$20,000
Dogrib Rae Band	Due diligence audit of the Snap Lake diamond project	\$74,639
Behcho Ko Dev. Corp.	Feasibility of joint ventures between Tiffany and Co. Kitikmeot Corp. and Bencho Ko Development Corp.	\$30,000
Deton Cho Corp.	Develop a diamond cutting and polishing business in Ndilo	\$50,000
TSA Corp	Joint venture with Western Explosives Ltd., to provide an explosives facility and service at the Diavik mine site.	\$485,000
Lutsel K'e Dene Band	Undertake impact benefits negotiations with Diavik	\$20,000
Dogrib Treaty 11	Negotiate the details of a relationship with other First Nations groups interested in a joint submission for the mine labour services contract at Diavik	\$25,000
Dogrib Treaty 11	Negotiations with De Beers to enhance the benefits of the Dogrib	\$60,000
Behcho Dev Corp	Negotiating a joint venture business partnership agreement with the diamond division of Tiffany's	

Excerpt from: Indian and Northern Affairs Canada, 2000-2004 Activity Report

APPENDIX 3

Diavik's Business Improvement Model

Section 1 – Company Information, Ownership and Management Structure

- Corporate profile and ownership structure
- Location of management and key contacts
- Corporate vision – aligned with Diavik's needs and expectations
- Detailed description of joint venture(s)
- For joint venture arrangements, provide a detailed description of northern involvement in management and operations processes, including plans for active engagement of northern owners/principles and management development.

Section 2 – Current Scope of Work at Diavik - Summarized

- Outline of current work scope of activities and processes to support Operations

Section 3 – Business Growth Areas with Respect to Diavik and Other Markets

- Company vision of areas for further business growth with Diavik and other mining operations. Where appropriate, an outline of the business case for expanded or revised business scopes should be included
- This section should clearly address what actions your company plans to undertake to better position itself for Diavik and other market opportunities.
- For Diavik-specific business opportunities, considerable attention should be given to creation of added value, cost reduction, mutual efficiencies, and rewards. Critical success factors for business growth must be specifically identified, with suggested courses of actions and resource requirements.
- Methods of reporting on results and achievements.

Section 4 – Business Process Improvement/ Innovations Plans and Actions

- Processes and practices that demonstrate best practices in the area of continuous business improvement and innovation in the current and potentially future work scope should be addressed in this section.
- Details supporting each proposed or current process improvement program must be provided, along with timelines, accountabilities and performance improvement targets.
- Process map and key performance indicators to be provided for each element of the current and proposed process improvement plans.
- Methods for reporting on results and achievements.

Section 5 – Safety Plans Protocols and Actions

- An outline of current and future safety plans, processes and resources that will be dedicated to achievement of a zero lost time incident rate at the Diavik Diamond Mines

Inc. is required. As well, contractor current and future safety plans and actions must be reconciled with Diavik's on-going safety programs and process to ensure conformity and adoption of best practices. Synchronization or integration with Diavik's safety program must be documented in the business plan, along with accountabilities, improvement plans and processes.

- Process map and key performance indicators to be provided for each element of safety plan.
- Methods for reporting on results and achievements.

Section 6 – Environment Management System Plans and Actions

- Consistent with Diavik's Environmental Monitoring Agreement, a detailed outline of corporate environmental management plans, with specific reference to Diavik operations, is also required in contractor business plans. Contractor environmental management plans must be aligned with Diavik Diamond Mines Inc. environmental management plans and processes, and demonstrate diligence in environmental management, mitigation and reporting.
- Process map and key performance indicators to be provided for each element of environmental management plan and actions.
- Methods for reporting on results and achievements.

Section 7 – Employment and Recruitment Practices

- Government of the Northwest Territories and the five north slave Aboriginal authorities, sets out clear and specific obligations for Diavik and its contractors in the areas of employment levels for Aboriginal and northern people.
- Business plans are to include specific details on contractor recruiting and retention practices to meeting our Agreement obligations and commitments.
- Current and planned employment levels, broken down by SEMA and Participation Agreement holder classifications.
- Current and planned Diavik-related labour value by SEMA and Participation Agreement holder classifications.
- Turnover numbers and rates for all contractor employees by SEMA and Participation Agreement holder classifications.
- Process map and key performance indicators to be provided for each element of northern recruitment and retention plan and actions.
- Methods for reporting on results and achievements.

Section 8 – Training and Employee Development

Pursuant to the Socio-Economic Agreement (SEMA) there are also clear and specific obligations for Diavik and its contractors in the areas of employment and training.

- Detailed outline of contractor training program(s) and training matrix for each skill type to demonstrate development paths available for employees at all stations of the business.
- Integration and coordination with Diavik training plans and initiatives – short and long-term approaches.

- Current and planned training levels, broken down by SEMA and Participation Agreement holder classifications.
- Current and planned training expenditures and targets by SEMA and Participation Agreement holder classifications.
- Process map, including skill matrix for each job type and key performance indicators, to be provided for each element of company training plan and actions.
- Methods for reporting on results and achievements.

Section 9 – Northern Business Participation Plans

Consistent with SEMA employment and training commitments, the agreement also sets out clear and specific obligations for Diavik and its contractors in the areas of northern business participation. Collectively, we have a responsibility to achieve these commitments through demonstrated actions and reporting of our results.

- Detailed outline of contractor efforts/programs/actions to assist Diavik in meeting northern business commitments, including expenditures on contractor consumables and inputs source from northern suppliers and service providers.
- Integration and coordination of northern business participation efforts with Diavik Business Services and Contracts Administration units.
- Current and planned northern business input expenditure levels, broken down by SEMA and Participation Agreement classifications, and by type of expenditure.
- Process map and key performance indicators to be provided for each element of northern business participation plan.
- Methods for reporting on results and achievements.

Section 10 – Monitoring, Evaluation and Reporting of Achievements

To foster continuous improvement and communications, a monitoring, evaluation and reporting structure will be required in the business plan. The plan should identify processes and appropriate internal monitoring systems that would be put in place to demonstrate commitment and diligence in business plan implementation and goal achievement. Each contractor shall submit an annual report on their business plan achievements, issue, opportunities, and challenges at December 31st of each operating period, to assist in communicating our collective commitment to internal and external stakeholders in the Diavik Diamond Mine operation. Contractors will also be required to update their respective business plans annually, to reflect continuous improvement processes and agreed upon performance targets for succeeding operating periods. The updated business plans are to be submitted to Diavik Diamond Mines Inc. by December 31st of each operating period.

APPENDIX 4

Sample of Major Businesses Supporting Diavik**Northern Businesses**

ADCO North Ltd.
 Air Tindi Ltd.
 Arctic Divers
 Artic Sunwest Charters
 Artisan Press Ltd.
 Aurora Geosciences Ltd.
 Bellanca Developments
 Bromley & Sons Ltd.
 Buffalo Airways Ltd.
 Coneco Equipment Ltd.
 Danmax Communications Ltd.
 Finning Canada Ltd.
 Fountain Tire Mines Services
 Frontier Mining & Industrial Supplies
 G&G Expending
 Great Slave Helicopters
 Imperial Oil Limited
 Kingland Ford
 Lifeworks Counseling Services Ltd.
 Nahanni Construction Ltd.
 Midwest Drilling Ltd.
 Northern Communications & Navigation
 Ollerhead Surveys Ltd.
 Reid Crowther
 Ron's Auto
 Ryfan Electric
 RTL Robinson Enterprises Ltd.
 Slades Fire Protection
 Weaver & Devore Ltd.

First Nation/Aboriginal Businesses

A&A Technical Services Ltd.
 Aboriginal Engineering
 Air Tindi Ltd.
 Canadian North
 Ek'ati Services Ltd.
 Exploration Medical Services Ltd.
 First Air
 I&D Management Services Ltd.
 Lac De Gras Constructors
 Nuna Logistics
 SecureCheck
 Tli cho Landtran Transport Ltd.
 Tli Cho Logistics
 Western Explosives Ltd.

Excerpt from: Diavik Socio-Economic Monitoring Report for Operations January to December 2004

APPENDIX 5

Department of Indian Affairs and Northern Development
Funded Economic Development Initiatives
2000 - 2004

Community	Training Project	Year
Getting Started	13 northern equipment operators successfully completed a comprehensive training session at Caterpillar's world-class training centre in Tucson, Arizona, USA.	2000
Rae Edzo Gamati Lutsel K'e Fort Smith	In-class trades related training program that focused on conveyance and crusher operations and repair, and oxygen/acetylene and arc welding	2000
Rae Edzo Wha Ti	Six week construction training focused on the construction of a cold storage warehouse and walkway	2000
Lutsel K'e	An aluminum welding course that repaired two boats within and provided a much needed skill in the in the remote northern community	2000
Diavik mine	Workers from the Lutsel K'e, Kugluktuk, and Fort Resolution received training on Diavik's temporary south accommodation complex	2001
Kugluktuk	Two training projects were completed in this remote community that included a plumbing and electrical retrofit of a house and a camp cook helper course	2001
Weketi Wha Ti Gamati	A 12 week training course that involved 30 participants – the trades helper project involved a significant upgrade of Weketi's large octagonal community harbour	2001
Rea Edzo	the three projects in this community included the refitting of the Catholic church and the major construction of a new bridge and an airstrip.	2001
Lutsel K'e	The repair of the Austin Lake Road provided training in heavy operation of heavy equipment, practical road construction and planning	2001
Yellowknife	Welding course in shielded metal arc welding, gas metal arc welding, oxygen/acetylene welding and cutting, plasma cutting, and carbon arc welding	2002
Yellowknife	Under a construction and trades training course the participants renovated and expanded a vacant building allowing the newly renovated facility to be utilized as a youth centre	2002
Diavik	The construction of the 264 room permanent accommodation facility was one of Diavik's largest training projects with more 75 participants, working for more than a year.	2002
Kitikmeot	Technology enhanced training program that focused on process Plant operations and maintenance	2002

Excerpt from: Diavik's Training Partnerships: Northern Partners, Northern Success, November 2002

END NOTES

- ¹ Aboriginal is a legal term as defined by the federal government and includes First Nation, Metis and Inuit peoples of Canada.
- ² Some First Nations governments in Canada have made the point of excluding themselves as being referred to as “Aboriginal”. Their position is that the collective term that includes Metis and Inuit people does not recognize the special legal and legislative status of First Nation People in Canada.

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