

PUBLISHED JUNE 2020

EVIDENCE BRIEF

SSHRC  CRSH
RESEARCH SHAPES KNOWLEDGE, KNOWLEDGE SHAPES SOCIETY



Impact Assessment
Agency of Canada

Agence d'évaluation
d'impact du Canada

SSHRC's Imagining Canada's Future initiative mobilizes social sciences and humanities research to address emerging economic, societal and knowledge needs for Canada, and help guide decision-making across all sectors towards a better future. This evidence brief addresses the Future Challenge Area of: **Informing Best Practices in Environmental and Impact Assessments**.

More promise than practice: GBA+, intersectionality and impact assessment

About the project

Canada's new *Impact Assessment Act* (2019) requires attention to "the intersection of sex and gender with other identity factors" as a mandatory factor to consider in impact assessments. Other promising provisions of the act include commitments about Indigenous knowledges, and a new planning phase that seeks broader preliminary input into proposed resource development and extraction projects. Despite these developments, there is little implementation-related guidance. In Canada, there is limited documentation of practices in undertaking gendered and intersectional impact assessments that consider the experiences of invisible community members.

This knowledge synthesis project extends our knowledge about improving practices in intersectional impact

assessments by turning to international literature and examples. We are interested in how to better understand and respond to the experiences of Indigenous women and Two-Spirit persons, youth and people with disabilities in resource development and extraction contexts. Guided by an Advisory Circle of knowledge experts and users, the specific objectives of this research were to:

- identify and critically assess existing international practices in impact assessments;
- identify knowledge gaps and promising practices and proposals in these areas; and
- share research findings through social media, knowledge mobilization fora, websites, academic publications, and Advisory Circle networks.

Key findings

The literature review and interviews identified six key areas of concern.

- Significant research gaps exist on how impact assessments can include the concerns of historically excluded groups in general, and people with disabilities, LGBTQ2S+ folk and youth, in particular. There are few examples of intersectional analysis at any stage of impact assessments.

Section 22(1)(s) of the 2019 *Impact Assessment Act* (IAA) requires that "the intersection of sex and gender with other identity factors" be assessed. This, combined with the Impact Assessment Agency of Canada (IAAC)'s commitment to and guidance on GBA+, promotes greater

consideration of how Canadian impact assessments can include historically excluded members of communities. Provisions within the act that recognize differences between the knowledge and experiences of—and impacts on—Indigenous women and men suggest that there is potential for the meaningful uptake of intersectionality through the IAA.

- Community consultations need to be both culturally relevant and culturally humble.

The IAA requires consultation with the public and with Indigenous Nations and governments at multiple points during project assessments. Each project is required to have a public participation plan and an Indigenous



Social Sciences and Humanities
Research Council of Canada

Conseil de recherches en
sciences humaines du Canada

Canada

engagement and partnership plan. To ensure these plans are both culturally relevant and culturally humble, they should:

- be created with communities and Nations;
- incorporate inclusive practices that help create welcoming spaces for historically excluded members of communities; and
- recognize that significant diversities exist between and within communities and Nations.

- Intersectional analysis can start with a gendered lens but needs to move beyond that to represent community diversity.

The IAAC's Interim Guidance on Gender-based Analysis Plus in Impact Assessment makes it clear that GBA+ needs to go beyond gender, and that considering sex and gender alone is not enough under the new Act. Holding proponents to broader interpretations of GBA+ in their IA practice will make it much more likely that impacts experienced by historically excluded groups are revealed.

- International human rights commitments need to be implemented meaningfully through domestic laws, regulations, policies and practices.

The IAA's preamble states that "the Government of Canada is committed to implementing the United Nations Declaration on the Rights of Indigenous Peoples." However, other sections of the act do not explicitly require that the free prior and informed consent (FPIC) standard be respected. Multiple sections of the Practitioner's Guide assert that the government "aims to secure" FPIC, but it is not yet clear what this looks like in practice, or what

will happen when consent is not given by an Indigenous Nation or government.

- Civil society and community-led assessment processes are essential components of any impact assessment.

The Act and its accompanying Practitioner's Guide allow some Indigenous Nations and governments to conduct their own impact assessments and to contribute to the different parts of the federal impact assessment. Ultimately, however, the federal government minister or cabinet decides if a project can proceed and under what conditions. This can limit the power of Indigenous Nations and governments to exercise their rights to self-determination within the IA process.

- Adequate funding is needed for community impact assessment and capacity building. Sufficient time is also needed for consultation and public engagement to allow for multiple and iterative conversations within and across communities.

The IAA promises funding for Indigenous and public engagement in impact assessments, but details on the new funding program are still emerging. Ensuring that adequate funds are available to support communities' full participation in the IA process is essential. Timelines for consultation and public participation are constrained in the IAA. Given the many demands on communities' time, especially the many consultation and engagement requests fielded by Indigenous Nations and governments, it is not clear if these new timelines will allow enough time for the multiple and iterative conversations that communities have identified as important for identifying and mitigating potential impacts.

Policy implications

Our findings—summarized in our six key messages—point to three key implications for research, policy and practice:

- New tools and more extensive intersectional, Indigenous, decolonial and rights-based commitments are needed to identify impacts most likely to be experienced by diverse, invisible members of communities.

- Different approaches and careful attention are needed to ensure that the most invisible members of communities can participate in impact assessment processes.
- Community control and ownership in impact assessment and resource-related decision-making processes are a necessary part of advancing GBA+ in impact assessment.

CONTACT THE RESEARCHERS:

Deborah Stienstra, Jarislowsky Chair in Families and Work and Professor, Department of Political Science, University of Guelph; deborah.stienstra@uoguelph.ca

Susan Manning, PhD Candidate, Department of Political Science, Dalhousie University; susan.manning@dal.ca

Leah Levac, Associate Professor, Department of Political Science, University of Guelph; LLevac@uoguelph.ca

FURTHER INFORMATION:

[▶ Read the full report](#)

The views expressed in this evidence brief are those of the authors and not those of SSHRC, IAAC and the Government of Canada.

The Impact Assessment Agency of Canada (IAAC) is a federal body accountable to the minister of Environment and Climate Change. The IAAC delivers high-quality impact assessments that contribute to informed decision-making on major projects in support of sustainable development.

SSHRC is a funding agency of the Government of Canada. Through research grants, fellowships and scholarships, SSHRC supports research that provides key insights on the social, cultural, environmental and economic challenges and opportunities of our ever-changing world.

