Questions from previous sessions related to commentary & terminology?

Today’s Agenda

- Searching for information on aboriginal land rights in interdisciplinary databases
- Learning how to set up alerts on Lexis
- Advance Quicklaw & WestlawNext Canada
Databases

Search by database name or use filters to help find what you are looking for

Databases by Subject—NREEL

Law (49)

Indigenous Studies (15)
Industrial Design (15)
Italian Language & Literacy (6)
Japanese Language & Literature (9)
Kinesiology (18)
Latin American Studies (15)
Law (49)
Library & Information Science (6)
Linguistics (8)
Mathematics (14)
Medicine (16)
Medicine-Clinical Care Tools (6)
Medicine-E-Book & E-Journals (8)
Museum & Heritage Studies (7)
Music (30)

Natural Resources, Energy and Environmental Law (35)

All Database Types

All Vendors / Providers

HeinOnline
WestlawNext Canada

AGIS Plus Text
Alberta Law Collection
American state papers, 1789-1838

Search for Databases Go
NREEL Databases

36 Databases found for Natural Resources, Energy and Environmental Law

A
- ABI / Business Premium Collection
- Academic OneFile
- AGIS Plus Text
- Alberta Law Collection
  (Due to the database migration to CONTENTdm the Search feature is not working, please use Browse)

B
- Business Source Complete

C
- CAB Abstracts (via EBSCO)
- Canadian Legislative Pulse
- Compendex

Clear Filters/Browse All Databases
NREEL Databases

Rocky Mountain Mineral Law Foundation digital library

ScienceDirect

Scopus (Elsevier)

United Nations Law Collection

United Nations Treaty Collection

Web of science

WestlawNext Canada

Wildpro

World Treaty Library
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<th>Publication Type</th>
<th>My Account / My Books</th>
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<td>Journal</td>
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<td>All Publications</td>
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<td>3/4/2019</td>
<td>174</td>
</tr>
<tr>
<td>- Access Type: group</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Print/Download Limit: Unlimited</td>
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#### Practice Area

- Energy
- Environmental
- Ethics
- Indian/Aboriginal
- International
- Landman
- Mining
- Offshore
- Oil & Gas
- Public Lands
- Royalty
- Tax
- Water

Show Print/Download History
(land tenure OR land /5 right) AND (aboriginal OR indigenous OR indian OR native OR "first nations")
1. Chapter 5B Canadian Aboriginal Rights and Mineral and Energy Development: Risks and Related Strategies

2. Chapter 18E The Fundamental Rights of Indigenous Communities in Bolivia


4. Chapter 9 Canadian Aboriginal Law: Creating Certainty in Resource Development
Chapter 9 Canadian Aboriginal Law: Creating Certainty in Resource Development

MINING LAW & INVESTMENT IN LATIN AMERICA
(April 2003)

CHAPTER 9

Canadian Aboriginal Law: Creating Certainty in Resource Development

Dr. Anthony Knox
Thomas Isaac
McCarthy Tétrault LLP
Vancouver, British Columbia, Canada

SYNOPSIS

§1.01 Introduction

§1.02 Background — Canadian Aboriginal law

1] Division of Powers

2] Pre-1982 Law

3] Constitution Act, 1982

§1.03 The Crown’s Duty to Consult Aboriginal People

1] Introduction

2] Source of the Crown’s Duty to Consult Aboriginal People

3] Nature of the Crown’s Duty to Consult Aboriginal People

4] Engagement of the Crown’s Duty to Consult?

5] Application of the Crown’s Duty to Consult

6] Duty to Consult — Conclusion

§1.04 Agreements Between Resource Developers and Aboriginal People

1] Introduction

2] Impact and Benefit Agreements
• Open access source of academic papers.
• Legal Scholarship Network (LSN) is part of the Social Science Scholarship Network (SSRN).
• Search through the SSRN eLibrary at http://papers.ssrn.com/.
• Search now very general (no Boolean “OR” option), but is improving.
You searched: aboriginal land rights

Sort by: Downloads, Descending

Viewing: 1 - 50 of 130 papers

1. **The Constitutional Rights of the Aboriginal Peoples of Canada**
   
   *Supreme Court Law Review, Vol. 4, pp. 255-265, 1982*
   
   Number of pages: 6  •  Posted: 28 Jul 2010
   
   Kent McNeil
   
   York University - Osgoode Hall Law School
   
   Keywords: Canada, Constitution, Aboriginal rights

2. **The Duty to Consult and Accommodate: Procedural Justice as Aboriginal Rights**
   
   *Canadian Journal of Administrative Law & Practice, Vol. 23, pp. 93-113, 2010*
   
   Number of pages: 22  •  Posted: 20 Aug 2011
   
   Lorne Sossin
   
   York University - Osgoode Hall Law School
   
   Keywords: "duty to consult and accommodate", duty of the Crown and Aboriginal rights

Search for: natural resources
1. **Retracing the Discovery Doctrine: Aboriginal Title, Tribal Sovereignty, and Their Significance to Treaty-Making and Modern Natural Resources Policy in Indian Country**


Number of pages: 65  •  Posted: 21 Sep 2004

*Michael C. Blumm*
Lewis & Clark Law School
Keywords: Indian law, Legal History, Property, Natural Resources Law, Environmental Law

2. **Settler Colonialism and Reclamation: Where American Indian Law and Natural Resources Law Meet**


Number of pages: 22  •  Posted: 26 Jun 2013  •  Last Revised: 02 Jul 2013

*Sara Krakoff*
University of Colorado Law School
Keywords: water, climate change, federal Indian Law, environmental justice, indigenous people, sovereignty
Settler Colonialism and Reclamation: Where American Indian Law and Natural Resources Law Meet

U of Colorado Law Legal Studies Research Paper No. 13-11

Sarah Krakoff
University of Colorado Law School
Date Written: July 2, 2013

Abstract

Three hours west of Phoenix, Arizona, the Colorado River Indian Tribes ("CRIT"), a federally recognized tribe that includes over 3,700 enrolled members of Mohave, Chemehuevi, Navajo, and Hopi descent, occupies a reservation nearly 300,000 acres in size. The CRIT was one of five tribes to have its water rights confirmed in the landmark case of Arizona v. California, and therefore has senior rights to 719,248 acre-feet of Colorado River water, nearly one-third of Arizona's allocation. How the CRIT came to be a single federally recognized tribe comprised of members from four indigenous peoples located on lands that were a fraction of their aboriginal territory is both a federal Indian law story and a natural resources law story. The stories are two sides of a single coin, which is the currency of settler colonialism in the United States. The object of settler colonial societies was to clear the land of their indigenous populations to allow for nonindigenous settlement. In the U.S. context, American Indian law has often done the work of clearing the land, while natural resources law assures the successful occupation of that land by non-Indians. This Article delves into CRIT's natural resources history, which serves as a reminder that public land and water law do not start from a blank slate. The distribution of land and water to non-Indians required first that those resources be wrested from Indian control. With that as the starting point, current debates about Indian water rights can be seen in their proper context, as measures of corrective justice that recognize indigenous peoples' preexisting political, moral, and legal claims, rather than as special rights doled out to select minorities. Understanding tribal water rights this
Other NREEL Databases

- Environment Complete (EBSCO)
- ScienceDirect
- Scopus (Elsevier)

- Reminders from prior sessions
  - Field searching
  - Aboriginal terminology

- In small groups, search for the legal aspects of aboriginal land rights
<table>
<thead>
<tr>
<th>Environment Complete</th>
<th>ScienceDirect</th>
<th>Scopus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mixture of full-text and citations</td>
<td>Almost all full-text</td>
<td>No full-text – need to link</td>
</tr>
<tr>
<td>Use controlled vocabulary to help with search terms</td>
<td>Use keyword/abstract/title fields to help with searching</td>
<td>Use Article title, Abstract, Keywords (default) for general search</td>
</tr>
<tr>
<td>Narrows search with suggestions of your terms; can use facets to narrow search results</td>
<td>Can use facets to narrow search results</td>
<td>Narrows search with suggestions of your terms; can use facets to narrow search results</td>
</tr>
</tbody>
</table>
✓ For legal aspects, remember from Search Tips session to use law terms in interdisciplinary searches:

law or legal or legislat* or regulat*
Environment Complete

905 results with basic search

   Subjects: Taigas; Environmental engineering; Ecosystems; Forests & forestry — Northern Hemisphere; Indigenous peoples; Nongovernmental organizations
   Cited References: (75)
   PDF Full Text (3.5 MB)
   Search for related subjects through Credo Reference

2. CANADA/BRITISH COLUMBIA.
   Subjects: Land tenure; Forests & forestry; British Columbia; Other General Government Support; Other local, municipal and regional public administration; Other provincial and territorial public administration; Other federal government public administration; Other Similar Organizations (except Business, Professional, Labor, and Political Organizations); Lessors of Other Real Estate Property; Native Americans; Associations, institutions, etc.; Government agencies; Indigenous peoples
   Search for related subjects through Credo Reference

3. The Mabo decision: Australian aboriginal land rights in transition
   Subjects: Australia
   Search for related subjects through Credo Reference

4. Land rights and park proposals—conservation conflict?
350 results with “land tenure” in thesaurus and indigenous terms from previous lecture.
Adding the legal terms gets...
Search Results: 1 - 30 of 484

1. **The Mabo decision: Australian aboriginal land rights in transition**
   - **Subjects:** Australia

2. **Bureaucratic Territory: First Nations, Private Property, and “Turn-Key” Colonialism in Canada.**
   - **Subjects:** Aboriginal public administration; Property rights -- Canada; First Nations; Legal status of First Nations; Real property -- Canada; Legal status of indigenous peoples; Bureaucracy -- Canada

Cited References: (79)
125 results with thesaurus terms for land tenure
("land tenure" OR "land rights") AND (indian OR indigenous OR aboriginal OR native OR "first nations") AND (law OR legal)
Find articles with these terms:
("land tenure" OR "land rights") AND (indian OR indigenous)

4,297 results

Refine by:
- Years:
  - 2019 (10)
  - 2018 (376)
  - 2017 (358)
- Article type:
  - Research articles (3,205)
  - Review articles (244)
  - Encyclopedia (171)
  - Book chapters (372)
- Publication title:
  - Land Use Policy (405)
  - World Development (401)
  - Geoforum (208)

Some articles:

- Barriers to PES programs in Indigenous communities: A lesson in land tenure insecurity from the Hopi Indian reservation
  - Ecosystem Services, Volume 32, Part A, August 2018, Pages 62-69
  - Michael Kotutwa Johnson, Aaron M. Lien, Natalya Robbins Sherman, Laura López-Hoffman

- Land tenure security and investment: Does strength of land right really matter in rural Burkina Faso?
  - World Development, Volume 111, November 2018, Pages 130-147
  - Yirlybini Bambio, Salima Bouayed Agha

- Land tenure and forest rights of rural and indigenous women in Latin America: Empirical evidence
  - Women's Studies International Forum, Volume 65, November 2017, Pages 1-8
  - Purabi Bose

- Indigenous land rights and deforestation: Evidence from the Brazilian Amazon
  - Ariel BenYishay, Silke Heuser, Daniel Runfola, Rachel Trichler
Advanced Search

Find articles with these terms

In this journal or book title Year(s)

Author(s) Author affiliation

Title, abstract or keywords

more focused searching

Original OR native OR "first nations") AND (law OR legal)

Show more fields

Article types

- Review articles
- Research articles
- Encyclopedia
- Correspondence
- Data articles
- Discussion
- Patent reports
- Practice guidelines
- Product reviews
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<tr>
<th>Title</th>
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<th>Journal</th>
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<tr>
<td>Land tenure and forest rights of rural and indigenous women in Latin</td>
<td>Purabi Bose</td>
<td>2017</td>
<td>Women's Studies International Forum, Volume 65, November 2017, Pages 1-8</td>
<td>1-8</td>
</tr>
</tbody>
</table>
On the Ground

Rangelands in Indian Country are unique. Legal and historical realities present challenges to range and natural resources management not seen outside of Indian Country.

Cooperative Extension educational programs are highly valued for their important impact on Agriculture and Natural Resources in counties. These programs exist on less than 10% of America's Indian Reservations. Federally Recognized Tribal Extension Program (FRTEP) personnel, in the few places where they are funded, are sought after resource to tribal individuals and communities in Indian Country.
Search

aboriginal land rights

E.g., "Cognitive architectures" AND robots

Limit

Article title, Abstract, Keywords

Search
<table>
<thead>
<tr>
<th>Document title</th>
<th>Authors</th>
<th>Year</th>
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<tr>
<td>How television moved a nation: media, change and Indigenous rights</td>
<td>Waller, L., McCallum, K.</td>
<td>2018</td>
<td>Media, Culture and Society 40(7), pp. 992-1007</td>
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<td>Kimberley tropical monsoon rainforests of western Australia: Perspectives on biological diversity</td>
<td>Kenneally, K.F.</td>
<td>2018</td>
<td>Journal of the Botanical Research Institute of Texas 12(1), pp. 149-228</td>
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Narrow search by “Search within results...”
Scopus

406 when adding law OR legal OR legislat* OR regulat*
### Other Interdisciplinary Databases for NREEL

<table>
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<th>CAB Abstracts</th>
<th>EconLIT</th>
<th>Engineering Village (Compendex)</th>
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<tr>
<td>GeoRef</td>
<td>JSTOR</td>
<td>OnePetro (from SPE)</td>
</tr>
<tr>
<td>Oxford Reference</td>
<td>PAIS</td>
<td>SAGE Journals</td>
</tr>
<tr>
<td>ScienceDirect</td>
<td>Scopus</td>
<td>Web of Science</td>
</tr>
</tbody>
</table>
• Once you find the database(s) and search(es) you want to keep updated on, you can establish alerts in many databases

• Alerts can be established via e-mail or RSS feeds

• When you are interested in more information, please contact Nadine or attend the *My Grad Skills: Keeping Current with your Research* session on November 20 in the TFDL
Search is from prior library session


   Reference Indices | Index to Canadian Legal Literature - Journals and Texts
   No. 1, 8-50. Alberta ENVIRONMENTAL MONITORING OIL SANDS -- Environmental aspects ATHABASCA TAR SANDS (ALTA.) Canadian Current Law, Issue 1507 ...
   Legal Literature/Documentation juridique Environmental monitoring and ecosystem management in the oil sands: spaceship earth or escort tugboat? by Martin Z.P. Olszynski. ...

2. Canada's toxic tar sands [electronic resource]: the most destructive project on Earth.; by Christopher Hatch.; Canadian Current Law, Issue 1307

   Reference Indices | Index to Canadian Legal Literature - Journals and Texts
   U. Calgary Canadian Current Law, Issue 1307 OIL SANDS -- Environmental aspects OIL SANDS -- Law and legislation OIL SANDS INDUSTRY HAZARDOUS WASTES U. Calgary Canadian Current Law, ...
   Legal Literature/Documentation juridique Canada's toxic tar sands [electronic resource]: the most destructive project on Earth.
Alerts & Saved Searches – Lexis Advance Quicklaw

---

Results for: oil sands or oilsands or tar sands or tarsands or bitumen

---

CA Secondary Materials (58)

---

Search Alert

**Overview**

**Title**

oil sands or oilsands or tar sands or tarsands or bitumen

**Description**

1,000 characters remaining

**Search terms**

oil sands or oilsands or tar sands or tarsands or bitumen

**Search type**

---

Distribution is subject to **Terms & Conditions**

---

Create Alert | Cancel
Alerts & Saved Searches – Lexis Advance Quicklaw

Results for: oil sands OR oilsands OR tar sands OR tarsands OR bitumen

CA Secondary Materials (62)


Reference Indices | Index to Canadian Legal Literature - Journals and Texts

... No. 1, 85-50. Alberta ENVIRONMENTAL MONITORING OIL SANDS -- Environmental aspects ATHABASCA TAR SANDS (ALTA.) Canadian Current Law, Issue 1507 ...

2. Canada's toxic tar sands [electronic resource]: the most destructive project on Earth.; by Christopher Hatch.; Canadian Current Law, Issue 1307

Reference Indices | Index to Canadian Legal Literature - Journals and Texts

... U. Calgary Canadian Current Law, Issue 1307 OIL SANDS -- Environmental aspects OIL SANDS -- Law and legislation OIL SANDS INDUSTRY HAZARDOUS WASTES U. Calgary Canadian Current Law, ...

3. Journey to the tar sands.; ed. by Tim Murphy.; Canadian Current Law, Issue 0908
Alerts & Saved Searches – Lexis Advance Quicklaw

Narrow By

Canada Research

Search Within Alerts

Enter search terms

Type

Search

QuickCITE®

Select multiple

Client

-None-

Delivery type:

Email + Online

Frequency

Monthly

As updates are available

Select multiple

Court

QuickCITE® Case Citator

1. oil sands OR oilsands OR tar sands OR tarsands OR bitumen

Description
No description available

Terms
oil sands OR oilsands OR tar sands OR tarsands OR bitumen

Filters
CA Secondary Materials: Index to Canadian Legal Literature - Journals and Texts, Index to Canadian Legal Literature - Book Reviews

Period
01 Oct 2018 - 01 Oct 2020

Note
No note available

2. Knox v. Conservative Party of Canada

Description
Calgary West case

Document title
Knox v. Conservative Party of Canada

Source Title
QuickCITE® Case Citator

Period
15 Dec 2017 - 15 Dec 2019
Search is from prior library session (Commentary Overview)
WestClip Alert

1 Basics

**Name of Alert**

oil sands in ICLL

**Client ID:** LAW703  |  Change

**Description**

optional notes

[Continue]

2 Select Content

3 Enter Search Terms

4 Customize Delivery

5 Schedule Alert
WestlawNext Canada—Alerts

2 Select Content

Selected Content:
Index to Canadian Legal Literature (ICLL)

3 Enter Search Terms

Search
("oil sands" oilsands "tar sands" tarsands bitumen)

Sort Order
Relevance

Continue
Preview Results

4 Customize Delivery

5 Schedule Alert
Remember to enter your e-mail addresses under properties as well as checking all options.
Index to Canadian Legal Literature (ICLL) (63) ①

   ICLL/IDJC 220556 | by Allan L. McLarney and George V. Lapine | 2004
   NATURAL GAS; BITUMEN; OIL SANDS; ENERGY INDUSTRIES

2. ICLL/IDJC: Review of tax issues related to non-conventional production.
   ICLL/IDJC 80457 | by B. David Nielsen | 1998
   OIL SANDS -- Treaties; BITUMEN; MINES AND MINERAL RESOURCES -- Taxation

   ICLL/IDJC 257974 | by Shaun Fluker | 2011
   OIL SANDS -- Environmental aspects; HABITAT CONSERVATION

4. ICLL/IDJC: Consultation with aboriginal peoples in the Athabasca oil sands region: is it meeting the Crown’s legal obligations?
   ICLL/IDJC 241206 | by Monique Passelec-Ross and Veronica Polis | 2007
   ATHABASCA TAR SANDS (ALTA.); NATURAL RESOURCES -- Management; INDIANS OF NORTH AMERICA -- Rights; INDIANS OF NORTH AMERICA -- Government relations

5. ICLL/IDJC: Syncrude ducks produce creative sentence.
   ICLL/IDJC 308136 | by Peter Bowat and Devon Slam | 2017
   ATHABASCA TAR SANDS (ALTA.) -- Environmental aspects; OIL SANDS INDUSTRY -- Environmental aspects

   ICLL/IDJC 360603 | by Nicole McDonald | 2016
   OIL SANDS; INDIANS OF NORTH AMERICA -- Government relations; INDIANS OF NORTH AMERICA -- Treaties; TREATY ALLIANCE AGAINST TAR SANDS EXPANSION

7. ICLL/IDJC: Next steps for cumulative effects management in Alberta’s Athabasca oil sands region.
   ICLL/IDJC 241202 | by Steven A. Kennell | 2007
Reminders

Bring your Lexis Advance Quicklaw and WestlawNext Canada passwords
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<td>Drop-in Question &amp; Answer Session</td>
<td>5 December</td>
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