

NUNAVUT

A REPORT ON LAND CLAIMS FROM THE TUNGAUVIK FEDERATION OF NUNAVUT



Dene/Metis reject 1986 Overlap Agreement

Inuit, Inuvialuit, Dene and Metis are neighbours in the N.W.T. There are many areas of land on both sides of the treeline where they all hunt, trap and fish. When it comes to drawing lines on a map to separate the claims areas of Inuit, Inuvialuit, Dene and Metis everyone has agreed that the best approach is to negotiate "overlap agreements". Last month, an important overlap agreement became the focus of attention . . . 2



NUNAVUT is a report on the progress of TFN's land claims negotiations. We are at Room 1200, 130 Slater Street, Ottawa, Ontario, K1P 6E2, Phone (613) 238-1096. Telex 053-3748

Exec. Director: Paul Sammurtok

Writer/Editor: Lynda Chambers

Translator: Martha Flaherty

ISSN 0829-9048

Dene/Metis throw out Overlap Agreement

Boundary lines are needed for both claims and division



Lynda Chambers

Silas Pukkumiraqtuq is an elder from Baker Lake who has hunted in the Keewatin region for many, many years. He, along with John Pudnak and Jimmie Ukpagak; John Arnalugjuak and Peter Panigoneak of Eskimo Point and Philip Nukapiak of Rankin Inlet were in Ottawa last month for a meeting with the Dene/Metis Negotiating Secretariat.

Sad. Disappointed. Two words that sum up how a lot of Inuit felt last month when an important midnight deadline was missed.

1987 had started out all right.

In January, the Nunavut Constitutional Forum (NCF) and the Western Constitutional Forum (WCF) had reached a long-awaited agreement on the boundary that would divide the N.W.T., creating Nunavut in the east and another separate territory in the west.

In February, following Legislative Assembly approval, a plebiscite had been scheduled for May 20 so the people of the N.W.T. could vote to ratify this boundary that would divide the territory.

And then came March.

The forward momentum halted. An important condition to division could not be met in time when the Dene/Metis Negotiating Secretariat was unable to ratify its year-old Overlap Agreement with TFN. This Overlap Agreement defined the boundary between the claims area of the Inuit and the claims area of the Dene and Metis. It guaranteed that there would be joint management of those resources shared by Inuit, Dene and Metis. And it ensured that people would always be able to hunt, trap and fish on both sides of the boundary.

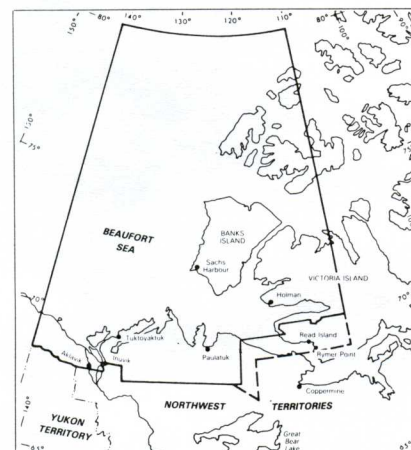
The article that begins on this page explains some of the reasons why we need to draw boundary lines on a map in the first place and how these reasons relate to each other.

Before Government will sign any land claims agreement with aboriginal people, it says it wants to know exactly what *area* of land is being dealt with under the claim. It wants to see a **claims region** marked on a map.

An example is in the Final Agreement on the Western Arctic Claim. When the Inuvialuit reached this claims agreement in June 1984, a detailed map was drawn up clearly defining the boundaries of what was called the Inuvialuit Settlement Region.

Inuit, Dene and Metis will have to clearly define the boundaries of their claims regions, too, before they can reach their land claims agreements. Why? Because their land claims agreements will create management institutions and it will be necessary to know over what area these institutions have decision-making powers. It will be necessary to know their *jurisdictions*.

Inuit, Inuvialuit, Dene and Metis are neighbours in the N.W.T. so there are areas of land where they all share the same resources. These are called areas of "overlap". It has been decided that the best way to define claims areas that are next to each other and that overlap is to negotiate *overlap agreements*.



Before Government will sign any land claims agreement with aboriginal people, it says it must know exactly what *area* of land is being dealt with under the claim. The lines on this map precisely define the boundaries of the Inuvialuit Settlement Region.

Overlap agreements guarantee that even though there will be boundary lines drawn on a map, Inuit, Dene, Metis and Inuvialuit will still respect each others right to continue to hunt, trap and fish where they always have on both sides of these boundary lines.

TFN reached an Overlap Agreement with the Inuvialuit in May 1984 and with the Dene/Metis Negotiating Secretariat in May 1986. The result of these two overlap agreements was that TFN had precisely defined one boundary of its claims region—the line in the west shared partly with the Inuvialuit and partly with the Dene and Metis.

The Overlap Agreement with the Inuvialuit was formally ratified three years ago. The Overlap Agreement with the Dene and Metis was formally ratified by *Inuit* last October. But Dene and Metis leaders have said their people will not ratify the agreement and they formally rejected it at a Dene Chiefs and Metis Association Board meeting on March 19.

It was this that became an obstacle to division.

NCF/WCF adopt claims boundary as division boundary

The Nunavut Constitutional Forum (NCF) and the Western Constitu-

tional Forum (WCF) have been trying to agree on a line to divide the N.W.T. for five years. In January, they met in Iqaluit and adopted TFN's land claims boundary—the line resulting from the two overlap agreements—as the division boundary. NCF and WCF recognized that it made sense to divide west from east along the line that divides the claims areas of the Inuvialuit, Dene and Metis from the claims area of the Inuit. This way the *land claims* jurisdiction would be the same as the *political* jurisdiction. It would then be easier and more efficient to manage both the claims benefits and the two new territories. NCF and WCF, knowing that one of TFN's overlap agreements had not yet been ratified by both parties, agreed that ratification had to take place before the division process could go any further.

The Legislative Assembly of the N.W.T. approved the NCF/WCF division boundary agreement, with its condition, and scheduled a plebiscite for May 20. The plebiscite would be a chance for people to vote on whether or not they liked the division boundary.

The Legislative Assembly also ruled that in order for the division boundary plebiscite to go ahead as scheduled, the Dene/Metis ratification of the TFN Overlap Agreement had to be completed by midnight on March 31, 1987.

Dene and Metis want to start negotiations over

The Dene/Metis Negotiating Secretariat told TFN in February that it was no longer going to honour the May 1986 Overlap Agreement. It said it wanted to start negotiations over again and it proposed a new claims boundary—one very different from the line agreed to last year after three years of negotiations.

At first, TFN refused to start negotiating a new line. It remained committed to the hard-won 1986 agreement.

"We were being asked to shelve an agreement that had already been signed in good faith by official representatives of all Dene, Metis and Inuit communities affected," says TFN President Donat Milortuk. "We had taken a great deal of time last year to meet with our people in



TFN's two "overlap agreements" resulted in the line on this map. The top portion of the line defines the boundary between the Inuvialuit Settlement Region and the TFN claims area. The bottom (shaded) portion of the line defines the boundary between the Dene/Metis claims area and the TFN claims area, as described in the May 1986 agreement.



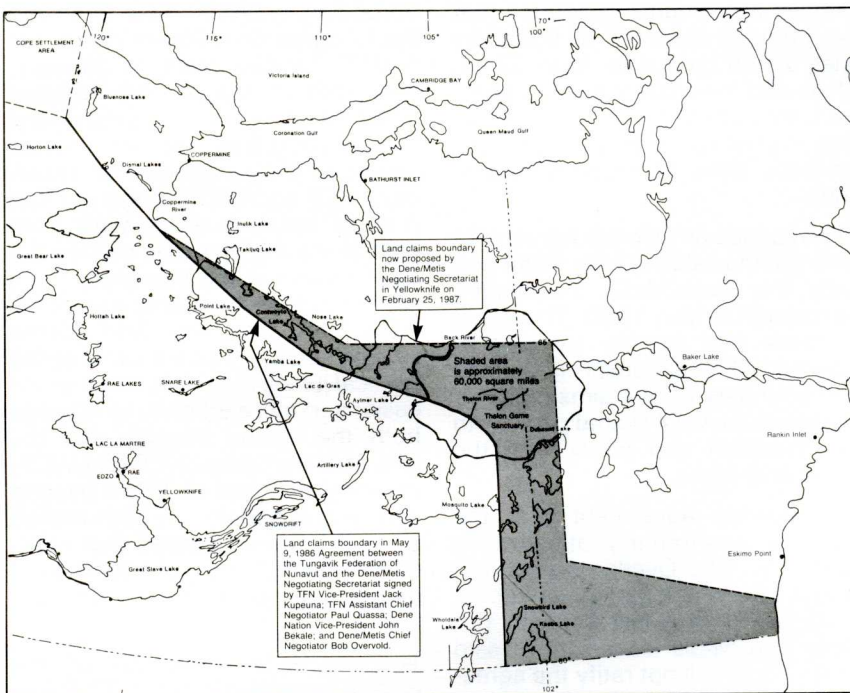
Lynda Chambers

The Dene/Metis Negotiating Secretariat told TFN in February that it was no longer going to honour its May 1986 Overlap Agreement. A meeting was held at TFN's office in Ottawa to see if the concerns of both sides could be met before a midnight deadline.

order to be able to get the overlap agreement successfully ratified last fall. All we asked of the Dene and Metis was that they do the same. To re-open negotiations, we felt, would put us back to square one. There had already been enough 'give and take' from both sides''.

TFN did finally agree to meet with the Dene and the Metis to hear their concerns and to try to address them. In the new proposal for a claims boundary line, the Dene and Metis were claiming land used extensively by Inuit and not by Dene or Metis of the N.W.T. Their argument for moving the line further north and east was that their relatives—the Dene and Metis of Manitoba and Saskatchewan—historically and currently hunt, trap and fish in the southern Keewatin.

TFN had already recognized this and last year successfully negotiated an agreement that protects the rights of the Manitoba Dene and Metis. (see *Nunavut*, Vol. 5, No. 5) The agreement ensures that the Fort Churchill and Northland Bands will be able to continue to hunt, trap and fish in the N.W.T. and that Inuit will be able to do the same in northern Manitoba. During negotiations with the Manitoba bands, the Chiefs did not mention that they wanted to involve themselves in the negotiation of the TFN/Dene-Metis land claims boundary. That's why it came as a complete surprise to TFN when it learned last month that the Manitoba Chiefs



In their new proposal for a claims boundary, the Dene and Metis claimed land used extensively by Inuit and not by Dene or Metis of the N.W.T. Their argument for moving the line north and east was that their relatives in the provinces hunt, trap and fish in the southern Keewatin.

March 31 came to an end without an agreement on how a new boundary should look.

The division boundary plebiscite was cancelled.

soon because they are closer than we are to completing their land claims negotiations with Government."

TFN's land claims negotiations are, at the moment, unaffected by recent events.

"I don't want to make everything look rosy but it's business as usual at TFN. Our claims negotiations have not been affected at all by these recent events."

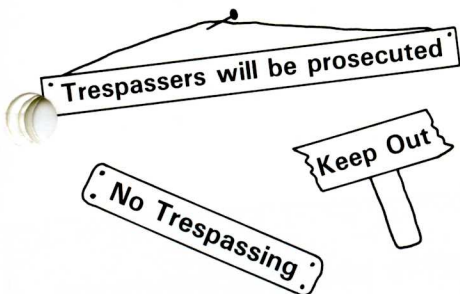
wanted out of their agreement. They came to Ottawa with the Dene/Metis Negotiating Secretariat to support it in its move to change the claims boundary line.

The Dene and Metis continued to insist on a land claims boundary cutting further east across traditional and current Inuit lands.

"We're sad and we're disappointed because we Inuit are the ones who wanted division and Nunavut in the first place. But we're also sad for the Dene and Metis," says TFN Assistant Chief Negotiator Paul Quassa. "We don't want to see their land claims settlement jeopardized. They will need a claims boundary very

"The creation of Nunavut, although we support it, is a separate issue from land claims. Like every Inuk, we think Nunavut is important but our priority now is to negotiate and settle the Inuit land claim. I don't want to make everything look rosy but our priority has not changed. It's business as usual at TFN. We remain committed to a very intensive negotiating schedule and look forward to finding out what is in store for us after the Federal Chief Negotiator gets his new mandate."

In the next issue of *Nunavut*, we'll look at what issues TFN expects the new mandate to address.



These are signs you see a lot in the south. Farmers tack them on the fences of their pastures. Store-owners post them in back alleys behind their shops. And around an airport, you'll see them on the chain link fences beyond the runways.

There are reasons for these unfriendly signs. Farmers own their fields and want the public to respect this. If someone asks permission to enter or cross their land, they often say yes. Storeowners do not want people in or near their store after hours for fear of being robbed. And letting people cross airport fences to get in the way of air traffic is dangerous.

Unlawful entry and access to and across someone else's land is called trespassing. *Entry and access to and across Inuit lands* was the topic at recent claims negotiations.

Provisions on entry and access are needed because when claims are settled there will be three "types" of land in Nunavut: land held by Government; land held by the communities (municipalities); and land *kept* by Inuit.

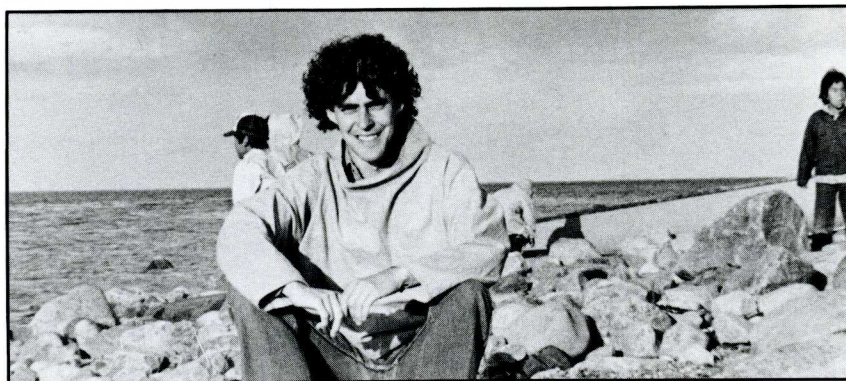
The *Inuit land* is for beneficiaries. Non-beneficiaries will be able to enter Inuit land only with the consent of a designated Inuit organization. Otherwise, they will be trespassing.

The Provisions for Entry and Access to and across Inuit lands are important because they will guide when, where and why people can cross or remain on Inuit land.

"No Trespassing" signs will not all of a sudden appear all over Nunavut. But Inuit will, for the first time, be able to enforce and control who will have entry and access to and across their lands.

Negotiations are continuing on this topic because there are still areas of disagreement. When the Provisions for Entry and Access are successfully negotiated and then initialled, we'll feature a summary of the agreement in this newsletter.

Legal Counsel leaves TFN



Martha Flaherty

TFN's legal counsel has left the land claims arena to pursue his interests in other areas. David Bennett first joined TFN in March 1985 and was immediately faced with the challenge of helping out at negotiations on a process for reviewing and screening development's impacts. During his two years helping Inuit on their claim, three agreements were initialled at the negotiating table: Provisions for Inuit Impact and Benefit Agreements; Provisions for Inuit Water Rights; and

Provisions for an Eligibility and Enrollment Process. David also saw the 1981 Wildlife Management Agreement-in-Principal finally endorsed by Government and a review of Government's claims policy which resulted in several amendments. For the next six months, David says his plans include some extensive travel in Europe and Asia. TFN's Executive, Board and Staff wish David Bennett well in all his future endeavours.

Aboriginal Self-Government is focus of books

Read any good books lately? Here's some new fare fresh off the Queen's University presses. These eight books represent Phase Two of the University's Institute for Intergovernmental Relations series called "aboriginal people and constitutional reform".

Access to Survival: A Perspective on Aboriginal Self-Government for the Constituency of the Native Council of Canada by Martin Dunn (\$7)

Implementing Aboriginal Self-Government: Problems and Prospects by David C. Hawkes and Evelyn J. Peters (\$7)

Aboriginal Self-Government in Canada: A Bibliography 1986 by Evelyn J. Peters (\$12)

Public Administration questions relating to Aboriginal Self-Government by C.E.S. Franks (\$10)

Future Issues of Jurisdiction and Coordination between Aboriginal and Non-Aboriginal Governments by Ian B. Cowie (\$7)

The Political and Legal Inequities among Aboriginal Peoples in Canada by Delia Opekokew (\$7)

The Search for Accommodation by David C. Hawkes (\$7)

Completing Canada: Inuit Approaches to Self-Government by the Inuit Committee on National Issues (\$7).

Interested? Contact the Publications Coordinator, Institute of Intergovernmental Relations, Queen's University, Kingston, Ontario, K7L 3N6 or call (613) 545-2080 today.

We should not sit idly by: Katorka

First, I want to thank you very much for putting my letter in the Nunavut newsletter last May.

TFN seems to be more exposed to the Inuit now. I am very happy that you have an office in Rankin Inlet. It is good for the people of the Keewatin region because they can visit the office to get information about land claims. It is also good for people from the Baffin and Kitikmeot regions who often have to travel through Rankin Inlet. Now they have better access to information on land claims. The people from all three regions can now meet more often with your staff instead of writing or phoning.

I will give you all the support I can for your work toward settling land claims because we have to think about our future and our children's future. It is the young people who will be running Nunavut once our claim is settled and once Inuit have some power in their homeland. When we, the older people, are gone, we want our children to be able to govern well. We, the people, should not sit idly by. We have to work along with our negotiators and give them all our support.

Peter Katorka
Repulse Bay
N.W.T.
XOC OH0

Nunavut accurately reflects concerns

Dear Nunavut:

After having read your newsletter, **Nunavut**, for the first time, I am very much impressed by its contents.

It is a very informative work which most accurately reflects the concerns of all peoples living in the Northwest Territories.

I am employed by FELEC Services Inc. and I have been working on the Dewline approximately four years on a permanent basis and have also been coming up to the Dewline to work from time to time over the years since its actual construction in 1956.

I would very much appreciate being placed on your mailing list.

Henry Levasseur
F.S.I. Dewline

ልዩ ፖሊስ ልዩ ፖሊስ ልዩ ፖሊስ
 ልዩ ፖሊስ ልዩ ፖሊስ ልዩ ፖሊስ
 1986-7 ዓ.ም.
 ልዩ ፖሊስ ልዩ ፖሊስ ልዩ ፖሊስ
 ልዩ ፖሊስ ልዩ ፖሊስ ልዩ ፖሊስ

[illegible]

TUNGAVIK FEDERATION OF NUNAVUT

ມາເຊ ຕາ ບໍລິຫານ ຈັດການ
 ຕະຫຼອດ ຈັດການ ລະດັບ ທຸລະກິດ
 ມາເຊ ຈັດການ ຈັດການ ຈັດການ
 Room 1200, 130 Slater Street,
 Ottawa, Ontario, K1P 6E2.
 ບໍລິຫານ ບາ: (613) 238-1096.
 ມາເຊ ຕະຫຼອດ ບໍລິຫານ 053-3758

[illegible]

ISSN 0828-9048

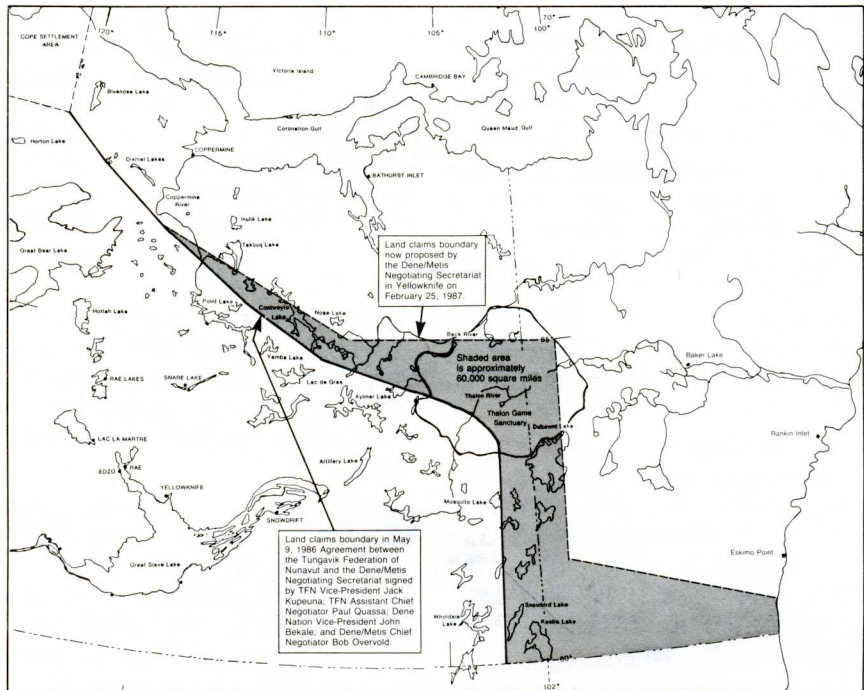
2. 29

3

ርዕዮች "የክልሉን አካላት ለማረጋገጥ" ይባላል። ይህም ምሳሌ ለሌሎች ሲሆን፣ "የክልሉን ልማት ለማረጋገጥ" ይባላል። ለዚህም ምሳሌ ለሌሎች ሲሆን፣ "የክልሉን ልማት ለማረጋገጥ" ይባላል።

ርዕዮች ለሌሎች ሲሆን፣ "የክልሉን ልማት ለማረጋገጥ" ይባላል። ይህም ምሳሌ ለሌሎች ሲሆን፣ "የክልሉን ልማት ለማረጋገጥ" ይባላል።

ርዕዮች ለሌሎች ሲሆን፣ "የክልሉን ልማት ለማረጋገጥ" ይባላል። ይህም ምሳሌ ለሌሎች ሲሆን፣ "የክልሉን ልማት ለማረጋገጥ" ይባላል።



ርዕዮች ለሌሎች ሲሆን፣ "የክልሉን ልማት ለማረጋገጥ" ይባላል። ይህም ምሳሌ ለሌሎች ሲሆን፣ "የክልሉን ልማት ለማረጋገጥ" ይባላል።

ዓላማ ማረጋገጫው ማረጋገጥ ለሌሎች ሲሆን፣ "የክልሉን ልማት ለማረጋገጥ" ይባላል።

ዓላማ ማረጋገጫው ማረጋገጥ ለሌሎች ሲሆን፣ "የክልሉን ልማት ለማረጋገጥ" ይባላል።

ዓላማ ማረጋገጫው ማረጋገጥ ለሌሎች ሲሆን፣ "የክልሉን ልማት ለማረጋገጥ" ይባላል።

ዓላማ ማረጋገጫው ማረጋገጥ ለሌሎች ሲሆን፣ "የክልሉን ልማት ለማረጋገጥ" ይባላል።

"የሥራውን ለማረጋገጥ ለሌሎች ሲሆን፣ "የክልሉን ልማት ለማረጋገጥ" ይባላል።

ዓላማ ማረጋገጫው ማረጋገጥ ለሌሎች ሲሆን፣ "የክልሉን ልማት ለማረጋገጥ" ይባላል።

ዓላማ ማረጋገጫው ማረጋገጥ ለሌሎች ሲሆን፣ "የክልሉን ልማት ለማረጋገጥ" ይባላል።

ዓላማ ማረጋገጫው ማረጋገጥ ለሌሎች ሲሆን፣ "የክልሉን ልማት ለማረጋገጥ" ይባላል።

ዓላማ ማረጋገጫው ማረጋገጥ ለሌሎች ሲሆን፣ "የክልሉን ልማት ለማረጋገጥ" ይባላል።

ዓላማ ማረጋገጫው ማረጋገጥ ለሌሎች ሲሆን፣ "የክልሉን ልማት ለማረጋገጥ" ይባላል።

መግኛ ጋህህካዮ በበፍጥነት
ወደፍርድጋዊ ልረጋገጥኦቼ

መግኛ ጋህህካዮ;

መግኛ ጋህህካዮ ለጋህህካዮ ምክር ቤት ልማት ምክር ቤት
በበፍጥነት ልማት ምክር ቤት ልማት ምክር ቤት

የወደፍርድጋዊ ልማት ምክር ቤት በበፍጥነት ልማት ምክር ቤት
ልማት ምክር ቤት

ልማት ምክር ቤት (FELEC Services Inc.-ም) ልማት
ጋህህካዮ ልማት ምክር ቤት ልማት ምክር ቤት
ወደፍርድጋዊ ልማት ምክር ቤት ልማት ምክር ቤት
ልማት ምክር ቤት 1956-ጥ

ልማት ምክር ቤት ልማት ምክር ቤት ልማት ምክር ቤት
ልማት ምክር ቤት

Henry Levasseur
F.S.I. Dewline

ልማት ምክር ቤት ልማት ምክር ቤት
ልማት ምክር ቤት

ልማት ምክር ቤት ልማት ምክር ቤት ልማት ምክር ቤት
ልማት ምክር ቤት ልማት ምክር ቤት ልማት ምክር ቤት

ልማት ምክር ቤት ልማት ምክር ቤት ልማት ምክር ቤት
ልማት ምክር ቤት ልማት ምክር ቤት ልማት ምክር ቤት
ልማት ምክር ቤት ልማት ምክር ቤት ልማት ምክር ቤት

ልማት ምክር ቤት ልማት ምክር ቤት ልማት ምክር ቤት
ልማት ምክር ቤት ልማት ምክር ቤት ልማት ምክር ቤት
ልማት ምክር ቤት ልማት ምክር ቤት ልማት ምክር ቤት

ልማት ምክር ቤት ልማት ምክር ቤት ልማት ምክር ቤት
ልማት ምክር ቤት ልማት ምክር ቤት ልማት ምክር ቤት
ልማት ምክር ቤት ልማት ምክር ቤት ልማት ምክር ቤት
ልማት ምክር ቤት ልማት ምክር ቤት ልማት ምክር ቤት
ልማት ምክር ቤት ልማት ምክር ቤት ልማት ምክር ቤት

ልማት ምክር ቤት ልማት ምክር ቤት ልማት ምክር ቤት
ልማት ምክር ቤት ልማት ምክር ቤት ልማት ምክር ቤት
ልማት ምክር ቤት ልማት ምክር ቤት ልማት ምክር ቤት
ልማት ምክር ቤት ልማት ምክር ቤት ልማት ምክር ቤት
ልማት ምክር ቤት ልማት ምክር ቤት ልማት ምክር ቤት