

NUNAVUT

A REPORT ON LAND CLAIMS FROM THE TUNGAVIK FEDERATION OF NUNAVUT



We are coastal people

On January 25, 1988, TFN and Government reached agreement on a topic never before negotiated as part of a land claim settlement. . . . 2

James and Mika Attagootak of Pond Inlet stand on the shoreline at Salliarusiq proudly displaying a narwhal tusk.



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.

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Keith Hay

Inuit get landmark agreement on offshore



Inuit are traditional and current users of certain marine areas, especially the land-fast ice zones.

These three scrawled initials have a lot of meaning behind them.

They symbolize agreement between Inuit and Government on a topic never before negotiated as part of a land claim settlement!

The unique and historic topic?

Marine management.

Why is it so unique and historic?

Because Government has never before agreed to negotiate rights to the ocean as part of a land claim settlement.

It all happened on January 25, 1988.

That's when TFN Chief Negotiator Bob Kadlun, Federal Chief Negotiator Tom Molloy and Territorial Government representative Ross McKinnon put their BK, TM and RM on **Provisions of an Agreement-in-Principle on Marine Areas**.

Inuit, Gov't will share management

The Provisions of an Agreement-in-Principle on Marine Areas guarantee that when the land claim is settled, Inuit and Government will share decision-making powers over Nunavut's land **and** marine areas.

For Nunavut, this means that there will be an ocean management system in place that complements the land management system.

For Inuit, it means they become the first aboriginal claimants in Canada to protect their continued rights to the offshore in a land claim agreement.

TFN first tabled its position on marine management in September 1986.

"We knew that Inuit would not ratify a settlement that did not guarantee our continued rights to the ocean and its resources," says Bob Kadlun.

"We're a coastal people. Twenty-eight of our twenty-nine communities are on the shoreline," he adds.

At first, the Inuit team was told again and again by Federal Chief Negotiator Tom Molloy that he did not have a mandate to negotiate any claim to the offshore.

Then, in December 1986, DIAND Minister Bill McKnight announced his new federal policy on land claims. It

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was a policy that for the first time recognized the offshore as a negotiable topic!

Unfortunately, it took another year before the federal negotiating team got its new mandate—a mandate that included the offshore as a topic that could be negotiated with TFN.

Now that TFN and Government have successfully negotiated Provisions of an Agreement-in-Principle on Marine Areas, what does it all mean?

Assistant Chief Negotiator Paul Quassa explains:

“The most important thing about this agreement is that now all our successfully negotiated agreements relating to the management of Nunavut’s land will relate to the management of Nunavut’s offshore as well.”

This was done by amending the agreements on:

- Archaeology
- National Parks
- Conservation Areas
- Ethnography
- Territorial Parks
- Land Use Planning
- Wildlife

Now, these agreements all contain a general clause stating that “for greater certainty, these provisions shall apply to marine areas”.

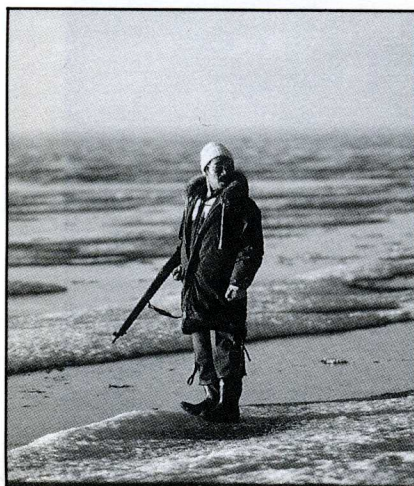
Under a clause headed **Marine Management**, TFN and Government have also agreed on the need to develop and *coordinate* policies regarding marine areas. They decided that the boards, commissions and committees that will be set up under the claim settlement should be able to form a Nunavut Marine Council. This Council would make recommendations to Government about marine management.



Canada's sovereignty over the waters of the Arctic archipelago is supported by Inuit use and occupancy.

The marine management agreement then goes a step further. It guarantees that any agreement yet to be negotiated shall include a provision dealing with the application of that agreement to marine areas. And it guarantees that when the development impact agreement (Nunavut Impact Review Process) is reached, it too must apply to marine areas.

The applicability of the marine management agreement to the initialled Outpost Camp Agreement and the soon-to-be-negotiated Economic Provisions will be addressed later.



The Provisions of an Agreement-in-Principle on Marine Areas are based on five crucial principles that explain its rationale.

Boundaries have not been finalized

TFN and Government have not yet negotiated the **boundaries** of the Nunavut land claim settlement area so when they talk about the *marine areas* of the claim, they do not yet know exactly which marine areas these will be.

They decided to go ahead and negotiate the agreement on marine management anyway, leaving the topic of "boundaries" until later on.

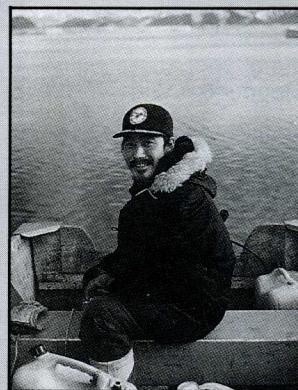
They could do this because they made sure that an important clause was part of the marine management agreement.

The clause is called **Wildlife Management and Harvesting beyond the Marine Areas of the Claim.**

Inuit rely on marine resources

Provisions of an Agreement-in-Principle on Marine Areas were initialled on January 25, 1988, bringing the total number of agreements between TFN and Government to eighteen. This most recent and landmark agreement is based on five crucial principles that explain its reason and rationale:

- Inuit are traditional and current users of certain marine areas, especially the land-fast ice zones.
- The legal rights of the Inuit in marine areas flowing from this agreement are based on traditional and current use.
- Canada's sovereignty over the waters of the Arctic archipelago is supported by Inuit use and occupancy.



James Attagootak is at the helm just off the southeast coast of Bylot Island.

- An Inuit economy based in part on marine resources is both viable and desirable.
- There is a need for Inuit involvement in aspects of Arctic marine management, including research.

The Provisions of an Agreement-in-Principle on Marine Areas will have to be **ratified** just like all of the other agreements that TFN and Government have initialled.

This means that when all the land claim topics are finished, the initialled agreements will be put together to form an *overall agreement in principle*.

All the future beneficiaries of the claim settlement—the Inuit of Nunavut—will then have a chance to vote on whether or not they support this overall agreement-in-principle. If they do, then the claim agreement-in-principle can be legislated to become the Nunavut land claim settlement!

For details about the unique and historic marine management provisions, see the story on page 2.

It recognizes that seals, whales, fish—all the marine wildlife that Inuit harvest—migrate to and from marine areas that may or may not end up being part of the Nunavut claim area. The clause then lists ways to address this reality.

The good news for TFN is that this clause guarantees that Inuit will have preferential access to commercial fish stocks in those parts of Davis Strait, Baffin Bay and Hudson Bay that may not end up as part of the claim area.

This clause also guarantees that:

- Government will maintain a structure to promote coordinated management of migratory marine species *outside* the claim area;

*TFN and Government
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- The Nunavut Wildlife Management Board will appoint appropriate representatives from Nunavut to this structure;
- This structure will not diminish the decision-making role of the Nunavut Wildlife Management Board over marine areas *inside* the claim area;
- Government will seek the advice of the Nunavut Wildlife Manage-

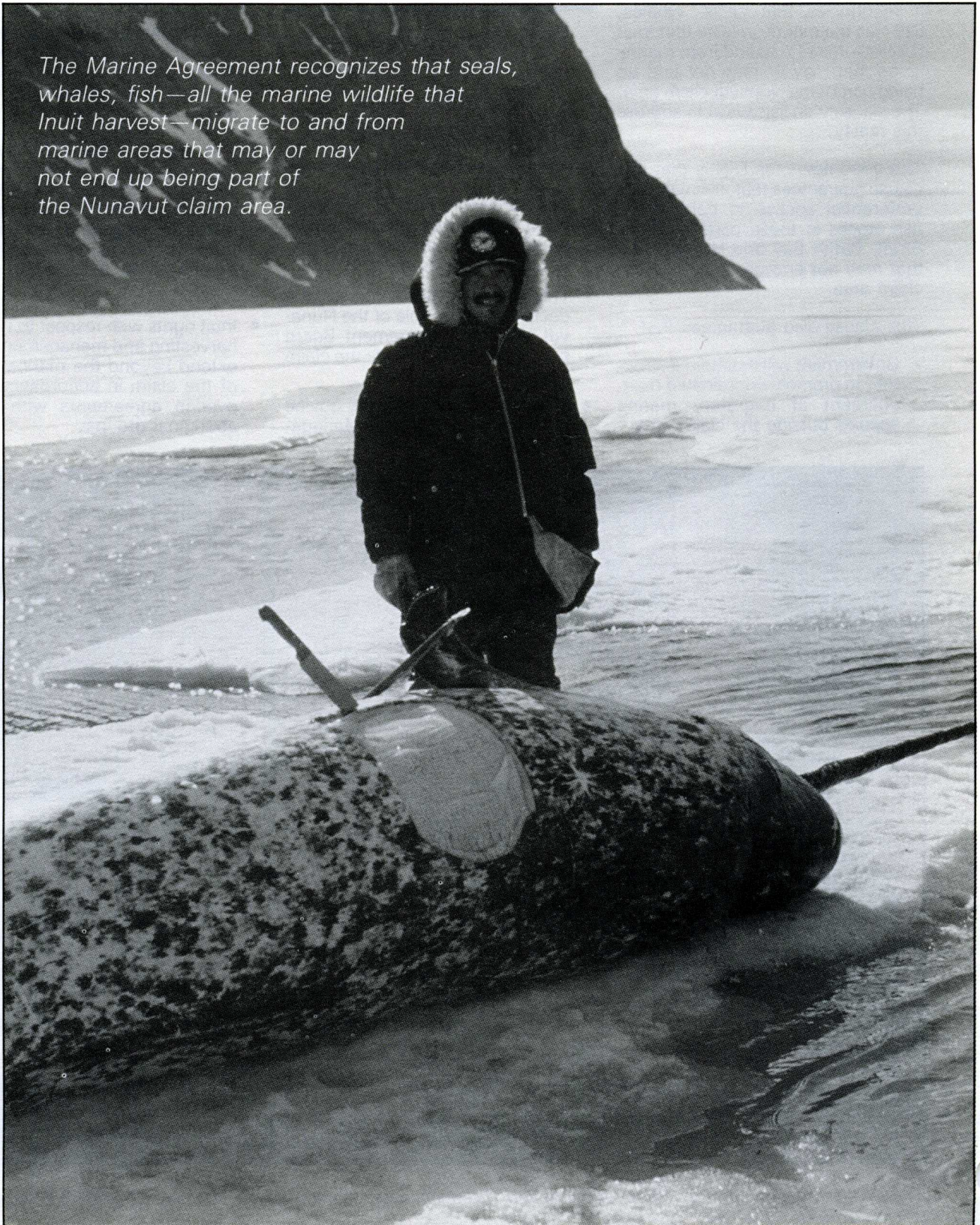
ment Board to make decisions about managing marine wildlife *outside* the claim area that could affect Inuit harvesting rights and opportunities *inside* the claim area;

- The Nunavut Wildlife Management Board can identify wildlife research requirements, review research proposals and recommend acceptance or rejection of these proposals for research on marine areas *outside* the claim area;
- Inuit rights with respect to wildlife harvesting and management may extend beyond the marine areas of the claim in accordance with overlap agreements with other aboriginal groups;

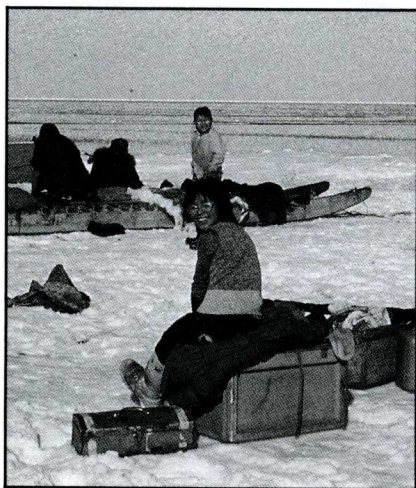


Federal Chief Negotiator Tom Molloy (centre) told TFN again and again that he did not have a mandate to negotiate any claim to the offshore.

The Marine Agreement recognizes that seals, whales, fish—all the marine wildlife that Inuit harvest—migrate to and from marine areas that may or may not end up being part of the Nunavut claim area.



- For greater certainty, this Marine Management Agreement will not affect Inuit access to wildlife for harvesting in areas outside the claim area; and
- Government recognizes that TFN has concerns relating to wildlife compensation outside the claim area and agrees to discuss this matter later.



Will the marine management agreement also apply to camps set up at the edge of ice floes?

With the successful negotiation of this important and landmark agreement, TFN and Government have now completed a crucial part of the entire claim. They have tackled all the **land and resource elements** of an agreement-in-principle.

What this means for Inuit is that it is now time to deal with the tough issue of land ownership and then get to the economic aspects of the claim.

On February 23, 1988, TFN and Government dealt with one aspect of the land ownership issue. They initialled an agreement-in-principle that sets out a *process* to determine which land Inuit will own after the claim is settled.

Watch for a summary of the Inuit Land Identification Agreement in the next issue of *Nunavut*.

All photos in this article were taken by Keith Hay.

A Book Review

Author shares his Arctic dreams

by Elisapee Nutaraluk

When I first started reading *Arctic Dreams* by Barry Lopez, I thought I was just going to read a story about the Arctic. But when I kept on reading, I suddenly realized that this book has lots of information about the past, too. It describes the first contact of European explorers with Inuit and tells us about the travels of the HMS Investigator, the ship guided by Captain Robert M'Clure.

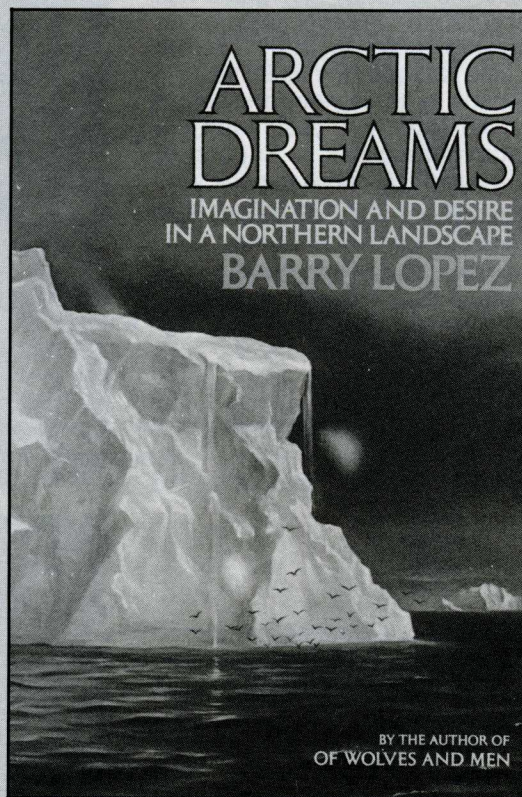
Arctic Dreams also has lots of information about things like the Vikings, muskoxen, the Arctic Ocean, the geographic and magnetic North Poles, the temperate zone and how very cold it is in the High Arctic!

The book contains several maps and interesting appendices. One appendix is a diagram showing the history of culture and civilization, going back two million years. Another is a list of geographical place names with their longitude and latitude.

Author Barry Lopez is the talented man who's been around the Arctic to write this book.

In the past, I never used to read many books but this one made me feel good. The author is very understanding. I wonder how long he had to travel around the Arctic and research the past to put together such a splendid book. The way he describes the Arctic is great.

After I read *Arctic Dreams*, I felt more informed. I would really like to meet Barry Lopez and tell him how much I enjoyed his writing.



Quick Takes

TFN said farewell to some staff members in the last few months.

On January 13, **Gloria Bureau** hung up her hat as Financial Officer to sample the leisurely life. Gloria has been a part of TFN ever since it first came into being in 1982. Before that, she was with the Inuit Tapirisat of Canada for three years and before that, she spent five years with the Canadian Association in Support of Native People. Gloria is the one who always got our cheques out on time and balanced our budget.

All the best, Gloria, as you and your van travel the highways together.



Denise Burich said her good-byes early in 1988, too. Denise joined TFN in 1986 on a two-year contract. Her role as land use planning coordinator meant relocation from Gatineau to Iqaluit, lots of travel and numerous meetings. Now Denise, making her home in Ottawa, is taking up new challenges.



Quick Takes

TFN's Board of Directors was scheduled to meet in Iqaluit this month. A major purpose of this meeting was for the negotiators to obtain Board approval for two recently initiated agreements—one on marine management and one on a land identification process. The Directors were also scheduled to discuss draft papers on upcoming land claim topics, specifically those on capital transfers; wildlife compensation; language rights; alienation of Inuit land; and taxation. A report on this meeting will be featured in the next newsletter.



Salia Nakashuk, Hezekiah Oshootapik, Mary Eshmailie, Easie Koonelusie, Peter Kanayuk and Rebecca Kanayuk have caught Pangnirtung's first six polar bears of the season. Pang's quota is fourteen and the season began on January 11. This information and more comes from an excellent new news vehicle produced in this High Arctic community. It's called Tusautit Newsletter and it's produced by Nancy Anilniliak's daytime upgrading class. Congratulations to all nine people who tackled typesetting, translating, design, lay out, production and letaset to put together the first issue of 1988.



Remember the first National Student Conference on Northern Studies held in Ottawa in 1986? Now you can get a copy of most of the papers presented, thanks to the recent publication of *Student Research in Canada's North*. Edited by W. Peter Adams and Peter G. Johnson of the Association of Canadian Universities for Northern Studies, this volume is the first comprehensive record of the level and nature of students "northern" activity at Canadian universities. Get your copy by sending \$25 to ACUNS, 130 Albert Street, Suite 1915, Ottawa, Ontario, K1P 5G4.

The Northern Alliance Leaders Summit, originally scheduled for this month, has been postponed indefinitely. TFN, the Council for Yukon Indians and the Dene/Metis Negotiating Secretariat are keeping in touch and working out new dates. Stay tuned for more.



Our Land, Our Life is a powerful twenty-five minute video documenting the plight of the Lubicon Lake Cree Indians. Narrated by Chief Bernard Ominayak along with Lubicon elders and other band members, this educational and visual look at ninety square miles of northern Alberta features interviews with representatives of the Federal and Provincial Government. **Our Land, Our Life** is available for purchase in either VHS, Beta or 3/4 inch formats. Write to Ed. Bianchi, c/o York University, Film/Video Department, Room 226C, Administrative Studies Building, 4700 Keele Street, North York, Ontario M3J 1P3.



Language is the cornerstone of Inuit culture. It is through language that Inuit express their identity and their aboriginal distinctiveness. For this reason, ITC President Rhoda Innukuk has written to Communications Minister Flora MacDonald seeking her support for the protection of aboriginal languages in the soon-to-be-announced new Broadcast Act. Both the Task Force on Broadcasting Policy and the Standing Committee on Communications and Culture have already recommended special recognition of aboriginal languages in the Act.

A Community Training Advisory Committee has been set up to plan more tailored adult education and training programs for people in communities of the Keewatin. The Committee, coordinated by the Territorial Government's regional Employment Development Officer, has commissioned a regional study in order to produce a Keewatin Human Resource Development Strategy. Find out more by contacting Ken Lovely, Assistant Deputy Minister, Advanced Education, (403) 873-7259.



Makivik and TFN now have a Memorandum of Understanding between them concerning the negotiation of a claims boundary through Hudson Bay, James Bay, Hudson Strait and Ungava Bay. These are areas where both the Inuit of Nunavut and the Inuit of Northern Quebec share the marine resources. A summary of the MOU will be featured in the next issue of *Nunavut*.



Provisions for a Wildlife Harvesting Support Program were tabled during land claim negotiations on February 24. The purpose of these provisions is to establish a program that will ensure the continuation of wildlife harvesting as an economically viable way of life. So far, Government has refused to acknowledge that such a program is a negotiable item.

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A black and white photograph showing a person from behind, sitting on a snowy beach. They are wearing a dark, hooded parka and light-colored boots. To their left is a tangled fishing net, and to their right is a fishing rod and some other gear. The ocean is visible in the background under a cloudy sky.

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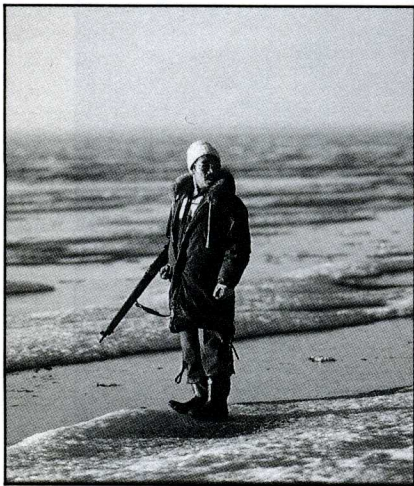
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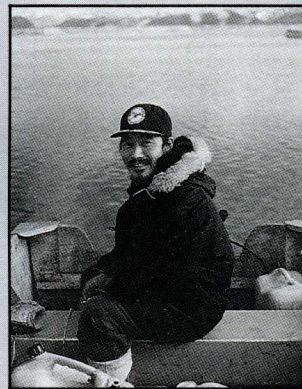
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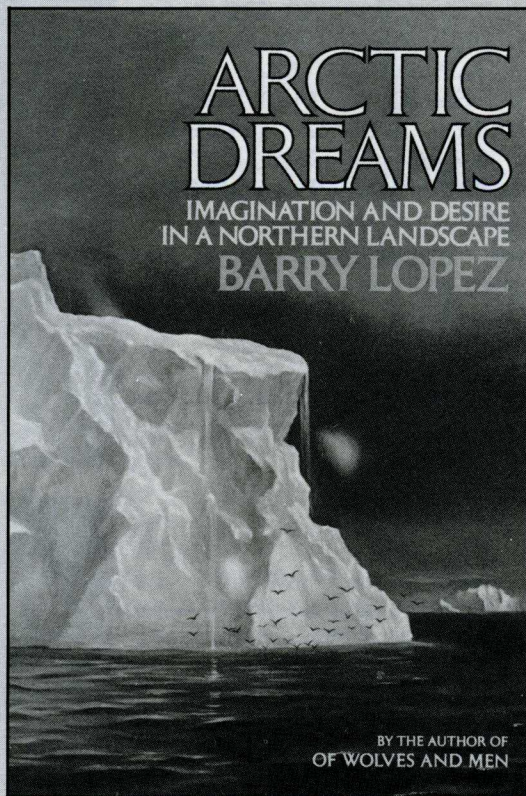
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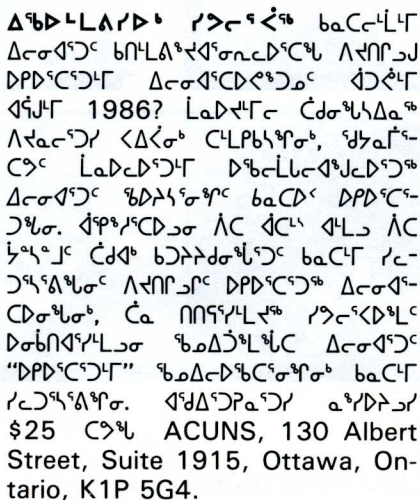
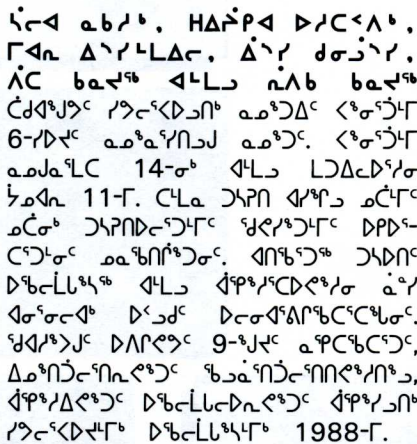
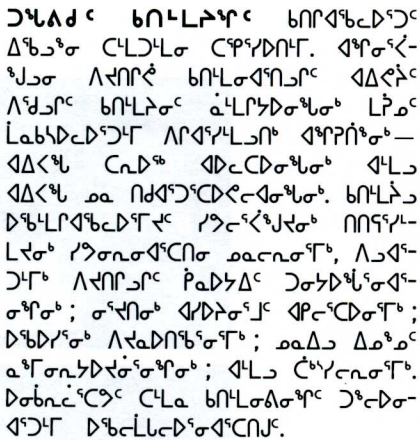
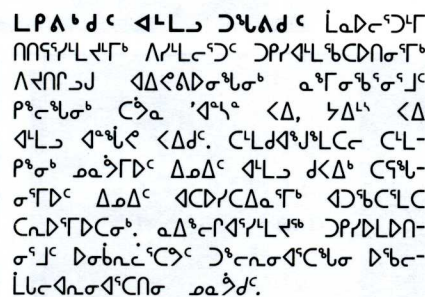
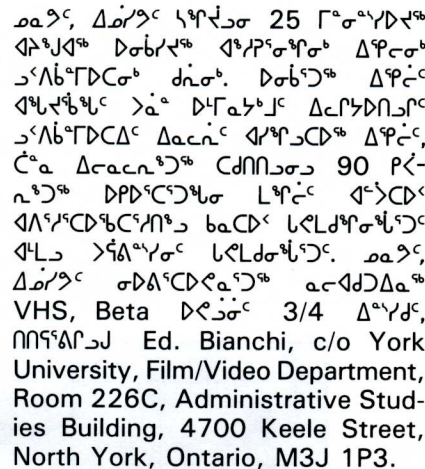
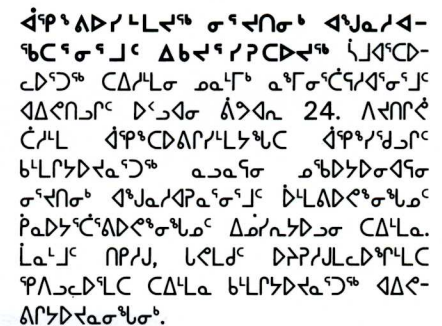
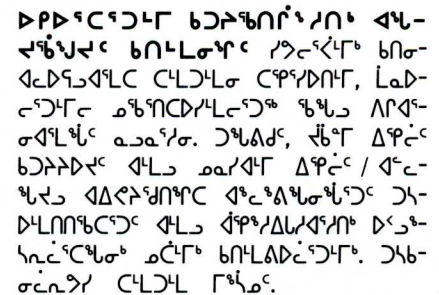
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Arctic Dreams

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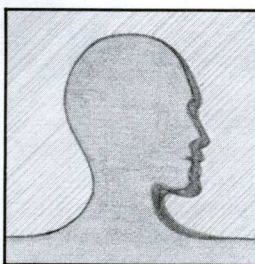
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Վիսրիկ
 Ծաւ Դճիկ

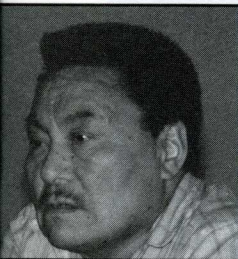
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 Եւ Տաճիկ Եւ Յարկիկ

Որո՞շմար Տաճիկ
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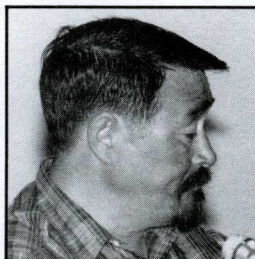
Միշտ Եւ Յարկիկ
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Միշտ Եւ Յարկիկ
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