

NUNAVUT

A REPORT ON LAND CLAIMS FROM THE TUNGAVIK FEDERATION OF NUNAVUT



A lot of work lies ahead

"Our recently initialled Inuit Land Identification agreement commits us to setting up negotiating teams in every community in Nunavut", says TFN Chief Negotiator Bob Kadlun 2



TUNGAVIK FEDERATION OF NUNAVUT

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

Agreement reached on land identification process

TFN and Government cross major hurdle

We did it! We finally found a way to negotiate land ownership—a way that meets both the concerns of Inuit and the concerns of Government.

A lot of work lies ahead within a very short period of time but TFN and Government have just crossed a major hurdle, one that seemed almost insurmountable this time last year. (see *Nunavut*, Volume 6, Number 7)

The hurdle? Agreeing on a process to determine how much land and exactly which land Inuit will own after their land claim is settled.

On February 23, 1988, TFN and Government initialled a paper called **Inuit Land Identification**.

It's the nineteenth agreement to be reached so far and it's important for several reasons.

"This paper commits us to setting up a Land Identification Project within TFN to oversee the establishment of land identification negotiating teams in every community in Nunavut," says TFN Chief Negotiator Bob Kadlun.

These community land identification negotiating teams, CLINTs for short, will play a crucial role in the entire land identification process—a process that is divided into three distinct but inter-related stages. (see story on page 4)

The CLINTs will help TFN come up with a *negotiating position* on the total **amount** of land that Inuit want to own after the claim is settled. And they will help TFN identify exactly *which land* Inuit want to own by preparing detailed maps clearly showing **Areas of Interest** for each community.

Because land ownership is such a sensitive and, at times, controversial issue, TFN's position has always been that it is not enough for Inuit to be involved only indirectly in the land identification process. Inuit, instead, must be able to participate directly, actively and fully in making any and all decisions relating to the amounts and locations of land they want to own.



Keith Hay

A lot of work lies ahead within a very short period of time but TFN and Government have just crossed a major hurdle, one that seemed almost insurmountable this time last year.

This, then, is the main purpose and major responsibility of the CLINTs. They'll have to make sure that Inuit in their community are encouraged to get involved in helping make the decisions that will determine what will be their land after the claim is settled.

Each CLINT will be made up of the mayor or a local hamlet/municipal council member and a representative each from the hunters & trappers association and the regional Inuit association. There will also be an elder and a delegate from TFN on each team.

"The first task of the members of each CLINT is to figure out the amount of land that Inuit in their particular community want to own," says Baffin negotiator Paul Okalik.

Of course, in completing this first task, the CLINTs will also, at the same time, have completed their other major task.

They will have found out not only how much land Inuit want to own but also which land Inuit want to own. Why? Because the only way the CLINTs can find out how much land Inuit in their community want to own is by marking specific areas on a map.

The next stage is for TFN to figure out the **total** amount of land—the land quantum—that Inuit want to own. It will do this by simply adding up all the amounts of land for each community. This will be done at a regional workshop scheduled for sometime in October.

The resulting total amount of land becomes TFN's *negotiating position*—a position that will have the support of future claim beneficiaries because they helped TFN come up with it!

Then comes the tough part. Getting Government to agree to TFN's quan-



Rather than meeting in Ottawa or in any one community for the important talks on land quantum, TFN and Government will meet in six different communities, one in each of six different land use regions.



Lynda Chambers

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Agreeing on exactly which land this will be is quite another.

That's what the land ownership negotiations will deal with. But they can't begin until TFN and Government have completed all other aspects of their claim negotiations and reached what is known as the agreement-in-principle stage.

Then, community by community, Government and a local CLINT will negotiate the exact location of the lands that Inuit will own. They'll use the maps prepared earlier by the CLINTs, showing areas of interest. When they've identified all the land that will be Inuit land in a particular region, they will initial the appropriate maps. Maps for each region will then become part of the final claim agreement.

TFN has insisted, and received a guarantee through the Land Identification agreement, that these land ownership negotiations will take place in every community in Nunavut except when it makes sense for Inuit from more than one community to get together to negotiate which land they will keep.

The Land Identification agreement was also successful in tying Government's hands a little bit in this process. It guarantees that Inuit will end up owning at least three-quarters (75%) of the land they had identified earlier as their areas of interest.

tum. The TFN team will sit down with the Federal team and negotiate until it arrives at a quantum that meets the concerns of Government while meeting the concerns of Inuit.

Obviously, this is a very important stage in the land identification process. So, rather than TFN negotiating with Government alone, the CLINT's will negotiate with Government, assisted by TFN.

And rather than meeting in Ottawa or in any one community for these important talks on land quantum, the CLINT/TFN team and Government will meet in six different communities, one in each of six different "land use regions". (see related story on page 5)

Because some communities in Nunavut have very little wildlife while others have a lot and some communities have a lot of potential for economic development while others have little, each of the land use regions will be able to come up with their own quantum — their own amount of land that will be Inuit land.

quantum / kwant-em/ *n, pl.*
quan-ta / kwant-e/ (*L, neut. of*
quantus how much) 1567 **I a:**
 QUANTITY, AMOUNT **b:**
 PORTION, PART...

January 15, 1989 is the date set by the Land Identification agreement as the deadline for TFN and Government to come up with an overall quantum, composed of an individual quantum for each region.

Then, they will be ready for the next stage of the land identification process, referred to in the Land Identification agreement as the *land ownership negotiations*.

Why another stage? Don't forget what "quantum" means. It just means "how much" in Latin. Nothing about which, where or why. So when TFN and Government agree on how much land will be Inuit land after the claim is settled, that's one thing.

This means that although Inuit will be bound by a predetermined quantum, they will not be bound to identify only land that Government says they can identify as their own.

In other words, Government will not be able to dictate which land Inuit will keep. It will not be able to say—sorry you can't have that land over there. You have to have this land over here.

TFN and Government have also agreed that in these land ownership

talks, they will be guided by two of the first agreements they ever initialled: the one on Purposes of Inuit Land Title; and the one on Principles to Guide the Identification of Areas of Inuit Land Title. Both of these agreements were reached in April 1983. (see *Nunavut*, Volume 6, Number 2 for summaries)

You'll be finding out more about this very important Land Identification Project in the next month. A successful land identification workshop has

already been held, three more are planned and regional coordinators have been hired for each of the six "land use" regions.

"The main role of the regional coordinators is to work directly with Inuit in the communities of their particular region," says Deputy Chief Negotiator Paul Quassa.

Watch for news from your regional coordinator and get involved in your local CLINT.

First, how much? Then, where?

Land identification talks divided into stages

With the recent initialling of the **Land Identification Agreement**, TFN and Government have agreed on a way to determine how much land and exactly which land Inuit will own after their claim is settled.

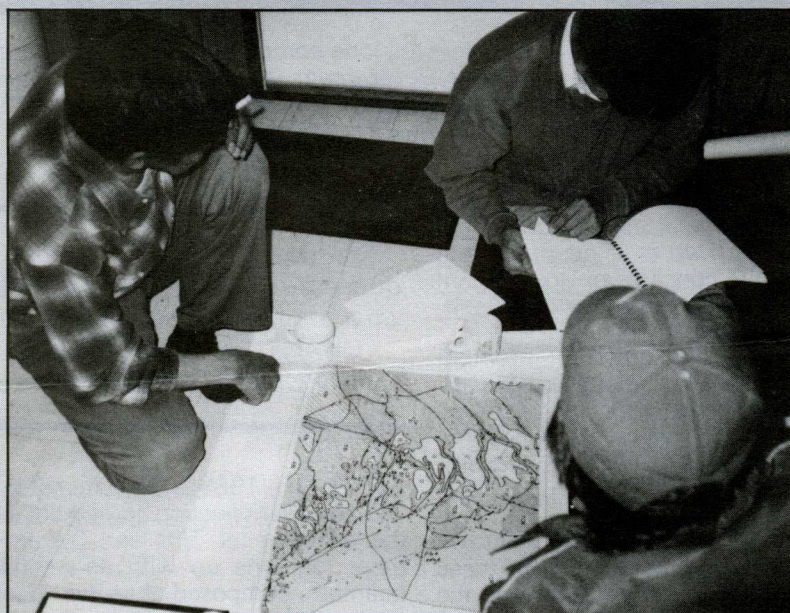
The **Land Identification Agreement** sets out a three stage process:

- **A Community Preparation Program**

This is happening right now. TFN, using its own land use maps and also maps provided by Government, is conducting workshops and helping set up negotiating teams in every community so they can begin identifying areas and amounts of land that Inuit want to own. This stage, which will help TFN develop a negotiating position on quantum, is scheduled to be completed by November 1, 1988.

- **Land Quantum Negotiations**

At this next stage, community representatives and TFN will sit down with Government to negotiate an amount of land that will be Inuit land after the claim is settled. This amount has to be acceptable to both



Keith Hay

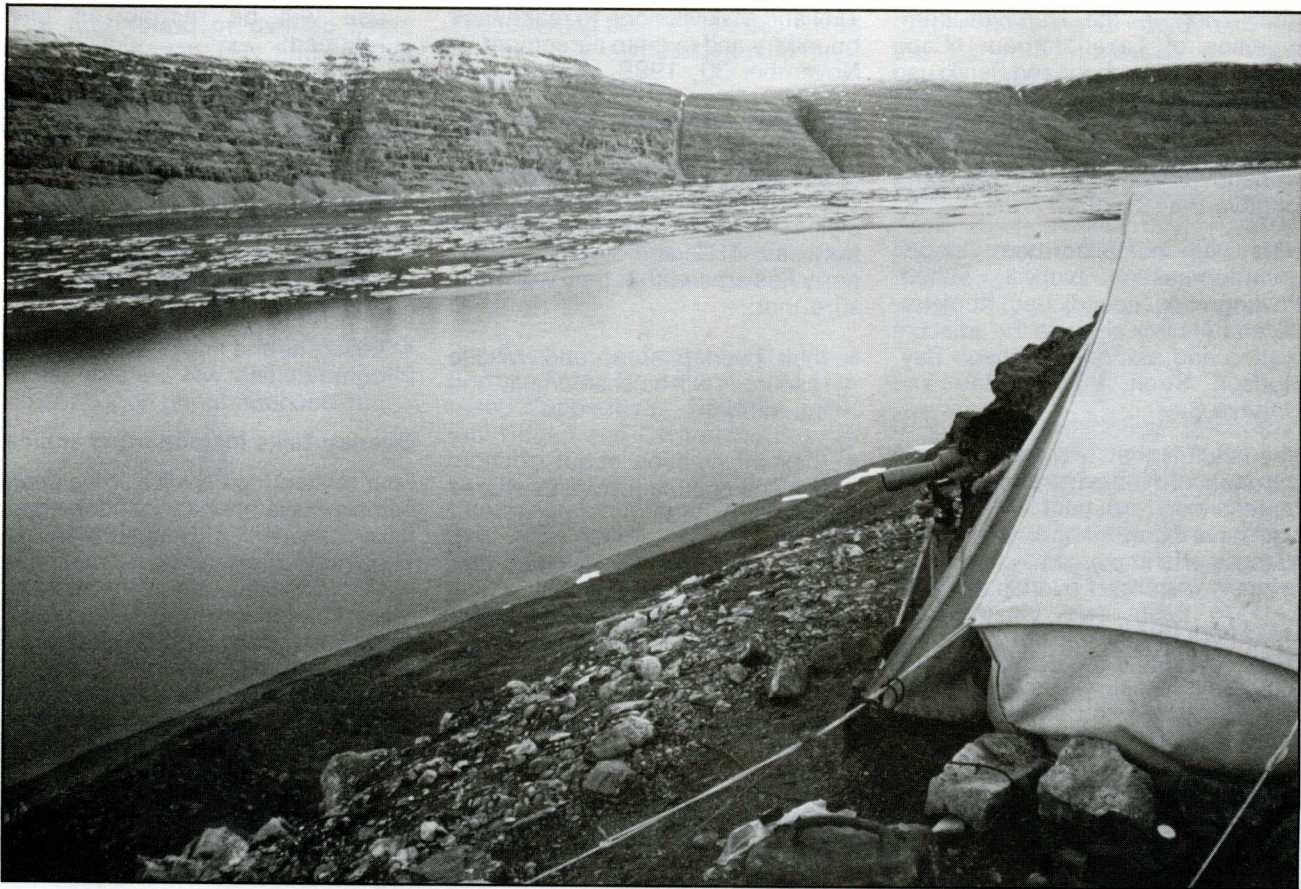
Inuit and Government and these talks have to be complete by January 15, 1989.

- **Land Ownership Negotiations**

This final stage involves once more sitting down with Government, this time to negotiate not an amount of land but rather the location of the land that Inuit will own.

TFN, using its own land use maps and also maps provided by Government, is conducting workshops and helping set up negotiating teams in every community so they can begin identifying areas and amounts of land that Inuit will own.

Regions reflect uniqueness of land



There is a wide variation in the biological productivity and economic potential of land surrounding the communities of Nunavut. So different regions will be able to negotiate different shares of the total amount of Inuit land.

TFN and Government have agreed that there is a wide variation in the "biological productivity and economic potential of land surrounding the communities of Nunavut".

They recognized that this could complicate things when it comes time to decide how much land Inuit in a particular community will keep. What may look like a lot of land for one community might only be the equivalent of a smaller parcel of land in another community where perhaps there is more wildlife or more potential for economic activity.

The solution? TFN and Government decided to deal with this variation by

dividing Nunavut's twenty-eight communities into six "land use" regions.

Each unique "land use" region will be able to negotiate its own unique amount of land—its own tailored share of the total quantum.

What are the six regions? Where does your community fit in?

The West Central Arctic

Holman Island, Coppermine, Cambridge Bay, Bathurst Inlet and Bay Chimo

The East Central Arctic

Spence Bay, Pelly Bay, Gjoa Haven and Repulse Bay

The Keewatin

Eskimo Point, Whale Cove, Chesterfield Inlet, Rankin Inlet, Baker Lake and Coral Harbour

The Eastern High Arctic

Grise Fiord, Resolute Bay, Arctic Bay, Pond Inlet, Igloolik and Hall Beach

The Baffin

Clyde River, Broughton Island, Pangnirtung, Iqaluit, Lake Harbour and Cape Dorset

The Southeastern Hudson and James Bay

Sanikiluaq.

TFN, Makivik begin overlap talks

Offshore waters and islands used by Inuit in both Nunavut and Quebec

Inuit living in the Nunavut communities of Lake Harbour, Cape Dorset, Coral Harbour and Sanikiluaq hunt walrus, caribou, polar bear and other wildlife in and around the waters and islands of Hudson Bay, Hudson Strait, James Bay and Ungava Bay.

Inuit living in the northern Quebec communities of Ivujivik, Salluit, Povungnituk, Inoucdjouac, Koujarrapik and Akulivik also use the adjacent waters and islands of Hudson Bay, Hudson Strait, James Bay and Ungava Bay.

The result is that TFN, representing the Inuit of Nunavut, and Makivik, representing the Inuit of Quebec, both have extensive aboriginal claims to these offshore areas—claims that in many instances overlap.

On February 8, 1988, TFN and Makivik signed a four-page document that addresses this issue of overlapping resource use by Inuit on both sides of the N.W.T./Quebec border.

It's called a **Memorandum of Understanding (MOU) between the Tungavik Federation of Nunavut and Makivik regarding Offshore Boundaries and Areas of Overlapping Use.**

This Memorandum commits TFN and Makivik to three objectives.

First, they must come up with a boundary line to separate their claim areas.

Second, they must clearly identify those areas where their claims overlap and those areas where their claims do not overlap—areas of exclusive use.

Third, they must come up with an effective way to jointly manage the areas and resources they share, regardless of what side of the boundary those resources end up on.

"The Memorandum of Understanding is important because it sets out the guidelines for how we and Makivik will actually run the negotiations to come up with the boundary that will define who's jurisdiction is where," says Deputy Chief Negotiator Paul Quassa.

TFN and Makivik hope to reach their boundary and overlap agreement by November 30, 1988.

Principles will guide overlap talks

The February 8 Memorandum of Understanding sets out certain principles that will guide negotiations between TFN and Makivik. Each party has agreed that they will make sure that:

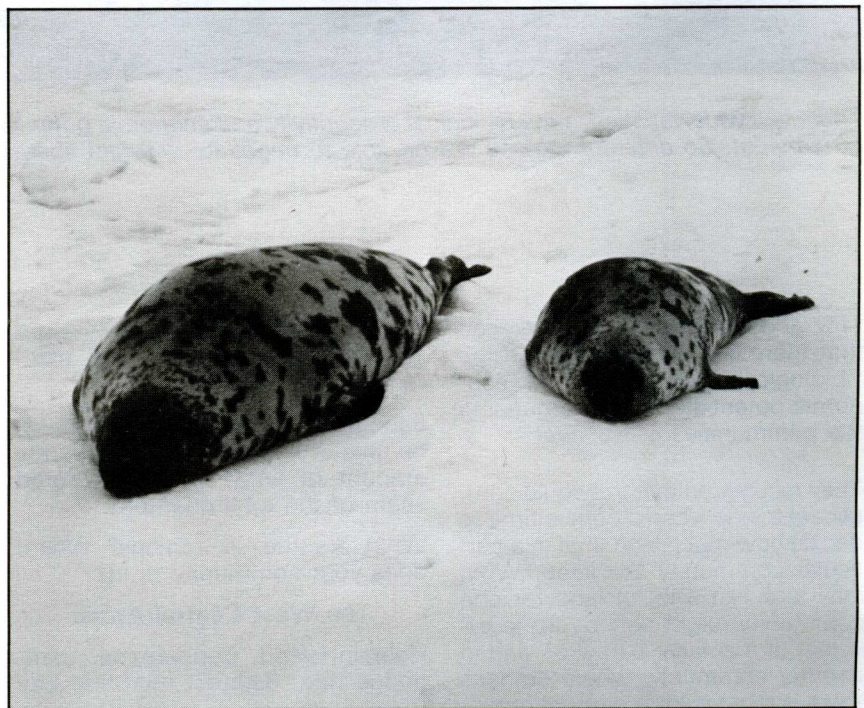
- their overlap areas and wildlife resources will be shared fairly and equitably;
- their information about offshore use and occupancy will be shared and explained;
- their claims will be based on current and traditional use and occupancy but will still address contemporary overlap resource use issues;
- the rights and interests of both parties in the areas of overlapping

use will be recognized and affirmed;

- a system of joint wildlife and resource management will be established for the areas of overlap;
- their interdependence on the marine environment and their reliance on wildlife in non-overlapping areas of use will be taken into account;
- the rights and interests of affected communities will be also taken into account during negotiations;

Overlap talks include other topics

Four related topics will also be dealt with in these boundary and overlap talks between TFN and Makivik. These topics are resource management; economic benefits from non-renewable resource development; land title; and the commercial use of wildlife resources. In all instances, TFN and Makivik say they are committed to being fair and equitable, sharing wherever possible.



Keith Hay

The Inuit of Nunavut and the Inuit of Northern Quebec both harvest wildlife in and around the waters and islands of Hudson Bay, Hudson Strait, James Bay and Ungava Bay.

Quick Takes

The first round of overlap negotiations between TFN and Makivik took place May 3 and 4 in Ottawa. This initial meeting was an opportunity to hear each side's story and take a firsthand look at some maps showing some of the probable areas where resources are shared and the claims overlap. "We were successful in each getting our points across. Now we must consult with people in the affected communities to get their input," says Deputy Chief Negotiator Paul Quassa. TFN and Makivik are scheduled to meet again soon.



Let's go! That's what Atii means. It's also the name of a unique training program coordinated by the Inuit Tapirisat of Canada. (see *Nunavut*, Volume 6, Number 9) Next month, you could be spending a week in Iqaluit taking part in a personal development course. Or you could plan to spend a week in Rankin Inlet next September studying communications. Or you could wait until December and groom your leadership skills. Atii offers all this and more. Details on how to get involved are available by calling Atii's Coordinator at (613) 238-8181.



We've joined the growing number of offices with those wonderful facsimile machines. If you want to send a memo, news release, photo or multi-page document to us, the number to dial to reach our machine in Ottawa is (613) 238-4131 and in Rankin Inlet, the magic number is (819) 645-2806.



TFN has officially launched its Land Identification Project with the hiring of a Project Director, Assistant Project Director and five Regional Land Identification Coordinators.

The purpose of the Land Identification Project is to help TFN come up with a negotiating position on how much land and exactly which land Inuit will own after their claim is settled. (see story on page 2).

The following people have been hired to oversee this important land identification process:

Paul Sammurtok, formerly TFN's Executive Director, has taken on the responsibilities of Land Identification Project Director.

Lucassi Ivvalu of Igloolik has accepted the role of Assistant Project Director.

Joe Allen is coordinator for the West Central Arctic communities of Holman, Coppermine, Bathurst Inlet, Bay Chimo and Cambridge Bay.

Levi Illuitok is coordinator for the East Central Arctic communities of Pelly Bay, Gjoa Haven, Spence Bay and Hall Beach.

Tungola Sandy is coordinator for the Keewatin communities of Chesterfield Inlet, Rankin Inlet, Whale Cove, Eskimo Point, Baker Lake, Coral Harbour and Repulse Bay.

Charlie Manning is coordinator for the Baffin communities of Cape Dorset, Lake Harbour, Pangnirtung, Iqaluit, Broughton Island and Clyde River.

Malachi Arreak is coordinator for the Eastern High Arctic communities of Pond Inlet, Arctic Bay, Igloolik, Resolute and Grise Fiord. Mr. Sammurtok will act as coordinator for the community of Sanikiluaq.



If a recently-initialled discussion paper on the interim protection of land is approved by Cabinet, Government will not be able to issue any more surface or sub-surface rights in Nunavut until the TFN claim is settled. The April 11 discussion paper recommends that areas of land critical to Inuit be withdrawn from disposal under the Territorial Lands Act and the Commissioners Lands Act. Stay tuned for more.



Keith Hay

Everyone who attended TFN's May 3-5 Land Identification/Land Use Planning Workshop in Spence Bay seems to agree that it was a success. The three days of meetings were a chance to learn about the progress of the claim so far and to look at maps of the Kitikmeot communities so people could begin thinking about which land Inuit should own after the claim is settled.

Pictured here, from left to right, are: Alec Taptona; Bobby Kingnektak; Peter Komeogoak; Steve Alookey; Miriam Aglukark; Levi Illuitok; Gillian McKee; Peter Loo; Bruce Gillies; Adam Tootalook; Joe Krimmerduar; Ralph Porter; John Maksagak; Paul Sammurtok; Evo Anguti and Ovide Alakaluaq.

Quick Takes

TFN was surprised to learn recently that the federal government is promising over \$200 million a year in incentives to the mining, oil and gas industry while balking at spending a fraction of that amount to ensure the health and viability of another no less important economy.

"We are envious that the Federal Government has all kinds of money when it comes to drilling into the land looking for minerals but has no money for Inuit to implement a Wildlife Harvesting Support Program through their land claim settlement," says TFN Chief Negotiator Bob Kadlun.

It was only two months ago that TFN tabled with the Federal Government its position paper on a program to ensure the continuation of wildlife harvesting as an economically viable way of life. Kadlun says the Federal

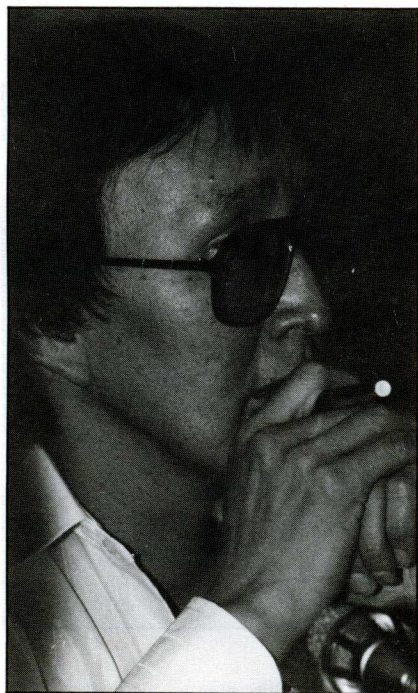
negotiating team refused to even consider this proposal as a negotiable item. "Two months later," he says, "the Government turns around and announces this costly program for the non-renewable resource economy."

The Federal Government program is called the Canadian Exploration Incentive Program and it's designed to stimulate exploration so mining can continue to be a major contributor to economic development. But just as mining—a non-renewable resource economy—is seen by many Canadians to be an important component of regional development, so is

wildlife harvesting—a renewable resources economy—seen as a significant component of regional development in the North.

Fifty percent of the income in many northern communities is from wildlife harvesting. But because this income is largely in the form of food rather than cash, hunters are left with little money to re-invest in the costly equipment they need to hunt.

It is TFN's position, then, that without the aid of its proposed support program, fewer and fewer people will be able to afford to continue to hunt.



Lynda Chambers

"We are envious that the Federal Government has all kinds of money when it comes to drilling into the land looking for minerals but has no money for Inuit to implement a Wildlife Harvesting Support Program through their land claim," says TFN Chief Negotiator Bob Kadlun.

TFN's Directors met in Iqaluit at the end of the March and successfully tackled a lengthy and important agenda. Here's a recap!

First, the Board ratified two important agreements recently reached by the TFN and Government land claim negotiating teams—one on marine management and one on a land identification process.

Then, the Board instructed the TFN negotiating team to go ahead and table three new topics with Government. Two deal directly with economic development (capital transfers and taxation). One deals with language.

The Board also made some important decisions relating to two "overlap" issues. These issues involve the sharing of resources and boundaries with TFN's aboriginal neighbours to the east and west. The Board approved the continuation of talks with Makivik about overlapping resource use and a shared claim boundary with the Inuit of Northern Quebec; and it recommended that TFN's President meet with the political leadership of the Dene/Metis Negotiating Secretariat to learn their response to TFN's new negotiating position on that overlap and boundary agreement.

The Board reviewed and approved a draft Memorandum of Understanding regarding the negotiation of a Northern Energy Accord with the Federal Government. A Northern Energy Accord would transfer or devolve control over northern oil and gas resources from the Federal Government to the Territorial Government.

"We are still against devolution but we decided to participate with the territorial and federal governments in these particular negotiations because the new federal claims policy prevents us from negotiating Inuit involvement in subsurface resources management through our land claim," says TFN President Donat Milortuk.

Also of note at the March meeting was the passing of motions to appoint Donat Milortuk as a Trustee and Mark Evaluardjuk as a Board member for the Nunasi Development Corporation. There was a motion passed to approve the purchase of three Macintosh computers: one for the editor of this newsletter; and one each for TFN's Ottawa-based interpreter/translators. The Board also approved the purchase of a FAX machine for TFN's northern office in Rankin Inlet.

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A black and white photograph showing a wide, calm body of water, likely a fjord or bay, with steep, layered cliffs in the background. In the foreground, a rocky shoreline is visible, and a portion of a light-colored tent or shelter is on the right side.

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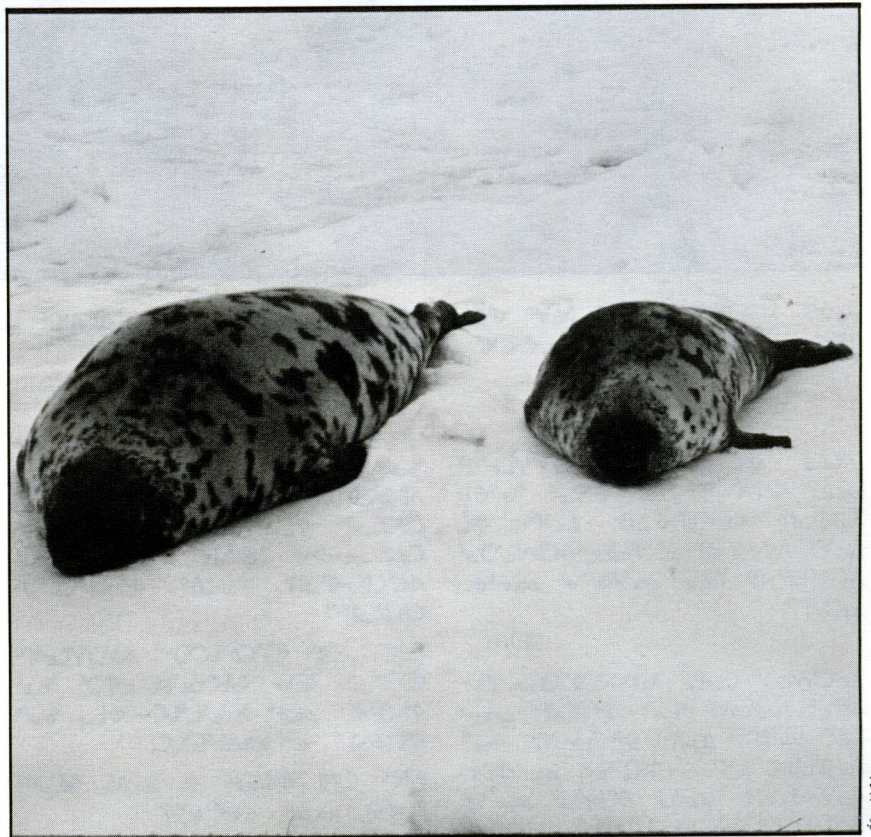
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