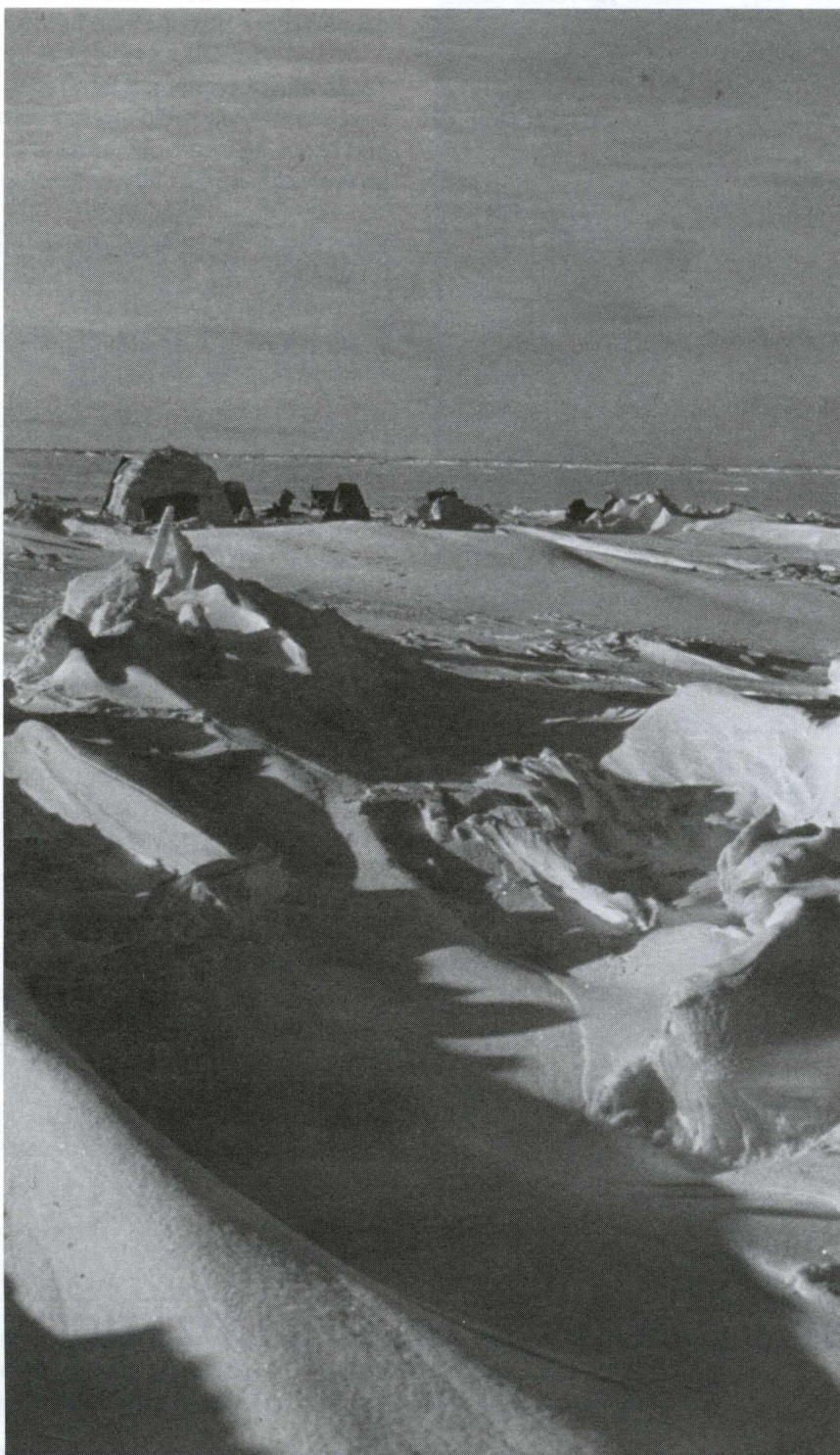


NUNAVUT

A REPORT ON LAND CLAIMS FROM THE TUNGAUVIK FEDERATION OF NUNAVUT



Remember the Northern Accord debate?

...there were angry letters, lively radio interviews and accusing headlines in southern as well as northern newspapers. The furor has died down now and TFN has reaffirmed its willingness to participate in Northern Accord negotiations but it's worth looking back at the past seven months . . .

..... **see inside pages**

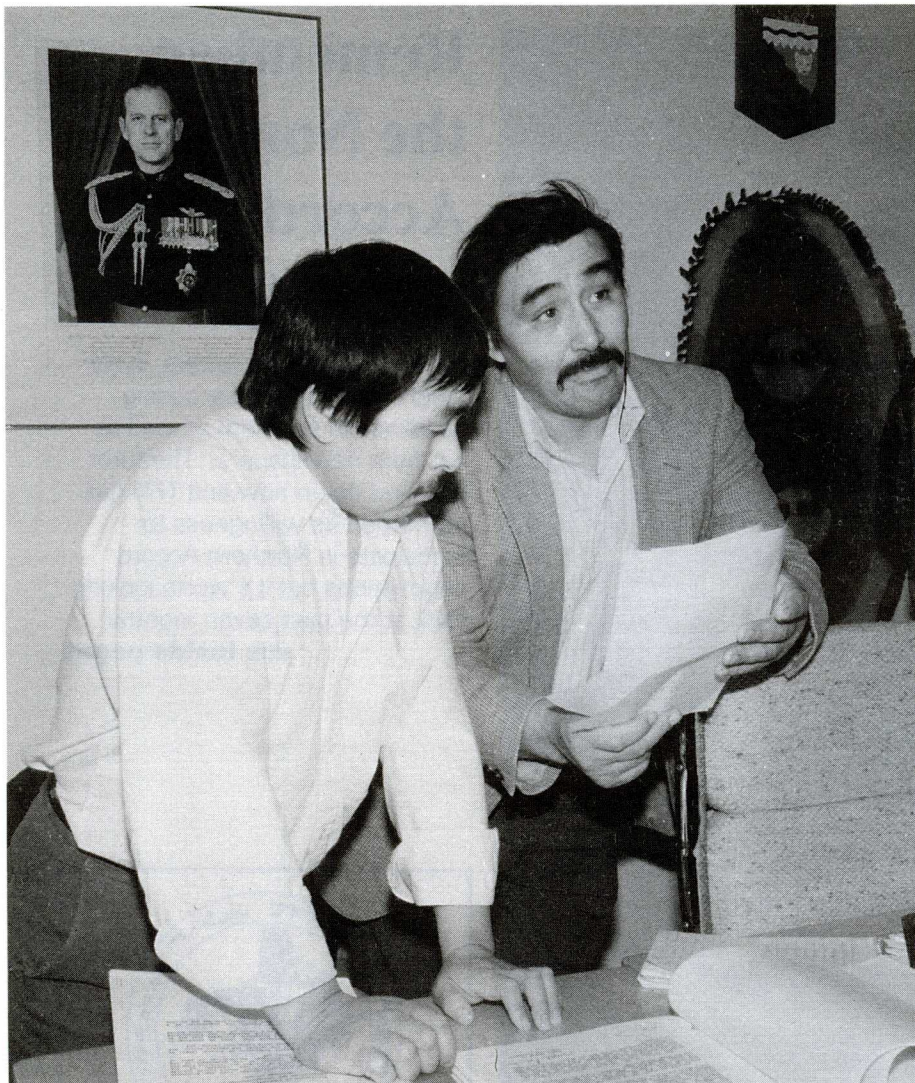


NUNAVUT is a report on TFN's land claim negotiations. We are at Room 1200, 130 Slater Street, Ottawa, Ontario, K1P 6E2. Phone: (613) 238-1096 or fax (613) 238-4131.

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ANGRY HEADLINES TELL ACCORD'S STORY



The past seven months have been busy, frustrating but in the end, successful for TFN. For a while, it seemed that daily there were new obstacles blocking TFN from making sure its concerns were addressed in the negotiation of a crucial and historic deal with the Federal Government.

The Northern Accord seems to have caused more discord than harmony.

There have been angry letters to politicians, lively radio interviews and accusing headlines in southern as well as northern newspapers.

What went wrong?

"We felt that a promise was broken," says TFN President Donat Milortok.

It all began seven months ago when TFN decided to accept an invitation from the Territorial Government to join a special *northern team*.

Membership on this team would mean that TFN would be able to participate with the Territorial Government in its negotiations with the Federal Government – negotiations that would lead to a landmark agreement designed to transfer responsibility for oil and gas management from the South to the North!

To seal the deal, Territorial Minister of Energy, Mines and Resources Nellie Cournoyea and TFN President Donat Milortok signed a detailed five-page document on April 11. The document was called a Memorandum of Understanding on the Negotiation and Implementation of a Northern Accord.

Two motions reassure aboriginal organizations

This Memorandum not only guaranteed that Inuit would be able to participate in negotiating the transfer of responsibility for the management of oil and gas resources.

It set out each parties' respective roles, responsibilities and goals in the Accord talks.

And most important of all, it acknowledged that any institutions established by a Northern Accord for both onshore and offshore resources must be compatible with

those institutions established by the TFN land claim settlement.

The stage was set.

Then, on September 6, any enthusiasm for negotiating the Northern Accord disappeared.

Government ignores Memorandum

TFN learned that Territorial Government Leader Dennis Patterson and Prime Minister Brian

Mulroney had met in Yellowknife and signed a Northern Accord Agreement-in-Principle!

"There had been absolutely no consultation with us. We were left completely in the dark about this deal with Ottawa", says TFN Chief Negotiator Bob Kadlun.

Kadlun's outrage was shared by all of TFN.

The question on everyone's mind was why had the Territorial Government failed to honour a commitment it had made to Inuit five months earlier.

"Without having first discussed this Northern Accord Agreement-in-Principle with us, the Territorial Government totally disregarded its five-month old Memorandum of Understanding," says TFN President Donat Milortok.

At TFN's October 1988 Annual General Meeting in Iqaluit, Territorial Government Leader Dennis Patterson explained to the Directors that there had been no time to consult with the aboriginal organizations.

"I share your frustration that we did not have more time to talk. But we were faced with having to make a quick decision. We were presented with a document from the Federal Government and decided that we had to seize this chance to get these powers from Ottawa," he said.

While TFN appreciated hearing the Territorial Government's side of the story, Chief Negotiator Bob Kadlun

Continued on next page

Energy deal angers native GNWT like a jellyfish

By Brian Bergman
Edmonton Journal

YELLOWKNIFE — Native leaders say they are angry that they were not consulted before the northern energy accord reached this week between the federal government and the Northwest Territories.

"We've been left in total, absolute darkness on the deal," said Bob Kadlun, chief land claims ne-

issues should be dealt with land claims table. When the federal government refused to say Kadlun, "the territorial government chose to ignore its concerns and go ahead on its own. Roger Gruben, chief councillor for the Inuviala Regional Corporation, issued a release Wednesday declaring the energy accord "a breach from a constitutional, and self-development

IQALUIT—The Territorial government is like a fish with no backbone says TFN's Chief Negotiator Bob Kadlun. He figures that's why Government Leader Dennis Patterson hurried to sign the northern energy accord agreement-in-principle last month.

Crow will support non-confidence vote

by Kelly Curwin

SANIKILUAQ—Hudson Bay MLA Charlie Crow says he'll support a non-confidence vote in Government Leader Dennis Pat-

TFN misunderstands agreement—Patterson

by Kelly Curwin

IQALUIT—Government Leader Dennis Patterson plans to meet with representatives of the Territorial Federation of

C-104, first introduced in the House of Commons in April, 1986) include these areas in their definition of the "territories", he says.

The Northern Accord seems to have caused more discord than harmony. There have been angry letters to politicians, lively radio interviews and accusing headlines in southern as well as northern newspapers.

Photo, facing page: TFN Director Pauloosie Keyootak of Iqaluit and TFN President Donat Milortok discuss Northern Accord at October AGM.

says he still feels a trust was broken.

What makes matters worse is that TFN had been reluctant to get involved in negotiating the transfer of oil and gas management in the first place!

TFN has always been against *devolution* of any kind. Its position is that the *transfer of powers* from Ottawa to Yellowknife is prejudicial to the land claim because the powers being considered for transfer are the same kind of powers that TFN and the Federal Government are dealing with in their claim negotiations. It just doesn't make sense, says TFN, to set up resource-management institutions and decision-making processes through devolution and then again through a land claim settlement.

TFN made an exception to its stance *against* devolution when it came to oil and gas management because such a transfer is a special case.

Why a special case? Because the Federal Government's 1986 claims policy *does not permit* TFN to negotiate rights to oil and gas management as part of its land claim settlement.

So TFN decided that the best way to ensure Inuit involvement would be to agree to participate with the Territorial Government in its talks with the Federal Government leading toward the Northern Energy Accord.

What happens now?

Now that a Northern Accord Agreement-in-Principle has already been signed and now that it appears clear that Government Leader Dennis Patterson will not re-negotiate this deal with the Federal

Government, TFN is faced with a new challenge.

It realizes that while it may be too late now to change the way in which the Accord Agreement-in-Principle was reached, it may not be too late to make sure the concerns of Inuit are still addressed. The Agreement-in-Principle, after all, simply "lays the foundation" for negotiations, according to the Territorial Government.

What exactly are the concerns of Inuit?

There are three. First, TFN is worried about the **jurisdiction** or area covered by the Accord. It wants to clarify the status of Hudson Bay and Hudson Strait and, in particular, it wants to make sure that Inuit living on islands in the Bay and on the mainland along the Bay, such as the Inuit of Sanikiluaq on the Belcher Islands and the Inuit of Rankin Inlet in the Keewatin region, will not be left out of any resource management agreement.

"We want a *made in the north* deal, not an Accord that simply mirrors southern models."

Second, TFN is worried about the way the Accord Agreement-in-Principle deals with the **sharing of revenues** from the development of oil and gas resources. The Agreement does not acknowledge the fact that federal claims policy permits Inuit to negotiate an aboriginal share of both onshore and offshore oil and gas revenues.

And third, TFN is worried by the fact that the Accord Agreement-in-Principle does not acknowledge the fact that any management systems it sets up must be **compatible** with management systems set up



At TFN's Annual General Meeting, Patterson assured the Board that at least two of its three concerns can be dealt with quite easily. He said he is committed to making sure that the Accord respects Inuit land claim regimes and that it gives Inuit an aboriginal share of revenues.

Why are aboriginal organizations involved?

When finalized, the Northern Accord will be one of several Accords that the Federal Government has negotiated in the last few years as a result of its 1985 **Frontier Energy Policy**.

This Frontier Energy Policy commits the Federal Government to sharing the management of frontier oil and gas resources with Canada's coastal provinces and territories.

The other Accords, the Atlantic and the Nova Scotia, have been deals with **provinces**. The Northern Accord is unique because it will be a deal with a **territory**.

It's special for another reason, too.

Most of the areas where there is prospective oil and

gas in the North are areas where there are either unsettled or recently settled aboriginal claims.

That's why TFN, the Dene Nation, the Metis Association of the N.W.T. and the Inuvialuit Regional Corporation have all had legitimate concerns about the Accord. That's why they've been keeping a close eye on its progress and that's why they each, like TFN, signed a Memorandum of Understanding guaranteeing their participation in Accord talks.

In claim negotiations, aboriginal people have already spent a great deal of time addressing the question of how northern hydrocarbon development should proceed and how its benefits should be managed.

"We want a *made in the north* deal, not an Accord that simply mirrors southern models," says Kadlun.

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by the TFN land claim settlement.

At TFN's Annual General Meeting, Patterson assured the Board that at least two of these three concerns can be dealt with quite easily. He said he is committed to making sure that the Accord respects Inuit land claim regimes and that it gives Inuit an aboriginal share of revenues.

"But," he continued, "the Government of Canada is not going to agree to re-negotiate our September 6 agreement to include Hudson Bay and Hudson Strait. While we would like to see Hudson Bay resource revenues flowing to Inuit and to the public government, it is not realistic to expect that we can negotiate this change. There will have to be another Accord dealing with Hudson Bay and Hudson Strait.

And that Accord would have to involve Ontario, Quebec and Manitoba as well as the James Bay Cree and Northern Quebec Inuit."

On October 31, TFN President Donat Milortok, with representatives from Dene, Metis and Inuvialuit organizations, appeared before the Legislative Assembly of the N.W.T. There, he proposed a way to make sure that the final Northern Accord would address all **three** of TFN's concerns.

"We accepted that the final Northern Accord will be a deal between the federal and territorial governments and that only these two parties will actually sign the final document. But we still wanted to get some assurance from the territorial government that our

special interests and constitutional rights would be protected", he says.

Two days later, two motions were passed by the Legislative Assembly — motions that TFN, the Dene Nation, the Metis Association of the N.W.T. and the Inuvialuit Regional Corporation found were reassuring enough to go a little way in mending the trust that was broken earlier.

When TFN's Executive Committee met on November 10, it was decided that Inuit would agree to participate on the northern team but that they would review their participation in a few months.

The two Legislative Assembly motions are on the next page!

Legislative Assembly passes motion in support of aboriginal participation

Whereas, the Government of the Northwest Territories and the Government of Canada have signed an enabling agreement to commence negotiations leading to a Northern Accord on Oil and Gas Resource Management and Revenues;

And Whereas this Legislative Assembly wishes to ensure that the special interests and constitutional rights of the Aboriginal Peoples are protected in such negotiations;

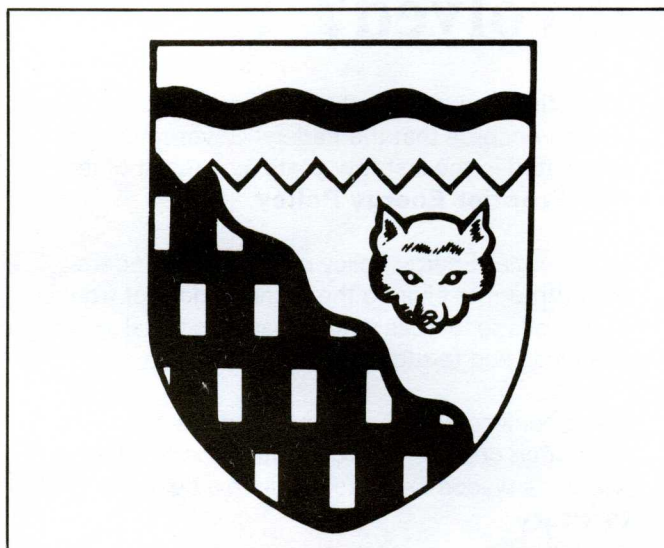
And Whereas the Minister of Energy, Mines and Resources and the Executive Council have extended an invitation to Aboriginal Organizations to be part of the negotiations team;

And Whereas this Legislative Assembly wishes to endorse this invitation and support the participation of the Aboriginal Organizations on the negotiations team;

Now Therefore I move, seconded by the Honourable Member for Aivilik, that this House endorses the invitation of the Minister of Energy, Mines and Resources and supports the participation of representatives of TFN, Dene Nation, Metis Association and the Inuvialuit Regional Corporation on the Northern Accord Negotiations team;

Further, that the negotiations team upon direction of the appropriate Minister seek consensus on the process for participation and input in developing the N.W.T. negotiation position;

And Further, that the Executive Council through the appropriate Minister, report progress on this matter during the next sitting of this House or at any appropriate time such request is made by the Legislative Assembly.



... and in support of including Hudson Bay and Strait

Whereas, the Legislative Assembly of the N.W.T. wishes to protect the rights of Inuit residents in the Hudson Bay and Hudson Strait regions and to enhance the interests and jurisdictions of the Government of the Northwest Territories in the lands and waters of Hudson Bay and Hudson Strait;

Now Therefore, I move, seconded by the Honourable Member for Hudsons Bay, that the Legislative Assembly of the N.W.T. recommend to the Executive Council that the Government of the N.W.T. Northern Energy Accord Negotiating Team pursue and protect the rights of Inuit residents in the Hudson Bay and Hudson Strait regions and enhance the interest and jurisdiction of the Government of the N.W.T. in the lands and waters of Hudson Bay and Hudson Strait during the course of Northern Energy Accord negotiations with the federal government.

What is a Northern Accord, anyway?

As the previous pages show, the past seven months have been busy, frustrating but in the end, successful for TFN.

For a while, it seemed that daily there were new obstacles blocking TFN from making sure its concerns were addressed in the negotiation of a crucial and historic deal with the Federal Government — a deal with repercussions not only for the land claim but for everyone living in Nunavut.

The deal?

A Northern Accord.

What is a Northern Accord?

It's an agreement to be negotiated between the Federal and Territorial Governments that will see all provincial-type responsibilities for the management of oil and gas resources, including resource revenues, transferred from the south to the north.

In other words, decisions now made in Ottawa about how, when, where and why a hydrocarbon development project may go ahead will be made in the North instead and for the first time, northerners will be able to share in the benefits from oil and gas production — benefits such as revenues, jobs, training.

"I think we all know how frustrating it is to try to get Ottawa to respect our concerns about major development projects. Without this Accord, decisions on oil and gas in the N.W.T. will continue to be made in

Ottawa by a Minister who is not accountable to the people of the N.W.T.," says Territorial Government Leader Dennis Patterson. "The idea behind the Accord is that elected representatives of northern people will have a say for the first time and this is a step ahead. The fact that a northern government will get the revenues from oil and gas development is also a step ahead," he adds.

A closer look at the goals of a Northern Accord shows that it will deal with many, many related topics.

For example, when it comes to onshore resources, the Accord will transfer from Ottawa the authority to enact N.W.T. oil and gas legislation. The N.W.T. Government will have the power to:

- administer and assign oil and gas rights;
- determine and administer oil and gas resource revenues;
- regulate oil and gas exploration, development and production;
- establish and manage territorial benefits programs.

And when it comes to offshore resources, the Accord will give the territorial government *shared* legislative and administrative powers with the Federal Government.

Negotiations toward a final Northern Accord will deal with details such as how development projects are taxed; how royalties and revenues are distributed; how oil and gas resources are used and conserved; and how people living in northern communities can benefit from development through jobs and training.

The Federal and Territorial Governments are also faced with having to work out some sort of interim regime to manage oil and gas while they negotiate and until the Northern Accord can be implemented.

It will also be important to put in place some kind of process to periodically review the Northern Accord. And there has to be a way to amend the Accord so that all members of the original northern team are involved.

A Northern Accord will be significant for the North. No one can argue with that.

Continued next page

It's an agreement to be negotiated between the Federal and Territorial Governments that will see all provincial-type responsibilities for the management of oil and gas resources, including resource revenues, transferred from the south to the north.

What did Prime Minister Mulroney and Government Leader Patterson sign?

What Prime Minister Mulroney and Government Leader Patterson signed on September 7 is a Northern Accord *Agreement-in-Principle* — a five-page document which identifies the purposes and principles of an Accord and then, under separate headings deals with the geographic area covered; revenues and expenditures; implementation; and aboriginal rights.

For example, the Agreement states that an Accord should:

- achieve the orderly development of oil and gas resources for the benefit of Canada as a whole and the N.W.T. in particular;
- provide a stable and fair oil and gas management regime for the industry;
- increase the economic self-sufficiency of the N.W.T.;
- protect any oil and gas related aboriginal rights and interests flowing from claim settlements; and
- advance the political development of the N.W.T. consistent with the structure of Canadian federalism.

It describes the **area** to be covered by the Agreement as Canadian territory north of 60 except for the Yukon Territory, land within provinces, Hudson Bay and Hudson Strait. The Government of Canada does recognize that the N.W.T. has interests in Hudson Bay and Hudson Strait.

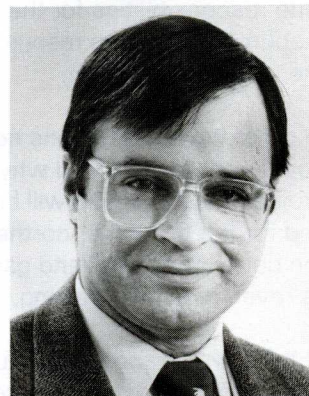
And under the heading of Aboriginal Rights, the Agreement contains these three clauses:

- Nothing in the Accord shall identify or define any aboriginal right or title nor shall it abrogate or derogate from any aboriginal right or title.
- For greater certainty, nothing in an Accord shall affect any right, privilege or benefit set out in the Agreement approved, given effect and declared valid by the Western Arctic Claim Settlement Act.
- The Government of the N.W.T. agrees to develop, with the participation of aboriginal groups, an effective means of protecting aboriginal interests related to oil and gas resource management.

"A Northern Accord will benefit all Canadians", says Prime Minister Brian Mulroney.



Government of Canada



Government of the N.W.T.

"Without this Accord, decisions on oil and gas in the N.W.T. will continue to be made in Ottawa by a Minister who is not accountable to the people of the N.W.T.," Territorial Government Leader Dennis Patterson.

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"By involving the territories more closely in the management of energy resources, the federal government is reinforcing its commitment to promote political and economic development in the North.

It will benefit all Canadians by allowing northerners to increase their own economic self reliance while

making an important contribution to the national energy supply", says Prime Minister Brian Mulroney.

That's what a Northern Accord promises.

What remains to be seen is just how much aboriginal people will be involved in making sure the Accord is, as they say it must be, truly *made in the north!*

Quick Takes

Nunavut Sivuniksavut, TFN's training program has, once more, welcomed twelve new students for 1988/89. The successful applicants are Sara Arnatsiaq from Igloodik, Willie Qamukaq from Hall Beach, Joanasie Kanayuk from Iqaluit, Hanna Oolayou from Lake Harbour, Lena Autut from Chesterfield Inlet, Robert Tookoomee from Baker Lake, Darlene Tologana from Cambridge Bay, Sylvia Ritchie from Spence Bay, Dan Klengenber from Holman Island and from Coppermine, Angele Kuliktana, Rita Kamingoak and Barb Adjun. Good Luck to them all! (MP)



We always enjoy eating raw meat or sometimes just plain boiled meat. These days, though, a lot of us want to be more creative with the use of northern food. But with the economy the way it is and costs so high, we're always trying to come up with ideas on how to cut down on spending. The Department of Economic Development and Tourism has come up with an idea that could help families save money instead of buying expensive foods. Jean Dube, a Fort Smith consultant, will be travelling to northern communities to promote the use of niquit (northern foods) to chefs and interested people. It's a chance to learn how to handle, preserve, prepare and serve northern food and other products. (MP)

The Legislative Assembly now has a Toll Free Number. Anyone in the Northwest Territories who wishes to either talk to their MLA on any issue or just find some general information regarding the Assembly can dial 1-800-920-8096, anytime from 8:30 to 5:00, Monday through Friday. (MP)



Are you a northerner and have been accepted at a Canadian law university? If so, here is a lifetime opportunity for you to consider. Justice Minister Michael Ballantyne has announced that a \$1,000 bursary will be awarded each year to first-year law students. The deadline is December 15, 1988, so you should act fast if you are interested. For further information on this great opportunity, contact Nancy McLeod, Public Affairs Officer at (403) 873-7257. (MP)

The above Quicktakes were researched and written by Melanie Paniaq.



TFN and Government have agreed, in principle, on the amount of land to which Inuit in the

Keewatin region will have title after the Nunavut land claim is settled.

Recent negotiations held in Rankin Inlet represent the first round of six region-by-region meetings that will help TFN and Government come up with an overall amount or quantum of land that will be Inuit land.

"We are satisfied with the results of our Rankin Inlet meeting. Our team was successful in making sure that Inuit who live in the Keewatin will have a quantum that lets them identify all their critical areas, and more!," says Deputy Chief Negotiator Paul Quassa.

TFN had identified about 37,500 square miles of land in the Keewatin area that Inuit must have title to. This represents about eighteen per cent of the total Keewatin land use region. And eighteen per cent was the quantum that the Federal Government has agreed to. It means that each Keewatin community could end up with roughly 5,000 square miles.

"In addition to having title to these particular lands, our land claim settlement will also guarantee us wildlife harvesting rights, access rights and management control over **all** lands in Nunavut, whether we hold title or not," says Quassa.

Further talks on land quantum are scheduled for the eastern High Arctic, South Baffin, Kitikmeot East, Kitikmeot West and Sanikiluaq. After these intensive negotiations are over, TFN and Government must then identify the **location** of the Inuit lands and the nature of the **title**, whether surface only or surface and subsurface (fee simple).

Why not drop us a line?

Send your news and views
to **News & Views**, TFN,
1200 - 130 Slater Street,
Ottawa, Ontario, K1P 6E2



Just thought I'd write to tell you...

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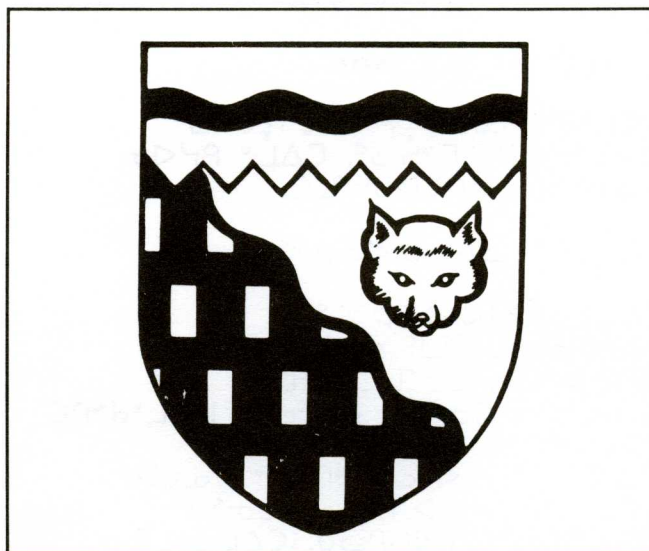
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 ልዩ ሥልጣን ስላል፣”
 የሥራ ስልጣን ወይም ሥልጣን ልዩ ምክንያት ስላል፣
 ሥራው፡

[illegible]

መጽሐፍ ስላሳገረ ለረዕደ በኮሎምቢያ
በበጽሐፍ ስላሳገረ ለኮሎምቢያ በኮሎምቢያ
ለኮሎምቢያ ለኮሎምቢያ ለኮሎምቢያ ለኮሎምቢያ

[illegible][illegible]

መኖረኛ ሌሊት ምክር ቤቱ የሚከተሉት
 ለፍርድ ቤቱ የሚሰጡት መግለጫዎች
 ለፍርድ ቤቱ ለሚሰጡት ማረጋገጫዎች
 ለፍርድ ቤቱ ለሚሰጡት ማረጋገጫዎች

[illegible]