

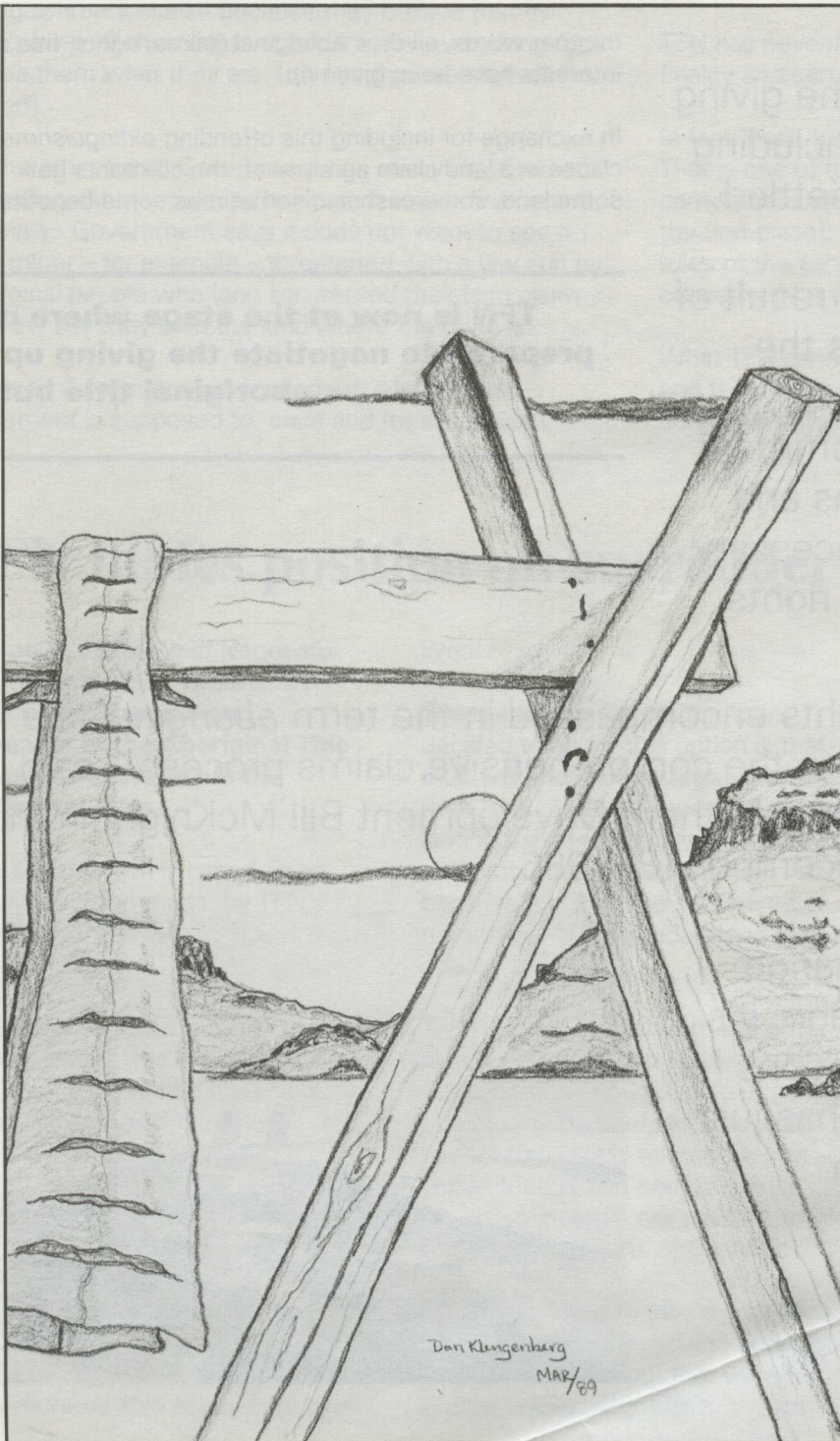
NUNAVUT

A REPORT ON LAND CLAIMS FROM THE TUNGAUVIK FEDERATION OF NUNAVUT

Surrendering aboriginal title . . .

TFN and the Federal Government are negotiating a very hot topic. They haven't come up with an agreement yet but both sides have put forward their positions. Find out more about "surrender" and "extinguishment"
see inside.

Cover art by Dan Klengenberg



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.

Editor/writer: Lynda Chambers

Asst. writer/translator:

Melanie Paniaq

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Sixteen-year fight by claimants against...

For sixteen years, aboriginal people have fought against the "extinguishment clause".

It's a clause that requires the giving up of all aboriginal rights, including title, when a land claim is settled.

In December of 1986, as a result of TFN's opposition as well as the opposition of other native claimants, the federal government changed its policy on claims and now says it is no longer necessary to extinguish *all* aboriginal rights.

"Only those land-based rights encompassed in the term *aboriginal title* are subject to negotiations in the comprehensive claims process", said Minister of Indian Affairs and Northern Development Bill McKnight in the House of Commons on December 18, 1986.

While this federal policy change happened over two years ago, it's only now that it has implications for Inuit. That's because TFN has just tabled its position paper on "extinguishment".

Read on for more...

So far, whenever aboriginal people have reached a land claim agreement with Government, all their aboriginal claims, rights, title and interests have been ceded, surrendered and extinguished.

In other words, all their aboriginal claims, rights, title and interests have been given up!

In exchange for including this offending *extinguishment* clause in a land claim agreement, the claimants get some land, some cash and sometimes some benefits

TFN is now at the stage where it is prepared to negotiate the giving up of aboriginal title but ...



...“extinguishment” was not in vain

like employment opportunities and advisory status with Government.

Aboriginal people have always been against the extinguishment clause because they believe that by taking away all their rights, it takes away everything that makes them what they are. It's like their aboriginality is erased!

On the other hand, Government has always insisted on the extinguishment clause because it wants finality and certainty. Government says it does not want to see a gold miner – for example – threatened with a law suit by aboriginal people who long ago settled their land claim but now say they own the land where the mine is!

As far as Government is concerned, a land claim settlement is supposed to, once and for all, prevent

people from being able to go to court over aboriginal title. And it is supposed to make the rules of the game clear, not only to Government but also to aboriginal claimants.

TFN has never had any problem with this need for finality and certainty.

In fact, Inuit, too, want the rules of the game made clear. That is one of the main reasons why TFN is negotiating a comprehensive claim settlement with Government in the first place! It has seen too often how the current rules of the game appear to favour Government's concerns over those of Inuit.

What TFN cannot accept is that the price for certainty and fairer rules has to be the extinguishment of all Inuit aboriginal rights and title!

TFN tables position on surrender of aboriginal title

On April 8, 1989, Chief Negotiator Paul Quassa tabled TFN's position paper on the **Cession and Surrender of the Aboriginal Title to Lands and Waters in the Settlement Area**.

It's a paper which is based on an historic decision made by TFN's Directors at their March board meeting.

After carefully looking at the two different ways that Inuit can now give up aboriginal title (*see next page*), TFN's Board members decided it would be wiser to surrender aboriginal title – title not rights – to *all the land and waters* in the Nunavut settlement area in exchange for some land, some cash compensation and, most important of all, the management system that has been negotiated so Inuit will once more be able to run their own

lives.

The reason the Board members decided to go for this option is that Inuit will end up with **legal** title to their land. They will own the Inuit land in a manner clearly recognized and protected by Government because it will be the same type of ownership as that understood in the south.

The possible danger with the other option now provided by the Federal Government – giving up aboriginal title to *only parts of the land* and keeping aboriginal title to the rest – is that Inuit would end up with a kind of ownership not yet defined in the laws and courts of Canada.

“We don't want to take a chance and go to all this trouble to settle our claim only to find out that we're no further ahead. Our title to the land

must be the kind of title that is recognized and affirmed by Government”, says Quassa.

So, as the summer unfolds, history is being made...

Through **Nunavut**, we'll try to keep you up-to-date on the progress of these negotiations on the **Cession and Surrender of the Aboriginal Title to Lands and Waters in the Settlement Area**.

...what TFN cannot accept is that the price for certainty is the extinguishment of all Inuit aboriginal rights.

A little bit of history . . .

A little bit of history was made when TFN's Directors came to Ottawa for a Board meeting, March 13-15, 1989.

It didn't happen when they gave their stamp of approval to the recently-initialled agreements on social programs and NIRB, though this was important.

It didn't happen when they approved the hiring of a hard rock geologist and an oil and gas expert to provide TFN with the information it needs to make sure Inuit will be able to select land for its economic

potential. Though, this, too, was important.

And, although it was important when TFN's Board agreed to provide the TFN training program, Nunavut Sivuniksavut, with the financial resources it needed to meet its obligations for the 1988/89 fiscal year, that wasn't history being made either.

History was made when the Directors passed the motion on the facing page. It's a motion that addresses how TFN will deal with the "extinguishment clause".

Policy changes of '86 now affect TFN talks

For sixteen years, aboriginal people have fought against the extinguishment clause.

And for sixteen years, Government has insisted that it be a condition to the settlement of land claims.

That is, until the second last week of December in 1986 when then Minister of Indian Affairs and Northern Development Bill McKnight announced changes to the old federal policy on claims.

First, he acknowledged that it is only aboriginal **title** that must be given up through a claims settlement and not all aboriginal **rights**.

"Other aboriginal rights which may exist are not at issue and will remain unaffected by comprehensive claims agreements unless identified explicitly by the parties as part of the negotiations", McKnight told the House of Commons in 1986.

This means that rights such as the right to speak Inuktitut and to follow the traditions of customary law and adoption – rights that make an Inuk truly an Inuk – are not now rights that have to be given up in a land

claims settlement.

Second, the 1986 federal claims policy recognizes that the term **extinguishment** (to get rid of) is not necessary and that aboriginal people can use the less offensive word **convey** (to transfer).

And third, the policy gives aboriginal people a choice when it comes to deciding how they want to give Government the **certainty of title** it says it requires.

They can either give up their aboriginal title to **all the land in their settlement area** and then receive areas of land back to own.

Or they can give up aboriginal title **just to certain areas of land in their settlement area**, keeping aboriginal title to the rest.

Although these federal policy changes were announced back in 1986, they are only now having their effect on TFN. That's because TFN is only now at the stage where it is prepared to negotiate the giving up of aboriginal title.

Board passes historic motion

Whereas the federal government has made it a condition of land claims settlements based on aboriginal title that the aboriginal claimants must agree to the surrender and extinguishment of their aboriginal title to the lands and waters of the territory in question;

And whereas the Inuit of Nunavut have consistently opposed this requirement of surrender and extinguishment;

And whereas, as a result of TFN's opposition as well as the opposition of other native claimants, the federal government now admits that it is not necessary to extinguish all aboriginal rights and title as part of a claims settlement;

And whereas the federal government is now prepared to entertain two options on the surrender and extinguishment of aboriginal title,

And whereas, as a result of this change in government policy that no longer requires the extinguishment of all aboriginal rights, this Board is now satisfied that the Inuit interests can be adequately protected;

And whereas it is in the interest not only of the federal government but also of the Inuit of Nunavut that there be clarity and certainty as to the land ownership in Nunavut,

Now therefore be it resolved as follows:

- TFN agrees on behalf of the Inuit it represents to surrender aboriginal title to the land and water in those parts of the Northwest Territories and elsewhere where the Inuit represented by TFN acquire corresponding benefits;
- Such surrender be a cession and surrender of the aboriginal title throughout the relevant area in return for the grant to the beneficiaries of defined rights in specified or reserved areas and other defined rights applicable to the entire settlement area and, if possible, outside the settlement area;
- The aboriginal title to the area mentioned above will be extinguished.

Our relationship to the land is changing

The ancestors of today's aboriginal people used to roam and live off the land and waters of what we now call Canada.

These people had customs and laws which governed their daily lives – laws concerning social functions just like any other society. Their most important source of survival was the land, its waters and its wildlife.

by Simeonie Kunuk

This article is an attempt to show that even though Inuit still maintain strong ties with their past and live according to many of the traditional ways, they are now faced with and affected by several important issues. I hope that, after reading this article, people will share my feeling that there is now a need for urgent action to be taken by aboriginal nations.

This is not intended to be a detailed and exhaustive review of what has happened in the past. Most people are already familiar with the chronicles of encounters between settlers and aboriginals. There has been much work done on the history of interactions between aboriginal nations and the governments of Canada, particularly what aboriginal people of the south have gone through.

Indians have been sectioned into reserves, often in remote areas. Their source of survival, their source of economy, their way of living has been permanently affected. And,

I am an aboriginal.

I watched, listened and learned to do what my parents taught me.

I made clothing, prepared meals, looked after the children and did women's work.

I went out hunting for food and clothing materials and did men's work.

I told many stories in my old age about the rivers, the lakes, the seas, the birds, the fish and the animals.

Today, it is not the way it was in my younger years.

Today, I go to school and learn another language.

Today, I earn money or receive welfare.

Today, I clean house and go shopping.

As a child, I live in the modern world.

As a mother, equality is important to me.

As a father, my responsibilities seem more stressful.

As an elder, my memories live with me.

I am a person with feelings.

My cultural survival seems uncertain.

There are places where nature seems to have lost.

Society sometimes sees me but most times ignores me.

I hope my identity as a person will not vanish.

I wonder . . .

Nature . . . be strong!

what's worse, for the most part, their source of independence – the wilderness – has been eroded.

Why? First, they have lost many of

their rights, most important of all their title to large areas of land.

Second, their source of independence – the wilderness –

has been eroded and replaced in most cases with a dependence on government welfare.

Third, the unlimited resources of the land and the water have been replaced with the limited and fixed forms of compensation from treaties.

No wonder it is a rare occasion to hear of bands prospering in their adjusted surroundings.

In the north, things have gone a little differently. Government's approach to the Inuit seems to have been more positive. But, even so, the Inuit relationship to the lands, waters and sea is in the process of being altered just like it was for their cousins to the south.

The government and Inuit are now negotiating the future of Inuit aboriginal rights. I am referring specifically to the TFN claim and to those Inuit who live in the central, eastern and high Arctic.

In today's world, most Inuit, like their aboriginal cousins down south, have become accustomed to living in communities as opposed to roaming and living off the land. There are only a few who still maintain absolute independence in the wilderness.

What this has brought with it is new problems. It is glaringly obvious that a lot of Inuit are unemployed and many also lack a decent education.

Since Inuit have kept alive their close relationship to the lands, waters and seas that

surround them, it is most important that these lands, waters and seas be protected so as not to endanger a source of survival that has sustained many past generations of Inuit and should continue to sustain today's Inuit and their children.

It is very important that Government and Inuit now look at the development of Inuit education and that they consider ways of improving training for employment in a developing Arctic.

There have been other matters evolving which are of interest to Inuit in the central, eastern and high Arctic. One is the division of the N.W.T. to create Nunavut in the east

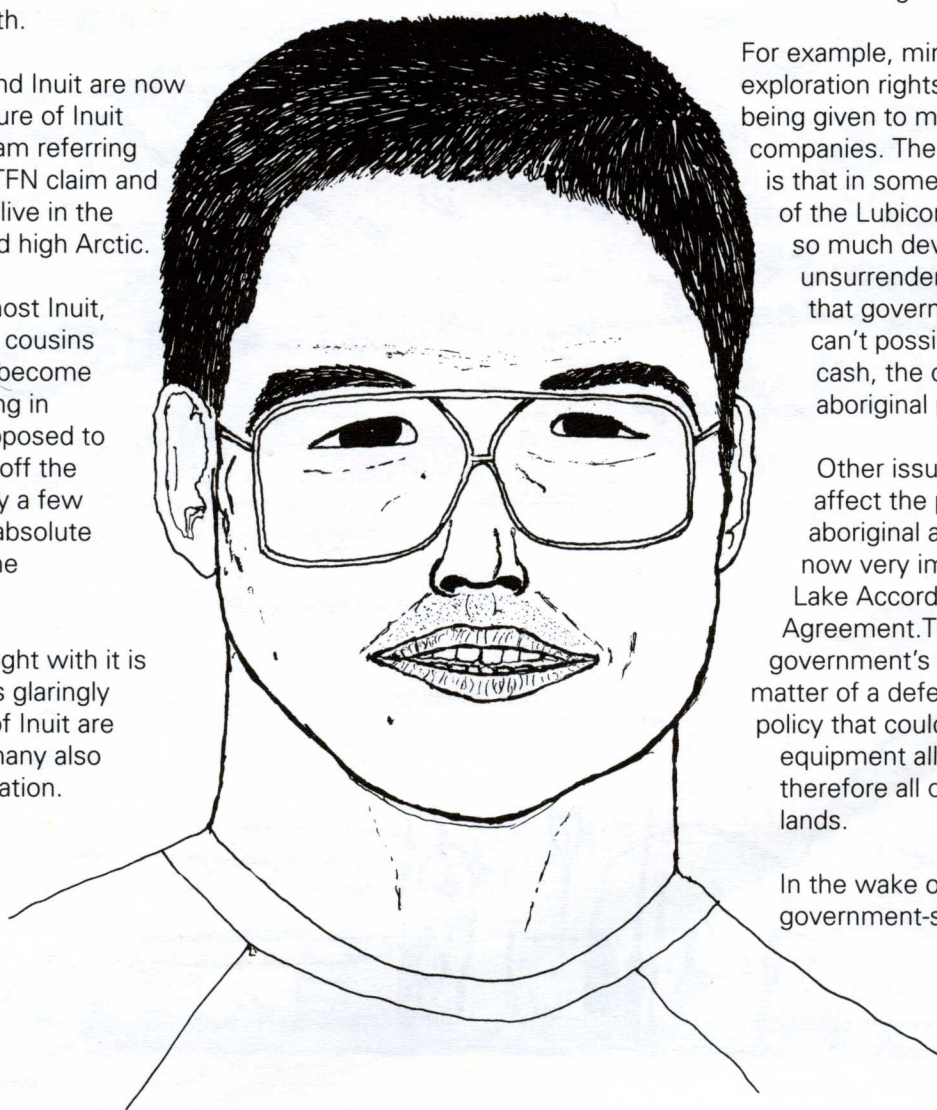
where a public government would have to represent a majority of aboriginal people. Another development is the recognition of aboriginal rights in the 1982 Canadian Constitution. Unfortunately, there has been very limited progress in these two areas and it appears that both still need years of work to complete.

As the aboriginal people of today are trying to correct the past misunderstandings; as the aboriginal people of today are trying to have their rights understood; and as the aboriginal people try to find their place in society while living their daily lives; many other things are happening to which government seems to be giving more attention.

For example, mineral and oil exploration rights and leases are being given to mining and oil companies. The problem with this is that in some cases, such as that of the Lubicon, there has been so much development on unsundered aboriginal land that governments say they can't possibly afford to pay, in cash, the compensation that aboriginal people deserve.

Other issues which may affect the progress of aboriginal aspirations are the now very important Meech Lake Accord and the Free Trade Agreement. There is also the government's great interest in the matter of a defence policy – a policy that could see military equipment all over the north and therefore all over aboriginal lands.

In the wake of all these government-supported



developments, aboriginal aspirations seem to be given less importance. Sometimes it is disheartening and discouraging. But our aboriginal ancestors were able to survive many hardships in their surroundings. So today's aboriginal people have to, and can, overcome the many obstacles that are put up so easily by governments. They should be able to survive with a strong voice and a determined commitment.

An industrial and technological economy may now be mixing in with the wildlife economy of the past. But aboriginal people should be able to participate in both

economies. They should be able to keep their strong ties to the land and water and, with education and training, also take advantage of new employment opportunities.

As we all know, our aboriginal ancestors had to help the newly-arrived settlers from Europe. But now, it seems aboriginal people are living in the shadow of Canadian society. I think it is time for aboriginal people to help once more. I think it is time for aboriginal people to help other Canadians understand that aboriginal rights still exist. It is also time for aboriginal people – not governments – to define exactly what those rights are.

Simeonie Kunuk is from Igloolik but now lives in Ottawa and says he spends much of his time at the Public Library reading as much as he can about almost everything under the sun. He has strong ideas about what the future should hold for northerners and uses poetry and prose to share them.

Normee Ekoomiak, formerly of Northern Quebec and now also an Ottawa resident, is a talented and innovative artist who expresses his creativity in many ways. He drew the portrait of Simeonie which appears on the previous page and is also becoming well-known for his colourful wallhangings and one-of-a-kind fashion designs.



Donat Milortok, TFN President

Dangerous military garbage must go

written and translated by Angele Kuliktana

Inuit of Cambridge Bay want to get rid of all the garbage that has been left sitting at old mining and military sites in and around their community. Decaying buildings, drums leaking fuel oil and decomposing dynamite are around these sites.

Residents have been trying for years unsuccessfully, to get rid of the dump site near their community. They say that at some of these sites chemicals have been leaking into lakes and killing fish.

Recently, they raised their concerns with TFN negotiators during their land claim negotiations in Cambridge Bay. The people insisted that TFN get the government to promise to take immediate action to clean up the sites, and to have that promise included in the land claims agreement.

Federal Chief Negotiator Tom Molloy has written to the Senior ADM (North) Richard J. Van Loon of the Department of Indian and Northern Affairs. In his letter, he asks DIAND officials to contact the Kitikmeot Inuit Association and "determine what avenues might be possible to facilitate clean-up".

At press time, TFN had not heard if any clean up action is planned. The garbage is still sitting in and around Cambridge Bay.

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Inuit ihumagiyaitnik pitjutigiyait TFN kut aivaktiit katimatitlutik Ikaluqtuutiami. Inuit pitkuyait kavamatkugit qilaminnaq halumaquplugit qimaqtauhi maniit iqqaqut imaalu Inuit piumakuyait TFN kut pitkunahuaghugit kavamatkugit imaa uqattiakuplugitlu halumangniaqtaanikkut uyagaghaghiuqviginiitni Dew-line kut qimmaqutaitlu, ammalu tamna uqattiangnik ilauluni nunanut anggigutainnut.

Kavamatkut hivudliuqtia aivaktinga Tom Molloy titigaktuugaluaq taffumamut Angayughia ADM kut Richard J. Van Loon Department of Indian and Northern Affairs ni. Titigaani, appigiya havaqtiit talvani pipkuplugit Kitikmeot Inuit Association kunnut imaalu "naunaiyaqlutik kanuk piniqqat halummagutinikkut".

Hejjainnaq, TFN kut tuhaanggittut huli halummanikkut. Iqqaquit huli ittut Ikaluqtutiami avataanilu.

KIA on TFN

The Kitikmeot Inuit Association (KIA) held its annual general meeting at the beginning of February in Cambridge Bay and elected representatives for the Board of Directors of TFN. Elected to represent KIA is James Eetoolook and elected as a member-at-large is Bob Kadlun. They were chosen for their past experience in land claim negotiations. KIA also passed a motion that the positions of the TFN president, vice-president and secretary-treasurer should always be represented by each of the three regions: Kitikmeot, Qiqiqaaluk and Kivalliq.

Reader warns:

"Look at education system!"

I think that TFN is doing a good job of informing the Inuit of happenings about land claims. But I feel that the education system is being overlooked. The children of Nunavut should be able to understand the meaning of land claims because they are our future. TFN should take a better look and should take action on educating the children in the school system to better educate all of us. It will benefit everyone.

Paul Emingak
Member of Community of
Education Council
Cambridge Bay, N.W.T.

Quick Takes

Are you the type who likes to rough ride and comes close to an accident? Or are you the type who drives sooo slowly? If you are either one or even both, there is a new regulation for all-terrain (ATV) vehicles (three or four-wheelers) as of April 1. Tom Butters, Minister of Government Services, announced drivers and passengers **must observe** these **new regulations**.

ATV's must now be registered. You must be at least fourteen years old and over in order to drive and you must carry a proof of age. You must wear a helmet. There must be only two (2) on a moving ATV. Babies can be carried in an amauti or any other baby-carrying device such as snuggler. If you want to register your ATV, see your local government officer.



Is our Canadian Arctic becoming a nuclear battlefield, while it seems, we sit and chit-chat about it? A lot of people think militarization is a menace! The Nordic Conference for Peace thinks so, too. There will be a conference concerning militarization and the arms race in the Arctic region. It will be held in Montreal, September 15, 16 and 17, 1989. For further information, you can write to: Nordic Conference on Peace, 1415 Jarry Street East, Montreal, Quebec, H2E 1A7, tel: (514) 374-6660.



A collection of Inuit art that belonged to the federal government will be transferred to the N.W.T. and displayed in Inuit communities.

TFN is one of several Inuit bodies that will receive this art through an agreement-in-principle made by the Inuit Cultural Institute (ICI) and DIAND.

"This agreement will provide Inuit with greater opportunity to see some of the finest pieces of art produced by their own people", says DIAND Minister Pierre Cadieux.

Yet another program by Arctic College, yet another good program by Arctic College! But this one is in conjunction with Athabasca University. In other words, you can receive a university degree if you have studied a one-year program of your choice. How this works is interesting. When you complete a one-year course in Yellowknife, you may continue your studies at home through Athabasca University's independent program. You would not have to leave your community. If you're interested in political science; the study of people and cultures; techniques of effective communication; examining economic issues such as inflation and more, here's a good opportunity. Contact your local Adult Educator or write to Program Coordinator, Yellowknife Campus, Arctic College, 4th Floor, Scotia Centre, P.O. Box 1769, Yellowknife, N.W.T. X1A 2P3, (403) 873-7192.

Do you want to learn about land claims and other issues facing Inuit today, how Inuit organizations and government work, and what skills are needed to get started in a career?

If you do, TFN is seeking ten people like you for a one-year training program. It starts September 1989 and ends May 1990. You would live in Ottawa. If you wish to apply, contact your local Adult Educator or Government Liaison Officer for more information, or write to:

Nunavut Sivuniksavut
336 MacLaren Street, 2nd Floor
Ottawa, Ontario K2P 0M6 Tel: (613) 234-5603.

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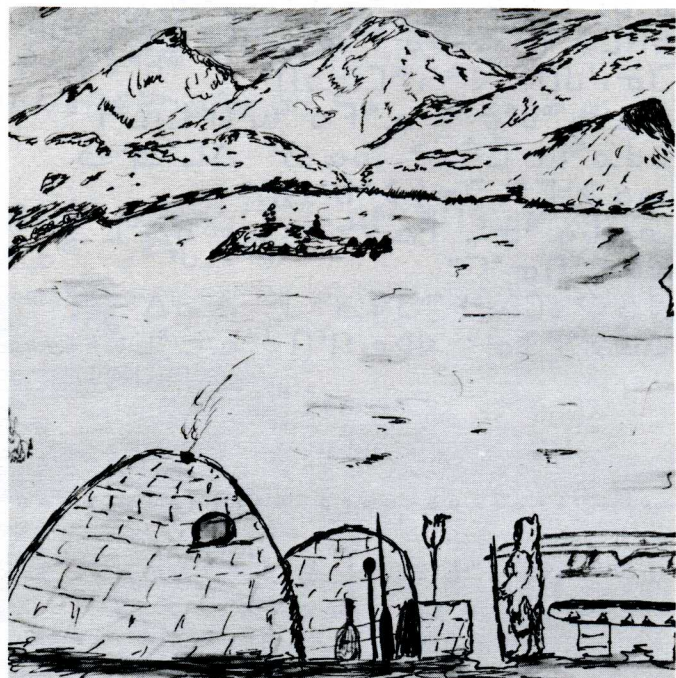
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.....

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 ለሰላምና ለሰላም ልማት

.....



ገጽ ፫ ምዕራባዊ ልማት

၁၉၆၂ ခု ဇူလိုင်လ ၁၀ ရက်နေ့
 ရန်ကုန်မြို့၊ ဝန်ကြီးရုံး
 အထွေထွေ

[illegible]

ድኅረ ምረቃ ስርዓት ለጥያቄዎች
ጋራ ለመስጠት በባለሥልጣን ለሚገኙ
በባለሥልጣን ስርዓት ስር

[illegible]

၁။ ဂဏ်းလေးပါးကို ဖြေဆိုရန်
 အောက်ပါအတိုင်း ဖြေဆိုပါ။
 ၂။ ဂဏ်းလေးပါးကို ဖြေဆိုရန်
 အောက်ပါအတိုင်း ဖြေဆိုပါ။

[illegible][illegible][illegible]

၁၀၆၄ နှစ် ဝါးလမ်း၊
 ၁၀၆၅ နှစ် နှစ်လမ်း၊
 ၁၀၆၆ နှစ် နှစ်လမ်း...

ጋራ ጋራ (ፍጹም ምርጫ)
 ጋራ ጋራ ፍጹም ፍጹም ፍጹም
 ፍጹም ፍጹም ፍጹም ፍጹም
 ፍጹም ፍጹም ፍጹም ፍጹም
 ፍጹም ፍጹም ፍጹም ፍጹም

$b \cap L \stackrel{\cdot}{\neq} \langle \phi_0 \rangle_{\Gamma^b} \langle \phi_0 \rangle^c$

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[illegible][illegible][illegible][illegible]

ΔΛΔΉΓΔΨ ΔΛΔΨΔΓΔΨ ΔΑΛΛΗΝΙΚΟΙΟΥΑΡΧΕΣ ΡΩΔΟΣ
ΔΜΜ ΜΕΤΕΓΓΕΛΙΑ ΝΠΡΑΞΕΙΣΔΕΥΣ ΕΓΓΕΝΕΣΔΕΥΣΑΡΧΕΣ;

CALC⁹C:

[illegible][illegible][illegible]

ΔΗΛΩΣΗ ΕΓΓΡΑΦΗΣ

መፍጠሪያው ጋራ ሆኖ ለህግ ምክር ቤት ማቅረብ ይችላል።

ᲢᲚᲗᲐ ᲔᲗᲐ ᲛᲛᲚᲗᲐ

P 0 J 2 6 > C

[illegible][illegible][illegible][illegible]

၎င်းတို့သည် အောက်ဖော်ပြပါအတိုင်း ဖြစ်ပေါ်ခဲ့သည်။
 ၎င်းတို့သည် အောက်ဖော်ပြပါအတိုင်း ဖြစ်ပေါ်ခဲ့သည်။

[illegible]

Δ $c^{\infty} \cup^{\infty} \mathbb{C} \mathbb{D} \mathbb{P}^1 \subset \mathbb{C} \mathbb{P}^1$ $\dot{\mathbb{C}}^{\infty}$
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 Δ $\mathbb{C}^{\infty} \cap \mathbb{C} \mathbb{D} \mathbb{P}^1 \subset \mathbb{C}^{\infty}$.

[illegible]

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 ልማት፡ ለሰላም፡ ለዲሞክራሲ
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[illegible]

፲፭ ዓመታት ምክር ቤቱ ለጋራ ልማት
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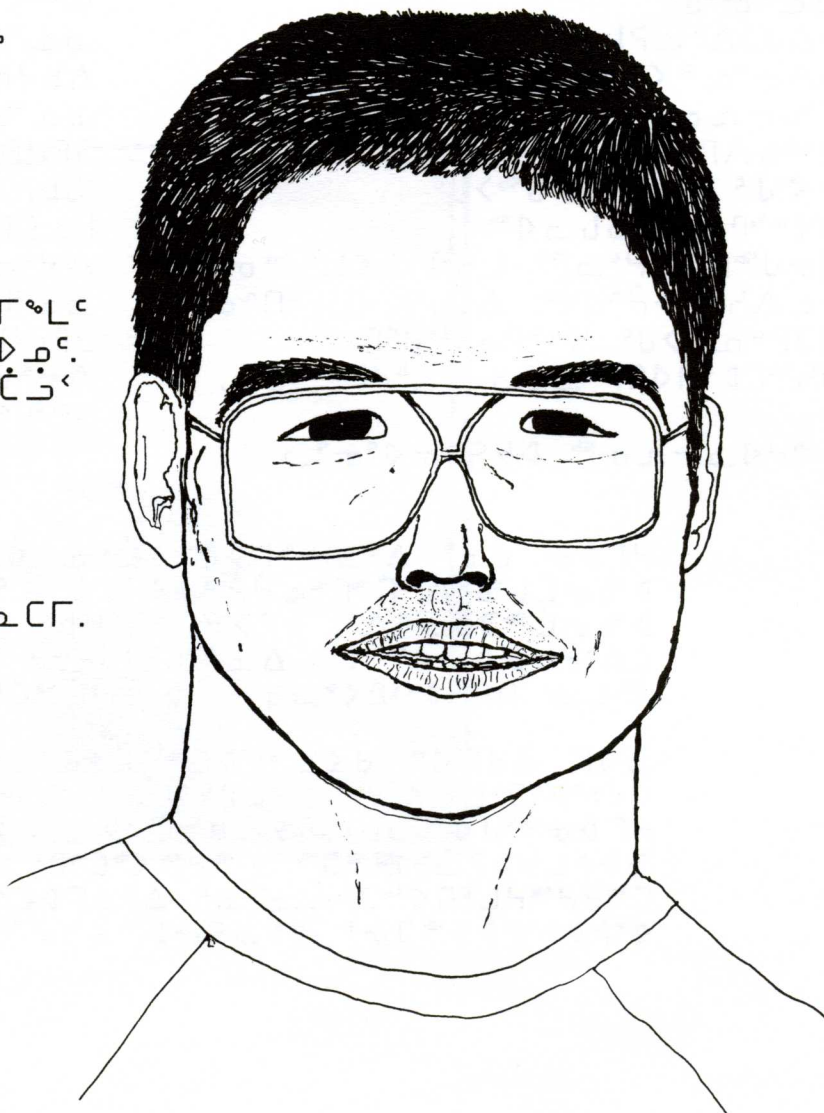
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$\Delta^{\text{ab}} \Gamma_{\Delta}^{\text{ab}} \sigma^{\text{ab}}$ $\Delta \nabla \zeta^{\circ} \sigma^{\Delta} \sigma^{\circ}$

[illegible][illegible]

በበፍጥነት ለሰላም ምክንያት!

በበፍጥነት ለሰላም ምክንያት
 ርኅረካ ይፈጸማል፤ ገዢዎች
 የሥራ ልማት ይፈጸማል፤
 በበፍጥነት ለሰላም ምክንያት ይፈጸማል፡

ገዢዎች ለሰላም ምክንያት ለሰላም ምክንያት
 ይፈጸማል፤ ገዢዎች የሥራ ልማት
 ይፈጸማል፤ ለሰላም ምክንያት
 ይፈጸማል፤ ለሰላም ምክንያት ይፈጸማል፡

ገዢዎች ለሰላም ምክንያት ለሰላም ምክንያት
 ይፈጸማል፤ ገዢዎች የሥራ ልማት
 ይፈጸማል፤ ለሰላም ምክንያት ይፈጸማል፡

ገዢዎች ለሰላም ምክንያት ለሰላም ምክንያት
 ይፈጸማል፤ ገዢዎች የሥራ ልማት
 ይፈጸማል፤ ለሰላም ምክንያት ይፈጸማል፡

ገዢዎች ለሰላም ምክንያት ለሰላም ምክንያት
 ይፈጸማል፤ ገዢዎች የሥራ ልማት
 ይፈጸማል፤ ለሰላም ምክንያት ይፈጸማል፡



ገዢዎች ለሰላም ምክንያት ለሰላም ምክንያት
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[illegible]

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በበፍረጃ፣ $\sigma \in \langle \sigma \rangle$ በፍረጃ
 $\sigma \in \langle \sigma \rangle$ ሆኖ፣ $\Delta \Delta$?

[illegible]

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1200-130 Slater Street
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