

SELF-GOVERNMENT IN THE CANADIAN NORTH: CREATION OF THE NUNAVIK REGIONAL GOVERNMENT: INNOVATIVE PROJECT AND CHALLENGES

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March 2008

December 5, 2007:

Signing of the Agreement in Principle for the establishment of the Nunavik Regional Government

Joint Press Release:

AN UNPRECEDENTED STEP HAS BEEN TAKEN

Result of a Tripartite Negotiation: Inuit, Québec, Canada



NUNAVIK

- Territory north of the 55th parallel in Québec (507,000 sq.km)
- 14 coastal communities (no reserves lands – First Nations)
- Population of 11,000 inhabitants (90% Inuit)
- More than 50% of the Inuit population have less than 25 years old
- Access by plane and sealift only
- Employment: public and para-public sectors
- Transport, mines, tourism, services, Inuit art
- Very high cost of living (70% higher than in southern Canada)
- Inuit pay taxes
- Kuujuaq: considered the regional capital of Nunavik





MILITARIZATION OF THE ARCTIC

World War II (1939-1945) catapulted the Canadian North and its inhabitants including the Inuit on the world scene

Military Bases (U.S./Canada) in Inuit Territory (Weather Stations - Crimson Project):

- Goose Bay, Labrador
- Fort Chimo (Kuujuaq), Arctic Québec
- Frobisher Bay (Iqaluit), Baffin Island
- Alaska Highway (via Yukon)
- U.S. bases in Greenland and Iceland

1950s: Cold War: Construction of Radar Networks:

Pinetree Line, Mid-Canada Line (55th parallel), Dew Line (Alaska to Greenland)

Impact on the Inuit:

- Families established themselves near military bases
- Access to Jobs

Impact on the Canadian and International opinion:

- Great interest (strategic) for the North
- «Discovery» of a population without services (starvation)
- Canadian sovereignty issue



PRESENCE OF THE GOVERNMENT OF CANADA

1953: Creation of the Department of Northern Affairs and National Resources. Responsibilities included the management of:

- the Northwest Territories and the Yukon
- the Eskimos (Inuit)

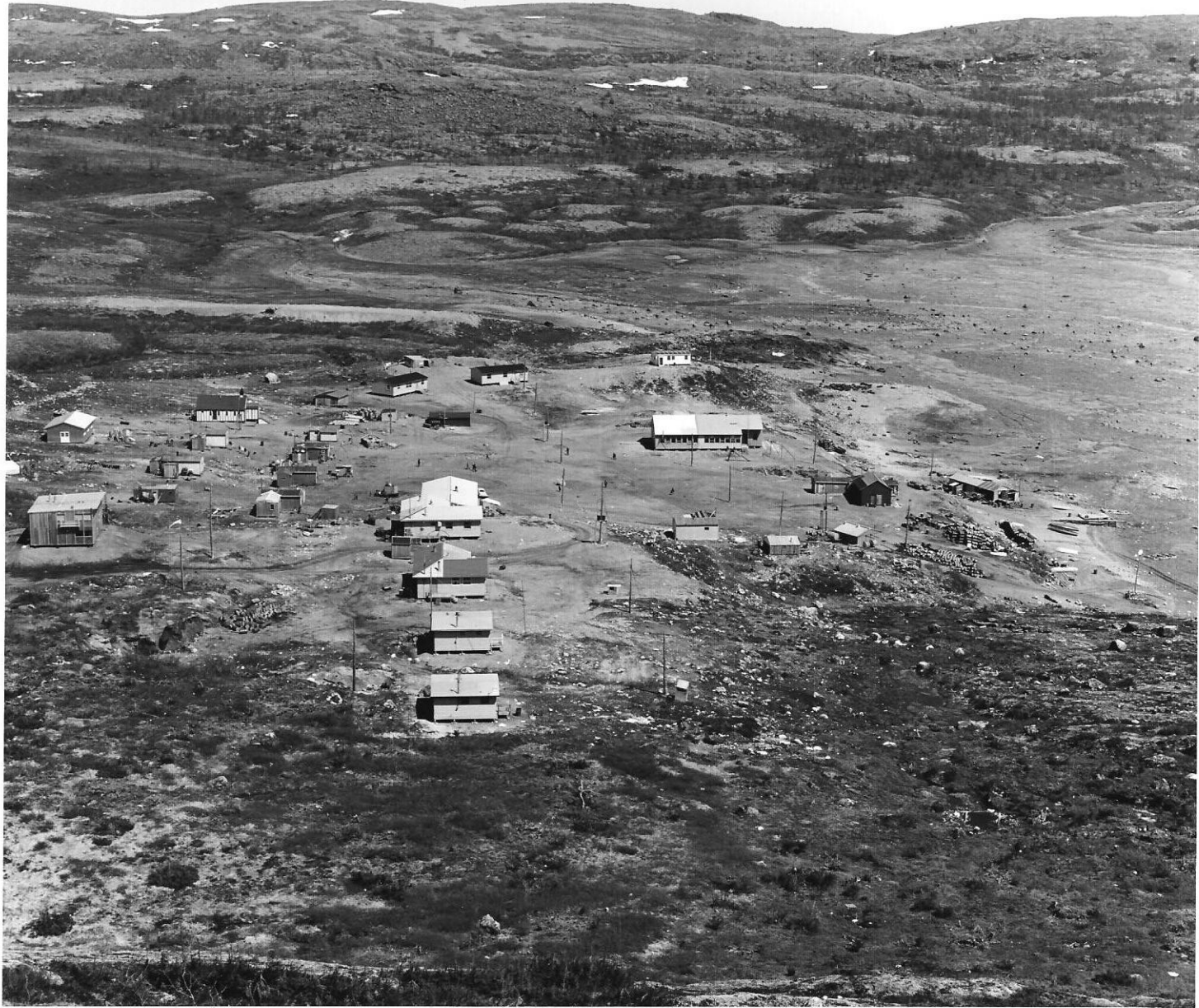
Primary schools established in all the Canadian North (teaching language is English) – Residential Schools

Improvement of health services

Establishment of permanent communities (completed in 1975)

Economic difficulties for the communities

First Cooperatives established in Nunavik:
Puvirnituq (1958) and Kangiqsualujjuaq (1959)









ARRIVAL OF THE GOVERNMENT OF QUÉBEC - 1963

Initiative of René Lévesque, Minister of Natural Resources

Creation of the Northern-Québec Branch Administration

Physical presence of Québec in the communities

Establishment of nursery schools: teaching in Inuttituut

Support of Québec to the Cooperatives



CONTEXT AND ORIGINS OF THE GOVERNANCE PROJECT

- Competition between both levels of governments concerning the administration of the Inuit
- Strength of the cooperative movement: Inuit organize themselves in this first economic cooperation
- 1970: Project of transfer of the administration from Canada to Québec
- Neville-Robitaille Commission

JAMES BAY HYDRO-ELECTRIC PROJECT

- Context of Québec Quiet Revolution
- Creation of 100,000 jobs
- 1912 Legislation to extend the boundaries of Québec
- Injunction of Judge Malouf
- Negotiations between the Inuit, Crees, Canada, Québec
- 1975: James Bay and Northern Québec Agreement (Inuit and Crees)
- 1978: Northeastern Québec Agreement (Naskapis)

James Bay and Northern Québec Agreement and Complementary Agreements



1998 Edition

Québec

James Bay and Northern Québec Agreement and Complementary Agreements

The James Bay and Northern Québec Agreement is the first treaty Québec signed with the federal government and aboriginal nations, in this case the Crees and the Inuit.

The Agreement was ratified on November 11, 1975 and is one of the most significant treaties ever signed with aboriginal people in Canada. Under the Agreement, the Crees and the Inuit assumed major responsibilities in education, health services and social services, administration, hunting, fishing and trapping. The Agreement also made provision for administrative structures and the funding needed to enable the Crees and the Inuit to take on these responsibilities. In return, the aboriginal people released their rights to almost one million square kilometres of land. Québec could then develop the land in accordance with the rules set out by the Agreement.

This new edition also contains the 12 complementary agreements signed between 1978 and 1993. These agreements have amended the original Agreement, showing that it is a dynamic mechanism that can be adapted to the new socioeconomic situation of the Crees and the Inuit.



Hydro-Québec

ISBN 2-551-179

EFFECTS OF THE JBNQA ON INUIT

- Extinction of all rights over the territory
- Disbursement of compensation funds (creation of Makivik Corporation)
- New resource management and land regimes
- New environmental evaluation regime
- Establishment of a governance system:
 - Creation of municipalities under Québec jurisdiction
 - Creation of public institutions under Québec jurisdiction:
 1. Kativik School Board
 2. Kativik Regional Government
 3. Nunavik Regional Health Board and Social Services



Mandate

Makivik Objectives are to receive, use and invest the compensation money intended for the Inuit, as provided for in the JBNQA; to develop opportunities for the Inuit to participate in economic development; to promote the welfare and education of the Inuit, to foster and promote in preserving the Inuit way of life, values and traditions; to improve the Inuit communities.



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Kativik School Board
Commission scolaire Kativik



Au-delà
 DE LA SALLE DE CLASSE

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Postes en enseignement

Primaire • Secondaire • Éducation des adultes

Vous détenez un brevet ou un permis d'enseigner équivalant à un baccalauréat valide au Canada et avez les compétences pour enseigner plusieurs matières au secteur régulier (primaire ou secondaire) ou à l'éducation des adultes, nous recherchons des enseignants ou une formation en enseignement de l'anglais ou du français comme langue seconde.



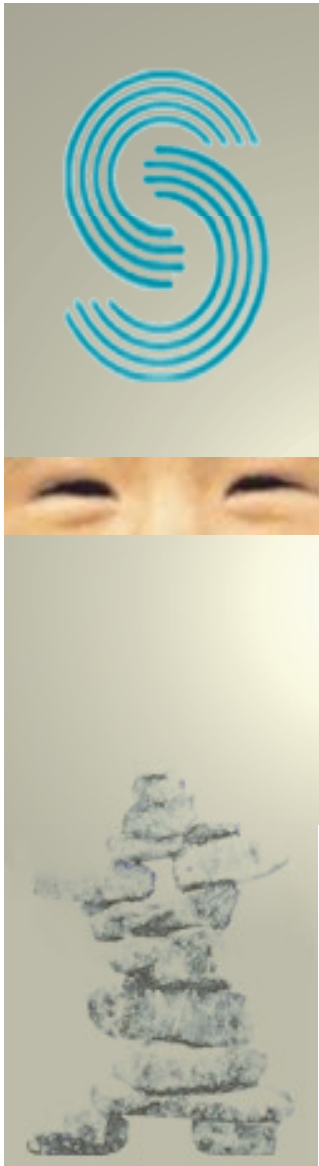


Administration régionale Kativik



KRG Webmail

- The Kativik Regional Government (KRG) oversees the delivery of a wide variety of essential services in Nunavik. KRG, whose Head Office is in Kuujuaq, is comprised of 11 separate departments including: public security, housing, childcare, employment and training, economic development, transportation.
- It manages regional affairs through more than 40 agreements with the Government of Quebec and the Government of Canada. Its present budget is \$130M a year and employs 400 people, 70% are Inuit.



La Règle Régionale de la Santé et des Services Sociaux du Nunavik

1983-1995 PERIOD

- Historical meeting between the Premier Ministre du Québec (René Lévesque) and the Inuit of Nunavik
- Nunavik Constitutional Committee
- Nunavik Constitution – 1991 – Approved by referendum
- July 21, 1994: Signing of a Québec-Inuit Framework Agreement
Objective: to create a Nunavik Assembly and Government
- Section 8.2: participation of the Government of Canada – Donat Savoie appointed Federal Representative to the negotiations
- Negotiations lasted until June 1995



Salon rouge, 1983: un échange historique

L'échange qui suit entre Eliyassie Sallualuk, alors représentant de ITN, et René Lévesque, alors premier ministre du Québec, a eu lieu en 1983 au Salon rouge de l'Assemblée nationale, là où précisément s'est tenue la cérémonie de signature de l'Entente de principe (EP) pour la création du gouvernement régional du Nunavik.

Eliyassi Sallualuk : Si tous les groupes existants du Nouveau-Québec décident de travailler ensemble à la création d'un [...] gouvernement, pourriez-vous leur dire « d'accord, on y va »?

René Lévesque : Ma réponse c'est oui [...] dans le sens d'une autonomie à l'intérieur du Québec, qui leur permettrait de mieux administrer leurs affaires, de faire des lois dans les domaines qui les concernent directement, d'organiser leur vie, nous serions prêts à en parler immédiatement avec eux et à accepter d'en tenir compte. On pourrait négocier sur cette base quand ils le voudront.

(Commission parlementaire de l'Assemblée nationale du Québec, 23 novembre 1983, cité dans : Commission du Nunavik 2001).

Le gouvernement du Québec venait alors de convoquer une Commission parlementaire spéciale sur les Affaires autochtones et il avait invité pour l'occasion des représentants de chacune des Premières Nations et plusieurs délégués Inuit.

On se rappelle qu'il y avait alors chez les Inuit une forte dissidence liée en bonne partie à la CBJNQ, et les divisions internes n'avaient pas manqué de se révéler au grand jour pendant les audiences de la Commission puisque des Inuit de toutes les factions avaient pu y exprimer des points de vue divergents.

Dans les minutes précédant cet échange, René Lévesque avait exprimé l'avis que son gouvernement pourrait difficilement négocier une entente pour la création d'un gouvernement autonome avec des factions opposées entre elles, et qu'il faudrait au préalable que les Inuit fassent l'unité entre eux.

C'est à ce moment précis qu'Eliyassi s'est levé pour poser la question qui devait provoquer la réponse de René Lévesque. Cette réponse sera considérée comme le premier engagement public du Québec de négocier en vue de la création d'un gouvernement pour le Nunavik, et elle constituera le premier d'une longue suite d'événements qui devaient culminer avec la signature en 2007, dans l'enceinte du même Salon rouge, de l'Entente de principe sur la création du gouvernement régional du Nunavik.

1997-2001 PERIOD

November 5, 1999: Signature of a Political Accord between the Inuit of Nunavik, Québec and Canada

Creation of the Nunavik Tripartite Commission

April 2001: Report tabled – 5 sections and 19 main recommendations:

1. The Institutions
2. Public Finances
3. Fundamental Social Issues
4. Relationship with other Governments
5. Steps Towards the Nunavik Government

2001-2007 PERIOD

December 2001: Start of the negotiations according to the negotiation process of the federal government

Negotiation process has 3 phases:

1st phase: Tripartite Framework Agreement signed in 2003

This document identifies the subjects of the negotiation

2nd phase: Agreement in Principle signed December 5, 2007

3rd phase: Final Agreement (in negotiation)

Implementation process once negotiations are completed

2nd phase: Tripartite Agreement in Principle signed December 5, 2007

MAIN ELEMENTS:

- Creation of the Nunavik Regional Government (NRG) as a public institution for all Nunavik residents
- The 3 present organizations with its powers and budgets, will be amalgamated to establish the NRG
- Other Nunavik organizations will continue to exist
- NRG will be established by legislation of the Quebec National Assembly

- Respect the authority of the Parliament of Canada
- Respect the rights of the Crees and the Naskapis
- No changes to the Land Regime
- Charters of Rights and Freedoms will apply to the NRG
- Creation of a Nunavik Assembly by public vote
- To be composed of 21 members
- Creation of Advisory Councils to the Assembly

- Creation of an Executive Council and a public administration to include the following departments:
 - Health and Social Services
 - Education
 - Local and Regional Affairs
 - Central Administration and Finances
 - Secretariat General
 - Treasury Secretariat

- Relations with governments, First Nations and Inuit:
 - Québec
 - Canada
 - Provinces and territories
 - First Nations and Inuit

- New funding regime and financial transfers
- Financial Transfer Agreements to include program and service delivery standards, objectives and accountability
- Implementation and Transition (tasks, responsibilities, time frames, costs):
 - Main responsibility is with Québec and the Inuit
 - Secondary impact on the federal government
 - Implementation Plan attached to the Final Agreement
- A second phase of negotiations will take place. Its objectives are to provide new powers to the Nunavik Regional Government

3rd phase: Negotiation of the Final Agreement

Examples of items to be negotiated:

- Rules and Procedures for the first election
- Rights and Obligations of the Nunavik Regional Government as employer
- Dispute Resolution Mechanism
- Place and role of the Naskapis in the NRG
- Time frame and timeline for the implementation phase

SUBSEQUENT PHASES

- Ratification process:
 - Referendum by all Nunavik residents
 - Government of Québec
 - Government of Canada
- Amendments to the JBNQA – Complementary Agreement
- Nunavik Act to be voted by the Québec National Assembly
- Transition Committee
- 200X: Start of operations of the Nunavik Regional Government
- 200X: 2nd phase of negotiations for new powers

CONCLUSIONS

- **Innovative Project that is part of a continuity**
- **Reflects the vision of the Inuit of Nunavik**
- **Inuit Leadership**
- **Pita Aatami, President of Makivik: To build a better future for Nunavik**
- **Minister Benoit Pelletier (Québec): Complementarity of the relations between Québec and the Inuit**
- **Minister Chuck Strahl (federal): Inuit will take their own decisions**

UNIQUE CHARACTER OF NUNAVIK

- Inuit have occupied the territory for 4,000 years
- Nunavik became part of Québec only in 1912
- Obligation of Québec to recognize and negotiate the rights of the Inuit occupying the territory – this was accepted by Québec at transfer
- Special legal and political status of Nunavik as defined by the James Bay and Northern Quebec Agreement
- JBNQA protected by Canadian Constitution
- Unique governance system for Nunavik

Johnny N. Adams (Inuit Leader)
(National Order of Québec)

«This INUKSHUK will guide our relations, and will recall on a daily basis, that the road to follow is one of dialogue and respect. It is a symbol of cooperation, fraternity, and partnership between our nations»



Inuit of Canada

Suggested Web Sites to Visit

- WWW.ITK.CA Inuit Tapiriit Kanatami (ITK) is the national Inuit organization in Canada representing four Inuit regions - Nunatsiavut (Labrador), Nunavik (Northern Quebec), Nunavut and the Inuvialuit Settlement Region in the Northwest Territories. This web site provides information on the activities of the various departments of ITK: Communications, Environment, Health, Socio-Economic Development.
- WWW.NUNATSIAVUT.COM This site provides information on the various departments of the Nunatsiavut Government and on the Nunatsiavut Assembly. The establishment of this government is pursuant to the signing of the land claim agreement of the Inuit of Labrador by the Labrador Inuit Association.
- WWW.GOV.NU.CA This is the web site of the Government of Nunavut. Provides information facts about Nunavut, Legislative Assembly of Nunavut, on Nunavut legislation, government policies, public documents, organizations and on the various departments and crown agencies of the government.

- WWW.INUVIALUIT.COM Pursuant to the signing on June 5, 1984 of the Inuvialuit (Western Arctic) Final Agreement, the Inuvialuit Corporate Group was established and is composed of the Inuvialuit Regional Corporation and its subsidiaries corporations active in various areas including land, petroleum and investment.
- WWW.MAKIVIK.ORG Makivik Corporation was established pursuant to the signing of the James Bay and Northern Quebec Agreement in 1975. Makivik represents the Inuit of Nunavik (Northern Quebec). The web site provides information on the mandate of Makivik, its projects and activities and its annual report.
- WWW.NUNAVIKGOVERNMENT.CA Interactive trilingual (Inutituut, French, English) web site created by Makivik. Informations are provided on the Nunavik Regional Government Project, and on the state of the negotiations between the Inuit of Nunavik and the governments of Quebec and Canada. Approximately 1,000 people visit this site every week. Abundant source of information; highly recommended.

- **NOTE:** Presently in Nunavik, there are three public institutions providing programs and services to all its residents: Kativik Regional Government, Kativik School Board, Nunavik Regional Health Board and Social Services. These institutions will be amalgamated in order to establish the Nunavik Regional Government.
- WWW.KRG.CA This web site provides information on the mandate of the Kativik Regional Government and on the programs and services delivered to the residents of Nunavik; access to its annual report.
- WWW.KATIVIK.QC.CA Information provided on the mandate, organization and programs offered by the Kativik School Board which has the responsibility for schooling in Nunavik, Inuit teacher training, language and culture.
- WWW.RRSS17.GOUV.QC.CA Information on the mandate and the network of services provided by the Nunavik Regional Health Board and Social Services.

- WWW.NUNAVIK.CA Nunavik Portal.
- WWW.INUITCIRCUMPOLAR.COM The Inuit Circumpolar Conference (ICC) is the international organization representing approximately 150,000 Inuit living in the Arctic regions of Alaska, Canada, Greenland and Chukotka, Russia. The ICC is involved in Arctic Policy Development, Traditional Knowledge, Agenda 21, Environmental Activities, Arctic Environmental Protection Strategy.
- WWW.ABORIGINALCANADA.GC.CA The Aboriginal Canada Portal is a single Internet gateway to cover 7,500 links for and about Aboriginal peoples in Canada. Contains over 15,000 pages of information about business, employment, economic development, culture, communities, education, organizations, claims and treaties, health, housing. It connects to more than 25 national Aboriginal organizations, Government of Canada departments and agencies, provincial and territorial governments, Aboriginal communities, national and regional associations, university and college Aboriginal Studies programs, key Aboriginal Urban programs and a variety of international resources.