Dias 1

ESTABLISHMENT OF THE NUNAVIK REGIONAL GOVERNMENT: CHALLENGES AND INNOVATION

Presentation prepared by Donat Savoie
Inuit, Arctic and Circumpolar Affairs
Former Chief Federal (Canada) Negotiator for Nunavik

February 2008

Dias 2

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

2

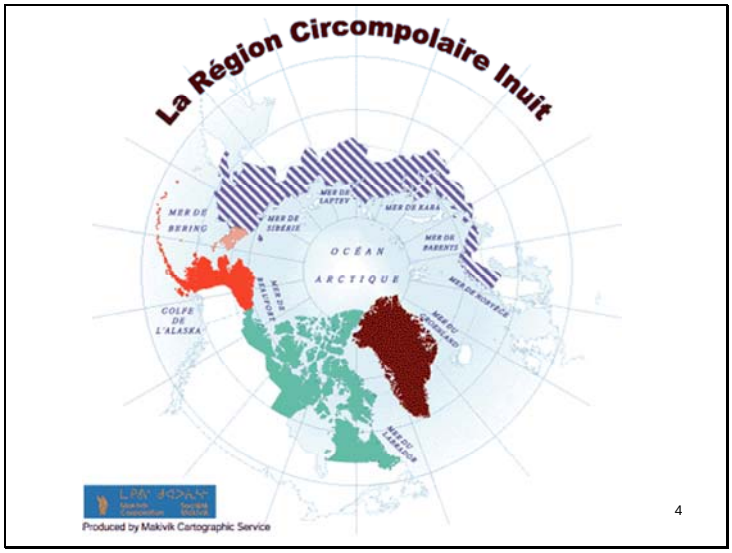
Dias 3

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
- Very high cost of living (70% higher than in southern Canada)
- Inuit pay taxes
- Kuujjuaq: considered the regional capital of Nunavik

3

Dias 4


La Région Circompolaire Inuit
MER DE BERING
MER DE SIBÉRIE
MER DE LAPTEV
MER DE KARA
MER DE BARENTS
OCÉAN ARCTIQUE
MER DE NORVÈGE
MER DU GROENLAND
MER DU LABRADOR
MER DE BEAUFORT
GOLFE DE L'ALASKA
Produced by Makivik Cartographic Service
4

Dias 5

Ivujivik
Salluit
Détroit d'Hudson
Kangiqsujuaq
Akulivik
Quaqtaq
Puvirnituq
Kangirsuk
Baie d'Ungava
Aupaluk
Inukjuak
Tasiujaq
Kangiqsualujjuaq
Kuujjuaq
Baie d'Hudson
N U N A V I K
Mer du Labrador
Umiujaq
Kuujjuaraapik
Chisasibi
Q U É B E C
Golfe du Saint-Laurent
Quebec
Ottawa
Montreal
ONTARIO

5

Dias 6

ARRIVAL OF GOVERNMENTS

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

Establishment of Military Bases in Inuit Territory, including:
- Goose Bay, Labrador
- Fort Chimo (Kuujjuaq), Arctic Québec
- Frobisher Bay (Iqaluit), Baffin Island

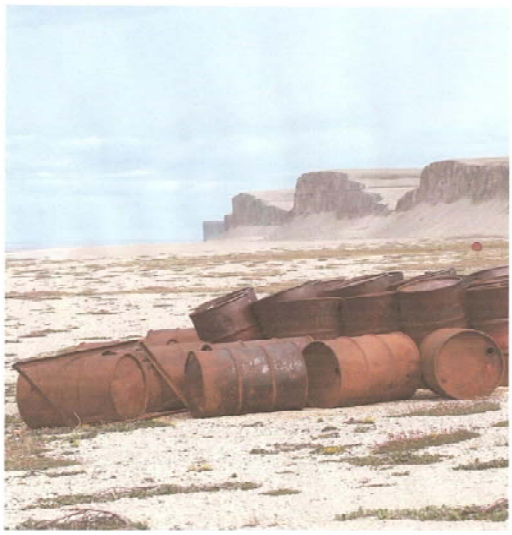
1950s: Construction of a radar network:
Pinetree Line, Mid-Canada Line, Dew Line

Impact on the Inuit:
- Families established themselves near the military bases
- Access to Jobs

Impact on the Canadian and International opinion:
- Great interest (strategic) for the North
- «Discovery» of a population without services
- Canadian sovereignty issue

6

Dias 7



Dias 8

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

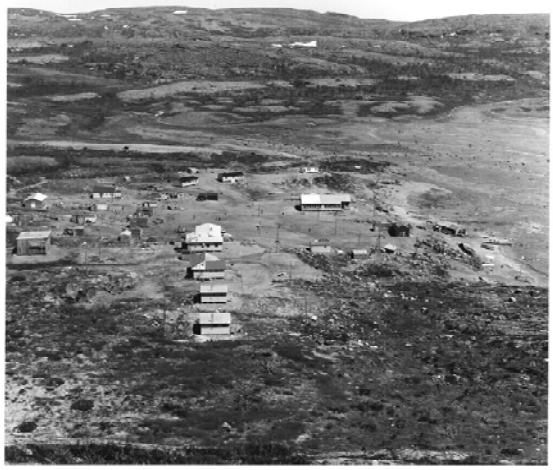
Establishment of permanent communities for the Inuit

Economic difficulties for the communities

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

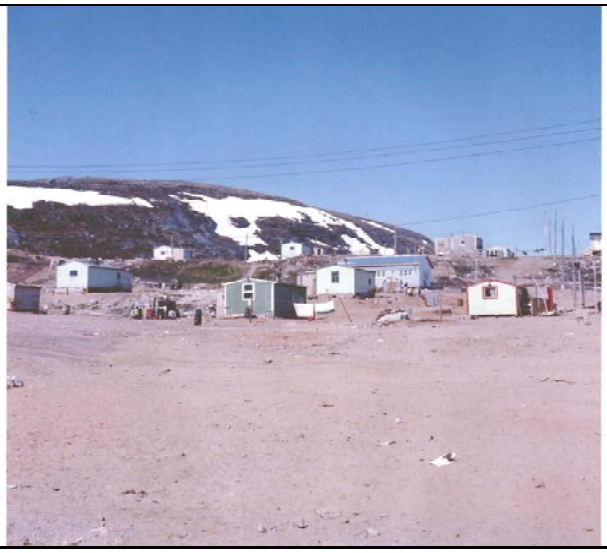
8

Dias 9



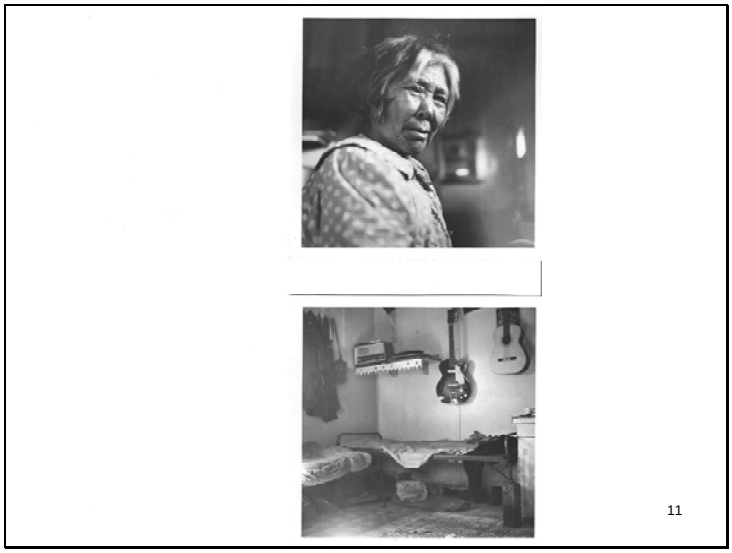
9

Dias 10



.0

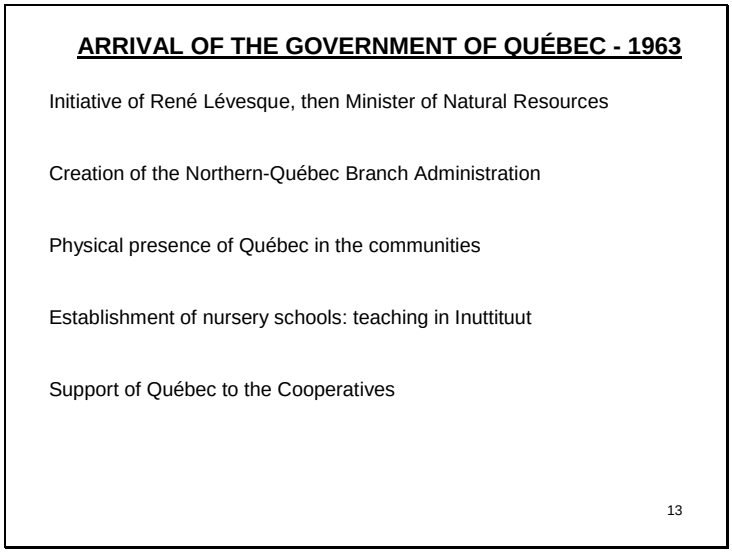
Dias 11



Dias 12

12

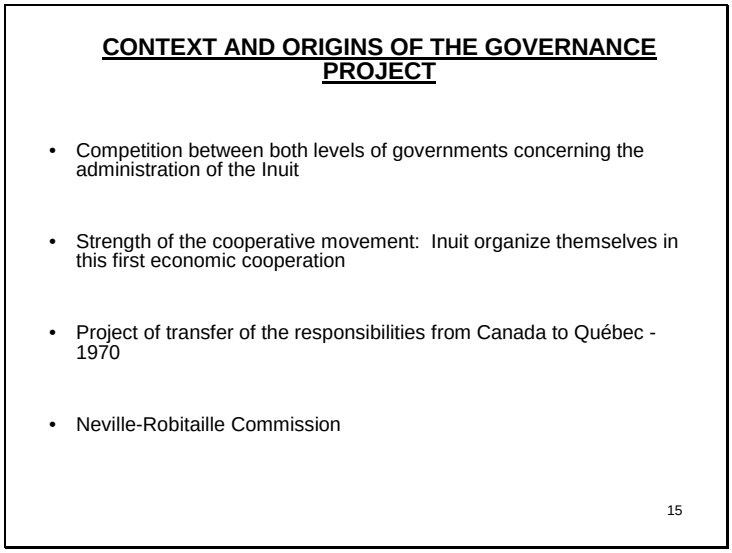
Dias 13


ARRIVAL OF THE GOVERNMENT OF QUÉBEC - 1963
Initiative of René Lévesque, then 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
13

Dias 14

14

Dias 15


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
• Project of transfer of the responsibilities from Canada to Québec - 1970
• Neville-Robitaille Commission
15

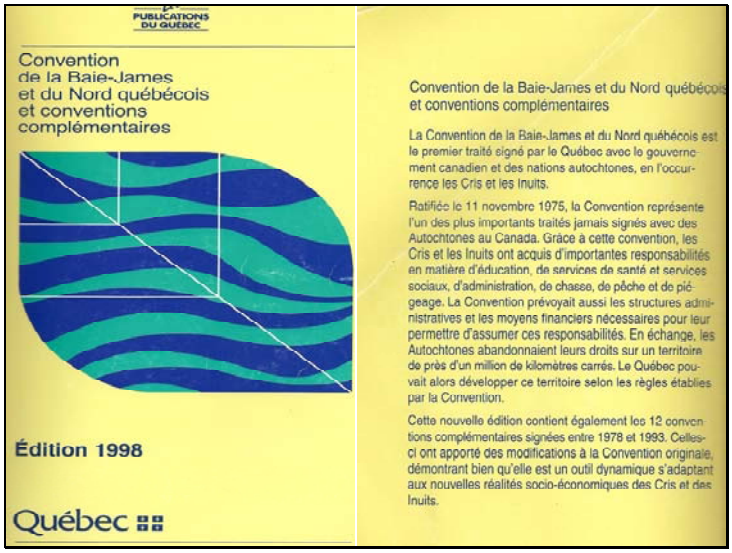
Dias 16

JAMES BAY HYDRO-ELECTRIC PROJECT

- Context of Quebec 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 Quebec Agreement (Inuit and Crees)
- 1978: Northeastern Quebec Agreement (Naskapis)

16

Dias 17



PUBLICATIONS DU QUÉBEC

Convention de la Baie-James et du Nord québécois et conventions complémentaires

Édition 1998

Québec

Convention de la Baie-James et du Nord québécois et conventions complémentaires

La Convention de la Baie-James et du Nord québécois est le premier traité signé par le Québec avec le gouvernement canadien et des nations autochtones, en l'occurrence les Cris et les Inuits.

Ratifiée le 11 novembre 1975, la Convention représente l'un des plus importants traités jamais signés avec des Autochtones au Canada. Grâce à cette convention, les Cris et les Inuits ont acquis d'importantes responsabilités en matière d'éducation, de services de santé et services sociaux, d'administration, de chasse, de pêche et de piégeage. La Convention prévoyait aussi les structures administratives et les moyens financiers nécessaires pour leur permettre d'assumer ces responsabilités. En échange, les Autochtones abandonnaient leurs droits sur un territoire de près d'un million de kilomètres carrés. Le Québec pouvait alors développer ce territoire selon les règles établies par la Convention.

Cette nouvelle édition contient également les 12 conventions complémentaires signées entre 1978 et 1993. Celles-ci ont apporté des modifications à la Convention originale, démontrant bien qu'elle est un outil dynamique s'adaptant aux nouvelles réalités socio-économiques des Cris et des Inuits.

Dias 18

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

18

Dias 19

Mandat

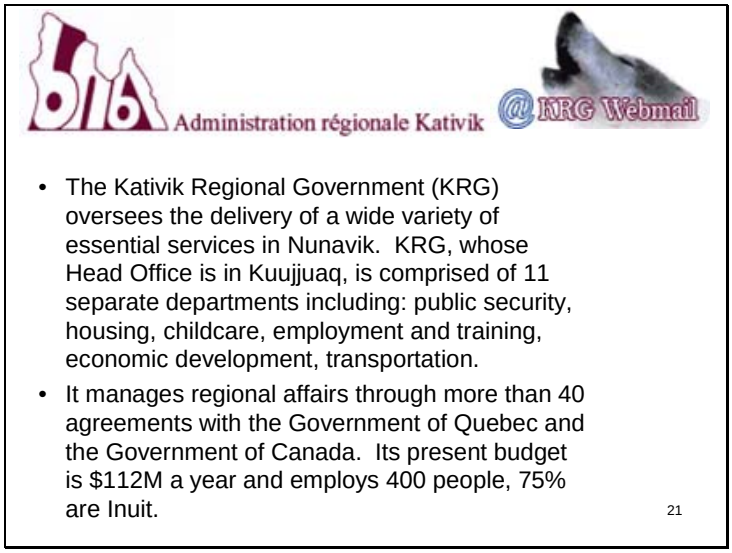
Makivik Objectives are to receive,use and invest the compensation money intended for the Inuit , as provided for in the JBNQA; to develop opportunities for the Inuit to participate in economic development; to promote the welfare and education of the Inuit, to foster and promote in preserving the Inuit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

19

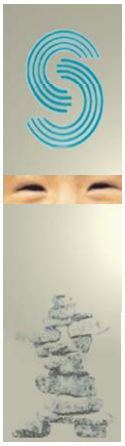
Dias 20

ᑲᑎᕕᒃ ᐃᓕᓴᕐᓂᓕᕆᓂᖅ
Kativik School Board
Commission scolaire Kativik
Kativik
Au-delà
DE LA SALLE DE CLASSE
ᐃᓕᓴᕐᓂᐊᕐᓂᖅ ᓯᓚᑦ
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 com
pour enseigner plusieurs matières au secteur régulier (primaire ou secondaire) ou à l'éducation des adultes, no
ᐊᓐᓄᑦᑎᒃ
ANNGUTIVIK
20

Dias 21


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 Kuujjuaq, 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 $112M a year and employs 400 people, 75% are Inuit.
21

Dias 22



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

22

Dias 23

1983-1995 PERIOD

- Historical meeting between the Premier of Québec 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

23

Dias 24

Salon rouge, 1983: un échange historique

L'échange qui suit entre Eliyassie Sailuaiuk, 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 Sailuaiuk : 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 sommes 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.

24

Dias 25

1997-2001 PERIOD

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

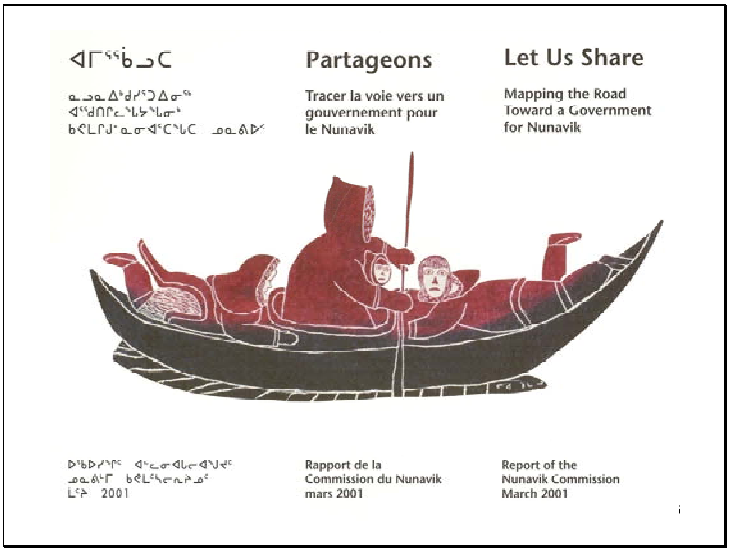
Creation of the Nunavik Tripartite Commission

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

25

Dias 26


Partageons
Tracer la voie vers un gouvernement pour le Nunavik
Let Us Share
Mapping the Road Toward a Government for Nunavik
Rapport de la Commission du Nunavik mars 2001
Report of the Nunavik Commission March 2001

Dias 27

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

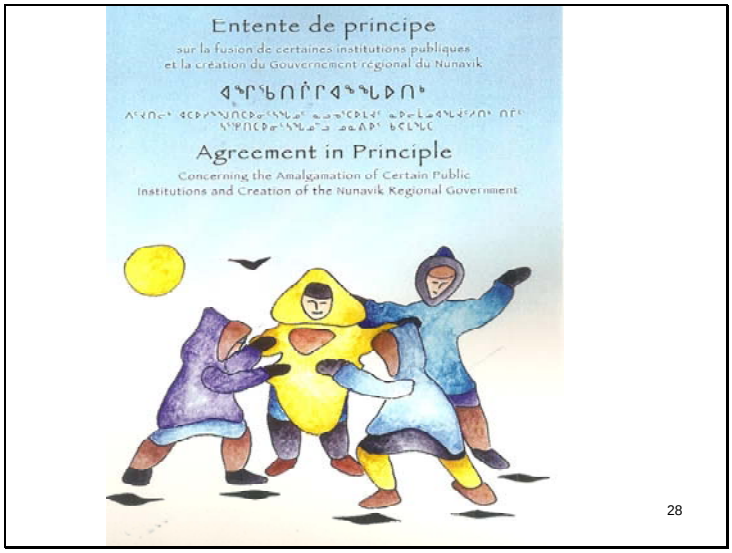
2nd phase: Agreement in Principle signed December 5, 2007

3nd phase: Final Agreement (in negotiation)

Implementation process once negotiations are completed

27

Dias 28


Entente de principe
sur la fusion de certaines institutions publiques
et la création du Gouvernement régional du Nunavik
Agreement in Principle
Concerning the Amalgamation of Certain Public
Institutions and Creation of the Nunavik Regional Government
28

Dias 29

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

29

Dias 30

- 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

30

Dias 31

- 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

31

Dias 32

- 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

32

Dias 33

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

33

Dias 34

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

34

Dias 35

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**

35

Dias 36

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

36

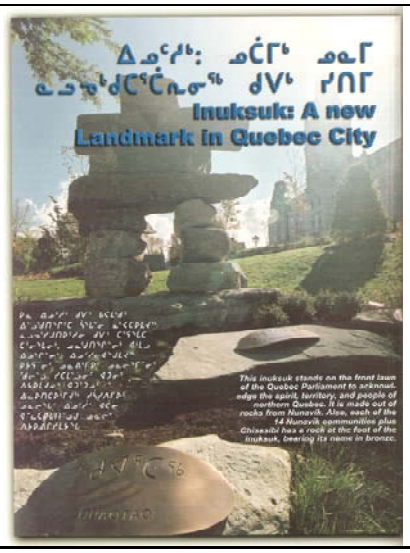
Dias 37

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»

37

Dias 38


Inuksuk: A new
Landmark in Quebec City
This inuksuk stands on the front lawn of the Quebec Parliament to acknowledge the spirit, territory, and people of northern Quebec. It is made out of rocks from Nunavik. Also, each of the 14 Nunavik communities plus Chisasibi has a rock at the foot of the Inuksuk, bearing its name in bronze.

38

Dias 39