



**NEGOTIATIONS SECTORAL
FOLLOW-UP SESSION
FLIP CHART NOTES
INUIT BREAKOUT GROUP**

The following reflects a transcription of the comments posted on flipcharts in response to the questions indicated below in boldfaced text, during the breakout group discussions.



INUIT BREAKOUT GROUP NEGOTIATIONS SECTORAL FOLLOW-UP SESSION FLIP CHART NOTES

INUIT BREAKOUT GROUP

The objective for the negotiations sectoral session is to share views and discuss options for establishing more effective policies and processes for addressing Aboriginal and treaty rights by;

- Discussing the legal objectives and principles, and lessons learned, for addressing Aboriginal and treaty rights consistent with the recognition and affirmation of those rights in section 35 of the Constitution Act, 1982.
- Discussing the relationship objectives and principles, and lessons learned, for addressing Aboriginal land rights, the inherent right of self-government, and treaty rights.
- Discussing options for the renewal of policies to more effectively address section 35 Aboriginal and treaty rights, including facilitating the achievement and implementation of land claims agreements and the implementation of the inherent right of self-government.
- Discussing options for improving processes and mechanisms for addressing s.35 Aboriginal and treaty rights, including good faith negotiations, the implementation of land claims agreements and the implementation of the inherent right of self-government.

A series of background papers on Métis, First Nations, and Inuit issues related to negotiations were provided to all participants prior to the session.

This report is an overview of the discussions held at the Inuit Negotiations Sectoral Breakout Session on January 12-13 in Calgary. Output from the session was captured on flip charts by the facilitators as well as the participants. All flip charts were transcribed for this report.

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DAY 1 – JANUARY 12, 2005

The breakout session began with reviewing the norms of the group and describing the lenses that were to be used in the discussions. At every stage of discussions, the participants were asked to review their recommendations from three perspectives:

1. Do the statements provide Inuit women an opportunity to participate and/or address issues of concern?
2. Have the needs and concerns of Inuit in urban situations been addressed?
3. Have the needs of Inuit living with disabilities been addressed?

Participants were then asked to introduce themselves and were provided with an opportunity to present any key message they would like to share with the group.

Note: The flipchart notes are sometimes augmented to assist in the reader's understanding of what was written. In those cases, *the additional words are written in italics*.

Introductory Key Messages

- Inuit women need to be kept in mind.
- Keep in mind – Inuk is one person – Inuit is more than one. Inuit people is not correct
- Extinguishment clause needs to be dissolved and completely removed in treaties. Honour of *the Crown* is implicated in this issue.
- *Ensure that* government is aware of Nunavut land claim- *GC is* still obligated *and* can't walk away.
- For land claims to be successful – fed. government has *the* obligation to implement *them*.
- For Inuit to believe in *their land* claims – *they* need to see implementation *occurring*. Organizations are *presently* getting the brunt of the concerns *raised at them*.
- *Inuit* want *their* traditional ways to continue.
- *There is* a lot of passing on *of* responsibility to Inuit organizations *of* government responsibilities related to other Aboriginal groups.
- *Inuit would* like to include negotiations/discussions with industry.
- Inuit *are* often marginalized in urban settings – don't get constitutional recognition.
- Land claims in all the regions – did it for all of Canada.



The Current State – Issue Identification

Participants were asked to provide the critical issues related to negotiations for the Inuit. The facilitators informed the group that the issues would be the basis for the discussion in the breakout groups. All of the issues were listed and then organized by headings for the next morning.

Discussion Question 1 : What are the critical issues to effectively address Inuit Aboriginal and treaty rights?

1. Federal government has one policy to negotiate with Aboriginal people *and* applies a FN paradigm. *It is more* applicable to FN *and* not appropriate for Inuit. *We* need Inuit specific policies.
2. Government needs to move away from north of 60/south of 60 *as this* creates two classes of Inuit. Canadian Arctic - expand the understanding.
3. Ensure that provincial governments do not become the overriding government to negotiate with Inuit.
4. First peoples' government *does not equate with* ethnic government.
5. Transition of government (political or administrative) = not aware or knowledgeable about the land claims; government needs to do refresher. Make government departments aware of their obligations to Inuit.
 - Make themselves aware of obligations and mandates
6. Be aware of mandate on implementation of the articles of the land claims
7. Jurisdiction has to be clarified and not caught in the middle between two governments (prov. and Fed) *both which may* want to wash their hands *of their obligations*.
8. Governments seem to want to pass on jurisdictional problems onto the Inuit to resolve. (*eg. with* respect to Quebec).
- 2A. Premiers have an obligation to represent the Arctic.
9. Nunavut is only one fourth of the *Inuit* regions – *This creates a* problem when government is focussed on Nunavut *but* trying to develop Canadian Arctic policy.
10. Timelines for negotiations - some work can *be* done *but* capacity is lost when governments take too long or stall
11. Larger Inuit communities growing in the South - what are the implications? *What is* Government's responsibilities in meeting *these* Inuit needs?



- 1A. *Inuit do not want to have an all-inclusive aboriginal process.*
12. Federal government is good at meeting minimum requirements *only* and not *at* meeting *the* larger objectives or spirit of claims.
13. Importance of midwifery - women can stay in community - ensures stability of family and communities - unique challenges for women to stay home - midwifery law established at pace of region.
14. People in communities are being multi- tasked and now asked to talk about self-government. Need to address capacity issues. Build capacity in communities (more people, training etc.).
15. Federal government should not be creating initiatives that do not match needs of Inuit (eg. Health Canada wanting consent forms for specific health services) - suggestion - take moratorium on brave new initiatives - *these can be* huge distractions *and* time consuming.
16. Chart priorities together *under* partnership agreements (Inuit and Fed) instead of innovative ideas
17. *GC Negotiation Session* Roundtable discussion paper - Inuit are just *seen as being an add-on to the First Nations and Metis issues* – *This* could be the repeat of Gathering Strength – *where the attitude seems to be* that business is done now that Inuit agreements are *in place*.
 - not seeing policy changes that would reflect the land claim agreements
 - Issues of the day drive *the GC* to focus on FNs and Métis.
18. claims implementation - looking for mandatory education of bureaucrats (fiduciary responsibility - not INAC issue.
19. Arctic colleges/Inuit schools need to include *knowledge of* Inuit rights.
20. How do we address self-government through public government?
21. Need to discuss mechanisms with overlapping claims that allow for progress to happen with some groups.
22. sins of omission– relationship between fed gov't and Inuit.
 - Waiting 5 years – no formal response to partnership agreement
 - waiting 4 years – no response as to whether Inuit *organizations* should have core funding equal to First Nations
 - need obligation by fed gov't to respond
23. Gov't of Canada is negotiating International agreements that will affect Inuit –fed departments negotiating are ignorant about Canadian Arctic – need education, need



- communication – both for federal government and treaty organizations
24. Needs to be a new implementation policy.
 25. in some implementation disputes- there may be a problem that parties have genuine misunderstandings of provisions – how do we resolve disagreements where there is not agreement on interpretation of provisions
 26. Governments coming to the table with internal mandates/interpretation of gov't obligations which may not support resolution – negotiations
 - come with *fait accompli*
 - Inuit have little room to negotiate
 27. Nunavut land agreement – section 23 – Inuit are losing out on \$m
 - making no progress in this area *while this is* not implemented – departments are waiting
 28. Inuit Secretariat – fear *that it will* become bureaucratic and slow down progress through *more* red tape
 - should expedite land claims implementation
 29. Why do Ministerial commitments not get translated at bureaucratic level?
 30. Federal gov't *should* put policies in place to be respectful of Inuit organizations – federal gov't *should* have to prove/evaluate Inuit organizations' value
 - rather than Inuit orgs* needing to prove ourselves each year
 - checks and balances are increasing
 - no relationship – start our education
 - need multi-year funding
 31. Inuit organizations are currently educating federal bureaucrats – should be requirement of job to be knowledgeable *so that Inuit orgs do not have to keep constantly educating new GC employees.*
 32. Figure out how to challenge federal gov't eg. Get core funding like First Nations. Are the constitutional rights equal between Inuit and First Nations?
 - why are we getting *the* short end of *the* stick as taxpayers?
 - negotiations on core funding for aboriginal specific programs – fed and territorial gov'ts are not talking
 - in some self-government situations - have to share responsibilities e.g. Health, with First Nation groups and sometimes negotiate for both Inuit and First Nations (eg. Inuvialuit)
 33. Need to have proactive approach to having women's participation in negotiations. (see point #35)



34. Need more information about outcomes of the agreements from federal government and Inuit so that can find better ways to implement agreements.
35. Role of Pauktutit in being involved in negotiations at the regional level
 - not consulted enough
 - should be involved in claims
36. Gov't needs to recognize land claims is not just \$\$ - every provision has a benefit that goes back to Canada and *Canadians* in perpetuity.

DAY 2 – JANUARY 13, 2005

The Critical issues that were identified by the group were then summarized into eight categories by the facilitators and presented to the group first thing in the morning. The summary was accepted by the group as the categories to work within.

Summary of the Critical Issues

Category 1 - Inuit and Pan Arctic Definition and Policies

- Need Inuit specific policies
 - not FN approach (1)
 - not all-inclusive Aboriginal Policy
 - not Inuit add-ons (17)
- A broad Canadian Arctic Policy
 - not North & South of 60
 - do not limit understanding to Nunavut (9)
 - roles for premiers to represent Pan-Arctic issues in Prov/Fed discussions (2a)
- First Peoples gov't – not ethnic government (4)
- Land claims is not just about money - broader benefits to Canada and Canadians (36)

Category 2 – Jurisdiction

- Ensure provincial/territorial governments are not the overriding gov't to negotiate (3)
- Jurisdiction needs to be clarified and not caught in middle between gov'ts (7)
- Provinces/territorial gov'ts sometimes pass on jurisdictional problems to Inuit organizations (8)
 - process or policy

Category 3 – Federal Government Capacity and Requirements

- Gov't at political and administrative level not always aware of land claims, obligations and mandate (5)
 - need education (mandatory)
 - need refreshers



- knowledge be requirement of job
- Fed. initiatives not negotiated with Inuit are not useful (15)
 - suggestion – moratorium
- Crown has a fiduciary responsibility that is not limited to INAC (18)
- Inuit secretariat (28)
 - not be bureaucratic
 - expedite LCA
- Minister commitments be translated/done by staff (29)

Category 4 – Negotiation Process

- Timelines for Negotiations (10)
 - lose capacity and work’
 - fed. Gov. Stalling
 - too long
- Address self-gov’t through public government (20)
- Mechanisms to address overlapping claims that allows for progress to happen with some groups (21)
- Some self-government situations represent Inuit and FN (e.g. Inuvialuit responsibility on health shared.) (36)
- Government came to table with internal mandate and interpretation (26)
- Proactive approach to women’s participation (33) (35)
 - consulted
 - involved at regional level

Category 5 – Urban Inuit in the South

- Larger Inuit Communities growing in the South (11)
 - what are the implications?
 - government’s responsibility?

Category 6 – Implementation

- Federal government good at meeting minimum requirements but not larger objectives or spirit of the claim (12)
- Chart progress and priorities through partnership agreements (Inuit and fed. Government) (16)
- Sins of omission (22)
 - not responding’
 - delay is in years
 - partnership agreement
 - article 23(17)
- New Implementation policy (24)
- Some implementation disputes - genuine misunderstanding on specific provisions - how do we resolve (25)



- Need more information about outcomes of the agreements from federal government and Inuit so that can find better ways to implement agreements (34)
- Nunavut land *claims* agreement – section 23 – Inuit are losing out on \$m
 - making no progress in this area – not implemented – departments are waiting (27)
- Federal gov't put policies in place to be respectful of Inuit organizations – federal gov't have to prove/evaluate Inuit organization's value(30)
 - need to prove ourselves each year
 - checks and balances are increasing
 - no relationship – start our education
 - need multi-year funding

Category 7 - Capacity building:

- Establish core funding for Inuit national groups (30/32)
 - respectful relationship
 - mutual evaluations
 - multi-year funding
- Building capacity in communities around self-government (14)
 - don't abandon the few
- Arctic colleges/institutes include rights as part of education (19)
- Midwifery laws be developed at pace of the region (13)

Category 8 - International

- Gov't of Canada is negotiating international agreements (23)
 - fed depts need education
 - communication mechanisms are missing
 - role of Inuit

Small groups Discussions: What are the critical issues and how should they be addressed?

Working from the summarized issues identified on day one, participants were broken into small working groups. Using the world café approach, participants had the opportunity to discuss the first four categories of critical issues. The question asked of the group was:

- How should this critical issue be addressed?

In the final round, the group was also asked to:

- Identify the key messages for those critical issues?

Category 1 – Inuit Pan-Arctic Definitions & Policies

Critical Issues:

- Need Inuit specific policies
 - not FN approach (1)
 - not all-inclusive Aboriginal Policy
 - not Inuit add-ons (17)



- A broad Canadian Arctic Policy
 - not North & South of 60
 - do not limit understanding to Nunavut (9)
 - roles for premiers to represent Pan-Arctic issues in Prov/Fed discussions (2a)
- First Peoples gov't – not ethnic government (4)
- Land claims is not just about money - broader benefits to Canada and Canadians (36)

Recommended Actions:

- Inuit Specific policy-we need to establish a new relationship with Feds/Crown
 - -based on the PM's commitment - federal gov't needs to promptly respond to the draft partnership agreement and to set up a process to conclude that agreement with ITK
 - -the process must include federal officials with a mandate to negotiate and agree
 - -Fed gov't needs to be clear and have a top down message on Inuit specific components in programs that are announced (this should be clear in fed gov't policies)
 - need to clarify Pautuutit's role in the negotiations for the conclusion of the partnership agreement
- A broad Canadian Arctic Policy
 - modern definition of Inuit (including Urban Inuit) related to modern day treaties
 - clarify the rights of the 3 aboriginal groups (more specifically related to Inuit)
 - develop a clear funding distribution model for the basis for good faith negotiations
 - Include Nunavik (Northern Quebec) and Nunatsiavut (Labrador) in the Northern Strategy
 - include all Inuit regions as one Arctic region in federal policies, so that federal programs are administered directly with the Inuit regions
 - need for an Arctic/Inuit dimension (any reference in these points include Labrador and Nunavik (N. Quebec)) in the institutions of Canadian Federation
 - eg. -Council of the Federation
 - Social Union
 - Fed/prov process in general
 - there are two ways of reinforcing the importance of the geography of Inuit/Arctic (taking into account the high cost of living):
 - 1.comprehensive review of federal laws and institutional structures and policies
 - 2.Inuit organizations would need to review the desirability of creating new Arctic defined representative bodies eg. Inuit Parliament
 - Please note that any discussion of Pan-Arctic needs to include consideration of Inuit not living in the Arctic
 - There needs to be a definitions and acronyms page (so we can be on the same page)
- Land claims is not just about money - broader benefits to Canada and Canadians
 - There has to be a broader education/initiative to target all Canadians on the benefits to Canada and Canadians eg. curriculum in schools. The gov't must institute initiatives to educate itself about Inuit



- Capture success stories
 - -to talk about a success story, we need all parties to support *the LCAs*, Inuit have to be willing to support and promote LCA as success stories
 - We need/have to make sure that we send the message *that* the settlement of a LCA is not an end but a beginning. All Canadians have to continue to work on building this relationship. *All* Canadians, not just Inuit, have to take ownership.
- First Peoples gov't – not ethnic government (4)
 - There is a need to explain the legal and social rationale for self-gov't and the relationship to public forms of gov't. The option to negotiate self-gov't is not abdicated by negotiating public gov't

Inuit Pan-Arctic Definitions & Policies - KEY Messages:

- The gov't of Canada and Inuit *must* begin developing a comprehensive Inuit policy in Canada
- Gov't of Canada and Inuit (through ITK) negotiate and conclude the Partnership Accord and establish the Inuit Secretariat
 - Establish in partnership with Inuit land claim organizations a new Land Claims Implementation Policy
 - Canadian Gov't, with *the assistance of* ITK, should develop an education strategy to educate federal employees and all Canadians *about Inuit and Inuit issues*.

Category 2: Jurisdiction/Relationship

Critical Issues:

- Ensure provincial/territorial governments are not the overriding gov't to negotiate (3)
- Jurisdiction must be clarified and not *continue to be an issue of* caught in middle between gov'ts (7)
- Provinces/territorial gov'ts sometimes pass on jurisdictional problems to Inuit organizations (8)
 - process or policy *needed*

Recommended Action:

- define roles and responsibilities of F/P/T and Inuit organizations, make sure there is a clear mandate, direction when feds delegate to P/T/Inuit
- implementation of devolution discussions must include identification of impacts of implementation of LCA and include Inuit
- federal government needs to identify who has internal mandate at senior level (Minister) eg. INAC has no mandate for Inuit housing, need to talk to housing, need to communicate to Inuit organizations
- make the Inuit secretariat be a place of 1 window shopping for Inuit for all gov't depts
- (process) - ensure tripartite negotiations (Fed/prov/terr/Inuit)
- provincial and territorial gov'ts need to work together on common issues
- stronger, fuller, relationship between NTI and GN to take messages to fed gov't



- address federal gov't jurisdictions eg. There are two DFO regions in Nunavut – recognize Arctic region
- develop an inter-jurisdictional agency (process) to address cross prov/terr issues/transboundary issues- eg. wildlife
- (process)CCREM increase access to CCREM by Inuit organizations – standing item for Inuit presentations on agendas
- (policy)include addressing this issue in Northern strategy or other strategies
- (policy) mandate of Inuit secretariat to troubleshoot between gov't depts (give other depts a butt kicking to address Inuit issues)
- fed gov't has to fully fund territorial implementation of 2 party agreements. In territorial gov't they have full responsibility for all crown commitments under LCA
- fed gov't has a responsibility to ensure amendments required to prov/terr legislation as a result of LCA are monitored and honoured
- no backroom deals between fed/prov/terr without Inuit consent/participation/presence
- costs of negotiations must be covered by public *purse and not using* existing Inuit funds
- immediate conclusion of partnership accord which includes jurisdiction relationships
- an autonomous Inuit secretariat (changing current proposal) that would support the day to day implementation of the partnership accord
- gov'ts have to recognize bilateral relationships and take responsibility – no off loading
- need to ask the fed gov't to clarify to Inuit (especially to Nunavik and Labrador) the role and \$\$ given to the provinces
- need to get direct funding to Inuit organizations for Aboriginal specific \$\$ instead of always going to territories
- fed gov't needs to share info with Inuit orgs about how much \$\$ they are giving the provinces/territories. Prov/terrs need to tell Inuit how they are spending the \$\$
- prov/terr gov'ts need to develop accountability (to be discussed next week)
- where there are First Nation policies, Inuit must be involved in developing Inuit specific *policies*
- *There must be* Inuit agreed upon policy on types of consultation required.
- revisit entire jurisdiction issue with Inuit – never involved Inuit during the 1st time discussions – Council of Federation, Social Union Framework Agreement (SUFA) –no backroom deals – Inuit consent/participation/presence
- even with *the land claims agreements in place*, Inuit are *still also* residents of the prov/terr and entitled to the same services as other residents (shouldn't have to use Aboriginal specific or land claim funds)
- communicate
- Inuit orgs need to be involved in *the* development of funding formulas –(eg. territorial)

Summary of Key Messages – Jurisdiction

- make the Inuit secretariat be a place of 1 window shopping for Inuit for all gov't depts
- address federal gov't jurisdictions (eg. there are two DFO regions in Nunavut) – recognize *one* Arctic region
- immediate conclusion of partnership accord which includes jurisdiction relationships
- an autonomous Inuit secretariat (changing current proposal) that would support the day to day implementation of the partnership accord



- gov'ts have to recognize bilateral relationships and take responsibility – no off loading
- revisit entire jurisdiction issue with Inuit – never involved Inuit during the 1st time discussions – Council of Federation, Social Union Framework Agreement (SUFA) –no backroom deals – Inuit consent/participation/presence

Category 6 - Implementation

Critical Issues:

- Federal government good at meeting minimum requirements but not larger objectives or spirit of the claim (12)
- Chart progress and priorities through partnership agreements (Inuit and fed. Government) (16)
- Sins of omission (22)
 - not responding'
 - delay is in years
 - partnership agreement
 - article 23(17)
- New Implementation policy (24)
- Some implementation disputes - genuine misunderstanding on specific provisions - how do we resolve? (25)

Recommended Action - Implementation:

- issue 12: Federal government *is* good at meeting minimum requirements but not *the* larger objectives or spirit of the claim
 - implementation plans must include objectives, quantifiable measures, defined monitoring objectives, long term strategies, and clear commitments for renewed long term funding and *must be* flexible to allow for changing circumstances
 - development of the implementation plan must be concurrent with the negotiations
 - -Inuit (all parties) must be equally involved in the planning of the implementation process
 - The federal gov't and Inuit must prioritize and address outstanding obligations in LCAs
 - -in each implementation planning period, there must be tangible, measurable progress against implementation objectives eg. stronger Inuit commercial fisheries, increased employment in gov't, improved living conditions
 - -focus on central objectives not on individual/fragments of specific obligations
 - the gov't could have the option of using LCAs as a building block for public policy initiatives

issue 16: was covered in the morning session

issue 25: establish a dispute resolution process, that is effective where ambiguity exists in LCA provisions

-where there is disagreement, parties must obtain mandates to consider dispute resolution alternatives eg. *with* consequences for non-response within a certain time frame



issue #24 – there must be a long term commitment by all parties to implementation renewal
issue #22-

- commitment by federal gov't to respond to legitimate issues raised by Inuit organizations
eg. Inuit Partnership Accord – no response in 4 years; letters to PM and Minister not responded in 1 year or more; joint proposal for fish quotas related to Makivik offshore claim (2 years), implementations contract negotiations (6 months)
- what you accomplish in the National Inuit interest is also in the interest of all Canadians, eg. Ministers and officials need to take decisions and make bold new initiatives
- the federal gov't needs to have an internal process that is streamlined and responsive to Inuit/Arctic issues and accountable eg. Inuit Secretariat
- when there is an impasse, go to other sources to explain and get message out eg. opposition parties, interest groups, critics

Category 7 - Capacity Building

Critical Issues:

- Establish core funding for Inuit national groups (30/32)
 - respectful relationship
 - mutual evaluations
 - multi-year funding
- Building capacity in communities around self-government (14)
 - don't abandon the few
- Arctic colleges/institutes include rights as part of education (19)
- Midwifery laws be developed at pace of the region (13)

Recommended Actions – Capacity building:

- need to have sessions that bring together academics and elders to think about Inuit issues and develop recommendations/solutions – think tank
 - would influence policy
 - regional and national level
- Develop national curriculum content that includes:
 - LCA – process, content
 - Aboriginal rights
 - *must be* for Inuit and non-Inuit (teach the future bureaucrats)
- teach the teachers and bureaucrats
- BOD training/workplans
- leadership training
- need for programs at community level to increase literacy
- make teaching Inuit languages mandatory in all schools – federal gov't to fund
- continue discussions about standardized writing systems
- support for community role models
- training – hands on and at *the* pace of individuals at *the* community level, use Inuit ways of teaching and observing
- forced mentoring at mid/senior management (non-Inuit should teach themselves out of a job)



- Non-Inuit working on behalf of Inuit should play a larger role in building a sustainable Inuit workforce, especially in government, health, education and in Inuit representational organizations
- establish equitable multi-year core funding based on *the* cost of doing business in the Arctic at national, regional, community, international levels that is efficient (reporting requirements)
- develop an Inuit-specific funding formula for core programs
- GC recognition of ITK, LC Orgs, as voices for Inuit – recognize the value of contributions of organizations and reflect in \$\$
- gov't departments to separate Inuit expenditures in all areas including capacity development
- have the same feds at the table for more than one meeting
- knowledge and experience must be valued for *everyone* working on behalf of Inuit, *it must be* more than just 'academic' ability to do a job
- education system as a whole needs to ensure Inuit graduating from high school, better education outcomes (see LLL recommendations)
- include capacity building as part of partnership approach
- recognize capacity won't increase overnight
- federal funding for 'English as a second language' (ESL) training
- develop ways to establish Inuit specific (I-S) data, report on long term statistical needs
- equitable core funding includes full cost accounting of delivery of programs in *the* Arctic, relative to *the* seriousness of issues facing Inuit
- capacity component needs to be included in all funding arrangements
- sustained reliable funding for *Nunavut Sivuniksavut* (particular school name) and similar programs
- have CIHR, NSERC and SSHRCC include capacity component and substantive allocation of budget to increase Inuit capacity Inuit chairs at universities

The group reported back on their work and in the afternoon, did another round of World Café to give input on another four categories of critical issues. Because of time, participants had to choose only three issues that they could provide recommendations.

Category 5- Urban Inuit in the South

Critical issues:

- Larger Inuit Communities growing in the South (11)
 - what are the implications?
 - governments' responsibility?

Recommended actions – urban Inuit in the South:

- national urban Inuit specific policy developed in partnership with Inuit
 - GoC *must* uphold *the* constitutional rights of Inuit in urban areas
 - Inuit specific organizations or *Inuit Secretariat* (IS) administer funding (we want our fair share) Decisions made in partnership with Inuit as to who administers and *is* accountable.



- policy would recognize changing demographics of Inuit in urban areas
- all policies relating to Inuit must have Inuit at *the* table when developing such policies
- need immediate bridging the gap and long term programming for Inuit (Inuit women fleeing from abuse, medical patient requirements)
- current funding *must* have Inuit specific share
- urban Inuit need to be better educated to what is available to them (NIHB)
- GoC should provide parallel services to Inuit to what would be available to them in the regions.
- GoC and other governments have a responsibility to ensure its employees are aware of Inuit entitlements/rights in urban settings
- definition: Urban Inuit - any Inuit living outside of their land claim region
- Inuit funds should not be filtered through FN organizations
- better cultural awareness for policing authorities in urban areas - decrease discrimination
- provide funding to ITK to better represent urban Inuit - explore possibilities of creating Inuit schools in major urban areas where #s of Inuit warrant
- partnership accord - urban Inuit chapter to be included
- IS should also have mandate to deal with urban Inuit issues
- GoC should provide more assistance to existing Inuit organizations to enlarge those services (recognizing that there are many reasons Inuit live in urban areas)
- GoC should assist in *the* development of exchange programs for urban Inuit students with other Inuit in regions
- GoC should recognize Inuit organizations that exist in urban areas and fund them properly

Category 8 – International Agreements

Critical Issues:

- Gov't of Canada is negotiating international agreements (23)
 - fed depts need education
 - communication mechanisms are missing
 - role of Inuit

Recommended Actions:

- involve the Inuit if it relates to us through
 - negotiation team
 - through ICC/ITK
 - clarify Inuit role and have representation on government delegations
- if it will directly impact on Arctic- environment, fisheries, defense, whaling
- circumpolar ambassador reporting relationship should be expanded to include environment Minister
- ITK and ICC Canada be involved in appointment of ambassador
- Currently process to review northern dimensions (Canada's foreign policy - establishes priority F/P issues.)
 - want it expanded and refinanced



- Inuit would be involved in discussions as part of review
- strong message to renew it and strengthen it
- e.g. Economic opportunity is a priority area to getting USA to amend the MMPA

(*Marine Mammal Protection Act*)

- lack of understanding between land claim agreements and international agreements etc. (*we get our harvesting rights but the animals are not fit to eat.*)
- international convention to use (CBD) traditional knowledge in making national decisions
 - need to use this and other conventions to push for national decisions *that* support Inuit interest
- when regions implement on behalf of Canada - need \$ to implement
- ICC requires \$ to ensure Inuit participation in negotiations - full party/signatory
- increase \$ for boards and Inuit organizations
- partnership accord has clause for international negotiating/ relations
- refinance and commit to the office of the ambassador and ensure that the office staff have expertise
- federal gov't gets involved in international negotiations - does not involve Inuit, thus violating the land claims agreement (e.g. Nunavut)
- TKIPR - intellectual property
- Need \$ support *for* Inuit organizations (ICC, Pauktuutit) that have UN status and are negotiating on international issues (e.g. traditional knowledge and intellectual property rights, Beijing+10)
- representation of Inuit at international level needs to be more clearly defined.
 - ITK Represents Inuit in 4 regions on national issues
 - ICC representing Inuit international interests
 - Paktuutit- represents all Inuit women on all matters of interest (national and international)
 - strengthen communication between. Recognize and use the value of Inuit credibility in promoting issues and solutions
- boundary issues between Arctic and other countries (e.g. Greenland) like hunting and fishing
 - have way to resolve issues that uses IQ (Inuit Quajimajatugangit) TEK (Traditional Environmental Knowledge)
- international agreements on fish quotas - Inuit have some input in agreements.
- impact benefit agreement (with funding) in regions for international agreements - if it impacts an agreement with the Crown/relates to land claims
- establishment of Arctic sovereignty
- government has to recognize Inuit as a part of the legitimate people at the table
- environmental issues - Inuit have unique role - requires communication amongst organizations - have main expertise in these issues - Inuit role should reflect this

Category 3 - Federal Gov't Requirements & Capacity

Critical Issues:

- Gov't at political and administrative level not always aware of land claims, obligations and mandate (5)
 - need education (*must be* mandatory)



- need refreshers
- knowledge *must* be a requirement of *the* job
- Fed. initiatives not negotiated with Inuit are not useful (15)
 - suggestion – moratorium
- Crown has a fiduciary responsibility that is not limited to INAC (18)
- Inuit secretariat (28)
 - not be bureaucratic
 - expedite LCA
- Ministerial commitments be translated/done by staff (29)

Recommended Actions:

- mechanism required to ensure ongoing understanding of responsibilities/obligations
- create and maintain *the* political will
- milestones for each party
- use existing mechanisms (e.g. annual reports) to report on results (milestones)
- need a department that has sole responsibility for Inuit with accountability mechanisms specific to Inuit (danger of replicating past.
- New Ministry of Inuit Affairs - needs political clout and resourcing. Give reasons to government e.g. Arctic sovereignty
- what is transformative change?
- -federal government *to* make explicit commitment to Inuit - beyond a statement - an obligation
- new relationship
- needs to be a way/mechanisms to feed the government/ bureaucracy
 - factual information
 - concerns
- mutual responsibility
- federal government *must* develop *an* appropriate structure to address Inuit issues
- currently despite fed. Gov't commitments - often Inuit have no process - FN process *must be used* to address issues *then*
- Inuit specific in all areas.
- gov't. *to* think about process comparable to round tables for employees to increase knowledge/understanding *of Inuit*
- government plans/policy to keep government updated on Inuit issues. Better retention strategies
- changes at ADM level require corporate memory *retention* within departments

Issue #15- Federal Initiatives

- Inuit should always be at the table for issues related to Inuit

Issues #18 - Fiduciary *Responsibilities*

- Inuit Affairs Department Crown vs INAC - timely consideration of ideas/concepts - increased delivery capacity
- priority lists



Issue # 28 - Inuit Secretariat

- must have mandate to make decisions (high level)
- policy - Inuit approve other ministerial designates - not slow down *the* process
- interdepartmental, expansive mandate - trouble shooting and expediting - action oriented.
- report to very senior level within gov. and report to Inuit
- personnel should include Inuit/ northerners in terms of reference and or secondments from northern/Inuit organizations. French language issue. Inuktitut *to take precedence.*
- secretariat/ministry should be established thru partnership accord signed by PM and Inuit leaders.
- Inuit Sec. is a unique model that reflects Inuit circumstances
- ITK involved directly with Inuit Secretariat

Issue 29 – Ministerial commitments through to staff

- *Stop the* disconnect between *the* Minister *and the* bureaucracy
- *There should be a* process to ensure *that* Ministerial decisions are carried thru at the working level
- timely consideration of ideas/concepts - increased delivery capacity - priority lists
- Is a design based on discussion with Inuit led by ITK
- -DM level reporting

- timing - retreat in *April or* May - policy discussions to feed retreat
- may encourage gov't to move on to others e.g. Métis issues
- results of roundtables need to be analyzed before decisions take place (partnership, IS, other)
- Is office in the North?
- 2 regions not included in N. Strategy (Nunavik and Lab)
- Inuit regions are *equivalent to* the Arctic
- curriculum in *all* Canadian schools should include Inuit/land claims etc
- interpretation of issues - different ways by different policies - standard interpretation *is* required
- in negotiations with fed gov, where parties agree on interpretation, the language of the agreement should be preserved
- DOJ and Inuit agree to exchange legal opinions about interpretation of issues in dispute - without prejudice
- A process *is* needed to determine priorities jointly

Key Messages:

- Inuit need to be present at all relevant policy development tables, with appropriate funding attached
- Periodic Inuit/Fed meetings to agree on priorities
- Reconsider the institutional structure within the federal government for implementation and negotiations.



- Should the government try to repair the existing machinery vis-a-vis Inuit OR should it take the time to redesign *a new* structural approach *from* top to bottom.

Category 4: Negotiation Process

Critical Issues

- Timelines for Negotiations (10)
 - lose capacity and work?
 - fed. Gov. Stalling
 - too long
- Address self-gov't through public government (20)
- Mechanisms *are needed* to address overlapping claims that allow for progress to happen with some groups *while stagnant with others* (21)
- Some self-government situations represent Inuit and FN (e.g. Inuvialuit responsibility on health *is* shared). (36)
- Government came to table with internal mandate and interpretation (26)
- Proactive approach to women's participation (33) (35)
 - consulted
 - involved at regional level

Recommended Actions:

- process costs \$ - Inuit must borrow from GoC, then need to pay back *these* costs
- since GoC wants Inuit at table, costs should be forgiven. Costs should be born by *the* public purse
- Protocol should be determined in partnership, GoC and Inuit, to provide what is required of good faith negotiations and *should be* tied to *the* costs (want to learn from other processes e.g. labour negotiations etc). Set timetable to *the* process and explanations should be required when you go past that timetable. *There* should be a consequence to exceeding *that* timetable without sufficient explanation.
- tribunal should be set up to deal with implementation complaints etc.
- we need whole new policy with implementation mechanisms built in (eg. to ensure implementation occurs without having to re-negotiate what has already been negotiated).
- Inuit negotiations mean primarily implementation plus elaboration etc of existing agreements
- new policies have to be retroactive (eg. if eliminate extinguishment clause, etc)
- GoC appointed negotiators must have a real mandate to negotiate. All key GoC players must be at the table and must have proper expertise and authority to be at the table.
- full sharing of info as to real costs and real benefits must occur
- recognition of Inuktitut at table and in agreements
- we should not be restricted in working. Must respect spirit and intent (eg. our land is not simply around communities etc)
- policy should reflect that Inuit want to work towards mixed hybrid Inuit Public - self-government model
- even if we elect to go with a public government, it does not exclude our future right to self-government



- pre-treaty negotiations process must build in *a* visioning aspect of where implementation is to be at certain timelines (5 yrs, 15 yrs)
- Implementation evaluation framework must be built in - amend existing claims or implementation plans as required to build in above. Opening up one provision does not necessarily open up all and means \$\$.
- this may mean long, drawn out negotiations to develop above framework
- Inuit do not want band aid solutions
- GoC needs an overall coordinated approach amongst departments (must be done holistically) - more effective and less costly - community employees funded by federal gov that *are* the know it all of federal programmes and can help people make connections *within GC*
- gender lens can be addressed in the FWA and recognition must be kept in mind that there is a limit in amount of \$ available
- remove word self before gov't. it is too paternalistic
- selection of words *used in* annual reporting need to set goals and make *parties* accountable
- mechanism needs to be set to make parties accountable - could be annual report connected to evaluation framework
- if negotiations exceed their deadline, GoC should pay costs if they are the reason deadline is exceeded
- negotiators should have independent negotiator (not federal employees) - they should be deal makers, closers
- negotiate to create opportunities to create a better quality of life for Inuit
- negotiations needed to agree on agenda - starting point needed - common ground work and objectives
- negotiations to resolve disputes rather than going to litigation
- some topics cannot be negotiated e.g. quality of life, access to health care the same as other Cdns
- regions must be able to offer advice to negotiation process - ITK to do workshops with regions
- Nunavut Implementation Contract Negotiations require GoC to enter into good faith negotiations including: 1) appointing a federal negotiator; 2) address substantive proposals on table in detail 3) agree to proceed on basis of whether implementation is meeting land claims objectives 4) disclose all relevant information in detail on federal implementation funding over last 10 years.
- all parties should negotiate in good faith – *this is to be a key principle*

Key Messages

- Independent appointed negotiators must have a real mandate with authorization to negotiate and with proper expertise and authority to be at the table (negotiations should have a process - finances cannot be determined without an agreement on obligation issues/needs first. Clear understanding on all parts of #1-10.)
-negotiations should not be driven by unilateral predetermined financial limits - inflationary factors must be realized and expressed.
- Process length and costs - all parties to be accountable for moving the process forward.



Discussion Question: What are the principles and objectives necessary to achieve recommended actions?

In the full plenary, the group was asked to identify principles and objectives that would support the achievement of the recommended actions.

Principles/Objectives

- objective-Inuit have the right to have the same social and economic conditions of other Canadians
- principle-all policies need to be Inuit specific
- principle-Land claims are not ends, they mark a new beginning, form the foundation of a new relationship which is a dynamic relationship
- objective: Revisit agreements that have extinguishment clauses
- objective: federal gov't to state its clear commitment and obligation to comprehensive Inuit specific policies
- objective – agreements are intended for Inuit to stand on our own – fed/prov gov'ts must help us achieve our goals
- principle – There has to be 'good faith' in all areas. Have a common understanding so we know what is expected of all parties
- objective – redefine and start a new relationship with new policy
- objective – partnership agreement between Crown and ITK be established

Discussion Question: How will we know progress has been made?

Each table was asked to write up specific indicators that would tell them that progress was being made if we all returned in three to five years.

Table A

- when policies and programmes reflect the needs of Inuit
- reduced red tape to access funding
- when Inuit and government both feel they are engaged in an equal partnership
- Inuit participation in solutions for programs and policies
- when issues of Inuit equity are no longer evident
- when Inuit have adequate and committed resources to meet their needs without having to compete with other aboriginal orgs. for them
- when Inuit organizations have sufficient, multi-year funds to address their priorities

Table B

- when every LCA is being implemented
- when there is a clear and measurable improvement in the standard of living and health of Inuit in Canada
- when the GoC rescinds, revokes and makes ineffective their extinguishment and surrender clauses and policies in all agreements.



- when the National Post and mainstream Canadians understand the plight of and aspirations of Inuit

Table C

- on effective date of the Labrador Inuit Land Claim Agreement
- when we actually see an Inuit Specific Policy
- implementation committees celebrate accomplishments and no longer have to resolve disputes
- Inuit join with gov'ts in promoting the value of land claim agreements
- flipchart 2
- signing ceremony of the *Crown – Inuit* Partnership Agreement
- when Inuit receive the same level of funding for programs and services as AFN
- A clear mandate by feds to implement outstanding articles in NLCA
- when we complete the circle of confederation
- multi-year funding agreements between Gov't of Canada and Inuit organizations

Table D

- Conclusion of a Comprehensive Implementation Plan addressing all Crown obligations under the Nunavut LCA
- how I see progress being made is this gathering – it is a beginning of a long process. Now we just hope they will listen to our fantastic ideas
- comprehensive monitoring data base incorporating the changes discussed
- An Inuit Secretariat is in place and is functioning as it should
- 85% Inuit Employment in all levels of gov't
- successful negotiation of all Inuit impact benefit agreements in the Nunavut LCA
- each Implementation Plan has an evaluation framework which will measure impact of claims
- when Inuit language is being used by the GC when *dealing with* the Inuit