

**LEGISLATIVE ASSEMBLY OF THE
NORTHWEST TERRITORIES
10TH ASSEMBLY, 4TH SESSION**

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REPORT TO THE
LEGISLATIVE ASSEMBLY
FROM THE
CONSTITUTIONAL ALLIANCE
OF THE NORTHWEST TERRITORIES

February 22, 1985

The Constitutional Alliance of the Northwest Territories is comprised of representatives from the Dene Nation, Inuit Tapirisat, Tungavik Federation of Nunavut, Metis Association, Committee for Original Peoples' Entitlement and the Legislative Assembly. It is charged with the responsibility of reaching a tentative agreement on a boundary to divide the Northwest Territories, submitting its recommendation to the public for ratification, and developing mechanisms to facilitate cooperation between the two territories on unavoidable trans-border concerns.

In addition the Alliance divides itself into two forums, the Nunavut and Western Constitutional Forums for the purpose of developing, in close consultation with the public, constitutional proposals for each new territory.

The Constitutional Alliance has had a very productive year. In March 1984 the Alliance agreed that the primary objective of division is to create " ... two viable public government jurisdictions that have the political and economic potential to evolve towards provincial status ...". Related to this objective and accepted by all parties was a list of eleven principles or criteria against which all boundary proposals would be assessed. These principles ranged from numbers of aboriginal peoples, the protection of language and culture, traditional land-use and claims boundaries, to land mass and distribution of renewable and non-renewable resources, to government infrastructures, transportation and communication links, to proposed forms and styles of government.

The Alliance met again in Rankin Inlet in July at which time they added two more principles to the list. First that the Alliance would try to minimize the number of trans-border concerns and conflicts in selecting a boundary, and, for those trans-border issues which could not be avoided, reach agreements on how they could be used and managed cooperatively. Members also agreed to set June 1985 as a target date for reaching a tentative agreement on the boundary.

The Western Constitutional Forum released two research documents in October; Resource Management Boundary Problems, and The Impact of Division on the Distribution of NWT Non-Renewable Resource Wealth. Both papers along with a host of other data including land-use maps and information proved very useful as the Alliance moved towards its objective.

The next meeting of the Alliance was January 12 - 13 in Yellowknife at which the Alliance reached what we believe to be an historic agreement on the process for defining the boundary. (See Appendix A) In this agreement the NCF and WCF agreed that land claim settlement regions should have integrity and be honoured as much as possible. It was agreed that the Inuvialuit Settlement Region would be in the western territory subject to the WCF and the Inuvialuit agreeing upon a set of principles to enable the Inuvialuit to find a satisfactory future in the west. The NCF and WCF agreed in principle, subject to further work by the Dene, Metis and Inuit on an approximate boundary to divide the two territories from the 60th parallel to the southeast corner of the COPE claim area then northward along the eastern border of the Inuvialuit settlement region.

This agreement is tentative and subject to possible modification based on the opinions of communities in Kitikmeot West which will eventually be expressed in community votes. Finally the NCF and WCF agreed to explore the concept of equitable sharing of non-renewable resource revenues between future Nunavut and Western governments. It was also agreed that a meeting will be held to discuss the boundary ratification process in greater detail.

The next step in this process which begins in March is for the WCF and Inuvialuit to try to reach an agreement on regional and constitutional matters which will safeguard the interests of the Inuvialuit in the west. We believe that with good will and hard work a satisfactory arrangement can be reached. Kitikmeot West communities have stated to the WCF that they not be required to vote until COPE issues a statement that they have a satisfactory arrangement on regional government.

Once the issues of the Western Arctic, Kitikmeot West and overlapping Dene/Metis and Inuit claims are settled, the Alliance will prepare its final recommendation for a boundary and submit it to the public for ratification.

In the meantime the Western and Nunavut Constitutional Forums have been working at developing new constitutions for their respective territories.

During the past year the Nunavut Forum completed its first round of community tours and set about revising its Building Nunavut documents based upon reactions it received from community residents as well as from the outcomes of more

recently completed research projects. Once the final constitutional proposal has been completed and the boundary issue has been settled, the Nunavut Constitutional Forum will convene a large constitutional conference for the purposes of ratifying the constitution and naming a capital for Nunavut.

Given the variety of peoples and cultures in the west, the resolution of constitutional issues will be more difficult and naturally will require a little more time. To this end the Western Constitutional Forum has completed a number of background research papers and has produced and distributed to all western communities a varied information package which includes, pamphlets, books, posters and audio tapes in eight languages.

Community consultation on the principles of a new constitution for the west are well underway. Tentative negotiations among WCF Members regarding principles for a new government have begun including a preliminary set of principles dealing with regional government.

When it comes to the preparation of new constitutions the Western and the Nunavut Constitutional Forums share the same objectives. First is the development of a structure and style of government which reflects the cultures and the values of each territory's unique population. Second is the conscious and active recognition and protection of aboriginal rights. Third is the establishment of an appropriate balance between individual and collective rights. Fourth is the development of an efficient and effective government service. Finally comes the steady transfer of powers and jurisdictions from the Government of Canada to the new territories as each evolves towards provincial status.

PRINCIPLES OF AGREEMENT

14 January 85

Yellowknife - The Nunavut and Western Constitutional Forums meeting as the Constitutional Alliance of the Northwest Territories have made progress on several common concerns this weekend in Yellowknife.

NCF and WCF reconfirm their shared belief that public government structures with special aboriginal rights provisions represent the best prospects for the exercise of sufficient and extensive political jurisdiction in the NWT. They believe that failure to achieve such structures would lead to fragmentation of the political system and a variety of small units ethnically defined and disposing of limited powers. This would leave the several peoples of the NWT lacking management of their own lives in the face of resources and industrial development, and other changes brought about by interests outside the NWT. It would also limit the opportunities for real political power in the region for native peoples.

NCF and WCF also reconfirm their belief that a sharing of revenues from NWT resources development on- and off- shore with the federal government is essential if northerners are to have a stake in the future and development of their region. The lack of such an arrangement would lead to continued conflict over development issues and the feeling of northern peoples that the benefits of development were not theirs.

Further, NCF and WCF agree to explore the concept of equitable sharing of such non-renewable resource revenues between future Nunavut and Western governments so as to minimize the importance to either of the location of revenue-producing resource deposits on- or off- shore. Resource revenues from such deposits, wherever located in whichever territory, might be pooled and divided among federal, Nunavut and Western territorial governments according to an acceptable formula.

NCF and WCF also agree that land claim settlement regions should have integrity and be honoured as much as possible.

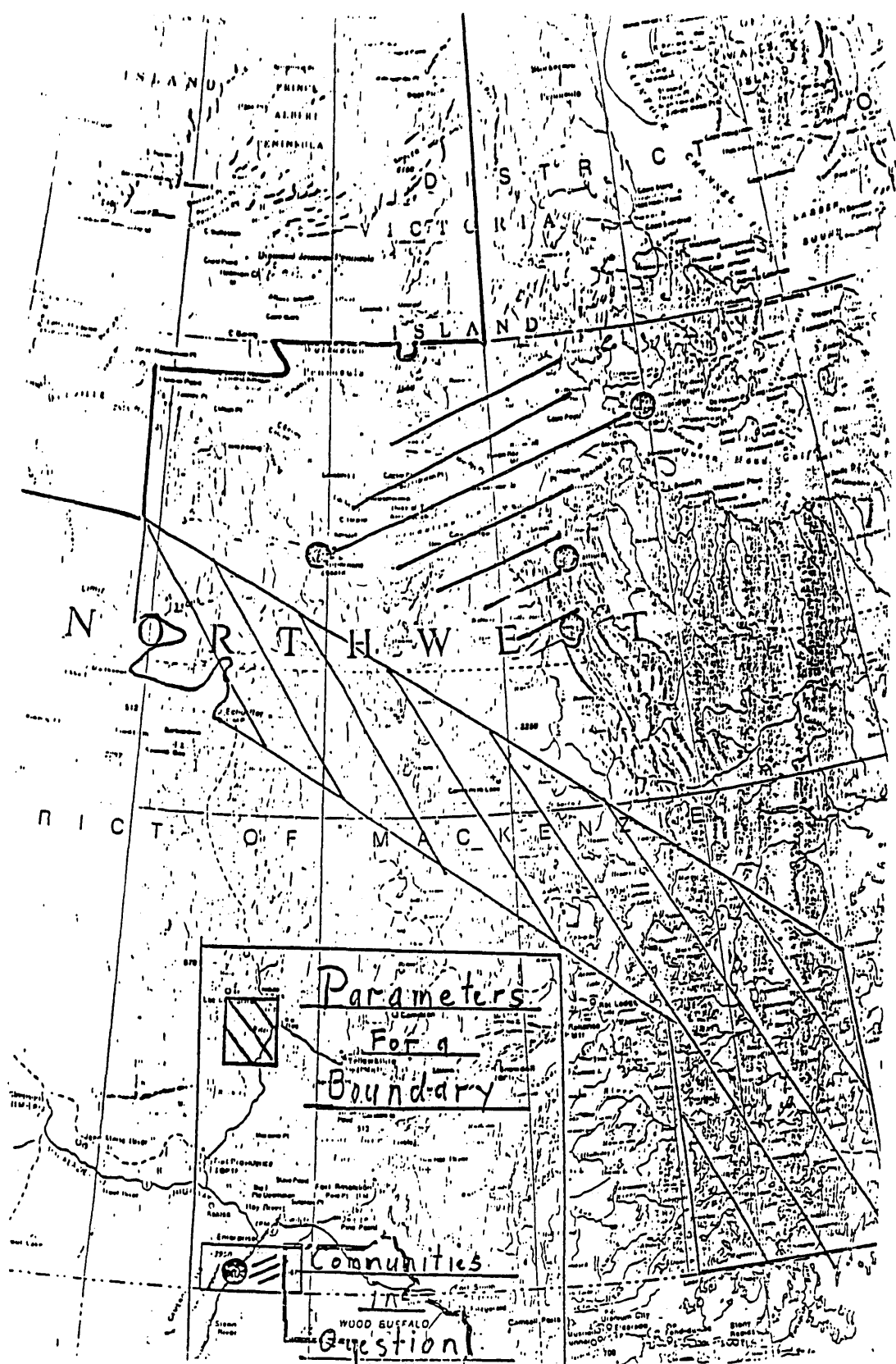
The pivotal situation of the western arctic coast, homeland of the Inuvialuit, is evident to all. Location and recent history make for natural ties between this region and the Mackenzie Valley, while Inuit cultural traditions and marine orientation align it more naturally with other NWT Inuit. Both NCF and WCF recognize that uncertainty as to the future of this region is blocking progress on further NWT self-government. A resolution of this question was explored. The predominantly Inuit region of Nunavut will never be satisfied with political arrangements which fail to first create a Nunavut territory. The several peoples of the Mackenzie Valley area insist that an equitable territorial division must include the western arctic coastal region in a western territory. The small Inuvialuit population seeks guarantees for their future regional and cultural identity through a regional government structure.

The Constitutional Alliance agrees that the WCF will explore immediately with the Inuvialuit a set of agreed principles to enable the Inuvialuit to find a satisfactory future in a western territory. Such agreement would respect both the need for the peoples of the western territory to devise their own political arrangements without undue interference, and the regional importance of protecting the regional and cultural heritages of all peoples within the future western territory.

The NCF and WCF agree in principle that the western arctic region will be part of a western territory, subject to the above. NCF and WCF agree in principle, subject to further work by the Dene, Metis and Inuit working in their land-use overlap study which is now proceeding well, on an approximate Nunavut boundary from the 60th parallel to the south-east corner of the COPE claim area of the Inuvialuit, then northward along the eastern border of the Inuvialuit settlement region.

This agreement on a tentative boundary is subject to possible modification based on the opinions of communities in the Kitikmeot West region (Coppermine, Cambridge Bay, Bay Chimo and Bathurst Inlet). (Map attached.)

The next meeting of the Constitutional Alliance of the NWT will be held in Yellowknife on the 8th of February 1985 to discuss the boundary and the ratification process in greater detail.



Parameters
For a
Boundary



Communities
WOOD BUFFALO
Question

Urban City
Municipal Corporation
Statutory Report