

Minister of Indian Affairs  
and Northern Development



Ministre des  
Indiennes et du Nord canadien



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TD 137-91(1)

JME - 4 1991

Mr. Paul Quassa  
President  
Tungavik Federation of Nunavut (TFN)  
130 Slater Street, Suite 800  
OTTAWA, Ontario  
K1P 6E2

Dear Mr. Quassa:

Thank you for your letter of July 3, 1991 confirming TFN's agreement to accept the boundary recommended by Mr. Parker for defining the Inuit land claim settlement area, subject to certain measures to address the concerns of affected Inuit communities. I am pleased to confirm that government is prepared to finalize the long-standing boundary issue on that basis.

Given TFN's agreement, the boundary recommended by Mr. Parker will be used as the boundary for the Nunavut Settlement Area in completing the Final Agreement of the TFN land claim. The provisions for Inuit to own 220 square miles of land in fee simple south of Contwoyto Lake can, I am sure, be negotiated to accommodate the needs outlined in my letter of June 28, 1991 for fair accommodation of Inuit and Dene/Metis needs and other affected interests. With respect to the Healey Lake area, Inuit selections would be justified during the land ownership negotiations, recognizing that it may be necessary for Inuit to select some of this quantum in other areas of use. The measures respecting the Thelon Game Sanctuary can be incorporated into your Final Agreement reflecting the expressed commitment of Inuit and Dene/Metis to cooperative management of that area. With this final resolution of the boundary, I would hope that TFN and the Dene/Metis can constructively address remaining concerns regarding overlapping interests across the boundary line.

I am extremely pleased that we have been able to achieve a mutually acceptable solution to this contentious and complex boundary issue, and I assure you of my cooperation in explaining and supporting this agreement. As suggested in your letter, I will contact Mr. Patterson as soon as possible to advise him of our agreement, recognizing the implications it has for a boundary plebiscite for dividing the Northwest Territories.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Tom Siddon". The signature is fluid and cursive, with a large initial "T" and "S".

Tom Siddon, P.C., M.P.

c.c. Dennis Patterson  
Bill Erasmus



**DENE NATION**  
**DENENDEH NATIONAL OFFICE**

P.O. Box 2338  
Yellowknife, N.W.T.  
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Phone: 873-4081  
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June 28, 1991

Paul Quassa  
President  
Tungavik Federation of Nunavut  
Suite 800  
130 Slater Street  
Ottawa, Ontario  
K1P 6E2

Dear Paul

Thank you for your letter dated June 27, 1991 regarding your response to my earlier memo on the boundary between our two claims areas.

I too am very surprised about your letter as I believe that I have represented our discussions accurately. We obviously have a difference of opinion that should be dealt with in a call I will make shortly to your office and at a meeting that you have proposed in the next couple of weeks.

There are several points I would like to make in response to your letter. The federal government has no role in negotiating a boundary between our respective jurisdictions other than to facilitate our nations getting together to work this out amongst ourselves. The federal government has no authority in this matter.

As you are very much aware, the Dene Nation will vigorously object to any boundary arrangement to which we have not consented. The Dene Nation is prepared to discuss land ownership arrangements that relate to the boundary but this must be dealt with in the larger context of the boundary itself. I believe that we had agreed that you were prepared to consider Dene land selections across any set boundary. I am concerned that this does not appear to be the case now.

The conference call participants generally agreed on two major points. The first is that the Dene need to meet amongst themselves to further discuss the boundary issue and how we should approach TFN. The second point is that we will need some resources to do this and that we need to approach DIAND on this.

If you have any comments or questions, please feel free to call me.

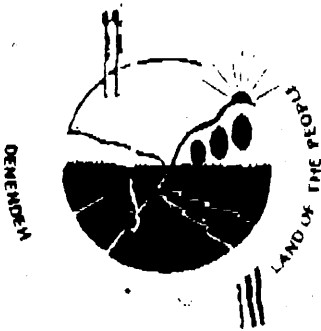
Sincerely,



Bill Erasmus  
National Chief

cc AFN  
Ethel Blondin, MP  
Mary Simon  
Rosemary Kuptana  
Jack Anawack  
MLA's  
John Amaguoluk  
Paul Quassa

BE/ko  
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**DENE NATION**

DENENDEH NATIONAL OFFICE

P.O. Box 2338  
Yellowknife, N.W.T.  
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June 20,

Honourable Tom Siddon  
Minister of Indian Affairs and Northern Development  
House of Commons  
Ottawa, Ontario  
K1A 0H6

Dear Mr. Siddon

We recently received a copy of a letter sent by you to Paul Quassa on May 30, 1991 (see attachment). I note that this letter was not directly copied to the Dene Nation as a courtesy even though the matter is of direct interest. I trust that this will not happen again on an issue as important as the boundary between the Dene Nation and Tungavik Federation of Nunavut settlement areas.

We were very surprised to learn of your offer to consider up to 100 square miles of Inuit land selections in the Contwoyto Lake area across the proposed boundary line suggested by Mr. Parker which you have accepted as the boundary. As you are aware, neither Mr. Parkers's proposal nor the May 9, 1986 boundary proposal has been accepted by both parties. The boundary has not been settled to the satisfaction of the Dene Nation and you have no authority to make any decisions on a boundary.

I would draw your attention to page 12 of the current Comprehensive Land Claims Policy that your government purports to follow. The relevant section reads "where more than one claimant group utilizes common areas of land and resources, and the claimants cannot agree on boundaries, resource access or land-sharing arrangements, no lands will be granted to any group in the contested area until the dispute is resolved."

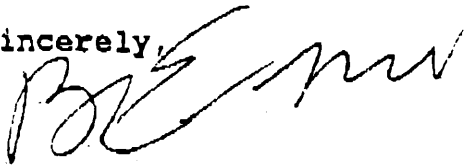
Your consent to consider the above mentioned land selections by the Inuit in the Contwoyto Lake area is a clear contradiction of your current policy. I repeat, there has not been any agreement on a boundary between the Dene and the Inuit nor has there been any final resource access or land-sharing arrangements. As any Inuit land selections in areas of interest to the Dene are sure to be contested, you have a duty to reject such selections.

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I would also take this opportunity to remind you of your fiduciary responsibility to the Dene based on Treaties 8 and 11. It is your duty to ensure that the boundary question is resolved to the satisfaction of the Dene Nation. Until the boundary is settled, you have no choice but to remain neutral and outside any discussions. You must recognize our sovereignty and respect our homelands.

I look forward to your immediate response and an opportunity to meet with as soon as possible on this issue.

Sincerely,



Bill Erasmus  
National Chief

Attachment

cc. Chiefs of Denendeh  
President, Metis Association of the N.W.T.  
N.W.T. Government Leader  
Dene/Metis MLA's  
Ethel Blondin, MP  
T.F.N. President  
Assembly of First Nations  
Prince Albert Tribal Council  
Manitoba Keewatninowi Okimakanak

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MAY 30 1991

Mr. Paul Quassa  
President  
Tungavik Federation of Nunavut (TFN)  
130 Slater Street, Suite 800  
OTTAWA, Ontario  
K1P 6E2

*Paul*

Dear Mr. Quassa:

At our meeting in Iqaluit on April 28, 1991 we discussed concerns of the Kitikmeot Region regarding the boundary proposed by Mr. Parker for the TFN settlement area, particularly in the area of Contwoyto Lake. As I promised at that meeting, Mr. Parker's recommendations have been reconsidered in light of our discussion and the points raised in your letter of April 28, 1991. I have also reviewed the points raised in the letter I received from the Kitikmeot Inuit Association on May 18, 1991.

Your letters, Mr. Parker's report, and our review of the data all confirm the importance of the Contwoyto Lake area for Inuit and the documented Inuit use of that area. Based on these facts, Mr. Parker decided that Inuit land use justified including almost all of ~~the Contwoyto Lake area within the Nunavut settlement~~ area. At the same time, he concluded that Dene use in that area was significant enough to justify a "window" for the Dene/Metis on Contwoyto Lake. This decision represents a balancing of aboriginal use and interests, reflecting that the area has been of importance to both groups with varying intensity of use over time. Mr. Parker did a similar balancing of interests when he moved the TFN settlement area southward to provide a "window" for Inuit on Ithen Lake.

A strict land use analysis of specific points along the proposed boundary could no doubt produce a much more irregular line with adjustments both ways, or result in sizeable areas being excluded from both claims. Taken as a whole, however, I believe that Mr. Parker's report provides a fair boundary for dividing the settlement areas of the Inuit and the Dene/Metis, consistent with

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*Copied to  
Bill &  
George*

his terms of reference and the data provided to him. Adjustments to specific points would undermine the overall balance and credibility of the boundary and merely invite a return to a negotiation exercise with all affected parties on the whole line.

Given the history of the dispute and the well reasoned effort of Mr. Parker to provide a fair boundary acceptable to all parties, I see no basis for changing my boundary offer for finalizing the TFN claim, unless TFN can reach some agreement with the Dene/Metis on adjustments to the line. However, based on our review of your land use data, I would be prepared to agree to Inuit ownership of up to 100 square miles of land for traditional and cultural purposes in the triangle area between Mr. Parker's proposed boundary south of Contwoyto Lake and the 1986 boundary proposal. While these lands would not be classified as Inuit settlement lands, Inuit would hold title to these lands under laws of general application with the full benefits of private ownership. The location of the lands could be determined during your land ownership negotiations for the Kitikmeot Region. Their location should not, however, obstruct the Dene access to Contwoyto Lake, which the boundary provides. Other concerns which you may have regarding the boundary might be alleviated through overlap provisions which would protect Inuit hunting, fishing and trapping.

I hope that this offer will go some way to addressing the concerns of the Kitikmeot Region. As I have indicated, your request for a revision to Mr. Parker's proposed line would undermine the integrity of the whole boundary and, in fairness, require that I ~~consider similar requests from other affected parties~~ with potentially negative consequences for TFN. Given the contentious nature of this boundary problem and the lack of a solution fully satisfactory to all parties, I would hope that TFN can endorse Mr. Parker's proposed line for the TFN settlement area, while pursuing the options I have noted above for addressing concerns of the Kitikmeot Region.

Yours sincerely,



Tom Siddon, P.C., M.P.

c.c. Dennis Patterson