



House of Commons  
CANADA

## Standing Committee on National Defence

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NDDN • NUMBER 034 • 2nd SESSION • 40th PARLIAMENT

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EVIDENCE

**Thursday, October 22, 2009**

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**Chair**

**The Honourable Maxime Bernier**



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•(0910)

[*Translation*]

**The Chair (Hon. Maxime Bernier (Beauce, CPC)):** Welcome everyone.

I would now like to call to order the 34<sup>th</sup> meeting of the Standing Committee on National Defence. Pursuant to Standing Order 108 and to the motion adopted by the committee on Monday, February 23, 2009, we continue our study on Arctic sovereignty.

[*English*]

Mr. Hawn.

**Mr. Laurie Hawn (Edmonton Centre, CPC):** Thank you, Mr. Chair.

Before we do that, with apologies to our guests for what will be a little bit of a delay—hopefully, we can deal with this quickly and move on—I need to raise a question of privilege.

**The Chair:** Before that, I want to tell the members that concerning a question of privilege, in Marleau and Montpetit, chapter 3, on page 129, it is written that, “Unlike the Speaker, the Chair of a committee does not have the power to censure disorder or decide questions of privilege”. But the chair has the privilege to recognize that a member can raise a question of privilege and to hear the question. So I will ask you, Mr. Hawn, to go on.

**Mr. Laurie Hawn:** Okay. I will be as brief as I can.

**Hon. Bryon Wilfert (Richmond Hill, Lib.):** Can I ask, on a point of order, can we move in camera to deal with this?

**The Chair:** Thank you, Mr. Wilfert.

The other question is, do the members want to have this discussion in camera or in public? If it's in camera, we can have...

Monsieur Bachand.

[*Translation*]

**Mr. Claude Bachand (Saint-Jean, BQ):** I would agree to going in camera, but not to asking our friends to leave.

Mr. Hawn, perhaps we can deal with that matter after we have heard from the Nunavut Tunngavik witnesses.

[*English*]

**Mr. Laurie Hawn:** I have no problem with that, as long as we have—

**Mr. Claude Bachand:** A specific time afterwards?

**Mr. Laurie Hawn:** Yes, a specific time; let's say 10:30 at the latest.

**Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC):** On a point of order, are you making it in camera at 10:30, or is it going to be open at 10:30?

**The Chair:** The decision will be to have a discussion in camera on this point of privilege at 10:30, after our witnesses.

Do we have a consensus here?

**Some hon. members:** Agreed.

**The Chair:** Okay, we'll proceed like that.

Thanks, Mr. Hawn. We'll do it at 10:30.

We have before us representatives of Nunavut Tunngavik Inc.: Mr. Kaludjak and Mrs. Pelly and also Mrs. Hanson. Thank you for being with us. We appreciate your time in front of our committee, because we are doing a study that is very important for the members of this committee and also for other members of Parliament.

You'll have the floor for five to seven minutes. After that, members will ask you questions.

It's over to you.

**Mr. Paul Kaludjak (President, Nunavut Tunngavik Inc.):** Good morning.

My name is Paul Kaludjak. I am from Nunavut Tunngavik Incorporated.

Thank you for inviting us this morning. *Qujanamiik.*

[*Witness speaks in Inuktitut*]

Good morning.

First, thank you for the invitation. I want to acknowledge, before I present, that we had a 20-to-25-minute presentation, and now we're told we have seven minutes, so we will have to talk fast. I will try to do the best I can to keep within the timeframe allocated.

But I want to welcome my delegation here, and also the visitors behind me. Firstly, I'm glad to introduce my wife, Dorothy, and also my assistant, Joanasie Akumalik, and all the other Inuit visitors that I don't see from where I'm sitting. Also, we have my delegation here: Laurie Pelly, who is our legal counsel; and Udloriak Hanson, who is our policy adviser.

My name is Paul Kaludjak, as I said. I am the president of Nunavut Tunngavik Inc., the Inuit organization that implemented the land claims agreement in 1993. Thank you for inviting us to appear before you today.

I understand I have only a short time to present our views, but I would like to begin by referring to the recommendations you received on October 1 from Mary Simon, president of Inuit Tapiriit Kanatami. Mary was formerly Canada's Arctic Ambassador, and she has a very clear perspective on Arctic policy in both its international and domestic aspects.

Mary made six recommendations in her presentation. I won't repeat them now. I would like to note that I agree with all of them and endorse them.

I also want to acknowledge and welcome the Prime Minister's commitment to assert Canada's Arctic sovereignty. We appreciate that he has familiarized himself with the Arctic through his visits every year.

We support many of the measures being taken to express Canada's Arctic sovereignty, including strengthening the Canadian Rangers and increasing the ability of Canada's armed forces to operate in the Arctic.

At the same time, we emphasize the need for a comprehensive approach to development in Nunavut. We have basic housing and infrastructure needs that must be addressed on a long-term basis.

It is important that parliamentarians approach Arctic sovereignty as a national issue and not on a partisan basis. When it comes to Arctic sovereignty, Canadians should sing from the same song sheet, no matter their political views.

On April 29, Professor Suzanne Lalonde from the University of Montreal appeared before you and stated very clearly that "the principal challenge facing Canadian sovereignty in the Arctic concerns the Northwest Passage". This is the most important Arctic sovereignty dispute. It is the Northwest Passage that runs right through Nunavut. It is good that MPs from all the political parties agree that this is a highly critical issue, and it's why Daryl Kramp's motion to rename the Northwest Passage has received all-party support.

The term "Northwest Passage" raises an immediate question: northwest of where and of what? The reference point seems to be London, England, and that, I think, is the mindset we are trying to get away from.

●(0915)

We are from Nunavut. Nunavut means "our land" and not anyone else's transitway. Article 33 of the Nunavut Land Claims Agreement requires Inuit Heritage Trust to review traditional place names in Nunavut and to review proposals for name changes.

The Inuktitut name for the Northwest Passage, which Inuit Heritage Trust has recorded from elders in the region, is Tallurutik. On Devon Island, along the passage, there is a side of the mountain that looks like tattoos on the chin of a woman. Talluq is "chin", and tattoos on the chin of a woman are called tallurutiit. The elders say that from a distance you can easily see this.

Selecting a traditional place name for the Northwest Passage would be the best way to signal to the world that the area is very much Canadian. I understand that motion 387 is to come to a vote in November. NTI would like to work with all political parties, the

Government of Nunavut, and Inuit Heritage Trust before the date of this vote. We agree that the spirit behind this motion would be to secure agreement on an Inuktitut name for the Northwest Passage.

Inuit hold the key to Canada's ability to successfully assert Arctic sovereignty. The northern strategy released last summer by the Government of Canada says: "Canada's Arctic sovereignty is longstanding, well established and based on historic title, founded in part on the presence of Inuit and other Aboriginal peoples since time immemorial."

Canada's ability to declare the passage "internal waters", just like Hudson Bay and Foxe Basin, is based on historic title. This is what Great Britain said in 1930 when it represented Canada in negotiations with Norway on ownership of the Sverdrup Islands.

In 1986 the Minister of External Affairs, the Honourable Joe Clark, drew baselines around the Arctic Archipelago and declared all waters within to be internal to Canada. Mr. Clark relied, in part, on Inuit use and occupancy in Barrow Strait and Lancaster Sound, which is the Northwest Passage.

The key to effectively asserting Arctic sovereignty lies in a partnership between the Inuit and the Government of Canada. We have a partnership with Canada, negotiated over many years. It was ratified by the Inuit in 1992 and approved by Parliament in 1993. It is called the Nunavut Land Claims Agreement. It is a modern treaty and is constitutionally protected. It acknowledges in its preamble, in article 15, on marine areas, the Inuit contribution to Canada's Arctic sovereignty. Article 15.1.1 (c) says: "Canada's sovereignty over the waters of the Arctic Archipelago is supported by Inuit use and occupancy".

We see the Nunavut Land Claims Agreement as the means for us to become partners in this federation. Through the agreement we strengthened Canada's ability to assert sovereignty on the basis of historic title. We received, in return, the rights and benefits provided for in the agreement.

Regrettably, we have had difficulty convincing the Government of Canada to live up to its responsibilities and to meet all its obligations in our agreement. The extent of the problem is shown by the lawsuit we felt obligated to file in 2006 because our agreement had been breached in a number of important areas. Unfortunately, our tale is not unique. All modern treaty organizations—first nations and Inuit—have experienced treaty implementation problems. It is because of this that we formed the Land Claims Agreement Coalition in 2003 to press the Government of Canada to fully implement its modern treaties. The coalition urges the federal government to adopt a policy to ensure full implementation of modern treaties.

● (0920)

Professor Michael Byers of the University of British Columbia appeared before this committee on June 2. In his recent book, *Who Owns the Arctic?*, he concludes that failure to implement the Nunavut Land Claims Agreement weakens Canada's Arctic sovereignty case. As an example, the environmental monitoring provisions of the agreement have not yet been implemented. Surely we have to know what's going on in our territory if others are to acknowledge our sovereignty.

As a further example, the Nunavut Marine Council, provided for in article 15 of our agreement, has not been established. Yet the Nunavut Marine Council could be a key institution in bringing together governments and Inuit to deal with offshore issues, which definitely involve sovereignty questions.

The Nunavut Planning Commission, established under article 11 of our agreement, intends to complete a Nunavut-wide land use plan by 2011. This is to guide and direct development in the Nunavut settlement area, including marine areas. This is a practical example of the exercise of sovereignty through our land claims agreement.

Therefore, our first recommendation to you is that the Government of Canada should work hand in hand with Nunavut Tunngavik Incorporated to fully implement the 1993 Nunavut Land Claims Agreement as a key component of a strategy to assert, affirm, and express Canada's Arctic sovereignty.

I have stressed the importance of Inuit land use and occupancy and historic title to Canada's Arctic sovereignty basis. Professor Lalonde, who I quoted earlier, suggests that devolving rights over the seabed within the Arctic Archipelago would build on Inuit use and occupancy and would carry weight in international law. Let me quote her:

Devolution of legislated jurisdiction over the land resources and marine bed resources in the Territory of Nunavut to its Government could be a further and important exercise of Canada's exclusive authority over the waters of the Arctic Archipelago. . . . it would undoubtedly strengthen Canada's claim under the historic waters doctrine.

This leads to my second recommendation, recommendation two. The Government of Canada should work with the Government of Nunavut and Nunavut Tunngavik Inc. to finalize a timetable and plan to devolve responsibility for marine and marine bed resources within the Arctic Archipelago to the Government of Nunavut as one component of a strategy to assert, affirm, and express Canada's Arctic sovereignty.

● (0925)

**The Chair:** Mr. Kaludjak, you still have one minute.

**Mr. Paul Kaludjak:** I need more than a minute, because I don't see you every day and I would like to do my full presentation.

**The Chair:** I will have to ask the members.... Fine, go ahead.

**Mr. Paul Kaludjak:** In this context, I would like to acknowledge the Land and Resources Devolution Negotiation Protocol that I signed with the Minister of Indian Affairs and Northern Development and the Premier of Nunavut on September 5, 2008. The protocol states:

The parties acknowledge that it is the position of the Government of Nunavut and NTI that the ultimate objective of devolution is the transfer of administration and

control in respect of Crown lands and resources in all areas, both onshore and in the seabed. The parties further acknowledge that it is the position of the Government of Nunavut and NTI that a devolution agreement should make no distinction between resource management regimes onshore and in the seabed in and adjacent to Marine Areas.

The protocol notes that this is the Government of Nunavut and NTI's position. It is not yet the Government of Canada's position. We still await a mandate for the Government of Canada to begin formal negotiations.

At NTI we have very practical reasons to support Canada's Arctic sovereignty. If our waters are an international strait, foreign shipping has guaranteed navigation rights, and even submerged submarines may freely come and go.

We want shipping in the Arctic regulated and managed using the very highest environmental standards and the most advanced technology. An *Exxon Valdez* type of accident in Lancaster Sound would be disastrous to our homeland. The Government of Canada needs to have the legal and practical ability to stop ships entering Nunavut's waters if they fail to meet the very highest environmental standards. This is what sovereignty means—the ability to set the rules and to exercise control.

Lancaster Sound is the eastern entrance to the Northwest Passage. This is an area where environmental conservation and sovereignty assertion go hand in hand. Lancaster Sound is both beautiful and very important ecologically. I am pleased to tell you that the Qikiqtani Inuit Association and the governments of Nunavut and Canada are very close to signing a memorandum of understanding to look at the feasibility of a marine conservation area in the sound. I urge the committee to listen closely—I know you are listening closely—to the views of the Qikiqtani Inuit Association, when they appear before you.

This brings me to my last recommendation. The Government of Canada should work closely with the Qikiqtani Inuit Association and the Government of Nunavut to plan the establishment of a national marine conservation area in eastern Lancaster Sound as one important component of a strategy to assert, affirm, and express Canada's Arctic sovereignty.

Further, and again working with the Qikiqtani Inuit Association and the Government of Nunavut, the Government of Canada should consider seeking world heritage site designation for the area. A world heritage site status would facilitate efforts to regulate shipping and strengthen Canada's position that the Northwest Passage constitutes internal waters and is subject to Canadian regulation and control.

I hope you will endorse these three recommendations in addition to those you have already received from ITK.

We will do our best to handle questions you may have. Many thanks for your time and attention and thank you again for allowing me the time to finish my presentation.

Thank you very much, Mr. Chairman.

• (0930)

**The Chair:** Thank you, Mr. Kaludjak. Thank you very much.

Now I will give the floor to Mr. Wilfert.

**Hon. Bryon Wilfert:** Thank you, Mr. Chairman. I'll split my seven minutes with Ms. Neville.

Thank you for coming.

There's an implicit recognition here that you are saying the devolution equates in terms of being able to protect or enforce sovereignty. You make three specific recommendations. Obviously the Nunavut Land Claims Agreement Act of 1993 has still not been fully implemented.

In terms of the framework, the process, and the timetable, can you give us a sense of what it is you are looking for in order to move this along? I think we do have complementary interests here in terms of achieving the same goal, which is obviously not only the enforcement but the recognition of sovereignty in the north.

Thank you.

**Mr. Paul Kaludjak:** Thank you, sir.

Yes, as we stated, we want the highest levels of environmental protection anywhere in Nunavut, not only in the passage itself, but throughout Nunavut. We demand the best tool possible to protect the environment in Nunavut because of its fragile climate and very harsh conditions. It's hard to get there. It's not like here in Ottawa. You have roads going every way and access is easy. It's not the same in Nunavut. It demands special protection because of the terrain and the conditions up there.

In terms of devolution, the Nunavut Land Claims Agreement was produced so we can have some control over land that we didn't before, and we expect and demand that the Government of Canada do the same thing to have true control over the passage. In doing that, as I said before, we signed a memorandum of understanding in September reflecting the need for devolution because we felt it would help us assert sovereignty, no matter where you are. It doesn't mean only the Northwest Passage; it could mean wherever you are in Nunavut. It would help us assert a little more control over the resources we have and acknowledge the need for us to take a full role with development, whatever happens in Nunavut, with the Nunavut government as well as the federal government.

Thank you, sir.

**Hon. Bryon Wilfert:** If I could ask the witness, in terms of areas of process, timetable, the framework, etc., if any additional information could be submitted to this committee to the clerk in writing to move this along, it would be appreciated.

Just a comment on a world heritage site. I think 2012 is the next time there can be a nomination process for something of that nature.

I turn it over, Mr. Chairman, to my colleague, Ms. Neville.

• (0935)

**Hon. Anita Neville (Winnipeg South Centre, Lib.):** Thank you.

I'm going to ask you two questions, and I don't think I have a lot of time left, do I?

**The Chair:** You have two minutes.

**Hon. Anita Neville:** Two minutes.

My first question relates to the agreement signed in September 2008. You note that you're still waiting for a mandate to begin the formal negotiations. I wonder if you could just tell us a little about where that is in the process.

My second question is unrelated. I read the Berger report about a year and a half ago, not recently. How important are the recommendations of the Berger report to the issues we're discussing here today?

**Mr. Paul Kaludjak:** Thank you, Madam and Mr. Chairman.

Yes, the Berger report was extremely important to us. It reaffirmed our argument. It reaffirmed our cause, and that's what we had been saying all along. He was directed to find the implementation difficulties that we were having in our claim in Nunavut, and he identified very specifically and was quite focused on the education, the training need for Nunavut, something we'd been talking about for many years, which is lacking. The training needs to fill capacities in Nunavut were critical, to have a training component, and it reaffirmed that argument.

In terms of the devolution negotiations, an appointment was made by the federal government some time ago and the appointee was directed to work with us on devolution matters and start the process of negotiations to come up with a work plan with us and a timeframe. That work is ongoing as we speak. We have not formally sat down to execute that action plan right now. I hope in the next few months we can expect the government side to proceed with the talks and discussions on devolution matters before us.

**The Chair:** Thank you, Ms. Neville.

Now I will give the floor to Monsieur Bachand for seven minutes.

[*Translation*]

**Mr. Claude Bachand:** Thank you, Mr. Chair.

[*English*]

You'll need your translation device, as I'll be talking in French. I'm very proud of my language, just as you are of yours.

[*Translation*]

First of all, Mr. Kaludjak, let me say that I am proud of my language and of the Inuktitut language. I was involved in Indian and Northern Affairs for seven years, from 1993 to 2000, and I loved to attend First Nation or Inuit gatherings at which people began the meeting in their official language. Your official language is Inuktitut and that is perfectly understandable.

I have a comment and I will then turn the floor over to my colleague who has some questions.

When I was elected in October 1993, my life in politics got off to a good start because my first trip in November of 1993 was to Iqaluit in Nunavut. The first thing that surprised me was the length of the flight, about three hours or about the same time it takes to fly to Florida. However, when I got off the plane, the temperature was not 30<sup>0</sup> Celsius, but rather -20<sup>0</sup> Celsius. That's quite a difference in temperature.

Well, I proceeded to walk around the village of Iqaluit. I admit I didn't have any plans, until I saw a building with the inscription "Nunavut Tunngavik". I entered the building and told the person I encountered that I was a federal member of Parliament from Quebec representing the Bloc Québécois, as if I were an alien of some kind appearing out of the blue. He offered me a coffee and that broke the ice. I sat down with the people and they explained to me what steps they were taking, steps that eventually led to creation of Nunavut on April 1, 1999. I was on hand for that occasion, along with the Prime Minister and many other people.

I greatly enjoyed the time I spent in Nunavut. Your culture is truly extraordinary, as was your cuisine. There was no alcohol available. I recall that we made a toast with a small shooter of pure Nunavut water. It was a very memorable moment for me. I later returned to visit the Parliament of Nunavut, an absolutely amazing chamber. I have also met your Premier, Mr. Paul Okalik, on several occasions.

With respect to the Arctic, First Nations and the Inuit, the Bloc has taken the position that the Inuit are the key component of a new policy for the North. This is truly important for our party and I simply wanted to let you know that.

Regarding motion 387, I promise you that I will speak to my party's critic. It would be more respectful, and more in keeping with a good understanding agreement, to recognize that you are the people who have been living in this part of the world for thousands of years. It would be fitting for the Northwest Passage to have an Inuktitut name.

Thank you for listening to me. I will now turn the floor over to Mr. Paillé who has some questions for you.

● (0940)

**Mr. Pascal-Pierre Paillé (Louis-Hébert, BQ):** Thank you. I too will be speaking in French.

The committee has been studying the issue of the Northwest Passage for some time now and, as you must surely know, the commercial sector is beginning to show an interest in this waterway. At some point, industry will be ready to increase its usage of the Northwest Passage and perhaps to invest in northern Nunavut.

My question is simple. It concerns the current situation which is likely to change at a dramatic pace. Is Nunavut ready, and are the Inuit people ready to welcome this new reality and the changes that are likely to happen quickly?

[English]

**Mr. Paul Kaludjak:** Okay, thank you, sirs, for that comment and also for the question.

Mr. Chairman, let me first say this in my own language. [*Witness speaks in Inuktitut*]

Firstly, thank you. The gentleman before you visited our office back in 1999, or thereabouts.

Yes, Inuit are different in that way: we try to accommodate visitors as much as possible, and we will welcome everybody. On many occasions we take the back benches and try to accommodate our visitors as much as possible to make them understand our culture and to welcome them the best way we can. We continue to do that today, and even allow ourselves to be inconvenienced because of it. That's just the culture we have of welcoming visitors to our territory.

You mentioned it was minus 20 degrees, and I was thinking, that's only minus 20; we usually get minus 40 to minus 50, or in that range, in the winter. Again, thank you for visiting Nunavut.

Just to let you know, we have recently moved to start protecting our language through legislation through our Nunavut government, which we were really happy to be part of.

In terms of your question on the development of change, we are already there. We have already adjusted, I suppose, to the change that is before us in Nunavut. We have maintained that we will be receptive to new changes coming forward and to do the best we can to accommodate those changes. The changes are there already; they've happened already, and we're dealing with them as best we can.

I know we are encountering challenges before us. There's a social challenge before us. Those challenges are before us, and we try to be as patient as possible so we can resolve those issues one by one. They cannot be resolved overnight; it takes time to resolve the issues we're dealing with in the modern day. We will continue to work to do the best we can to accommodate change as it comes.

● (0945)

**The Chair:** Thank you very much.

I will give the floor now to Mr. Harris.

**Mr. Jack Harris (St. John's East, NDP):** Thank you very much for coming to present to us.

I appreciate very much your speaking to us in your own language—one that I don't understand. I understand very much how important that is to your culture and identity, but I would go further and say it is important to the survival of the people of Nunavut. I see that reflected in what Mr. Berger wrote on the importance of recognizing the need for support for bilingual education in Nunavut. It's important to your identity, but also to the identity of young people who have to see themselves as having an important language.

Bilingual education seems to be key to this whole notion of a partnership. I agree with you that the key to effective assertion of Arctic sovereignty lies in the partnership between the Inuit and the Government of Canada. I supported the creation of Nunavut in the legislature of Newfoundland and Labrador on April 1, 1999. I joined in recognizing and celebrating the creation of Nunavut, as I did a few years later on the creation of Nunatsiavut in Labrador, which translates as “our beautiful land”. I guess it's a take-off on Nunavut. So that's very important to the future of Canada. I know that in 1993 the Inuit actually ceded the aboriginal title to Canada, thus giving Canada the sovereignty it can now assert. So it's extremely important that we as Canadians follow through on that in good faith, and I'm very disappointed to hear that's not happening.

In Mr. Berger's letter in his report on the Nunavut project, he said that an ambitious program of bilingual education that would allow graduates in Nunavut to be able to speak in Inuktitut and English and participate fully in government and society would cost approximately \$20 million per year. It's a lot of money if you don't have it. But in the Canadian context it doesn't seem like a lot of money when military exercises in the Arctic probably cost millions of dollars a year.

Do you expect the Government of Canada to support bilingual education in Nunavut in the same way as it supports bilingual education in French and English elsewhere? Is that something you support, and are you making any progress in getting the Government of Canada to adopt that?

**Mr. Paul Kaludjak:** Thank you, Mr. Chairman.

I guess I'm used to protocol where the chairman acknowledges when I'm ready to speak, or when somebody is ready to speak, so my apologies.

In terms of the Berger report, as I said before, we were extremely proud of the findings, which reaffirmed the arguments we were making with the federal government in terms of lack of training in Nunavut. It very much addressed the need to improve the educational system in Nunavut, and that's something we've been saying all along.

I believe about four years ago we submitted to the Nunavut government that we needed to see an overhaul of the educational system in Nunavut. Again, Berger reaffirmed that argument that we had. Still, we very much support bilingual education in Nunavut and we demand that Inuktitut be at the forefront, the first language you learn, and that it be the priority of this government.

We have moved towards that. The current government has adopted a language policy and language initiative that we have now to make sure that when people enter Nunavut they understand that the first working language in Nunavut will be Inuktitut. We work together as a team to make sure we achieve that, and I think we're there now.

Also, the cost of education, the \$20 million, is minuscule. It's far short. It's lots of money, but for the Nunavut region it will still not reach the need to fully accommodate the language initiative that we want to undertake. I know we're going to have to keep arguing our case and justify the need for appropriate resources for that. That will continue.

● (0950)

**Mr. Jack Harris:** Can I interrupt for one second? Has that been adopted by the Government of Canada, that recommendation of Berger, and have they supplied money for that project?

**Mr. Paul Kaludjak:** I was getting to that.

It remains that through our initiative with the Nunavut government and our MOU that we signed, hopefully we can take those steps in devolution and make sure that, with the agreement we have with the federal government, some of these things can kick in.

For example, the commitment to adopt the Berger report was done on our behalf, and also by the Nunavut government, when we signed it. To this date, we have not seen a full commitment from the federal side endorsing it. So it's difficult to say yes or no, because to this date we have not had any indicators from the federal side as to how they felt about the Berger report when it was submitted, and it has been three or four years now.

**The Chair:** Thank you, Mr. Kaludjak.

Now I will give the floor to Mr. Braid.

**Mr. Peter Braid (Kitchener—Waterloo, CPC):** Thank you very much, Mr. Chair.

Thank you, Mr. Kaludjak, for being here this morning, along with the members of your delegation. Thank you for providing us with an excellent presentation as well.

I would like to start with the Nunavut Land Claims Agreement. It was, of course, signed in 1993. Why was nothing done for 12 or 13 years with respect to the implementation of the treaty?

**Mr. Paul Kaludjak:** Thank you, Mr. Chairman, and thank you, sir.

Just so that people around the table understand, the understanding must be that some of the implementation did happen within the 15, 16, 17 years now, since 1993. There was some work done. It's not as if there was never any work done, but there was a process made and progress made, and today the Nunavut Land Claims Agreement remains about 50% unimplemented, about half way. It's long overdue.

It seems as if it slowed down about eight years ago. That's when we started to sound the alarm that nothing was being done on the federal side to implement the claim respectably. There were many articles outstanding. As a result, we commissioned Price Waterhouse to do a report for us to justify the cost of the loss we are getting because of lack of implementation. At that time when we did the commission on the report in 2003, the loss we got every year—this is annual—was \$137 million that we were losing because of the land claim not being implemented. This is how much Inuit were losing per year, for example.

We've lost a lot. That's why we're challenging the federal government today, because of that loss. We didn't like it, but that was the necessary step we had to take, drastically. It was not the best thing, but we had to get serious and we wanted action, and that was the only ultimate option left for us to do. We submitted a claim against the federal government in 2006.

Thank you, sir.



• (0955)

**Mr. Peter Braid:** Thank you.

So about 50% was implemented. More recently, it sounds as if more progress is being made with the signing of the protocol. Clearly there's still more work to do and challenges to overcome with respect to the implementation of the treaty, but at a high level, could you just speak about the positive aspects that the signing of the treaty and the aspects of the treaty that have been implemented have brought to your people?

**Mr. Paul Kaludjak:** Thank you, sir, Mr. Chairman.

Yes, some progress has been made with respect to engaging or creating what we call IPGs, independent public government bodies, that were created through the claim to work on environmental assessments and work on land use planning that I mentioned—what is the purpose of the land going to be for the future: five, ten, fifteen, twenty years, infinity? To assess the land need for the years we have what we call the water board that is created to look after the interests of water. Some other gentleman had mentioned drinking pure water, and we want that to remain for infinity as well.

Those kinds of implementation initiatives have been taken. Those boards are functioning accordingly. Again, it's not without growing pains. They have their own challenges because of lack of resources from the federal side to fully perform their mandate. They have difficulty in that, and that continues.

That's again part of our challenge with the federal government, to fully and adequately resource those agencies so they can appropriately achieve their mandates, so they can do their job efficiently, basically. Right now, because of lack of funding and lack of implementation they're having great difficulty in making sure things are done on a timely basis and their mandate is achieved in the time limits. Because of the seasons in Nunavut, you have to hurry in many cases because the mineral explorations and people who want to use the land require permission through some of those agencies. It takes a long time for turnaround at times because of the short seasons to work in the north in the summer for many. Those challenges are before us today, but we're working in the best way we can to accommodate them.

**The Chair:** Thank you.

**Mr. Peter Braid:** I think Ms. Pelly wants to add something.

**Ms. Laurie Pelly (Legal Advisor, Nunavut Tunngavik Inc.):** Thank you, Mr. Chair.

To add to what Mr. Kaludjak was saying, the \$137 million annually is lost Inuit wages and the cost of importing labour from the south to take jobs in the Nunavut government public service that are intended by the land claim agreement to be taken by the Inuit in numbers representative of Inuit population in Nunavut, which is 85%.

The \$20 million that Mr. Berger discussed was \$20 million per year for near-term initiatives prior to the full implementation of a bilingual education program. That adds up to \$100 million over five years. In comparison to that, we're losing \$137 million per year.

• (1000)

**The Chair:** Thank you very much.

Now we'll give the floor to Ms. Neville, for five minutes.

**Hon. Anita Neville:** Thank you.

Again, I'm pleased that you're here this morning.

I was skimming through the Berger report as you were speaking—Mr. Harris dwelt on it before—and he talked quite eloquently about the social implications of not implementing both the land claims agreement and his recommendations. In one startling sentence he speaks about a colonial mentality that still exists in Nunavut. I would welcome your comments on that.

He concludes his report by saying that through the Nunavut project they've realized there's no affirmation that Canadian Arctic sovereignty will be complete unless the people of the Arctic, the Inuit, are partners in the task.

If you were prioritizing the steps to being real partners in the task, how would you prioritize those issues?

**Mr. Paul Kaludjak:** Thank you, Mr. Chairman.

Thank you, Madam, for your comment. As we said before, if we want to assert sovereignty the highest level we would need is to safeguard the environmental surroundings in that area. As I said before, for no matter which area of Nunavut—it doesn't have to be specifically the Northwest Passage, we look at the whole of Nunavut—the interest base on it is that the highest regard be given to the environment. Because of the high demand for use now of the Northwest Passage and the high demand for mineral exploration activity in Nunavut right now, the priority is to make sure there is the highest regard and respect for the land. We want to accommodate having appropriate arrangements with the government so that we have a cooperative initiative between the two of us, the federal and territorial governments. We want to ensure we have what we call an IIBA, Inuit impact benefit agreement, which will stipulate the training needs and the business needs, and the benefits for Inuit on whichever project it may be.

The land claims agreement provides that direction. We must be party to any development or any activity, whether that be mining, development in the community, ports, you name it. Inuit have to be a partner. That's what the land claims settlement directs us to do, and to make sure that in terms of priorities we accommodate that. We've been telling the federal government that Inuit need to be hired. Laurie mentioned the lack of employment. Because you didn't hire Inuit they lost so many dollars.

In terms of that, article 23 stipulates that the two governments, territorial and federal, must increase their Inuit content, which means they must hire up to 85% or better Inuit content within the government. Today the Nunavut government is about 47% Inuit content, which means that 47% are Inuit employees in the territorial government. The last time we checked with the federal side, specifically INAC in Nunavut, they were sitting at 33%, and I understand in the last few months it went down. Those levels that we give priority to are not even being achieved, and are already being lost today. This is something that is disturbing. It tells us that the implementation is not working, and those will be our highest priorities. For examples, I gave you two.

●(1005)

**Hon. Anita Neville:** Thank you.

**The Chair:** Thank you, Mr. Kaludjak.

I will give the floor to Mr. Payne. It is your turn.

**Mr. LaVar Payne (Medicine Hat, CPC):** Thank you, Mr. Chairman.

Mr. Kaludjak and witnesses, welcome. I am very pleased to be here today to listen to your presentations. I would also like to welcome the entourage that's here with you as well. It is a great opportunity for them to come to listen as well.

I have a couple of questions.

I was quite interested in your suggestion of a name change regarding the bill that is currently before the House, and suggesting that it be an Inuit name. As I understand it, the Northwest Passage is a name that has been used for at least as long as I can remember, and I might even have a couple of years on you. In terms of changing the name to an Inuit name, how do you see that being recognized around the world to be Canadian sovereignty?

**Mr. Paul Kaludjak:** Thank you, sir, and thank you, Mr. Chairman.

That is a good question.

I was going to say earlier about the language that I don't have the luxury of interpretation when I talk in my own language, unfortunately, but you all do.

In terms of the naming, I don't know if you are aware now that Mr. Kramp did submit motion 387 to add a name to the Northwest Passage. That tells us that the system was not aware of the protocol whereby the Nunavut Land Claims Agreement Act takes part in that process. If there are to be name changes within our own backyard, the Nunavut Land Claims Agreement Act must be party to that so that we direct the MP to work with us, as of yesterday, and direct the work to the Inuit Heritage Trust, which is responsible for renaming and naming traditional names on our behalf.

We were telling you—our group and people who had interest in this file—that when you're renaming locations in the English language, they already have names in Inuktitut. They existed when people hunted in that area. There were already names, names that people disregarded. They drew maps and put their own names on them. The Inuit already had names for those places, and the explorers put their own names on them in disregard to them.

Larry Bagnell came over yesterday to our office to talk to us about this issue, and we advised him that Tallurutik would be that name of that area. Tallurutik means the chin of a person. Talluq means a chin, and Tallurutik means a woman's chin with a tattoo. When you go up the Northwest Passage, the land looks like a big chin as you go along the passage, and it looks as though there are tattoos on some of the islands and mainland areas. That's what it's named after.

I hope your interpretation will pick it up and I hope you will learn to say it along the way.

Thank you very much.

●(1010)

**Mr. LaVar Payne:** Do I still have some time left?

**The Chair:** You have 15 seconds.

**Mr. LaVar Payne:** Thank you.

[*Translation*]

**The Chair:** Mr. Paillé.

**Mr. Pascal-Pierre Paillé:** Perhaps I can continue Mr. Payne's line of questioning.

In your opinion, through its actions, or interference, is the government failing to respect your people's customs?

[*English*]

**Mr. Paul Kaludjak:** Am I allowed to say yes to that?

Yes and no. We said when we signed the land claims agreement in 1993 that this showed respect to the Inuit people and along the way at times it was lost. That's why we had a hard time trying to re-entertain the need for the language to be retrieved on many occasions. Because the change of the language was so advanced in English, many of the communities were way behind in trying to get their language back on the front burner. The farther west you go, the more the language is not there, and there's been a lot of interference. But today we are trying to retrieve that on many occasions where the language has to come back to the community and to make sure we fully entertain that aspect of Nunavut where the working language is Inuktitut.

My example to you could be—I don't know where you're from—it would be like me trying to change Ottawa to a new name. If I tried that, everybody would go crazy, and it's the same thing no matter where you live. I will not change the backyard. I will not put a new name to it without your permission, and it's the same thing in this case. We ask that this motion be referred and more work be done before it happens. That's what we're asking for today, as we speak.

Also when we, the younger generation, want to find out about our traditions, the most appropriate way is we use what we call IQ, which is Inuit *Qaujimaqatuqangit*, which means Inuit knowledge. We speak to the elders about the land formations and the customs they have so we can keep that before us and keep it within us and help educate people with it.

Thank you.

[*Translation*]

**Mr. Pascal-Pierre Paillé:** Mr. Kaludjak, as a sovereigntist member of the Bloc Québécois, I understand your position very well. I think our party has some things in common with you. However, you can understand that this may not be the forum in which to pursue that discussion.

I have one last question for you. Do you see any change in the government's behaviour or actions? You mentioned in your submission that certain changes have taken place since 1993. Has the government's attitude changed at all since it has started to show more interest in the Northwest Passage or in Arctic sovereignty?

[English]

**Mr. Paul Kaludjak:** Thank you, Mr. Chairman, and thank you, sir.

I believe so. We've worked with different governments over the years, in my tenure anyway. I've been working at this level for five years now, and we at Nunavut Tunngavik made history because we met with the Prime Minister last August in Iqaluit when he visited the Arctic. That was the first time, for me anyway, to be able to sit down with the Prime Minister of the country to talk to him directly in a small room with a small group of people. For me that was one of the most historic events this organization has ever encountered.

I can agree that this government is taking steps to acknowledge the Inuit better today and trying to understand our cause. The land claims agreement in Nunavut must get attention, and he understood at that time that the Nunavut Land Claims Agreement must also be implemented. Because time and time again we educate bureaucrats, politicians like yourselves, that there's a Nunavut Land Claims Agreement and things have to happen, things can't be idle. Because they were idle, we have a challenge before us, and that's how serious the situation is right now.

But to answer you, the efforts being made by the current government have been very good for us in Nunavut in terms of Nunavut Tunngavik. We want to make more of those good things and take those new steps, and I hope we get closer to this government to make sure they work with us to implement the claim the best way possible.

•(1015)

**The Chair:** Thank you very much.

I will give the floor to Mr. Boughen now.

**Mr. Ray Boughen (Palliser, CPC):** Thank you, Chair.

Let me add my voice of welcome to you folks. I'm glad you're able to share part of your morning with us.

I heard in your presentation lots of discussion about places, land, and those kinds of things. I guess my question to you, sir, has to do with human resources, because I heard Ms. Pelly saying there were millions of dollars lost in program dollars spent on others coming into Nunavut to supply services. In other words, I'm guessing they were tradesmen, carpenters, drywallers, bricklayers. What is in place in your part of the world now to address these training needs and educational needs? Because they are in large part going to happen in the whole Northwest Territories.

**Mr. Paul Kaludjak:** Thank you, Mr. Chairman.

Thank you, sir.

Yes, we did mention the lack of a proper education system in Nunavut over the years. Some of you stated you had read the Berger report. We did work among ourselves a few years ago to find out what was wrong with the system. We looked at the education system overall, and when we reviewed it and the consultants came back, we learned that Nunavut was experiencing a 75% dropout rate. That was seven or eight years ago, but it's improved now.

We looked at that and asked, is that number accurate? Yes, it was. We were experiencing a 75% dropout rate. So out of every 100

students, 75 of them were dropping out, and that was not proper. It was unfair. We were being unfair, and it was not fair to the students who were in that educational cycle. So that told us as parents and teachers that we needed to help and that the government system needed to improve aspects of that. As I said before, there needs to be an overhaul of the educational system in Nunavut. I think that's pretty much being undertaken right now, and we want to make sure that bilingual education is at the forefront of everything the educational system does provide in Nunavut. That's being undertaken right now.

We've been blamed many times for not having capacity in Nunavut. As a result, we have to revamp things, because it's reflective of the education system not being proper. We wanted to come back and say that we were trying to fix our own mechanics, I suppose, to make sure we were offering the best education possible in Nunavut.

I know today it's still not the best, because we continue to have to re-educate the students who need to go to higher education, to university and colleges. When they arrive from Nunavut to get a better education in the south, they're required to upgrade their standards, because there's something not quite right. Every one of those students has to go through an upgrade program, meaning they need to upgrade their grades. Again, that tells you there is something wrong with the system.

We continue to do the best we can to resolve that. We try to deal with the capacity issue the best way we can and try to make sure the education component is the best possible, so we can fill those loopholes. That's why you see the \$137 million a year that we fail to get because of lack of capacity, because of our lack of hiring, because the government we work with imports a lot of workers in place of locals who could be working.

•(1020)

Those are the kinds of issues before us that we're working on. Unfortunately, sometimes we cannot avoid those things. On our side, we're trying to help resolve those situations.

Thank you.

Mr. Chairman, Udloriak wants to add something.

**Mrs. Udloriak Hanson (Senior Policy Liaison, Nunavut Tunngavik Inc.):** Thank you.

I'd like to add to what Mr. Kaludjak has said, that if you ask what we have in place, there are a couple of highlights worth mentioning. One is that the Government of Nunavut is opening a trade school soon—I think it's next year, not this year. It's being built right now. So that's exciting. We have a cultural school that's opening as well.

One of the other things I'd like to touch on is what Mr. Kaludjak just mentioned in terms of upgrading. We have the Nunavut Sivuniksavut training program here in Ottawa, which is open for beneficiaries. There are usually about 22 students who come down from Nunavut. It's kind of equivalent to CEGEP in Quebec, where it's the stepping stone to a higher education. The rate of employment after going through the NS program is quite high, something like 97%. A lot of them actually end up going back to school.

Judge Berger had mentioned NS as an important component in training, educating, and preparing our youth for jobs in Nunavut as well. That \$20 million that was mentioned includes funding and upgrading for the NS program.

There are two other things I'd like to touch on. One is the idea of the Arctic university. I'm sure you heard about it from the Governor General not too long ago. We're looking at initiatives like that in ensuring that education, even after grade 12, can remain in the territory. Right now, as you know, they have to leave for post-secondary education, other than Arctic College.

There is one thing that needs to be mentioned. It's that capacity-building needs to happen in Ottawa as well. There's a lot that isn't known about Nunavut; there's a lot that isn't known about Inuit and the land claims agreement. So as much as we would like to highlight the fact that training capacity needs to happen in Nunavut for our own Inuit, it also needs to happen where the decisions are being made and policies are being created, a lot of times without consultation or proper consultation with Inuit.

Thank you.

**The Chair:** Thank you very much.

I want to thank our witnesses for being with us this morning. It was very interesting for all members. As noted, if you can provide us with some details in writing, as Mr. Wilfert asked at the beginning of the meeting, it would be useful for the members.

I will suspend our work for five minutes, after which we'll come back in camera.

Thank you very much.

Do you want to add something?

•(1025)

**Mr. Paul Kaludjak:** Yes.

On behalf of my delegates, I want to at least thank the group for taking the time to listen. I know you are busy people. There has been a lot of discussion, and I hope that the recording was done appropriately so that you can have it for your information.

On behalf of my delegates here, we thank you for your time. We are thankful that we can work together and hopefully improve the lives of Inuit of Nunavut the way we should. Thank you for your support.

**The Chair:** Thank you very much.

• \_\_\_\_\_ (Pause) \_\_\_\_\_

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•(1030)

[*Translation*]

**The Chair:** We continue with the 34th meeting.

[*English*]

I just want to inform the members that we are in public right now.

I think, Ms. Gallant, that you have a point of order.

**Mrs. Cheryl Gallant:** Yes. I just wondered whether or not the following discussion is going to be in camera or not.

**The Chair:** So we have a question of privilege that we want to discuss together. The question is, do we want to discuss that in camera or in public?

**Hon. Bryon Wilfert:** Mr. Chairman, as I mentioned earlier, I'd formally move a motion to have the proceedings in camera.

[*Translation*]

**Mr. Marcel Proulx (Hull—Aylmer, Lib.):** In any event, Mr. Chair, we agreed to hear from the witnesses first and then to discuss this matter at 10:30 a.m. We agreed to defer our in camera discussion of this matter until 10:30 a.m.

**The Chair:** Since the consensus appears to be that we should continue in camera, the public meeting is suspended.

*The meeting continued in camera.*







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