

Executive Summary of the Nunavik Commission's report

March 2001

Created in November 1999, following the Political Accord between the Nunavik Party, Québec and Canada, the Nunavik Commission was given the mandate to propose a form of government for Nunavik.

The Commission decided to proceed first with public hearings and meetings with public and regional organizations in all Nunavik communities. The Commission also consulted with aboriginal communities and nations neighbouring Nunavik. Finally, it held an extensive round of consultation with numerous government officials from either Québec, Canada, Nunavut and Greenland.

The main features of the Commission's recommendations are the following:

■ AN ENTIRELY NEW FORM OF AUTONOMOUS GOVERNMENT FOR NUNAVIK:

- Institutions non ethnic in nature, open to all residents.
- Jurisdiction over the entire territory of Nunavik, as per the Political Accord.
- Operate within the Canadian Constitution and respect the authority of the Québec National Assembly and the Parliament of Canada.
- Respect Charters of Rights and Freedoms.
- Respect rights of Inuit, Cree and Naskapi under JBNQA and NEQA.

■ A NUNAVIK ASSEMBLY:

- Is a democratic forum to debate public priorities and services, and to adopt laws.
- Is the basic building block around which revolves the other Nunavik institutions.
- Composed of at least 15 locally elected members, one for each Nunavik community and one for the Naskapi. Community with a population over 2000 elects a second representative.
- May adopt a Constitution for Nunavik, after having submitted it to the people in a referendum.

■ LAW-MAKING POWER FOR THE ASSEMBLY:

- Exclusive powers with respect to Inuit language and culture.
- Substantive and effective powers in fields like education, health, environment, public security, land and resources, economic development, justice, etc. These powers would be shared with Québec and Canada.

- No development of natural resources in Nunavik without the consent of the Nunavik Assembly.

■ A NUNAVIK GOVERNMENT:

- Executes laws and budget adopted by the Assembly.
- Composed at least of five members, including the leader, elected on a Nunavik-wide basis.
- Responsibilities of KRG, KSB, NRBHSS and Avataq would be merged into the Nunavik Government and personnel becomes part of the various departments of the Government.
- KRDC, KMHB, TNI, Tulattavik and Inulitsivik Health Corporations would fall under the jurisdiction of the Nunavik Government, while keeping their corporate identity.
- Local committees in the fields of education, health and social services, and justice would be invested with greater decision-making power.

■ CREATION OF A COUNCIL OF ELDERS:

- Guardian of the Inuit language and culture.
- Advisory to the Assembly.
- Composed of 15 members, representatives of all the Nunavik communities and the Inuit of Chisasibi.

■ CREATION OF A NUNAVIK COURT:

- Specific judicial district for Nunavik.
- With a full-time judge and a resident crown attorney.
- Detention facilities should be built in Nunavik.

- Setting up of justice committees in every community: judge would have to consult the committees before sentencing an offender.

■ **OFFICIAL LANGUAGES AND PROTECTION OF INUITTUT:**

- Inuttitut, French and English would be the official languages in Nunavik. Everyone would have the right to use any of the official languages and to receive information in any three languages from the Nunavik institutions.
- Inuttitut would be the predominant language of work in the operation of the Nunavik institutions.
- Nunavik Assembly would be empowered to enact laws to protect Inuttitut and Inuit culture.

■ **CREATION OF TWO COMMISSIONS, COMPOSED WITH REPRESENTATIVES OF NUNAVIK, QUÉBEC AND FEDERAL GOVERNMENTS:**

- **Nunavik Environmental Commission:**
would replace existing KEQC, KEAC and COFEX-North;
would have a twofold mandate:
 - decision making in administration of a unified process for assessing the impact of projects on the environment;
 - advisory in addressing recommendations to Nunavik, Québec and Canada for the protection of the environment.
- **Nunavik Wildlife Commission:**
local hunting, fishing and trapping associations would be represented on the Commission;
would have a twofold mandate:
 - decision making in wildlife management;

- advisory in reporting on the status of wildlife and in addressing recommendations to Nunavik, Québec and Canada for the protection of wildlife and the conservation of biodiversity.

■ **FINANCING OF THE NUNAVIK INSTITUTIONS:**

- Nunavik Government would receive its share of taxes (income, sales), rents and royalties raised in Nunavik.
- Nunavik Government would be empowered to intervene in the income tax and sales tax rates.
- Nunavik Government would be empowered to generate other revenue, such as fees, fines and dividends from public services enterprises.
- Two block funding agreements, one with the Québec Government and the other one with the Federal Government, should consolidate the various subsidies provided for Nunavik, with provisions for upgrading services, and for new programs and exceptional situations.
- Nunavik Assembly adopts the annual budget submitted by the Nunavik Government.
- Nunavik Assembly would designate an auditor who is responsible for auditing the public accounts and who reports to the Assembly.
- Nunavik Government would be responsible for its surpluses and its deficits.

■ **DECENTRALIZATION AND THE CAPITAL:**

- Nunavik Government would decentralize aspects of its functions and decision making process to local institutions at the community level.
- The choice of the Capital would be made by the population in a referendum.

■ **RELATIONSHIP WITH OTHER GOVERNMENTS AND ABORIGINAL PEOPLES:**

- A Nunavik Conference of members of the governments of Nunavik, Québec and Canada would be created to discuss matters of mutual concern.
- Members of the Nunavik Assembly would be invited annually by the Québec National Assembly to maintain a continuing dialogue from Assembly to Assembly.
- Nunavik Government would be authorized to develop its own relations with other governments like Nunavut and Greenland.
- A Forum of Aboriginal Peoples of Northern Québec – Inuit, Cree, Naskapi and Innu – would be set up for discussions of mutual concerns in and outside of Nunavik.
- Nunavik should have a seat at the Québec National Assembly and at the Parliament of Canada.

■ **TIMETABLE AND PROCESS:**

- Negotiations for the creation of a Nunavik Government should start in Fall 2001.
- An agreement should be reached by 2003.
- The agreement should be submitted to the Nunavik population in a referendum.
- If the agreement is accepted:
 - appointment of an Interim Commissioner;
 - transition process would take place from 2003 to 2005;
 - first election of Nunavik Assembly and Government would be held in fall 2005;
 - creation of other institutions in 2006;
 - consolidation of the Nunavik Government from 2006 to 2011.

Reference to Let us Share report

Although the Let us share Report does not recommend phase I and II, the draft FA takes into consideration recommendations coming from it as written in the sections below.

Last Whereas in the Preamble of the draft FA

Whereas Makivik, Québec and Canada agree that it is appropriate, in a second phase, subject to the Parties obtaining the necessary authorities, to undertake subsequent negotiations of a supplementary agreement or supplementary agreements which could provide, as the case may be, new powers to the Nunavik Regional Government, which could be inspired by the recommendations found in the 2001 Report of the Nunavik Commission entitled Let Us Share;

2. OBJECTIVE OF THIS AGREEMENT

The objective of this Agreement is to provide for the conditions for the creation and continued existence of the NRG for all residents of Nunavik by:

a) as phase one, amalgamating three public institutions established following the JBNQA: KRG, KSB and NRBHSS, into a unified entity, the NRG;

b) as phase two, subject to the Parties and NRG obtaining the necessary authorities, undertaking subsequent negotiations of a supplementary agreement or supplementary agreements which could provide, as the case may be, new powers to the NRG, which could be inspired by the recommendations found in the 2001 Report of the Nunavik Commission entitled Let Us Share.

Although the Let us share Report does not recommend phase I and II, the draft FA takes into consideration recommendations coming from it as written in the above sections.

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