



Context

Nunavik means the *land where we live*. Inuit have inhabited this land for hundreds if not thousands of years. Aside from \$90 million cash compensation and the creation of governance structures, such as the Makivik Corporation, the landholding corporations, the Kativik Regional Government and the northern villages, the *James Bay and Northern Québec Agreement* (JBNQA) gave Nunavik Inuit title to approximately 5,150 km² of Category I lands (full ownership) and exclusive harvesting rights on 56,325 km² of Category II lands (Crown lands).

The 1975 JBNQA recognizes Nunavik Inuit rights, and grants the vast territory a legal status and a special regime of governance. Nunavik Inuit harvesting rights are protected by this treaty, subject to the principle of conservation. The 2007 *Nunavik Inuit Land Claims Agreement*, for its part, further recognizes the rights of Nunavik Inuit to the offshore region around Québec, as well as northern Labrador and offshore northern Labrador.

Landholding corporations are mandated under the JBNQA to play a leading role in the administration, promotion and protection of Category I and II lands. The ownership of Category I lands is at the heart of the role granted to landholding corporations. The powers and responsibilities of landholding corporations are clearly established under the *Act respecting the Land Regime in the James Bay and New Québec Territories*, the *Act respecting Hunting and Fishing Rights in the James Bay and New Québec Territories*, and the *Act respecting Cree, Inuit and Naskapi Native Persons*.

Covering 500,164 km², Nunavik represents 36% of the total area of Québec.

Concerns, Challenges and Proposals

Although the landholding corporations own collectively Category I lands, subsurface rights are held by Québec. The actual regime on subsurface materials must be revised and surface ownership rights (i.e. management authority and regulating powers) must be strengthened. Funding assistance will also be required for these expanded land management responsibilities.

An increase of mineral exploration and mining activities in Nunavik must be community and socially relevant, including joint management on Category II and III lands, profit sharing and obligations for project proponents to mitigate disturbances to Inuit harvesting rights, the land and the environment.

The obligation under the JBNQA to allocate parcels of Category I lands at a nominal rate for public services and the possibility for Québec to expropriate parcels of Category I lands for the delivery of public services, without compensation or replacement of the land, fail to achieve any community and social development objective and are not compatible with the development of community economies.

The lands allocated to the communities as Category I lands at the time of the signing of the JBNQA have become inadequate considering population growth, various usages, external pressure and industrial development. An increase of Category I and II lands is necessary for the enhancement of the social, traditional, community and economic development of Nunavik Inuit.

New mapping of Category I and II lands is necessary to permit the assessment of Inuit land ownership and reconcile orders in councils, claims and leases that predate the JBNQA and have created parcels of Category III lands in the communities. The titles and ownership of these parcels of land must be

transferred back to the landholding corporations for uniformity and conformity purposes.

The implementation by Québec of an official land registry (cadastre) for Nunavik is needed, with proper civic numbers and addresses to be allocated for efficiency, referencing and security purposes;

The creation and implementation of land policies and guidelines for uses and occupations of Category I, II and III lands in order to protect the environment.

Support for the creation of national parks and protected areas in partnership with the region and communities that not only serve to protect the environment and its resources, but the traditional ways of living of Inuit and their sustainable harvesting activities.

Responsibilities over sport hunting and fishing activities by non-JBNQA beneficiaries must be fully regulated by the landholding corporations on Category I and II lands. Responsibility for setting residency criteria for the application of Section 24 of the JBNQA must be transferred from the northern villages to the landholding corporations.

Changes to the climate and ice patterns will generate new industrial development, such as the opening of northern shipping routes as well as gas and oil exploration, as well as lead to an increase in competition for regional and local resources with environmental and social impacts. Any such new development must be community and socially relevant and mitigate disturbances to Inuit harvesting rights and the environment.

Community development must be sustainable and take into account intergenerational needs. Long-term planning is needed to resolve the housing crisis and related social issues, including more and bigger dwellings, larger lots, green spaces, recreational zones, public transportation, improved essential services (ex. drinking water), and new cost-efficient infrastructure.

The housing crisis and related social issues have contributed to an exodus of Inuit from their communities. The development of Nunavik must not fail to address the situation of Inuit living in urban centres, such as Montreal, through employment, training and other social initiatives.

Prioritize the construction of railroad links instead of road (car and truck) links to allow better control and monitoring of land use.

Additional funding is needed to create access trails for Inuit subsistence hunting and fishing, and to construct and operate more survival cabins around the region.

Restoration to beach areas and shoreline should be given some priority. Borrow pits and access roads tend to be abandoned once they are fully exploited; re-vegetation and restoration programs should therefore be planned.

Discussion

The expansion of Category I and II lands, the strengthening of the land management and development powers exercised by regional and local authorities over the territory north of the 55th parallel, and the protection of harvesting areas are essential to the ongoing partnership between Québec and Nunavik Inuit.

