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- How do you (The Crown, federal government departments) react to this information, fulfill your obligations? There is no choice, it must be done.
- Important: There's no suggestion on part of any Aboriginal organizations that civil servants are trying to stymie implementation. We recognize that things have to be done in partnership.
- An accurate metaphor: Modern treaties as marriages, not divorces. How do we nurture this relationship? Because for all intents and purposes, these agreements are permanent.
- What we have negotiated in the last 25-35 years is quite extraordinary. Internationally, the range and scope of modern treaties is applauded. While the LCAC focuses on problems, it is also important to understand there are a lot of successes. Things are being done.
- What are the implications of modern treaties? If the modern treaty agenda is ever complete, more than 50% of the country will be covered by modern treaties.
- Implications of modern treaties are significant and huge. Not just in terms of implications for federal agencies, but for the way we govern ourselves; structure and process of governance. There is real value in consensus.
- There are also significant implications for funding, in terms of the way Government of Canada does its budget arrangements, how things are costed, how far in advance things are costed. Implementing these treaties has major financial implications.
- Huge implications for the relationship between the Crown and Aboriginal peoples. The word relationship drifts lightly off the tongue, but that's at the core. This is a matter of respect, consultation writ large, and in a relationship. What has happened in Canada in the last 40 years has been a process of decolonization through negotiation, stimulated by the Supreme Court of Canada. In this country we have never had a full policy debate on Aboriginal peoples.
- Go and see federal press releases in response to the \$60 million Royal Commission on Aboriginal Peoples in 1996. There is no propensity in Canada to discuss these issues in great depth.
- We have moved from treating Aboriginal people as wards of the state to entering into a relationship as self governing, constitutional partners. This process continues.
- From the DIAND framework for the management of modern treaties: "Experience has shown that over time, the administration of Modern Treaties is more complex and resource intensive than was originally anticipated, and that agreements are difficult to implement through regular government business". This is a mature, and radical statement. If we are trying to promote a whole of government approach, how do we do that? Do we have the structures and processes in place that would allow us to take a whole of government approach?
- We should go through the table of contents of an agreement, just to hit the high points:
 - economic development
 - land ownership
 - land management
 - natural resource management
 - environmental assessment
 - social issues
 - cultural enhancement
 - self governance
- The implications of land claims for the federal government are at legal, policy, administration and political levels.
- Karl Mannheim believed that when there are disagreements between the government and the governed, and there is a desire to be seen to respond to them, administrative solutions are put in place to deal with policy and political problems. These are not solutions at all. At least in part, that is where we are now; we are trying, in good faith, to ensure that there are administrative solutions to political and policy problems.

- Once negotiations are completed, people in federal agencies may see these treaties and associated obligations as a burden. That attitude is wrong; we should be proud that we've negotiated things, not imposed them. These implementation obligations represent an opportunity to address public policy objectives, as well as address issues of importance to Aboriginal people.

Illustrations

- **Arctic sovereignty:** Prime Minister Harper travels north every summer with two words on his mind: Arctic Sovereignty. The Nunavut Land Claim Agreement mentions Arctic Sovereignty twice. Inuit use and occupancy of the Arctic supports Canadian sovereignty. This is a vastly different perspective from certain groups who do not consider themselves to be Canadian citizens and consider themselves to be sovereign. In 2009 AANDC released a Northern Strategy, which ignores modern treaties, but its main objective is to ensure there are healthy individuals in the North. There was no mention of collectivities such as land claims and land claim settlement areas, or cultural health in this AANDC document, while domestic strategy did acknowledge the contribution of Inuit to Arctic sovereignty. If the Crown loses in the NTI court case and it goes to the Supreme Court, that result may damage the Crown's ability to invoke Inuit use and occupancy as part of the political approach to asserting sovereignty.
- **Management of biologically and geologically important land:** In the Nunavut Land Claim Agreement, Inuit own roughly 1,100 parcels of land. It took a huge amount of effort to define these parcels. In land claim negotiations, Aboriginal peoples know they won't get the majority of the land, rather about 15-20% of it, so they want the best and most productive land biologically and geologically. The Nunavut land ownership map shows that the Crown owns the glaciers and the mountaintops, and Inuit own many of the important areas. The implications for federal government departments, especially the Department of Environment, are great, because such maps show that Aboriginal peoples have ownership of the most biologically productive sites. This suggests that a good working relationship with Aboriginal owners will be needed in order to protect and manage that land.
- **Land claims and climate change:** With regard to climate change, Canada has become a pariah state. More than a laggard, we are perceived as not taking this issue seriously at all. A land claim is designed to protect and preserve a way of life that includes wildlife harvesting, and the number one challenge/threat to that is the implications of climate change. There have been two petitions by Canadian and Indigenous peoples to the Inter-American Commission on Human Rights. The first was an Inuit petition submitted in 2005, alleging lack of action on greenhouse gases which was resulting in cultural and social impacts. This was the first of its kind globally by Indigenous people using the language of human rights to protect a way of life threatened by climate change. Athabaskan peoples in Canada submitted a petition to the same organization, alleging lack of action on Canada's part in relation to black carbon. The petition urged the Commission to advise Canada to show leadership re new standards for black carbon emissions, as a means to protect a way of life as defined in a modern treaty.
- **Foreign policy:** In most agreements there is weak language that does intersect treaty implementation with foreign policy. Few people in foreign affairs are knowledgeable about modern treaties. In the Nunavut agreement there is information about wildlife and the requirement to include Inuit in wildlife-related international discussions. Re polar bears, the U.S. State Department contacted Canada re polar bears. They met and signed an MOU but did not include Inuit, who harvest polar bears. That is an abuse of the land claim agreement. People around the world want to know what we've done, what we're doing and how we did it re land claims. We're proving that it is possible for Aboriginal people to negotiate their way into a desirable future. Some of our Aboriginal experience could be helpful on the international stage. We could learn much from Norway in terms of education policy with the Sami people. A decade ago they sent a delegation here to study our land claim agreements. They found our cooperative management arrangements very interesting. A few years later, they then put into place the Finnmark Act, which was effectively a cooperative management board.
- **Conclusion:** We've achieved something important with land claims.