FINAL DRAFT WITHOUT PREJUDICE INUIT NUNANGAT POLICY

This Policy applies to all federal departments and agencies, guiding them in the design, development and delivery of all new or renewed federal policies, programs, services, and initiatives that apply in Inuit Nunangat and/or benefit Inuit, including programs of general application, and to support Inuit self-determination. The purpose of this Policy is to promote prosperity and support community and individual wellbeing throughout Inuit Nunangat with the goal of socio-economic and cultural equity between Inuit and other Canadians.

1. INUIT AND INUIT NUNANGAT

- 1.1. Inuit are a distinct rights-holding Indigenous People with their own history, identity, culture (including language) and way of life. Section 35 of the Canadian Constitution identifies three distinct Indigenous Peoples First Nations, Inuit and Métis who have their own origins, identities and representation. The *Indian Act, 1985* does not apply to Inuit. Through the Inuit-Crown Partnership Committee, the Government of Canada and Inuit are renewing their relationship based on the recognition of rights, respect, co-operation, and partnership as part of the broader goal of reconciliation.
- 1.2. The Inuit homeland, Inuit Nunangat, stretches across Arctic lands and waters. For the purpose of the policy, the boundaries of Inuit Nunangat are the same as the Inuit-Crown treaties and self-government agreements in Canada, encompassing 51 communities spanning the four Inuit regions: the Inuvialuit Settlement Region, Nunavut, Nunavik, and Nunatsiavut (Figure 1 and Annex 1). Together, they comprise nearly one third of Canada's landmass, more than half of its coastline, and major marine areas, including land fast sea ice, inland waters and offshore areas.
- 1.3. Across Inuit Nunangat, there are five modern treaties (also known as land claims agreements, referred to here as 'Inuit-Crown treaties') in place, one of which includes self-government, between Inuit and the Crown: the *Inuvialuit Final Agreement*, the *Nunavut Agreement*, the *James Bay and Northern Quebec Agreement*, the *Nunavik Inuit Land Claims Agreement*, and the *Labrador Inuit Land Claims Agreement*. Among other items, the Inuit-Crown treaties set out specific Inuit rights related to lands and resources and also outline various governance arrangements, including treaty obligations and objectives, that are specific to each of the four Inuit regions, including co-management, public government, and self-government arrangements. This Policy affirms Canada's respect for these rights and governance arrangements and the associated Inuit organizations involved, recognizing that they continue to evolve based on the inherent right of Inuit to self-determination.
- 1.4. A single Inuit Treaty Organization or Government is also identified within each Inuit-Crown treaty,¹ as listed immediately below:

¹ Other organizations are also identified within the Inuit-Crown treaties, such as Regional Inuit Organizations, Co-Management Boards, and Hunters and Trappers Committees and Organizations, each with their own specific roles and responsibilities.

- The Inuvialuit Regional Corporation (Inuvialuit Final Agreement)
- Nunavut Tunngavik Incorporated (*Nunavut Agreement*)
- Makivik Corporation (James Bay and Northern Quebec Agreement, Nunavik Inuit Land Claims Agreement)
- The Nunatsiavut Government (*Labrador Inuit Land Claims Agreement*)
- 1.5. Inuit, for the purposes of this Policy, are people enrolled by the above listed Inuit Treaty Organizations in accordance with the eligibility criteria in the Inuit-Crown treaties or self-government agreements, wherever they may reside in Canada.
- 1.6. These Inuit Treaty Organizations come together to form the voting members of the boards of Inuit Tapiriit Kanatami (ITK) and Inuit Circumpolar Council Canada (ICC-C). ITK is the national Inuit representative organization. ICC-C works to strengthen unity among Inuit of the circumpolar region by, in part, promoting Inuit rights and interests on an international level. Pauktuutit Inuit Women of Canada and the National Inuit Youth Council are also members of the ITK and ICC-C Boards serving non-voting roles. Canada acknowledges these self-determined political structures and respects the right of Inuit to participate in matters through their own representative institutions.
- 1.7. Canada hereby recognizes Inuit Nunangat as a distinct geographic, cultural (including with its own distinct language), and political region and will therefore use the term 'Inuit Nunangat' to describe the region, as this can support the development, application and implementation of federal policies, programs, services and initiatives affecting Inuit Nunangat.
- 1.8. Canada also supports an Inuit Nunangat approach, as defined in this Policy, to developing, funding, and/or administering federal policies, programs, services and initiatives that apply in the geographic region of Inuit Nunangat and/or that support Inuit to whom this Policy applies, including those who currently reside outside Inuit Nunangat. In doing so, this Policy guides federal policies, programs, services and initiatives towards approaches that include the Inuit Treaty Organizations while recognizing that Inuit have and may continue to develop self-determined processes for making decisions that apply within Inuit Nunangat and to Inuit enrolled under the Inuit-Crown treaties.
- 1.9. The Government of Canada recognizes that the Inuit-Crown treaties and self-government agreements are critical elements of the Inuit-Crown relationship and that the rights and interests of Inuit and the interests of Canada are not static and continue to evolve. Consequently, mechanisms and processes are needed to ensure these rights and interests continue to be met. The Inuit Nunangat Policy is an important element in this regard.
- 1.10. Nothing in this Policy compromises or undermines Canada's commitments and obligations under privacy or access to information laws and policies, or to national security and defence interests.



2. PURPOSE OF THIS POLICY

- 2.1. Canada recognizes the disproportionate socio-economic and cultural inequity facing Inuit compared to most other Canadians. This Inuit-specific policy is an important deliverable of the Inuit-Crown Partnership Committee towards working in partnership to create socio-economic and cultural equity between Inuit and other Canadians. Equity does not denote sameness of treatment, but rather fairness and justice in process and results. Achieving equity involves removing barriers, correcting conditions of disadvantage, and introducing special measures to accommodate differences with the goal of establishing a level playing field for all.
- 2.2. Towards the goal of equity, this policy is intended to promote prosperity and support community and individual wellbeing throughout Inuit Nunangat, which benefits all Canadians. It guides federal departments and agencies in the design, development and delivery of federal policies, programs, services, and initiatives that will apply in Inuit Nunangat and/or benefit Inuit, including programs of general application, and by advancing respect and support for Inuit self-determination.
- 2.3. The policy is consistent with the shared priorities, goals and principles identified in the 2017 *Inuit Nunangat Declaration on Inuit-Crown Partnership* and advanced through the Inuit-Crown Partnership Committee, and in doing so makes progress on Canada's commitment to achieving reconciliation with Inuit through a renewed Inuit-Crown relationship. Furthermore, this Policy supports existing modern treaties and self-government agreements between Inuit and the Crown and the processes in place to support their implementation and review, their objectives, and the relationships established therein, as well as other related federal principles, policies and directives.
- 2.4. This Policy is intended to be transformational and represents a significant commitment to effective partnership and collaboration. With respect to each of the following, this Policy provides guidance to ensure all federal employees carry out their work in a manner that intends to achieve the purpose of creating socioeconomic and cultural equity and fosters the accessibility and effectiveness of policies, programs, services and initiatives for Inuit. In summary, this Policy:
 - 2.4.1. Formally recognizes Inuit Nunangat as the Inuit homeland and acknowledges, for this Policy's purposes, that the geographic boundaries of Inuit Nunangat correspond with the geographic boundaries established through the modern treaties and self-government agreements concluded between Inuit and the Crown.
 - 2.4.2. Acknowledges that those identified as Inuit by Inuit Treaty Organizations are Inuit for the purposes of this Policy.
 - 2.4.3. Supports an Inuit-specific approach to the allocation of federal resources to Inuit Treaty Organizations and organizations appointed by them.
 - 2.4.4. Promotes economic development and greater self-reliance throughout Inuit Nunangat.

- 2.4.5. Provides additional guidance to federal departments and agencies on how to apply an Inuit Nunangat approach in the context of implementing policies, programs, services and initiatives for Inuit living outside of Inuit Nunangat.
- 2.5. This Policy builds upon constructive initiatives that are already being advanced by the Government of Canada and formalizes the federal government's approach to supporting Inuit self-determination. By doing so, it sets the stage for further co-development between Inuit and federal departments and agencies to identify the most effective mechanisms for applying an Inuit Nunangat approach and supporting Inuit self-determination within the context of specific program and policy areas.
- 2.6. Interpretation and implementation of this Policy is to be consistent with the jurisdictional framework outlined in the Canadian Constitution and devolution agreements with territorial governments. This Policy upholds the Indigenous rights recognized and affirmed by section 35 of the *Constitution Act, 1982*, which includes Inuit-Crown treaties and self-government agreements and the inherent rights of self-government and related areas of jurisdiction. Further, this Policy serves as an important mechanism for implementing the rights affirmed by the *United Nations Declaration on the Rights of Indigenous Peoples* and guides work in partnership with Inuit to advance their rights. This Policy does not abrogate or derogate from the rights of Inuit that are recognized and affirmed by section 35, nor does it alter any party's obligations under the Inuit-Crown treaties or self-government agreements.

3. GUIDING PRINCIPLES

- 3.1. The following principles served as the basis for co-developing the Inuit Nunangat Policy, and will continue to guide its implementation:
 - 3.1.1. A renewed Inuit-Crown relationship is based on the recognition of rights, respect, co-operation and partnership as part of the broader goal of achieving reconciliation between the Government of Canada and Indigenous peoples.
 - 3.1.2. Full, effective and expedient implementation of the rights of Inuit that are recognized and affirmed by section 35, including the obligations and objectives of the Inuit-Crown treaties and self-government agreements, and the rights affirmed by the *United Nations Declaration on the Rights of Indigenous Peoples*, is foundational for creating prosperity among Inuit and achieving the goals of this policy.
 - 3.1.3. Inuit have the right to self-determination, which includes the inherent right of selfgovernment and associated assumption of jurisdiction. Canada will continue to support law-making authority, enhanced administration and/or assumption of jurisdiction through self-government and self-governance negotiations, recognition of rights and discussion tables and negotiations, legislative initiatives, and other processes that address matters of jurisdiction, as appropriate.

- 3.1.4. Inuit are the most knowledgeable about the issues affecting their communities, regions, and society and must, therefore, maintain an integral role and progressive responsibility in decision-making over matters that apply to Inuit and/or in Inuit Nunangat.
- 3.1.5. Federal investments for Inuit and Inuit Nunangat are important for supporting the right of Inuit to self-determination and self-government, to improve the lives of Inuit, and to achieve socio-economic and cultural equity between Inuit and other Canadians.

4. RECOGNITION OF INUKTUT

- 4.1. Inuktut is the first language used in Inuit Nunangat and the majority of Inuit Nunangat residents continue to speak Inuktut as their first, only, or preferred language. As such, access to services in Inuktut in Inuit Nunangat is necessary for public health, safety, and to uphold the inherent dignity of Inuit. Supporting Inuktut in this context as a first or later language aligns with the broader purposes of, among other things, working in partnership to demonstrate and promote shared respect for the history and importance of Inuktut, and for building socio-economic and cultural equity between Inuit and other Canadians.
- 4.2. Consistent with the *Indigenous Languages Act*, the *United Nations Declaration on the Rights of Indigenous Peoples* and the official language status of Inuktut in two of the four regions of Inuit Nunangat, Canada will continue to work in partnership with Inuit and with their unique circumstances, including through measures that facilitate the provision of adequate, sustainable and long-term investments to revitalize, reclaim, maintain and strengthen Inuktut. This will fully take into account the status of Inuktut as the first and/or ancestral language of the majority population in all regions of Inuit Nunangat.
- 4.3. Consistent with the *Indigenous Language Act*, Canada will continue to work in partnership with Inuit to address access to federal programs and services in Inuktut within Inuit Nunangat. This may be achieved through the co-development of regulations, agreements and arrangements.

5. APPLYING AN INUIT NUNANGAT APPROACH

- 5.1. Considerations relating specifically to Inuit Nunangat need to be reflected in the development of federal policies and programs, including those of general application, so that Inuit are not inadvertently excluded or disadvantaged. To recognize and account for the unique situation of Inuit Nunangat, Canada will take an Inuit Nunangat approach in the design and renewal of all federal policies, programs, services, and initiatives that apply in Inuit Nunangat and/or are intended to benefit Inuit, including those who reside outside Inuit Nunangat.
- 5.2. Taking an Inuit Nunangat approach means:

- 5.2.1. Ensuring that program terms and conditions, including criteria, do not disadvantage Inuit, and in the event they do, to modifying them as soon as possible.
- 5.2.2. Improving coordination across federal departments, agencies, programs and operations with the goal of facilitating equitable eligibility and access to federal programs, services, and initiatives across Inuit Nunangat and for all Inuit.
- 5.2.3. Engaging Inuit in the early stages of program renewal or design to ensure that any challenges associated with access and eligibility are addressed and opportunities to maximize the impact of an initiative can be incorporated prior to program implementation and delivery.
 - i. Where a federal program, policy, service or initiative is intended to apply to more than one Inuit region, Canada will engage with all interested Inuit Treaty Organizations as well as Inuit Tapiriit Kanatami when the department or agency's ability to offer programming is not limited to one or two Inuit regions.
 - ii. Where a federal program, policy, service or initiative is intended to apply in a specific Inuit community or region, Canada will engage the relevant Inuit Treaty Organization.
 - iii. Where a federal program, policy, service or initiative aims to benefit those identified by Inuit Treaty Organizations as Inuit who reside outside Inuit Nunangat, Canada will engage with the interested Inuit Treaty Organizations to ensure their beneficiaries are adequately considered in the renewal and design phase.
- 5.3. Applying an Inuit Nunangat approach involves Inuit-specific considerations for the application of a program, policy, service, or initiative, and could include reorganization of federal programs, policies, services, initiatives, or departments, where appropriate, to align with Inuit Nunangat.

6. SUPPORTING INUIT SELF-DETERMINATION

6.1. The right to self-determination has been recognized as a fundamental human right in the *United Nations Declaration on the Rights of Indigenous Peoples*. Canada recognizes the inherent right of Inuit to self-determination including through self-government and through the exercise of their treaty and Indigenous rights, which are recognized and protected under section 35 of the Canadian Constitution. Federal and provincial legislation, as well as self-government and co-management agreements between Inuit, the Government of Canada, and in some cases provincial and territorial governments, outline how this right can be exercised in some contexts within Inuit regions. There are many ways to support the realization of Inuit self-determination, though, and how this right may be expressed may evolve over time.

- 6.2. Where Inuit pursue self-determination through the exercise of jurisdiction, including lawmaking power over a subject matter relating to an Indigenous and/or treaty right, Canada supports the use of self-governance and self-government negotiations, recognition of rights and discussion tables and negotiations, legislative initiatives to give effect to the exercise of this jurisdiction, or the employment of other measures as needed to assist in that pursuit.
- 6.3. Where Inuit do not seek to assume jurisdiction, Canada will work with Inuit to determine the most appropriate mechanism to support their self-determination in the administration of federally-funded programs, policies, services, and initiatives where Inuit have an interest, need or right, including through direct Inuit-specific funding.
- 6.4. When only one Inuit Treaty Organization seeks to advance their right to self-determination in a particular program, policy, service or initiative area, Canada will work with that individual Inuit Treaty Organization on a bilateral basis. Where more than one Inuit Treaty Organization seeks to advance their self-determination in the same program, service, or initiative area, Canada will work with the interested Inuit Treaty Organizations, as well as Inuit Tapiriit Kanatami, to ensure Inuit self-determination is advanced and supported equitably across Inuit Nunangat.
- 6.5. Where Inuit seek to advance their self-determination in areas that overlap with provincial territorial jurisdiction, Canada and/or Inuit will seek to engage the relevant provincial and territorial governments through new or existing mechanisms. At the onset of this collaboration, successful outcomes and timelines will be identified. If provinces and/or territories are not willing to collaborate, or if collaboration is not successful, Canada will work with Inuit on a bilateral basis to support their self-determination in a way that is cognizant of the jurisdictional and constitutional framework.

6.6. FEDERAL FUNDING

- 6.6.1. As part of supporting Inuit self-determination, federal departments and agencies are directed to consider a distinctions-based approach to directly fund Inuit Treaty Organizations or organizations appointed by them to administer a federally-funded program, policy or initiative over which they seek to exercise their right to self-determination. This may include altering existing funding mechanisms and/or creating new mechanisms, such as carve-outs, set-asides, or Inuit-specific funding programs.
- 6.6.2. Where funding is intended to be delivered to Inuit, including as a component of funding for a program of general application or a program focused on Indigenous peoples broadly, the Inuit-specific funding allocations will be clearly identified and reported upon.

7. REVIEW OF THIS POLICY AND ITS IMPLEMENTATION



- 7.1. Inuit and the Crown shall jointly monitor and evaluate the implementation of this Policy through the Inuit-Crown Partnership Committee.
- 7.2. Monitoring and evaluation criteria shall be jointly created and endorsed through the Inuit-Crown Partnership Committee within twelve months of the adoption of the Policy and should include criteria related to the effectiveness of federally-funded policies, programs, services and initiatives intended to benefit Inuit and should be consistent with the objectives of Inuit-Crown treaties implementation obligations. The Government of Canada, led by Crown-Indigenous Relations and Northern Affairs Canada, shall annually report against each of these co-developed monitoring and evaluation criteria. This information will be publicly available, including in Inuktut.
- 7.3. This Policy will be reviewed, and amended as necessary, annually for the first three years after its adoption, and every 3 years or less after that by the Inuit-Crown Partnership Committee, with Crown-Indigenous Relations leading coordination of federal input to the process.



GUIDANCE FOR SPECIFIC PROGRAM AND POLICY AREAS

RESEARCH

- 1. Research conducted in Inuit Nunangat and pertaining to Inuit is pivotal for supporting evidence-based policy development and decision-making. Geopolitical, cultural, socioeconomic, industrial, and climate challenges throughout Inuit Nunangat require innovative solutions informed by Inuit Qaujimajatuqangit and research developed in partnership with Inuit. Supporting Inuit self-determination in research is necessary to improve its efficacy, pertinence and acceptability across Inuit Nunangat. Consistent with the *National Inuit Strategy on Research* (ITK, 2018) and its implementation plan, this policy promotes respect and support for Inuit self-determination in research across federal government departments and agencies.
- 2. Through the creation and implementation of federal research and research programs, policies and initiatives that occur within Inuit Nunangat or aim to address issues pertaining to Inuit, Canada will be guided by the priorities of the *National Inuit Strategy on Research*:
 - advance Inuit governance in research;
 - enhance the ethical conduct of research;
 - align funding with Inuit research priorities;
 - ensure Inuit access, ownership and control over data and information; and
 - build capacity in Inuit Nunangat research.
- 3. In addition to the mechanisms outlined throughout this Policy, federally funded or administered research programs, policies and initiatives conducted in Inuit Nunangat and/or pertaining specifically to Inuit should:
 - Collaborate with Inuit Treaty Organizations or their designates to develop research priorities and the evidence base needed to inform policy development and decision making;
 - Support Inuit to be partners in and lead research in Inuit Nunangat, including through capacity-building and addressing Inuit interests to access, own and control data and information;
 - Support the development, and follow the guidance and procedures, of Inuit-led research ethics boards and committees to help ensure federal research is aligned with Inuit research priorities; and,
 - Improve coordination of research across federal departments and agencies in Inuit Nunangat to increase the impact of research funding on the development of the region and people.

FEDERAL PROCUREMENT

- 1. Fair and equitable access to federal procurement activity in Inuit Nunangat will strengthen economic development and support new and existing Inuit-owned businesses across Inuit Nunangat. Fulfilment of existing modern treaty obligations and support for joint ventures between Inuit-owned businesses across Inuit Nunangat are essential to this effort. To achieve these outcomes, the federal government will, subject to applicable modern treaty and legal obligations, including the *Government Contracts Regulations*, work with Inuit to:
 - Develop tools, guidance and policies to address implementation challenges and ensure federal procurement officers are better equipped and trained to meet all procurement obligations set out in Inuit-Crown treaties;
 - Build and invest in Inuit business capacity to compete for government contracts by prioritizing Inuit access to federal procurement, drawing upon existing measures such as those outlined in the Nunavut-specific procurement policy directive, and co-developing guidance on fulfilling Inuit-Crown treaty procurement obligations; and,
 - Identify and address barriers that Inuit face in accessing procurement opportunities, enhance the readiness of Inuit businesses to compete, and promote equity of access to procurement in and amongst Inuit regions.



ANNEX 1 – Inuit communities

Inuvialuit Settlement Region

- Aklavik
- Inuvik
- Sachs Harbour
- Paulatuk
- Tuktoyaktuk
- Ulukhaktok

Nunavut

- Arctic Bay
- Arviat
- Baker Lake
- Cambridge Bay
- Chesterfield Inlet
- Clyde River
- Coral Harbour
- Gjoa Haven
- Grise Fiord
- Igloolik
- Iqaluit
- Kimmirut
- Kinngait
- Kugaaruk
- Kugluktuk
- Naujaat
- Pangnirtung
- Pond Inlet
- Qikiqtarjuaq
- Rankin Inlet
- Resolute
- Sanikiluaq
- Sanirajaq
- Taloyoak
- Whale Cove

Nunavik

- Akulivik
- Aupaluk
- Chisasibi
- Inukjuak
- Ivujivik
- Kangiqsualujjuaq
- Kangiqsujuaq
- Kangirsuk
- Kuujjuaq



- Kuujjuaraapik
- Puvirnituq
- Quaqtaq
- Salluit
- Tasiujaq
- Umiujaq

Nunatsiavut

- Nain
- Hopedale
- Makkovik
- Postville
- Rigolet

