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CHRONOLOGY OF EVENTS 1982-1987

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WESTERN CONSTITUTIONAL FORUM

WESTERN CONSTITUTIONAL FORUM
CHRONOLOGY OF EVENTS
1982-1987

Prepared by Steve Iveson and Aggie Brockman

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Cover: Signing of Boundary and Constitutional Agreement in **Iqaluit**, January, 1987. Left to right: WCF members James **Wab-Shee** and Larry **Tourangeau**, WCF Vice-Chairman **Bob MacQuarrie**, WCF Chairman, Steve Kakf wi, NCF Chairman John **Amagoalik**, NCF member Rhoda **Innuksuk**. Photograph by Janet Snider. Design by Outcrop Ltd., **Yellowknife**.

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Table of Contents

	<u>Page No.</u>
Introduction	1
1st Conference Sponsored by the Legislative Assembly's Special Committee on Constitutional Development	3
Formation of the Constitutional Alliance	3
Plebiscite on Division of the NWT	4
Formation of the WCF and NCF	4
2nd Conference Sponsored by the Legislative Assembly's Special Committee on Constitutional Development	6
Federal Policy on Constitutional Development in the NWT	8
COPE Joins the Alliance	10
Constitutional Alliance Agrees on a Process to Reach Agreement on a Boundary.	11
NCF Reassesses and Rejects the Alliance Agreement	12
Federal Conditions for Support for Division	12
Metis Association of the NWT Takes Boundary Position	17
Constitutional Alliance Agrees to Objective of Division and Criteria for Selecting a Boundary	21
NCF Attempts Unilateral Accord on Division with Federal Government	22
Coppermine Appoints its Mayor as an Active Observer Member of WCF	23
Dene Nation Takes Boundary Position	25
Map Showing Dene, Metis, and Inuit Boundary Positions	26
Constitutional Alliance Expands Criteria for Selecting a Boundary	29
WCF Negotiates Regional Government Principles	33
WCF Negotiating Session on Aboriginal Languages	43
Constitutional Alliance Agrees on a Process for Establishing a Boundary for Division	49
Map Showing the Boundary Proposed in the Alliance Agreement	51

Federal Reaction to Alliance Agreement of January, 1985 . . .	56
Events Leading to the Demise of the January, 1985 Alliance Agreement	58
Western MLAs Support Alliance Agreement; Eastern MLAs Reject It	60
Dene/Metis Leaders Endorse Alliance Agreement	66
First WCF Constitutional Working Session	78
Constitutional Alliance Agrees to Delay Boundary Decision until Inuvialuit Consult with their Communities	87
Second WCF Constitutional Working Session	89
COPE Resigns as Member of NCF	90
COPE Opinion Survey Results Presented to Annual Meeting .	94
NCF Decides to Hold its Own Plebiscite	95
NCF Postpones its Plebiscite Indefinitely	98
Inuit and Dene/Metis Reach Tentative Overlap Agreement on a Boundary to Separate their Land Claims Areas	104
Third WCF Constitutional Working Session	104
Fourth WCF Constitutional Working Session	108
NCF Urges Inuvialuit and WCF to Explore Guarantees for the Inuvialuit in a Western Territory	109
Inuvialuit and WCF Hold Meetings Which End in Impasse	110-111
Constitutional Alliance Agrees WCF and NCF Chairmen Should Work Toward a Boundary Agreement	113
Events Leading up to an Agreement on a Boundary and Constitutional Development	114
NCF and WCF Sign Agreement in Iqaluit	116
Legislative Assembly Approves WCF/NCF Agreement and Sets Tentative Date for Boundary Plebiscite	131
Dene/Metis Leaders Support Iqaluit Agreement but Reject Tentative Claims Overlap Agreement with Inuit	131
ITC/TFN Approve Iqaluit Agreement	131
Dene/Metis and Inuit Fail to Resolve Claims Boundary - Plebiscite Postponed Indefinitely	132

WCF and NCF Chairmen Reaffirm Their Support for the Iqaluit Agreement	133
Conclusion, by Gordon Robertson	140

Appendix A: An update on the work of the Western Constitutional
Forum, October, 1986.

Appendix B: Steve Kakfwi's letter to Dene Chiefs, June, 1987.

Appendix C: List of WCF Publications.

INTRODUCTION

I began keeping a chronological record of events for the Western Constitutional Forum in October, 1982. Since the Constitutional Alliance of the Northwest Territories and the Western and Nunavut Constitutional Forums had been established only a few months earlier, it was not difficult to reconstruct and record the few meetings which had occurred previously. I was joined in this project by Aggie Brockman shortly after she joined the staff of the WCF Secretariat.

I decided to undertake this project for several reasons. My primary intention was to provide a handy reference document to WCF members, particularly since many of the individuals appointed to represent the various parties which constitute the WCF were bound to change over time. However I also believed that, as time passed and many relevant events took place, the memories of both participants and interested observers would become overburdened and the inevitable omissions and distortions would begin to occur. I also felt it would be far easier and ultimately more accurate if events were recorded as they occurred rather than researched and reconstructed well after the fact.

The above notwithstanding, we did not approach the project on the assumption that the results would eventually be published. As a result our notes tended to focus on what occurred and often touched on the whys and the hews only briefly. We did this for the sake of brevity knowing that our files contained all the additional detail WCF members would likely ever need. This also accounts somewhat for the rather dry point form style. We certainly did not attempt to describe the personalities, the interests, and the activities of the individual members of the WCF and the other major players in the events described in this volume.

Aside from grammatical and other minor technical improvements, there are very few changes or additions to the original documents. References to a few meetings related to WCF activities have been added, plus, in some instances, additional descriptive material to provide the reader with a bit more explanation or background. With these minor exceptions, the events of the past five years are portrayed as they occurred rather than as interpreted some time after the fact.

Members of the WCF made the decision to publish this chronology in June, 1987. They felt enough time had passed and events had occurred that a reference document like this might prove useful to individuals interested in the activities associated with political development and aboriginal self-government in the Northwest Territories. They also felt that the struggles for both objectives had reached a critical juncture and therefore the timing of this publication would be appropriate.

Finally, we want to make it very clear that this publication is only intended to describe the activities of the Western Constitutional Forum. All meetings of the Constitutional Alliance of the NWT are included because WCF members are all full members of the Alliance and the mandate of the Alliance is the partial mandate of the two Forums. While references to a few meetings of other organizations such as

the **Nunavut** Constitutional Forum and the Committee for Original Peoples Entitlement have been included where their results bore very directly on the activities of the WCF, this document is not, nor does it pretend to be a complete or thorough representation of the activities of these or other organizations for the periods covered herein.

COPE and the NCF maintain offices in **Inuvik** and Ottawa respectively and we would refer you to those offices for any information you may want with regards to their policies and activities. The WCF maintains an office in **Yellowknife** to which we would refer you for further information about it. Appendix C of this publication contains a list of previous publications made available to the public by the WCF.

There were, of course, a number of other relevant processes and organizations active during this timeframe. The First Ministers' Conferences on Aboriginal Rights; activities of the Government of the Northwest Territories, particularly its interest in the **devolution** of further authority from the federal government; the emergence of regional councils in many areas of the NWT; and the settlement of the **Inuvialuit** land claims coupled with progress on the land claims of the Dene/Metis and the **Inuit** all had a significant bearing on the work of the WCF but are only referred to in passing.

Despite these limitations, Aggie and I hope that the reader will find this document both interesting and informative and that it will encourage him or her to seek additional information about political development in the NWT from other sources.

Steve Iveson

WESTERN **CONSTITUTIONAL** FORUM
CHRONOLOGY OF EVENTS
1982-1987

Legislative Assembly Special Committee
on Constitutional Development Holds
First Constitutional Conference
Yellowknife - January 19-21, 1982

The conference was held immediately after the release of the document, Public Government for the People of the North, a discussion paper put forward by the executives of the Dene Nation and Metis Association of the NWT. The participants at the conference represented a wide variety of Dene, Metis, Inuvialuit and non-aboriginal communities and organizations from the western NWT. There was vigorous discussion, focused primarily on proposals contained in what later became known as the Denendeh Document, but no resolutions were passed.

Formation of the Constitutional Alliance - February, 1982

In February, 1982 several members of the Legislative Assembly of the NWT and the leaderships of the Dene Nation, Inuit Tapirisat of Canada, Metis Association of the NWT, and the Committee for Original Peoples Entitlement united to form a committee which they called the Constitutional Alliance of the Northwest Territories. The principles and objectives which all parties shared include:

- a) support for division of the NWT;
- b) a commitment to actively promote a YES vote in the April plebiscite on division;
- c) the belief that initiatives for political and constitutional change must originate in the North;
- d) the desire to provide a forum to facilitate public participation in the process of political development;
- e) the development of common positions and the negotiation of constitutional reform with the Federal Government;
- f) the initiation of political and administrative reforms within the NWT which are possible within the limits of the current NWT Act.

It was agreed that the future activities of the Alliance would be guided by the results of the April plebiscite.

Legislative Assembly
February, 1982

Motion of the Committee of the Whole that the Constitutional Alliance or Working Group has the support of the Legislative Assembly to:

- a) invite full public participation and debate in **all** parts of the NWT in the process of constitutional reform;

- b) provide a forum and a means to assist members of the Assembly's Constitutional Working Group in areas of common interest;
- c) initiate the development of common positions and negotiate constitutional reform with the Federal Government;
- d) initiate political and administrative reform within the NWT where the jurisdiction rests with the NWT Act.

Legislative Assembly's Plebiscite
on Division - April 14, 1982

Overall results are 56.50/o - 43.50/0 in **favour** of division. The following table shows the regional results.

	<u>% Yes/No</u>	<u>% Turnout</u>
Baffin, Keewatin, Kitikmeot East	82/16	75
Western Arctic, Kitikmeot West	44/54	45
Western Communities with Predominantly Non-aboriginal Population	25/74	45
Western Communities with Predominantly Dene/Metis Population	60/38	43

Legislative Assembly
May, 1982

Motion 8-82(2) - the Assembly accepts the results of the plebiscite and supports division. The vote was 19 for, none against and one abstention.

Constitutional Alliance Meeting
July 6 & 7, 1982

The decisions reached at this meeting are as follows:

- a) that, as a result of the plebiscite in which a majority of voters supported division, two sub-committees of the Constitutional Alliance be formed, one for the east called the Nunavut Constitutional Forum, and one for the west called the Western Constitutional Forum;
- b) that a non-aboriginal MLA sit on each Forum to ensure that the views of the non-aboriginal population are represented;
- c) that COPE have the option to participate in either one or both of the Forums;

- d) that the role of the Forums be to:
 - i) come to a clear position on the boundary between east and west and negotiate this with Ottawa,
 - ii) develop detailed proposals for political and constitutional development for their respective territories and that they be prepared to draft new constitutions in the form of legislation,
 - iii) accomplish both of the above with the help of public consultation processes which ensure that all major interests in the NWT have the opportunity to participate,
 - iv) plug into internal-transitional changes within the GNWT, and,
 - v) negotiate their final proposals with the Federal Government;
- e) that they seek a statement from Ottawa accepting and committing itself to the principle of division of the NWT;
- f) that each Forum meet separately at a later date to prepare budgets for submission to the Government of Canada;
- g) that the GNWT'S Aboriginal Rights and Constitutional Development Secretariat act as the joint secretariat until such time as indicated by each Forum;
- h) that the Federal Government not establish its own Boundaries Commission until the Forums have completed their own review and are in a position to make a recommendation;
- i) that an attempt be made to schedule a meeting with the Prime Minister and appropriate members of his Cabinet for the purposes of:
 - i) explaining the aims and objectives of the Alliance and Forums;
 - ii) obtaining his agreement to postpone the establishment of a Federal Boundaries Commission,
 - iii) requesting the Cabinet to establish a mechanism to interface with the Constitutional Alliance and its Forums on the boundary issue and other political and constitutional development issues.

Executive Committee Meeting
July 29, 1982

The Executive Committee of the Government of the Northwest Territories agrees to provide interim funding to the Alliance in an amount required to conduct one meeting of each of the Forums and one meeting of the full Alliance in Ottawa. The assumption is that these meetings would grant the Forums the opportunity to obtain long-term funding from the Federal Government.

WCF Meeting
September 7 & 8, 1982

The original members of the WCF were:

- Georges Erasmus - President, Dene Nation
- Bob Stevenson - President, Metis Association of the NWT
- B o b MacQuarrie - MLA, Yellowknife Centre, Representing Non-Aboriginal Residents
- James Wah-Shee - MLA, Rae-Lac La Martre, Representing the Legislative Assembly at Large

Proposals for a Terms of Reference for the WCF and a Constitutional Development Action Plan prepared by the Aboriginal Rights and Constitutional Development Secretariat of the GNWT were tabled. These documents were discussed, amended, and tentatively adopted by the WCF.

The Terms of Reference identified some of the issues which would be considered as part of a political development proposal and noted the importance of public consultation in the process. Even more importantly, it stated that the decision-making process of the WCF would be by consensus; that the members representing the Dene, **Metis**, non-aboriginal residents and the Legislative Assembly at Large must all agree on a position before it would be accepted. Furthermore, all substantive decisions of the WCF would be tentative until formally ratified in a public process.

The Action Plan described a series of stages which would culminate in a ratified proposal for political development ready to be negotiated with the Federal Government. It was envisaged that the process would take about 12 months.

Finally each party submitted their own estimates of costs, the total budget coming to \$2,085,000.

COPE's absence from the meeting was noted.

Legislative Assembly Special Committee
on Constitutional Development Holds
Second Constitutional Conference
Yellowknife - September 14-16, 1982

Participants at this conference represented a variety of Dene, Metis, Inuvialuit and non-aboriginal communities and organizations. The discussion at this conference was more focused than at the first one sponsored by the Special Committee. Resolutions passed included recommendations that a new government for the western NWT include guaranteed representation for aboriginal peoples, mechanisms to protect aboriginal rights, and a residency requirement for elections of more than one year. It is interesting to note that the majority of delegates represented non-aboriginal communities.

The WCF Meets the Honorable
John **Munro** - September 20, 1982

The Minister of Indian Affairs and Northern Development was briefed on the structures and purposes of the Constitutional Alliance, WCF, and NCF, and the opportunity northerners have to explore new governing institutions to meet the unique northern situation. He was also advised that requests for funding would be forthcoming and that the Constitutional Alliance would like to meet with the Minister and other federal officials in the near future to discuss funding and related issues. Also, a concern was expressed that the Cabinet's long awaited policy paper on northern constitutional development might seriously limit our options for public government.

The Minister stated that the policy paper should be ratified by Cabinet within a few weeks, that he believed it would be a policy we could "live with", and that he would welcome a meeting with the Alliance in Ottawa to discuss funding.

WCF Meeting
October 8, 1982

This rather short meeting included a general discussion on how to implement the goals and objectives of the WCF for the best results. In addition, the upcoming First Ministers' Conference on Aboriginal Rights was discussed and, while it was recognized that most members had a direct interest in its outcome, it was agreed that the FMC was not part of the WCF's mandate.

WCF Meeting
October 21, 22, 25, 29, 1982

The outcomes of this meeting included the following:

- a) The decision that the majority of WCF business would be conducted or co-ordinated by an independent secretariat employed directly by the WCF;
- b) The development of a more detailed and comprehensive action plan including the following stages:
 - i) development of an **Agreement** on Principles for government in the western NWT,
 - ii) dispersal of information to communities and travel to those communities to seek advice and provide clarification,
 - iii) initiation and supervision of independent research into topic areas relevant to political development,
 - iv) participation in the activities of the Constitutional Alliance to select a boundary for division,
 - v) development of a detailed Proposal for Political Development in the western NWT,
 - vi) public distribution of the Proposal and the conduct of official community hearings to obtain public reactions,
 - vii) revision of the draft proposal in light of public input,
 - viii) co-ordination of a public ratification process, and
 - ix) negotiation of the ratified proposal with the Federal Government.

It was anticipated that the first eight stages would be completed within 18 months of the WCF receiving operating funds;

- c) The revision of the budget proposal in light of the new action plan; the new total figure now coming to \$1,708,000;
- d) The suggestion that the Constitutional Alliance travel to Ottawa the week of November 29 to meet with Cabinet members and other federal officials;
- e) The development of an initial list of topics which require research.

WC)? Meeting
November 22-23, 1982

Discussions at this meeting centered on the establishment of tentative baseline objectives which the Constitutional Alliance should pursue in its upcoming meetings with Cabinet Ministers and other federal officials in December. These objectives included:

- a) stating forcefully that the Cabinet Policy Statement on Constitutional Development for the Northwest Territories be released as soon as possible;
- b) advocating that the policy include agreement in principle for division of the NWT;
- c) requesting that the Federal Government formally recognize the mandate of the Constitutional Alliance and the two Forums to spearhead the process of political development in the NWT;
- d) asking that the Federal Government provide the Alliance and Forums with the funding they require to fulfill their mandates;
- e) requesting that the Federal Government concretely indicate its **commitment** to the process by establishing a mechanism which would interface with the Alliance and Forums.

The Federal Cabinet Policy Statement
on Constitutional Development in the
NWT - November 26, 1982

In a **speech** to the Legislative Assembly in Yellowknife the Honorable John Munro released without warning the Cabinet's position on constitutional development in the north the day before the Alliance members were due to leave for Ottawa. The statement included support in principle for division of the Northwest Territories subject to four conditions:

- a) Continued support for division by a majority of NWT residents;
- b) The successful resolution of outstanding land claims in the NWT;
- c) The achievement of consensus among northerners on the location of a boundary, and
- d) Consensus on the distribution of powers within each new jurisdiction between territorial, regional and **community** levels of governments.

Constitutional Alliance in Ottawa
November 30- December 6, 1982

The Alliance met alone for one day to prepare a joint position, then spent the next four days meeting with Ministers John Munro, Mark McGuigan and Jack Austin, Members of Parliament and Senators from all parties, and the national press. The message the full Alliance agreed to present to all parties was as follows:

- a) Provide background information leading up to and including the formation and progress to date of the Constitutional Alliance, the two Forums, and other related factors such as the plebiscite on division;

- b) Note the positive aspects of the Cabinet policy statement, notably its support for division;
- c) Clarify some of the conditions placed upon this support;
- d) Note the critical factors ignored by the statement including federal-territorial revenue-sharing, a timetable for the gradual turnover of responsibilities for land and resource management and ownership, and the conditions which must be met from the Federal Government's perspective before either territory could assume full provincial status;
- e) Request formal recognition by the Federal Government of the mandate of the Alliance and two Forums;
- f) Request federal funding;
- g) Request that a formal mechanism for interface between the Cabinet and the Constitutional Alliance be established;
- h) Request acknowledgement that this process is only the first step along the road to provincial status.

The response from the Ministers, with particular emphasis on the Honorable John **Munro's** statements are as follows:

- a) Land claims do not need to be settled before division, but considerable progress must have been made;
- b) Adamant refusal to acknowledge a connection between this stage and an ongoing process towards provincial status;
- c) Refusal to include the turnover of land and resource management and ownership as an aspect of the matter of division and the establishment of viable governments in each jurisdiction;
- d) The Minister also excluded revenue-sharing as a topic but others the Alliance spoke to felt that the Federal Government might be open to some initiatives in this area;
- e) All three Ministers stated that the Federal Government did recognize the mandate of the Alliance and the Forums;
- f) All agreed that this recognition implied the commitment to provide funds, however, Mr. **Munro** could not promise funding himself since the proposal would need to be considered by the full Cabinet via the Social Development Committee. However, he did promise to expedite the process and also to consider providing some non-monetary support in the interim;
- g) The request for a mechanism for interface between the Alliance and Ottawa was accepted in principle but the mechanics of it were not explored in detail.

W CF Meeting
December 15, 1982

Decisions reached at this meeting include the following:

- a) The official appointment of Steve Iveson as interim Executive Director of the WCF Secretariat to act in this capacity until funding is available;
- b) The request was made and accepted by James Wah-Shee that the GNWT would support financially the WCF in its research projects to a level comparable to that already being provided to the NCF;

- c) That the Executive Director draft a request for non-monetary support which would include office space, office equipment, housing and the ability to second positions;
- d) That the Executive Director draft a series of research proposals based on topics provided by the WCF;
- e) That a meeting be arranged among the aboriginal associations for February in order to begin to discuss the question of a boundary from an aboriginal land-use perspective;
- f) That the WCF request the Legislative Assembly's Special Committee on Constitutional Development to delay its third conference in order that the research required to generate further discussion could be completed;
- g) That a letter be sent to the Chairman of the Federal Electoral Boundaries Commission suggesting that he expand his itinerary for community hearings to include five more communities located to the west of the current boundary;
- h) That a telex be sent to the Prime Minister requesting him to reconsider his decision not to hold the First Ministers' Conference on Aboriginal Rights in Yellowknife;
- i) Concern was expressed that the Legislative Assembly's Special Committee on Division appeared to be in the process of broadening its mandate to include issues which were part of the mandate of the Alliance and Forums. This could lead to redundancy as well as cause confusion in the eyes of the public.

Nunavut Constitutional Forum Meeting
Tuktoyaktuk - January 11-12, 1983

COPE decided to join the NCF and the NCF made a commitment to accommodate a form of regional government in its proposal for constitutional development in an eastern territory.

WCF Meeting
February 8-9, 1983

Discussions and decisions at this meeting include the following:

- a) General agreement that the GNWT and the aboriginal associations ought to work closely together in order to develop a common position and strategy for the First Ministers' Conference on Aboriginal Rights;
- b) The decision to contact the Honorable John Munro immediately in order to expedite the funding review process which appears to be slowing down;
- c) The decision to prepare a position on the federal constituency boundary issue for presentation at one of the Federal Electoral Boundary Commission's community hearings;
- d) Agreement that the WCF notify the NCF of the dates and locations of its meetings and invite them to send an observer, and that, in general, it attempt to maintain close contact;
- e) There was general agreement on the tone and content of the seven research proposals outlined. It was stressed, however, that research on the boundary for division should have top priority;

- f) The WCF passed a motion stating that it supports division of the NWT along a north-south axis and that it favours having the boundary issue resolved before the many other issues **related** to political development are finalized.

Constitutional Alliance Meeting
February 16, 1983

Decisions reached at this meeting include the follow ing:

- a) The process for determining the boundary for division should be as follows:
- i) aboriginal associations meet privately to discuss the boundary question from the perspective of aboriginal land-use and occupancy and the issue of overlap,
 - ii) the Constitutional Alliance would then attempt to reach a consensus among its members on the location of the boundary; the land-use element being only one of the factors which would serve as criteria upon which to base the decision,
 - iii) if the Alliance reaches a consensus it would submit its recommendation to the public for ratification in the form of an NWT-wide plebiscite,
 - iv) if the Alliance is unable to reach a consensus then it would consider alternate methods for resolving the issue including the possibility of recommending the establishment of an independent boundaries commission;
- b) With regards to community travel, it was agreed that the WCF's desire to visit communities in the Western and Central Arctic was legitimate. If the purpose of the visit(s) is to discuss issues related to the form and content of government then the WCF would advise the NCF of its plans and be open to a member of the NCF traveling with it as an observer. If the purpose of the visit is to discuss the location of the boundary then the WCF and the NCF would travel together. The same procedure would hold in reverse for the NCF should it want to visit communities in the Mackenzie Valley. Also the full Alliance should attempt to meet more regularly;
- c) The next meeting of the Constitutional Alliance would be held in Ottawa at which time a date and terms of reference for the meeting of the aboriginal associations would be agreed upon;
- d) With regards to the mandate of the Legislative Assembly's Special Committee on Division, Alliance members indicated to the Committee's Co-chairperson, George Braden, their concern that overlap, redundancy, and possible confusion on the part of the general public and Federal Government could result from some of the activities described in the Committee's most recent work plan. Mr. Braden stated that the Committee had no intention of interfering with the public and political aspects of division. Furthermore, the results of its research would be made available to the Constitutional Alliance as well as to the general public for consideration.

NCF Meeting - Ottawa
February 27, 1983

The NCF reassessed and rejected the agreements reached at the Constitutional Alliance meeting and more formally adopted the position that the primary objective of division is to create Nunavut. With regards to the location of the boundary, NCF decided that communities, specifically, **Inuit** communities, have the right to choose which new territory they will be a part of. Implicit in the NCF position is the rejection of the idea that division and the boundary affects everyone in the NWT and therefore that the Alliance and all residents should have a say in the location of a boundary for division. The NCF also decided that the establishment of an independent boundary commission is something that might be considered sooner rather than later.

The Honorable John **Munro's** Speech
to the Legislative Assembly
May 11, 1983

The aspects of the speech relevant to the WCF and NCF are as follows:

- a) Further recognition from the Federal Government of the mandates of the Alliance, WCF and NCF to spearhead the development of a consensus in the NWT on all matters related to the selection of a boundary for division, and to the development of constitutions for each of the two new political jurisdictions;
- b) Cabinet approval in principle to fund the WCF and NCF; initially the WCF -\$1,143,000 and the NCF -\$549,400. An additional \$265,000 and \$250,000 would be available later to the WCF and the NCF respectively for a public ratification process;
- c) **Mr. Munro** reiterated the four conditions necessary for continued federal support for division, then suggested four additional constitutional principles which should serve as guides:
 - i) that the principle of federalism includes not only tiered exclusive jurisdictions but concurrent ones as well,
 - ii) that deliberations must take into account the Canadian Constitution, more specifically the distinctions between federal and provincial responsibilities plus the individual rights guaranteed in the Charter of Rights and Freedoms,
 - iii) that aboriginal rights must be protected and this protection may include more than the negotiation of land claims and the entrenchment of aboriginal rights in the Canadian Constitution, and
 - iv) that there should not be too much government in the north with regards to size, complexity, number of levels, and cost.

W CF Meeting
May 16, 1983

Decisions made at this meeting include the following:

- a) That the WCF apply to the Executive Council for a loan or loan guarantee large enough to tide it over until the end of August when federal funding is expected;

- b) That the WCF incorporate itself as the Western Constitutional Forum **Management** Society under the NWT Societies Ordinance;
- c) The WCF adopted a set of procedures and guidelines for the approval of research projects;
- d) The "WCF Constitutional Workbook" research project was approved.

WCF Meeting
June 13, 1983

The application to incorporate the WCF and the proposed bylaws were approved and signed by each member. The unique aspects of the WCF are that each party to the Forum is an equal and that all substantive decisions will be made by consensus. The parties to the WCF are a representative of the Dene Nation, the Metis Association of the NWT, the Legislative Assembly at Large, and an MLA representing the non-aboriginal constituencies of the Legislative Assembly.

Incorporation
June 23, 1983

The Western Constitutional Forum Management Society was formally registered under the Societies Ordinance and the WCF became a legal, corporate entity.

WCF Meeting
August 22, 1983

Wally Firth, recently elected President of the Metis Association of the NWT, replaced Bob Stevenson on the WCF. Metis Association Vice-President Larry Tourangeau was appointed as the Metis' second member.

The results of this meeting include the following:

- a) The acceptance and signing of a Memorandum of Agreement between the WCF, NCF and the Government of Canada with the proviso that a letter which clarified the mandate of the WCF be signed and included as part of the adoption of the Agreement;
- b) A new budget/action plan, revised in light of the reduction in funding was approved (the total budget of the WCF is now \$997,000);
- c) The action plan for the remainder of the 1983/84 fiscal year is as follows:
 - i) establish an independent WCF Secretariat,
 - ii) review, analyze and synthesize all current research relevant to constitutional development in the western NWT,
 - iii) submit this material to a critical review by "expert" advisors as well as members of the Forum,
 - iv) complete pending research and initiate any additional research required to fill gaps missed by existing material,
 - v) prepare information/education packages for distribution to the communities,
 - vi) run workshops in communities,

- vii) obtain feedback, both formal and informal, on the options and perspectives outlined in the packages,
- viii) use all of the above to help members of the WCF to reach an Agreement on Principles for political development in the Western NWT;
- d) Research proposals dealing with the boundary issue are to be prepared for the next meeting of the WCF.

Publication of Research

August 23, 1983

The WCF and the Legislative Assembly Special Committee on Constitutional Development co-sponsored seven research projects which appear in five books released publicly by the WCF on August 23, 1983.

- 1) Guaranteed Representation
"Guaranteed Representation of Aboriginal peoples in Institutes of Public Government", by S. M. Malone
- 2) Residency Requirements
PART I: "Residency Requirements Limiting Voting Rights to Permanent Residents", by **Michael Posluns**
PART II: "A Statistical Analysis of Residency and Mobility Patterns in the Northwest Territories", by N. M. Lalu
- 3) Protection of Aboriginal Rights
"Constitutional Development and the Protection of Aboriginal Rights", by **Michael Posluns**
- 4) Regional Government
PART I: "Regional Government in the Western Northwest Territories - A Discussion Paper", by Wilf Bean
PART II: "Regional Governments" A Selective Review", by Katherine Graham
- 5) Liberal-Democratic Government: Principles and Practice
"Liberal-Democratic Society and Government in Canada", by **Gurston Dacks**

Still in the production stage is The Western Constitutional Forum Workbook: A Guide to Laws, Institutions, Powers and Finances.

WCF Meeting

October 4, 1983

Stephen **Kakfwi**, recently elected President of the Dene Nation, replaces Georges Erasmus on the WCF.

Decisions reached at this meeting include the following:

- a) The WCF moved to retain MacKay and Partners as its auditor;

- b) A policy for the funding of member associations by the WCF was adopted as amended;
- c) By motion, the WCF encouraged the Legislative Assembly to reconstitute a Special Committee on Constitutional Development with a mandate limited to sponsoring additional constitutional conferences;
- d) Agreement was reached that a letter be sent to the Arctic Institute of North America at Calgary supporting in principle its conference on constitutional development in the north subject to several conditions;
- e) Bob **MacQuarrie** and Steve Iveson were designated to travel with the NCF on its tour of the Kitikmeot Region;
- f) Steve **Iveson** was appointed to the position of Executive Director of the WCF Secretariat effective November 1;
- g) The boundary issue was discussed and members suggested that a Constitutional Alliance meeting be scheduled for October 31 - November 1;
- h) An application for research funds from the Town of **Inuvik** was returned to them with a request for a more detailed proposal.

NCF Community Tours
October - November, 1983

The NCF began its tours of communities to discuss its constitutional proposal Building Nunavut as well as the boundary question. The schedule was:

- a) Keewatin - October 4-7
- b) Baffin - October 8-19
- c) Kitikmeot - October 31-November 4.

All communities in these regions were visited with the exception of **Holman**. It will be included as part of the tour of the Western Arctic communities currently scheduled for January, 1984.

WCF Meeting
October 28, 1983

Matters discussed at this meeting include the following:

- a) A financial statement for the period April - September 1983 was approved;
- b) It was suggested that the proposed meeting of the Constitutional Alliance be postponed until after the territorial election when a serious two to three day meeting could be scheduled;
- c) Members discussed the NCF's upcoming tour of the Kitikmeot Region and the role Bob **MacQuarrie** should play on behalf of the WCF;
- d) The appointment of three additional staff members to the Secretariat was confirmed. The new staff: Deborah O'Connell, Research Coordinator; Aggie **Brockman**, Community Liaison Coordinator; and Janet Snider, Office Manager bring the total staff to four people.

NCF Tour of the Kitikmeot Region
October 31- November 4, 1983

Bob MacQuarrie and Steve Iveson accompanied the NCF on its tour of Kitikmeot communities, including Pelly Bay, Spence Bay, Gjoa Haven, Coppermine and Cambridge Bay. The visit to Holman "was cancelled due to bad weather. NCF members talked about division being necessary in order for Inuit to be able to govern themselves. They said a boundary for division would have to be negotiated with the people in the western NWT and that they wanted it to follow the treeline. The reasons given were based on ethnicity. NCF representatives said the north-south boundary proposals being put forward by the west could not be taken seriously. NCF representatives introduced the Building Nunavut publication as well.

Inuvialuit representatives accompanying the tour explained that COPE had joined the NCF because of assurances that the NCF would support the creation of a Western Arctic Regional Municipality.

The two most western communities of Cambridge Bay and Coppermine were not as clearly in support of division or as certain which territory they wanted to be part of as the eastern communities. Concerns were expressed about ties to the west and the overlapping use of land with the Dene.

WCF Meeting
November 25, 1983

The results of the meeting include the following:

- a) Steve Iveson is appointed Secretary-Treasurer of the WCF;
- b) That the bylaws of the WCF be changed to accommodate the new names given to several of the territorial ridings;
- c) Bob MacQuarrie and Steve Iveson reported on their trip to the Kitikmeot region with the NCF. Mr. MacQuarrie says he believes the NCF'S boundary is being based on ethnic division and that Coppermine and Cambridge Bay are not as clearly in support of Nunavut as the communities further east. He suggests that the WCF attend the NCF tour of Western Arctic communities in January. Mr. MacQuarrie also suggests that the WCF include Cambridge Bay and Coppermine in its community visits;
- d) That the WCF commit the necessary funds to bring together MLAs clearly represented by the Forum to discuss boundary and constitutional issues.

WCF Meeting
December 6, 1983

The results of the meeting include the following:

- a) Approval is given to a research proposal by Marvin Shaffer entitled Impact of Division on Distribution of NWT Non-Renewable Resource Wealth;

- b) Approval is given to a research proposal by Andy Thompson entitled Natural Resource Boundary Problems;
- c) The meeting of western MLAs is scheduled for December 19, 1983 at the **Explorer** Hotel in Yellowknife;
- d) A report on deliberations in 1963 on a proposal to divide the Northwest Territories was presented by Deborah O'Connell;
- e) Bob **MacQuarrie** suggested that the WCF staff prepare suggestions for the selection of a name for a new western territory.

WCF Meeting with Western MLAs
December 19-20, 1983

The meeting was sponsored by the WCF in order to bring the MLAs up to date on the boundary and constitutional issues relating to division.

The MLAs endorsed the following:

- a) The motion passed by the WCF on February 9, 1983, which supported in principle a north-south boundary without suggesting a specific location;
- b) The process for selecting a boundary as agreed to by all participants of the Constitutional Alliance on February 16, 1983;
- c) The **WCF's** approach to the development of a constitutional proposal for a new western territory, noting that careful attention must be paid to the public consultation process;
- d) In general, the work being done by the WCF and the direction being taken by it;
- e) The continued practice of the WCF **sponsoring** briefing sessions for MLAs and that future meetings of t-his sort-include invitations to the MLAs from the **Nunakput**, Kitikmeot West and Kitikmeot East ridings.

Metis Association's Constitutional
Conference - January 5 & 6, 1984

The purposes of the conference were:

- a) To make the membership throughout the NWT aware of the WCF and its objectives;
- b) To give the WCF members a chance to address the Metis Association of the NWT on topics related to the work of the Forum;
- c) To encourage the Metis Association of the NWT to develop positions to be used 'as a guideline in constitutional development discussions within the WCF.

The elected Executive of the Metis Association invited two representatives from each **Metis** Local to participate. Special guests included WCF members **Steve Kakfwi**, **James Wah-Shee** and **Bob MacQuarrie** and the Chairman of the NCF, **Dennis Patterson**.

The delegates unanimously supported a resolution which rejected division of the Mackenzie Delta, rejected a **treeline** boundary and suggested a north/south boundary along the 105° meridian with a southeast diagonal

in the southern portion which enters the Keewatin. Delegates felt that the criteria for division should be land mass and resources, transportation, communication and other matters related to good government. They rejected **ethnicity** as the basis for division. (See map, page 26.)

A limited time was spent discussing future government in the western NWT. Delegates felt that information was lacking for immediate decisions. They called for an education campaign to make information and resource people available to communities prior to any WCF tour.

**WCF Workshop on a Traditional Dene
Model of Government - Rae-Edzo
January 9-14, 1984**

This was a research project sponsored by the WCF conducted in the oral tradition of the Dene. The purposes of the study were:

- a) To accurately describe the Dene model of consensus government in a traditional setting. This would include the structure and method of Dene government, the characteristics of the Dene society within which it functioned, and the values and objectives of Dene government within the context of Dene society and the environment in which it was situated;
- b) To describe the characteristics of our current society north of 60° and the larger environment within which it operates;
- c) To do a comparative analysis between the two social descriptions and suggest manners in which the "spirit" or intention of Dene government and special structures and practices can be made applicable to the current reality.

George **Barnaby** and **Francois** Paulette were the workshop leaders and 10 Dene elders were invited to participate. The outcome will be a public report which is expected to be published in March, 1984 under the title Dene Government Past and Future.

**WCF Moves into a Permanent Office
February 7, 1984**

The four staff members of the WCF Secretariat moved into permanent quarters in the **Tallah** Building on Franklin Avenue in Yellowknife.

**WCF Meeting
February 16, 17, 22, 1984**

Nick Sibbeston had recently been appointed to the WCF by the Legislative Assembly to replace **James Wah-Shee** as the representative of the Assembly at Large. **Bob MacQuarrie** was reappointed by the Assembly to represent non-aboriginal residents.

Decisions at this meeting include:

- a) Nick Sibbeston and Bob MacQuarrie were selected as Chairman and Vice-Chairman respectively. It was decided that James **Wah-Shee** would act as an alternate to Nick **Sibbeston**, and that Tom Butters would be an alternate to Bob **MacQuarrie**;
- b) Approval was given to the idea of sponsoring a contest to find a suitable name for the new western territory which will be created if division of the Northwest Territories takes place;
- c) Acceptance was given to proposals outlined for a monthly newsletter and an information/education plan including a series of pamphlets, audio tapes in seven aboriginal languages plus English, and a poster;
- d) Approval was given to the WCF staff to participate as observers in meetings to review proposed GNWT Local Government legislation;
- e) Approval was given to the idea of having a representative from the **Kitikmeot** region attend future WCF meetings as an active observer;
- f) Bob **MacQuarrie** will be introducing a motion to the Legislative Assembly requesting that its **constitutional committee** be **re-established** for the purpose of sponsoring constitutional conferences.

The Honorable John **Munro's** Speech
to the Legislative Assembly
February 17, 1984

The sections of the speech relevant to the WCF and NCF include the following points:

- a) Re-affirmation of the four federal conditions for support in principle of division of the Northwest Territories:
 - Northerners reach consensus among themselves and agreement with the federal government on a boundary,
 - Northerners reach consensus and agreement with the federal government on the distribution of powers to local, regional and territorial levels of government,
 - All comprehensive land claims are settled, and
 - A majority of NWT residents continue to support division;
- b) The process of resolving the boundary question will involve consideration of several factors including: a sound economic base, equity between any new territories, and recognition of a community of interests which develops from geography, history, culture and systems of communications and transportation. All these factors have legitimacy and no single one - not even culture - can override all the others;
- c) That the two Forums under the umbrella of the Constitutional Alliance engage in more joint meetings to gain a better appreciation of differing views and objectives and begin the process of searching for compromise and solutions.

W CF Meeting with the People of
Coppermine - March 2, 1984

The Hamlet of Coppermine invited the WCF to a public meeting. The request was prompted by an open-line program on the community radio

station in January during which 13 callers suggested the community join a western territory and four callers expressed a desire for the Northwest Territories to remain united. No callers expressed a desire to join an eastern territory.

During the public meeting the community proposed to select a representative to attend future WCF meetings as an active observer. Edna Elias, the Mayor of Coppermine, was eventually selected by the community to represent them on the WCF.

At a meeting of the Kitikmeot Regional Council, March 20-22, regional representatives endorsed Coppermine's intention to participate in future WCF meetings and agreed to make arrangements for the Coppermine representative to make reports on the WCF to future regional council meetings.

The following points were made at the public meeting.

1. Approval for the Metis boundary proposal with the line east of Cambridge Bay.
2. Also would like the boundary east of Cambridge Bay. There should not be a fight over the boundary. There should be friendliness between the two territories even if there is division.
3. Why divide the NWT?
4. Why not include Spence Bay, Gjoa Haven and Pelly Bay in the western territory ?
5. Only the young people who don't hunt anymore want to divide. The politicians want division, not the people.
6. The NWT is too big for one government. Two governments would manage money and serve the people better.
7. People are worried about being far from the government in the east if we are part of Nunavut. The Metis line is best for the community so it can be closer to government, however Kitikmeot East relatives should also be in the western territory.
8. Placing Coppermine in a western territory will be better for employment with the oil companies.
9. We want an Inuk on the WCF so people can be kept informed.
10. The decision as to which territory we will belong to should come from the community level, not an association. Can Coppermine make a suggestion on the boundary?

South Mackenzie Area Council
Meeting - March 19, 1984

Bob MacQuarrie reported on the work of the WCF and answered questions from members of the South Mackenzie Area Council at a meeting in Fort Smith. Also discussed was a research proposal by the council to consult with people in the communities of Fort Smith, Hay River and Pine Point and come up with a regional position on constitutional development.

The research proposal for \$24,125 was subsequently approved by the WCF with the work scheduled to begin on April 1, 1984.

This is the first project to be approved from the \$60,000 which the WCF has budgeted to support research by independent groups.

WCF Address to the Standing Committee
on Indian Affairs - March 21, 1984

Bob **MacQuarrie** gave the Standing Committee on Indian Affairs a well-received update on the progress and activities of the WCF. This speech was reprinted as part of a WCF publication titled Partners for the Future.

WCF Meeting with Deh Cho Regional
Council - March 21, 1984

WCF members Nick Sibbeston, Steve **Kakfwi** and Larry Tourangeau met with the Deh Cho Regional Council on the Hay River Reserve. The council represents the communities of Fort Simpson, Fort Providence, Kakisa, Trout Lake, Jean Marie River, Fort Liard, Nahanni Butte, Wrigley and the Hay River Reserve. The WCF presentation included an update on activities and a brief discussion of the issues relating to constitutional development and division of the Northwest Territories. As part of their trip to Hay River, the WCF members held a public meeting in the evening at the town arena hall. Attendance was relatively small and the WCF agreed to come to the community at another time when all members of the town council could attend a meeting.

Constitutional Alliance Meeting
March 24-25, 1984

Members of the NCF and WCF met as the Constitutional Alliance of the Northwest Territories at the Yellowknife Inn. There was agreement on the major objective for division and on principles for the selection of a boundary.

Objective

It is agreed that northern residents represented by the Constitutional Alliance of the Northwest Territories, and guided by the attached principles agreed upon by the Constitutional Alliance, shall determine a boundary for dividing the Northwest Territories into two viable public government jurisdictions that have the political and economic potential to evolve towards provincial status, and, it is agreed, that the fair resolution of this issue shall be a priority of the Constitutional Alliance.

Principles

1. New territories will have substantial numbers of aboriginal peoples.
2. Opinions of those affected should be taken into account.
3. The new territories should have reasonable prospects for eventual economic viability over the short and long term, considering land mass and renewable and non-renewable resources.
4. Historic, linguistic and cultural communities of interest should be taken into account in determining a boundary.
5. Traditional and continuing land use and occupancy should be taken into account in determining a boundary.

6. Geographic features and existing and potential transportation and communications systems should be taken into account in determining a boundary.
7. Existing electoral, administrative and other boundaries should be taken into account in determining a boundary.
8. Existing and potential infrastructures and accessibility to government services, should be taken into account in determining a boundary.
9. Proposed forms and styles of government and the distribution of power between local, regional and territorial levels of government should be taken into account in determining a boundary.
10. Existing and potential economic development areas should be taken into account in determining a boundary.
11. It is essential that the new boundaries try to satisfy the best interests of the people of the Northwest Territories and that the boundary be determined, first, by a tentative decision by the Constitutional Alliance through negotiations and discussions which will form a consensus based on careful consideration of all the above principles, and secondly, by agreed-to-form(s) of public ratification concluding with some form of territory-wide ratification.

NCF Tour of Western Arctic
March 26-30, 1984

WCF members Nick Sibbeston and Bob MacQuarrie accompanied the NCF on its tour of Western Arctic communities including Holman, Paulatuk, Sachs Harbour, Tuktoyaktuk, Aklavik and Inuvik. WCF member Larry Tourangeau joined the tour in Tuktoyaktuk. Overall, it was apparent the feelings of Western Arctic residents were mixed; some felt an emotional pull towards Nunavut; others recognized the concrete involvement with the west and isolation from the east; others questioned the advantages of division. More universal was the expressed interest from communities to receive more information from both Forums.

Of concern to the WCF during the tour were three specific elements.

1. The NCF's disregard of the Constitutional Alliance agreement on the objective for division and the 11 principles for selecting a boundary. The objective was reduced by the NCF to the creation of an Inuit homeland called Nunavut, and the principles were largely reduced to one, culture.
2. The NCF's determination to play on the fears of community residents and nurture mistrust between them and Dene, Metis and non-aboriginal peoples with statements like, "people in the west are out to steal Inuit land", "out to break-up the COPE land claims settlement", and that "the language and culture of the Inuvialuit could only be protected in the east".
3. Statements by the NCF that it is unilaterally lobbying the Prime Minister and other federal government officials to sign an 'Accord' with the NCF before the Prime Minister steps down in June. The proposed accord would implicitly impose a treeline boundary, thus taking the decision out of the hands of northerners and undermining the federal condition for division that there must be continuing

support for it among northerners. It would also define the border as an ethnic boundary rather than a political one by **reference** to **Inuit** self-government. (See map, page 26.)

As a result of these concerns the WCF held a news **conference** on April 3, 1984 in Yellowknife.

WCF Meeting
April 6, 1984

Decisions reached at this meeting include the following:

- a) The WCF will undertake to make their concerns about the **NCF's** proposed 'Accord' known to the Prime Minister, other Cabinet Ministers and members of the Standing Committee on Indian Affairs. Letters and information about the WCF concerns are to be **sent** to the appropriate people in Ottawa to be followed up by visits by WCF members in April and early May;
- b) The WCF will try to arrange a meeting of MLAs who represent ridings which could be part of a western territory for the week of May 7, before or during the Legislative Assembly session in Fort Smith. The WCF will take this opportunity to bring the MLAs up to date on recent activities and discuss the boundary for division;
- c) The WCF will travel to Tuktoyaktuk and Sachs **Harbour** for community meetings in April or early May;
- d) Attempts will be made to arrange a meeting of the Constitutional Alliance as soon as possible after the meeting between the MLAs **and** the WCF;
- e) Approval was given to Proceeding with the **Alan** p_e_a_r_s_o_n **Constitutional Workbook**. **Changes** have already been suggested by WCF members which will add to the original cost.

Edna **Elias** Named to Participate
in WCF - March 28, 1984

The **community** of Coppermine has selected Edna **Elias**, Mayor of the hamlet, to represent it on the WCF. Ms. Elias will participate in discussions and meetings of the WCF, but is not a voting member. Her appointment has been endorsed by the Kitikmeot Regional Council which has requested that it be kept up to date on WCF activities by Ms. Elias.

WCF Members Meet with Members of
Parliament - April 12-13, 1984

WCF members Bob **MacQuarrie** and Larry Tourangeau travelled to Ottawa to bring Members of Parliament up to date on the events which have occurred since the WCF appeared before the House of Commons Standing Committee on Indian Affairs in **March**. Meetings were held with Keith Penner, the chairman of the Standing Committee; Rene **Gingras**, Parliamentary Secretary and member of the Standing Committee; and committee members Warren **Allmand**, Dave Nickerson, John McDermid and Jim Fulton. Meetings were also held with David

Crenna, Special Assistant to the Prime **Minister**. The WCF concerns which arose out of the NCF tour of the Western Arctic, particularly the possibility of the federal government signing a unilateral 'Accord' with the NCF, were recognized and understood. A further trip to Ottawa in the near future to meet with appropriate **Ministers** is still being considered.

WCF Visit to Sachs Harbour
April 17, 1984

A scheduled visit and public meeting in Sachs **Harbour** were **cancelled** due to the death in the community of Fred Carpenter, an elder and head of the first family to settle in Sachs **Harbour**.

WCF Visit to Tuktoyaktuk
April 18-19, 1984

WCF members Bob **MacQuarrie**, Steve **Kakfwi** and Harold Cook were accompanied by Dene Nation representative Georges Erasmus to **Tuktoyaktuk**. The WCF met first with the Hamlet Council during one of its regular meetings. The Mayor and Council said they would like more time to study and discuss the WCF materials and would get back to the Forum about the possibility of establishing a future working relationship. The WCF held an evening public meeting in the community. It was not well attended but it did generate an energetic and wide-ranging dialogue.

The following points were made at the meeting.

1. If Tuk is in the east, we will only have to worry about one culture. If we are in the west, we will have to fight with the Dene and whites for our rights.
2. There is a better chance to protect our language in Nunavut.
3. A north-south boundary would go through the **Nunavut** claim area.
4. Tuk should be in **Nunavut**.
5. Division is a waste of time. The money being spent on division should be going toward improving government services to all people and on land claims, then both the **Inuit** and Dene will have what they want.
6. How do you know people still support division without another vote?
7. We don't want a treeline boundary because Tuk people trap below the **treeline**.
8. We want regional government even if division does not happen.
9. Someone should educate the people in the east that in 20 or 30 years when the NWT is a province, it will be easier to negotiate with other provinces without division.
10. There are only a few people at this meeting and the comments are not necessarily representative of the community.

The WCF plans to visit the other Western Arctic communities in June.

Dene Leadership Meeting
April 12-15, 1984

The Dene leaders, meeting in Fort Good Hope, passed five motions dealing with the work of the WCF:

- a) The Dene leaders selected Georges Erasmus to represent them on the WCF when Dene Nation President, Steve **Kakfwi**, is unable to attend meetings. The leaders requested that one of the chiefs of Denendeh represent them if both **Mr. Erasmus** and **Mr. Kakfwi** are unable to;
- b) The Dene leaders approved a north-south boundary for division of the Northwest Territories. The Dene **proposed** boundary begins at Hudson Bay on the Manitoba-NWT border. It runs in a diagonal line north-west to the 65th parallel at the 102nd meridian, then straight north to the Arctic Coast. It goes northeast around Victoria Island, through **McClintock Channel**, northeast of Melville Island along the 108th latitude; (See map, page 26.)
- c) The name, Denendeh, was selected as the most appropriate name for a western territory;
- d) A mandate was given to the Dene Nation executive to organize a workshop on political and constitutional development;
- e) The Dene leaders opposed unilateral moves on the part of the NCF to negotiate a **Nunavut** accord. They believe that a decision on the boundary for division should involve all permanent residents of the NWT. The Dene leaders said the Dene leadership has a mandate to represent the Dene on this issue and resolved that any accord signed by the federal government relating to division should involve both the NCF and WCF.

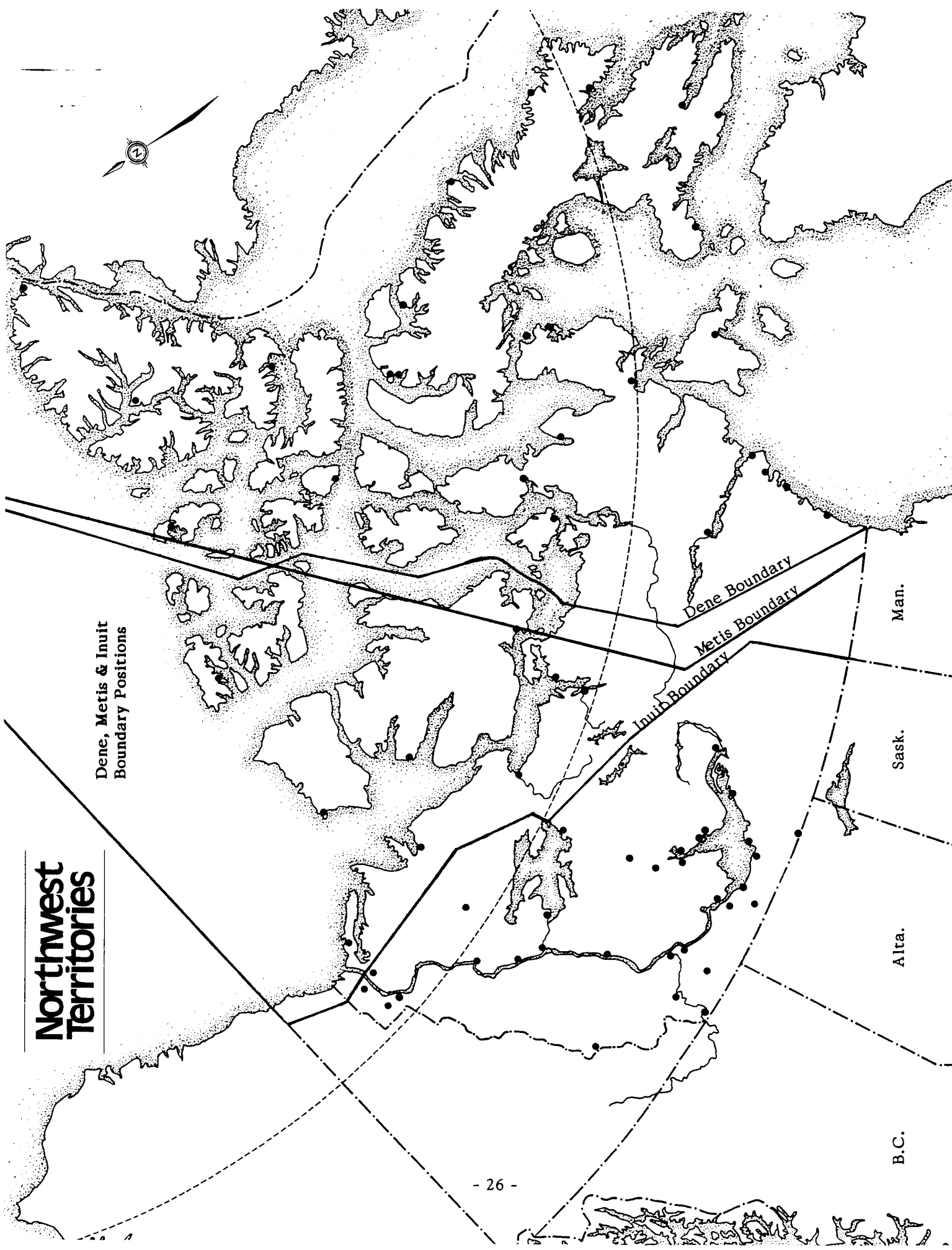
WCF Travels to Ottawa
April 30- May 1, 1984

WCF members Steve **Kakfwi** and Harold Cook met with Federal Justice Minister, Mark MacGuigan, and Minister of Indian Affairs and Northern Development, John Munro. Both ministers indicated support for the WCF position that any accord or agreement with the federal government should be made with both Forums as members of the Constitutional Alliance of the NWT. The ministers also restated support for the four federal conditions for federal approval in principle for division.

WCF Meeting
May 7, 1984

The results of the meeting were as follows:

- a) Notice was given that a Constitutional Alliance meeting has been scheduled for June 9-10 in Rankin Inlet;
- b) Reports were given on recent trips to Ottawa by members of the WCF. **Members** felt hopeful that no unilateral accord between the federal government and the NCF would be given any further consideration. A letter from the Prime Minister, dated **May 7, 1984** confirmed this opinion. However, it was decided the WCF



Northwest Territories

Dene, Metis & Inuit
Boundary Positions

Dene Boundary

Metis Boundary

Inuit Boundary

Man.

Sask.

Alta.

B.C.

should be prepared in the event that an accord between the federal government and both parties of the Constitutional Alliance is proposed;

- c) During a discussion about the upcoming meeting with western MLAs, members agreed that Georges Erasmus should raise the issue of making aboriginal languages official in the NWT. It was also agreed that a resolution be presented asking the Legislative Assembly to re-establish a special committee to hold constitutional conferences;
- d) It was decided that amendments to the WCF bylaws should be considered at the next meeting to allow for the membership of Georges Erasmus, Edna Elias, and alternates;
- e) Approval was given to contract Wilf Bean to prepare a series of education pamphlets;
- f) WCF staff will prepare discussion papers on regional government and native language rights for the next WCF meeting.

WCF Meeting with Western MLAs
Fort Smith, May 19, 1984

The outcome of the meeting was as follows:

- a) The MLAs said they believed the priorities of the WCF should be constitutional development, solving the boundary issue, and finding a name for a new western territory, in that order;
- b) That the WCF fund constitutional conferences in the western Northwest Territories instead of the Legislative Assembly, and the next conference be scheduled for the fall;
- c) That discussion papers on a variety of constitutional development issues be prepared before intensive community consultations get underway.

NCF Public Meeting - Yellowknife
May 31, 1984

The NCF held a public meeting in Northern United Place. It was attended by NCF, WCF and GNWT Aboriginal Rights and Constitutional Development Secretariat staff and a handful of interested citizens.

Some of the points expressed in a presentation by Dennis Patterson were:

- concern that the WCF work on constitutional development is progressing slower than that of the NCF,
- that the small Yellowknife turnout during the 1982 plebiscite on division indicated "tacit approval" for the creation of Nunavut,
- that an early resolution to the boundary question is possible,
- that the Dene and Metis boundary proposals "may not be fair" to the east, and
- that the large population of Yellowknife not be able to override the feelings of the smaller communities in any vote on a boundary location.

The questions from the audience included the following:

- What would be the rights of new public service employees in an eastern territory ?
- Where would the new public service come from?
- What training would they receive?
- What will the role of co-operatives be in Nunavut ?
- What is the process for deciding a boundary?
- How will the equal rights of non-aboriginal residents be protected at the same time as Inuit receive special collective rights through a land claims settlement?

WCF Meeting
June 8, 1984

The following matters were dealt with:

- a) The WCF will inquire about attending the NCF proposed regional government workshop;
- b) Community visits will be postponed until education materials are prepared and people are back in the communities;
- c) A poster design was approved for a printing of 3,000 copies to attract attention to the creation of a new western territory and the development of a new government;
- d) It was decided not to pursue an Ottawa liaison service at this time but to work through the GNWT Ottawa office and the offices of the Native Council of Canada and the Assembly of First Nations;
- e) A 1984/85 budget of \$780,000 was approved. This includes \$180,000 of unspent money from the 1983/84 fiscal year;
- f) The WCF bylaws were changed to allow for alternates to participate in meetings in the absence of WCF members;
- g) A proposal for a joint NCF-WCF Accord with the federal government from Peter Ittinuar arrived but no decision was taken on it.

WCF Annual General Meeting
June 26, 1984

Discussions and decisions at the meeting include the following:

- a) The executive officers of the WCF will remain the same: Nick Sibbeston as Chairman, Bob MacQuarrie as Vice-Chairman, and Steve Iveson as Secretary-Treasurer;
- b) The auditor's report was accepted as presented;
- c) There was a discussion on the Aboriginal Language Rights issue now before the Legislative Assembly. Members did not reach a consensus on a course of action;
- d) Rick Hardy, a Yellowknife lawyer, attended his first WCF meeting as the Metis Association of the NWT second representative. Chief Jim Thorn, of Fort Providence attended the meeting on behalf of the Dene Nation as an alternate for Georges Erasmus;
- e) Members reviewed the Westwater Research report on Boundary Problems for the final time, suggesting minor changes and the printing of 500 copies of the final report;

- f) Members suggested some changes to the report on Non-Renewable Resource Inventory and that a guide be written with suggestions and explanations on how to use the information contained in the report;
- g) Bob MacQuarrie suggested that a description of the concept of aboriginal self-government from Indian Self-Government in Canada, Report of the Special Committee, October, 1983, be included in the introduction to the Dene Government publication. Members agreed that 4,000 copies of the report should be printed;
- h) Minor changes were suggested to the Pearson Constitutional Workbook and it was agreed that 3,000 copies should be printed of this book and of the Liberal-Democratic Government report;
- i) Members discussed the upcoming Constitutional Alliance meeting and agreed to meet again before the Alliance meeting in Rankin Inlet to discuss further the principles to be considered in coming to a decision on a boundary for division of the NWT.

Constitutional Alliance Meeting
July 7-8, 1984

Members of the NCF and WCF met as the Constitutional Alliance of the Northwest Territories in Rankin Inlet. John Bayly acted as Chairman for the meeting. Mr. Bayly was invited to discuss his proposal for selecting a boundary which was outlined in his "On the Bias" column in northern newspapers. Members of the Alliance agreed to two new principles which should be considered in selecting a boundary for division of the Northwest Territories. These principles are in addition to the 11 already agreed to at an Alliance meeting in Yellowknife in March.

The new principles are:

Trans-border concerns and conflicts will be minimized where possible in determining a boundary, and

Where trans-border interests in lands and resources necessitate, reciprocal provisions will be made in the constitutions of both territories to allow joint resource management and use, renewable resource harvesting within those areas, and such other matters as may be agreed upon.

These principles will, among other things, protect aboriginal rights to hunting, fishing and trapping across a boundary.

Members also agreed to set a target date of June, 1985 for reaching a tentative agreement of the Alliance on a boundary for division. Any decision by the Alliance will be subject to public ratification. The Alliance agreed that before June, 1985 they will have thoroughly discussed all of the 13 principles which they have identified as being relevant to the boundary discussion. Reaching an agreement on the boundary assumes the WCF will have made significant progress on constitutional development for a western territory.

Dene National Assembly
Fort Rae, July 23-27, 1984

A motion was passed at the Dene National Assembly calling for a closer working relationship between the WCF and the **Dene/Metis** Negotiating Secretariat. The motion also called for the **Dene/Metis** aboriginal claims position which focuses on land and resources to be developed in conjunction with the constitutional and political positions being taken at the WCF, even though these issues were being dealt with in different forums.

Metis Association of the NWT
Annual General Assembly
August 9-11, 1984

An update report on the work of the Western Constitutional Forum was given and accepted by the membership at the Metis Association Annual Assembly.

WCF Meeting
September 6, 1984

Decisions reached at this meeting include the following:

Members endorsed an action plan for the next year which calls for:

- a) Regional workshops in nine western regions to be followed up with public meetings in individual communities;
- b) Monthly WCF workshops to negotiate principles for a public government for a western territory, beginning with the topics of regional government and aboriginal language rights;
- c) Consideration of an interim liaison person in Ottawa to familiarize the new government with the work of the WCF;
- d) Regular meetings with the NCF to discuss principles for deciding on a boundary for division of the NWT.

Members also decided:

- a) That a Constitutional Conference should be held after the first round of regional and community consultation, probably at the end of March;
- b) To write a congratulatory letter to Dave Nickerson, who has been **re-elected** MP for the Western Arctic and make sure Mr. Nickerson is invited to future WCF meetings.

WCF Meeting
September 14, 1984

The members decided that the next meeting of the Constitutional Alliance should be a joint effort on the part of the WCF and NCF to familiarize new members of the Federal Cabinet and Standing Committee on Indian and Northern Affairs with the issues of constitutional development and division of the Northwest Territories.

The NCF will be approached with tentative dates for setting up such meetings in Ottawa.

Pamphlet Distribution
October 9, 1984

The first in a series of 12 information/education pamphlets produced by the WCF was distributed by mail to all households in the western NWT. The remaining 11 pamphlets will be distributed before the end of November. They are expected to form a basis for discussions at regional workshops and public community meetings to be sponsored by the WCF during the fall/winter of 1984/85.

The pamphlets in the series are:

- | | |
|------------------------------|---------------------------------|
| 1. Our Colonial Past | 7. Toward Provincial Status |
| 2. Why This Approach ? | 8. Balancing Power in the North |
| 3. What are the Issues? | 9. Denendeh: A Proposal |
| 4. What is Northern Society? | 10. Division: Past Examples |
| 5. Aboriginal Rights | 11. Division: What's Achieved? |
| 6. Guaranteed Representation | 12. Choosing a Boundary |

Each pamphlet was translated into seven aboriginal languages. Audio tapes in the appropriate aboriginal language and English **were distributed** to all municipal offices and local native organizations.

Release of Boundary Research
October 10 and 16, 1984

Research reports contracted by the WCF were released to the public; Resource Management Boundary Problems by Westwater Research Centre, University of British Columbia and The Impact of Division on the Distribution of NWT Non-Renewable Resource Wealth, by Marvin Shaffer & Associates, Vancouver. The reports provide information which relates to three of the 13 principles which the Constitutional Alliance has agreed to consider in its discussions on a boundary for division.

A north-south boundary would create the least number of **trans-border** conflicts if the Northwest Territories is divided into two new territories says the report, Resource Management Boundary Problems. It identifies a number of potential overlapping resources and compares five boundary alternatives in light of these trans-border concerns. The report also suggests how unavoidable overlapping resource problems might be handled in a cooperative way by two new territories if division takes place.

The overlapping concerns addressed by the report include traditional aboriginal land use, caribou and other wildlife, water, mineral potential, oil and gas, protected areas (for example, bird sanctuaries), and aboriginal claims areas. The five boundary alternatives were provided by the WCF to provide a wide variety of options for the researchers to use in their study. None of the alternatives necessarily represent any group's position.

The boundary alternatives used in the study range from the east-west line dividing the two current federal ridings in the NWT, to a north-south line extending from the Saskatchewan-Manitoba border north to the Arctic Coast and then through channels east of Victoria and Melville Islands. This last line is identified in the report as the boundary which would pose the least number of overlapping problems with respect to land use and resources. It passes through the least amount of land in an area that is thinly populated and therefore not as heavily used by local residents.

The report examines the way boundary problems have been handled not only by the NWT in the past, but also by other jurisdictions within Canada. It concludes by suggesting that overlapping concerns which cannot be avoided will create less problems for people and governments if they are addressed before division actually takes place, rather than afterwards.

The Alliance has identified 13 principles which shall be considered during its boundary discussions. Two of these relate to **trans-border** concerns. The members have agreed to try to choose a boundary which minimizes the number and seriousness of overlapping concerns and to work out mechanisms to address any trans-border concerns which cannot be avoided.

A new eastern territory would hold 94 percent of the oil and 93 percent of the gas potential and known reserves of the NWT if it included the Beaufort Sea, says the study, The Impact of Division on the Distribution of NWT Non-Renewable Resource Wealth, done by Marvin Shaffer and Associates, of Vancouver.

The report says oil and gas reserves and potential would be fairly equally distributed between two new territories if the Beaufort Sea is in the West and the High Arctic fields are in the East.

Several hypothetical boundary alternatives were used in the study which also examines the distribution of land mass and minerals. The report looks at examples to illustrate the potential importance of non-renewable resources as sources of revenue for governments and for employment opportunities in the future.

Members from the Western and Nunavut Constitutional Forums have agreed that the major objective of division is to create "two viable public government jurisdictions that have the political and economic potential to evolve towards provincial status." There are 13 principles which the Alliance has agreed to consider in its boundary discussions. One of these is that "the new territories should have reasonable prospects for eventual economic viability over the short and long term, considering land mass and renewable and non-renewable resources."

Oil, gas and mineral production in the north now means money for the federal government. Since there is very little financial benefit for the people or governments of the north until they either own the resources or at least have a revenue-sharing agreement with the federal government, resources which will be developed over the long term offer more benefits to the north than those which are being developed now or in the short term.

When looking at minerals the report deals with known deposits in its inventory, unlike oil and gas where it also deals with potential finds. The report places the bulk of known minerals in the west for each of the boundaries considered in the study.

The west has advantages in transportation access and the fact that most exploration, and therefore new finds, tend to occur near known deposits or existing mines. The report says it can be argued however, that new finds in the future are more likely in the east since there has been less exploration there in the past. It also points out that the east now has more potential for uranium mining in the future and that uranium generates many times more revenue than even a large gold mine. Gold generally is a bigger revenue producer for governments than other metals.

The only mineral which is sensitive to the location of the boundaries looked at in this report is copper-nickel, found in the Coppermine area.

Under each of the boundaries considered in the report, the west would have less than half the **land** mass of the NWT if division takes place. The alternative which roughly follows the treeline would give the east almost 68 percent of the land mass. The east would have more than 51 percent of the land mass with a north/south line running north from the **Saskatchewan/Manitoba** border to the Arctic coast and then east of Victoria and **Melville** Islands.

Any of the boundary options which put the Beaufort Sea in the west and the High Arctic oil and gas fields in the east reflect a balanced distribution of hydrocarbon resource wealth. The current federal riding meets this criteria, however, it does separate the community of Tuktoyaktuk and most **Inuvialuit** from the Beaufort Sea. This is unlikely to be acceptable to people in this region.

The north-south boundaries used in the study which place the High Arctic oil and gas fields in the east distribute the oil and gas fairly evenly while also retaining the integrity of the Western Arctic region.

The boundaries used in this study do not reflect a WCF position. The WCF has no specific boundary proposal but has gone on record as generally favouring a north-south line.

WCF Regional Government Negotiating Session
Yellowknife, October 23-24, 1984

This was the first session held to negotiate principles for a public government for a new western territory. The following principles were agreed to.

1. There should be a strong central authority. At the same time regional councils must be allowed to play a significant role.

- 2 . Members will wait until elements of a central government and protections of aboriginal and individual rights are discussed before:
 - a) recommending any principles for regional government be included in a constitution for a new western territory, and
 - b) considering giving regional councils legislative authority.
3. Communities should be free to decide:
 - a) if regional councils should be created,
 - b) what communities will be part of a regional council,
 - c) what powers, if any, communities will pass on to regional councils, and
 - d) if they want to opt out of a regional council.
4. Regional councils will have the powers currently granted under the Regional and Tribal Councils Ordinance. More powers may be granted in the future. Regional Councils have the right to dissolve themselves.
5. Each region should have the opportunity for the same level of authority. There is a need for flexibility so that no region is obligated to assume all the power available to it. There must be a maximum amount of authority which can be delegated.
6. It is assumed that authority will be delegated from the central government to the region (this does not imply legislative authority). It is not anticipated that any community powers or authority will be diminished, unless the community makes this choice.
7. The relationship between regional councils and regional administrations is important dealing with such areas as staff hiring, program delivery and public service reporting. To this end, the area served by regional councils and regional administrations ought to be taken into account.
8. The WCF is open to regional councils becoming the prime regional body, taking responsibility for other appropriate regional organizations.
9. **Overlap** issues with comprehensive **claims** must be further investigated and considered in the overall concept of regional government.
10. Regional governments have been preoccupied with genuine regional concerns such as land use, economic and resource development, etc. It is recognized that communities are looking for authority over matters outside the traditional municipal concerns, eg. land use outside their boundaries.
- II. WCF supports the need for training of local residents to meet the manpower needs of a western government.

These principles are subject to WCF members' consultations with their constituents.

WCF Meeting
November 5, 1984

The following were the decisions made by members at this meeting:

- a) It was decided that the South Mackenzie Area Council will be asked to re-submit its proposal for additional funding. WCF members agreed that consultation in the region is a good idea but that it should be done by SMAC members, rather than a consultant;

- b) WCF members agreed to provide the Dene Nation with an additional \$10,000 to help fund a leadership meeting during which **WCF-related** issues would be a major topic of discussion;
- c) WCF members decided to select their **favourite** names from the 193 entries to the Name the Western Territory Contest, rather than just one name as a winner. The people who submitted the best entries would have their names put into a hat and a contest winner would be selected from a random draw. Members decided it would be untimely and unwise to select a name for a new western territory when there are many other issues at the moment that they would rather have people focus their attention on.

Information Package Distributed
November, 1984

An information package, providing an update on the activities of the WCF was distributed widely, both inside and outside the western NWT. It included the most recent WCF publications: the Western Constitutional Forum Workbook; A Guide to Laws, Institutions, Powers and Finances, by Alan Pearson; Dene Government Past and Future, by Lesley Malloch; and a reprint of Liberal-Democratic Government Principles and Practices, by Gurston Dacks.

WCF Community Consultation Workshop
Hay River, November 3-4, 1984

The two-day workshop was attended by representatives of the Pine Point, Hay River and Fort Smith Municipal, Band and Metis councils. There was good discussion of the issues raised in the 12 information pamphlets published by the WCF.

Pamphlet #1 - Our Colonial Past

Participants generally agreed that the information contained in this pamphlet was straight forward and there was no discussion.

Pamphlet #2 - Why This Approach?

Participants questioned and discussed the following issues:

- What is the difference between the constitution of a province and that of a territory?
- Do we have a better chance of becoming a province after we have our own constitution?
- Where did the idea of division originate?
- Does the federal government's condition regarding "sound economic base" mean equal resources?
- What does "equity" mean to the federal government?

Pamphlet #3 - What Are The Issues?

Participants spent a fair amount of time discussing the concept of "collective rights". In general, many participants found the concept to be alien to the Canadian mosaic and expressed reservations that

protecting the “collective rights” of one group would result in diluting the rights of another group. Several participants said that they did not see the need to give special status to native northerners.

On the other hand, some participants felt that “collective rights” was a perfectly acceptable approach and examples of governments, including our own federal government, protecting the collective rights of various ethnic or interest groups were described.

Some felt that “aboriginal rights” should be protected by legislation and not through a system of guaranteed representation. Another suggestion concerned the possibility of re-arranging constituency boundaries so that areas that have been traditionally inhabited by aboriginal peoples would have their own **MLA**. The argument against this proposal, however, was that a place like Pine Point, although it has been traditionally inhabited by aboriginal peoples, is not likely to have an aboriginal **MLA** because Cominco hires mostly non-natives.

Pamphlet #4 - What Is Northern Society?

The issue of private ownership of land was discussed and, as one participant said, “the differences between the cultures of native and non-native northerners should not be underestimated.”

Some participants expressed strong objections to any move by government to deny its citizenry the right or the option to own property. Other participants tried to explain why they are not particularly supportive of private ownership of land. According to one participant, “our concept of no private ownership of land is based on our desire to protect our land and our resources for future generations.”

Delegates were asked to consider whether or not a 50-year lease on a parcel of land would offer the same security as does private ownership. And another participant warned delegates to be very careful that decisions are not made that will result in conflicts with the provisions of the Canadian constitution.

Pamphlet #5 - Aboriginal Rights

A fair amount of time was spent by the delegates trying to define or, at least, understand what is (or may in the future be) contained in a definition of “aboriginal rights”. As one aboriginal participant said, “Even aboriginal people do not have all the answers but that is one of the reasons for having these workshops, so northerners from all walks of life can get together to discuss these types of issues. ”

One comment suggested that “aboriginal rights” includes the right to hunt, trap and fish for subsistence. Another comment indicated that “aboriginal rights” could also include the right to use the language of one’s choice when dealing with government, including education. It should also include some protections for the cultures of the north’s aboriginal peoples.

While most participants said they had no difficulty in understanding the desire to be able to hunt, trap, fish and use one’s first language

freely, there was some confusion regarding how one's culture can be protected. "Culture" was viewed as undefined and too all-encompassing. An attempt to define "culture" was made and it was suggested that it might be more easily understood if one thought of it in terms of the need to build in protections that will ensure that the aboriginal peoples of the north will continue to have an impact on government.

Pamphlet #6 - Guaranteed Representation

Opinions differed on this subject, too. One delegate stated that while the concept is a difficult one to come to grips with, it is very important to the north's aboriginal peoples. Aboriginal people do not want to be guaranteed a majority, but some form of guaranteed representation will, at least, give the north's aboriginal population the continued right to participate. One voice in five may not win battles, said one delegate, but at least we will have a voice. Another delegate queried whether guaranteed representation would really mean anything. If you don't have a majority of the seats, or votes, you are pretty limited on what you can accomplish.

The matter of party politics was discussed. If, suggested one participant, party politics does come to the north, then guaranteed representation may mean very little if the seats that you have are not with the party in power. The need to ensure some form of guaranteed representation in the public service was discussed.

Pamphlet #9 - Denendeh

Most participants were fairly familiar with the content of the Dene Nation's discussion paper entitled, Denendeh - Public Government for the People of the North. Strong concerns were expressed, however, regarding the Dene's proposal for a 10 year residency requirement. Most participants agreed that a somewhat longer than one year residency would be acceptable, but that 10 years was not reasonable.

Pamphlet #7 - Towards Provincial Status

A couple of participants spoke against the introduction of party politics in the government of the NWT. Party politics, they feared, would remove government even further from the people. A party wins a majority and then it does what it wants. No free votes are allowed. On the other hand, without an Opposition Party, there isn't a watch-dog and it was suggested that maybe party politics would make the government more accountable.

There was some general discussion about the NWT'S financial ability to become a province. Discussion included talk about the government of the new western territory negotiating a revenue sharing agreement with the federal government for non-renewable resource development and extraction projects.

Pamphlet #8 - Balancing Power In The North

Most participants agreed that regional government structures should not be allowed to become too strong, that they should not have

legislative authority, and that it was important to have a strong central government. As well, most participants agreed that participation in a regional government structure should be on a voluntary basis and that communities should not be forced to participate. At the same time, however, it was pointed out that if regional governments exist in some areas and meet with success in their dealings with the central government, small communities will be forced to band together and form (or join) regional government structures to protect their interests.

Other comments included: regional governments seem to be a fact of life, they are here to stay; would a county system like that which exists in Alberta serve our needs; northerners are already overgoverned; and the powers of regional councils may increase in the future.

In relation to municipal/local governments, participants seemed to agree that this level of government should only be concerned with and have authority over the land which is within its geographic boundaries.

Day 1 - Wrap-up Comments

- There are a lot of things we have to resolve. We have a long way to go. Things like the whole issue of residency must be cleared up.
- I don't like the "us" and "them" attitude.
- We've had some very frank and valid discussion. There were points made here today that I had never thought of before.
- It's been interesting to share our thoughts and feelings. I get the feeling that we're making history here. I sometimes wish that we were through this process and that we were 'there' . ..**that** all of this discussion and negotiation was behind us.
- There's a wide diversity of opinion and experience here. The workshop has been very productive from the standpoint of the objectives.
- We have all learned a lot but we have a lot left to learn about each other.
- It's good to see that the money the WCF has received is being spent on workshops such as this to consult with people and settle these issues once and for all.

Pamphlet #10 - Division: Past Examples

While there was not a great deal of discussion about the content of this pamphlet, a couple of participants did query whether provincial status would ever be awarded to the NWT or to the new western territory with its very small population.

Pamphlet #11 - Division: What's Achieved?

Most participants appeared to agree with the concept that the north must be allowed to evolve toward more responsible government. But, despite this desire, care must be taken not to rush this process. **Most** participants agreed that work on the constitutional package for the west must proceed and there appeared to be agreement that a concrete proposal for a new constitution should be complete before division occurs.

Pamphlet #12 - Choosing A Boundary

The 13 principles that the members of the Constitutional Alliance have agreed will guide the discussions and the negotiations on the boundary were reviewed and the WCF's two research papers concerning the boundary were briefly discussed.

One delegate thought that if the plebiscite on division were held today, the results would be different and a couple of participants asked questions about how the location of the boundary will be decided. In yet another area, there were concerns expressed about the boundary separating people from the land they have traditionally used and how problems of this nature would be resolved. Participants were also interested to know how this process fit in with the land claims negotiations. And still others felt that no matter where the boundary is located, some people are going to be hurt or lose something.

Participants were interested in how long after an agreement is reached will it be before division occurs and what will happen if the NCF is ready to divide and the west is not ready.

Most delegates viewed as critical the WCF's job to ensure that the boundary 'hurt' as few as possible but, at the same time, of equal importance was the WCF's responsibility to ensure that division enhances the west's potential for political development.

Day 2- Wrap-up Comments

- It's all been very new to me but I've enjoyed these talks and found them interesting.
- I've never seen anything like this before. It has been interesting but a lot of work lays ahead of us.
- I've enjoyed the workshop and learned a lot but it would have been better if I'd received the pamphlets sooner than I did. Now we have to rely on you to make sure the WCF members are aware of what we have said over the past couple of days.
- I think this has been very worthwhile. There's been a meeting of the minds. Progress may be limited until land claims are settled. Regarding the boundary, it's the politicians that will have to agree on where it should or will be located. Even the Dene and Metis cannot agree on some things and they have to start agreeing if they expect everyone else to agree.
- The workshop has been extremely worthwhile but the emphasis has to be on groups such as this one.
- Make sure you keep in touch with us and let us know what happens when you have workshops in other areas of the north.
- I think the information sharing has been worthwhile. However, yesterday when we started I think the workshop lacked some focus. Perhaps the lack of focus is because this is the first time people have sat down and talked about these things with others who have different opinions.

WCF Meeting
November 13, 1984

The purpose of this meeting was primarily to prepare for the community tour of Pine Point, Hay River and Fort Smith.

WCF Community Tour of Pine Point,
Hay River, Fort Smith
November 13-15, 1984

During the tour WCF members met with several groups as well as with the general public in each community.

Summary of Comments by Residents of Pine Point

1. There was support for division.
2. There was support for a north-south boundary or a variation of it. A treeline boundary is not acceptable.
3. If the NCF and WCF cannot agree on a boundary, then an independent boundary commission should decide on the line.
4. There was very little support for regional government, only perhaps as advisory bodies if necessary.
5. Decentralization makes dealings with government complicated.
6. There should be local control over how money is spent on programs such as education.
7. There must be a strong central government in a western territory.
8. A western territory should have mechanisms for participatory democracy, for example there should be a way to recall elected representatives who are not carrying out the wishes of the electorate.
9. There was support for guaranteed representation for aboriginal peoples. Any such arrangement should be seen as the minimum representation for aboriginal people, not the maximum.

Summary of Comments at a Meeting of
the WCF and Hay River Town Council,
Dene Band, and Metis Leaders

1. The more regional councils are entrenched, the more control they will have and the harder it will be to have a centralized government.
2. By setting up regional councils now, the kind of government being set up by the WCF is being predetermined.
3. Regional councils are good to help smaller communities get a hearing by the territorial government.

Summary of Comments from Residents of Hay River

1. There should be a strong central government which entrenches aboriginal rights, so other mechanisms, such as regional councils, will not be required for aboriginal people.
2. There should be one government in a western territory which protects and respects the rights of all peoples.
3. Regional councils should be advisory only. Concern was expressed that if regional councils/governments administer programs, eventually the authority of the central government will be eroded.

4. Regional councils/governments are not wanted because they will balkanize, or separate regions and people, and create have and have-not areas.
5. Regional councils/governments should be based on geography, not on ethnicity.
6. Regional councils, specifically the Deh Cho Regional Council, has provided an opportunity for the Hay River Dene Reserve to work together with other Dene on land claims and other common issues. It is not expected that regional councils will develop into much more than they already are - advisory bodies where small communities can work together.
7. There should not be party politics in a western territory, otherwise guaranteed representation would be unworkable. If guaranteed seats are part of the opposition, their voice would not be heard; if they are part of the government, they would be under the control of the party whip.
8. Guaranteed representation is best achieved for aboriginal people by giving more ridings to predominantly aboriginal rural areas and fewer ridings to the larger, predominantly non-aboriginal communities.
9. Extended residency requirements are unconstitutional and a denial of rights to fellow Canadians for a period of time.
10. The residency requirement for voters or those holding office in a western territory should be three years.
11. Land claims should be settled before division occurs.
12. Division should be based on a north-south boundary giving equal amounts of land to each new territory.
13. Division will mean better government if there are two smaller areas to administer.
14. There is not enough revenue generated in the north for it to achieve self-government.
15. What alternative is there if the two Forums cannot reach a consensus on a boundary?
16. It was suggested that the eastern and western caucuses of the Legislative Assembly function as two separate governments within the existing NWT Act without actually having division occur, in order to test out the idea.

Summary of Comments at a Meeting of
WCF and the Fort Smith Town Council

1. The WCF should look at guaranteed jurisdiction for aboriginal people over lands outside of municipalities as an alternative to guaranteed representation.
2. Instead of a boundary for division, the two Forums should look at setting up a corridor of shared interests to accommodate the traditional areas used by both the Dene and Inuit.
3. Will division occur so that royalties or any money generated will be equally divided?
4. People need information regarding division and its relationship with land claims and the justification for division. There is a need for a public information process that involves everyone.
5. Can division happen without drawing a specific boundary at all?

Patterson accused the WCF, specifically Nick Sibbeston and Bob **MacQuarrie**, of misleading residents of the Western Arctic and the Kitikmeot region and distorting the terms of the Constitutional Alliance Principles of Agreement.

He also accused the WCF of never taking seriously division and thereby thwarting any chances of its success. He suggested that perhaps an independent body might be necessary to solve the dispute over where a boundary for division should be located.

Ms. **Cournoyea** said that the agreement could have survived if it had not been worded so sloppily and if the Beaufort communities had been approached by both Forums in a more sensitive manner. She described the current crisis as the kind of hurdle that can be expected in very complicated and hard boundary negotiations and said that the Alliance process should continue to try to work things out.

WCF News Release
February 27, 1985

The members of the WCF issued a news release responding to Dennis Patterson's allegation that the WCF was not committed to division of the NWT. WCF members said that they were in fact committed to division and that this was illustrated through their negotiations in good faith of the January and previous Alliance agreements which were made with division as the ultimate goal. The WCF stated that it is prepared to carry on with the division process beginning with negotiations with the **Inuvialuit**.

WCF Regional Consultation Workshop
Fort Rae - February 26-28, 1985

The workshop was attended by Dene band and municipal council representatives from the communities of Rae-Edzo, Lac La **Martre**, Rae Lakes, Snare Lake, Detah and Rainbow Valley in Yellowknife.

Steve Iveson summarized the work of the Constitutional Alliance, efforts to reach an agreement on a boundary for division and recent events including the rejection of the tentative Alliance agreement by eastern MLAs.

The questions and comments on this topic include the following:

- The process is in trouble because it has been rushed; for example the plebiscite was held without people having answers to a lot of their questions about division.
- People recognized the relationship between discussions on a land claims boundary between the Dene/Metis and **Inuit** and a boundary for the creation of two new territories.
- People felt that there would be less problems with both boundaries if Cambridge Bay and Coppermine were in the west so that the overlapping-land use of the **Inuit** from these areas and Dene wouldn't be so important.
- There was general support for the January tentative agreement on a boundary.

Mr. Iveson explained the difference between a land claims boundary and a political boundary for two new territories. The discussion then went on to constitutional development matters and ideas for a new government for a western territory. The questions and comments included the following:

- The Dene have more of a chance of having a say in government or control over their lives if the power rests in the territories, rather than in Ottawa.
- Being a minority in a western territory doesn't have to be a bad thing if the right structures are set up so that the non-aboriginal majority has to take into consideration the wishes of aboriginal peoples.
- We need more control over what happens in the north and should be able to reap more benefits from the resources.
The WCF should present its information on video tapes since each of the communities now has video machines which people could use.

Mr. Iveson summarized some of the research undertaken by the WCF dealing with such topics as guaranteed representation, residency requirements and the protection of aboriginal rights. The Denendeh proposal was also reviewed.

Workshop participants listened to tapes in the Dogrib language which covered the WCF pamphlets #7 - Toward Provincial Status, #5 - Aboriginal Rights, #6 - Guaranteed Representation, and #8 - Balancing Power in the North. Questions and comments on these topics included the following:

What is aboriginal self-government?
How would regional governments work?
How much will two new governments cost?
How many MLAs would there be in the west?
There is a need to make sure that money is available for any programs for aboriginal peoples, for instance, for aboriginal languages.
The Dene should ask for a majority of seats on a new territorial government, because, like requests for money, the amount will get struck back.
The new government should get money for mineral exploration from mining companies.
Both new territories need equal negotiating power and authority to manage migrating wildlife. This is an important resource for people since agriculture isn't much of an option. The same joint management opportunities are needed for water when one source covers both territories.
There should be compensation for losses to the Dene from the effects of mining on the environment.
How will the Metis fit into land claims and regional governments?
Many of the matters being talked about are things that the Dene Nation has been working on for a long time.

Participants agreed that the boundary decision is a very important one for the Dogrib people.

WCF Meeting
March 1, 1985

Members of the WCF discussed the following matters:

- a) It was felt that the WCF could not agree to help fund a meeting of Kitikmeot West and Western Arctic community representatives as requested, without first discussing the matter with the NCF and that such a meeting might be of more value after WCF negotiations with the **Inuvialuit** have begun;
- b) It was decided that the WCF should write a letter to NCF members indicating that the WCF is still willing to negotiate with the **Inuvialuit** principles which will enable them to have a secure future in a western territory and request a formal NCF position on the Alliance Principles of Agreement for a boundary selection process;
- c) It was decided that the WCF should write a letter to the Minister of Indian Affairs and Northern Development to help clarify recent events and to make him aware of the current position of the WCF.

Edna **Elias** Resigns from WCF
March 5, 1985

Ms. Elias resigned as a non-voting member of the WCF in order to be able to be in a more neutral position within her community. The former mayor of Coppermine, Ms. Elias represented the interests of the Kitikmeot West communities on the WCF and was selected to sit on the WCF, first by the community of Coppermine, and then by the Kitikmeot Regional Council.

WCF Meeting
March 8, 1985

The matters discussed at this meeting include the following:

- a) It was decided that the WCF would write a letter to the NCF asking for clarification of the NCF position on the January Alliance Agreement on a boundary process;
- b) Members expressed concern about the motion which Aivilik MLA Tagak Curley proposed to bring before the Legislative Assembly. Steve Kakfwi will write a letter to the MLAs expressing his concern about the inaccuracies contained in the motion, specifically the way the Denendeh document is referred to;
- c) Steve Kakfwi and Larry Tourangeau will write to the western MLAs and invite them to participate in discussions regarding division and constitutional development at a Joint Dene/Metis Leadership Meeting in Fort Providence later in the month;
- d) Steve Iveson reported on his numerous unsuccessful attempts to confirm the March 15th meeting scheduled between the WCF and the Committee for Original Peoples Entitlement. He told WCF members that a research report on WARM by Yellow knife lawyer, Dick Spaulding, would be available in draft form the following week;

- e) WCF members reviewed a draft letter to the Minister of DIAND, David Crombie, outlining the WCF perspective on recent events and the Alliance Agreement on a boundary process. It was agreed that a separate letter would be sent regarding WCF funding;
- f) Steve Kakfwi informed members of the Dene Nation's concerns about the proposed GNWT Human Rights Code.

**Meeting of Beaufort Sea and
Kitikmeot West Mayors
Coppermine - March 8-9, 1985**

The following resolutions were passed at this meeting:

- a) That the motion endorsing the Report of the Constitutional Alliance passed in the Legislative Assembly on February 25 be repealed;
- b) That in any future considerations of new constitutional arrangements that the Beaufort communities shall have the right to decide as a region which territory they wish to belong to and the Kitikmeot West communities wish to join with the Beaufort Sea communities to formulate the question, conduct the vote and interpret the results;
- c) Whereas the Beaufort Sea communities have passed motions electing to be part of Nunavut, these motions are confirmed and endorsed;
- d) Whereas these community motions have been tabled in the Legislative Assembly, therefore the Assembly should respect the wishes of the communities as expressed in the motions;
- e) That any further discussions on other constitutional arrangements by the Legislative Assembly indicate its willingness to support the adoption of the proposed Western Arctic Regional Municipality;
- f) And, whereas the communities in the Beaufort Sea and Kitikmeot West regions wish to remain united on the issues of division and constitutional development, therefore the mayors shall continue to work closely together in the future.

The communities of Cambridge Bay, Coppermine, Holman, Paulatuk, Sachs Harbour and Tuktoyaktuk were represented at the meeting which was sponsored by the NCF. Also present were Nunakput MLA and NCF member, Nellie Cournoyea, the MLA for Kitikmeot West, Red Pedersen, and COPE President, Billy Day.

**WCF Meeting
March 11, 1985**

The matters discussed at this meeting include the following:

- a) It was decided that the WCF would issue a news release in response to the weekend meeting of Beaufort Sea and Kitikmeot West mayors;
- b) Steve Iveson reported that he had still been unable to confirm with COPE that the March 15 meeting is on;
- c) WCF members discussed the need for a meeting with DIAND Minister David Crombie to discuss recent events and funding.

Yellowknife Supports Alliance Agreement - March 11, 1985

The Yellowknife City Council passed a motion saying that if division is to take place the tentative boundary agreed to by the Constitutional Alliance in January should be the boundary creating the new territories. An identical motion was also passed by the Yellowknife Chamber of Commerce.

WCF-COPE Meeting CanCelled March 12, 1985

The WCF received a letter from COPE President Billy Day canceling the scheduled meeting which was to have been the start of negotiations to determine the conditions by which the **Inuvialuit** could find a satisfactory future in a western territory. The WCF responded with a letter to COPE expressing a willingness to negotiate a satisfactory arrangement for the **Inuvialuit** and issued a news release expressing disappointment about the cancellation of the meeting. Mr. Day had requested that the WCF endorse the proposed Western Arctic Regional Municipality as a prerequisite for a meeting. There was no commitment that the **Inuvialuit** communities would join the west if WARM was endorsed.

Yellowknife MLA Constituency Meeting - March 12, 1985

The three Yellowknife MLAs held this meeting to bring their constituents up to date on recent events related to division of the NWT. Most of the members of the public who spoke at the meeting supported the Alliance agreement on a boundary if division is to take place. Support for the work of the WCF was also voiced.

Joint Dene/Metis Leadership Meeting Fort Providence - March 20-22, 1985

Most members of the Legislative Assembly Western Caucus attended a morning session of the **Dene/Metis** Leadership meeting to discuss the Alliance Agreement on a boundary process and the mandates of the Alliance and the two Constitutional Forums. The presence of western MLAs prompted many people to view the meeting as 'historic'.

The **Dene/Metis** Leadership passed a motion that if division is to occur, the Dene Nation Leadership and Metis Association Board of Directors unanimously support the tentative Alliance agreement of January, 1985 which was negotiated in good faith by the WCF. The motion also stated that the traditional hunting, trapping and fishing rights of the Dene and Metis of Manitoba and Saskatchewan must be respected and protected in a Nunavut territory.

Another motion stated that the Dene/Metis Leadership supports the Alliance as the only type of mechanism capable of legitimately and successfully addressing the issues of constitutional development, division and the selection of a boundary, and that any attempt on the part of the GNWT or any other single party to assert primary responsibility for this process will be rejected. It was further moved that constitutional development remain a priority for all northern peoples whether or not division takes place.

Western MLAs Support the
Alliance Process - March 25, 1985

The Western Caucus of the Legislative Assembly issued a news release following their meeting with Dene Chiefs and Metis Board members in Fort Providence. The news release affirmed the Western MLAs' support for the Constitutional Alliance and the two Forums as the appropriate bodies to legitimately and successfully address the issues of constitutional development, division and the selection of a boundary.

WCF Meeting
March 27, 1985

The matters discussed at this meeting include the following:

- a) It was decided that a letter would be sent to DIAND Minister David Crombie informing him that the leaderships of all of the WCF members' constituent groups had expressed support for the January Alliance agreement on a boundary process;
- b) Members were informed that a meeting with the Minister would not be possible until after April 15. It was decided to pursue such a meeting;
- c) Members were informed that the formation of a South Slave Regional Council will likely make the South Mackenzie Area Council redundant and therefore the WCF contract with SMAC for a regional government study may be cancelled;
- d) Members were informed that the GNWT Aboriginal Rights and Constitutional Development Secretariat would be sharing \$18,000 of available money between the WCF and NCF;
- e) Members discussed community public meetings in the Dogrib communities for April and requested that arrangements be made for public meetings in the Mackenzie Delta for early May;
- f) Members were informed that the NCF would be having a meeting in Ottawa in the near future and that an Alliance meeting had been requested by the WCF.

Legislative Assembly Motion
March 27, 1985

A motion regarding the development of Nunavut and a western territory was passed in the Assembly. It stated:

1. That this House continue to encourage and support the discussions and negotiations between the WCF and NCF through the auspices of the Constitutional Alliance toward the development of Nunavut and a western territory;
2. That this House continue to deliberate on the outcome of such discussions and negotiations and recommend to the Government of Canada a course of action that this House thinks appropriate for the creation of Nunavut and a western territory;
3. That this House suggests that any reports brought forward by the WCF and the NCF through the auspices of the Constitutional Alliance be based upon recognized forms of public government, taking into account other proposals including the Nunavut proposal, "Building Nunavut," and the Denendeh proposal;
4. Finally, this House recommends that the Executive Council begin to participate more fully in the constitutional development process by:
 - a) providing support to the Assembly's representatives on the Alliance and Forums on various issues as required,
 - b) undertaking special tasks for which the Alliance and Forums are not equipped, and
 - c) playing a major role in discussions with the Federal Government regarding non-renewable resource management and revenue-sharing, as well as the transfer of other responsibilities to territorial governments.

The MLA for Rae-Lac La Martre, James Wah-Shee, commented that it was unfortunate that the Assembly session could not have ended with a motion that all MLAs could support, prepared cooperatively by both the eastern and western caucuses.

Research Reports Completed for WCF - March, 1985

The WCF has received the final draft of two research reports which it had contracted:

- "Official Status for Languages in Canada, " by Anne Crawford, and
- "Inuvialuit Self-Government in a Western Territory," by Richard Spaulding.

The WCF has also received a first draft of "Some Suggestions on Constitutional Arrangements to Protect Dene/Metis, Inuvialuit and Non-Aboriginal Peoples' Concerns, " by Michael Asch.

WCF Members Travel to Ottawa April 23-26, 1985

WCF members Bob MacQuarrie, Allan Heron (Metis Association second member), Larry Tourangeau and Jim Antoine (Dene Nation alternate) travelled to Ottawa to bring the Minister of Indian and Northern Affairs up to date on WCF activities and its position on various matters relating to division and constitutional development. Those positions are:

- a) Constitutional Development must occur with or without division, and if division is to occur, a new constitution for a western territory must be developed first;
- b) The goal of division is to create two new politically and economically viable territories with the potential to evolve eventually towards provincial status. No one element, not even culture, should override all the others in selecting a boundary;
- c) Since division affects all residents of the NWT, all should participate in the selection of a boundary. It should not be left to individual communities in a particular region to choose which territory ~~they~~ would like to belong to, thereby making the boundary decision for everyone;
- d) The selection of a boundary should be agreed upon by residents of the NWT first, and not be imposed by the federal government or any other outside body;
- e) Although the January Alliance agreement is supported by all parties of the WCF, it will not stand unless all parties of the Constitutional Alliance agree, as the Alliance works on the basis of consensus. If it is formally rejected by the NCF, the products of three years of work by the Alliance leading to the agreement must not be abandoned as well; eg. the agreement on the 13 principles for selecting a boundary still stand;
- f) There should be significant progress on all aboriginal land claims in the NWT before division takes effect;
- g) The resolution of constitutional issues should first be negotiated among northern residents, represented by the two Forums, and then ratified by the public, before being negotiated with the federal government.

The other purpose of the trip to Ottawa was for WCF members to meet with **DIAND**, Finance and Treasury Board officials regarding WCF funding for 1985/86 and 1986/87.

During their meeting with the Honorable David Crombie, the Minister of Indian Affairs and Northern Development assured WCF members of his continuing support for the Alliance and the two Forums and that this included support for funding. **Mr. Crombie** said he would not be interfering in the division or constitutional development process in the NWT, but saw his role as providing support. WCF members and **Mr. Crombie** also discussed the role of the Legislative Assembly and Executive Council in the process and WCF concerns with the current proposal by COPE for a Western Arctic Regional Municipality.

While in Ottawa WCF members also met with Keith Penner, Liberal Northern Affairs Critic; Stan **Schellenberger**, Chairman of the Standing Committee on Indian and Northern Affairs; Western Arctic MP, David Nickerson; NDP Northern Affairs Critic, Jim **Manley**; James Good, Justice Minister John Crosbie's Chief of Staff; Martin Freeman, Senior Counsel, Native Law, Department of Justice; **Carole** Theauvette, Policy Advisor on Federal, Provincial and Aboriginal Issues, Prime Minister's Office; and approximately 20-25 **DIAND** officials.

WCF Public Meeting in
Rae Lakes and Rae-Edzo
April 30- May 1, 1985

WCF members Bob MacQuarrie, Allan Heron (**Metis** Association second member) and John Bekale (**Dene** Nation second member) travelled to Rae Lakes and Rae-Edzo for public meetings which were to follow-up on a Dogrib regional community consultation workshop held in late February by WCF staff.

Summary of Comments from Residents of Rae Lakes

1. There is a need to make changes to government. It is a good idea for all people to work together to make the changes.
2. There is a need to look at future employment for young people.
3. The land and Dene traditions must be protected so there is the option of having a traditional livelihood.
4. The traditional right of the Dene to use the barrenlands must be protected.
5. Things should stay the same with all peoples sharing the land, instead of dividing it up.
6. The boundary should be settled first, and then the constitutional development issues.
7. There should be more consultation with the community in the future.

Summary of Comments from Residents of Rae-Edzo

1. People should have much more information about division and constitutional development. People should have had information about division and its implications a long time ago and then maybe the east wouldn't be having second thoughts about the boundary.
2. We need regional meetings in order to make decisions. That is the best way for the WCF to consult with the Dogrib people.
3. We need money from the WCF to do research into the kind of government that we want.
4. It is difficult to talk about political boundaries when we can't agree with the Inuit on a claims overlap boundary. The boundary should be worked out by the Dene and Inuit, not the government.
5. How many communities support division?

W CF Meeting
May 10, 1985

The decisions of WCF members at this meeting include the following:

- a) It was decided that WCF members would focus on constitutional development during the next while since boundary talks have slowed down for the time being. It was agreed that members should get together for a workshop for several days to discuss constitutional principles using research papers which have just been completed or are underway for discussion purposes. It was felt that community consultation would be more meaningful in the future if discussions at that level were less general and could be focused on more specific proposals brought forward by the W CF. The workshop for WCF

- members will look at overall models of government and ways aboriginal self-government can be interfaced with public government;
- b) Members were informed that attempts to schedule a Constitutional Alliance meeting with the NCF had still been unsuccessful;
 - c) Members reviewed their trip to Ottawa and various meetings with officials, including the Minister of Indian and Northern Affairs, the Honorable David Crombie;
 - d) It was decided to travel to Lac La Martre for a public meeting during the week of June 24 when a presentation could also be made to the Dogrib Tribal Council;
 - e) It was decided to travel to the Mackenzie Delta for community meetings during the week of June 17;
 - f) It was agreed that the research papers by Anne Crawford, Dick Spaulding, Steve Iveson, Gurston Dacks, Michael Asch and David Elliott should be published together in book form as discussion papers to provide the background required for the upcoming WCF workshop on constitutional development;
 - g) Approval was given to an amended action plan of activities to be submitted to DIAND as part of the WCF budget proposal for 1985-87.

'BIG 85'- Inuvik
May 29-31, 1985

The WCF Executive Director travelled to a petroleum industry conference in Inuvik and met with community leaders from both the Beaufort and Delta areas. Discussions were held about the upcoming trip to the Delta by WCF members.

WCF Members Travel to Delta
Communities - June 18-20, 1985

During this tour WCF members Nick Sibbeston and Bob MacQuarrie and Metis Association second member, Henry Villebrun, travelled to Fort McPherson, Arctic Red River, Aklavik and Inuvik. A public meeting was held in each community.

Summary of Comments from Residents of Fort McPherson

1. There is a need for greater communication with the people of Fort McPherson in regards to division of the Northwest Territories and political and constitutional development. A greater amount of information should be translated into the Loucheux language and circulated to local radio stations because a large percentage of the area's residents do not read English.
2. If division is to occur, a north/south boundary is desirable. This boundary should ensure that the Western Arctic region remains in the western territory because there are very real links between the Delta Dene and Metis and the Inuvialuit of the Western Arctic.
3. A strong regional government for the Delta communities is viewed as an essential component of any constitutional changes. Questions were asked regarding the potential and/or possibility of the Delta Dene and Metis participating in COPE's Western Arctic Regional Municipality (WARM).

4. The number one priority of the people of Fort McPherson is the settlement of their land claim. Several speakers indicated that it was extremely difficult for them to devote much time or energy to the concept of dividing the Northwest Territories because they are very involved in the issue of land claims.
5. Land claim settlements should not be approved until all parties that have an interest in the land are properly consulted. Several speakers expressed their disappointment and dissatisfaction with the COPE land claims settlement because they said that they were not consulted about lands that were awarded in the settlement but which had been traditionally used by the Delta Dene and Metis.
6. The Nunakput MLA should not be a member of the Nunavut Constitutional Forum.

Summary of Comments from Residents of Arctic Red River

1. There should be more consultation with the people in the communities about matters relating to division of the NWT and political and constitutional development.
2. Land claims settlements should not be finalized until proper consultation has occurred with all parties who have an interest in the land and resources being sought in the settlement.
3. A strong regional government is viewed as necessary for the people of the Delta region.
4. Care should be taken to ensure that if division does occur it does not result in bad feelings between peoples that have been, or are currently friends.
5. The priorities of the people of Arctic Red River are:
 - i) Community concerns (i.e. housing and employment).
 - ii) A land claims settlement.
 - iii) If division occurs, the Delta and the Beaufort must remain in the new western territory.

Summary of Comments from Residents of Aklavik

1. People should work out their disagreements instead of dividing.
2. Concern was expressed by one person about the lack of WCF support for WARM and the absence of a COPE representative on the W CF.
3. There was concern about the Inuvialuit being a minority in a western territory.

Summary of Comments from Residents of Inuvik

1. There was almost unanimous opposition to division. It was felt that the issue has caused harmful divisions among local people in the Delta. The arguments against division included:
 - a) Technology in the areas of transportation and communication have decreased the issue of any area of the NWT being too far away from the seat of government;
 - b) There is already too much government for such a small number of people, so a second territorial government cannot be justified;
 - c) The real issue is to provide better government to everyone and then division will not be necessary;

- d) The time, effort and money being spent on the division issue could be spent on improving government to decrease the perceived need for division in the east;
 - e) Even in the east, support for division is diminishing because of improvements in the territorial government during the past few years;
 - f) People in the north are not ready for this kind of change, since people **are** still learning how to work within the current government system;
 - g) Division would mean that each new territory would have a weaker voice in dealing with Ottawa and other outside bodies.
2. The one person who did not oppose division outright felt that it should go ahead quickly so that the issue gets settled and people can go about their business.
 3. If division has to occur, the boundary should be along the lines of what was suggested in the January tentative agreement of the Constitutional Alliance.
 4. **Many** people expressed confusion about where the push for division was coming from, and why.
 5. The community consultation and negotiations regarding division should be carried out by an independent, impartial group, rather than by territorial politicians.
 6. The NCF has lost its mandate to continue its work by having the tentative agreement that it negotiated with the WCF rejected by the NCF members' constituents.
 7. The WCF and Legislative Assembly should review the entire WCF mandate and process and put the whole question of division on hold, if not abandon it entirely.
 8. There's an **inbalance** in the process underway with regards to division and constitutional development since there is no one speaking for the status quo.
 9. The WCF should have visited **Inuvik** earlier to seek public opinion since the Delta is an area heavily impacted by the issue of division.
 10. Constitutional development should take place gradually with or without division, with the eventual goal of provincehood.
 11. Guaranteed representation is **not** necessary or democratic for minority groups, aboriginal or non-aboriginal.
 12. There should be guaranteed representation for aboriginal people in the larger settlements.
 13. Electoral boundaries should be set up to make sure that there is adequate aboriginal representation on a territorial basis, as an alternative to guaranteed representation or representation by population.
 14. There must be equality in access to government services, hiring opportunities, etc. Affirmative action is acceptable if the program has a clear goal, an evaluation process and a definite time period attached to it.
 15. There should be greater **devolution** of power to the regional administrations from the bureaucracy in Yellow knife. There should be a greater readiness to hire local people for regional public service positions, particularly senior positions.
 16. There should not be another tier of government set up at the regional level since there is already too much government for the number of people in the NWT. There was also opposition based on a concern that another bureaucracy would be set up.

17. Support was expressed for the idea of regional councils/government and more research and study into the topic. It was recommended that only one regional council/government be set up in the Inuvik area and that **Inuvik** be included in it.
18. The proposal for a Western Arctic Regional Municipality is inappropriate and divisive and the territorial government should take a strong, definitive stand against it. Also, the general public which is supposed to be included in WARM is uninformed about its purpose and meaning.
19. Government should contract out more work to give a larger number of people the opportunity, on a short-term basis, to **understand** the day-to-day workings of government.

WCF Members Meet with
COPE Board of Directors
Aklavik - June 24, 1985

WCF members Bob MacQuarrie and Steve Kakfwi attended this meeting with COPE Board members and COPE President, Billy Day. The results of the meeting were:

- a) All WCF members will consider endorsing two principles proposed by COPE as follows:
 - That the people of the region and the communities within the region should have greater control over the programs and services vital to the people of the Western Arctic, so that the **Inuvialuit** can achieve greater self-determination, and
 - That the people within the region should have greater control of the institutions which serve them and that truly effective participation by the **Inuvialuit** in government is a significant means for the **Inuvialuit** to self-develop and integrate into the mainstream of society;
- b) COPE agreed to send representation to the WCF workshop planned for September to begin work on a framework for a government for a western territory. Members will be looking at ways aboriginal self-government can be accommodated within a public government system. COPE subsequently appointed Roger Gruben to act as observer to the WCF;
- c) COPE was invited to send representation to the Dene National Assembly in Fort Franklin in July.

WCF Members Meet with Dogrib
Tribal Council - June 27, 1985

WCF member Bob MacQuarrie, Dene Nation second member John Bekale, and Metis Association second member Henry Villebrun, made a presentation to the Dogrib Tribal Council meeting in Lac La Martre. Chiefs and leaders from each Dogrib community were present along with a few members of the community.

Summary of Comments at WCF Meeting with Dogrib Tribal Council

1. When the vote on division was held, the results might have favoured division, but people didn't know where the boundary would be.

2. Many people do not understand about division and a new government.
3. We need to know how power will be shared in a new government and about decision-making for the Dene.
4. The Dene need some control and say in how a new government operates, even if they are not in the majority. No one race should dominate the new government.
5. Changes are needed to government. But Dene traditions must be recognized in any changes.

A public meeting scheduled for the evening in Lac La Martre , was **cancelled** because of a feast and drum dance in-the community.

WCF Annual General Meeting
June 28 and July 2, 1985

The results of this meeting include the following:

- a) The WCF financial audit was accepted as presented;
- b) WCF members **endorsed** two principles regarding regional control proposed by COPE.
 "That the people of the region and the communities within the region should have greater control over the programs and services vital to the people of the Western Arctic, so that the **Inuvialuit** can achieve greater self-determination, and
 That the people within the region should have greater control of the institutions which serve them and that truly effective participation by the **Inuvialuit** in government is a significant means for the **Inuvialuit** to self-develop and integrate into the mainstream of **society**;"
- c) Steve **Kakfwi**, President of the Dene Nation, was named Chairman of the WCF for one year, to replace Nick Sibbeston. Bob MacQuarrie will remain Vice-Chairman;
- d) WCF members set the third week of September as a tentative date for their constitutional working session;
- e) WCF members agreed that a public meeting should be held in Yellowknife during the third week of September and that community consultation in the Deh Cho region should take place in October.

Nunavut Constitutional Forum Meeting
Inuvik - August 3-4, 1985

The results of this meeting were:

- a) Roger Gruben of **Tuktoyaktuk** was selected as the new Chairman of the NCF, replacing **Nunakput** MLA **Nellie Cournoyea** who was acting chairman since the resignation from the NCF of GNWT Minister of Aboriginal Rights and Constitutional Development, **Dennis Patterson**;
- b) Membership in the NCF was extended to representatives of regional councils, and the **Tungavik Federation of Nunavut**, and ex-officio membership was extended to the Chairman of the **Nunavut** caucus of the Legislative Assembly, **Dennis Patterson**;

- c) Plans were made for the NCF constitutional conference to be held in Coppermine September 24-28, 1985.

Meeting of COPE and Beaufort Mayors

Tuktoyaktuk - August 13-14, 1985

The Beaufort area mayors and representatives of COPE met to discuss the proposed Western Arctic Regional Municipality and reaffirm support for the formation of a regional government for Western Arctic communities. Representatives at the meeting decided that "with respect to the formation of a regional government for the peoples and communities of the Western Arctic the following fundamental principles shall apply:

1. The protection of individuals in that each and every resident of the region shall have the right to benefit and participate in public institutions, programs and services.
2. The people and communities of the region shall have control over the programs and services vital to the preservation of the cultural identity and values of its residents.
3. The people and communities of the region shall have control of the institutions which provide programs and services to ensure policies support the preservation of the culture and values of its residents.
4. The people of the region shall have access to and the fiscal control of public resources in order to provide efficient and effective regional government.
5. The people and member communities shall share in lands and resource revenues from within the region to provide effective responsible regional government.
6. Inuvialuktun shall be an official working language of the regional government.
7. The regional government shall be representative of and accountable to the people and the communities of the region respecting the areas within its jurisdiction.
8. Community councils of the region shall have ascendancy within the framework of the Western Arctic Regional Government.
9. The voluntary association of its member communities shall be the genesis of the regional government."

A news release issued following the meeting stated that representatives agreed that the priority would be to seek guarantees for a regional government, however for the interim it was decided that COPE and the Beaufort communities would support the Nunavut proposal.

This list of principles was forwarded to the WCF by the President of COPE for the consideration of WCF members and their possible endorsement before the end of August. WCF members were unable to meet this timetable because of holidays, however a WCF meeting is planned for early September and the principles submitted by COPE and the Beaufort Mayors have been included on the agenda.

WCF Meeting
September 5, 1985

The following matters were discussed:

- a) Members agreed to sign a Memorandum of Agreement in order to receive federal funding, but will relay to DIAND their unhappiness that funding will be contingent in the future on the submission of monthly WCF financial and activity reports. Attempts will be made to have the previous condition of quarterly advances reinstated;
- b) **Members** reviewed the plans and timetable for community consultation work in the Yellowknife, South Slave and **Sahtu** regions;
- c) **Members** discussed the upcoming WCF constitutional working session plans;
- d) It was agreed that Executive Director, Steve **Iveson**, would meet informally with **Murray Coolican** and the other members of the Land Claims Review Task Force;
- e) Members reviewed the nine regional government principles submitted by COPE and decided that any reply should wait until the constitutional working session;
- f) **Members** agreed to accept the NCF invitation to attend the Coppermine Constitutional Conference as observers.

Regional Consultation Workshop
Yellowknife - September 10-11, 1985

This workshop was attended by delegates from Snowdrift, Fort Resolution and Yellowknife, representing band, municipal and Metis councils as well as the Yellowknife Chamber of Commerce and territorial labour organizations.

Division

1. Isn't there a better way to address and accommodate the concerns of the **Inuit** other than division?
2. Do not want to see the establishment of a commission of federally-appointed people to decide on the location of a boundary for division. This is a decision that must be made in the north by northerners.
3. Perhaps there is a need for another plebiscite on division. The 1982 results that showed 56% of voters in favour of division is a pretty slim majority on which to operate or proceed.
4. While division itself may be inevitable because of the Eastern Arctic's strong desire for such, we must remember that it will be very costly and the problems it could create may outnumber the supposed problems that it will solve.
5. Division may result in a cut-back in the level of services to each new territory. Seems like the federal government wants to keep the NWT divided, not in the sense of a geographic division, but in the sense of peoples fighting among themselves; divide and conquer theory. Before division occurs we must ensure that the federal government is committed to providing the two new territories

with levels of service which are, at a minimum, no less than what is currently received.

6. If division occurs, the west will lose.

Constitutional Development

1. Guaranteed representation for aboriginal peoples must mean something and not, at some point in the future, be considered tokenism.
2. When establishing regions, both culture and geography must be taken into consideration.
3. A strong central government is important but, at the same time, regional governments should be more than advisory bodies. People want more power at the local level of government. An acceptable balance must be struck in distributing powers between these three levels of government.
4. Some harmony must be reached between individual and collective rights.
5. Boundaries do have a significant impact on peoples' ability to hunt and trap, etc. Take the example of the Dene in the Delta and their experience with the boundaries that have been established as a result of the COPE land claim settlement. Another example is the NWT/Yukon border and the impact it has had on Dene claims negotiations. The right to participate in the management of wildlife and other non-renewable resources is important to aboriginal peoples.
6. While guaranteed representation for aboriginal peoples is important, so too are other mechanisms which would enhance the ability of minorities to affect decisions. An example of this would be the need to have a two-thirds majority before legislation could be passed or decisions made to be carried-out by governing bodies.

General Comments

1. The concerns of larger centres such as Yellowknife, Fort Smith, Inuvik and Hay River should not be overlooked.
2. We must ensure that the rights that we guarantee are supported by a guarantee that ensures adequate funding to support these rights.
3. It would be beneficial if the Nunavut and Western Constitutional Forums would get together and convene joint public meetings so that people could get answers to their questions from both Forums at the same time.
4. The concept of guaranteed representation on Yellowknife City Council for Rainbow Valley and Detah was considered, and received positive reactions.
5. Party politics was not favoured but an impeachment-type process was thought to be worth exploring further.

First W CF Constitutional Working Session
Yellowknife - September 16-19, 1985

WCF members and observer to the WCF, COPE President Billy Day, met for four days to discuss constitutional development in a western territory. Several resource people were on hand to present the following

discussion papers which had been published by the WCF in a book entitled Partners for the Future.

- “Several Ways to Interface Aboriginal Self-Government with Public Government in the Western Northwest Territories”
- “The Relevance of **Consociation** to the Western Northwest Territories”
- “**Inuvialuit** Self-Government in a Western Territory”
- “Municipal Government and Land Within Municipal Boundaries”
- “Language Rights for a Western Territory”
- “Official Status for Languages in Canada”

Members discussed such issues as the entrenchment of aboriginal rights in a public government system, finding a balance between individual and collective rights, and the distribution of power among the central, regional and local levels of government. **Members** agreed to try to formulate a general proposal for a government for a new western territory by the end of 1985 which can then be taken before the public for its consideration.

Yellowknife Public Meeting
September 19, 1985

Approximately 50 Yellowknife residents attended the evening public meeting.

Summary of Comments by Residents of Yellowknife

1. The WCF should have held a public meeting in Yellowknife at an earlier date.
2. Division should create two new viable territories. It should be conditional on a commitment from Ottawa to fund two new jurisdictions to an extent that the existing level of services in the NWT can at least be maintained.
3. There was support for the January Agreement of the Constitutional Alliance.
4. Uncertainty about division is hampering the economic growth, political development and land claims negotiations in the north.
5. A boundary commission was seen as a poor alternative to the Alliance process ending with a ratification vote to determine a northern consensus on a boundary. It was suggested that the federal government be lobbied to make a northern consensus on a boundary a condition for division.
6. The treeline boundary is unacceptable.
7. Constitutional development should proceed with or without division.
8. Party politics are necessary for responsible government, though the parties could differ from the ones which currently exist in Canada.
9. There should be a strong central government in a new western territory. Strong regional governments are not desirable except when presented as an alternative to division.
10. Guaranteed representation could be acceptable, depending on the form it takes.
11. Denendeh, as a name for a new western territory, is acceptable.

12. Some certainty about the form of government in a western territory would reduce peoples' fears about division.
13. There shouldn't be too much government.

Invitation to WCF to Attend NCF
Constitutional Conference is Withdrawn
September 23, 1985

The evening before the NCF constitutional conference was to get underway in Coppermine, the invitation to WCF staff and members to attend the meeting as observers was withdrawn. The WCF responded with a news conference and release expressing disappointment and predicting that the invitations were withdrawn in order to facilitate the conference outcome of demands for a treeline boundary. The WCF continued to maintain that the boundary question is one that concerns all northern residents and should be reached by consensus. The WCF also maintains that it is possible to reach an agreement with the Inuvialuit which would secure their future in a western territory.

Nunavut Constitutional Conference
Coppermine - September 24-28, 1985

Approximately 110 community delegates attended the constitutional conference in Coppermine. The following resolutions were passed at the conference:

- a) The conference "unanimously asserts its commitment to political self-determination, through the creation of a new **Nunavut** territory which must include communities within the Beaufort, Keewatin, Kitikmeot and Baffin regions, including the offshore and Arctic Islands;"
- b) "...Whereas due to certain unacceptable pre-conditions, the conference **believes** further discussions toward agreement on a **dividing** line for the two new territories would only result in a continued stalemate. ... Conference unanimously supports the holding of a plebiscite in the **Nunavut** communities early in the new year to determine the public will, respecting Nunavut;
- c) "That the constitution of **Nunavut** contain express provisions and guarantees relating to regional government based on the following principles:
that regional government shall ensure that the distinct identity, language, and culture of the **region** be enhanced and affirmed.
that **the** regional governments shall have the right to participate in decision-making respecting revenues and resources derived from the region."

WCF Regional Consultation Workshop
Fort Franklin - October 1-2, 1985

Representatives of the municipal, band and **Metis** councils from the communities of Fort Franklin, Fort Good Hope, Colville Lake, Fort Norman and Norman Wells, attended the two-day regional consultation workshop run by WCF staff.

General Comments

1. It's very good that the WCF is here but it seems like this workshop should have been held a long time ago. Perhaps if this type of workshop had been held before the 1982 plebiscite on division, the results of the plebiscite would have been different.
2. Local community needs and the settlement of land claims are more important to us than division.
3. The land and all of its resources are very important to aboriginal people and we must ensure that we gain **as much** control as **possible** over them. Throughout all of this discussion regarding division and political and constitutional development, we must keep in mind the needs and interests of our children and our children's children.

Division

1. A **56%** vote in favour of division is not enough of a majority to warrant pursuing this division, especially in light of the fact that lots of changes in government have occurred since 1982. Government in the north has got better in the last few years.
2. There should be another vote on this question of division.
3. It's hard for the Dene to continue to support dividing the NWT in the absence of assurances that our aboriginal rights will be protected in a new western territory. Aboriginal people must remember that after division we will be a minority in the new western territory.
4. Maybe it would be better to just forget this idea of dividing and concentrate our efforts on improving the government of the NWT for all the people. Maybe we **should** stay together and share our resources.

Boundary

1. A treeline boundary for division is unacceptable.
2. The tentative agreement on a boundary for division that was reached in January 1985 appears to be a reasonable location for a boundary for division. However, maybe the Dene would be happier if the boundary was moved about 50 or 100 miles out from the treeline.
3. The land claim boundary and the political boundary are similar but they are not the same and this causes a lot of confusion. Maybe if the Dene and the **Inuit** met more often, we wouldn't have so many problems understanding each other and each other's land claim.
4. There needs to be more dialogue between the **Inuit** and the Dene about traditional land use. The **Inuit** haven't talked to us very much about this and they are telling people that they have hunted and trapped in areas such as Port Radium and Great Bear Lake and this just isn't true.

Constitutional Development

1. There must be some form of guaranteed representation for aboriginal peoples at both the local and territorial levels of government.

2. The community must be given more control over its own affairs. As well, the kinds of authorities given to communities should be expanded. For example, the existing education system is not meeting the needs of the youth in the communities. Perhaps some facets of education could become the responsibility of the local government.
3. Whether or not division occurs, changes to government must occur. And while we may not understand fully all of the issues involved in constitutional change, we do know that we must try to change our government so that it works better for us.
4. In making changes to government we must be careful to ensure that aboriginal rights can and will be protected by the public government.
5. The concept of enforcing a residency requirement to vote or hold office was considered important but participants were not prepared to recommend a time limit at this time.

WCF Members Meet with David Crombie
Ottawa - October 2, 1985

WCF members expressed the following concerns to the Minister of Indian Affairs and Northern Development:

- a) That the Constitutional Alliance process to negotiate a boundary for division would be undermined by decisions at a recent NCF conference in Coppermine. These decisions were to hold a plebiscite in some regions of the NWT and to approach the federal government unilaterally with a **treeline** boundary proposal;
- b) The WCF believes that a boundary for division affects all NWT residents and that the Alliance process has not been exhausted. It would therefore be unreasonable for one group to impose a boundary on other NWT residents;
- c) That unilateral action on the part of one Forum will polarize NWT residents for many years to come and create bad feelings no matter where an eventual boundary is established;
- d) The WCF would like to be reasonable in its negotiations but it can't ignore the interests of the western NWT residents which it represents.

The WCF requested a commitment from **Mr. Crombie** that the federal government would not interfere in the division process until a boundary consensus had been reached in the north. Mr. Crombie said that he had said all he had to say about division last February. At that time he endorsed division based on the **tentative** January Alliance agreement and said consensus on the boundary in the north is a matter of necessity. He said Ottawa would not be satisfied unless there is consensus and that this is the position of the Government of Canada.

The WCF also received support for its position from MPs representing all three political parties

WCF Community Consultation Tour
Sahtu Region - October 7-10, 1985

WCF members travelled to Norman Wells, Fort Norman, Fort Good Hope, Colville Lake and Fort Franklin for public community meetings and smaller meetings with band councils and other groups.

Summary of Comments at a Meeting of
the WCF and the Norman Wells Metis Local

1. What is the purpose of division?
2. If people want another vote on division, how can they convince the leaders and politicians?
3. Does the west have a better resource base to get provincial status quicker than the east ? What effect would there be if the Beaufort Sea is in the east?
4. The NCF desire for **Inuvialuit** communities in the east is based only on ethnicity - why else would they break up the **Mackenzie Corridor**?
5. Is resource revenue sharing a component of division?
6. If there was a vote on the matter, the Beaufort Sea and Western Arctic communities would go west.
7. Talk of division is a waste of time until land claims are settled. We should forget about division for a while.
8. The WCF bottom line must be that the Beaufort Sea has to be in the west.
9. The support for Beaufort Sea development all comes through the west.
10. It is the political leaders from the east that we hear, not the people there.

Summary of Comments by Residents of Norman Wells

1. A strong central government is important and necessary. At the same time, however, it is also important to provide regional governments with sufficient power and authority to make decisions about certain matters that directly affect the people of the particular region.
2. Regional structures (i.e. regional governments and councils) should be charged with representing areas that are as homogeneous as possible.
3. Members of a regional council should continue to come from the local authorities (i.e. band council, community council or Metis local). Direct elections to a regional council could adversely affect the accountability of its members.
4. The concept of 'one-man-one-vote' is important.
5. Sometimes it appears that we pay too much attention to the boundary issue and not enough attention to the issues involved in constitutional development.
6. **Maybe** we could abandon this idea of dividing the Northwest Territories in **favour** of addressing the concerns and redressing the complaints of the **Inuit**. In this way we could all remain in one territory.
7. On one hand, another plebiscite on the question of division is desirable because it would provide the members of the WCF with

a clear mandate. On the other hand, another plebiscite may serve only to polarize people and cause even more hard feelings between the north's cultural groups.

8. There is a need for the WCF to distribute more information to the people of the western NWT.
9. If division must occur, the Beaufort Sea area must remain in the west.
10. The January 1985 tentative agreement on the location of a boundary for division appears to be the most acceptable boundary alternative.

Summary of Comments by Residents of Colville Lake

1. Division is not important - people are not in **favour** of dividing the land.
2. The treeline is not a good boundary for **Colville** Lake people because it cuts off some of their traditionally used lands.
3. Perhaps the east and west could have their own governments without drawing a boundary.
4. If there are two governments, they will argue with one another and there will be conflicts.
5. The **Inuit** and Dene should meet and work out a boundary together instead of the **Inuit** just doing things on their own.
6. The WCF should return to **Colville** Lake when fewer people are away on the land. It is too important an issue to rush.

Summary of Comments by Residents of Fort Good Hope

1. WCF members were questioned about whether there would be another vote on division.
2. The proposal for a treeline boundary is unacceptable because it does not represent traditional Dene land use and it would result in overlapping boundary problems such as those that currently exist for Fort McPherson people who traditionally used lands now in the Yukon.
3. Resolving the boundary issue should be a first priority if division is going to go ahead so that people will know what they are dealing with. Doubts were expressed about the possibility of ever reaching consensus on a boundary. Whatever is decided should be subject to a binding agreement.
4. Changes to the government which can be agreed to should be implemented now, rather than wait for a new constitution. The main issue for people, **Inuit** and **Inuvialuit** included, is control. Since the Dene want basically the same thing as the **Inuvialuit**, the COPE area can be accommodated in a western territory.
5. Dene in the **Sahtu** area are just as alienated from Yellowknife as the **Inuit** in the Eastern Arctic say they are.
6. The WCF should return to Fort Good Hope at Christmas when people are in town from their bush camps.
7. Division is unattractive since it will leave the Dene in a minority position in a new western territory. For that reason it is essential that the Dene have guaranteed seats in a new government and have constitutional protection for their aboriginal rights, language and culture.
8. Support was expressed for aboriginal people having 30 Percent. of the Legislative Assembly seats guaranteed for them and for

a 10 year residency requirement for voting and holding elected off ice.

Summary of Comments by Residents of Fort Norman

1. There was concern that a boundary for division would place some lands traditionally used by the Dene in an eastern territory.
2. It was suggested that a boundary for division be determined by traditional hunting and trapping areas of the Dene and **Inuit**.
3. Division should not cause animosity or bad feelings between, the **Inuit** and **Dene/Metis**, but rather the boundary should be determined by honest negotiations in good faith by both parties.
4. Opposition was expressed to division, to drawing lines on the map. People should continue to share the land and the hunting areas.
5. A new government should be developed on a region by region basis. Stronger regional governments might make people happier if fewer decisions were made in Yellowknife and people had more control over their own affairs.
6. Communities need a strong foundation and control over such areas as education, health and social services.
7. There was a question regarding the sharing of Beaufort Sea resources.

Summary of Comments at a Meeting of the WCF and Fort Franklin Band Council

1. Division is bad. The land is to be shared.
2. The most important thing is to change the government, with or without division, so that native people have a say and are equal to other Canadians.
3. We have to look at how much division will cost.
4. Division will create new jobs in the east but the west will get nothing from it.
5. How will division affect land claims?

Summary of Comments by Residents of Fort Franklin

1. The development of a new constitution is very important to aboriginal people. Aboriginal people must be involved in this process.
2. The Dene should have a guaranteed majority of the seats in the territorial council.
3. Consensus among all northerners is important in regards to the location of a boundary for division.
4. We are not aware of any **Inuit**, at any time, having hunted, trapped or fished in the Great Bear region. There must be more meetings and more discussions between the Dene and **Inuit** regarding this matter of selecting a boundary for division.
5. The WCF should make every effort to keep people in the communities/settlements aware of what is happening in matters regarding division and constitutional development.

NCF Chairman Meets with David **Crombie**
Ottawa - October 9, 1985

NCF Chairman, Roger Gruben, received a similar response from the Northern Affairs **Minister** as that relayed to the WCF. In a news release following his meeting with Mr. **Crombie**, Mr. Gruben said that the Northern Affairs Minister was pleased by the NCF's commitment to a renewed attempt to work with the WCF and to reach a boundary consensus in the north.

Constitutional Alliance Conference
Call - October 17, 1985

Members of the Nunavut and Western Constitutional Forums held a conference call to set a date and agenda for the next meeting of the Constitutional Alliance. The dates set were November 3-4. The meeting will take place in Yellowknife. The agenda will include discussion of the tentative boundary agreement reached by the Alliance in January, 1985 and the NCF Coppermine Conference held in September. It was agreed that Yellowknife lawyer, John **Bayly**, would chair the meeting.

WCF Meeting
October 22 and 24, 1985

The following matters were discussed at the meetings:

- a) It was decided after consultation with the Deh Cho Regional Council to delay community consultation plans for this region until January, rather than hold a workshop and community meetings in November as originally planned. This was done to give WCF members more time before the end of the year to develop a general proposal for a new government for a western territory;
- b) It was agreed that the WCF would provide up to \$28,000 for a Dene Nation workshop to deal with a constitutional proposal which will then be brought to the next WCF constitutional workshop;
- c) It was agreed that the WCF would set up a display table at the Northern Conference in Edmonton to be attended by WCF Chairman Steve **Kakfwi** and member Larry Tourangeau. A display table will also be set up at the meeting in Ottawa being held to solicit reaction to the **Macdonald** Commission report. That meeting is being attended by WCF Vice-Chairman Bob MacQuarrie and Executive Director Steve Iveson;
- d) Members discussed the upcoming Constitutional Alliance meeting and agreed to continue their discussion on the morning of November 3;
- e) WCF constitutional workshops were scheduled for November 18-20 and December 9-12. However the first workshop was subsequently **cancelled** due to the scheduling of a Dene Nation leadership meeting to deal with a Dene constitutional proposal.

Dene Constitutional Workshop
Edmonton - October 27-28, 1985

The workshop was attended by Dene Nation President Steve **Kakfwi** and Vice-President John Bekale, regional and community delegates and resource people. The purpose of the workshop was to reassess the 1981 Denendeh proposal in light of more recent research and events, including calls for regional governments. The intention is to redraft a Dene constitutional proposal which will be considered at a Dene leadership meeting and then brought to the WCF **negotiating table**.

Northern Conference - Edmonton
October 30- November 1, 1985

This conference was attended by WCF Chairman Steve **Kakfwi** and member Larry Tourangeau who met with senior **DIAND** officials and other delegates to explain the division and boundary process and the issue of constitutional development. A great amount of interest was shown in WCF publications provided to delegates at a display table. A resolution was passed in support of devolution of provincial-type responsibilities to the territories as soon as possible with full and active participation of aboriginal groups. Division was also discussed during the conference sessions in terms of its impact on economic stability and planning.

Conference to Discuss the Recommendations
of the **Macdonald** Commission - Ottawa
October 31- November 1, 1985

This conference was attended by WCF Vice-Chairman Bob MacQuarrie and Executive Director Steve Iveson. The purpose of attending the meeting was to make it known that the WCF supports the recommendation on **devolution** found in the **Macdonald** Commission report as long as aboriginal rights are protected in the process, to make it clear that a boundary for division must be agreed to in the North, and that a boundary commission is an unacceptable method of reaching a solution to the question. The thrust of the WCF presentation was that division can only occur after a consensus has been reached in the north on an acceptable boundary and after constitutions have been developed for the two new territories which will be created. There was keen interest shown at this meeting in the materials provided at a WCF display table.

Meeting of the Constitutional
Alliance of the NWT - **Yellowknife**
November 3-4, 1985

This was the first meeting of the Western and Nunavut Constitutional Forums as the Alliance since January 14, 1985. James **Wah-Shee** had been selected by the western caucus of the Legislative Assembly to replace Nick **Sibbeston** on the WCF; Mr. **Sibbeston** having recently

been appointed as Government Leader. The discussions relating to a boundary for division of the NWT included the following points:

- a) The NCF made it clear that it considered the January agreement on a boundary process a "dead issue", because it was not acceptable to the people which it represents;
- b) The WCF stated that it did not consider a treeline boundary acceptable on the basis of the Alliance's stated objective for division and the 13 principles for considering a boundary, nor was it acceptable to the people which the WCF represents;
- c) The Chairman of the NCF announced that the **Inuvialuit** intended to submit their suggestion for a boundary solution to the two Forums and the Alliance;
- d) The Alliance agreed to meet next in late winter or early spring;
- e) The **Inuvialuit** position on a boundary will be an agenda item for the next Alliance meeting;
- f) Both Forums agreed to consider seriously the **Inuvialuit** position, along with proposals already brought forward by other groups, including the **Inuit**, Dene and Metis;
- g) The WCF announced it would continue with its work in developing a general proposal for a government for a western territory and suggested that the **Inuvialuit** take time to consider this proposal while they looked for a boundary solution.

WCF Meeting
November 14, 1985

The discussion included the following matters:

- a) Options were looked at in order to provide **Inuvialuit** residents of the Western Arctic with information about the **WCF's** boundary position;
- b) It was decided that the WCF would seek an invitation to attend an upcoming meeting of **Inuvialuit** -representatives organized by COPE;
- c) The meeting of the Constitutional Alliance earlier in the month was reviewed;
- d) Plans were made for the next WCF constitutional working session to be held in **Inuvik** in December;
- e) It was decided that Gurston Dacks of the University of Alberta be contacted and asked to prepare a further discussion paper for use in the constitutional workshop;
- f) Members agreed to travel to Fort Resolution on December 16 for a public meeting with residents of that community.

Partners for the Future
Released - November 25, 1985

A new WCF publication, Partners for the Future, was released to the public. It contains a collection of discussion papers prepared to assist the WCF members in their deliberations on a public government system for a new western territory. The papers were used during the WCF constitutional workshop in September and were published so that

interested groups and individuals could be kept up to date with the information relating to constitutional development which is being considered by members in their work.

Dene Leadership Meeting
Inuvik - November 25-29, 1985

A revised and updated version of the Denendeh document was endorsed as a discussion paper by the Dene leadership at a meeting sponsored by the Dene Nation in Inuvik. The document will be presented by the Dene Nation at the next WCF constitutional working session. The workshop is being held as part of the on-going work of WCF members to develop a general proposal for a new government for a western territory.

COPE Board Meeting
Tuktoyaktuk - November 26, 1985

Both the NCF and WCF were invited to make presentations to this special meeting organized by COPE. Representatives of each Forum presented their positions on division and a boundary. The Inuvialuit delegates passed a motion that the WCF and NCF Chairmen, along with a COPE board member, do an information tour of all Western Arctic communities to talk about the issue of division. It was suggested at the meeting that the WCF and NCF provide money for the tour.

Second WCF Constitutional Working
Session - Inuvik - Decmeber 9-11, 1985

WCF members and observers from COPE continued work which began in September to try to reach agreement on principles for a new government for a western territory which will be created if division of the NWT takes place. WCF Chairman Steve Kakfwi, the President of the Dene Nation, presented a paper called, "Denendeh Public Government (1985) Official Discussion Paper of the Dene Nation." WCF Vice-Chairman Bob MacQuarrie, an MLA representing non-aboriginal interests, presented an internal discussion paper for the consideration of other WCF members.

Other WCF members participating in the negotiations were James Wah-Shee, representing the Legislative Assembly, and Larry Tourangeau, of the Metis Association. Included in the talks were Metis representatives, Vic Mercredi and Harold Cook; Alvin Yallee, Vice-President of the Dene Nation; and Bill Erasmus of the Dene/Metis Negotiating Secretariat. Sam Raddi, Emmanuel Felix and Shirley Kisoun attended the sessions as observers on behalf of COPE. The workshop was attended by observers from the NWT government, DIAND, the federal Minister's Office and the Council for Yukon Indians.

WCF members agreed to hold their next constitutional session the last week of January. In the meantime WCF staff has been requested to provide additional information to members for their consideration.

Public Reception and Meeting
Inuvik - December 10-11, 1985

While in Inuvik for their constitutional working session, WCF members met residents of Inuvik at a public reception one evening and then held a public meeting the following night.

Summary of Comments by Residents of Inuvik

1. How long until provincial status is realized?
2. Is division necessary and economically feasible?
3. One man said he did not believe it would be possible or realistic to expect that a consensus can be achieved on the boundary question.
4. It is not fair to ask communities in the **Delta/Beaufort** area to make a decision on the boundary question. What happens if a community is split in opinion as to where the boundary should go?
5. The Legislative Assembly does not have enough of a mandate to pursue the division question.
6. People in the west have compromised by supporting division; the west should not compromise on the boundary and should leave initiatives toward division and settling the boundary to the east.
7. Division should not occur because it will complicate the land claims of all northern aboriginal peoples.
8. There should be another plebiscite with people asked whether they support division as well as specific questions regarding a boundary for division.
9. The WCF should go to eastern communities to explain the western perspective to eastern NWT residents.

WCF Meeting - **Inuvik**
December 11, 1985

The following matters were discussed:

- a) It was agreed to postpone public meetings in Snowdrift and Fort Resolution until February. A meeting had been scheduled for December 16 in Fort Resolution but the date conflicted with plans of some members and was not an ideal time for the community because of plans for Christmas and other activities;
- b) It was decided to put off community consultation work in the Deh Cho region for the time being to allow members to concentrate their efforts on the development of a constitutional package;
- c) It was agreed to work with COPE on a possible tour of Inuvialuit communities prior to the Inuvialuit coming to a position on a boundary for division;
- d) Approval was given for WCF staff to proceed with plans to produce a slide show for use in community consultation.

COPE Resigns as Full Member
of NCF - December 12, 1985

In a letter to the Nunavut Constitutional Forum, COPE President Billy Day resigned his organization as a full member of the NCF. It will

maintain observer status on the NCF as it currently does on the WCF. Full membership on both Forums has always been available to COPE. The move was made so COPE could remain neutral in the boundary discussions between the two Forums and in the communities which it represents.

Special Joint Meeting of Dogrib, Deh Cho
and South Slave Regional Councils
Hay River - January 6-7, 1986

WCF Chairman Steve **Kakfwi** made a presentation to this meeting which was attended by members of the three regional councils. He explained the work of the WCF, the current status of its efforts to reach agreement on principles for a constitution for a new western territory, and the status of boundary negotiations with the NCF. **Mr. Kakfwi** had been requested to make the presentation so that delegates to the meeting could be kept up to date.

WCF Staff/Resource People Workshop
Yellowknife - January 7, 9, 10, 1986

WCF Executive Director Steve Iveson, and staff members Deborah O'Connell and Aggie Brockman, met with resource people Dick **Spaulding**, David Elliott, John **Bayly**, **Gurston Dacks**, Joanne **Barnaby** and Dan Mandin during this week to work out a range of options for addressing issues which WCF members have been considering in their own working sessions. The issues include such items as guaranteed representation, the entrenchment of cultural or aboriginal rights, the ability to control decisions which affect a cultural/aboriginal group directly, and the powers and structure of local and possibly regional governments. The objective was to produce something which would help individual WCF members develop their own positions in greater detail, and simultaneously help the WCF negotiation process move ahead.

Meeting of COPE President and **WCF/NCF**
Chairmen - **Yellowknife** - January 12, 1986

WCF Chairman Steve **Kakfwi** and NCF Chairman Roger Gruben met with Billy Day, the President of the Committee for Original Peoples Entitlement in Yellowknife. They discussed relations between the two Forums and an upcoming tour of the Western Arctic by the NCF and a survey being taken by COPE to come up with an **Inuvialuit** position on the boundary for division.

WCF Public Meeting - Fort Resolution
January 27, 1986

Approximately 30 residents of the community attended the public meeting.

Summary of Comments by Residents of Fort Resolution

General

1. There should be more information regarding division, constitutional development and, in general, the work of the Forum distributed to people in the communities, especially in those communities that will be located close to a possible boundary for division.
2. The settlement of aboriginal land claims is our first priority. Our leaders should concentrate their efforts and energy in this area. Constitutional development work is, however, very important and the WCF should concentrate on this.

Boundary

1. If division occurs, the boundary should be far enough away from communities like Lac La Martre, Snowdrift, Snare Lake and Rae Lakes so that the boundary doesn't adversely affect the hunters and trappers in those communities.
2. If and when the two Forums reach a tentative agreement on the location of a boundary for division, this tentative 'agreement must be brought back to the communities so that we can have our say on it too.

Constitutional Development

1. Any new form of government for the western territory must include mechanisms that will ensure the protection of aboriginal rights. Guaranteed representation at all levels of government decision-making is very important.
2. Regional government structures could derive authority from two sources: special authorities could be given to regional government structures directly by the central government; and, secondly, local governments could be given the option of passing some of their powers to the regional structure.
3. Keep us informed about what is going on. We want to hear from you again when you have a tentative agreement on a constitutional package.

Division

1. Division isn't much of an issue to the people of Fort Resolution.
2. We are one people with one land and should continue to live together. We have in the past and we can continue to share this land and its resources. Division should not be pursued at this time.
3. It seems like division is serving the needs and wishes of our leaders and not necessarily the needs and wishes of the people in the communities.

COPE Requests Funding for Development of an **Inuvialuit** Boundary Position

The president of COPE requested that the WCF contribute \$3,790 toward the cost of the fieldwork and surveying necessary for COPE

to develop an **Inuvialuit** position on the boundary for division. COPE expects to have completed the fieldwork, a house to house survey of **Inuvialuit** households in all six communities, and have a report prepared for the COPE Annual General Assembly on February 24-26. The WCF responded that it would be prepared to give COPE the requested funding on the condition that 'a copy of the COPE report be forwarded to the WCF prior to the COPE Assembly.

WCF Meeting
February 25, 1986

The following matters were discussed:

- a) Members were advised that the Dene Nation Denendeh 1985 paper was being revised to include a position on economic matters;
- b) Members were informed that a lengthy report on the workshop for WCF staff and resource people held in January would be available in a day or two;
- c) No date was set for the next constitutional workshop for WCF members since WCF Chairman Steve **Kakfwi** is on extended leave until the end of March;
- d) It was agreed that the WCF would provide one half of the cost, up to a maximum of \$3,500, for a Dene Nation intervention into the court case involving residency requirements in the Yukon;
- e) Members agreed that a letter be sent to Western Arctic MP Dave Nickerson regarding Bill C-262, a Private Members Bill introduced by Nunatsiak MP Thomas **Suluk**. The Bill, if passed, would change the name of the Nunatsiak riding to Nunavut. Members agreed to follow up this letter with personal contact with Mr. Nickerson in order to encourage him to block passage of the bill or debate in the House of Commons on the issue of division;
- f) Members said they would be unavailable to travel to Snowdrift for a public meeting on March 19 and suggested it be rescheduled for the first week of April;
- g) Member Bob **MacQuarrie** expressed his displeasure with the Tungavik Federation of Nunavut's Impact and Benefits sub-agreement to the **Inuit** land claim. He requested that other members give him assurances in the near future that there would be no attempts in a western territory to undermine public government principles;
- h) Members passed a motion approving a revised budget for 1985/86, 1986/87 and six months of 1987;
- i) Members were informed that the WCF office had yet to receive the results of the COPE community survey on the boundary for division. However members decided to attend the COPE AGM the following day and make a presentation. Staff was instructed to attempt to get the survey results before the meeting the following day, as COPE had made a commitment to make the results available to the WCF before their presentation;
- j) Members agreed that Bob **MacQuarrie** would represent the WCF at the summit meeting of northern leaders proposed by Nick Sibbeston, with Steve **Iveson** attending as a resource person. Members agreed that the Metis Association and Dene Nation would not attend a separate summit proposed by Roger Gruben because of restrictions which he was trying to place on who could attend.

COPE Community Consensus Opinion Poll on
Suggested Boundaries - February 25, 1986

The WCF office received the results of the COPE survey by telephone. A total of 813 people were interviewed to fill out a questionnaire which asked if people favoured a north/south or a treeline boundary. Although the option of having no division was not on the questionnaire, 360 people said that was their first choice; 219 people indicated a preference for a north/south boundary with an additional 98 people agreeing but only as a second choice to no division. A total of 217 people favoured a treeline boundary; 4 more said that was their second choice if division had to go ahead.

COPE Annual General Meeting
Aklavik - February 24-26, 1986

The results of the COPE survey were presented at the annual meeting. This was followed by presentations by NCF Chairman Roger Gruben and then WCF members Bob MacQuarrie, Larry Tourangeau and John Bekale. Most of the questions directed at WCF members indicated opposition to division or a desire to have **guarantees** for regional government for the Inuvialuit. The COPE delegates developed their position on division and the boundary after the WCF, NCF and media had left the meeting.

COPE President Billy Day said on CBC radio later, that even though the majority of Inuvialuit interviewed had opposed division, COPE itself decided to remain neutral on the issue.

The resolutions passed regarding the work of the Constitutional Alliance were:

- a) That NCF Chairman Roger Gruben should resign from that post by April 1, 1986 in order to devote himself entirely to his position as Chief Councillor of the Inuvialuit Regional Corporation;
- b) That a plebiscite to be held by the NCF in Inuvialuit communities include the questions:
 - Do you want a treeline boundary?
 - Do you want a north/south boundary?
 - Do you want division?and that the results be submitted to the COPE President by March 31, 1986;
- c) That COPE remain neutral to the WCF and NCF until both Forums can guarantee in their constitutions the rights of aboriginal peoples and the concept of regional government; and that if the two Forums cannot resolve the boundary issue, that the federal government establish a boundary commission which includes Inuvialuit representation.

WCF Meeting
March 14, 1986

The following matters were discussed:

- a) Members agreed to tentative dates for their next constitutional workshop. The dates are April 28-29 in Yellowknife, or alternately, May 6-8;
- b) It was agreed that James Wah-Shee, or his alternate Richard Nerysoo, would attend the northern native leaders meeting on March 19 in Ottawa on behalf of the WCF;
- c) Members agreed that a Constitutional Alliance meeting should be arranged in order for COPE to have the opportunity to present the results of its survey of Inuvialuit on the boundary;
- d) It was agreed that a meeting requested by the Mayor of Hay River would have to wait until after the WCF had completed its first round of community consultation since members have already met with the Hay River Town Council;
- e) It was agreed that Western Arctic MP Dave Nickerson would be contacted as a follow-up to previous correspondence regarding a Private Members Bill introduced by Nunatsiak MP Thomas Suluk to change the name of his constituency to Nunavut;
- f) Members agreed to hold a WCF public meeting in Snowdrift on April 9, 1986;
- g) Members agreed that a community consultation workshop for the Delta should be arranged sometime in April;
- h) It was agreed that the Standing Committee on Indian Affairs and Northern Development should be informed that the WCF would be willing to provide an update on its activities during a northern tour by the Committee in April;
- i) Members were requested to inform Bob MacQuarrie or James Wah-Shee before the next Legislative Assembly session if they have any comments on the sessional paper dealing with constitutional and political development in the NWT.

Native Leaders Meeting
Ottawa - March 19, 1986

The meeting was called by NCF Chairman Roger Gruben in order for northern aboriginal leaders to discuss strategy before a northern leaders summit meeting being organized by Government Leader Nick Sibbeston. Inuit representative John Amagoalik indicated interest in making some kind of deal regarding division and devolution with the Dene and Metis representatives. However, this was not expanded on after Dene/Metis land claims negotiator Bob Overvold made it clear that he supports the Constitutional Alliance process as the forum for discussions on division and a political boundary.

NCF Plebiscite Proclamation
March 27, 1986

The Nunavut Constitutional Forum plebiscite proclamation was published in a northern weekly newspaper, News/North, confirming NCF intentions

to hold a plebiscite among **Inuvialuit** in the six **Inuvialuit** communities on April 14, 1986.

WCF Meeting
April 1, 1986

The following matters were discussed:

- a) A motion was passed that the WCF renew its secondment agreement with the GNWT to secure the services of Executive Director Steve **Iveson** for another year;
- b) Members approved a revised job description for the position of Research and Administrative Assistant to be advertised in northern newspapers;
- c) A report was given verbally on the aboriginal leaders meeting held in Ottawa on March 19, 1986;
- d) Members were informed that the WCF budget had not yet been dealt with by Treasury Board;
- e) Members were informed that the NCF intends to go ahead with its proposed plebiscite for **Inuvialuit** which would ask if they want their community to be part of Nunavut;
- f) Steve **Iveson** reported that NCF Chairman Roger Gruben had tentatively agreed during a telephone conversation to an Alliance meeting sometime in the first week of May;
- g) It was agreed that a news release be issued expressing WCF concerns about the proposed NCF plebiscite;
- h) It was agreed that WCF concerns about the plebiscite should be relayed by letter to all federal MPs;
- i) It was agreed that WCF Vice-Chairman, Bob **MacQuarrie**, should represent the WCF at the Northern Leaders Summit on April 23-24 since other members would already be there representing their respective organizations;
- j) **Members** agreed to the week of May 12 for a constitutional working session with Fort Good Hope as a tentative location;
- k) Members were informed that the cost to the Dene Nation of intervening in the Yukon Court of Appeal; **Hedstrom** vs. Yukon Territorial Government, was almost double what had been anticipated. The court upheld the Yukon Government's one-year residency requirement for territorial elections. Members decided to consider increasing its funding for the Dene Nation intervention at the next WCF meeting;
- l) An update on community consultation plans was given which included a public meeting in Snowdrift on April 9 and a workshop in the Delta at the end of the month.

WCF News Release Re: NCF
Plebiscite - April 2, 1986

The WCF issued a news release outlining its concerns about the proposed NCF plebiscite to be held on April 14. The concerns outlined were:

- a) The plebiscite is being carried out by a party with a biased interest in the results;

- b) There is no agreement with other parties, such as COPE or the WCF, for the plebiscite and the results will not be binding on the WCF or any other party or government;
- c) The opinion of **Inuvialuit** on the boundary question has already been surveyed by COPE, as agreed to by the Constitutional Alliance;
- d) The plebiscite ignores the questions suggested by the COPE Annual General Meeting - Do you want a treeline boundary? Do you want a north/south boundary? Do you want division?
- e) The boundary for division affects all NWT residents so any vote on the issue should involve all residents and regions, not just specific people within one region.

A letter was also sent to NCF Chairman-elect, John **Amagoalik**, outlining these concerns and requesting a meeting of the Constitutional Alliance so that the results of the COPE opinion survey could be considered as agreed to by the two Forums at the last Alliance meeting in November, 1985.

Letter to Federal MPs
April 9, 1986

A letter was sent to all federal members of Parliament outlining the WCF concerns regarding the proposed NCF plebiscite for **Inuvialuit** on the boundary issue. The concerns were the same as those presented in the WCF news release of April 2, 1986.

WCF Public Meeting
Snowdrift - April 9, 1986

WCF Chairman **Steve Kakfwi**, Vice-Chairman **Bob MacQuarrie**, and member **James Wah-Shee** were in Snowdrift for a public meeting in the community.

Summary of Comments by Residents of Snowdrift

1. Northerners will have a stronger voice in Canadian confederation if they remain united in one territory.
2. Modern technology should be used to improve the transportation and communication links in the NWT so that division is not necessary. The example was given of the transCanada railway built to unite Canada and to make it possible for British Columbia to join confederation.
3. It is the multilingual/multicultural aspect of the NWT with the Dene, Metis, Inuit and non-aboriginal people living together that makes it a special place.
4. The lack of party politics has created political divisions along regional lines instead of on a philosophical basis.
5. There was a great deal of concern about any division or boundary that would interfere with the people of Snowdrift's traditional use of the barrenlands. This included concern about whether agreements made now would be **honoured** in the future.
6. The treeline boundary is unacceptable if division has to take place.

7. We are now told there is not enough money for many things, and there is the fear that there will be even less money available if there are two territorial governments to fund instead of one.
8. There was concern that the federal government will decide on a boundary without any advice or consultation with people.
9. People were not well-informed about division when the 1982 plebiscite took place.
10. The land is to share among all people. The Inuit should work together with other peoples on constitutional development and division instead of going off on their own and making decisions or trying to get the federal government to make decisions which ignore the interests of other peoples.
11. Opposition to division was expressed if it is going to be tied to self-government because people aren't ready for that right now.
12. Constitutional development should begin at the community level.
13. The Dene need time to work on other issues such as claims and community development, etc. and if they interfere or cause confusion, the issues of division and a boundary should be dropped for now.
14. People should not be forced to make decisions on the transfer of powers, boundaries and other issues related to constitutional development and division until they are ready, and that may take some time.
15. It is important that there be an aboriginal majority.
16. More consultation and workshops are needed so people can understand these issues.

Deh Cho Regional Council Meeting
Fort Providence - April 11, 1986

Community liaison coordinator, Aggie Brockman, made a brief presentation to the Regional Council meeting in order to inform community representatives of WCF plans for community consultation. Delegates suggested that a regional workshop be held in conjunction with the next Deh Cho regional meeting in late summer or fall and that the community meetings follow that workshop.

NCF Postpones Plebiscite
April 11, 1986

NCF Chairman Roger Gruben announced that the NCF plebiscite to be held April 14 will be put on hold. He says the results of the April 7 advance poll are now invalid and that a new plebiscite will be arranged. The new plebiscite will be open to all three-year residents of the communities of Aklavik, Inuvik, Sachs Harbour, Tuktoyaktuk, Paulatuk and Holman, rather than just the Inuvialuit residents as originally planned. The question for the new plebiscite will be the same, "On the occasion of division of the Northwest Territories, would you want your community to be in Nunavut?" NO date has been announced for the new plebiscite.

The change in voter eligibility does nothing to change the WCF position that the plebiscite should not take place. The WCF would prefer that

work on a boundary agreement proceed as soon as possible within the Alliance starting with consideration of the COPE survey results.

Presentation to Standing Committee
on Elections and Electoral Districts
Ottawa - April 17, 1986

WCF Vice-Chairman Bob **MacQuarrie** travelled to Ottawa to make a presentation to this standing committee regarding attempts by Nunatsiak MP Thomas **Suluk** to rename his constituency, **Nunavut**. The WCF has concerns about a renaming of the constituency at this time since it believes such a move would add further confusion to the division issue and negotiations on a boundary for division.

Standing Committee on Indian Affairs
and Northern Development
Yellowknife - April 23, 1986

During a northern tour of the Committee, WCF Chairman **Steve Kakfwi** made a presentation on behalf of the WCF. He provided the Committee with an update on WCF activities and progress as well as on its position regarding division and constitutional development issues.

Northern Leaders Summit Meeting
Yellowknife - April 23-24, 1986

N WT aboriginal leaders and territorial government representatives met in Yellow knife to discuss the issues of division, **devolution** and political development. While members of both the WCF and NCF were present, neither Forum was officially represented. Consequently, the results of the meeting are not binding on either Forum or the Constitutional Alliance.

Discussions focused on the boundary issue and the importance of resolving the boundary question in order to deal effectively with other items such as **devolution**. A follow-up meeting was scheduled for May 12-13, 1986 in Rankin Inlet, which might result in a recommendation on a boundary which could then be taken to the Constitutional Alliance. It is expected that northern leaders will also discuss a Memorandum of Understanding about **devolution** which could be signed by the territorial government and all aboriginal organizations. (The follow-up meeting never took place. It was agreed that selecting a boundary for division was the business of the Constitutional Alliance.)

Delta/Beaufort Regional Consultation
Workshop - Aklavik - April 30- May 1, 1986

This was the sixth regional consultation workshop run by WCF staff. Delegates from municipal councils, Dene band councils, Metis locals, COPE boards or Inuvialuit community corporations from the communities of Aklavik, Inuvik, Sachs Harbour, Paulatuk, Arctic Red River and

Fort McPherson attended the workshop. Delegates reviewed the 12 WCF information pamphlets as well as a discussion paper, "Inuvialuit Self-Government in a Western Territory" and the principles of a consociation model of government. The communities of Tuktoyaktuk and Holman were also invited.

General Discussion on Division

- Division is no advantage to us. The real issue is constitutional development at the community and regional level.
- There will be financial difficulties trying to support two territorial governments instead of just one.
- Division will be bad because aboriginal people will become a minority immediately in a new western territory.
- When I think of division, I always think of the Beaufort Sea oil and gas and about how the NCF Chairman said they would be using it as a bargaining tool.
- We should meet halfway on the boundary, rather than have a line with a third of the land in the west and two-thirds in the east.
- There were feelings expressed that people, including those in the Eastern Arctic, did not understand what the 1982 plebiscite was all about. People suggested that the results would be much different if another plebiscite was held today.
- It doesn't make sense to have Tuktoyaktuk and Frobisher Bay in the same territory if the idea is to create two smaller, more easily-governed jurisdictions.
- An imaginary boundary already exists in terms of transportation links and that is a north/south boundary.
- Transfers of power from Ottawa will occur faster with one united territory.

It was eventually agreed that the rest of the workshop would concentrate on constitutional development issues and for the purpose of those discussions, delegates would work on the assumption of division occurring **along** the claims boundaries with the **Inuvialuit** and Dene/Metis settlement areas in the west and the TFN claim area in the east.

Pamphlet #1 Our Colonial Past, #2 Why this Approach?, #3 What Are The Issues ? and #4 What Is Northern Society? generated little discussion.

Pamphlet #5 Aboriginal Rights was reviewed and the comments on it included the following.

- The biggest problem is defining what aboriginal rights are.
- How would aboriginal self-government fit into a public government like we have now?
- The Loucheux of the Delta are interested in securing aboriginal self-government at the community and regional level.
- Aklavik is a mixed community which doesn't seem to fit into the regular scheme of things, a WARM or a Delta Regional Council, etc.
- There will be difficulty getting consensus from all of the various cultural groups on any one constitutional proposal.

People should be elected to positions on their merit, not their cultural affiliation or participation in a group.

Attempts are being made to work together on common interests. This was expressed by both Dene, Metis and **Inuvialuit** delegates. Most people agreed that in their political and economic dealings, they operated on the basis of distinct cultural groups.

- The territorial government is pushing the establishment of regional councils with advisory powers.
- Regional councils with advisory powers don't accomplish anything.
- The non-native view is that people should not be guaranteed anything on the basis of **ethnicity**. The system as it is now is fine.

Pamphlet #6 Guaranteed Representation was reviewed and these comments followed.

- There are non-aboriginal people who have been in the north for 30 to 40 years. Some of us take offense to the WCF information pamphlets and the way non-aboriginal people are portrayed in the past.
- Aboriginal people should have some rights guaranteed, such as rights to culture, identity, and to having a say in government. We are not interested in assimilation and there are no guarantees in place now.
- There was discussion that guaranteed representation is not necessary perhaps right now, but it should be put in place to protect both aboriginal peoples and long-term non-aboriginal residents from future influxes of population.
- I appreciate the idea of guaranteed representation but not sure how it would work. If people were elected along cultural lines, it would be like party politics where elected people are bound to represent certain interests. That might be acceptable elsewhere but not at the municipal level. It does happen with certain interest groups, but I'm not sure whether the formal labels are acceptable.
- Guaranteed representation could work, in **Inuvik** for example, if the aboriginal groups which already hold elections incorporate elections for municipal representatives.

The general comments were as follows.

- There is resentment that all non-aboriginal people get lumped into one pot as transients when many have made long-time contributions to the north.
- This workshop is good because community views are being sought rather than the views of consultants or outside advisors.
- People are tired of the division issue and the fighting which it is causing between eastern and western politicians.
- There was a question about the relationship between the Beaufort communities and the Eastern Arctic. A Beaufort resident responded by giving the example of Eastern Arctic representatives unilaterally withdrawing the **Inuit** land claim in the '70s without consultation with Western Arctic **Inuvialuit** as an indication of the relationship.
- There was also a discussion about whether it would be beneficial if the Dene/Metis land claim was settled before division. One delegate said it would be good if that could happen because of the work involved in negotiating a claim and the problems of having other issues

interfere. Another delegate said that the **Inuvialuit** are stronger because their claim is settled and therefore they have been successful in pushing the boundary for division further east so that the six **Inuvialuit** community corporations can remain **together in one** territory.

- Delegates discussed band councils which exist in Dene communities in the Mackenzie Valley and the **Inuvialuit** community councils which have just been set up under the COPE claim and the similarities between the two. There was also a discussion of how different community groups can work together in places like Fort McPherson where the settlement, Dene band and Metis local hold joint **meetings**; the community council in Fort Good Hope was also looked at as an example of an amalgamation of different community bodies.
- Delegates talked about how communities want more responsibility through hamlet status but are not necessarily willing to go with that structure.
- One delegate commented that it is important for communities to work out their goals and concerns before looking at dealing with other communities on common concerns through a regional government.

Steve Iveson reviewed a paper, "**Inuvialuit** Self-Government in a Western Territory, " included in the WCF publication Partners for the Future. The comments of participants follow.

- The WARM proposal is now outdated. Things are different in each community. For example, in **Aklavik** there is no question that we have to work together with the Dene and Metis on an equal basis.
- Aboriginal people want their rights protected in any transfer of power from the federal government to the territorial government.
- What those rights are must be defined before any transfers take place.
- A transfer of powers will slow down the settlement of outstanding claims. That is happening now with the **Inuit**.
- **Devolution** should go slow so that people understand and can work out the best deal.
- The NWT could gain in devolution talks if the government and aboriginal groups work together and solve claims at the same time. **Devolution** shouldn't take place until there are at least agreements in principle signed on outstanding claims.
- Education is an example of a responsibility that was devolved to the GNWT without the participation of aboriginal people. Aboriginal people still don't have any direct control over their own education, only an advisory function.
- Other comments included concern with the lack of aboriginal values and history in the education system, although people indicated that things have improved since many of them went to school.

Steve Iveson explained the eight basic principles of the consociation or partnership approach. These general comments followed.

- The **Inuvialuit** have full control of surface and sub-surface 7(1)(a) lands however we do not have political **power** over it.
- Who is going to define rights and how are they going to be defined because so much emphasis is put on these rights, and how can we veto things that might concern our rights?

The NCF discussed our rights with us (Beaufort residents) but most people didn't understand.

- **Consociation** is a positive idea, a workable idea, but it will take a lot of work. At least we could be guaranteed our rights.
- Bureaucrats are generally the ones who pass the laws into legislation and then we in the communities have to live or suffer with it. This kind of concept should consider this fact.
- Any new model that is set up has to seriously consider the protection of aboriginal rights.

The overall general comments about the workshop included the following.

- My basic concerns were about aboriginal rights and the definition of them.
- There should be some sort of balancing of power in government from community to regional to territorial because right now there is no balance.

I think this type of meeting should have been done from the beginning when they structured both Forums. It should be the people that have to live with the laws that tell them what they want.

Things like the education system should be defined more before any final decisions are made.

Things have to get worked out at the community level before they can be done at the regional and territorial level.

- I don't agree with boundaries at all.

Things are really moving fast in the north but, we still have a long way to go. Groups have to learn to work together to ensure that everyone's rights are recognized in the transfer of powers.

Aboriginal people have been misrepresented and misled in a lot of ways, both politically and morally. We realize we **all** have to work together to be able to attain some of these goals and to be respected people for the NWT.

I think we should have a lot more workshops like this. This kind of workshop is much better than the meetings we have with the government where they pound on the table and say look...

This is my second workshop and I'm starting to understand more about it.

Snowdrift Community Workshop May 6-7, 1986

WCF Chairman Steve **Kakfwi** participated in this workshop held to discuss with Snowdrift residents, the issues of land claims, land selection, political development and the proposal for an East Arm National Park. The workshop was also attended by WCF Executive Director Steve Iveson. Snowdrift residents had the opportunity to find out more about each issue and how they interrelate.

WCF Members Appear at Special City Council Meeting - **Yellowknife** - May 8, 1986

Members of the WCF were invited to make presentations and answer questions at a special meeting of the Yellowknife City Council called

in response to concern about the proposed NCF plebiscite in **Inuvialuit** communities. Following discussion about the work of the WCF and the status of boundary negotiations, City Council members passed a motion reaffirming their support for the WCF north/south position on a boundary and its constitutional work. The motion also suggested that WCF sponsor a conference of community leaders to gain further support for the Forum's endeavors.

TFN-Dene/Metis Land Claims Boundary
Agreement - **Yellowknife** - May 9, 1986

Representatives of the Tungavik Federation of Nunavut and the **Dene/Metis** Negotiating Secretariat reached a tentative agreement on a boundary between their respective land claims settlement areas as well as on an overlap area which will be jointly used and managed. The agreement must yet be ratified by each party. In determining a political boundary for division of the NWT into two new territories, consideration will likely be given to the land claims boundary between the two claimant groups.

WCF Annual General Meeting
Yellowknife - May 30, 1986

The following matters were discussed:

- a) A motion was passed adopting the auditor's report of the financial statements for the fiscal year 1985/86;
- b) Members approved a revised budget for 1986/87 and expressed concern about the reduction in funding approved by the federal government;
- c) **Steve Kakfwi**, President of the Dene Nation, will continue as Chairman of the WCF and **Bob MacQuarrie**, MLA Yellowknife Centre, will continue as Vice-Chairman for the next year. **Steve Iveson** will continue in the position as Secretary-Treasurer. The positions were filled by acclamation;
- d) Members agreed that the Third Constitutional Working Session June 4-6 would follow the format of **Steve Iveson's** paper, "Further Analysis of a Partnership Approach to Constitutional Development in the Western Northwest Territories";
- e) Members discussed strategy in preparation for the next Constitutional Alliance meeting which they hope will take place in early June.

Third Constitutional Working Session
Yellowknife - June 4-6, 1986

This was the third working session as the WCF attempts to develop a constitution for a western territory which will be created with division of the NWT. WCF members and their alternates, and representatives of the **Inuvialuit** who maintain observer status on the WCF, spent three days examining in detail the principles of a consociation model of government. Their talks were based on a discussion paper, "Further Analysis of a Partnership Approach to Constitutional Development

in the Western Northwest Territories". prepared by the WCF Executive Director Steve Iveson. The issues of regional and community governments were also discussed.

The leaders of each group at the table agreed to get together again in a few weeks (July 7-8) to try to agree on some principles for the central or territorial level of government in a western territory. The WCF Secretariat was directed to prepare more concrete options for consideration at the next session based on members' comments. The principles upon which they were asked to base their alternatives are as follows.

Principles of Consociation

The idea of partnership is based on two fundamental principles. The first is that the system of democracy based on majority rule must be maintained. The second is that the rights of minority cultural communities within the population must be protected. The partnership model assumes that there will be certain matters that will be under the control of particular cultural communities and others that will be handled more generally on the basis of majority rule.

1. The idea of partnership discussed by WCF members assumes that it would be stated explicitly in the constitution that one objective of government is to ensure that each of the cultural communities must be allowed to flourish regardless of its proportion of the total population. These named communities would be the Dene, the **Metis**, the Inuvialuit, and the non-aboriginal (the official name of this last cultural group would be determined later).
2. Each cultural community would be guaranteed direct representation in the Legislative Assembly. The proportion of seats would be based upon representation by population but each cultural community would be guaranteed a minimum percentage of the total **seats**.
3. Each cultural community would be guaranteed representation on the Executive Council.
4. Collective cultural rights, powers and responsibilities would be defined and entrenched in a constitution. The model is based upon symmetry, however there might be a few additional rights or powers affirmed to aboriginal **peoples** as a result of recognized aboriginal rights.
5. Each cultural community, via its cultural caucus in the Legislative Assembly, would have a veto over all legislation, regulations, etc. which directly affect its cultural rights, and for the aboriginal communities, any additional aboriginal rights.
6. Each cultural community via a separate cultural council would have the right to legislate and administer services and programs which flow from at least some of the cultural/aboriginal rights.
7. All items of common interest to **all** northern residents (and these would be the majority) would be under the jurisdiction of the Legislative Assembly which legislates on the basis of simple majority rule.
8. Each cultural community would have a veto over amendments to the constitution. This could mean amendments to sections affecting cultural/aboriginal rights and powers or **it** could mean amendments to all sections.

The discussion of this **consociation** model was directed primarily at the territorial level of government. There was not enough time to consider the important issues of vesting authority at the local or possibly regional levels, the structures of local or possibly regional governments, and the special relationship that exists between aboriginal peoples and the land which requires protection. Consociation could, of course, suggest some ideas for representation and the exercise of rights at other levels of government as well.

It is important to note that WCF members outlined these principles at this time for discussion purposes only and that no member is as yet formally committed to these or any other constitutional principles.

NCF Meeting with **Inuvialuit** Leadership
Edmonton - June 14, 1986

Representatives of the **Nunavut** Constitutional Forum and the **Inuvialuit** met in Edmonton. A news release issued after the meeting stated that the **Inuit** and **Inuvialuit** believe the land claims boundary negotiated by the TFN and **Dene/Metis** should form the political division between **Nunavut** and a western territory south of **Inuvialuit** lands. The release says that the question of a political boundary in relation to **Inuvialuit** lands should be settled by the **Inuvialuit**, in consultation with other interested peoples and groups. The **Inuit** and **Inuvialuit** say any final decisions on division must be worked out by all groups involved through discussion and negotiation.

Inuvialuit Leadership Meeting with Some
WCF Members - **Yellowknife** - June 17, 1986

NCF member Bob Kadlun, COPE President Billy Day, and Chief Councillor of the **Inuvialuit** Regional Corporation Roger Gruben, requested the meeting with WCF Chairman Steve **Kakfwi** and member **Larry Tourangeau**. They wanted to discuss the position of the **Inuvialuit** regarding the resolution of the boundary for division and funding for constitutional development work. They presented their position on what they think is required for a boundary solution by the fall. Mr. **Kakfwi** and Mr. **Tourangeau** said they would respond when a written proposal had been submitted for consideration. Mr. Gruben said this would be forthcoming by the end of the month.

WCF Meeting
June 20, 1986

The following matters were discussed:

- a) **Members** reviewed the meeting which took place earlier in the week between WCF Chairman Steve **Kakfwi** and member **Larry Tourangeau** and representatives of the **Inuvialuit** and NCF;
- b) **Members** agreed that a letter should be sent to the NCF clarifying the WCF'S position on a boundary agreement and constitutional development;

- c) Members confirmed their ability to attend a meeting of the Constitutional Alliance on either the weekend of June 28 or July 4-5;
- d) Members confirmed the dates of July 7-8 for the fourth constitutional working session at which time they, along with Billy Day of COPE, would attempt to reach agreement on some principles for the central level of government in a new western territory.

Constitutional Alliance Meeting

Efforts have been made by the WCF to organize a meeting of the Constitutional Alliance for late June or early July. The WCF believes the boundary question must be resolved in the very near future and that all parties are in a position to make such an agreement. Unfortunately, suitable dates have not yet been arranged.

Consultants' Workshop Yellowknife - June 23-25, 1986

WCF staff and resource people met to discuss in greater detail and look at specific ways to implement some of the principles of consociation. The results of this workshop will be presented to WCF members and CCPE President Billy Day at the fourth constitutional working session scheduled for July 7-8.

Metis Association Annual Assembly Fort Resolution - June 25-28, 1986

Metis President Larry Tourangeau presented a report on the activities of the WCF and the Metis Association's participation in that work.

WCF Letter to NCF July 2, 1986

WCF members decided a letter should be sent to the NCF Chairman John Amagoalik, clarifying the WCF position on a boundary for division and constitutional development. In the letter, WCF Chairman Steve Kakfwi stated that the WCF is committed to reaching a boundary agreement by the fall. He said that if this deadline is to be met it would be impractical to require a constitutional agreement with the Inuvialuit as a prerequisite. Rather, a boundary agreement is necessary before the Inuvialuit and members of the WCF can reach an agreement on principles for a constitution for a new western territory which will protect the rights and interests of the Inuvialuit, the Dene and the Metis.

He suggested that delaying a boundary agreement would be futile since the money for any Inuvialuit constitutional work would likely not be available for some time and possibly not at all without such an agreement first. Mr. Kakfwi also said the WCF would like the Inuvialuit to work as equal participants in the Western Constitutional Forum

rather than set up a third distinct group under the Constitutional Alliance. This would give the **Inuvialuit** the same protections as other parties to the WCF including a veto over all substantive decisions on constitutional development.

Fourth Constitutional Working Session
Yellowknife - July 7-8, 1986

WCF members came to a tentative agreement on some principles for a **consociation** model of government for a new western territory at this working session. A paper presenting options for their consideration was used as a basis for discussions. Members agreed to hold another working session in early fall. In the meantime WCF staff was instructed to prepare a list of cultural interests which might be exclusive and a list where there would be shared interest and jurisdiction.

Date Set for Meeting of the
Constitutional **Alliance** - July 8, 1986

During a conference call it was agreed by both the NCF and WCF that the next meeting of the Constitutional Alliance of the NWT would be held August 26-27 in Rankin Inlet. The location of the meeting was later changed to Winnipeg. The agenda for the meeting is to include a presentation by COPE on its survey of **Inuvialuit** opinion on the boundary for **divsion**, and an attempt to reach an agreement on a boundary and a ratification process for such an agreement.

Dene Cultural Conference
Snowdrift - July 27-29, 1986

Delegates to the Dene Cultural Conference agreed to the establishment of a five member board to work toward the creation of a Dene Cultural **Institute**. The institute is to be community based and responsible for cultural affairs while remaining separate from the Dene Nation which will continue to look after political matters for the Dene including the settlement of land claims.

Annual Dene Assembly - Snowdrift
July 29- August 1, 1986

Dene Nation President Steve **Kakfwi** reported on the work of the Western Constitutional Forum and his participation in developing a constitution for a new western territory. Delegates also discussed the relationship between constitutional development, **devolution** and **land claims** in regional workshops as well as in the Assembly.

WCF Meeting - Winnipeg
August 24, 1986

Members discussed strategy for the Constitutional Alliance meeting scheduled to begin the following day.

Constitutional Alliance Meeting
Winnipeg - August 25-26, 1986

While the Alliance was unable to come to an agreement on a boundary and other constitutional matters, all members are now well aware of the elements that must be included in such an agreement. Both the Nunavut and Western Constitutional Forums agreed to look seriously at the issues raised by each Forum and clarify their positions as soon as possible before the next Alliance meeting.

In order to break the existing stalemate over the boundary for division, NCF asked the Committee for Original Peoples Entitlement which represents the **Inuvialuit**, to explore with the WCF the guarantees which would make it acceptable for the **Inuvialuit** to be in a western territory. WCF and COPE agreed to begin negotiations on these issues.

The responses from both Forums and the progress of negotiations between COPE and the WCF will be brought before the next meeting of the Constitutional Alliance scheduled to occur on or around October 15, 1986. It is the intention of the NCF and WCF that at that time a comprehensive agreement on division and related constitutional matters in the NWT will be reached. The decisions of the Alliance are tentative until approved by the members' constituent groups.

WCF Meeting
September 9, 1986

The following matters were discussed:

- a) WCF members reviewed the meeting of the Constitutional Alliance of the NWT held in Winnipeg on August 25-26;
- b) The upcoming meeting with representatives of the **Inuvialuit** was discussed. It was agreed that the WCF would not provide any money for fieldworkers and community tours until their successful negotiations were concluded. **Steve Iveson** was also asked to try to get a copy of the **Inuvialuit's** proposed constitutional principles for members prior to the meeting;
- c) It was agreed that community consultation in the Deh Cho region would have to wait until a boundary agreement has been reached, hopefully soon after the Legislative Assembly session in early November;
- d) It was agreed that the next constitutional working session would be delayed until early November;
- e) A resolution from the South Slave Regional Council requesting money for research and a tour by the WCF in the region was brought to the members' attention. Members agreed that there is not enough money in the WCF budget to consider such an idea but that a meeting with the speaker of the council could be set up the next time he is in Yellowknife.

WCF Meeting
September 11, 1986

Members discussed the principles for regional government as presented by the **Inuvialuit**. Members decided to go ahead with the meeting scheduled for the next day but suggested that attempts be made to get the **Inuvialuit** to consider some of the alternatives to a very powerful regional government which may meet their goals and objectives as well if not better.

WCF and **Inuvialuit** Meeting
Yellowknife - September 12 and 14, 1986

The members of the WCF and representatives of the **Inuvialuit** of the Western Arctic met in Yellowknife to try to come to an agreement on conditions under which the **Inuvialuit** would feel comfortable joining a western territory if the NWT is divided into two new political jurisdictions. The two parties are hoping to have an agreement they can take jointly to the next Constitutional Alliance meeting, scheduled for October 22-23.

While the **Inuvialuit** continued to insist that they require guarantees regarding regional government to take back to their people, they did agree that they would be willing, if those guarantees are made, to consider other constitutional options which might better fulfill their goals and objectives. The WCF has been working on a partnership approach to constitutional development which would guarantee aboriginal self-government within a public government. Its emphasis has been on bringing government closer to the people by increasing the power and control of community governments and making the central government more representative and responsive. Although it's not clear how or if regional government(s) would fit into this framework, the WCF agreed to bring a detailed response to the regional government principles to the next meeting.

WCF Meeting with **DIAND** Minister
Yellowknife - September 22, 1986

During their meeting the Minister of Indian Affairs and Northern Development, Bill McKnight, made the following statements:

- a) The federal government would not impose or make any unilateral decisions on the issue of where a boundary for division of the NWT should be located;
- b) A third territory in the Western Arctic is not a viable option;
- c) The federal government is not interested in dealing with the issue of regional government; it is strictly a territorial issue;
- d) Both the NCF and WCF were encouraged to resolve the boundary issue in October since continued federal funding would be difficult with no progress to point to;
- e) Interest was expressed in the constitutional work of the WCF and the conditions for constitutional development set by the former

Minister in a speech to the Legislative Assembly in February, 1985 were reaffirmed.

Mr. McKnight questioned the WCF about the possibility of constitutional work continuing without division. WCF members felt that the **Inuit** may not be willing to explore alternatives to division so constitutional change taking place at the same time as division is the preferable option.

WCF and **NCF** Chairmen Meet
Yellowknife - September 22, 1986

WCF Chairman Steve **Kakfwi**, and NCF Chairman John Amagoalik met to discuss issues related to division and constitutional development. They had agreed at the last Constitutional Alliance meeting to try to keep the lines of communication open between the two Forums.

WCF Meeting
September 25, 1986

Members of the WCF met to discuss strategy for their next meeting with the **Inuvialuit** scheduled for September 29.

WCF and **Inuvialuit** Meeting
Yellowknife - September 29-30, 1986

Discussions between the WCF and **Inuvialuit** representatives centered on regional government again. Headway was made in some areas, including membership and funding, however the two parties could not agree on the extent of a regional government's mandate. It was agreed to meet again on October 5 to continue this discussion as well as the topics of membership on the WCF, the boundary, ratification and conditions for division.

Neither party is bound to any position taken if no agreement on a boundary and related constitutional matters is reached by mid-October, 1986.

WCF Meeting with **Inuvialuit**
Yellowknife - October 5, 1986

Discussions again centered on the issue of regional government with the **representatives** of the **Inuvialuit** insisting that a regional government for the **Inuvialuit** Settlement Region must be entrenched in a constitution for a new western territory. WCF members said they are willing to entrench the right of communities to form regional governments, but reject the idea of entrenching regional governments themselves complete with predetermined powers and jurisdictions. The other major area of disagreement was the **Inuvialuit** position that a Western Arctic regional government have a 50 percent say over all non-renewable resource development in the **Inuvialuit** Settlement **Region** both on and offshore.

The meeting ended at the request of the WCF Chairman who said he would prefer to continue negotiations with elected **Inuvialuit** leaders who had been present for the previous negotiation sessions. Only legal counsel for the **Inuvialuit** and a staff person attended this session. (The principles which the WCF was prepared to commit itself to at this time regarding regional government were eventually included in the "Iqaluit Agreement", January, 1987.)

WCF-NCF Staff Meeting
Ottawa - October 8-10, 1986

The Executive Directors of the Western and Nunavut Constitutional Forums met together in Ottawa to identify common ground and prepare for the upcoming meeting of the Constitutional Alliance. The preparatory meetings in Ottawa were in keeping with a commitment on the part of both Forums to work more closely together between Alliance meetings.

COPE President Invites WCF
to Tour **Inuvialuit Communities**
October 15-17, 1986

COPE President Billy Day invited WCF Chairman Steve Kakfwi and member Larry Tourangeau to meet with residents of Western Arctic communities in order to facilitate an agreement between the **Inuvialuit** and the WCF which would allow the **Inuvialuit** to feel comfortable in a western territory.

Mr. Day and the WCF representatives met with community leaders from Aklavik, Fort **McPherson** and **Inuvik**, in **Inuvik**, and with people from Tuktoyaktuk and **Holman** in those communities. The communities of **Paulatuk** and **Sachs Harbour** requested that the WCF members not visit them. During discussions the WCF members found that most **Inuvialuit** community leaders accept the attitude of the WCF that regional government should be controlled by communities. Some people accepted that a constitution should reflect that community control while others maintained that entrenchment of a regional government and its mandate is necessary.

WCF Meeting
October 20, 1986

WCF members met to discuss the impasse in talks with the **Inuvialuit** and the upcoming meeting of the Constitutional Alliance. It was agreed that Bob MacQuarrie would provide a report to the Legislative Assembly updating MLAs on the work of the WCF.

Constitutional Alliance Meeting
Postponed - October 21-22, 1986

A meeting of the Constitutional Alliance of the NWT scheduled for these dates was postponed at the request of Roger Gruben, Chief

Councillor of the Inuvialuit Regional Corporation. The Alliance meeting was eventually rescheduled for November 1 and 2 in Yellowknife.

Update on the WCF to the Legislative
Assembly - October 24, 1986

WCF member Bob **MacQuarrie**, the Legislative Assembly representative on the WCF representing non-aboriginal interests, planned to present a report to the Legislative Assembly detailing negotiations with the Inuvialuit on constitutional matters, the current impasse in those talks, and the prospects for an agreement on a boundary for division. Mr. **MacQuarrie** was prevented from delivering his report in the Assembly because the MLA for Nunakput, **Nellie Cournoyea**, voted against giving him unanimous consent. Mr. **MacQuarrie** instead tabled a written report a few days later. A copy of the complete text of that report is attached to this chronology as Appendix A.

Inuvialuit Workshop
Tuktoyaktuk - October 26-27, 1986

Community representatives of COPE, the Inuvialuit Regional Corporation and Elders met in Tuktoyaktuk and discussed division, the location of a boundary and the terms under which Inuvialuit could feel satisfied being part of a western territory.

A motion passed at the meeting stated that the Inuvialuit approve and support the eight principles for regional government presented to the WCF and that those principles are a precondition for any further consideration being given to being in a western territory upon division. The motion went on to say that unless unqualified support for the principles was forthcoming from the WCF and NCF, the Inuvialuit will consider the creation of a third territory to include the Inuvialuit Settlement Region and those adjacent communities who want to be a part of it. The motion was passed with 23 people in favour, 6 opposed and 1 abstention.

Constitutional Alliance Meeting
Yellowknife - November 1-2, 1986

While substantial progress was made on issues which divided the Nunavut and Western Constitutional Forums at the last Alliance meeting in August, no agreement on a boundary for division was reached. However both Forums remain committed to reaching an agreement on a full boundary soon.

The Inuvialuit adopted a position at the meeting calling for either the constitutional entrenchment of a regional government for the Inuvialuit Settlement Region or a third territory in the region. The position was not accepted by the WCF. The NCF believes it is an issue to be resolved by the Inuvialuit and WCF and supports further discussion between the two parties.

The Forums agreed that their chairmen, Steve **Kakfwi** and John Amagoalik will meet again in a few weeks to try to reach an agreement on a boundary and related constitutional issues which they could present to the next Alliance meeting as a joint recommendation.

WCF Meeting
November 17, 1986

WCF members discussed the following matters:

- a) It was decided to pay expenses for **Inuvialuit** participation in the September 12-13 WCF /**Inuvialuit** negotiations session according to WCF policy rather than the full amount invoiced by the **Inuvialuit** Regional Corporation;
- b) Members discussed the upcoming meetings between the WCF and NCF staff and chairmen and r-eviewed 'a draft agreement on a boundary and constitutional development.

WCF/NCF Staff Meeting
Ottawa - November 19-20, 1986

The Executive Directors and legal counsel for both Forums redrafted a possible agreement on a boundary and constitutional development in preparation for a meeting of the Chairmen of the two Forums.

WCF/NCF Chairmen Meet
Ottawa - November 24, 1986

NCF Chairman John **Amagoalik** and WCF Chairman Steve **Kakfwi** met and discussed the proposed draft agreement on a boundary and constitutional development. They reached agreement on almost all issues and agreed to reconsider the outstanding matters with other members of their respective Forums. Tentative plans were discussed for a meeting of the Constitutional Alliance in early January at which time it is hoped an agreement can be reached. A copy of the new draft proposal was forwarded to COPE along with notification of the tentative dates for the next Alliance meeting.

WCF Chairman Meeting with
Minister of Indian Affairs
Ottawa - November 27, 1986

Steve **Kakfwi** met with the Minister of Indian Affairs and Northern Development in Ottawa primarily to discuss the **Dene/Metis** claim and other matters. However their talks did include the possibility of the Western and Nunavut Constitutional Forums being able to reach an agreement on a boundary and constitutional development in the near future.

South Slave Regional Council Meeting
Fort Resolution - December 4, 1986

WCF Executive Director Steve Iveson made a presentation to the South Slave Regional Council meeting, providing an update on the activities of the WCF, including the **liklihood** that an agreement with NCF might be reached soon. The Council had invited the WCF Chairman to participate in its meeting but Steve **Kakfwi** was unable to attend. There were no motions arising from the discussion of division and constitutional development.

WCF Meeting
December 18, 1986

The following matters were discussed by WCF members:

- a) Approval was given to a revised audit for 1985/86. It was revised to reflect bills for work done during that year but not received until after year-end;
- b) Meetings between the WCF Chairman, Steve **Kakfwi** and NCF Chairman, John **Amagoalik**, were reviewed;
- c) WCF Vice-Chairman Bob **MacQuarrie** reported on his meeting with western MLAs representing non-aboriginal constituents. He had discussed with them a draft tentative agreement on a boundary and constitutional development;
- d) Tentative dates and arrangements for a meeting of the Constitutional Alliance were discussed.

Constitutional Alliance Meeting Scheduled

Before Christmas holidays, Nunavut and Western Constitutional Forum members agreed to meet in **Iqaluit (Frobisher Bay)** on January 13-14, 1987. It was agreed that staff people from each Forum would meet the week before in Ottawa to review the latest draft agreement on a boundary for division and constitutional development.

Input from the NCF on an outstanding issue related to constitutional development principles for **Nunavut** was received just before the Christmas break. The wording on this section of the draft agreement was outstanding from discussions held during the past month among staff and Forum members.

WCF/NCF Staff Meeting
Ottawa - January 8-9, 1987

Staff and resource people from the Western and Nunavut Constitutional Forums met in Ottawa to review and refine the draft proposed agreement between the two groups on a boundary for division and constitutional development.

WCF Meeting - Ottawa
NCF Meeting - **Iqaluit**
January 13, 1987

The WCF and NCF met separately to review and make final adjustments to the proposed agreement on a boundary and constitutional development.

Constitutional Alliance Meeting
Iqaluit - January 14-15, 1987

Members of the NCF and WCF signed a Boundary and Constitutional Agreement. The document outlines principles shared by both Forums for constitutional development, including regional governments and principles which will underlie the development of constitutions in the **Nunavut** and western territories.

The tentative boundary for division puts the **Inuvialuit** Settlement Region in a western territory with the southern portion of the line following the boundary which separates the **Dene/Metis** and **Inuit** claims regions. This claims boundary has yet to be ratified and that ratification is a prerequisite to a final political boundary being established. The Alliance agreement must also be endorsed by the organizations represented by the signatories to the agreement, including the Legislative Assembly of the NWT and then in an NWT-wide plebiscite.

The target date for division outlined in the agreement is October, 1991. The residents of each of the two new territories must ratify their new constitution before then, by plebiscite, unless agreed otherwise. The Alliance agreement commits both Forums to ensuring that the federal government makes the necessary funds available so that division does not impair the quality of government services or expected rates of capital funding in the territories. The complete **text** of the agreement follows.

Boundary and Constitutional Agreement
for the Implementation of Division
of the Northwest Territories between
the Western Constitutional Forum and
the **Nunavut** Constitutional Forum
January 15, 1987- **Iqaluit**, Nunavut

The residents of the Northwest Territories decided by plebiscite on April 14, 1982 that the Northwest Territories will be divided.

On this day January 15, 1987 in the Northwest Territories, the Western Constitutional Forum (**WCF**) and the **Nunavut** Constitutional Forum (**NCF**) which together make up the Constitutional Alliance of the Northwest Territories have reached agreement on issues required to implement division, namely the location of a boundary and a number of other issues which relate to the establishment of two distinct political jurisdictions; an eastern region to be called **Nunavut** and a western region which is as yet unnamed.

This agreement and the constitutions for and boundary between the eastern and western regions are subject to formal ratification in accordance with Part I, section 5 of this agreement.

Part I: Matters of General Concern

1. The Boundary

The boundary dividing the eastern and western jurisdictions will have three basic components:

- a) the ratified boundary delineating the Dene/Metis and TFN Claims Regions from the 60th parallel to its point of intersection with the Inuvialuit Settlement Region;
- b) thence along the eastern boundary delineating the Inuvialuit Settlement Region and the TFN Claims Region to the point latitude 80°00'N and longitude 110°00'W, and
- c) thence along longitude 110°00'W to the North Pole.

Attached as Appendix "A" to this Agreement is a map and written description of the boundary referred to above.

The **Dene/Metis** and **Inuit** overlap agreement dated May 9, 1986 and the overlap agreement between the **Inuit** and **Inuvialuit** provide for the protection of those rights and interests of the **Inuit** and other groups which extend across Claims and Settlement Region boundaries.

The new constitutions of the eastern and western jurisdictions will require the respective governments to protect actively in the exercise of their powers, the non-resident aboriginal rights guaranteed and interests recognized in the ratified overlap agreements. In order to protect and enhance these agreements, provision will be made in the constitutions of both jurisdictions to require co-operation between governments in decisions relating to non-resident aboriginal rights and interests.

For the effective management of **trans-boundary** interests generally, provision shall also be made for co-operation in management and use respecting resources, harvesting and other matters as may be agreed upon.

2. Constitutional Mandates and Agenda of the Forums

The WCF continues to be responsible for the development of a constitution for the western jurisdiction and the NCF continues to be responsible for the development of a constitution for Nunavut. For greater particularity, each Forum is responsible for:

- a) reaching an agreement among Forum members on a new constitution;
- b) overseeing public consultation and the formal ratification of the proposed constitution, and
- c) in co-operation with the Government of the Northwest Territories, negotiating with the Government of Canada the nature and scope of the constitution, appropriate financing and revenue-sharing

arrangements, and such other arrangements as are necessary for the creation of each territory.

The NCF and WCF commit themselves to completing the work outlined in subsections a), b) and c) above in accordance with Appendix "B" attached. In the interim the NCF and WCF shall also work together on research and strategies for the two constitutions. It is recognized that while the two constitutions will provide for public governments which respect the rights of all residents, the two constitutions must also recognize, affirm and guarantee the unique rights of the **Inuit**, **Dene**, **Metis** and **Inuvialuit**, including their land claims rights and their rights of self-government.

3. Regional Government

Both Forums agree that communities will have the right to form regional governments within each jurisdiction and this shall be recognized in the two constitutions.

4. Government Services

A major objective of division is to improve the quality of government and the delivery of services to citizens. Both Forums recognize that adequate funds must be provided by the Government of Canada to ensure that in the process of division, the level and quality of services presently available to NWT residents and the rate at which capital needs are met are at least maintained. Both Forums commit themselves to pursuing a guarantee of adequate funding for division from the Government of Canada.

5. Ratification

The members of the WCF are the Dene Nation, the **Metis** Association of the NWT, and appointed members of the Legislative Assembly of the NWT residing in the western NWT. The members of the NCF are the **Inuit** Tapirisat of Canada, Tungavik Federation of Nunavut, representatives of each of the Regional Councils, representatives of each of the Regional **Inuit** Associations, and appointed members of the Legislative Assembly of the NWT residing in the eastern NWT.

This agreement and certain decisions it contemplates are subject to formal ratification as follows:

- a) Ratification of the **Dene/Metis and Inuit** claims boundary between the two claimant groups, pursuant to the **Dene/Metis and Inuit** overlap agreement, and
- b) Approval of this Agreement by the Legislative Assembly and the other leaderships from each Forum whose representatives are signatories, and
- c) Ratification of the proposed boundary for division by a majority of voting residents in an NWT-wide plebiscite. Following approval of the Agreement, the Forums shall ask the Office of the Legislative Assembly to conduct the plebiscite in a fashion similar to the way in which that Office conducted the 1982 plebiscite on division. In addition, the results of the plebiscite will be reported by total

votes across the NWT, by community, and from within each proposed new territory. Suggested wording for the question is attached as Appendix "C" to this Agreement. Both Forums must finally approve the question appearing on the ballot, and

- d) Ratification of the constitutions for the two jurisdictions when completed. Ratification in each jurisdiction **shall** be by the people of the jurisdiction, and shall respect basic democratic principles. The WCF will conduct a plebiscite of western residents to ratify a western constitution, unless when the constitution for a western jurisdiction is completed all WCF members agree on an alternate process. Non-approval of either constitution may be interpreted only as non-approval of a specific constitutional proposal and cannot abrogate or diminish in any way the right of self-government of the **Inuit, Dene, Metis and Inuvialuit**.

Division of the Northwest Territories may follow immediately upon the completion of this ratification process, and the two Forums are committed to achieving division by October 1, 1991. However this ratification process notwithstanding, certain aspects of division may be implemented prior to division with the mutual agreement of the two Forums.

Part II: Matters of Concern to the Western Constitutional Forum

The following matters are of exclusive concern to the WCF. While the NCF supports the aspirations of the residents of the western region to establish a jurisdiction suited to their needs, the NCF does not necessarily adopt the principles which follow and is not bound by them.

1. Principles of Constitutional Development for the Western Jurisdiction

Aboriginal people will likely constitute a minority of the population in the western territory after division. Consequently the Dene, Metis and **Inuvialuit** are concerned that **their** political rights, their culture and their future as individuals and as aboriginal peoples be secured to their satisfaction in the new constitution for the western jurisdiction. Non-aboriginal residents of the north recognize and accept the need to address the concerns of the Dene, Metis and **Inuvialuit** within the context of a public government system based upon democratic principles. To this end all parties to the WCF agree that the following principles shall be addressed and procedure used in the constitutional proposal being developed by the WCF.

- a) The overriding objective of a new constitution is to build a system of public government which will protect the individual rights of all of its citizens and the collective rights of its aboriginal peoples and whose overarching principle is one of bringing peoples together.
- b) To accomplish this objective a new constitution must balance two principles:
 - i) The protection of individuals in that each and every bona fide resident of the western jurisdiction should have the right to participate in and benefit from public institutions, programs and services according to basic democratic principles guaranteed in the constitution, and

- ii) The protection of the Dene, Metis and **Inuvialuit** in that each aboriginal community in the western jurisdiction shall be explicitly recognized in the constitution, and mechanisms shall be entrenched to enable each community to flourish as a distinct cultural entity regardless of its proportion of the total population.
- C) Some of the issues which shall be included in a new constitution in a fashion acceptable to all parties in order to balance these two principles are:
 - i) Government decision-making should rest as closely as possible with those governed; people and communities should **have** control over those matters which affect them exclusively and they should have input in and influence over those decisions which affect them as well as others;
 - ii) Aboriginal rights relating to language, culture and any other political rights which are not included in claims agreements shall be entrenched in the constitution and means shall be found to help ensure that all aboriginal rights are protected;
 - iii) There shall be a guarantee of aboriginal participation in government and significant impact on decision-making in the future including perhaps exclusive aboriginal jurisdictions in limited areas of direct concern to aboriginal people; the focus would be on cultural matters and on the special relationship that exists between aboriginal peoples and the land and the political protections required to ensure its maintenance;
 - iv) Every level of government in the western jurisdiction must have sufficient powers, authority, and resources available to it to enable it to carry out its responsibilities; the level of funding available should be assured and predictable and the restrictions on the uses of these resources flexible;
 - v) In the negotiation of the proposed constitution with the Government of Canada, in the context of recognizing aboriginal self-government, and without prejudice to the negotiation of land claims, the further transfer of powers and jurisdictions from Ottawa shall be vigorously pursued, and
 - vi) The constitution or those parts which address each of these principles and objectives must not be amendable without the approval of aboriginal and non-aboriginal peoples.
- d) It is intended that if negotiations toward a western constitution succeed, they will result in a constitution whose relevant sections are designed to constitute, together with provisions in land claims agreements, the definition of aboriginal self-government in the western jurisdiction. Any such definition must fully reflect any right of self-government held by the Dene, Metis and **Inuvialuit**.
- e) All substantive decisions of the WCF on elements of the constitutional proposal must have the approval of all members.

2. Provisional Principles for Regional Government in a Western Jurisdiction

As a result of efforts to negotiate a set of specific principles for regional government acceptable to the **Inuvialuit**, the WCF has adopted a set of principles applicable to regional government throughout the western jurisdiction. WCF members agree that if no aboriginal self-government

provisions were to be included in the western constitution, the **Beaufort-Delta** region and the other regions of the western jurisdiction are guaranteed as a minimum these principles. However, if through the process of constitutional negotiations WCF members agree on a number of features which can be entrenched in a constitution as provisions for aboriginal self-government, WCF members cannot guarantee that trade-offs on these regional government principles will not be required. WCF members are confident that with co-operation, time and hard work they can build a constitution which will generously protect the interests of all aboriginal peoples as well as the rights of each individual citizen. The WCF continues to offer full membership to the Committee for Original Peoples Entitlement (COPE) and hopes that the **Inuvialuit** will take part in this work.

The specific provisional principles regarding regional government which WCF members accept are:

a) Right to Form Regional Government

Under the constitution of the western jurisdiction, community governments will have the right to form a regional government.

Subject to the following principles, the territorial level of government will be obliged to recognize and accept regional governments so formed.

b) Formation and Membership

A number of issues relating to the formation of regional governments and membership within them have yet to be decided. These include the method of deciding among and within communities whether the communities desire to form a regional government, the method of establishing regional government, the number of consenting communities required, and the terms upon which a community may exercise its right to withdraw its membership. The structure and accountability of the regional government will be determined by member communities in accordance with democratic principles.

c) Funding

Funding for any regional government will be fair and adequate. In particular a regional government will be assured that insofar as it assumes duties previously held by other governments, it takes over the funding previously available to those other governments.

d) Mandate

The WCF supports regional governments obtaining from the other levels of government: shared responsibility, management and control over certain programs and services, including aspects of education, economic development, local government relations, police services, game management, land use planning and management and of the powers to tax by way of property taxation, business taxes and license fees and amusement taxes.

The WCF does not at present support extending legislative authority to a regional government in these areas, but the WCF agrees that the community and territorial governments should be empowered to delegate such authority.

e) Boundaries

Regional government boundaries may describe such a geographic region as is appropriate considering the community composition of the regional government at any point in time. Boundaries would be established for administrative purposes only and would change as individual communities join or withdraw from a regional government from time to time.

f) Official Languages

Official working languages of a regional government will include the regional aboriginal language or languages, and English.

g) Rights to Participate

Every resident of the region shall have an equal right to participate in the regional government and to benefit from its programs and services, but programs and services and the manner of participating in government need not be identical for members of different cultural groups.

h) Public Lands and Resources

Public lands within regional government boundaries and outside community boundaries should be held by the territorial level of government.

Territorial authority over the management of sub-surface resources, onshore and offshore, should be exercised in a manner which reflects the needs and interests of all residents in the jurisdiction.

The regional land interests may be considered formally in land use planning and management.

Part III: Matters of Concern to the **Nunavut Constitutional** Forum

The following matters are of exclusive concern to the NCF. While the WCF supports the aspirations of the residents of Nunavut to establish a jurisdiction suited to their needs, the WCF does not necessarily adopt the principles which follow and is not bound by them.

1. Principles of a Nunavut Constitution

Over nearly five years the NCF has consulted with communities, individuals, representative groups and associations through Nunavut on the basis of accepted and familiar public conventions of Canadian constitutional practice in order to develop a Nunavut constitution:

- a) which strengthens Canadian sovereignty and democratic government in the north;
- b) which opens the opportunities of full Canadian public participation to the residents of Canada's arctic villages, towns and outposts, and
- c) which reflects the interests and meets the needs of **Nunavut's** unique **Inuit** and settler society.

This work has been consolidated in a document, Building Nunavut: Today and Tomorrow, approved in a Nunavut constitutional conference in **Coppermine** in early autumn, 1985.

Two further issues requiring particular attention are **Inuit** claims settlements and implementation. The Nunavut concept itself grew logically and naturally out of the movement to settle **Inuit** claims. NCF has always insisted that a special feature of Nunavut's larger constitutional foundation be the settlement of **Inuit** claims. By securing the aboriginal and historical economic rights of the permanent **Inuit** population, that population is free to join with all other residents in the open and free activity of governing **Nunavut** through conventional political processes. The complementarity of the institutions of claims settlements and of general politics (or "public government" as it has become known) for the efficient functioning and accountability of collective life within **Nunavut** must be assured.

The other issue is the importance of active involvement of the claims and other **Inuit** associations which participate in NCF in the design of implementing government in Nunavut.

2. Principles of Implementation

NCF has long recognized that, moral and constitutional principles apart, **Nunavut** would succeed or fail through practical implementation of an administrative system responsive to the state of politics, culture, society and economy prevailing, and to the elected legislature of Nunavut.

Specific areas of concern have emerged from the research, consultations and consensus-building conducted by NCF. These include the following:

- a) Nunavut as the first native majority jurisdiction within the Canadian federation has a particular obligation to structure its institutions so as to reflect **Inuit** culture and Canada's pioneering work in giving aboriginal interests political and legal shape through the twin **processes of claims settlements** and national constitutional amendments. Nunavut should be a showcase of progress in these areas.
- b) The development of a workable form of regional authority within Nunavut, reflecting the strength of community life as the **centre** of Nunavut society and the need for a strong Nunavut government capable of dealing with the large challenges facing the **Nunavut** region, is a priority. Regional institutions in Nunavut have helped provide the experience and infrastructure needed for a successful Nunavut government.

- c) A policy of making **Inuktitut** an official language of Nunavut and a language of teaching is essential, and requires both statutory commitment and phased introduction.
- d) Decentralisation of administrative centres so as to spread both the benefits and impacts of public sector development has been agreed. This will also help attract local, qualified **Inuit** into jobs which otherwise would be too remote from their family commitments and their cultural district.
- e) The assurance of full human rights within **Nunavut**, especially to guarantee to non-Inuit their opportunities for personal fulfillment and social and political life, have been studied and a course of action proposed. Such assurances are an essential political commitment to NCF.
- f) The establishment of a functional federal-Nunavut working relationship and sharing of powers, responsibilities and revenues in respect of ocean areas is required.
- g) The contribution and role of the **Inuit** north to Canada's arctic sovereignty interests and the conduct of a northern foreign policy have been highlighted in Parliament's special international relations committee report of June, 1986, and in the federal foreign policy statement of December, 1986, and should be acknowledged in the Nunavut constitution.
- h) A suitable preamble to a Nunavut constitution highlighting the principles of conservation and wise management of the arctic environment and resources, the permanence of Nunavut as a cultural homeland of **Inuit**, and the fact that **Inuit** have actively sought and successfully negotiated full participation in the Canadian federation, should be prepared.

3. Principles of Federal-Nunavut Relations

Inuit through their organizations and public bodies have developed a unique and uniquely productive relationship with federal authorities, despite periodic disagreements. It is proposed by NCF that this situation be continued in the development of the Nunavut government. As has been repeatedly stated in NCF documents, a core of secure rights relating to culture, identity and economic resources is required as the "critical mass" of a Nunavut political settlement. Beyond that, flexible arrangements for the acquiring of experience and sharing in management decisions by Nunavut authorities can be creatively explored and implemented through administrative arrangements.

Appendix "A"

The tentative boundary is described as follows:

"Commencing at the approximate point latitude of 60°00'N and longitude 103°10'W, and thence along the line identified as the Single Line Boundary in Schedule "A" of the Overlap Agreement between the **Dene/Metis** and the **Tungavik Federation of Nunavut** dated May 9, 1986 to the point of intersection with the boundary of the **Inuvialuit Settlement Region** at the approximate point latitude 68°00'N and longitude 120°50'51"W, and thence along the boundary of the **Inuvialuit Settlement Region** to the point latitude 80°00'N longitude 110°00'W, and thence northerly to the North Pole along longitude 110°00'W.



**NCF/WCF Representatives Meet with
Minister of Northern Affairs**
Ottawa - January 16, 1987

Representatives of the NCF and WCF presented the Boundary and Constitutional Agreement to the **Minister** of Indian and Northern Affairs, Bill McKnight. Mr. McKnight responded with support for division and recognition of the historical significance of the agreement. The Minister promised funding for ratification of the agreement and indicated that support for the constitutional development phase would follow upon successful completion of the first three steps of the ratification process.

Dene/Metis Claims Workshop
Yellowknife - January 21-22, 1987

The WCF Chairman Steve Kakfwi, member Larry Tourangeau, and Executive Director Steve Iveson, participated in a two day workshop organized by the Dene/Metis Negotiating Secretariat to discuss the coordination of the WCF constitutional development process, claims negotiations, division and devolution. The workshop is scheduled to reconvene in February.

WCF Meeting with NWT Government Leader
Yellowknife - January 26, 1987

The Boundary and Constitutional Agreement reached by the WCF and NCF was formally presented to NWT Government Leader, Nick Sibbeston.

Dogrib Tribal Council Meeting
Rae Lakes - January 27, 1987

WCF Chairman Steve **Kakfwi**, South Slave representatives and Tu Nede MLA **Eliza** Lawrence, met with Dogrib Tribal Council delegates and Fort Franklin representatives to begin the process of ratifying the agreement on a boundary and constitutional matters. The agreement was explained to the people attending the meeting and preparations were made to meet with representatives of the Tungavik Federation of Nunavut for the purpose of finalizing the Dene/Metis - **Inuit** claims boundary.

WCF Meeting
February 2, 1987

The following matters were discussed:

- a) WCF Chairman Steve **Kakfwi** reported on an informal meeting the **previous** evening between himself and the **newly-elected** President of COPE, Roger Allen;
- b) Steve **Kakfwi** reported on the Dene concerns with the land claims boundary being the same as the proposed political boundary;
- c) Members agreed to meet with the Western Caucus of the Legislative Assembly on February 13;
- d) [t was decided that a public response would be made to accusations by Nellie Cournoyea and Roger Gruben that the **Inuvialuit** had not been consulted during discussions leading up to a boundary and constitutional agreement;
- e) It was decided to approve a proposal by the Canadian Arctic Resources Committee to print and distribute 14,000 copies of the boundary and constitutional agreement reached between WCF and NCF;
- f) A letter will be sent to the new COPE President inviting COPE to join the WCF as a full member.

Dene Leadership Meeting
Yellowknife - February 3-6, 1987

WCF Executive Director Steve **Iveson** made a presentation to the Dene Leadership, explaining the Boundary and Constitutional Agreement signed in January by the Western and **Nunavut** Constitutional Forums. The Chiefs noted in a motion **that** they continue to support the **Inuit** desire for division and are committed to the constitutional and political development of the NWT in a way that recognizes the political rights and interests of the Dene and **Metis**. The motion noted that the land

claims boundary has yet to be settled to the satisfaction of the Dene and Metis and instructed the appropriate representatives to meet with the **Inuit** leadership as soon as possible to settle that question in order to resolve as well the political boundary.

WCF Meeting with the Western
Caucus of the Legislative
Assembly - February 13, 1987

WCF members explained the Boundary and Constitutional Agreement reached between the WCF and NCF and answered the concerns of various western MLAs about the agreement. WCF members encouraged western MLAs to support the agreement in the Legislative Assembly. It appeared that a significant majority of them were willing to do so.

Boundary and Constitutional Agreement
Tabled in Legislative Assembly
February 11, 1987

The agreement between the WCF and NCF was tabled in the Assembly. Two days later a motion was passed that discussion of the report take place in Committee of the Whole.

Dogrib/Fort Franklin Leaders Meeting
Detah - February 17-18, 1987

Leaders from the Dogrib communities and Fort Franklin met in **Detah** for two days to discuss the Dene/Metis - **Inuit** tentative claims boundary and overlap agreement and changes they would like to see to it. The discussions were part of the process of ratification of the boundary and constitutional agreement between the WCF and NCF. Part of the proposed political boundary for division would be the ratified claims boundary between the Dene/Metis and **Inuit** settlement areas.

South Slave Leaders Meeting
Fort Smith - February 19-20, 1987

Leaders from Snowdrift, Fort Resolution and Fort Smith as well as representatives from northern Manitoba met to discuss changes they would like to see made to the tentative claims boundary and overlap agreement separating the Dene/Metis and **Inuit** claims settlement areas. The overlap agreement was initialled last May but has yet to be ratified by all parties. Ratification of that agreement is necessary in order for the boundary and constitutional agreement between the WCF and NCF to go ahead.

WCF Meeting
February 19, 1987

The following matters were discussed:

- a) Members updated each other on the preparations and strategy for ratification of the boundary and constitutional agreement in the Legislative Assembly and by the Dene and Metis leaderships;
- b) WCF Chairman Steve Kakfwi requested background information for his presentation as an invited guest to the COPE Annual General Meeting later in the month;
- c) WCF Executive Director presented an update on the WCF financial situation and the status of money specifically set aside for ratification of a boundary agreement;
- d) WCF Vice-Chairman Bob MacQuarrie requested information on the cost of division of the NWT in preparation for the debate in the Legislative Assembly on the boundary agreement;
- e) WCF Chairman agreed to meet with the Regional and Tribal Council Review Commission later in the spring.

Regional and Tribal Councils Meeting
Yellowknife - February 24-25, 1987

Representatives from regional and tribal councils across the NWT met in Yellowknife to come up with a joint position on the Regional and Tribal Council Review Commission which is to report to the Executive Council later this year. The regional representatives agreed that the establishment of a boundary for division and a plebiscite on it could have a dramatic impact on the mandate of the Review Commission.

They agreed that: if the plebiscite is successful, then eastern and western regional and tribal councils should negotiate the role of regional government with their respective Constitutional Forum; if the plebiscite is unsuccessful there would be required an entirely new approach to regionalism in a united NWT.

The regional representatives also suggested eight principles which should form the basis of any review of the role of regional and tribal councils.

Dene/Metis and Tungavik Federation
of Nunavut Meeting - Yellowknife
February 25-26, 1987

The two land claims negotiation groups met to discuss finalizing the boundary between the Dene/Metis and Inuit claims areas. A tentative agreement on this was reached last May. Dene/Metis leaders are requesting changes to the tentative overlap agreement of last May because the residents of the Dene communities closest to the line are not satisfied. Inuit representatives agreed to prepare a response to the Dene/Metis position and the two groups decided to meet again March 12 and 13 in Yellowknife.

**Legislative Assembly Debates the
Boundary and Constitutional Agreement
February 24-27, 1987**

Consideration of the agreement by the Assembly began with a joint presentation by WCF Chairman Steve Kakfwi, and NCF Chairman John Amagoalik. Both men encouraged MLAs to support the agreement. Following questions from MLAs and answers by the two Forum Chairmen, Bob MacQuarrie, Vice-Chairman of the WCF, asked MLAs to support the work which they had asked the Forums to do. Mr. MacQuarrie described the agreement as fair and equitable, and the boundary as the line which could receive the most support in the NWT at this time. He said it is unlikely a more acceptable boundary could be found.

NCF member Ludy Pudluk, MLA High Arctic, also spoke in favour of the agreement. He said he was looking forward to the people of the NWT having the opportunity to vote on it. Even though he signed the agreement, he will not be campaigning for a yes vote because he would rather people make up their own minds. He suggested that other MLAs adopt the same approach. Other members of the Nunavut caucus, Elijah Erkloo, Moses Appaqaq, Joe Arlooktoo and Michael Angottitauruq, all said they were anxious to have the agreement go to a plebiscite. The Baffin MLAs indicated solid support for division among their constituents, while the Natilikmiot MLA, representing Kitikmeot East communities, said his people were split in opinion about both division itself and a suitable boundary.

Strong opposition to the agreement was expressed by Kitikmeot West MLA Red Pedersen, Nunakput MLA Nellie Cournoyea and the two Keewatin MLAs, Tagak Curley and Gordon Wray. All four representatives stated their continuing support for Nunavut, but a Nunavut which unites all NWT Inuit through a treeline boundary. They said the agreement presented by the two Forums is too much of a compromise for eastern people and work should continue to get division with a treeline boundary, even if it takes another 20 or 30 years. Mr. Curley and Mr. Wray expressed concern about the economic prospects of a Nunavut territory with a north/south boundary as proposed. They said that this boundary suggestion should be turned down just as the 1985 Alliance agreement was. Mr. Wray, Mr. Curley and Mr. Pedersen all said that, although they could not support the agreement, they would like it to be put before the people of the NWT in a plebiscite.

Ms. Cournoyea said the Inuvialuit have always supported Nunavut, but not the version being proposed by the two Forums. She said the Inuvialuit had not been party to the negotiations leading up to the agreement but had always been presented with take it or leave it positions. Halfway through the debate, the Chief of the Inuvialuit Regional Corporation, Roger Gruben, and the new President of COPE, Roger Allen, made a presentation to the Assembly, requesting it to not approve the agreement or delay taking a position until after territorial elections in the fall. They said there were six options available to the Inuvialuit to secure their political future. None of the alternatives presented included joining Nunavut.

Two Dene MLAs expressed opposition to the agreement. James Wah-Shee MLA Rae-Lac La Martre, and Eliza Lawrence MLA Tu Nede, both said their constituents wanted changes made to the overlap agreement between the Dene/Metis and the Inuit. If the claims boundary is to be the same as the political boundary for division it has to be changed, they told the Assembly. If the changes they want can be agreed to by the two land claims organizations, Mr. Wah-Shee and Mrs. Lawrence said they would support the agreement.

Dennis Patterson MLA Iqaluit, spoke out strongly in favour of, the agreement. He said that a treeline boundary would still divide the Inuvialuit of Aklavik and Inuvik from those of the rest of the NWT. He said the boundary negotiations have taken a long time and this is the best deal people could arrive at. He urged MLAs to have the courage to approve it and get on with the creation of Nunavut. He wondered if perhaps some of the MLAs who were demanding a treeline boundary, knowing that the west would never accept it, privately no longer support division.

Yellowknife North MLA Mike Ballantine, spoke in favour of the agreement. He said he looked forward to resolving the division issue one way or another. If a plebiscite resulted in a No vote, Mr. Ballantine said a 10-year moratorium should be placed on the issue, even though he sees division as inevitable eventually.

Government Leader Nick Sibbeston said he would support the agreement and is prepared to work toward division based on the proposed boundary and constitutional principles. He said if people vote against the boundary, the NWT government should be prepared immediately to implement some of the constitutional changes suggested in the agreement.

Sahtu MLA John T'Seleie, supported the agreement on the basis of its potential for allowing constitutional changes in a new western territory. He said that is the main concern of his constituents. The agreement was also supported by Deh Cho hLA Sam Gargon, and Slave River MLA Arnold McCallum.

WCF Meets with Western MLAs Yellowknife - March 3, 1987

Members of the Western Constitutional Forum and regional Dene and Metis representatives met with western MLAs. Discussions were held on the Iqaluit boundary agreement for division, and the ratification process required before a plebiscite can be held on the boundary.

TFN Responds to Dene/Metis Proposal for Overlap Agreement Changes - March 4, 1987

The Tungavik Federation of Nunavut sent a letter to the Dene/Metis Negotiating Secretariat rejecting a Dene/Metis proposal for changes to the Overlap Agreement presented to the TFN in February. A tentative Overlap Agreement was reached between TFN and the

Dene/Metis in May, 1986 to define a boundary between their two land claims areas and an overlap area for joint use and management. While TFN was able to ratify that tentative agreement, Dene/Metis communities have not agreed to it.

The Dene/Metis Secretariat explained the outstanding issues regarding the Overlap Agreement in a letter to TFN on **March 6**. The Dene/Metis expressed a desire to meet again to discuss the claims boundary on March 12-13.

**Legislative Assembly Approves
Iqaluit Agreement between WCF
and NCF - March 12, 1987**

A majority of Legislative Assembly members approved the Boundary and Constitutional Agreement reached by the Western and Nunavut Constitutional Forums in January in Iqaluit. The vote passed with 17 members in favour, three against and three abstentions. In a separate motion, the Assembly voted to hold a plebiscite on the proposed boundary on May 20, providing that the aboriginal groups which are members of the two Forums have also approved the Iqaluit agreement by April 1, and the claims boundary between the Dene/Metis and Inuit has been finalized and ratified. The April 1 deadline was set because the Assembly must give 49 days notice of a plebiscite; ratification of the agreement by all parties whose leaders were signatories, and a final boundary, are required before the plebiscite can go ahead.

**Joint Dene/Metis Leadership Meeting
Yellowknife - March 18-19, 1987**

The Dene and Metis leadership unanimously approved the Boundary and Constitutional Agreement conditional on the claims boundary between the Dene/Metis and Inuit settlement regions being finalized and ratified. In another motion the leadership rejected the May 9 Overlap Agreement tentatively reached with TFN, but set up a small negotiations team and a simplified ratification process which would allow the plebiscite to go ahead on May 20 if changes can be agreed to by the Dene/Metis and TFN before the April 1 deadline set by the Legislative Assembly. Both motions and a covering letter were forwarded to the Commissioner of the NWT before the deadline.

**ITC and TFN Approve Iqaluit
Agreement - March, 1987**

Letters were sent by the Inuit Tapirisat of Canada and the Tungavik Federation of Nunavut to the Commissioner of the NWT stating their formal approval of the Iqaluit Boundary and Constitutional Agreement. The letters were sent in order to meet the requirements for ratification of the agreement which were prerequisites to a plebiscite on the proposed boundary being called.

**First Ministers' Conference on
Aboriginal Rights - March 26-27, 1987**

The Prime Minister, Provincial Premiers and aboriginal leaders failed to reach an agreement on constitutionally entrenching the right to aboriginal self-government at their two-day conference in Ottawa. This was the last of the four meetings on aboriginal rights which First Ministers committed themselves to during the negotiations to patriate the Canadian Constitution five years ago.

The implications for northern native peoples are the same as for aboriginal people in other parts of the country in that it will be more difficult to negotiate and protect effective forms of self-government without the entrenchment of rights to self-government in the Constitution. However, as the NWT Minister of Aboriginal Rights Dennis Patterson said following the conference, the results make the constitutional process underway already in the NWT even more important for northern aboriginal people, since the First Ministers' Conference option for entrenching rights appears to be closed for the foreseeable future.

The First Ministers and aboriginal leaders have no further talks scheduled. The Prime Minister is unlikely to convene another conference unless there are prior guarantees that an agreement is assured.

**Meeting of the Chairmen of the
WCF and NCF - Ottawa - March 28, 1987**

NCF Chairman John Amagoalik and WCF Chairman Steve Kakfwi met in Ottawa to discuss the requirements necessary for the May 20 plebiscite on the proposed boundary for division to go ahead as scheduled. Subsequent to the meeting, the TFN agreed to bring community representatives to Ottawa for a meeting with Dene/Metis negotiators.

**Dene/Metis and TFN Representatives
Meeting - Ottawa - March 31, 1987**

During a lengthy meeting, representatives of the Dene/Metis and Inuit claims negotiation teams failed to reach an agreement on a new boundary to separate their claims areas. The Iqaluit agreement between NCF and WCF stated that the claims boundary would also serve as the political boundary between the two new territories which will be created by division of the NWT.

Since the claims line wasn't ratified by April 1, the deadline set by the Legislative Assembly because territorial legislation requires 49 days notice prior to a plebiscite, the May 20 vote on the proposed boundary was called off.

WCF/NCF Chairmen Meet
Ottawa - April 2, 1987

WCF Chairman Steve Kakfwi and NCF Chairman John Amagoalik met in Ottawa following the failure of the Inuit and Dene/Metis land claims negotiators to reach agreement on a claims line in time to allow a plebiscite on a political boundary to go ahead May 20.

The WCF and NCF Chairmen decided to write a letter to the Minister of Indian Affairs and Northern Development reaffirming their commitment to the Iqaluit agreement reached in January. In the letter the Chairmen noted that their most important objective for the previous year had been accomplished; a "Boundary and Constitutional Agreement..." had been negotiated and signed by the WCF and NCF and had been approved by the Legislative Assembly, the Dene Nation, TFN, the Metis Association of the NWT, and ITC. The delay in the finalization of a claims boundary and consequent delay in the plebiscite on the boundary was unfortunate, but it is merely that; a delay.

Dene/Metis Executive Meeting
Yellowknife - April 7-8, 1987

The Executive Director of the WCF attended a meeting of the Dene and Metis executives and regional land claims negotiators. They reviewed the unsuccessful attempt to reach agreement on a claims boundary with the Inuit before April 1 and discussed approaches to getting talks back on track.

WCF Meeting
April 13, 1987

The following matters were discussed:

- a) The failure of a claims boundary to be finalized in time for a May 20 plebiscite, a possible timeframe for that issue to be settled and alternate dates for a plebiscite on a political boundary for division;
- b) Members agreed the Canadian Arctic Resources Committee should be asked to replace the tentative Dene/Metis - Inuit claims boundary map with the correct map illustrating the entire proposed political boundary for division as an appendix in the published booklets of the Iqaluit agreement;
- c) Larry Tourangeau agreed to make a presentation to the South Slave Regional Council meeting in Snowdrift in early May;
- d) It was agreed that a letter would be sent to the Executive Committee requesting that the GNWT subsidization of rent for the WCF office continue;
- e) Members reviewed and approved the WCF budget proposal for 1987/88 for submission to DIAND. The complete text of this proposal follows.

WCF 1987/88 Budget and Action Plan

The Western Constitutional Forum continues to divide its work into three phases.

Phase I: THE REACHING OF A TENTATIVE "AGREEMENT ON PRINCIPLES" FOR A NEW GOVERNMENT IN A WESTERN JURISDICTION.

THE SELECTION AND RATIFICATION OF A BOUNDARY FOR DIVISION.

Phase II: THE DEVELOPMENT AND NORTHERN RATIFICATION OF A DETAILED CONSTITUTIONAL PACKAGE FOR THE WESTERN JURISDICTION.

THE MONITORING OF NCF - FEDERAL GOVERNMENT NEGOTIATIONS ON THE NUNAVUT PROPOSAL

Phase III: WCF - FEDERAL GOVERNMENT NEGOTIATIONS ON A CONSTITUTION FOR THE WESTERN JURISDICTION.

Our action plan for 1986/87 called for Phase I to be near completion by the end of the fiscal year. We came very close to meeting this objective.

Selection and Ratification of the Boundary

The selection and ratification of the boundary was very nearly finished by March 31. 1986/87 saw the WCF and NCF reach a "Boundary and Constitutional Agreement..." in Iqaluit on January 15. The agreement was formally approved by the Legislative Assembly and by the leaderships of the Dene Nation, Metis Association of the NWT, Inuit Tapirisat of Canada and the Tungavik Federation of Nunavut.

There are two more steps required to complete the process of ratifying the boundary as per the conditions established by the Iqaluit agreement. These are:

1. The finalization and ratification of a claims boundary to separate the Dene/Metis and Inuit claims settlement areas, and
2. The conducting of an NWT-wide plebiscite by the Legislative Assembly on the boundary proposed by the Iqaluit Agreement.

In order that the public is clear on what the vote represents, the claims boundary should be finalized and ratified by both parties before the plebiscite takes place. Members of the WCF are hoping that the claims boundary can be settled before August 15 (the approximate date that the campaign for the territorial election will officially begin) and that the new Legislative Assembly will enact legislation during its first session after the election to hold the plebiscite in January or February of 1988. While the WCF does not have any control over the determination of the claims boundary or the calling of the plebiscite, its members will encourage those parties directly responsible for these decisions to try to meet this schedule.

Reaching a Tentative "Agreement on Principles"

Significant steps towards the reaching of an agreement on principles for a new government were taken by WCF members last year.

1. Constitutional negotiations among members - The WCF held two more constitutional working sessions in 1986/87. One held in June included a number of representatives of the Legislative Assembly, the GNWT, the **Inuvialuit**, the Dene, and the **Metis**. The focus for this session was a working paper titled "Further Analysis of a Partnership Approach to Constitutional Development in the Western Northwest Territories" which endeavored to apply the principles of consociation to the NWT in a more specific and detailed fashion. After considerable discussion, participants agreed that consociation or partnership had real potential for application in the north and that the concept was worth pursuing further.

The second working session held in July and limited to WCF members began to examine the eight principles set forth in the "Further Analysis..." paper in greater detail. Members reached tentative agreements on some principles and narrowed the range of options or applications on some of the others. Once the bare bones of a new structure of government had emerged, members agreed that it was time to put a lot more flesh on those bones so that a more complete model or models could be analyzed and tested to assess their suitability. Research to gather together a description of all the current and potential powers and responsibilities of a territorial government and how those responsibilities are handled now was nearly completed by the end of **March**. A final draft is expected in **May**.

2. Constitutional negotiations with the **Inuvialuit** - Ever since 1983 WCF members had been trying to include the **Inuvialuit** in its constitutional discussions. In the fall of 1985 the leaders of COPE began to participate in WCF's constitutional working sessions. However their involvement did not include becoming full members of the WCF. Nonetheless, with COPE at least, movement among WCF members on constitutional matters included a voice of the **Inuvialuit**.

After the settlement of the **Inuvialuit** claim, COPE continued to represent the **Inuvialuit** on constitutional matters. However, in the fall of 1986 the leaders of COPE invited the leaders of the **Inuvialuit** Regional Corporation to join them in discussions with the WCF on constitutional development. WCF and **Inuvialuit** representatives met three times in September and October. The **Inuvialuit** wanted to limit these meetings to a discussion on regional government. Progress was made and agreements on several principles were reached, but there were still at least two issues outstanding when these talks broke off. It is anticipated that formal negotiations with the **Inuvialuit** will not resume until after the plebiscite.

3. Approval of the **Iqaluit** agreement by the Legislative Assembly and the aboriginal organizations - The **Iqaluit** agreement is much more than an agreement on a boundary. It also includes a number of principles related to constitutional development. Part 11 of

the agreement entitled "Matters of Concern to the Western Constitutional Forum" addresses such matters as a) the recognition and protection of the collective, political and cultural rights of the Dene, Metis and Inuvialuit within a western government, b) the strengthening of local governments, c) the entrenchment of aboriginal language, cultural and political rights in a new constitution, d) guaranteed representation and influence within government for aboriginal peoples, e) the possibility of exclusive aboriginal jurisdictions in limited areas of direct concern to aboriginal people especially with regards to culture and land, f) the recognition of aboriginal self-government, g) an amending formula for a western constitution which will require the **approval** of both aboriginal and non-aboriginal peoples, and h) support for additional transfer of powers from Ottawa. The agreement also includes a number of principles related to regional government including the fundamental principle that community governments would have the power to form a regional government guaranteed in the western territory's constitution.

Three other important principles regarding process are also in the agreement. These are a) the WCF, in which the Dene Nation, Metis Association, COPE, non-aboriginal MLAs, and the Legislative Assembly at Large would be equal parties in constitutional talks, will continue to be the vehicle for developing a new constitution for the western territory, b) **all** substantive decisions of the WCF on elements of the constitutional proposal must have the approval of all members, and c) division itself will not finally occur until a majority of the residents of both the eastern and western territories are satisfied with the constitutions which will be used to create their respective territories.

Approval of the Iqaluit agreement meant approval of these principles as well as approval of the boundary and therefore the Iqaluit agreement made important strides forward with regards to constitution building.

4. Public consultation on constitutional development Phase I public consultation continued on a limited scale in 1986/87. A regional workshop was held in Aklavik for Delta/Beaufort communities and public meetings were held in Tuktoyaktuk, Inuvik (including representatives from Aklavik and Fort McPherson), Holman and Snowdrift. WCF members and or staff also attended a number of meetings of regional councils, MLA caucuses, native association leadership meetings and AGMs, and so on. The only area which as yet has not had a regional workshop or a community by community tour is the Deh Cho region.

The Plan for 1987/88

The failure of the Dene/Metis Claims Secretariat and the Tungavik Federation of Nunavut to meet the March 31st deadline imposed by the Legislative Assembly for the finalization and ratification of the claims 'line and the consequent cancellation of the Assembly's May 20th plebiscite have significantly reduced the progress the WCF can realistically expect to make in 1987/88.

1. The Boundary

As stated earlier, the best outcome that can occur regarding the boundary this year is a ratification of the claims boundary by the Dene/Metis and TFN and the holding of a plebiscite. If the plebiscite is completed by February and the results are positive, then the Alliance could begin meetings to discuss trans-border issues before the fiscal year ends.

2. The Constitution

It would be unrealistic to expect much progress on constitutional development in the west this year. There are several **reasons** for this.

- a) Elections in the Dene Nation, Metis Association, and the Legislative Assembly will keep the membership of the WCF in flux until at least November.
- b) The **Inuvialuit** are not likely to begin to participate fully in discussions leading to the creation of a new western territory until the results of the plebiscite are known.
- c) The current members of the WCF will also be reluctant to **earnestly** negotiate constitutional matters while the status of division remains so uncertain and when their own terms of office are either coming to an end or are up for renewal.

However, there will be some work that will proceed. The next task as described earlier is to put more flesh on the constitutional framework of consociation which members have decided to pursue. To this end WCF staff will i) complete outstanding research, ii) commission one or two more projects, iii) conduct a workshop of consultants and representatives of appropriate organizations to review recent research in light of the WCF's principles for consociation and develop in much greater detail alternatives for the structure and distribution of powers within a western government, and iv) produce a report based upon the workshop for the consideration of WCF members. Having this work completed in advance should allow WCF members to pick up the threads of constitutional development more quickly near the end of this fiscal year.

3. Public Consultation

The only major project under this heading this year will be the workshop and tour of the Deh Cho region. Reasons for this once again are the instability of the WCF membership, the uncertainty arising from the postponement of the plebiscite, and our expectation that WCF'S budget will not be able to handle much more this year. We are however planning more informal and relatively inexpensive travel to individual communities by staff in order to keep community leaders and groups informed and thinking about the issues and in order to stay in touch with the feelings and attitudes of each WCF member's constituents with regards to division, aboriginal self-government and other constitutional issues.

**Dene/Metis Negotiating Secretariat Workshop
Yellowknife - April 14-16, 1987**

WCF staff attended a workshop for regional land claims negotiators. The workshop goal was to provide some consensus on Dene/Metis participation in resource management through claims and/or the WCF process. Issues such as accountability of Dene/Metis representation, and the relationship of Dene/Metis and public institutions were discussed. The WCF process was seen by participants as an important vehicle for defining aboriginal self-government. The question was raised of how the WCF process could be secured so it could be counted on by the Dene/Metis.

**WCF Meets Informally with
Political Leaders - April, 1987**

WCF members and staff had informal discussions with various territorial and aboriginal politicians regarding the possibility of rescheduling the May 20th plebiscite on a boundary for division.

**WCF Presentation to South Slave Regional
Council - Snowdrift - May 7, 1987**

WCF member Larry Tourangeau, member John Bekale and Executive Director Steve Iveson, travelled to Snowdrift to make a presentation to the South Slave Regional Council and to answer questions. The discussion centered on the boundary for division and the Dene/Metis land claims. The Regional Council decided to work together with the Chipewyan people of Manitoba and Saskatchewan on the boundary and constitutional development issues where they affect aboriginal peoples.

**WCF and NCF Chairmen Meet
Ottawa - May 28, 1987**

The Chairmen of the Western and Nunavut Constitutional Forums met in Ottawa. Steve Kakfwi and John Amagoalik discussed the current status of division of the NWT. They acknowledged that work toward ratification of a boundary for division had been delayed but they confirmed that the Iqaluit agreement between the two Forums still stands. They agreed to make that position known to the members of the Legislative Assembly during their current session in Yellowknife.

**WCF/NCF Chairmen Respond to the
Meech Lake Accord - June 4, 1987**

WCF Chairman Steve Kakfwi and NCF Chairman John Amagoalik issued a news release stating that the Meech Lake Accord may jeopardize the ability of northerners to negotiate aboriginal self-government and definitely reduces their ability to achieve provincial status. They called upon all northerners to work together to fight for their constitutional rights within Canada.

"I really think division is going to happen eventually looking at the vastness of this territory. It makes sense to bite the bullet and follow the current process through to make sure it happens now while aboriginal self-government within a public government system for everybody can be worked out with the maximum control and involvement of all northerners, " said Mr.Kakfwi.

**Letter from the President of the
Dene Nation to all Dene Chiefs and
Sub-Chiefs - June 9, 1987**

Dene Nation President Steve Kakfwi sent a letter to all Dene Chiefs and Sub-Chiefs summarizing the circumstances and decisions which lead to the signing of the Iqaluit Agreement and highlighting the issues which remain outstanding. The complete text of this letter is included in this chronology as Appendix B.

**WCF's Third Staff/Consultants Workshop
Yellowknife - June 10-12, 1987**

Several resource people joined the WCF staff for three days in a workshop in order to add more detail to the principles and structures of the constitutional model being considered by WCF members. What Government Does in the Western NWT was used as a tool in the workshop. Participants agreed at the end to recommend to the WCF that a small working group be set up to continue giving detail to the partnership model of government. The working group's results could then be presented to WCF members for their consideration.

**Letter from the President of the Dene
Nation to Northern Leaders - June 16, 1987**

Dene Nation President Steve Kakfwi sent a letter to a wide variety of northern leaders serving at the community, regional, territorial and federal levels throughout the Northwest Territories.

"The issues of constitutional development, aboriginal self-government and division have long histories rooted in fundamental questions of rights, principles and the lived experiences of each aboriginal people. The critical point which r one of us must forget is that the reshaping of our public government institutions to produce a stronger, better, and more acceptable government or governments for all northern residents, including the Dene, Metis, Inuit and Inuvialuit, is essential if we are going to avoid the terrible injustices which were perpetrated on aboriginal nations south of 60° in the name of nation-building for new Canadians.

We all like to brag that things are different in the north; that we can do a better job of including aboriginal peoples in the mainstream of the north's political, economic and cultural development; that we can ensure that we play a major role in the shaping of our future. But I suggest to you that this opportunity has a definite timeframe which is disappearing day by day. "

CONCLUSION

Progress on the issues of aboriginal self-government, the fundamental restructuring of northern constitutions and governments, and the division of the Northwest Territories are all at a critical juncture. Perhaps it is best to allow a knowledgeable but disinterested third party to conclude this chronology with an independent summary of the recent past, assessment of the present, and look towards the future.

The following is an article written by Gordon Robertson and published in the May 1987 edition of the magazine Policy Options Politique. The author, and the editor of Policy Options Politique have graciously allowed the WCF to publish the text of the article in full.

INNOVATION NORTH OF SIXTY

by Gordon Robertson

The Iqaluit agreement may provide a basis for a new constitutional structure within which aboriginal peoples could run their own affairs

On January 15, 1987, an agreement was signed in a place few Canadians had ever heard of, between two organizations equally unknown to almost everyone outside the Northwest Territories. Despite the obscurity of its origins the agreement may have consequences that will affect the map of Canada and constitutional thinking **outside** as well as in the Territories.

The place was Iqaluit, formerly known as Frobisher Bay, on Baffin Island. The parties to the agreement were the Western Constitutional Forum, representing the Indians and Metis, of the western part of the Territories, but including also elected members of the Legislative Assembly from the west, and the Nunavut Constitutional Forum, representing the Inuit and other people living the the eastern Arctic.

Brief reports in the press said that agreement had been reached on a boundary for the division of the Northwest Territories into two territories. That part of the agreement has since fallen apart. It was ratified from the Nunavut side but not from the West. (Editor's note: Actually, the Iqaluit agreement has been approved by the Legislative Assembly, the Dene Nation, the Inuit Tapirisat of Canada, the Metis Association of the NWT and the Tungavik Federation of Nunavut. The boundary proposed would place the Inuvialuit and Dene/Metis land claims settlement areas in the western jurisdiction and the Inuit claims settlement area in Nunavut. The problem is an agreement on the exact location of the claims boundary between the Inuit and the Dene/Metis has not been finalized.) As a result, the plebiscite intended for May 20 has been postponed.

Continuing difficulties about the boundary do not, however, destroy the probability that division into two territories will eventually take place. And when it does, the most interesting and innovative parts

of the Iqaluit agreement will presumably be put to popular vote and, it seems likely, be put into effect. They make constructive provision for aboriginal self-government. And the failure of the constitutional conference in March gives new importance to the possibility of achieving aboriginal self-government in the territories, the one part of Canada where neither provincial agreement nor constitutional amendment is involved.

There are two sections of the Iqaluit agreement that may thus lead to political structures unprecedented in Canada and perhaps in any other country. One section sets out "Principles of constitutional development for the Western jurisdiction"; the other is about "Principles of the Nunavut Constitution."

The Yukon Territory is not involved in the agreement. However, it is not likely that it will remain unaffected.

The Yukon and the Northwest Territories have a tiny population, less than 70,000 people in the 1981 census. The population of Yukon that year was 23,074. Of these 4,045 were classed as native, but the real native total is almost certainly higher. The Council for Yukon Indians puts the figure at about 6,000. It is probable that some 25 percent of the population is native - almost entirely status or non-status Indians.

The population of the Northwest Territories in 1981 was 45,537. Of this total, slightly more than 58 percent were aboriginal. The largest group was Inuit: 15,910 people. Status and non-status Indians numbered 7,925 and Metis 2,595. The Northwest Territories is the only political division in Canada where the native people constitute a majority. North of the treeline, which divides the Northwest Territories from its northwest to its southeast corners, 80 percent of the population is Inuit.

These population figures, with the high proportion of aboriginal people, are particularly significant in view of two developments that have occurred in Canada in the last twenty years. One is the new consciousness by all Canadian natives of their identity as different peoples with different values from Canadians of European stock and of their right to treatment that respects those differences.

The second development is the recognition by "white" Canada that there is both truth and justice in the native view. Section 35 of the Constitution Act, 1982, is constitutional affirmation of this fact. It reads: The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed. Aboriginal rights exist: the problem is to define them and to determine what has to be done to give them substance.

Reflecting these developments, the native peoples of the northern territories have in the last few years made clear their determination to achieve two things: fair settlement of their land claims and effective expression in the future institutions of government in the North of their identities, their values and their rights.

In Yukon, land claims have been under negotiation since 1973. It looked as if agreement was close in 1984 but a Special General Assembly of the Council for Yukon Indians that year was unwilling to reach any final conclusion about land claims until the shape of future political development was established.

In the Northwest Territories, the strongest pressure has developed among the Inuit for division of the Territories into two territories, with the boundary between the two following the treeline. The area north and east of the line, peopled almost entirely by Inuit, would become a new Territory of Nunavut. In a plebiscite in 1982 the vote in the area that would become Nunavut was more than 80 percent in favour of division. In the western part of the Territories the population is more mixed and the vote in 1982 was less decisive. However, in the whole Northwest Territories, 56 percent of the voters were then in favour of division.

At the federal level, both the Liberal governments before 1984 and the Progressive Conservative government since then have given a general blessing to the proposal for division provided there could be agreement on the boundary. A treeline boundary would have cut the "West" off almost entirely from the Arctic coast and from the Beaufort Sea with its offshore petroleum resources. It was unacceptable in the West. Some 2,500 Inuvialuit, an Inuit people of different dialect and background from the Inuit to the east, occupy the strategic area that has been in dispute.

The natives of the region of the Mackenzie Valley and Great Slave Lake are much concerned about their future position, either with division of the Territories or without it. The Indians, with the Metis, will be a minority either way. In 1981 the Dene Nation, as the Indians are called, and the Metis Association proposed a new political regime for an area in the West to be called "Denendeh". It would have special features of government "to protect and enhance the rights of native people". In addition to a "national assembly" to legislate, a Denendeh Senate was suggested, composed of Dene, with powers of veto over legislation "if the senate determines that the legislation adversely affects aboriginal rights".

The complex of pressures and claims by the different cultural groups led the Legislative Assembly of the Northwest Territories to establish three entities representing all the interests involved: the Nunavut Constitutional Forum (NCF), the Western Constitutional Forum (WCF) and, as a joint entity, the Northwest Territories Constitutional Alliance.

The complexity does not stop there. Land claims in the Northwest Territories differ with every aboriginal group. There has been an agreement reached with the Committee for Original Peoples Entitlement (COPE), representing the Inuvialuit of the Western Arctic. There are uncompleted negotiations with the Dene about land claims in the Mackenzie Valley. In the East - Nunavut - the Inuit have been negotiating a claims agreement for some years.

A claims settlement will be basic to any political arrangement. The new claims policy of the federal government issued last December

is hopeful. It offers the chance to negotiate offshore resource development roles and participation in the management of ocean mammals and fish. However, all but the **Inuvialuit** are far short of achieving final agreement.

The present governmental structures in the territories could carry on for some time if the 1991 target for division is not achieved. However, the systems in both the Yukon and the Northwest Territories, as they now stand, are unsatisfactory interim arrangements. The Acts of Parliament on which both are based provide in their terms for "colonial" governments without any democratic control. As the law reads there is to be an appointed Commissioner who governs and an elected Council that legislates. In reality, the situation is quite different. The Commissioners have become formal figures, like Lieutenant Governors in provinces, with no power to act except on the advice of ministers. The "Councils" have become Legislative Assemblies like provincial legislatures. The executive power is in the hands of Executive Councils.

All of this sounds much like the familiar provincial system, but there are differences. There are no Premiers, but rather Leaders of the governments. In the Northwest Territories the members of the Executive Council are elected by the Legislative Assembly, and it is the Council that chooses the Leader of the Government. This "upside down" process, with no premier to choose his cabinet, has important implications. There is no adequate basis for government discipline by the Leader of the Government. Because there is no real collective identity for the Executive Council, the political process does not provide for genuinely responsible government as we know it. In Yukon political parties are part of the process, which gives the government leader more clout and lends the government more coherence.

The most glaring deficiency of all is that the present systems of government have no constitutional security. They rest entirely on instructions from the **Minister** of Indian and Northern Affairs to the two Commissioners telling them that, while they **legally have full** powers to govern, they are to act only on advice from ministers. It is on those instructions, not on any law, that democratic control of the governments rests.

The other deficiency relates to the concerns of the native people for their cultural security. There is nothing in the law, in the instructions to the Commissioners, or in the system of government that affords any protection to them. In the Northwest Territories the native people can and do elect a majority of the members to the Legislative Assembly. However, the interests of the Dene and the **Metis** on the one hand and of the **Inuit** on the other are not the same and the groups often differ. In Yukon, the Indians have no certain representation in the Assembly and neither constitutional nor political protection.

For the natives in both Territories there is another lack. The systems of election and of majority rule are reflections of "European" values and attitudes. Both the **Inuit** and the Indians, in their cultural traditions, tend to rely on consensus, in which an ultimate unanimity is sought, rather than on the winner-take-all result of majority vote that our

system so generally accepts. There is nothing in the present structures that rests upon or reflects the values, traditions and methods of the aboriginal peoples.

To put it briefly: the constitutional situation in the two Territories demands change and change will certainly have to come. But change to what?

Until recently, and perhaps still, the assumption of most people in the north, especially the non-natives, has been that the two - or the three - Territories will solve their constitutional problems by becoming provinces. I am convinced that the assumption is wrong. The reasons why provincial status is not a workable solution for the North were set out in an article in this magazine in September 1985, with fuller treatment in a short book, "Northern Provinces: a mistaken goal", published the same year. The considerations are primarily financial, but also political.

Under our constitution as amended in 1982, the approval of the governments and the legislatures of seven of the provinces with a majority of the Canadian population, as well as of Parliament, would be required before provincial status could be accorded to a territory. The provinces would not, in my judgement, be prepared to give their agreement unless the new northern provinces accepted the same financial arrangements as apply to the existing provinces. That would not be financially possible for the North.

The reason it would not be financially possible is that the Territories require far more financial support from the federal government than even the most dependent provinces, Prince Edward Island and Newfoundland, receive through equalization. However, if they became provinces, the Territories would not qualify for equalization at all because their tax yield per capita, which is the test for equalization under a complex formula, is higher not lower than the national average.

The joker is that the costs of government in the North are wildly higher still. The report by the Hon. C. M. Drury in 1980 on "Constitutional development in the Northwest Territories" put the per capita costs of government in Yukon at more than twice the national average and those in the Northwest Territories at almost three times the average.

There could not be provinces in the North unless one of three things were to occur. One would be to get a special financial deal for new northern provinces that no other province would try to get for itself. The chance of any such self-denying generosity by present provinces is zero. Provinces are totally opposed to "special status". They would not agree to special deals for provinces simply because they were north of the sixtieth parallel.

The second possibility would be to devise a totally new approach to equalization. It would require a miracle to produce a formula that would aid the North enough, be acceptable to present provinces, and not bankrupt the federal government.

The third change would be an unimaginable drop in costs in the North to something like the costs in the "South". That is not going to happen. The facts of the North that cause the high costs are, unfortunately, facts: the hostile climate, the vast distances, the sparse populations, the need to import so much for infrastructure and for living.

A basic question is whether the Northwest Territories should be divided. There are good arguments against it. Mr. Drury, in his report of 1980, argued that regional decentralization could provide "an alternative to separate political states in the NWT" and do so with lower costs and fewer problems than division. Professor Dacks, of the University of Alberta, in September 1985, set out "The Case against dividing the Northwest Territories". He argued that division would weaken the political position of the aboriginal people in the western part of the NWT and that division would provide "more costly and less efficient government".

The arguments of logic are unlikely to be persuasive against the strong emotions of a people, the Inuit, who seek both the substance and the symbolism of a government of their own in a land they consider to be their own.

There is a further consideration. Our governments, federal and provincial, have been trying for the last three years to work out some basis for aboriginal self-government in Canada as a whole. The Macdonald Commission on the economic future of Canada said in its report: "it is difficult to conceive of a form of self-government that is not territorially based". It pointed out that most natives in Canada "lack a land base or live outside communities where aboriginal present a majority".

However, the area outside the treeline in the Northwest Territories is an exception. It is perhaps the only area in Canada where a single native people does have a "land base" that is readily definable and where they constitute not only a majority but a large one. It is not surprising that, in such circumstances, the Inuit want to have a Territory that is essentially Inuit and where they can have a government operating in their language that reflects their values. With such a territory and government they could feel that they had a chance to control their own future.

The unique circumstances in the eastern part of the Northwest Territories constitute a challenge to the government and Parliament of Canada. Both the present government and its predecessor, as well as Parliament as a whole, have been eloquent in support of aboriginal self-government. Nunavut is an area without the demographic mixture that makes a problem in this respect of other parts of Canada. That area, with its 80 percent Inuit population, would seem to constitute as clear a test as could be devised to determine whether our political leaders have conviction to accompany their rhetoric.

If division of the Territories on the basis of the proposed boundary eventually takes place, the "western" territory will have a very substantial aboriginal population: about 43 percent. Of that figure, the Indians plus Metis will comprise nearly 35 percent and the Inuvialuit something over 8 percent. For the most part those two groups do

not overlap or intermingle except in Inuvik and Aklavik. However, the situation is very different for the Dene, the Metis and the "non-aboriginal" population. In some areas a geographical separation exists but, in general, either the populations are intermingled or communities with a number of "whites" occur in areas otherwise native. These facts lie behind some of the innovative concepts in the Iqaluit agreement.

The agreement states that, for the West, the overriding objective of a new constitution is to build a system of public government which will protect the individual rights of all of its citizens and the collective rights of its aboriginal peoples. To accomplish the latter for the Dene and Metis and for the Inuvialuit each aboriginal community in the western jurisdiction shall be explicitly recognized in the constitution and mechanisms shall be entrenched to enable each community to flourish as a distinct cultural entity regardless of its proportion of the total population. The communities are to have control over those matters which affect them exclusively, especially cultural matters and the special relationship that exists between aboriginal peoples and the land.

It is not easy to grasp what is proposed as it is so different from our traditional constitutional pattern. "Communities" are people of a common culture, not necessarily resident in a definable area in which they are a majority or in which there are not people of another culture. Each cultural community - probably three: Dene/Metis, Inuvialuit and "other" - would have specified rights and would exercise powers over certain things of particular community interest. In areas where a particular cultural community is a majority, or where agreement crossing community lines can be worked out, "community governments will have the right to form a regional government". Official working languages of a regional government "will include the regional aboriginal language or languages and English".

For the most part, our protections of rights in Canada have focused on the individual, with emphasis on equality of treatment. However, provisions to protect certain groups of people with a particular identity and character are not totally unknown to our constitution. Some are provided indirectly by being attached to specially defined areas. The most obvious is the protection of the French-speaking community of Quebec, through the creation in 1867 of the province of Quebec, where they would be a majority.

The only clear provision of collective rights in Canada not afforded by some territorial definition, before the Constitution Act of 1982, was in respect to two religious minorities, Protestant in Quebec and Roman Catholic in other provinces. Those two groups were, by Section 93 of the BNA Act, guaranteed for the future all the rights to separate schools that existed on July 1, 1867, for Roman Catholics in Upper Canada (now Ontario). What the Iqaluit agreement proposed is an adaptation of the principle applied in Section 93, with respect to religious communities, to cultural communities in the Western territory of the North.

While this concept has been unknown to our constitution hitherto, there is one western democratic country where the principle of rights attaching to cultural communities as such has been applied. It is Belgium, where the linguistic and cultural communities of the Flemish and the Walloons have rights, powers and constitutional guarantees that are not related to any federal division or to any territorial governments. The development of the system there appears to be bringing a growing stability to a situation that was formerly troubled and often violent.

The constitutional guarantee of rights and of certain powers for cultural communities is not the end of the innovations proposed. The Iqaluit agreement also provides that there shall be a guarantee of aboriginal participation in government. To achieve this a plan, already well developed, envisages voting at territorial elections on the basis of community membership. Each community would be entitled to representation in the territorial legislature proportional to its numbers in the total population of the Western Territory. Some guarantee of representation by every community in the executive council or cabinet would be provided. The parts of the constitution involving the principles and rights relating to communities must not be amendable without the approval of aboriginal and non-aboriginal peoples.

If a system of government is developed for the Western territory based on the principles in the Iqaluit agreement it will break new ground in Canada. The principles could have application in the Yukon Territory with its large aboriginal minority. Whether they could have application in any province is less certain: aboriginal minorities are much smaller in the provinces and the present constitutional and political systems are firmly established.

The principles in the Iqaluit agreement relating to Nunavut are less revolutionary. They state that 'Nunavut, as the first native majority jurisdiction within the Canadian federation, has a particular obligation to structure its institutions so as to reflect Inuit culture. It would be a cultural homeland of Inuit with Inuktitut an official language of Nunavut and a language of teaching. Its governments would however, be a "public government" with full participation by all residents, regardless of language or race.

The section on Nunavut suggests that its constitution should take into account the contribution and role of the Inuit north to Canada's Arctic sovereignty interests. The only aspect of Canadian sovereignty in the Arctic that is at present uncertain relates to the waters between the islands of the Canadian Arctic archipelago. In September, 1985, the government of Canada declared those waters to be inland waters of Canada but this claim has never been tested in international law nor has it been formally recognized by any country.

The Iqaluit agreement does not suggest what might be done under the Nunavut constitution to support our claim to sovereignty over the waters of the archipelago. One possibility might relate to the establishment of "effective occupation" of those waters by Canada: a concept important to sovereignty. The Inuit do use substantial parts of them as a source of food. Marine mammals are taken from the

water during the short time it is open and from the ice during the rest of the year.

In the constitution of **Nunavut** provision might be made for some aspects of presently federal jurisdiction over offshore areas to be exercised by the legislative assembly and government of **Nunavut**. This could be in respect of the control of hunting and exploitation of marine mammals, law enforcement, and the application of law to activities in the "water" areas offshore, and other matters of that kind.

The application of the laws of a Canadian **Inuit** government to an ice and water region used by them on a regular and continuous basis would be a genuine form of occupation by the people and the government in Canada that can most effectively occupy it.

Altogether, despite the continued uncertainty about the boundary between the two territories, the **Iqaluit** agreement holds out the prospect of some of the most interesting constitutional developments in the century and more since Confederation. We have long prided ourselves on not being a melting pot. It is possible that we can now make, as we should, significant innovations in the ways in which people of diverse origins can most fully live together according to their own cultures within a federal political structure.

Gordon Robertson is Fellow-in-Residence and former President of the Institute for Research on Public Policy. Educated at the Universities of Saskatchewan, Oxford and Toronto, he began his involvement in constitutional matters when he entered the Privy Council Office in 1949. From 1953 to 1963 he was Deputy Minister of Northern Affairs and National Resources and Commissioner of the Northwest Territories. From 1963 to 1975 Mr. Robertson was Secretary to the Cabinet and from 1975 to 1979 Secretary to the Cabinet for Federal-Provincial Relations.

AN UPDATE ON THE WORK OF THE
WESTERN CONSTITUTIONAL FORUM

PRESENTED BY
BOB MACQUARRIE, MLA YELLOWKNIFE CENTRE
TO THE LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

Tabled Document No. 25-86(2)
Tabled on October 28, 1986

I would like to take this opportunity to provide this House with an update on the progress and activities of the Constitutional Alliance of the Northwest Territories. As you know I am the Vice-Chairman of the Western Constitutional Forum, an organization which is charged with the responsibilities of developing a new constitution for a western territory, and of negotiating with the other members of the Alliance a boundary for division.

The WCF has made considerable progress in the area of constitutional development. A great deal of research has been done and we have held at least one public meeting in every western community with the exception of the Deh Cho region in order to solicit the opinions of all residents on constitutional development and division. The WCF has also held a series of internal constitutional working sessions as we call them during which we have considered a number of approaches, principles and models for a new western government.

I am pleased to say that in a general way all members of the WCF are now operating within the same ballpark when we are talking about constitutional development. We have tentatively agreed to use a single set of general principles in order to flesh out in much greater detail how those principles might be concretely expressed in a new government. Naturally there are going to be differences of opinion on how and to what extent each principle should be expressed, and it is quite possible that some of our tentative principles will be altered or replaced in the process. However the positive working relationship that has developed among WCF members over time coupled with the fact that we are now operating from a more common understanding makes me optimistic that a tentative agreement on principles for a new constitution could be ready to be taken to the public for its consideration by the late spring of 1987.

There are however, two other factors which have and which continue to impede our progress and which might prevent us meeting that timetable; those being the lack of a formal agreement among the members of the Alliance on the location of a boundary, and the relative lack of involvement of the Inuvialuit in the WCF's constitutional discussions.

The Constitutional Alliance has been discussing the boundary for more than three and a half years; our first meeting on this subject was held in Yellowknife in February, 1983. Two meetings in 1984 saw the Alliance reach agreement on the primary objective for division, on twelve principles or criteria to help us assess various proposals, and one principle which described in general terms the process the Alliance would follow to reach a tentative agreement on the boundary and to have it formally ratified.

The next meeting of the Constitutional Alliance in January, 1985 actually produced a tentative agreement on a boundary subject to the Inuvialuit being able to reach a satisfactory agreement with the WCF whereby they could feel secure within the western territory. As you know this agreement was unanimously endorsed via formal motions by the Chiefs of the Dene Nation, the Presidents of the Metis Locals, and by the members of the Western Caucus of the Legislative

Assembly. We would have been prepared to put that agreement to the public and were confident then of winning support. However the leaderships of the organizations which the members of the NCF represent did not feel comfortable in endorsing that agreement at that time.

The last year and a half have in many respects been a frustrating period for all concerned. The members of the WCF saw their task as twofold; to resume serious negotiations with the NCF regarding the boundary, and to initiate meaningful negotiations with the Inuvialuit regarding their possible future in a western territory. The WCF tried on a number of occasions to schedule a meeting of the Alliance. However the NCF was involved in some major reorganization during the spring and summer of 1985 and the Alliance was unable to meet until November.

The November meeting of the Alliance was not very productive. The only real outcome was an announcement by the Inuvialuit leaders that COPE had been assigned the task to consult the Inuvialuit in the Western Arctic regarding their opinions on division and the boundary. The other members of the Alliance agreed that COPE would report the results of their survey to the Alliance at its next meeting early in the new year. As it turned out it was August before all members of the Alliance would agree to meet again. COPE did however complete its door-to-door survey and, while the results could be called incomplete, they did succeed in interviewing approximately fifty percent of the adult population. The results of the survey, as we all know, were that the largest group did not want division to occur. However if division was inevitable the next largest group wanted all the Inuvialuit to remain together in a western territory and the smallest group wanted the Inuvialuit Settlement Region split such that Aklavik and Inuvik would be in the west and the four coastal communities would be part of Nunavut.

The WCF has also been trying hard to discuss with the Inuvialuit ways in which their future could be secured in the west. We were pleased to accept an invitation to make a presentation to COPE's Board of Directors during a meeting in Aklavik in June, 1985. At that meeting we encouraged COPE to participate actively in WCF's constitutional negotiations. We restated our standing offer to COPE of full membership in the WCF but we also indicated that we were willing to have COPE participate in our work on an unofficial basis if COPE was still unwilling to commit itself to the west at that time. We also indicated that the WCF was prepared to formally endorse two of COPE's basic principles which underlay the original WARM proposal.

COPE's Board eventually decided to exercise its observer status within the WCF to a greater extent and COPE's President, Billy Day, or his representatives have attended all four of WCF's constitutional working sessions since that date. This participation has been a big help. Mr. Day and the other members of his delegations have made significant contributions to our discussions and they have also been able to bring back to their region firsthand knowledge of our progress on constitutional matters.

However, COPE's participation in these sessions did not constitute formal negotiations between the Inuvialuit and WCF to try to reach

an agreement by which the Inuvialuit could feel secure in the west. Up until the Alliance meeting this last August, the Inuvialuit leadership had still not indicated a willingness to enter into such negotiations.

Meanwhile both the Nunavut Constitutional Forum and the Western Constitutional Forum were becoming extremely concerned at the time it was taking to resolve the boundary question. Both Forums were becoming increasingly aware of the frustration being experienced by many members of the public regarding division. The process was taking too long. People did not like to hear some of the controversy which often emerged in the media. Others, both in and outside government, felt that a number of very important initiatives including land claims, devolution, constitutional development and even economic development were being held back because of the failure to select a boundary. There was the question of how long would the Federal Government continue to support a process which appeared to be unable to break the impasse on the boundary. Another important factor is that the life of the Tenth Legislative Assembly is rapidly drawing to a close. It was probably never realistic that division itself could occur by 1987, but we do believe that it is very important for the future of the north that a boundary agreement be reached and formally ratified before the next territorial election. Even the people of the east, who I believe continue to be committed to division, are becoming frustrated. They want to get on with the work of establishing Nunavut rather than continue to hear seemingly endless discussions on the boundary.

In light of all these factors, both the NCF and the WCF independently reached the same conclusion; the Alliance must reach a tentative boundary agreement for presentation to the Legislative Assembly before the end of this fall session.

In this very important respect I regret very much that I am at this moment making this presentation to you rather than being part of a delegation presenting to you for your consideration a tentative boundary agreement signed by each member of the Constitutional Alliance.

Both the NCF and the WCF came to the Alliance meeting in Winnipeg last August with the intention of making every effort to reach agreement. The NCF urged the Inuvialuit to sit down with the WCF and seriously attempt to reach agreement. The WCF indicated that it was prepared to do so immediately.

However the Inuvialuit insisted that they could not make a deal with the WCF at that time. Instead they proposed that they return home and develop a set of principles from which to negotiate with the WCF, then negotiate with the WCF leading to an agreement, then bring this agreement back to their communities, then hold a regional workshop to assess and ratify the agreement, then bring the results of this process to the next Alliance meeting on October 15th.

The WCF did not want to accept this proposal. We have had two years to do this work, we said, why are we just going to start it now? It was becoming clear to us that a boundary agreement by October was becoming less and less a possibility.

The WCF then tried to reduce the timeframe by suggesting that the **Inuvialuit** spell out their principles and negotiate an agreement with the WCF right there. We offered to remain in Winnipeg until the end of the week. The **Inuvialuit** refused this offer as well. Nearly all the discussion at this meeting **focussed** on the concerns of the **Inuvialuit**. Very little time was spent discussing the issues still outstanding between WCF and the Nunavut Constitutional Forum.

While the two Forums are seriously and equally committed to reaching a tentative agreement on the boundary as soon as possible, there still are some important issues which remain to be resolved.

Interestingly enough one could say that the actual location of the boundary is no longer the major issue. Subject to the **Inuvialuit** concerns being met, and subject to other conditions being agreed upon, the proposed boundary will probably, in essence, place the **Inuvialuit** and **Dene/Metis** Settlement regions in the west and the **Inuit** Settlement region in the east. This is not to say that the political boundary will necessarily follow exactly along the boundaries of the claim.

One of the issues which needs to be addressed are the concerns on the part of the Dene and Metis that placing a political boundary on top of their claims boundary will undermine their rights to lands and wildlife on the other side of the line. The Dene and Metis were willing to accept a single line claims boundary between themselves and the **Inuit** only so long as there was also a definition of an overlap area on both sides of the line which was subject to joint management and usage. If the claims boundary were also to be used as the **political** boundary, then the Dene and **Metis** would want to be ensured that a Nunavut Government would not in any way be able to jeopardize their rights or their interests in lands and wildlife within the jurisdiction of Nunavut.

Another point of contention is the rate at which we will proceed towards an actual division notwithstanding an agreement on a boundary. The Dene, Metis and presumably the **Inuvialuit** do not want division until they are satisfied that their political rights and interests are satisfactorily entrenched in the constitution which establishes the western territory. They are very sensitive to the fact that aboriginal people will be a minority in the west and that it will be more difficult to amend a western constitution to meet their concerns after division has occurred.

The **Inuit** understand the concerns of aboriginal peoples in the west and support them in their efforts to meet their objectives. They also realize that they **too** have a lot of work to do before division is finally proclaimed. However, they are reluctant to make the realization of Nunavut directly dependent upon the satisfaction of the Dene, Metis and **Inuvialuit** in the west.

Furthermore, in addition to the enhancement of self-government, the major reason division has historically been proposed is for improvements in the quality of government and the delivery of services to its citizens. Citizens in both jurisdictions are concerned that the level of services which will be available to them in the short and medium

terms after division not be less than the level of services provided in an undivided Northwest Territories.

Finally there is the matter of how the tentative boundary agreement reached by the Alliance should be formally ratified. The WCF has always argued that the location of the boundary will affect all present and future residents of the north and therefore that the boundary should not be imposed by one group unilaterally. An agreement by the Alliance on the boundary will go part of the way to assure that a genuine consensus has been reached. The question then is what is the fairest way for this recommendation to be accepted or rejected.

The turnout for the 1982 plebiscite on division was very low; less than fifty percent. On our visits to communities many people expressed their unhappiness with the original plebiscite because of its vagueness. They said they wanted the opportunity to vote on a concrete proposal for division which included the boundary rather than on a general principle.

With this in mind WCF has strongly endorsed the proposal that the formal ratification of the Alliance agreement should take the form of an NWT-wide plebiscite. The NCF for its part agrees that a formal ratification of the agreement should take place but they are very reluctant to accept the idea of the plebiscite.

These are all important issues; not easy to resolve. Nevertheless I am optimistic that the members of both the NCF and the WCF have both the motivation and the determination to reach an agreement, and to do so in a very short period of time. I am not so optimistic about WCF'S negotiations with the Inuvialuit.

As I mentioned earlier, at the Winnipeg Alliance meeting WCF had agreed in a general way to accept the negotiation process proposed by the Inuvialuit; the objective being to reach an agreement on principles whereby the Inuvialuit would be able to accept a boundary agreement which would place the Inuvialuit Settlement Region in the west.

The Inuvialuit leadership completed the first step; they put to paper a set of principles for negotiation and forwarded them to WCF members for their consideration. The second step was the negotiations between the Inuvialuit and WCF members to try to reach an agreement. We did in fact have three sets of meetings with the Inuvialuit entailing four and a half days of discussion.

The first set of meetings took place on September 12th and 14th. Attending on behalf of the WCF were members Stephen Kakfwi, Larry Tourangeau and myself; alternate members Richard Nerysoo and John Bekale; our staff and legal counsel. On behalf of the Inuvialuit COPE President Billy Day attended the first day but was absent for the second. IRC Chief Roger Gruben arrived near the end of the first day's session and remained for the second. Nellie Cournoyea attended both days although she made it clear her presence was on the basis of her being an IRC staff person involved in the implementation of claims, rather than as a member of the NCF. One other staff person and legal counsel were also present.

As you know, the WCF is taking a comprehensive approach to the development of a new government. That is to say that we are looking at the structures and powers of the territorial or provincial level of government, community governments, possible regional institutions and the relationship of each to the others. We are also discussing various ways in which aboriginal self-government could be constituted within a public government system which represents and serves all residents. Obviously we are not going to propose that every recommendation we offer for a new government be entrenched in a constitution. Nevertheless we believe it is very important to have a fairly complete scenario in mind when we do come forth with a concrete constitutional proposal.

The Inuvialuit, for their part, presented WCF with a set of nine principles, all of which were focussed exclusively on the establishment of a regional government. To avoid confusion, it must be emphasized that these were not the same nine principles which were developed by COPE and the mayors of some Western Arctic communities in August, 1985 and presented to the Nunavut Constitutional Forum's conference in Coppermine a month later. (See attached.) In fact the principles which were presented to the WCF describes a regional government which is considerably more powerful than the Coppermine principles or any other proposal for a regional government for the Western Arctic which we are aware of. However, aside from the inclusion of a principle making Inuvialuktun an official working language of the regional government, the proposal made no reference to any specific political rights for the Inuvialuit.

The first day was taken up primarily by a description and explanation of the Inuvialuit principles by their lawyer, followed by questions and discussions involving all parties. Their lawyer tried to characterize the overall package as a typical regional government similar to those operating in other parts of Canada. However, the members on our side could give no credence to this argument. For one thing the geographic area of the proposed Western Arctic Regional Government which includes a sizeable portion of the offshore is much, much larger than any regional government in the south. Therefore even if the powers were the same in both governments, the fact that WARG could exercise those powers over such a large area would put it into a class by itself.

This was not the only difference, however. The powers described to us, particularly as they related to land, sub-surface and offshore rights, and control over non-renewable resources, were much greater than any regional government in southern Canada could possibly entertain. Also, unlike anywhere in southern Canada they wanted the powers of their regional government and their relationships to the territorial and federal governments entrenched in the constitution.

As it was described to us the regional government would have title to all public lands within the region and outside of municipalities and it would also own the sub-surface other than under the Inuvialuit's 7(1)(a) lands. With regards to the offshore, while the regional government could not own these resources, it should control their development. The regional government would enter into an accord with the federal

government similar to the accord presently in existence between the Government of Canada and Newfoundland. Such an accord would guarantee one half the seats on any management boards to the regional government and, in this way, the regional government would be able to exercise control over the offshore. Finally the regional government would obtain revenues directly from the oil and gas development both on and offshore, although the regional government would share these revenues according to some formula with the other levels of government.

To make a long story short the response from a WCF member was; you aren't asking for a regional government at all, what you want is a third territory or province. At this point we decided to break off for the day, each side to reconsider its position in light of the day's discussion.

The second day began with both parties presenting a position. The Inuvialuit proposal was reduced from nine principles to eight. This proposal no longer called for ownership of the sub-surface but it still included control over and direct revenues from development. The approach to the offshore remained the same. The regional government's fiscal capacity would also be entrenched in the constitution along with the jurisdictions. For the sake of specificity the proposal listed the jurisdictions the regional government would include. These included the topics listed in the original WARM proposal; education, local government, economic development, police services, game management and certain powers of taxation; and added on some new ones; land use planning and management, highways, ownership of public utilities, and public health. The paper said that responsibility in some or all of these areas might be shared between the regional and the territorial governments.

WCF members responded by suggesting that the Dene and Metis, and for some principles the non-aboriginal population, shared the same objectives as the Inuvialuit; greater general and aboriginal control over and benefits from development, land use management and wildlife, the "protection and enhancement of aboriginal languages and cultures, the definition and protection of aboriginal peoples' political rights and interests, the devolution of decision-making authorities to community and regional institutions as appropriate being some examples. The problem for us was that we felt that a number of these issues should be addressed at the provincial level, some at the communities and others in the regions. We stated that the region they were describing was really a province and that if we were talking of having a western territory which included the Inuvialuit, we would have to take some time working together to design the provincial government before we went too far in determining the role of regional institutions.

The Inuvialuit responded by saying that they would be willing to enter into discussions about the other levels of government eventually, but only after the WCF had offered them satisfactory guarantees regarding regional government. The meeting broke up at this point with both parties agreeing to meet again soon and with a commitment from the WCF to send to the Inuvialuit our position on regional government in the interim.

The next meetings took place on September 29th and 30th in Yellowknife. WCF members Steve Kakfwi, Larry Tourangeau and myself, alternate Charlie Furlong from Aklavik, staff and legal counsel were present for both days. WCF member James Wah-Shee was present on the 29th. For the Inuvialuit Roger Gruben and a staff member attended both days and Billy Day was present on the 29th.

The basic question posed to the WCF members by the Inuvialuit was; are you going to constitutionally guarantee us regional government or not? After considerable discussion the WCF offered the following principle; that within a constitution of a western territory, community government will have the right to form a regional government and the central government will be obliged to recognize and accept regional governments so formed.

Members of the WCF preferred this approach to entrenching a specific regional government in a constitution for several reasons. First we felt that whatever we offered the Western Arctic we must also be prepared to offer to the other regions in a western territory. Also we preferred to let communities determine their membership and their regional boundaries rather than having them predetermined.

But there was another important reason why we felt this approach was more desirable. It is our opinion that communities want to form regional governments, not to exercise power over them, but rather to increase each community's ability to have more control over its situation. Our approach, while guaranteeing the right to form a regional government, would clearly leave the communities in the drivers seat where we felt they belonged.

This offer seemed to break the logjam and for the rest of the day it appeared that real progress was being made. The next day however, particularly in the afternoon, the Inuvialuit seemed to suddenly reject all that had taken place in the past day and a half and retreated back to their initial position. After some discussion we appeared to get somewhat back on track and by the end of the day it appeared that the only significant outstanding issue was whether or not the powers of a regional government should be entrenched in a constitution.

For greater certainty the Inuvialuit preferred to have the powers entrenched. For our part we did not believe that this would be a good idea. We felt that the communities who decided to form a regional government should play a major role in determining what the mandates of their regional government should be. We supported the idea that regional governments should be able to obtain from the other levels of government shared responsibility, management and control over certain programs and services including aspects of education, economic development, local government relations, police services, game management, land use planning and management, and the powers to tax by way of property taxation, business taxes and license fees and amusement taxes.

The WCF does not at present support legislative authority for a regional government in these areas, but the WCF agrees that the community and central governments should be empowered to delegate such authority.

We pointed out that WCF was seriously considering proposals to increase significantly the powers and responsibilities of community governments and that these communities would be able to devolve these powers to a regional government as they saw fit. But we also wanted to protect the right of a community to opt out of a regional government if they so desired subject of course to certain terms and conditions which would limit the ability of a community to withdraw on short notice and thus pose a risk to the sound operation of the regional government. We also offered fiscal guarantees for regional governments.

The meeting ended with Inuvialuit and WCF each agreeing to give the question of entrenching the powers of regional government more thought and then meet together once more. For myself I indicated that I had gone about as far as I or the MLAs I represent are likely to be willing to go.

Our third meeting took place in Yellowknife on October 5th. Steve Kakfwi, Larry Tourangeau and myself, accompanied by our lawyer and staff were present. The Inuvialuit sent only one staff person and legal counsel.

Their lawyer indicated that the Inuvialuit continued to believe that the powers of a regional government must be entrenched in the constitution. He also insisted that the regional government must have a veto over all non-renewable resource development in the region both onshore and off.

WCF members responded that as far as we were concerned the concept of a region as the Inuvialuit described is really the entire western territory. We stated once more that the task of the WCF is to develop a constitution for the whole territory which will help enable all the peoples in the west; Dene, Metis, non-aboriginal and Inuvialuit; to live together under one public government in ways which are of benefit to each. We indicated once again that we do support the Inuvialuit's desire for a regional government but that it is important to have a strong provincial government and strong independent community governments as well. We reiterated our intention to entrench aboriginal self-government provisions within the public government system.

We agreed that the Inuvialuit do have a real interest in the important issue of non-renewable resource development. We stated that we thought it was a reasonable request that a regional government be able to participate directly in the land-use planning process within its region. We rejected their proposal that the regional government should have a veto over all development in the region but we did suggest that we were willing to look seriously at ways in which the Inuvialuit could be directly, formally and significantly involved in the decision-making process for development projects. However we made it clear that we felt this function should probably rest primarily at the provincial level. Once again we invited the Inuvialuit to participate actively in the WCF as full members.

By this point it was clear that we had reached an impasse and the meeting broke off. A few days later the President of COPE tried to keep the channels of communication open by inviting Steve Kakfwi

and a second WCF member to tour the **Delta/Beaufort** communities to listen to the people firsthand. We were very pleased to accept this invitation and last week Mr. **Kakfwi** and Larry Tourangeau accompanied Mr. Day to a number of communities.

Apparently Roger Gruben was not so impressed with the idea of a tour and it has been reported that he actively encouraged the coastal communities to refuse to meet with us. Sachs Harbour and **Paulatuk** both asked us not to come. However we were invited to go to **Holman** and **Tuktoyaktuk**. We also had a meeting in **Inuvik** with **Inuvialuit**, **Dene**, **Metis** and non-aboriginal leaders from **Inuvik**, **Aklavik** and the **Delta Regional Council** which had been designated by **Fort McPherson** to represent their views.

The meetings were free-wheeling but cordial. Naturally there were some differences of opinion, but apparently a number of people at these meetings found the concept of communities having ascendancy over a regional government quite attractive. This is not surprising since the last two of the principles put forward by the **Inuvialuit** to the **Coppermine** conference in 1985 reflect this position.

The joint Boards of Directors of **COPE** and **IRC** will be holding a meeting in **Tuktoyaktuk** on **October 27** for the purpose of reassessing their position on constitutional development. I hope that the results of the meeting will enable the **Inuvialuit** and the **WCF** to return to the bargaining table. I believe that a practical and reasonable agreement between the **Inuvialuit**, the **Dene**, the **Metis** and the non-aboriginal representatives will make the reaching of an agreement on the boundary much easier.

However, as I have stated earlier in this presentation, time is of the essence. There are many other important issues needing to be dealt with and they cannot all be tucked away on a shelf to await an agreement with the **Inuvialuit**.

The **Constitutional Alliance** was scheduled to have a meeting here in **Yellowknife** on **Tuesday** and **Wednesday** of this week. At the last minute **Roger Gruben** contacted the **NCF** office and asked them to postpone the **Alliance** meeting until after their meeting in **Tuk**. By the time **WCF** found out about this request it was too late to get the meeting back on track.

As far as we are concerned the **Tuk** meeting was no excuse to cancel the meeting of the **Alliance**. As I indicated earlier there are a number of other outstanding issues between the **WCF** and **NCF** which need to be addressed. We could have concentrated all our energies into trying to resolve those questions thus enabling the **Alliance** to set up another meeting soon after which could focus entirely on the **Western Arctic**.

We are not going to continue meeting as the **Alliance** to discuss the boundary much longer. All the research has been done, and the issues are clear. The time is ripe, very nearly overripe to either reach an agreement or to decide that an agreement is simply impossible and, that the **Alliance** apparently is not the vehicle to resolve the question of division. Our deadline for an agreement is short; weeks not months.

If some **Inuvialuit** leaders consider this timeframe to be unreasonable, we can only remind them that we have literally had years to be working out ways their future could be secured in the west. There was no good reason that those discussions did not start until last month.

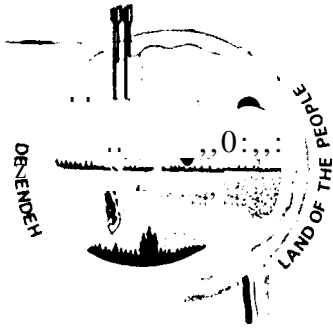
We intend to do all we can to enable the Alliance to come before this House as soon as possible to present you with our recommendation for a boundary and to ask you to submit our recommendation to the public in the form of a plebiscite for formal ratification. Failing that I shall come to you as the representative of the WCF and ask you to initiate a different plebiscite; a plebiscite which will not only deal with the boundary, but which will also reconsider the whole question of division.

Thank you.

COPE Principles on Regional Government

Presented to NCF Constitutional Conference
Coppermine, September, 1985

1. The protection of individuals in that each and every resident of the region shall have the right to benefit and participate in public institutions, programs and services.
2. The people and communities of the region shall have control over the programs and services vital to the preservation of the cultural identity and values of its residents.
3. The people and communities of the region shall have control of the institutions which provide programs and services to ensure policies support the preservation of the culture and values of its residents.
4. The people of the region shall have access to and the fiscal control of public resources in order to provide efficient and effective regional government.
5. The people and member communities shall share in lands and resource revenues from within the region to provide effective responsible regional government.
6. Inuvialuktun shall be an official working language of the regional government.
7. The regional government shall be representative of and accountable to the people and the communities of the region respecting the areas within its jurisdiction.
8. Community councils of the region shall have ascendancy within the framework of the Western Arctic regional government.
9. The voluntary association of its member communities shall be the genesis of the regional government.



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June 9, 1987

Chiefs and Sub-Chiefs

Enclosed for your information is a booklet produced by the Canadian Arctic Resources Committee (CARC) which contains the complete text and the official **summary** of the "Boundary and Constitutional Agreement . . ." reached between the Western Constitutional Forum and the Nunavut Constitutional Forum in Iqaluit on January 15, 1987. By now you are fairly familiar with the contents of the agreement. Therefore this letter will focus on events leading up to its being signed.

This agreement was not arrived at by accident on the spur of the moment. On the **contrary**, it is the **direct** result of four critical decisions reached by the **Dene** over the past thirteen years.

1. **DENE SELF-GOVERNMENT MEANS SIGNIFICANT DENE PARTICIPATION AND CONTROL IN A PUBLIC GOVERNMENT WHICH WOULD MANAGE ALL DENE LANDS AND WHICH WOULD SERVE ALL RESIDENTS:** Right from the beginning **we** have believed that land claims and aboriginal rights more than anything else meant self-government; greater control over our traditional lands and our lives so that **we** could build a good future for our children.

At a Joint General Assembly in Fort Good Hope in 1974, our leaders agreed that they wanted **Dene** title to all of our **traditional** land affirmed, not taken away as the written Treaties claimed to do. This is still our position today, although **we** realize that the exact definition of our **aboriginal title** will vary from place to place.

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In the following year at Fort Simpson our leaders adopted the Dene Declaration, a statement which made it **very** clear that **we** consider ourselves **to be** a distinct nation of people within Canada **who have a** right to self-determination within confederation. Our demand for the just recognition of our right to self-government was soon **echoed by** aboriginal peoples throughout Canada and the **struggle to** entrench this right within the constitution of Canada **was underway**. This principle is no less important to us now than it was twelve years ago.

2. **THE SEPARATION OF LAND CLAIMS FROM POLITICAL RIGHTS:** The mid and late 70's found each aboriginal group trying to secure all their political rights through their land claims forums while non-aboriginal residents pursued their constitutional objectives via the Legislative Assembly which they dominated. The irony was that, while each group agreed that the objective was to produce a government or governments in which all cultural groups could participate, all of the negotiations which were taking place kept the parties from talking to each other.

Finally, in 1981, the Dene leadership agreed that claims would be primarily a lands and resources agreement and that self-government rights negotiated in claims would be limited to management boards **for** these topics. The bulk of our political rights to self-government **would be** negotiated in some other forum **yet to be** determined, but **which** would include **representation** of all aboriginal peoples **as well** as non-aboriginals.

This position was **reaffirmed** at various subsequent meetings, for example when delegates to the Dene General Assembly in Rae in 1984 passed a motion approving a framework for claims and directing claims negotiators to coordinate the claims and WCF processes more closely.

3. **THE LINKAGE OF DENE POLITICAL RIGHTS TO DIVISION OF THE NORTHWEST TERRITORIES:** The first official action linking the Dene to division was the release of the Denendeh public government discussion paper by the Dene Nation and Metis Association Executives in **January** 1982. It called for the creation

of a province-like territory to be called Denendeh which would protect the political and cultural rights of the Dene within a one government system. The territory would include all Dene communities and lands, and the Inuvialuit would be encouraged to pursue their goal of a regional government within it. '

A month later the Dene Nation Executive participated in the creation of the Constitutional Alliance of the NWT whose terms of reference included a strong commitment to division. Our Executive agreed to lobby the Legislative Assembly to hold a plebiscite on the principle of division, even though there was no agreement on a boundary at that time. They also agreed to actively campaign for a yes vote in Dene communities.

The results of the plebiscite are now history. A significant majority of the Dene who voted favoured division as did a majority of all NWT voters. In July 1982 the Dene Nation helped divide the Constitutional Alliance and became members of the Western Constitutional Forum. WCF's mandate was to develop a constitution for a western territory which included the recognition and protection of our political and cultural rights, and to reach an agreement with the Nunavut Constitutional Forum on a boundary for the implementation of division.

I became a member of the WCF when I was elected President of the Dene Nation in 1983. Reports on the activities of the WCF and the Alliance were presented at Leadership Meetings and Assemblies on a regular basis. On some occasions, motions supporting the WCF process and division either directly or indirectly were passed.

4. **ACCEPTANCE THAT POLITICAL AND CLAIMS BOUNDARIES WOULD BE THE SAME:** Our Chief Negotiator and our community and regional representatives, who were charged with the responsibility of negotiating a tentative agreement with TFN for a claims boundary, never agreed with TFN that they were also negotiating a line for division. They made it clear that division was not part of their mandate.

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However, over time it **became** more and more obvious that there **was** a real possibility the two lines would coincide. In **January 1985** the NCF came to WCF with a proposal for division. Essentially it proposed that the **Dene/Metis** and **Inuvialuit** claims settlement regions be in the west and the TFN claims area be in **Nunavut**.

At the time of this meeting, a tentative agreement on the location of a claims **boundary** between the **Dene/Metis** and the **Inuit** had still not been concluded. However, in order that the public have some idea of what the boundary might look like, the **Dene/Metis** Claims Secretariat and the TFN provided the Constitutional Alliance with an outline of a broad corridor within which **they** expected to eventually **reach a** final agreement on a claims boundary. The corridor provided by the two claimant groups stopped at the Saskatchewan-Manitoba border.

Eventually the agreement collapsed because of opposition from some representatives of the **Beaufort** region and the Eastern Arctic. However, **Dene** and **Metis** leaders attending the Joint Leadership Meeting in Providence in March 1985 passed two motions regarding the **January 1985 Agreement**. The first motion dealt with the **boundary** issue. Skipping the **whereases**, the motion reads:

"THEREFORE BE IT RESOLVED that, if division is to occur, the Dene Nation Leadership and the **Metis** Association Board of Directors hereby unanimously support the tentative Alliance agreement of January 13, 1985 which was negotiated in good faith by **WCF** members and which was approved **by all** members of the Legislative Assembly's Western caucus via Motion **8-(85) 1** of the Legislative Assembly, passed **February 25, 1985**; and

BE IT FURTHER RESOLVED that the four conditions for division outlined by the previous Liberal government be retained, including:

- (a) That any decision on a boundary must first be agreed upon by the Constitutional Alliance and then ratified by the public before it is accepted by the federal government.

(b) That all claims must be settled or close to resolution before division takes place.

(c) That constitutions for each **territory** must be completed before **divison** takes **place**.

BE IT FURTHER RESOLVED that the traditional hunting, trapping and fishing rights of the Dene and **Metis** of Manitoba and Saskatchewan must be respected and **protected in a Nunavut Territory.**"

This motion is significant for three reasons. The Dene and **Metis** Leaderships unanimously accepted the principle that the claims boundary should also **serve** as the political **boundary** for division, that the claims boundary would likely not extend beyond the Manitoba-Saskatchewan border, and that the rights of provincial **Chipewyan** could be protected within **Nunavut**. It is also significant because of its implicit **call** for a plebiscite on the boundary and its insistence that a constitution for a western **territory** which is satisfactory to the Dene and **Metis** be drafted and in place before division actually occurs.

The second motion passed at the Joint Leadership Meeting dealt with the process of constitutional development, particularly the fact that the aboriginal organizations must remain equal partners with government. Once again, skipping the **whereases**, this motion reads:

THEREFORE, be it **resolved** that the **Metis** Associationss Board of Directors and the **Dene** Nation's Leadership continue to support the Alliance as the **only** type of mechanism capable of legitimately and successfully addressing the issues of constitutional development, division and the selection of a **boundary**, and that **any** attempt on the part of the Government of the Northwest Territories or **any** other single **party** to assert **primary responsibility** for this process **will** be rejected.

FURTHERMORE, be it resolved that Constitutional Development must remain a priority for all northern peoples whether or not division takes **place.**"

This motion was likewise passed unanimously.

On May 9, 1986 our chief negotiator, our southern vice-president, and Chiefs and leaders representing Snowdrift, Fort Franklin, and the Dogrib communities initialed a tentative claims boundary and overlap agreement with TFN and agreed to take their joint recommendation back to their respective communities for formal consideration.

SETTING THE STAGE FOR THE IQALUIT AGREEMENT

The motions passed by Dene and Metis leaders at Fort Providence and by the Western caucus of MLAs provided very important guidelines to members of the WCF through the next two years of negotiations with the NCF. The agreement which was eventually signed in Iqaluit in January 1987 included the following conditions:

1. The guarantee of an NWT wide plebiscite on the boundary.
2. Assurances that the Dene/Metis - Inuit claims boundary had to be approved by the Chiefs as well as the Metis and TFN before it could be used as a boundary for division.
3. Assurances that important principles for aboriginal self-government, and regional and local government would be included in a new constitution for a western territory.
4. Affirmation that the aboriginal organizations would retain equal party status in constitutional discussions including a veto over all decisions on constitutional proposals.
5. A guarantee that division would not occur until a satisfactory constitution has been negotiated and ratified by the residents of each new territory.

ARE THE PRINCIPLES UNDERLYING THE IQALUIT AGREEMENT STILL VALID?

Clearly the Iqaluit Agreement is a direct result of principles and positions adopted by the Dene Nation over the past decade. Through that agreement ~~we were~~ able to support the Inuit's desire to create Nunavut, minimize the damages which might result from the loss of an overall aboriginal majority in our jurisdiction, AND SIGNIFICANTLY ADVANCE AND STRENGTHEN OUR ABILITY TO MAXIMIZE OUR OBJECTIVES FOR SELF-GOVERNMENT.

Nevertheless, some of the people in our communities are uncertain whether ~~we are doing~~ the right thing. In light of this uncertainty, perhaps it is time to reassess the four principles underlying the Iqaluit Agreement to determine if they are still valid today.

1. **SELF-GOVERNMENT WITHIN A ONE GOVERNMENT SYSTEM:** We have never supported the idea of separate self-government; the usual example being the reserve system in the south which our leaders have always viewed as totally unacceptable. We do still want to entrench some exclusive political and cultural rights, and we will probably need exclusive powers in areas of special importance to our cultural evolution as a people, but ~~we~~ want to create such a government within a public government jurisdiction which includes all our lands, not just small pieces of it. Our position on this principles has not changed.
2. **SEPARATE POLITICAL RIGHTS FROM CLAIMS:** There are two basic questions to be answered here; where can ~~we~~ secure the best deal, and how can ~~we~~ best protect permanently the rights we have negotiated?

Our negotiations with the federal government in claims have not been negotiations between equals. In addition to having more power in the relationship than the Dene, their representatives regularly exploit their supposed responsibility to represent non-aboriginal northern residents in order to strengthen even further their government's colonial interests in the north. This approach by the federal government has hurt the Dene in all aspects of our claim.

On the other hand, when ~~we~~ negotiate political rights in the WCF, ~~we~~ do so as equals with non-aboriginal residents. This equality of status and power, coupled with the fact that we are the peoples who actually will be neighbors in the future, increases the likelihood that we can reach a better deal through this process. " The constitutional principles in the Iqaluit Agreement ~~and our internal negotiations~~ bear this out.

Once we finish our work on a constitution internally, we will still need to finalize it with the Government of Canada. However, this time we would have the strength of all northern peoples together sitting down with Ottawa to make a deal. Likewise, non-aboriginal residents will be sitting with us representing themselves and our mutually agreed upon position, and the feds will be much less able to ~~play~~ us off against each other to ~~serve~~ their own ends.

Up until recently, it has always appeared that we could be more certain of entrenching our political rights indefinitely if we were able to negotiate them in claims. The results of other processes like WCF were more uncertain, even though there are a number of ways guarantees could be secured. However, the most recently announced federal policy on claims states that any political rights negotiated in claims will not be granted the same protection under the Canadian constitution as the ~~claims~~ provisions.

We must continue the struggle to ~~have~~ a general right to self-government entrenched in the constitution so that our political rights will be secure. However, with or without this entrenched right, there is no longer any special advantage to having our political rights addressed in claims. In fact, in the absence of a self-government clause in the constitution, there are probably better vehicles for protecting our political rights outside of claims. It would appear that our choice to separate claims and political development is still a reasonable approach. In fact, it is probably less questionable today than it was in 1981.

3. **LINKING OUR POLITICAL RIGHTS TO DIVISION:** This is probably the most difficult principle for the Dene to continue to accept.

When **we** voted in **favour** of division in 1982, we did not have any guarantee of where the **boundary would** go, whether our rights to self-government would be protected in a constitution for a western **territory**, or whether the final division of the Northwest Territories **could** be postponed until we had finalized a constitution for the western jurisdiction which we were comfortable with.

As soon as a **YES** vote was obtained in the plebiscite, the **Inuit** continued to pursue a treeline **boundary**. Once the boundary was settled, they **wanted to get on with** the creation of **Nunavut** as soon as possible. They were not aware of or sensitive to the **Dene's** situation and our needs in the west.

For these reasons, the outcome of the plebiscite put us into a **very** difficult situation. It took us almost five years to finally negotiate a division agreement with the **NCF**, and **most of** this time was taken up on **our part** ensuring that **the ground** that was lost **by hurrying** the plebiscite in 1982 was **recovered** in a fair and equitable manner in the **Iqaluit** Agreement. This we succeeded in doing as the discussion above points out.

One inevitable **result** of division is that **by** agreeing to division, we are **agreeing to give up** being part of a **territory** in which aboriginal people are an overall majority in **favour** of a western **territory** in **which** we would very soon if not immediately become a slight minority.

However the non-aboriginal population in the north has been growing dramatically ever since the **GNWT moved** north and oil and gas in the arctic and sub-arctic became important. While no one expects that the population in the north **will ever be** as great as the bigger provinces down south, there is **absolutely** no reason to believe that non-aboriginal Canadians will not constitute a **significant majority** in the north in the near to medium future with or without division. In one important respect we are already equal in numbers; the 1986 census reveals that, in the group of people old enough to vote in territorial elections, 19 years or over, the breakdown in the whole **NWT** between aboriginal and non-aboriginal residents is almost 50-50. This was never the case in the past.

The north is a huge area spread across three time zones and 75 of longitude. Division of the north is probably inevitable, just as it was for the prairie provinces not so many years ago. However, unlike our brothers in the provinces, we have the opportunity to greatly influence and control the processes of division and constitutional development at this point in time through the independent Constitutional Alliance process. We have no assurance that we will be able to play the same role from an equal position of strength in the future.

Now that the Iqaluit Agreement which ensures a constitutional process sensitive to our needs is in place, it is my view that division continues to provide a unique opportunity for the Dene to negotiate and secure the kinds of political rights and institutions we require at the territorial, communing and regional levels.

4. **AGREEING THAT THE DIVISION AND CLAIMS BOUNDARIES WILL COINCIDE:** Our original proposal for the boundary would have placed Coppermine and Cambridge Bay in the west. This would probably have meant that the portion of the claims boundary separating the Chipewyan from the Inuit would also have served as the line for division, but at least the portion separating the Dogribs and the Sahtu people from the Inuit claims area would have been contained within the western territory. However, we should not forget that the Inuit were insisting on a treeline boundary running as far west as Tuktoyaktuk, and the Executive of COPE in power at that time wanted to include Aklavik.

Given all the forces and the factors involved, it was inevitable that a compromise be worked out, and the one that was finally arrived at placing the Dene/Metis and Inuvialuit Settlement Areas in the west and the Inuit Settlement in Nunavut is probably the fairest and most rationale solution as well as the only one which is likely to be capable of securing majority support on both sides of the line.

However it is very important to remember that, while the WCF and NCF agreed that a claims boundary was suitable for division, neither the WCF nor any member of the WCF played any direct role in the

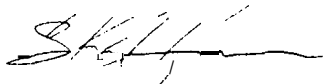
negotiations leading up to the reaching of **the** tentative agreement on a claims **boundary** initialed by a number of **our** regional and community leaders from Snowdrift, Fort Franklin, and the **Dogrib** communities in **Yellowknife** on May 9, 1986. **As** early as last August, members of the WCF told members of the NCF including **TFN's** Chief Negotiator that our people were not happy with the claims boundary initialed by our local representatives last May and that some changes **would likely be required** before a final **boundary** for division could be **ratified**.

Some people **have** argued that by signing the **Iqaluit** Agreement, we somehow compromised the ability of our regional and community representatives to negotiate a more acceptable claims **boundary** with the **Inuit**. In fact the very opposite is the case. The **Iqaluit** Agreement makes it very clear that the boundary for division will be whatever **boundary** is eventually ratified as **a claims boundary** by the **Inuit** and **by the Dene and Metis**. It does not state that the division **boundary** will be the **boundary** tentatively initialed in May 1986, unless that ultimately were the **boundary** **ratified** by the **Dene and Metis** as our claims **boundary**.

It is **very** unfortunate that our negotiators were unable to produce an agreement **in May 1986 that was satisfactory to our people**. It **would be a** much happier situation now if they had succeeded. However, the fact remains that because of the signing of the **Iqaluit** Agreement, and its subsequent approval by the Legislative Assembly and the aboriginal member organizations of the two Forums, the claims **boundary** must now be settled **before** the Legislative Assembly can hold a plebiscite on the **boundary**.

Clearly our interests with regards to the **boundary** have been well protected by the **Iqaluit** Agreement. We must now be prepared to make **every** reasonable effort to sit down with the **Inuit** to reach a fair agreement so that the processes of claims, division, constitutional development and **most particularly our right to self-government** can proceed. Otherwise if we wait too long, **the entire opportunity maybe lost**.

Sincerely yours,



Stephen Kakfwi
President



Western Constitutional Forum Publications

Guaranteed Representation, by S. M. Malone (1983)

Liberal Democratic Government: Principles and Practice, by Gurston Dacks (1983)

Protection of Aboriginal Rights, by Michael Posluns (1983)

Regional Government, Part I by Wilf Bean, Part II by Katherine A. Graham (1983)

Residency Requirements, Part I by Michael Posluns, Part II by N. M. Lalu (1983)

Dene Government: Past and Future, by Lesley Malloch (1984)

Liberal Democratic Government: Principles and Practice, second printing, by Gurston Dacks (1984)

The Western Constitutional Forum Workbook, by Alan T. Pearson (1984)

Information/Education Pamphlets, by Wilf Bean (1984)

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|------------------------------|---------------------------------|
| 1. Our Colonial Past | 7. Toward Provincial Status |
| 2. Why This Approach? | 8. Balancing Power in the North |
| 3. What is Northern Society? | 9. Denendeh: A Proposal |
| 4. What are the Issues? | 10. Division: Past Examples |
| 5. Aboriginal Rights | 11. Division: What's Achieved? |
| 6. Guaranteed Representation | 12. Choosing a Boundary |

WCF poster "Partners for the future" (1984)

Partners for the Future, A selection of papers related to constitutional development in the Western Northwest Territories (1985)

Boundary and Constitutional Agreement for the Implementation of Division of the Northwest Territories between the Western Constitutional Forum and the Nunavut Constitutional Forum, published by the Canadian Arctic Resources Committee (CARC) in cooperation with the WCF and NCF (1987)

What Government Does in the Western Northwest Territories, by Kate Irving and Debbie DeLancey (1987)

Western Constitutional Forum Chronology of Events 1982 - 1987, by Steve Iveson and Aggie Brockman (1987)

Summary of Comments at a **Meeting** of
the WCF and Thebacha College
Renewable Resources Students

1. What is being done so that two new territories won't exhaust the money potential from Ottawa?
2. To what extent will there be a duplication of territorial departments?
3. Won't two new territories mean an increase in the federal bureaucracy?
4. Will there be an overlap between the claims and division boundaries?
5. How will division affect job prospects? Will it cut the options in half?
6. Boundaries have always caused problems with hunting rights. How will you ensure that hunting rights remain the same in both territories?
7. Instead of dividing, why not give the east more power now?
8. What is the WCF strategy to unite the fragmented west?
9. What kind of changes do you see to encourage aboriginal people to participate more in government administration?

Summary of Comments at a Meeting of
the WCF and Thebacha College
Public Administration Students

1. Why is the west not in **favour** of division?
2. What are the compromises for native people in developing a new government ?
3. Will there be private land ownership in a new government?
4. Will provincial status come faster in the east or west?
5. Could you solve the boundary problem by holding a plebiscite to see where each community wants to go?
6. What about **Tuktoyaktuk** - with a treeline boundary government will be even further from people there?
7. How valid is the question of Beaufort Sea resources when what is at stake is all controlled by the **Inuvialuit** and the federal government ?

Summary of Comments by Residents in Fort Smith

1. Work should be done to get acceptance of provinces as well as the federal government for constitutional proposals.
2. Regional councils are a good mechanism for communities to work together - especially from the perspective of native people who have traditionally had little say on municipal councils.
3. No more extension of municipal boundaries until land claims are settled.
4. There should be guaranteed jurisdiction over some issues for native people eg. wildlife, land use.
5. Look at ward system for municipal elections to guarantee representation without ethnic division.
6. **Many** people supported division. There was support for a north-south boundary which gives the west access to the ocean.
7. Support for the **east** and west to negotiate joint management of shared resources along a boundary.

8. Any guaranteed representation should entail elections, rather than appointments.
9. Aboriginal rights should be entrenched in the constitution of a new western territory.
10. Executive Committee Ministers should be more accountable to MLAs in the Assembly.
11. Denendeh should be the name for a new western territory.
12. The boundary issue should be settled by native people within the NWT.

WCF Meeting with South Mackenzie Area Council - November 14, 1984

WCF members indicated that they would be prepared to consider a revised proposal for additional funding from SMAC. They did not see the need for further research but agreed that consultation with the communities which are included in SMAC's proposed Big River Borough would be beneficial, if such consultation was carried out by SMAC members rather than a consultant. SMAC agreed to submit a revised proposal. A contract was subsequently negotiated for the amount of \$10,240.

Name the Western Territory Contest Winner Selected - November 22, 1984

Mrs. Mary E. Algona, of Coppermine, was selected the winner of the contest in a random draw.

WCF Negotiating Session on Aboriginal Language Rights - November 23, 1984

WCF members agreed that there is a need to entrench some protections in the constitution of a new western territory in order to enhance and preserve aboriginal languages. WCF staff was instructed to investigate the implications of making aboriginal languages official, with the same status as English and French. The members wanted more information on the responsibilities of government which would be connected with official status and the cost of these responsibilities. Staff was also asked to review the detailed list of areas in which languages might be protected and suggest alternate ways each issue might be approached. The WCF will discuss the language issue again in January when this information is available.

Kitikmeot Regional Council Executive Meeting - Cambridge Bay - December 5, 1984

Bob MacQuarrie, Vice-Chairman of the WCF, attended the executive meeting of the Kitikmeot Regional Council for the purpose of explaining the WCF's plans for community consultation in the region in January. Members of the KRC from Gjoa Haven, Pelly Bay and Spence Bay expressed a tentative desire to attend the WCF workshop in Coppermine along with representatives from communities in Kitikmeot West.

Inuvik Chamber of Commerce Meeting
December 13, 1984

Bob MacQuarrie, Vice-Chairman of the WCF, was invited to speak at a public meeting sponsored by the Inuvik Chamber of Commerce. A presentation by Chamber representatives to Mr. MacQuarrie outlined its view of essential principles for NWT political development. These principles included the maintaining of the Canadian Charter of Rights and Freedoms, and equal opportunity for all groups to research and make presentations regarding any proposed political changes. Some Chamber of Commerce members expressed dissatisfaction with the WCF information pamphlets because they said they promoted division of the NWT.

WCF Regional Consultation Workshop
coppermine - January 8-9, 1985

The workshop was attended by hamlet or settlement council representatives from the communities of Cambridge Bay, Bay Chime, Bathurst Inlet, Coppermine, Holman, Sachs Harbour, Paulatuk and Tuktoyaktuk.

It was agreed that the workshop would entail for the most part a review and discussion of each of the 12 WCF information pamphlets.

Pamphlets #1 & #2 - Our Colonial Past, Why This Approach?

There were questions regarding the current feeling of members of the Legislative Assembly and the Executive Council about the question of division. The questions indicated that at least one workshop delegate believed there may not be the Legislative Assembly support for division that there once was, since MLAs from the Eastern Arctic are now on the Executive Council. Other questions related to who had suggested division in the first place, the lack of information at the community level about division, and to whether the Committee for Original Peoples Entitlement represented the views of the Western Arctic communities on division. Some Western Arctic delegates replied that COPE represented them in the claims process and nothing else.

Pamphlets #3 & #4

What Are The Issues?, What Is Northern Society?

The questions and discussion on these two pamphlets included the following:

- The objectives and issues outlined by the WCF affect all individuals, communities and regions no matter what territory they are going to be in.
- People want information, not selling jobs from the two Forums.
- People in the Western Arctic want to be consulted as communities not just through COPE.
- Consultation should be done thoroughly, not rushed with quick community visits.
- What has happened to the suggestion that only communities directly affected by the boundary should vote on the issue?

- There needs to be public participation in the communities on the boundary issue; it isn't enough to just consult the hamlet council.
- Western Arctic delegates expressed an interest in having a non-voting member of the WCF, similar to Edna **Elias'** representation for Kitikmeot West.
- It was suggested that Edna **Elias**, and a Western Arctic representative, if one is selected, be given travel money by the WCF to consult with the communities in their region.

Pamphlet #5 - Aboriginal Rights

Delegates felt this pamphlet served as a warning to aboriginal people about things they should be careful about, but it did not say what the WCF will do to protect rights or what is required.

Pamphlet #6 - Guaranteed Representation

Delegates asked a series of specific questions relating to different ways guaranteed representation for aboriginal peoples could be accomplished in elected and public service positions and how they would work. There was interest in the population breakdown in a western territory if it included the Western Arctic and Kitikmeot West areas. Delegates were also interested in knowing what the reaction to this pamphlet was at the Hay River workshop.

The feeling was expressed that it would be interesting for delegates to have similar information from the NCF so that they could make comparisons. It was thought that the WCF has a more difficult task than the NCF because the WCF has to satisfy several different groups which could be in a western territory.

Pamphlet #9 - Denendeh: A Proposal

There was a question regarding the setting up of an institution to look after exclusive Dene lands and how this would really be part of the land claims process. People wanted to know where the WCF stood on the suggestions put forward in the Denendeh document.

One delegate asked what would happen if people in Tuktoyaktuk said they didn't want a treeline boundary.

General Comments

Delegates expressed most interest in the question of division and the boundary and said they would like to hear the opinions of other communities on these questions. As well, some delegates said that division and a decision on the boundary was being rushed and people were not getting enough information in the communities.

Pamphlet #7 - Toward Provincial Status

The feeling was expressed that achieving provincial status is not a major concern of communities at this time. People are thinking more about such things as regional government.

Pamphlet #8 - Balancing Power In The North

Delegates said regional councils were a means of working on shared regional concerns more than increasing the control of individual communities, although concerns which could not be dealt with internally by a community could sometimes be resolved by bringing them to the regional body.

Delegates expressed a frustration with dealing with the central government and said that is the reason people are looking at more local and regional powers. This was described as a matter of sharing. One delegate suggested that the reason for the suggestions within the Denendeh proposal was that the central government had not been adequately representing people.

Some delegates felt that a regional level of government could block attempts to take problems right to "the top, " while others felt a regional body that could make decisions could speed up the process of dealing with government.

One of the things delegates wanted a regional or local body to be able to do is protect communities from unwanted development. Delegates said this could be done if communities had jurisdiction over larger areas of land; that greater powers weren't necessarily the answer if this was achieved. Delegates did not feel legislative authority for regional councils was necessary as long as these bodies were more than advisory groups. As one delegate put it, "now that hamlets have decision-making authority it is difficult to be part of a regional body and go back to the advisory role we had as settle merits."

Pamphlets #10, #11 & #12

Division: Past Examples,

Division: What's Achieved?, Choosing A Boundary

The questions which came out of the discussion of these pamphlets included the following:

- What will happen if the privately-owned reindeer herd crossed the boundary ?
- How much will it cost to set up a new government in the east?
- What has been the general feedback on the pamphlets?
- How did people at the Hay River workshop feel about division?
- Which boundary did they favour ? Which did they oppose the most?
- If there was a no vote in a plebiscite on the boundary suggested, would people assume that was a "no" vote to division?

People at the workshop expressed the desire for an open discussion on the issues of division and the boundary. Three questions were drawn up to focus this discussion.

1. Division: A good or bad idea? Is it inevitable?
2. Where should the boundary be? What should be considered in this decision?
3. A new government: How important is the development of a new constitution? Should there be special provisions to protect the rights of aboriginal peoples?

Question #1

The following are some of the comments of delegates:

It could be good if each of the new territories has more control, not sure I agree but I think it is inevitable.

Division is the reaction of some individuals to unhappiness with government. I think it is a bad idea and not necessary if better local and regional government services are provided. However it does look inevitable now.

Division could be good if the territories is divided 50-50. No one will go for the treeline because it is not an equal division. It could be okay if both sides work together before it happens and afterwards, otherwise borders are touchy subjects. We have been through that in our land claims process.

Don't think it should happen because it causes too much confusion to people.

I am against it because it will cause problems in the years to come.

The process should be slowed down so that people are informed more before any final decisions are made.

The discussions have only been with leaders in government or native organizations so far and not with the general public. There should have been more discussion before the plebiscite. I can sympathize with the Eastern Arctic and their feelings of distance. I question whether division is necessary though when regional councils like the one in the Baffin have so much power now. In my heart I am opposed and think we are unique with so many different peoples living in one large territory. The whole process should be slowed down so people have more information. Look how long land claims have taken. The momentum for division exists among native groups, the WCF and the NCF. The momentum is not there at the community level.

Question #2

The initial comments were that people did not want to see the land and the people divided by a boundary and that community-level people from across the territories should have the opportunity to get together to discuss this issue, rather than just leaders, so that peoples' minds could be eased about their aboriginal rights being looked after.

After a lunch break, WCF staff, the representative from the GNWT Aboriginal Rights and Constitutional Development Secretariat, and the observer from the TFN left the delegates alone to continue their discussions.

The report from the delegates is summarized below.

- If we had a theme it would be - United We Stand, Divided We Fall. Looking at the 13 principles agreed to by the Alliance we think they could best be accommodated by a north-south boundary. People take very seriously their traditional land use and occupancy. Wherever the boundary is, some communities will be at the tail end of each territory, whether it is Tuk or Cambridge Bay.
- Some of us won't consider the boundary question unless we know where the capital is going to be. Whatever the decision on a boundary, the WCF and NCF should support a territory-wide ratification vote.

People feel very rushed with the boundary question. There is the question of high schools and hospitals and where we will get these services. The delegates feel their communities are against tanker traffic for Beaufort oil and gas and would prefer a pipeline. They are not sure how this would sit with people in the Mackenzie Valley who don't want a pipeline.

Some delegates expressed concerns about where their children would go to school if, for example, they currently went to school in Inuvik from Tuktoyaktuk. If Tuk was in the east, would the children have to travel to Fort Reliance or Rankin for their secondary education?

The selection of a capital for an eastern territory requires consensus by everyone.

The point was also made that we should work with the system we are now just getting used to rather than start all over again.

Tuk felt that it would not lose by division, but that it could lose by where the boundary is placed.

Most delegates felt there should be a north-south boundary starting at the Manitoba/Saskatchewan border. There was concern with the southern section of the boundaries proposed by the Dene and Metis. It is not our place to look after the interests of people in the provinces.

This whole process of selecting a boundary should be slowed down. People need more information. We would like the WCF to tell the Alliance this weekend to ease the pressure for a decision and give people in the communities more time.

No matter where the boundary is located all people will not be satisfied. This can't be avoided. It is a touchy and delicate issue in this region. Communities should have input into the decision.

There is also the point about joint interests in language, culture and land use. All the communities here share common interests in these things.

There was very little discussion on Question #3. People need more time to decide what aboriginal rights need to be protected and then relay this information to the two Forums.

WCF Meeting **January 12, 1985**

This meeting was held primarily to prepare for the meeting of the Constitutional Alliance later that day. WCF members felt it was necessary to stick to the June, 1985 target date for reaching a boundary agreement and expressed concern that the NCF and federal government may push for an agreement before then.

By this time Larry Tourangeau had replaced Wally Firth as the President of the Metis Association of the NWT, and accordingly had become the primary Metis representative on the WCF.

A report on the Coppermine workshop was also given at this meeting.

**Meeting of the Constitutional
Alliance of the NWT - Yellow knife
January 12-13, 1985**

The Alliance reached an agreement at this meeting on a process for establishing a boundary for division of the NWT. The full text of that agreement is presented below.

Principles of Agreement - January 14, 1985

"The Nunavut and Western Constitutional Forums meeting as the Constitutional Alliance of the Northwest Territories have made progress on several common concerns this weekend in Yellowknife.

NCF and WCF reconfirm their shared belief that public government structures with special aboriginal rights provisions represent the best prospects for the exercise of sufficient and extensive political jurisdiction in the NWT. They believe that failure to achieve such structures would lead to fragmentation of the political system and a variety of small units ethnically defined and disposing of limited powers. This would leave the several peoples of the NWT lacking management of their own lives in the face of resource and industrial development, and other changes brought about by interests outside the NWT. It would also limit the opportunities for real political power in the region for aboriginal peoples.

NCF and WCF also reconfirm their belief that a sharing of revenues from NWT resources development on and offshore with the federal government is essential if northerners are to have a stake in the future and development of their region. The lack of such an arrangement would lead to continued conflict over development issues and the feeling of northern peoples that the benefits of development were not theirs.

Further, NCF and WCF agree to explore the concept of equitable sharing of such non-renewable resource revenues between future Nunavut and western governments so as to minimize the importance to either of the location of revenue-producing resource deposits on or offshore. Resource revenues from such deposits, wherever located in whichever territory, might be pooled and divided among federal, Nunavut and western territorial governments according to an acceptable formula.

NCF and WCF also agree that land claim settlement regions should have integrity and be honoured as much as possible.

The pivotal situation of the Western Arctic coast, homeland of the Inuvialuit, is evident to all. Location and recent history make for natural ties between this region and the Mackenzie Valley, while Inuit cultural traditions and marine orientation align it more naturally with other NWT Inuit. Both NCF and WCF recognize that uncertainty as to the future of this region is blocking progress on further NWT self-government. A resolution of this question was explored. The predominantly Inuit region of Nunavut will never be satisfied with political arrangements which fail to first create a Nunavut territory. The several peoples of the Mackenzie Valley area insist that an equitable territorial division must include the Western Arctic coastal region

in a western territory. The small Inuvialuit population seeks guarantees for their future regional and cultural identity through a regional government structure.

The Constitutional Alliance agrees that the WCF will explore immediately with the Inuvialuit 'a set of agreed principles to enable the Inuvialuit to find a satisfactory future in a western territory. Such agreement would respect both the need for the peoples of the western territory to devise their own political arrangements without undue interference, and the regional importance of protecting the regional and cultural heritages of all peoples within the future western territory.

The NCF and WCF agree in principle that the Western Arctic region will be part of a western territory, subject to the above. NCF and WCF agree in principle, subject to further work by the Dene, Metis and Inuit working in their land-use overlap study which is now proceeding well, on an approximate Nunavut boundary from the 60th parallel to the south-east corner of the COPE claim area of the Inuvialuit, then northward along the eastern border of the Inuvialuit settlement region.

This agreement on a tentative boundary is subject to possible modification based on the opinions of communities in the Kitikmeot West region (Coppermine, Cambridge Bay, Bay Chimo and Bathurst Inlet). (See map, page 51.)

The next meeting of the Constitutional Alliance of the NWT will be held in Yellowknife on the 8th of February 1985 to discuss the boundary and the ratification process in greater detail."

The reason that Kitikmeot West communities were given the opportunity to choose between east and west was it was felt that the inclusion of these communities was not essential to the viability of either new territory or their political and economic potential to evolve toward provincial status.

WCF Tour of Western Arctic Communities - January 15-18, 1985

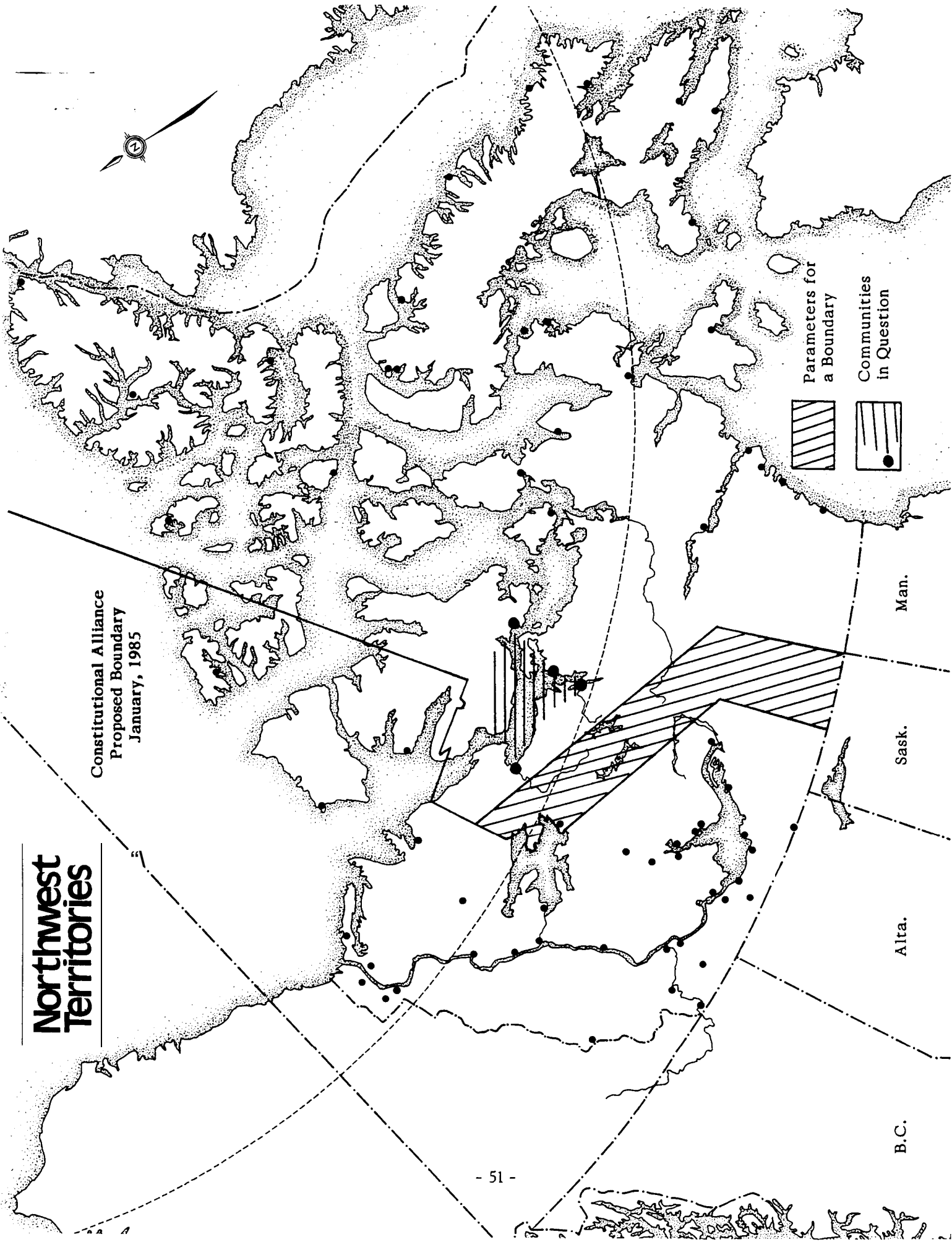
WCF members visited the communities of Tuktoyaktuk, Paulatuk and Sachs Harbour, accompanied by COPE and NCF representative Charles Haogak. The agreement reached by the Constitutional Alliance, only days before, became the focal point of the public meetings.

Summary of Discussion at the WCF Public Meeting in Tuktoyaktuk

1. Slow down the processes of division and constitutional development so people at the community level have more time to understand what is going on and can have input.
2. Give Western Arctic communities the same opportunity to vote on which territory they want to be part of as is being given to the communities of Coppermine, Cambridge Bay and Bathurst Inlet/Bay Chime.

Northwest Territories

Constitutional Alliance
Proposed Boundary
January, 1985



3. People should not be allowed to vote in a ratification plebiscite unless the line they are voting on is in the area they live.
4. The proposed boundary should not go ahead unless things have been worked out to the satisfaction of the **Inuvialuit** communities.
5. The **Inuvialuit** should have control over the resources in their area; they should have economic security.

Summary of Comments by Residents of Paulatuk

1. Concern was expressed about the lack of consultation with people before the January tentative agreement was reached.
2. Concern was expressed about the **Inuvialuit** being able to participate in the development of a government for a western territory.
3. Concern was expressed that **Inuvialuit** should be able to vote on which territory they want to be a part of.
4. People wanted to know what kind of guarantees there would be for the rights of a small **Inuvialuit** minority in a western territory.
5. Concern was expressed that if the **Inuvialuit** are in the west they will lose contact with **Inuit** in the east.
6. Concern was expressed about historic conflicts between the **Inuvialuit** and Dene.
7. People wanted to know where the WCF stood on the proposal for a Western Arctic Regional Municipality.
8. **Inuvialuit** need to have legislative powers to have control over their own destiny; advisory powers are not enough.
9. We can only agree to be in the west if:
 - a) we can negotiate the conditions with the WCF
 - b) we can vote on which territory to be in
 - c) we have the right to opt out
10. **Inuvialuit** frustration is really with the NCF for selling us out in the tentative agreement. The WCF has been clear all along on its position.
11. If **Inuvialuit** wanted to be in the east, would the WCF oppose division?

Summary of Comments from the Settlement Council, Education Committee and Hunters' & Trappers' Association in Sachs Harbour

1. People don't want a boundary drawn.
2. Could the six **Inuvialuit** communities get their own territory if they wanted it?
3. The **Inuvialuit** communities should be able to vote on which territory they will be a part of, just as the Kitikmeot West communities can (under the January 14 Alliance tentative boundary agreement). The right to choose should also be extended to Gjoa Haven, Spence Bay and Pelly Bay so that the wishes of the people are reflected.
4. We don't want Yellowknife as the capital.
5. Things should move slowly on the boundary and decisions should be made on the kind of government first.
6. There are concerns about the **Inuvialuit** being a minority in a western territory.
7. The critical decision is choosing the best government, not so much about the boundary.
8. Is there a guarantee that WARM will be recognized?

9. Why is the WCF dealing with aboriginal organizations instead of directly with the communities?
10. People want authority and money devolved so they can have a say in decisions, have the ability and means to look after themselves, and do what is best for themselves.

Summary of Comments by Residents of Sachs Harbour

1. How would resource revenue be shared if the two territories became provinces?
2. Where did the idea for division come from? Was it white people or Inuit?
3. WCF and COPE should talk about the proposal for a Western Arctic Regional Municipality.
4. Inuvialuit should be able to choose which territory they want to belong to through a community by community vote, then decisions can be made on what the government will look like.
5. The Inuvialuit need to know what each territory has to offer in terms of government before they can choose which territory to belong to.
6. We want more than advisory powers.
7. Why does the Kitikmeot West region get a chance to vote on which territory it will join? (as outlined in the January 14, 1985 Alliance tentative agreement)
8. We don't want division, to have people divided.
9. We need more information. An Inuvialuit could sit on the WCF in order to bring information back to the communities. But we don't want full membership because it would be interpreted as endorsement for the WCF.
10. Metis and Inuvialuit will both be small minorities in the west. How will guaranteed representation be implemented?
11. Inuvialuit would have no say in the location of an eastern capital; if it is Frobisher Bay, it will be further away than Yellowknife is.
12. We don't like resource revenue sharing. If one territory needs money it should borrow it.

**WCF Meeting with COPE
Inuvik - January 18, 1985**

WCF members Nick Sibbeston, Bob MacQuarrie and Larry Tourangeau met with COPE President, Billy Day, staff member, Bob DeLury and consultant Howard McDiarmid for approximately two and a half hours. The outcome of the meeting was that the two groups would get together again in mid-March. Before then, COPE said it would provide a position paper to the WCF to consider before the meeting. The purpose of this meeting will be to discuss COPE's possible participation in the WCF and in the western territory. COPE has so far indicated that it wants to have a Western Arctic Regional Municipality as a condition for its participation in a western territory, although this was not a condition outlined in the Constitutional Alliance agreement on a boundary.

**WCF Tour of the Kitikmeot West
Communities - January 29-30, 1985**

Members of the WCF visited the communities of Cambridge Bay and Copper mine. Six people from Bathurst Inlet and Bay Chimo attended the public meeting in Cambridge Bay. The WCF was also scheduled to hold a public meeting in Holman but it was postponed because of mechanical problems preventing the aircraft from flying into this community. The public meetings in Coppermine and Cambridge Bay were extremely well attended with people indicating a desire for more information about what their future might be if they joined the western territory. The WCF invited representatives of their region to play a major role in determining how the plebiscite will be run and how the results will be interpreted.

Summary of Comments from Residents of Coppermine

1. Fear was expressed that the **proposed** Alliance agreement will cut Coppermine off from its traditional lands, eg. Contwoyto Lake.
2. Even though people say we can hunt across boundaries, we know what problems we had with the COPE overlap. If we go east we will have problems, if we go west there will be no fighting.
3. If Kitikmeot West goes west will we get more representation than we have now? What kinds of guarantees will there be for an **Inuit** minority?
4. Will we still get health services and have the transportation and communication links out of Yellowknife if we go with Nunavut?
5. Could Coppermine change its mind, in say 20 years, about which territory it will be a part of?
6. We should go west and work together with all people for a strong government. The capital is already established and we are already involved with the west with employment and minerals.
7. The capital in the east will be far away and there will be transportation difficulties.
8. **Why** is there not a full member on the WCF from the Kitikmeot West area?

Summary of Comments at Meeting of the
WCF and the Cambridge Bay Hamlet Council

1. How will division affect land claims?
2. Fear was expressed about division dividing **Inuit** people.
3. If Cambridge Bay is in the west it is at a far corner of the territory; the same if it is in the east. It will be forgotten no matter which territory it is in.
4. Can Kitikmeot West be an observer at meetings between COPE and WCF to discuss a satisfactory arrangement for the Inuvialuit in a western territory?
5. What are the population figures and racial breakdowns if division occurs?

Summary of Comments from Residents of Cambridge Bay

1. What happens if Coppermine votes to go west, and Cambridge Bay votes to go east? Are you prepared to put those communities in different territories?

2. Would Cambridge Bay still be a regional centre, with its regional administration jobs if it is part of the west? What will happen to those jobs if only half of the region is in the west?
3. Kitikmeot West communities would like to be involved in the discussions between the WCF and COPE on reaching a satisfactory arrangement with the Inuvialuit because of their interest in regional council matters.
4. Kitikmeot West communities should have a vote on which territory they will join.
5. What will the Legislative Assemblies look like in the eastern and western territories?
6. If Coppermine and Cambridge Bay go west, will the area be considered a riding, with its own MLA? Is population going to be the determining factor?
7. How would land claims negotiations continue if Coppermine and Cambridge Bay were in the west?
8. As an Inuit minority in the west, what kind of strength and influence would they have in the west?
9. The WCF should spend a week in each Kitikmeot West community holding workshops so that people are informed and understand before they vote 'on which territory to join.
10. Kitikmeot West loses with either territory; in the east they are far from the capital; in the west the people are a small minority. The only way to get anything out of division is to have guarantees for things like hunting rights.

WCF Meeting
February 5, 1985

Members of the WCF met briefly to discuss the meeting later in the day between the Constitutional Alliance of the NWT and the Minister of Indian Affairs and Northern Development, David Crombie. WCF members decided it was important that the Minister note the following matters in his speech to the Legislative Assembly:

- a) Division should be referred to as the creation of two new public government jurisdictions and not as the creation of Nunavut;
- b) It should be made clear that the federal government supports negotiations between the Inuvialuit and WCF and is not willing to negotiate unilaterally with COPE;
- c) The Minister should be aware of the complexity of constitutional development negotiations in a western territory and not place a target date for division which would pre-empt these negotiations or make it impossible for them to be completed before division;
- d) The Minister should recognize the balance in negotiations achieved through the make-up of the Constitutional Alliance which could be jeopardized if the Executive Council of the Government of the NWT demands too great a role in the constitutional development process.

**Meeting of the Constitutional Alliance
of the NWT and the Honorable David Crombie
Yellowknife - February 5, 1985**

Members of the Constitutional Alliance met with David Crombie for approximately one hour in the 6th Floor Boardroom of the Laing Building. The following are the results of the meeting:

- a) Mr. Crombie indicated that he would find the necessary funding for the NCF and WCF to continue their work toward division of the NWT and constitutional development;
- b) He indicated that he supports any innovative structures for government that the two Forums might want to propose as long as they are within Canadian political traditions;
- c) Mr. Crombie said that he has been keeping the Prime Minister and his Cabinet colleagues up to date on the work of the Alliance, including the recent agreement on a process for determining a boundary, although specific approval for division or the agreement had not been sought since it is just a continuation of the policy of the Conservative Party and the previous Liberal government;
- d) Mr. Crombie agreed with the Alliance members that although there is a role for the Legislative Assembly and Executive Council to play, the Alliance should maintain its mandate as the prime body responsible for division and constitutional development;
- e) He made it clear that as far as he is concerned division could go ahead without the prior settlement of outstanding claims as long as the claims process is not adversely affected.

**Speech by the Honorable David Crombie
to the Legislative Assembly of the NWT
Yellowknife - February 6, 1985**

In his speech, Mr. Crombie said the logic of the recent agreement on the boundary made by the Constitutional Alliance was "compelling" and on that basis he gave his support for division of the NWT, setting 1987 as a target date.

Mr. Crombie also gave his support for innovative constitutional changes which take into account aboriginal rights in the north and opened the door to joint federal-territorial natural resource management and the sharing of revenue from development, noting the participation of aboriginal groups in such talks.

Mr. Crombie acknowledged the special concerns of the Inuvialuit in his speech and that their desires for sufficient regional autonomy would be addressed by the WCF.

In a news release following Mr. Crombie's speech, WCF members applauded his support for division and the Alliance agreement and his appreciation of the constitutional process underway in the NWT. WCF members said they could accept 1987 as a target but not as a hard and fast deadline for division to take place. They said they could not be sure that the complex process of developing a constitution for a western territory could be complete by then.

WCF Meeting
February 7, 1987

WCF members met primarily for the purpose of preparing for a meeting of the Constitutional Alliance scheduled for the following day. WCF members agreed to the following positions:

- a) The Alliance should not try to finalize a specific boundary until the completion of **Inuit-Dene/Metis** claims overlap negotiations;
- b) The WCF will put forward the suggestion that Kitikmeot West communities decide among themselves the process for community plebiscites on the boundary question and that money available from the GN WT Aboriginal Rights and Constitutional Development Secretariat be used to facilitate meetings among those communities and perhaps to finance the voting process;
- c) That the negotiations with COPE are not a matter of determining whether Western Arctic communities will be in the east or west, but rather whether the conditions of the Alliance agreement can be met; also that the community votes requested by **Inuvialuit** communities could be held on whatever constitutional rights are negotiated with the WCF, but not on which territory those communities want to become a part of;
- d) That the constitutional process in the west should be coordinated with division of the NWT and that the date of 1987 should be considered a target, rather than a deadline. This is necessary in order to allow aboriginal peoples the opportunity to ratify constitutional guarantees, not just the process of achieving protections.

Meeting of the Constitutional Alliance
of the NWT - February 8, 1985

This meeting was to have taken place in **Yellowknife**, but was **cancelled** at the last moment at the request of the **Nunavut** Constitutional Forum. An alternate date has yet to be agreed to.

WCF Meeting
February 8, 1985

The WCF held its own meeting in place of the **cancelled** meeting of the Constitutional Alliance. The results of this meeting were:

- a) Agreement that the WCF should research and prepare its own proposals for regional structures and outline the relationships to the community and territorial levels of government in preparation for its meetings with **Inuvialuit** representatives as per the Alliance agreement;
- b) A presentation by the Kitikmeot West MLA, **Red Pedersen**, the **Mayor** of Coppermine, **Ernie Bernhardt**, and the former mayor of Coppermine and non-voting member of the WCF, **Edna Elias**, indicating that people in Kitikmeot West do not wish to vote on the boundary or in which new territory they will be a part of until the WCF has reached an agreement with COPE on regional

- government and until COPE has issued a statement indicating this resolution. They said they do not wish to deal with a process for a vote in Kitikmeot West until the differences with COPE are settled;
- c) It was decided that Bob **MacQuarrie** would accompany the **NCF/Tungavik** Federation of Nunavut tour of the Kitikmeot West communities along with staff person, Deborah O'Connell.

**Meeting of the WCF and the Members
of the Legislative Assembly Western
Caucus - February 12, 1985**

The purpose of this meeting was for Nick **Sibbeston** and Bob **MacQuarrie** to bring the western **MLAs** up to date on the progress of the WCF and the Constitutional Alliance. The recent Alliance agreement on a Process for establishing a boundary for division was explained and discussed.

The mandate of the Alliance and the WCF was also discussed. There was a consensus among western **MLAs** that the constitutional development process should remain outside of government and that the **MLAs** on the WCF should continue to be appointed by the Assembly and be responsible to it directly, rather than increase the involvement of the Executive Council.

**Annual Assembly of the Committee
for Original Peoples Entitlement
Sachs Harbour - February 15-16, 1985**

Representatives of both the WCF and NCF were invited to make presentations to the Assembly. WCF members **Bob MacQuarrie** and **Nick Sibbeston** attended along with NCF Chairman, **Dennis Patterson**. Mr. Patterson shared his presentation with **Tagak Curley**, **MLA** for **Aivilik**. Mr. Curley said 'he did not feel bound by the tentative agreement on a boundary reached by the Alliance and that he still had hope for a **Nunavut** territory that included all **Inuit** above the **treeline**.

The COPE Assembly passed a motion **endorsing positions** taken previously by Beaufort Sea communities that any **actions** by WCF, NCF or government to impose unacceptable constitutional arrangements be opposed; that the communities remain as part of the NCF and the **Nunavut** territory; that they be willing to explore possible arrangements within a western territory which include, as a minimum, guarantees for a **Western Arctic Regional Municipality**; that any proposed arrangements for Western Arctic communities to become part of a western territory or a member of the WCF require the approval or ratification of all the Western Arctic communities.

The Assembly also passed a motion that the communities of **Sachs Harbour, Paulatuk, Holman and Tuktoyaktuk**, and the **Inuvialuit** in **Inuvik and Aklavik** be given the same right to vote on the boundary as has been offered to the **Kitikmeot West** communities.

**NCF/TFN Tour of the Kitikmeot West
Communities - February 18-20, 1985**

WCF Vice-Chairman, Bob MacQuarrie and staff member Deborah O'Connell accompanied the NCF/TFN on its tour of Cambridge Bay and Copper mine. Weather prevented the planned visit to Bay Chimo or Bathurst Inlet.

During the meetings with the public and hamlet representatives, NCF Chairman Dennis Patterson took up the call for Western Arctic communities to be able to vote on which territory they would be a part of, despite the wording of the Alliance agreement on a boundary process. Following Mr. Patterson's example, NCF members John Amagoalik and Bob Kadlun began calling for the same.

**Meeting of the WCF and Members
of the Western Caucus of the
Legislative Assembly - February 20, 1985**

Western MLAs agreed at this meeting:

- a) To support the agreement on the boundary process reached by the Constitutional Alliance as a basis for division of the NWT;
- b) To affirm its support for their representatives on the WCF to negotiate regional government structures with the Inuvialuit;
- c) To express their concerns in the Legislative Assembly about the proposed appointment of Nellie Cournoyea to the NCF but abstain from the vote since the selection of NCF representatives is the responsibility of members of the Eastern Caucus.

**Nellie Cournoyea Appointed to
the NCF - February 21, 1985**

Nellie Cournoyea, the MLA from Nunakput, was appointed by the Legislative Assembly to replace Elijah Erkloo, the MLA for Foxe Basin, as an Eastern Caucus representative to the NCF. The Western MLAs abstained from the vote but expressed concern about the appointment in light of the fact that Ms. Cournoyea represents an area which had recently been conditionally placed in a western territory as part of the agreement on a boundary process reached by the Constitutional Alliance of the NWT.

**WCF Public Meeting
Holman - February 22, 1985**

WCF members Nick Sibbeston, Bob MacQuarrie and Larry Tourangeau attended this meeting along with NCF member, Nellie Cournoyea. The meeting was held to make up for the cancellation of a public meeting in January due to aircraft mechanical problems.

About 35 residents attended the meeting to express their dissatisfaction at not being more directly involved in the Alliance agreement on the boundary process.

Summary of Comments from Residents of Holman

1. How would the renewable resources be divided between the two new territories?
2. Inuit, Inuvialuit, Dene and Metis should work together and share the land.
3. The Hamlet of **Holman** has said it wants to be in **Nunavut** because we are afraid of being a minority in the west and losing our aboriginal rights. The NCF has recognized WARM and we feel that **Inuit** should stay together.
4. Rather be within a majority government than a minority person.
5. Don't care which territory we're in as long as the WCF entrenches WARM.
6. What guarantees will there be in a western territory for native people when they are a minority?
7. Can aboriginal people get adequate guarantees when the Constitution of Canada says that public government has to be democratic ?
8. People should have been consulted before the Alliance reached a tentative boundary agreement.
9. Why are 2,500 **Inuvialuit** so important that the west would stop division unless they join the west ?
10. Even without the **Inuvialuit**, the west will be bigger than the Yukon and several provinces don't have access to the ocean.
11. The WCF and NCF should hire someone locally to explain the issues to people.
12. Division will be at the sacrifice of Western Arctic communities and will separate people from one another.

Meeting of the WCF and Members of the Western Caucus of the Legislative Assembly - February 24, 1985

Western MLAs agreed at this meeting that:

- a) They want a full and thorough public discussion of the Constitutional Alliance process and the Principles of Agreement on a boundary process in the Legislative Assembly since it would be the only chance MLAs would have to ask questions and make comments, and
- b) There was reason to be concerned with the tactics which might be employed by members of the Eastern Caucus in the Assembly and that any motion which might be proposed should not be voted on until western MLAs have had adequate time to consider it.

NCF Chairman Resigns, Legislative Assembly Supports Alliance Agreement - Yellowknife - February 25, 1985

The Legislative Assembly was to review the Report of the Constitutional Alliance which included the Principles of Agreement on a boundary process, possibly take a position on it, consider a motion affirming the mandates of the Alliance and the two Forums, and more clearly define the role of the Government of the Northwest Territories in the constitutional process.

Before these matters were reached on the order paper NCF Chairman Dennis Patterson rose on a point of order to announce to the Assembly that he is resigning as a member of the NCF. He explained that the members of the Eastern Caucus could not support the boundary agreement of the Alliance which he was a party to on January 12-13, 1985. He said that the agreement would leave only a shell of the original Nunavut proposal and not create an Inuit homeland as had been the original intention. He also accused members of the WCF of not being willing to compromise or negotiate in good faith.

Later Mr. Patterson said that because of his resignation he would not be able to second a motion regarding the mandate of the Constitutional Alliance and the two Forums, so the motion had to be withdrawn.

The House then dissolved into Committee of the Whole to discuss the Report of the Constitutional Alliance, which included the January Principles of Agreement. The MLA for Kitikmeot West, Red Pederson, made a motion that discussion of the report be adjourned but his motion was ruled out of order.

When WCF Chairman, Nick Sibbeston began reading the report into the record, the members of the Eastern Caucus left the Assembly chambers leaving no quorum. This in effect allowed the Eastern Caucus to reject the Alliance agreement, leave Western members with no opportunity to discuss it, and let Mr. Patterson's unsubstantiated charges against the WCF stand without comment by others.

The bells rang until an absent western MLA entered the chambers and the Assembly could resume sitting with a quorum. WCF member Bob MacQuarrie made a motion to accept the report of the Constitutional Alliance and support the Principles of Agreement on the boundary process. The motion was passed unanimously by the Assembly members present.

Later in the day the Western Caucus issued a statement saying it was necessary for its members to accept the tabled report of the Alliance and endorse the Principles of Agreement on the boundary process. The statement said that the walkout of the Eastern Caucus members gave the western members no opportunity to clarify or question the eastern position on political development as expressed by Dennis Patterson, nor to make public comment on the agreement itself. The statement went on to say that the motion passed was intended to affirm the positions taken by the western members sitting on the WCF and was not intended to impose a resolution of the political division of the NWT on eastern members. Western members said if division is to go ahead they agree that it should happen under the Principles of Agreement, beginning with discussions by the WCF and Inuvialuit of the Beaufort communities.

NCF News Conference
Yellowknife - February 26.1985

Dennis Patterson, the former chairman of the NCF, was present at the news- conference along with NCF member, Nellie Cournoyea. Mr.