



# NMC Strategic Plan 2018-2023

DATE OF APPROVAL:

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February 23, 2018

DRAFT PREPARED BY:

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## NMC Mandate

Established through the *Nunavut Agreement* (s. 15.4.1), the Nunavut Marine Council (NMC) is a mechanism for the Nunavut Impact Review Board (NIRB), the Nunavut Planning Commission (NPC), the Nunavut Water Board (NWB) and the Nunavut Wildlife Management Board (NWMB) to advise and make recommendations to government regarding marine areas. Government must consider such advice and recommendations in making decisions that affect marine areas.

### Nunavut Marine Council



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# 1 Executive Summary

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Over the last twenty years, the four Institutions of Public Government (IPGs) that constitute the Nunavut Marine Council (NMC) have worked together on several occasions to both influence government policy related to marine areas and to raise awareness about marine policy issues amongst the people of Nunavut. In 2017, in recognition of growing global, national and territorial interest in marine issues in the Arctic, the members of the NMC convened for a strategic planning session to identify priority areas for collective action. The strategic planning session was held at the offices of the Nunavut Wildlife Management Board (NWMB) in Iqaluit on August 22 and 23, 2017, with meeting facilitation provided by Nadim Kara of Stratos – Strategies to Sustainability. Participants included:

- Nunavut Impact Review Board (NIRB): Board Chair Elizabeth Copland, Board member Guy Alikut, Executive Director Ryan Barry, NIRB staff Heather Rasmussen
- Nunavut Planning Commission (NPC): Board Chair Andrew Nakashuk, Executive Director Sharon Ehaloak, NPC staff Alana Vigna and Jonathan Savoy
- Nunavut Water Board (NWB): Board Chair Thomas Kabloona, Incoming Board Chair Lootie Toomasie, Executive Director Stephanie Autut, NWB staff Wilfrid Bagley
- Nunavut Wildlife Management Board (NWMB): Board Chair Dan Shewchuk, Executive Director Jason Akearok, NWMB staff Sarah Spencer and Vicki Sahanatien

A draft strategic plan emerged from these discussions and was further revised by members of the NMC Working Group before being brought forward for approval to the full membership of the NMC on February 23, 2018. Given the economic and environmental trends impacting marine areas, this Strategic Plan will focus the NMC on two priority areas over the next five years: marine shipping and marine conservation. It also directs the NMC members to undertake three types of activities in relation to each priority area: awareness, advice and advocacy. In addition, this Strategic Plan identifies a number of ways to improve the organizational effectiveness of the NMC, particularly with respect to decision-making and public engagement.

The direction provided through this Strategic Plan is intended to enhance the credibility and effectiveness of the NMC as a voice for the people of Nunavut on priority marine issues, while maintaining its ability to be responsive to emerging priorities.

## 2 Marine issues in Nunavut

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### 2.1 The importance of marine ecosystems

The importance of coastal and marine areas has long been recognized by Inuit of the Canadian Arctic. Coastal and marine ecosystems have provided food, clothing and shelter for Inuit and their ancestors for thousands of years. All communities in Nunavut are impacted by, and care deeply about, issues affecting marine areas. The land, ice and sea of the Territory form one continuous area of activity in which Nunavummiut (the people of Nunavut), and Inuit in particular, enjoy - and will continue to seek - cultural, social and economic fulfillment.

Although Inuit have adapted to a changing world, they have not abandoned their connection to the environment that gave birth to and continues to maintain their culture. Marine areas and resources are central to their identity, economic stability and spiritual well-being. In particular, marine ecosystems provide an important source of food: plants, invertebrates, fish, seabirds, and marine mammals. Ensuring protection of marine ecosystems must be a critical focus of policy work, as a means through which to either reduce (or avoid worsening) the high incidences of food insecurity throughout the Territory.<sup>1</sup>

The role of marine ecosystems, country food harvesting and food insecurity is highlighted by studies that have shown that food insecurity is prevalent in Canada's North, with Inuit in Nunavut showing the highest food insecurity rates for any Indigenous population in a developed country.<sup>2</sup> A 2016 report from the Conference Board of Canada found that one in four people in Nunavut are food-insecure, compared with one in ten people in the provinces.<sup>3</sup> High rates of food insecurity appear to stem from higher food prices in the North<sup>4</sup> as well as lower rates of education, employment and household income.<sup>5</sup>

Not surprisingly then, while Inuit have said that they want to see controlled development in Nunavut, they have also said they want to ensure that marine resources and cultural connections are protected for future generations.

### 2.2 Rapid pace of change

Many reports and assessments have noted that the pace of cultural, social, political, economic, and institutional change in the Arctic is rapid.<sup>6</sup> The following broad, inter-related trends are driving these changes and generating concerns about actual/potential impacts on the environment and communities.

#### Climate Change

The effects of a changing climate on Nunavut are widespread and significant. Climate change has and will continue to impact communities, wildlife, vegetation, infrastructure, and the economy. Several significant environmental shifts associated with climate change include the depletion and shifting dynamics of multi-year sea ice, changing seasonal temperatures, increased variability of weather, and decreasing levels of permafrost. Rising sea levels resulting from melting glaciers may lead to increased levels of coastal erosion, decreasing

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<sup>1</sup> (Ferguson, 2011)

<sup>2</sup> (Arriagada, 2017, p. 1)

<sup>3</sup> (Le Vallee, MacLaine, Lalonde, & Grant, 2017)

<sup>4</sup> (CBC News, 2017)

<sup>5</sup> (Arriagada, 2017, p. 71)

<sup>6</sup> An indicative list of reports can be found in Appendix A

salinity of marine waters, and potential salt contamination of freshwater resources and altered salt-wedge penetration in rivers. The environmental and economic changes that climate change is driving will, in turn, contribute to changes in community structures, community viability, and essential traditional activities such as harvesting.

## **Economic development**

### Resource development

Nunavut's economic prosperity is closely linked to the Territory's vast natural resource endowment, with four mines anticipated to be in production by 2020.<sup>7</sup> Due to the lack of roads and other infrastructure, as well as the high cost of airborne re-supply, most fuel and bulk materials must be brought into Nunavut by ship each year. In addition, because there are no local refining facilities, ore from mines must be transported out of Nunavut by sea. The construction and operation of marine infrastructure and shipping related to ore extraction and annual resupply for the mineral exploration and mining sector play an increasingly prominent role in the management of marine areas for Nunavut.

Oil and gas related activity in Arctic waters, including exploration and development in Greenland's offshore waters and in the Beaufort Sea, could also have an impact on marine ecosystems. Although the federal government announced a five-year moratorium on the granting of new offshore Canadian Arctic oil and gas exploration licenses in 2016, as of February 2017 there were 28 existing oil and gas leases, including multiple 'significant discovery' licenses in Nunavut.<sup>8</sup> Although there were no active oil and gas leases off the eastern shore of Baffin Island, almost the entire offshore area of western Greenland has been claimed by oil and gas companies, suggesting the potential for interest in Baffin Bay and Davis Strait.

The management of oil and gas resources in Canada's Arctic offshore waters, including Baffin Bay, Davis Strait and the Arctic Archipelago, is the responsibility of the Minister of Crown-Indigenous Relations and Northern Affairs, under the *Canada Petroleum Resources Act*. A strategic environmental assessment in Baffin Bay/Davis Strait (which the Nunavut Marine Council has called for) is currently being led by the Nunavut Impact Review Board (NIRB) and is scheduled for completion by March 2019; the NIRB's final report and recommendations will be used by the Minister of Crown-Indigenous Relations and Northern Affairs in fulfilling the Government of Canada's commitment to revisit the current moratorium at the conclusion of the 5 year period.

### Increased Shipping

Current ship activity in Nunavut primarily supports annual community resupply, resource development and tourism. The transportation requirements of new mines (particularly base-metal mines) will likely lead to increased shipping, both for mine supply/resupply and for the export of mineral ores for processing abroad. For example, the Mary River project alone had 56 transits by ore carriers, over 75 days during the 2017 ice-free season, to move 4.1 MT of ore.<sup>9</sup>

Cruise ship tourism is also projected to increase, both in terms of quantity (number of transits) and impact (size of vessels). In 2010-2011, for example, there were 5-7 cruise vessels operating within the marine areas of Nunavut, with a maximum capacity for 1,398 passengers. In 2016, there were 11 cruise vessels with a maximum capacity for 4,758 passengers.<sup>10</sup> The shift to larger cruise vessels, such as the *Crystal Serenity*

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<sup>7</sup> (Conference Board of Canada, 2017)

<sup>8</sup> (Gregoire, 2017)

<sup>9</sup> (Leite, 2017)

<sup>10</sup> (Sevunts, 2017)

(capable of carrying over 1,000 passengers) and *MS The World* (the world's largest privately owned residential yacht) marks a significant change, as does the increase in small yacht and pleasure-craft traffic. While cruise traffic may present an economic opportunity for communities, it also often targets areas with sensitive wildlife and culturally significant places.

In the future, the volume of Arctic shipping related to commercial navigation and through-transits (e.g. use of the Northwest Passage by ships from other countries, such as China, to reduce transit time between Asia and Europe by up seven days) is expected to continue to increase.<sup>11</sup>

Additional commercial navigation increases the potential for year-round ice-breaking, which may interfere with critical wildlife habitat, caribou migration, ice travel, harvesting, and other community activities. It also exacerbates the need for local marine infrastructure, ranging from ports and search and rescue facilities to bathymetric surveys needed to chart the safest routes for vessels to travel. Navigation aids and development of pilotage expertise are also required, along with revisions to regulations and policies that enable monitoring and enforcement of standards for ships and smaller vessels operating in ice covered waters.

### Commercial fisheries

Nunavut's commercial fishing industry is thriving and predicted to grow. The commercial fishery is primarily in the offshore and focused on Greenland halibut (turbot) and northern shrimp. The inshore commercial fishery (Arctic char and turbot) is also lucrative and growing. The potential for commercial catches of clams, scallops, and crab are being explored. In 2009, the total combined catch of Nunavut turbot and shrimp was valued at \$47 million.<sup>12</sup> In 2015, the total landed value of the three main commercial species (turbot, shrimp, Arctic char) totaled \$86.3 million.<sup>13</sup> There have also since been significant increases to the shrimp and turbot quotas for Nunavut, which can be expected to lead to increases in the overall value of the industry.<sup>14</sup>

Efforts expected to achieve continued growth include planned investments in marine infrastructure, such as ports, docks and harbour facilities, training programs that address the need for a skilled fishing workforce, and increased exploration of inshore fishing opportunities. In addition, increased investments in fisheries science is occurring and could result in the expansion of current fisheries, and the development of new fisheries, including clams, kelp and scallops.<sup>15</sup>

### **Security and sovereignty**

There has been a heightened interest in Arctic sovereignty in recent years, including as one of the core pillars of the federal government's Northern Strategy in 2008.<sup>16</sup> The current Liberal government announced in December 2016 that it will be developing an Arctic Policy Framework, updating the 2008 Northern Strategy.<sup>17</sup> Increased federal interest in the Arctic is likely to mean additional federal investments in military and security activities, scientific research, and infrastructure in Nunavut.

Ongoing infrastructure investments related to security and sovereignty include a new polar ice breaker (to be in service by 2022)<sup>18</sup>, new patrol ships (6 ships by 2022)<sup>19</sup>, and refurbishment of the Nanisivik port facility.

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<sup>11</sup> (Goldman, 2017)

<sup>12</sup> (Impact Economics, 2010, p. 65)

<sup>13</sup> (Department of Environment, Fisheries and Sealing Division, 2016)

<sup>14</sup> (Murray, Nunavut fishery gets a big boost in turbot quotas, 2017)

<sup>15</sup> (Impact Economics, 2010, pp. 34,65)

<sup>16</sup> (Government of Canada, 2015b)

<sup>17</sup> (CBC News, 2016)

<sup>18</sup> (Pehora, 2016)

Other investments include the development (2013) and planned expansion (2016) of the Canadian Forces Arctic training centre in Resolute Bay<sup>20</sup> and a new Arctic naval facility at Nanisivik (2018).<sup>21</sup> The Canadian Coast Guard has also recently announced a new Arctic inshore rescue boat station<sup>22</sup> and increased investment in establishing a Coast Guard auxiliary in each community.<sup>23</sup>

National efforts to map the sub-sea continental margins to support claims under the UN Convention on the Law of the Sea and other research efforts further support Canadian Arctic sovereignty. However, the most significant impact – not expected until well into the future - will be the eventual determination of legal/sovereign rights over the Northwest Passage.

China in particular is interested in using the Northwest Passage to reduce the transit time required for its goods to reach major consumer markets.<sup>24</sup> The United States has also clearly expressed its view that the Northwest Passage is an international strait, as noted in its 2016 Arctic Strategy.<sup>25</sup>

## Infrastructure

Multiple infrastructure projects are also in the planning and construction phase in Nunavut. Additional major infrastructure projects in the Territory (either initiated or proposed) include:

- Construction of a deep-water port in Iqaluit (completion expected in 2021), to “improve the efficiency and safety of the marine cargo re-supply”<sup>26</sup>
- Construction of a marine laydown area in southern Bathurst Inlet to support construction and annual resupply for the Back River project<sup>27</sup>
- The Grays Bay road and port project, which would enhance the economic viability of exploring for and developing mineral deposits in the Kitikmeot region
- The Kivalliq-Manitoba winter road and hydro connection
- Port infrastructure on Milne Inlet (existing) and Steensby Inlet (approved, not constructed) for transport of iron ore from the Mary River iron mine on Baffin Island during the open water season (Milne Inlet) and year-round (Steensby Inlet)<sup>28</sup>

Notwithstanding these initiatives, there remains a dearth of community-level harbour infrastructure. While there is a small craft harbour in Pangnirtung, and one being developed for Pond Inlet, all other communities need investments ranging from harbours to breakwaters to assist with making local boating/harvesting and annual community resupply safer and more efficient.

These trends are generating concerns amongst Nunavummiut about whether an appropriate, evidence-based balance is being struck between ecological, cultural and economic goals. It is in this context that the Nunavut Marine Council intends to become an effective voice for Nunavummiut on marine policy issues.

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<sup>19</sup> (Burke, 2017)

<sup>20</sup> (Pugliese, 2016)

<sup>21</sup> (Frizzell, 2017)

<sup>22</sup> (George, 2017)

<sup>23</sup> (Nunatsiaq News, 2016)

<sup>24</sup> (Fife & Chase, 2017)

<sup>25</sup> (Department of Defense, 2016)

<sup>26</sup> (Vagra, 2017)

<sup>27</sup> (Department of Economic Development and Transportation)

<sup>28</sup> (Baffinland, 2017)

## Marine policy

Federal interest in marine policy issues nationally, and in the Arctic specifically, has led to a number of ongoing and planned initiatives of relevance to the NMC.

### Marine conservation

This includes the federal commitment to reach Canada's marine conservation targets of protecting 5 percent of Canada's marine and coastal areas by 2017 and 10 percent by 2020<sup>29</sup> as well as related commitments to establish new marine protected areas (MPAs) and to examine how the *Oceans Act* can be updated to facilitate the process for designating MPAs.<sup>30</sup>

### Oceans Protection Plan

In addition, on November 2016 the Government of Canada announced a \$1.5 billion investment in an Oceans Protection Plan (OPP).<sup>31</sup> The OPP encompasses 57 different initiatives, each linked to one of four main policy areas:

- Creating a world-leading marine safety system that improves responsible shipping and protects Canada's waters, including new preventive and response measures
- Restoring and protecting the marine ecosystems and habitats, using new tools and research, as well as taking measures to address abandoned boats and wrecks
- Strengthening partnerships and launching co-management practices with Indigenous communities, including building local emergency response capacity
- Investing in oil spill cleanup research and methods to ensure that decisions taken in emergencies are evidence based

The initial press release<sup>32</sup> identified three areas of work related to northern Canada, all focused on search-and-rescue services:

- Funding for on-the-ground marine safety equipment and infrastructure for northern coastal communities
- A new community boat program in the Arctic to further strengthen Arctic search and rescue and emergency response
- Creating a seasonal inshore rescue boat station in the Arctic

### Indigenous governance of marine areas

In 2017, three announcements appeared to be heralding a new era in Inuit co-management of marine areas, related to Lancaster Sound, northern Labrador and the North Water Polynya (Pikialasorsuaq). Each of these initiatives is discussed further in Section 3.3 below. These three initiatives, taken together, present a rare opportunity for the NMC to leverage additional resources to achieve its vision providing a voice for Nunavummiut on marine issues. To be clear, the NMC does not see itself as the only, or even the primary, vehicle through which to achieve increased Inuit involvement in marine management. Rather, supporting the NMC approach outlined in this document would be consistent with the overarching trend exemplified by these three initiatives: the movement towards indigenous self-governance and/or co-management of marine resources.

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<sup>29</sup> (Fisheries and Oceans Canada, 2017b)

<sup>30</sup> Bill C-55 was tabled on June 15, 2017. As of November 22, 2017 it had completed second reading and had been referred to committee in the House of Commons. Its progress can be tracked here:

<https://www.parl.ca/LegisInfo/BillDetails.aspx?Language=E&billId=9041849>.

<sup>31</sup> (Justin Trudeau, Prime Minister of Canada, 2016b)

<sup>32</sup> (Justin Trudeau, Prime Minister of Canada, 2016a)

It is in this context of rapid environmental, economic, social and political change that this strategic plan has been prepared, to outline the existing role of the Nunavut Marine Council as well as a vision for what it could accomplish with additional resources.

## 3 The Nunavut Marine Council

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### 3.1 Origins

During the negotiations that led to the creation of Nunavut, the importance of marine areas led to extensive discussions about how best to give Inuit a voice on marine issues. While some called for the establishment of a stand-alone institution to address marine issues, ultimately a different mechanism was created to fulfill this function. It was agreed that governments would be obligated to listen to (but not necessarily act upon) recommendations that might be made by a new entity to be known as the Nunavut Marine Council (NMC).

The NMC would not be a stand-alone institution of public government. Rather, it would be comprised of the four institutions of public government (IPGs): the Nunavut Impact Review Board (NIRB), the Nunavut Planning Commission (NPC), the Nunavut Water Board (NWB) and the Nunavut Wildlife Management Board (NWMB).<sup>33</sup> The NMC was to serve as a body through which the IPGs give voice to the people of Nunavut on marine issues, based on the integration of their perspectives and experiences.

The legal basis for the NMC was established through the Nunavut Agreement (s. 15.4.1), with a mandate to advise and make recommendations to government regarding the marine areas of the Nunavut Settlement Area (NSA).

The geographic scope of that mandate is defined under s. 1.1.1 of the *Nunavut Agreement*:

“marine areas” means that part of Canada’s internal waters or territorial sea, whether open or ice-covered, lying within the Nunavut Settlement Area, but does not include inland waters. For greater certainty, the reference to internal waters or territorial sea includes the seabed and subsoil below those internal waters or territorial sea

Specifically, section 15.4.1 of Article 15 of the *Nunavut Agreement* states that:

The NIRB, the NWB, the NPC, and the NWMB may jointly, as a Nunavut Marine Council, or severally, advise and make recommendations to other government agencies regarding the marine areas, and Government shall consider such advice and recommendations in making decisions which affect marine areas.

The *Nunavut Agreement* articulates no limits on the policy scope of the NMC’s advisory mandate in relation to marine issues. It is up to the NMC members to decide how broadly the NMC may speak and whether issues are best addressed by the IPGs individually, severally, or collectively as a Nunavut Marine Council. Section 15.4.1 also leaves to the member IPGs (the members) the decision about how to organize a Nunavut Marine Council and permits considerable scope for evolution and change. The current approach to working together has been codified in a memorandum of understanding, developed in 2009.<sup>34</sup>

### 3.2 Governance

Over the last 20 years, it has been challenging for the NMC as an entity to play a consistent, focused, dynamic, active role in efforts to achieve wise use of the marine areas of the NSA, given the lack of resources made available to each IPG to pursue these interests. That being said, the members have made significant (if

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<sup>33</sup> The IPGs are part of an integrated and cooperative management regime constituted in accordance with the *Nunavut Agreement*.

<sup>34</sup> See Appendix B

episodic) progress in developing mechanisms for working together that have led to collective action as the NMC.

A significant step forward was the decision by the four IPGs, made in 1998, that when they chose to assemble themselves for the purpose of jointly considering and recommending with respect to marine issues, they would thereby and for that purpose automatically constitute themselves as the NMC. As such, the NMC has been “perpetually available, but not as a standing entity.”<sup>35</sup> This was an innovative and pragmatic way to facilitate collective action in an environment of constrained resources.

Key organizational milestones have included:

- Establishment of the Nunavut Marine Policy Advisory Council (July 1998)<sup>36</sup>, which included working together on:
  - An NMC discussion paper (1997)
  - A draft terms of reference (1997)
  - A draft memorandum of understanding (1997)
  - Publication of a Nunavut Marine Issues Action Plan (1998)
- Formal establishment of the Nunavut Marine Council (December 1998)
- Reaffirmation by NMC members to the NMC, and updated terms of reference (2008)
- Development of NMC Memorandum of Understanding (2009)
- Workshop to develop NMC business case (2010) and creation of business case (2012)
- Launch of the NMC website (2016)
- Publication of “The Nunavut Marine Council: An Important Voice for Nunavut’s Marine Areas” by Heather Rasmussen in *The Journal of Ocean Technology* (2016)

In 2015, negotiations between Nunavut Tunngavik Incorporated and the Government of Canada regarding a new 10-year contract for implementation of the *Nunavut Agreement* for the 2013-22 period led to the members of the NMC securing an additional \$25,000 each (\$100,000 total) to support their costs for coordination on NMC-related work. To build on the momentum generated by these resources, the creation of the 2012 business case, and the policy advocacy done in 2014, the first action taken by the NMC was to produce a public-facing website which was launched in 2016 ([www.nunavutmarinecouncil.com](http://www.nunavutmarinecouncil.com)). The NMC also began to participate in existing conferences and forums to increase public awareness of the NMC, its mandate and role in marine management for the Nunavut Settlement Area. In 2017 the members of the NMC decided to convene a strategic planning workshop to help catalyze focused collective action through establishment of this Strategic Plan.<sup>37</sup>

### 3.3 Vision

Building on the language in the *Nunavut Agreement*, the business case developed by the NMC in 2012 and the 2017 strategic planning workshop, the NMC adopts the following vision for itself over the 2018-2023 period:

*To be an active, effective and respected voice on marine issues for Nunavummiut.*

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<sup>35</sup> As noted in the minutes of a meeting of the NWMB on November 23-25, 1999.

<sup>36</sup> Unlike the NMC, the Nunavut Marine Policy Advisory Council membership did not include the Nunavut Planning Commission

<sup>37</sup> A summary report of the workshop is available in Appendix C

### 3.4 Mission

The NMC will achieve its vision by performing three key functions, as part of its mission:

*By raising awareness, providing advice and undertaking advocacy, ensure the ongoing protection and wise use of the marine areas of the Nunavut Settlement Area (NSA) for the long-term benefit of Inuit, the people of Nunavut and the people of Canada, in a manner consistent with the principles of Inuit Qaujimajatuqangit and Article 15 of the Nunavut Agreement (Marine Areas).*

These three functions are described in more detail below.

#### Awareness

In recent years, NMC has dedicated some of its limited resources to engaging the people of Nunavut and other interested parties, (i.e. discussing issues, gathering feedback, grounding recommendations in public consultation and promoting public participation). Public engagement efforts to date have focused on raising awareness about:

- Marine policy issues (e.g. creation of a public-facing website on marine issues<sup>38</sup>) and
- The role of the NMC in marine management (e.g. through conference presentations and meetings with officials).

This awareness-raising work has been undertaken with the limited resources currently available to each member of the NMC (\$25,000 each per fiscal year).

At the NMC's 2017 strategic planning workshop, all participants agreed on the need to do more in the area of awareness-raising to raise the profile of marine policy issues in Nunavut. In addition, NMC members highlighted as their top priority the need for the NMC to undertake public consultation activities to inform its efforts to provide policy advice and undertake advocacy.

For the purposes of this Strategic Plan, the term 'awareness' is taken to be synonymous with the term 'public engagement', encompassing public education activities as well as public consultation activities.

#### Advice

With increasing frequency, government officials come to the members of the NMC and request advice on various marine policy issues. These requests arise from the recognition, on the part of governments, that the member IPGs (in the course of fulfilling their core organizational mandates) are a rich and comprehensive source of insight and intelligence on marine policy issues, including public opinion about issues affecting Nunavut's marine areas and Nunavummiut.

When providing advice or recommendations in response to these requests, the IPGs - both individually and collectively as the NMC - have proven to be a useful and valued source of information and advice. The advice provided has been limited to date, however, by the resources currently available for NMC members to undertake focused, targeted consultation efforts. In the absence of designated resources, NMC members provide information and knowledge that has been gathered through the performance of their core duties. These duties are not necessarily focused on the policy issues about which governments are seeking advice, however. Dedicated resources would allow the NMC to engage on priority policy issues in a more substantive manner that allows for public engagement, research, analysis and incorporation of existing and (potentially) new *Inuit Qaujimajatuqangit*.

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<sup>38</sup> (Nunavut Marine Council, 2017)

## Advocacy

While the basic steps underpinning the provision of advice and the performance of advocacy are the same (public engagement, research and analysis), there are two key differences related to procedures and publicity. When providing advice, the NMC is usually responsive, reacting to a request for insights from an external third party that has identified its priority issues. When undertaking advocacy, the NMC is usually proactive, generating opportunities for its voice to be heard by both influencers and decision-makers. The provision of advice is often done once, without follow-up. Advocacy activities, by contrast, are embedded within an overarching strategy designed to achieve a specific policy outcome, and are thus undertaken over a period of time. The provision of advice is usually informal, and may or may not be made public. The performance of advocacy is usually more formal, and often (although not always) public.

As a result of these differences, advocacy usually requires significantly more resources than the provision of advice, both in terms of time and often money.

In its history, the NMC has at times formally sought to influence government policy related to marine areas. In 1999, for example, the NMC as a whole formally supported the NWMB submission to the House of Commons Standing Committee on Canadian Heritage, regarding amendments to the then-draft *Canada National Marine Conservation Areas Act*. In 2014, the NMC corresponded with the National Energy Board and the Minister of Indigenous and Northern Affairs Canada about proposed seismic surveying in Baffin Bay, recommending that the surveying be postponed until after the completion of a regional strategic environmental assessment.<sup>39</sup>

Given the rapid pace of change in the Arctic marine environment, it is likely that the NMC will be called upon more frequently to advocate for Nunavummiut on marine policy issues, particularly those that go beyond the scope of what any one IPG is able to speak to. While it may be possible for the NMC to continue to perform (in a limited manner) the functions of awareness and advice with existing resources, performing an advocacy function will require additional resources focused on priority policy areas (see Section 4 below).

### 3.5 Principles

The NMC has committed to undertaking its work in a manner that is consistent with a certain set of assumptions and core principles, as articulated in Article 15 of the *Nunavut Agreement*:

- Inuit are traditional and current users of certain marine areas, especially the land-fast ice zones
- The legal rights of Inuit in marine areas flowing from the Agreement are based on traditional and current use
- Canada's sovereignty over the waters of the Arctic Archipelago is supported by Inuit use and occupancy
- Inuit harvest wildlife that might migrate beyond the marine areas;
- A Nunavut economy based in part on marine resources is both viable and desirable
- There is a need to develop and coordinate policies regarding marine area
- There is a need for Inuit involvement in aspects of Arctic marine management, including research

In addition to these principles, the 2012 business case also commits the NMC to be guided by the following principles of *Inuit Qaujimajatuqangit*, respect for which will contribute to sustainable development and proper management of the environment:

- *Avatimik Kamattiarniq/Amiginik Avatimik*: people are stewards of the environment and must treat all of nature holistically and with respect, because humans, wildlife and habitat are inter-connected and each person's actions and intentions towards everything else have consequences, for good or ill

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<sup>39</sup> (CBC News, 2014)

- *Pijitsirniq /Ihumaliukti*: a person with the power to make decisions must exercise that power to serve the people to whom he or she is responsible
- *Papattiniq /Munakhinik*: the obligation of guardianship or stewardship that a person may owe in relation to something that does not belong to the person
- *Ajiiqatigiingniq/Pitiakatigiiklotik*: people who wish to resolve important matters or any differences of interest must treat each other with respect and discuss them in a meaningful way, keeping in mind that just because a person is silent does not necessarily mean he or she agrees
- *Piliriqatigiingniq/Havakatigiiklutik*: people must work together in harmony to achieve a common purpose
- *Qanuqtuurunnarniq/Kaujimatukanut*: the ability to be creative and flexible and to improvise with whatever is at hand to achieve a purpose or solve a problem.

# 4 Policy Priorities

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## 4.1 Overview

Based on the results of the 2017 strategic planning workshop, this Strategic Plan directs the NMC to focus on two issues for 2018-2023: environmental impacts of shipping and marine protected areas. Both areas are also the focus of federal attention right now, through (respectively) the Northern Marine Corridors Transportation Initiative and the Marine Conservation Targets Initiative.

Focusing on these two areas would also enable the NMC to pilot how to underpin its advocacy work with credible public engagement activities (see Section 5.2 below), including incorporation of *Inuit Qaujimagatuqangit* (or advocacy for other parties to undertake this work in a credible manner).

## 4.2 Goal #1 – Establish the NMC as a key voice on marine shipping

### Context

The Canadian Coast Guard has observed an increase in traffic from all types of vessels in the Canadian Arctic since 1990, noting that due to “changes in sea ice conditions, the shipping season has lengthened, resulting in increased ship traffic during the shoulder seasons”.<sup>40</sup> It has been suggested that these changes in sea ice will have profound changes on marine shipping activity as Arctic water become more accessible.<sup>41</sup> However, changes to marine traffic are not driven by sea-ice changes alone – they are influenced by a combination of environmental, economic, logistical and political factors.<sup>42</sup>

There are two shipping routes which extend throughout Canadian Arctic waters, the Northwest Passage (NWP) – which represents an opportunity for shorter Asia-Europe shipping routes as compared to the Panama Canal – and the Arctic Bridge (between the Russian port of Murmansk and Churchill, Manitoba). The use of these channels for long-haul transportation is dependent upon the global economy and political climate. The Canadian Ice Service warns, however, that predictions of increased access to Arctic shipping routes should be made with caution as sea ice is highly variable and the NWP in particular will remain difficult to navigate.<sup>43</sup>

### Shipping trends

Recent shipping studies suggest that government icebreakers on coast guard and research duties are responsible for the majority of marine traffic increases in Nunavut territorial waters.<sup>44</sup> Since 1990, traffic has been concentrated in the Northwest Passage, south from the Parry Channel and into Queen Maud Gulf.<sup>45</sup>

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<sup>40</sup> (Dawson, Porta, Okuribido-Malcolm, deHann, & Mussells, 2015)

<sup>41</sup> (Pizzolato, Howell, Derksen, Dawson, & Copland, 2014)

<sup>42</sup> (Dawson, Climate Change Adaptation Strategies and Policy Options for Arctic Shipping. A report prepared for Transport Canada, 2017)

<sup>43</sup> (Environment and Natural Resources, 2015)

<sup>44</sup> (Dawson, Mussells, Copland, & Carter, 2017, p. 16)

<sup>45</sup> Ibid. p. 26

Beyond Nunavut itself, tug-supply vessels (mostly with ice-breaking capabilities) carrying grain, timber, oil or ore have been responsible for a large portion of transit increases in Arctic waters since 1990.<sup>46</sup> Tug vessels are also expected to increase for use in community-resupply.

There has been an increase in passenger ships and pleasure crafts (i.e. yachts, adventure ships) in Arctic waters since 1990<sup>47</sup>, however this increase has not been observed in Nunavut's territorial waters.<sup>48</sup> Rather, the region has begun to attract larger passenger vessels which are tending to travel further north. Whereas passenger ships were previously operating primarily in Hudson's Bay, they are being observed more frequently traversing the NWP. The number of passenger ships and pleasure crafts are expected to increase significantly in all Arctic waters as they are beginning to see the region as more attractive.<sup>49</sup>

Fishing vessels, general cargo, tug boats, and tanker ships have increased slightly in Arctic waters since 1990, but Nunavut has observed a significant increase. Fishing vessels is one of the fastest growing vessel sectors in Nunavut, and the regional focus on a fisheries economy suggests that this traffic will continue to increase.<sup>50</sup>

Oil and gas exploration vessel traffic has increased slightly in marine waters since 1990, particularly off the coast of Baffin Island. Natural resource exploration trends are difficult to predict and are dependent on international demand for energy and minerals and the regulatory regime (both on-land and off-shore).<sup>51</sup>

### **Concerns about increased marine shipping**

While increased marine traffic may generate economic opportunities for the people of Nunavut, it also generates a number of concerns related to:

- **Safety:** the operating season has lengthened while at the same time marine navigation services (such as aids to navigation and charting) are becoming obsolete and the Canadian Coast Guard fleet is aging. Vessels are traveling out of shipping corridors and into less charted and less serviced areas. This has important implications for the safety of humans and ecosystems, given limited search-and-rescue and spill response capacity. Increases in the number of icebergs moving south with the Labrador Current along the east coast of Baffin Island have been identified as a navigational safety issue.
- **Ecosystem integrity:** risks related to oil spills, pollution, invasive species, noise, ship strikes, and emissions.
- **Infrastructure:** lack of marine infrastructure (e.g. harbours, ports, breakwaters, etc.) has limited the ability to expand existing fisheries and cruise tourism, and also has serious implications for facilitating safe shipping and timely emergency response.

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<sup>46</sup> (Environment and Natural Resources, 2015)

<sup>47</sup> (Pizzolato, Howell, Derksen, Dawson, & Copland, 2014, pp. 28-29)

<sup>48</sup> (Dawson, Climate Change Adaptation Strategies and Policy Options for Arctic Shipping. A report prepared for Transport Canada, 2017)

<sup>49</sup> (Dawson, Mussells, Copland, & Carter, 2017, p. 38)

<sup>50</sup> (Dawson, Climate Change Adaptation Strategies and Policy Options for Arctic Shipping. A report prepared for Transport Canada, 2017)

<sup>51</sup> (Dawson, Mussells, Copland, & Carter, 2017, p. 38)

- Icebreaking: year-round ice breaking could disrupt ecosystems and negatively impact Inuit rights and culture.
- Inuit rights and culture: socio-economic changes will likely arise as a result of increased economic activity, and there may also be impacts on the ability of Inuit to undertake traditional practises. With the overlap of shipping corridors with Inuit harvesting areas, increased vessel traffic could adversely affect Inuit harvesting through direct and/or indirect factors, such as reduced access or change to wildlife distribution or health. As legislation and regulations limit the use of firearms in proximity to vessels and other infrastructure, an increase in shipping may adversely impact Inuit harvesting activities.
- Sovereignty and jurisdiction: the clearing of sea ice and establishment of corridors may result in an increase in foreign vessel traffic for the purpose of “cheaper intercontinental shipping and [access to] unexploited natural resources”.<sup>52</sup> Canadians and Nunavummiut are concerned about who decides who has access to marine waters and what the impacts will be. They are also concerned about the robustness of the regulatory regimes and interested in the opportunities for community-based monitoring.

### **Opportunities for NMC engagement**

The Northern Marine Transportation Corridors Initiative (NMTCI)<sup>53</sup> was created by the Canadian Coast Guard, the Canadian Hydrographic Service and Transport Canada “to pinpoint specific shipping routes throughout the Arctic”, where they could prioritize their services (e.g. hydrography, navigational aids, ice breaking and patrolling) to create incentives for marine traffic to travel down specific routes, in an effort to improve safety.<sup>54</sup> In 2015, participants at an NMTCI workshop noted the need to re-examine the preliminary corridors that had been proposed in the context of better data and also data from environmental non-governmental organizations (ENGOS) and Inuit sources.<sup>55</sup>

In 2016, an Oceans North report called for more Inuit and ENGO involvement in NMTCI, citing “big gaps in the data [the Government of Canada] used to create the Northern Marine Transportation Corridors Initiative”. Building on the NMTCI, the report has proposed an Integrated Arctic Corridors Framework.<sup>56</sup> Irving Shipbuilding financed a similar study by the University of Ottawa, proposing a framework for managing Arctic shipping that incorporates multiple uses and values.<sup>57,58</sup> As a result, although the NMTCI was originally focused primarily on safety and sovereignty, its scope appears to be expanding to incorporate ENGO and Inuit feedback.

### Legislation, regulations and policies related to marine shipping in Canada’s Arctic

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<sup>52</sup> (Oceans North Canada, 2016)

<sup>53</sup> Ibid.

<sup>54</sup> (Murray, Oceans North Canada calls for Inuit input on Canada's Arctic shipping corridors, 2016)

<sup>55</sup> Cf. 11, pp. 6-9.

<sup>56</sup> (Oceans North Canada, 2016)

<sup>57</sup> (Dawson, Arctic Marine Activities Integration & Synthesis Project (AMAIIS): Enhancing Ocean Governance Through the Northern Marine Transportation Corridors, n.d.)

<sup>58</sup> (Network of Centres of Excellence of Canada, 2017)

Depending on the precise issue, there are a number of bodies involved with oversight of marine traffic in the Arctic, including Nunavut. These bodies are producing voluntary guidance documents and binding regulations, such as:

- *Canada Shipping Act (CSA)*, including regulations and guidance related to ballast water<sup>59</sup>
- *Arctic Waters Pollution Prevention Act (AWPPA)*, and associated regulations<sup>60</sup>
- Polar Code<sup>61</sup> which came into force on January 1, 2017 and led to a number of regulatory changes<sup>62</sup>
- Guidance for cruise ships in the Arctic<sup>63</sup>
- Nunavut Marine Tourism Management Plan 2016-2019<sup>64</sup>

### Monitoring and enforcement

A number of agencies and organizations are involved with tracking marine shipping through such initiatives as the Automatic Identification System (deployed to improve “the Coast Guard’s ability in identifying and monitoring maritime traffic to enhance awareness of vessels approaching and operating in Canadian waters”<sup>65</sup>) and the Long Range Identification and Tracking system, which “allows [the Coast Guard] to track foreign vessels transiting in Arctic waters up to 84.5°N and out to 1,000 nautical miles for vessels transiting in our coastal waters and 2,000 nautical miles for vessels who are destined for Canadian ports.”<sup>66</sup>

In terms of enforcement of Canadian laws related to marine shipping in the Arctic, the CSA is enforced by Designated Officers working for Transport Canada Marine Safety, under the auspices of Transport Canada’s Compliance and Marine Enforcement Policy.<sup>67</sup> The AWPPA is enforced by pollution prevention officers, none of whom were based within Nunavut as of October 2017.<sup>68</sup>

Moving forward, the NMC is well-positioned to help shape innovative, multi-agency monitoring and enforcement solutions to monitoring and enforcing Canadian sovereignty in the Arctic, such as the Marine Security Enforcement Teams used in the Great Lakes to coordinate the work of the RCMP and the Coast Guard.<sup>69</sup> The role of Inuit in monitoring and enforcement is also an area ripe for innovation, including (for example) adding a marine mandate and capability to Canadian Rangers Patrol Group 1 (territories), as recommended by the Senate Standing Committee on Fisheries and Oceans in 2009.<sup>70</sup> NTI is also in the midst of developing and implementing an Inuit Marine Monitoring program.

## 4.3 **Goal #2 – Establish the NMC as a key voice on marine conservation**

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<sup>59</sup> (Transport Canada, 2010a)

<sup>60</sup> (Transport Canada, 2012)

<sup>61</sup> (International Maritime Organization, 2017)

<sup>62</sup> (Department of Transport, 2017)

<sup>63</sup> (Transport Canada, 2005)

<sup>64</sup> (Government of Nunavut, 2016)

<sup>65</sup> (Canadian Coast Guard, 2013b)

<sup>66</sup> (Canadian Coast Guard, 2013a)

<sup>67</sup> (Transport Canada, 2014)

<sup>68</sup> (Transport Canada, 2010b)

<sup>69</sup> (Canadian Coast Guard, 2013c)

<sup>70</sup> (Standing Senate Committee on Fisheries and Oceans, 2009)

## Context

### Marine Conservation Targets Initiative

On June 8, 2016, the Government of Canada announced its intention to protect 5% of Canada's marine and coastal areas by 2017 and 10% by 2020. This work is being led by the Marine Conservation Targets team within Fisheries and Oceans Canada. There are five areas of actions to support reaching Canada's marine conservation targets:<sup>71</sup>

- *Finish What Was Started:* Advance the work already underway in areas progressing towards establishment including the proposed Lancaster Sound national marine conservation area, and the Laurentian Channel, St. Anns Bank and Banc des Américains proposed Oceans Act MPAs.
- *Protect Large Areas:* Establish new, large Oceans Act MPAs in offshore areas.
- *Protect Areas Under Pressure:* Establish additional Oceans Act MPAs in areas under pressure from human activities.
- *Advance Other Effective Area-Based Conservation Measures:* Identify existing and establish new effective area-based conservation measures.
- *Establish MPAs Faster:* Examine how the Oceans Act can be updated to expedite the designation process for MPAs, without sacrificing science, or the public's opportunity to provide input.<sup>72</sup>

Fisheries and Oceans Canada explicitly mentions its commitment to undertaking this work in a way that advances indigenous reconciliation.

### Indigenous co-management

Across Canada, a number of recent announcements are opening up a policy space for indigenous co-management of marine areas. The first was the announcement that the federal government, the Government of Nunavut and the Qikiqtani Inuit Association (QIA) had agreed on the boundaries of *Tallurutiup Imanga*, a new marine conservation area in Lancaster Sound. They are now involved in an 18-month dialogue to co-develop a management plan and an Inuit Impact Benefits Agreement. Part of that dialogue will involve a discussion of new approaches to governance support Inuit to “manage and control what happens to our lands”, according to the QIA.<sup>73</sup>

The second announcement was the launch of *Imappivut*, a partnership between the Governments of Canada and Nunatsiavut to co-manage the waters around northern Labrador.<sup>74</sup> Carl McLean, Deputy Minister of Lands and Natural Resources for the Government of Nunatsiavut, noted in an interview that this initiative emerged in response to his government's request for a horizontal, collaborative approach to managing the marine areas encompassed by the Labrador Inuit Land Claims Agreement. He highlighted the value-added brought by an Inuit perspective, which emphasizes a holistic, integrated approach to resource management.

Finally, a third related announcement was made by the *Pikialasorsuaq Commission*, under the banner of the Inuit Circumpolar Commission, which called for the establishment of a new, Inuit-controlled authority to manage the North Water Polynya (an area of ice-free water between Greenland and Nunavut). The vision of

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<sup>71</sup> (Fisheries and Oceans Canada, 2017a)

<sup>72</sup> (Fisheries and Oceans Canada, 2017c)

<sup>73</sup> (Cruikshank, 2018)

<sup>74</sup> (Parks Canada Agency, 2017)

the Inuit Circumpolar Council, as articulated by its international chair, Okalik Egeesiak, would be that the zone is “Inuit-led, Inuit managed and Inuit monitored.”<sup>75</sup>

### **Opportunities for NMC engagement**

Given the multiplicity of initiatives unfolding in this space, the NMC may choose to play a more pro-active public engagement role in Nunavut, to raise awareness and also gather perspectives from Nunavummiut. These efforts would position the NMC to provide holistic, strategic advice to governments. This work would need to unfold with care to avoid impinging upon the role of the Nunavut Wildlife Management Board (NWMB).

Section 5.2.34 of the *Nunavut Agreement* gives the NWMB the authority to “approve the establishment, disestablishment, and changes to boundaries of Conservation Areas, related to management and protection of wildlife and wildlife habitat.” The Nunavut Marine Council will not duplicate this responsibility, which is mandated to one of its members. Rather, the NMC will position itself as an entity that can provide a voice for all Nunavummiut on how Nunavut can contribute to reaching these national targets in a way that balances ecological, cultural and economic goals.

## **4.4 Objectives and work-plan**

At present, limited available funding significantly restricts the initiatives and activities that can be advanced by the Nunavut Marine Council. In developing its Strategic Plan, the NMC took care to identify what can be accomplished with its existing resources and what might be advanced as additional funding and resources are secured in future. Moving forward, the NMC intends to actively pursue partnerships and funding opportunities and will update the Strategic Plan to ensure it remains current throughout the five-year planning period.

### **With existing resources**

- |              |  |
|--------------|--|
| Objective #1 | Identify a lead IPG and lead IPG staff person for each goal area.  |
| Objective #2 | Track and monitor existing efforts to identify and respond to concerns about marine shipping and the health of marine ecosystems in the eastern Arctic.              |
| Objective #3 | Use public engagement activities undertaken as individual IPGs to raise awareness about, and seek public input into, marine shipping issues (see Section 3.5 below). |
| Objective #4 | Position NMC as an interested party with governments and stakeholders so that NMC is invited to share insights, opinions and/or recommendations.                     |
| Objective #5 | Seek funding for a dedicated staff resource to support implementation of an NMC work plan on identified priorities.  |

### **With additional resources**

- |              |   |
|--------------|---|
| Objective #6 | Develop an NMC discussion paper for each goal area. |
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<sup>75</sup> (Ducharme, 2017)

- Objective #7 Influence a broader research agenda, including catalyzing a participatory action research agenda training Inuit as researchers.
- Objective #8 Design and implement a public engagement strategy for both goal areas that would:
- Gather public perspectives using a range of public consultation tools (e.g. surveys, workshops, focus groups, interviews, webinars, etc.)
  - Identify existing sources of *Inuit Qaujimagatuqangit* already contained within documentation held by NMC members
  - Consult with Inuit to facilitate the incorporation of additional *Inuit Qaujimagatuqangit* into discussions
  - Raise public awareness about both goal areas.
- Objective #9 Collaboratively develop and implement advocacy strategies on specific issues (as opposed to simply responding to invitations to comment and provide advice).
- Objective #10 Seek funding for dedicated resources to support an NMC work plan in both goal areas.

## 5 Enhancing organizational effectiveness

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The Nunavut Marine Council (NMC) is uniquely positioned to shape marine policy issues, given that governments are explicitly required (within the *Nunavut Agreement*) to consider its recommendations. The recommendations and advice of the NMC carries a credibility rooted in its Board members and the on-the-ground work of each individual IPG across Nunavut.

Over the last twenty-plus years, the member IPGs have adopted a number of innovative ways to perform the key functions required of any entity, particularly information sharing to facilitate collective action. In addition, they have identified a number of areas where improvements are required, particularly decision-making, partnerships and public engagement.

### 5.1 Decision-making

Since 2012, the Institutions of Public Government (IPGs) that make up the NMC have developed an informal protocol for reaching consensus that involves the following steps:

1. IPG staff, in their daily activities, are invited to flag issues or opportunities that they think might be relevant to the NMC as a whole (e.g. a request to present at a marine-related conference, or for a position on a marine policy issue). Currently, these issues are brought to the attention of the Executive Director (ED) of the IPG in question.
2. The ED then makes a determination as to whether the issue should be shared with the other IPGs that constitute the NMC. If the issue/opportunity is deemed by the ED to be relevant to all NMC members, the ED will inform his/her counterparts and arrange a conversation.
3. NMC working group members (each IPG has a combination of Board and staff members on this working group) then meet to discuss:
  - a. whether NMC should take action, and if so
  - b. which IPG would be best positioned to lead
4. A staff lead is assigned to develop initial materials (e.g. a draft conference presentation or letter).
5. Draft materials are distributed within the working group for comment, review and approval
6. Once approved, the materials are then shared externally.

In future, these informal protocols will be formalized by the NMC, to facilitate timely, consistent action.

### 5.2 Public engagement activities

To be an effective voice for Nunavummiut, the NMC needs to understand their values, hopes, fears and priorities, and involve them in collaborative problem-solving to address the most important and relevant issues. As a result, building up the capacity of the NMC to engage in public engagement work (consultation and education) is a top priority for the 2018-2023 period, including the need to ensure that *Inuit Qaujimaqatuqangit* is incorporated into marine policy and related research.

There are a large number of existing organizations and conferences that meet regularly on Arctic marine issues. Each NMC member also has programs for public engagement, in addition to their work within the NMC. When developing its public engagement strategy, the NMC will make an effort to identify opportunities for collaboration with existing public forums, reduce duplication, and use the time of communities as

effectively as possible. The NMC intends to utilize the feedback received during public engagement events to prioritize its work and issues of focus moving forward.

### 5.3 Risks

As the NMC begins to engage more vigorously with marine policy issues, its increased visibility could:

- Generate more work than NMC and its members can handle
- Lead to NMC being driven by the agendas and priorities of external actors
- Create the risk of NMC losing community credibility, if its engagement in policy was not matched by community engagement
- Lead government officials, external stakeholders and/or Inuit themselves to misunderstand the role of the NMC (i.e. advisory, not decision-making)
- Create confusion as to whether an issue should be addressed through the existing process of an individual NMC Member or addressed separately by the NMC (e.g. treatment of marine issues through NPC development of the Nunavut Land Use Plan)

By clearly articulating initial areas of focus/priority for the NMC, this strategic plan is intended to help manage these first three risks. A clear priorities statement will be developed to allow the NMC to enter different policy spaces in a targeted, intentional, strategic manner. As opportunities and information flow to NMC members, staff will apply a prioritization screen, allowing briefings, communications and public engagement activities to be focused in one or two priority areas. The NMC will then decide to elevate an additional issue to priority status, based on some basic criteria agreed upon in advance (see Section 4.5 below).

Additional risks for which mitigation plans are required relate to maintaining momentum, both as individuals assigned to support NMC work get busy with their individual schedules/organizational mandates and as staff transitions occur.

### 5.4 Partnerships

The complexity of Arctic marine issues means that no one actor possesses the necessary information, knowledge, expertise, influence, responsibility or authority to have an impact. It is essential for individuals, organizations, governments, networks and multilateral institutions to work together. The NMC and its member IPGs are committed to collective action and partnership, working with Inuit partners, the territorial government, the federal government and civil society actors (see Appendix C).

### 5.5 Objectives and work-plan

#### Decision-making

To strengthen its informal decision-making processes, the NMC will develop guidance documents that provide further clarity to staff and Board members. Specifically:

- Objective #11     Develop “elevation criteria” to help IPG staff determine whether an issue should be brought to the attention of their Executive Director (ED), for possible NMC discussion.
- Objective #12     Develop criteria for EDs to determine whether an issue (once elevated) should be raised with the three other IPGs.

- Objective #13 Develop additional mechanisms by which an issue could be flagged (e.g. an email to a broader NMC distribution list, regular teleconferences for IPG staff leads for NMC, shared “issues log” available using a collaborative technology).
- Objective #14 Develop criteria for IPG representatives to use when deciding, as the NMC, whether the NMC should take action in the form of public engagement and/or advocacy.
- Objective #15 Develop criteria to help NMC determine which IPG(s) should lead on a particular issue.

## **Public engagement**

To strengthen its credibility as the voice for Nunavummiut on marine issues, the NMC will:

### With existing resources

- Objective #16 Integrate marine issues within existing public engagement work done by IPGs when conducting their core mandates, as appropriate. For example, when engaging the public, IPGs could:
- Include 1-2 slides on the Nunavut Marine Council
  - Include 1-2 questions on NMC policy priorities
  - Add on a short focus group session on marine policy issues and the work of the NMC.
- Objective #17 Continue to raise awareness about marine issues and government initiatives and events through the website, email networks and presentations at select events and workshops. As there are many marine-policy related groups and events, NMC staff will develop an outreach and awareness raising strategy that aligns with the priority policy issues identified in this document (see Objectives #2, #3 and #8 above). This will ensure that NMC awareness, advice and advocacy activities complement the work of other organizations. It will also support effective use of limited resources by aligning outreach activities with priority policy areas.

### With additional resources

- Objective #18 Organize stand-alone sessions on marine policy issues and the NMC, including:
- Broad, open-ended conversations to gather intelligence on emergent issues
  - Focused consultations and education sessions on specific policy priorities
  - A combination of the two.
- Objective #19 Build its networks, disseminate information more quickly and make information more accessible through the creation of more accessible (i.e. visual) tools (e.g. interactive maps, infographics).
- Objective #20 Respond more quickly and effectively to government requests for advice.

# Appendix A – Arctic-focused reports

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## Arctic Council

- Arctic Climate Impact Assessment (2005)<sup>76</sup>
- Arctic Council Oil and Gas Assessment (2007)<sup>77</sup>
- Arctic Biodiversity Trends (2010)<sup>78</sup>
- Arctic Social Indicators ASI-II (2013)<sup>79</sup>
- Arctic Human Development Report (2014)<sup>80</sup>
- Adaptation Actions for a Changing Arctic (2017)<sup>81</sup>
- Arctic Marine Shipping Assessment Reports (2009<sup>82</sup>, 2015<sup>83</sup>)

## Inuit Tapiriit Kanatami

- Integrated Arctic Strategy (2008)<sup>84</sup>
- 2016-2019 Strategy and Action Plan<sup>85</sup>

## Non-governmental

- Arctic Governance Project report (2010)<sup>86</sup>

## Federal government (Canada)

- Canada's Northern Strategy: Our North, Our Heritage, Our Future (2009)<sup>87</sup>
- Arctic Offshore Drilling Review (2011)<sup>88</sup>

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<sup>76</sup> (ACIA, 2005)

<sup>77</sup> (AMAP, 2007)

<sup>78</sup> (CAFF International Secretariat, 2010)

<sup>79</sup> (Nymand Larsen, Schweitzer, & Petrov, 2013)

<sup>80</sup> (Sustainable Development Working Group (SDWG), 2014)

<sup>81</sup> (AMAP, 2017)

<sup>82</sup> (Arctic Council, 2009)

<sup>83</sup> (Arctic Council, 2015)

<sup>84</sup> (Inuit Tapiriit Kanatami, 2008)

<sup>85</sup> (Inuit Tapiriit Kanatami, 2016)

<sup>86</sup> (The Arctic Governance Project, 2010)

<sup>87</sup> (Government of Canada, 2015a)

<sup>88</sup> (National Energy Board, 2011)

# Appendix B – NMC Memorandum of Understanding

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**WHEREAS**, the Nunavut Land Claims Agreement (NLCA) Section 15.1.1 recognizes and reflects the following principles:

- (a) *Inuit are traditional and current users of certain marine areas, especially the land-fast ice zones;*
- (b) *The legal rights of Inuit in marine areas flowing from the Agreement are based on traditional and current use;*
- (c) *Canada’s sovereignty over the waters of the arctic archipelago is supported by Inuit use and occupancy;*
- (d) *Inuit harvest wildlife that might migrate beyond the marine areas;*
- (e) *An Inuit economy based in part on marine resources is both viable and desirable;*
- (f) *There is a need to develop and coordinate policies regarding marine areas; and*
- (g) *There is a need for Inuit involvement in aspects of Arctic marine management, including research;*

**AND**

**WHEREAS**, the Nunavut Wildlife Management Board (NWMB), Nunavut Water Board (NWB), Nunavut Planning Commission (NPC) and Nunavut Impact Review Board (NIRB) have agreed that there is a need to collaborate on marine issues within their jurisdictional mandates;

**AND**

**WHEREAS**, the NLCA Section 15.4.1 states that “*The NIRB, the NWB, the NPC, and the NWMB may jointly, as a Nunavut Marine Council, or severally advise and make recommendations to other government agencies regarding the marine areas, and Government shall consider such advice and recommendations in making decisions which affect marine areas.*”;

**NOW THEREFORE**, the NWMB, NWB, NPC and NIRB have agreed that their organizations will jointly form the Nunavut Marine Council as guided by the following;

**PURPOSE**

**This Memorandum of Understanding (MOU) is intended to guide the NWMB, NWB, NPC and NIRB (the members) collaboration efforts as the Nunavut Marine Council (NMC).**

**It is recognized that** the provisions of this MOU impose important requirements on the NMC, however it also leaves to the members decisions on how to organize the NMC and, once established, permits considerable scope for evolution and change.

**BACKGROUND**

The importance of coastal and marine areas has long been recognized by Nunavummiut. These coastal and marine areas have provided food, clothing and shelter for Inuit and their ancestors for thousands of years. Although Inuit have adapted to a changing world, they have not abandoned their connection to the environment that gave birth to, and continues to maintain their culture. Marine areas are central to their identity, economic stability and spiritual well-being. While Inuit have repeatedly said that they want to see controlled development in Nunavut, they have also said they want to ensure that their resources and culture are protected for future generations. Sustainable development is not a new concept for Inuit, but one that underlies the foundation of their society and forms the basis of their profound relationship to the land.

The marine environment is critical to Nunavummiut, Canadians and the global community. With this in mind, the objectives of the NMC shall be to advise and make recommendations on Nunavut’s marine areas, consistent with the principles of Section 15.1.1 of the Agreement, stated previously.

## **OBJECTIVES**

Objectives of the NMC fall within four general categories as follows:

- 1) **Technical:** engage NMC members and Government, address information and knowledge gaps, recognize *Inuit Qaujimagatuqangit*, and identify pertinent land, water and wildlife issues.
- 2) **Regulatory:** identify gaps in legislation, and recognize jurisdictional boundaries.
- 3) **Policy:** advocate the need for policy and comment on policy, as and when required.
- 4) **Awareness:** promote awareness of marine issues, and promote awareness of the roles of NMC and member IPGs in protection of marine areas.

## **GUIDING PRINCIPLES**

### *1. Geographical mandate*

An NMC’s geographical mandate is limited under s. 15.4.1 to “marine areas”, defined under s. 1.1.1:

*“marine areas” means that part of Canada’s internal waters or territorial sea, whether open or ice-covered, lying within the Nunavut Settlement Area, but does not include inland waters. For greater certainty, the reference to internal waters or territorial sea includes the seabed and subsoil below those internal waters or territorial sea.*

### *2. Mandate over subject-matter*

Section 15.4.1 does not restrict the issues regarding the marine areas that an NMC may address. It is up to the members to decide how broadly the NMC may speak within the NLCA. The subject-matter mandate of the NMC could evolve over time.

### *3. The legal status of NMC advice and recommendations*

Section 15.4.1 authorizes an NMC to “advise and make recommendations to other government agencies” regarding the marine areas.

### *4. Relationship of the NMC members*

The NIRB, the NWB, the NPC, and the NWMB may jointly, as a Nunavut Marine Council, or severally advise and make recommendations to other government agencies regarding the marine areas.

### *6. Procedure for decision-making*

The NMC leaves this issue to be decided by its members.

## **COORDINATION AND IMPLEMENTATION**

The Executive Directors of the members will be responsible for coordinating collaboration efforts and for identifying issues and opportunities for the NMC to meet.

## **DISPUTE RESOLUTION**

All decisions of the NMC will be based on consensus. If the Executive Directors are unable to reach consensus on a particular marine issue then the matter may be addressed severally within the jurisdiction of the individual member organization(s).

## **AMENDMENT MECHANISM**

This MOU may be amended at any time by full agreement of the Chairpersons of the members.

## **TERMINATION**

This Agreement comes into effect on signing.

The Chairpersons of the member organizations, after consultation, may agree to terminate the agreement at any time.

# Appendix C – Partnerships

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## **Inuit Partners**

*Nunavut Tunngavik Incorporated (NTI):* Represents Inuit under the Nunavut Agreement. NTI's mission is to foster Inuit economic, social and cultural well-being through the implementation of the Agreement.

*Regional Inuit Associations (RIAs):* Represent Inuit living in all of Nunavut's communities. The presidents of NTI and the three RIAs comprise the executive committee of the NTI Board of Directors.

*Hunters and Trappers Organizations (HTOs):* Represent the Inuit hunters and trappers in each Nunavut community. In concert with the NWMB and the Regional Wildlife Organizations (RWOs), the 27 HTOs oversee the exercise of harvesting by Inuit under the terms of the NLCA.

*Regional Wildlife Organizations (RWOs):* Represent the Hunters and Trappers Organizations in each of the three Nunavut regions. The RWOs help to manage harvesting, and to regulate harvesting practices and techniques, among the members of HTOs in the regions.

## **Government of Nunavut**

### *Department of Environment*

Responsible for the protection of Nunavut's environment and the sustainable use of its renewable resources. DOE's mandate addresses the management of terrestrial mammals, including polar bears, caribou and muskox. It also develops and maintains territorial parks and conservation areas. DOE's legislative responsibilities include, among other statutes, the Nunavut Wildlife Act.

### *Community and Government Services*

The mission of CGS is to provide high-quality support and services, including community infrastructure, that foster safe and sustainable communities to benefit all Nunavummiut.

### *Economic Development & Transportation*

ED&T works to stimulate and strengthen the economy, and to ensure the safe and effective movement of people, goods and knowledge. This would include management of issues related to tourism, resource development and commercial fisheries.

## **Government of Canada**

### *Fisheries and Oceans Canada*

Manages fish and marine mammal stocks, protects their aquatic habitat, and conducts research and gathers information to protect and conserve marine and freshwater environments and their resources.

### *Environment and Climate Change Canada*

Handles wildlife matters falling within federal jurisdiction, including the protection and management of migratory birds, nationally significant habitats and species at risk. CWS also does research in many fields of wildlife biology. In addition, Environment Canada's Parks Canada Agency oversees Nunavut's national parks - Auyuittuq National Park, Sirmilik National Park and Quttinirpaaq National Park.

*Indigenous and Northern Affairs Canada (INAC)*

Administers mineral rights and land use activities on the more than 80 per cent of the land in Nunavut in which both the subsurface and surface rights are held by the Crown in right of Canada. INAC heads up the Northern Contaminated Sites Program, while also attempting to protect the northern environment and encourage sustainable development.

### **Other partners and initiatives**

Increasing global attention on the Arctic generally, and Nunavut specifically, means there are many projects and programs underway that could be useful for the NMC to track, monitor and potentially partner with. An illustrative list is provided below, including:

- Arctic Council
- Environmental organizations (e.g. Clear Seas, Oceans North, World Wildlife Fund)
- Inuit organizations in Canada and abroad (e.g. Nunavut Tunngavik Inc and its Inuit Marine Monitoring initiative, Makivik, Inuit Circumpolar Council, Inuit Tapiriit Kanatami)
- Marine-focused institutes and think tanks (e.g. Marine Institute in Memorial University, NL)
- Nunavut General Monitoring Plan
- Hudson's Bay Consortium

## Appendix D - References

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