

quantities to be fished do not raise a conservation concern that warrants DFO proposing establishment of any government limitation on Inuit fishing by the NWMB.

In addition to contravening Inuit rights, this practice, which has taken place for many years prior to this Government taking office, has undercut the ability of HTOs to exercise responsible decision-making at a local level, and the reliable growth of Inuit commercial fishing opportunities. It also has impeded past good faith efforts to develop consolidated NFRs on a consensus basis.

NTI respects that, as an incoming Minister, you are not responsible for this unsatisfying history. Nonetheless, in order for Inuit to work with DFO going forward on the basis of respect for Inuit rights, this practice must come to an end, and remain at an end. Collaboratively developed NFRs can provide new measures to manage Inuit fishing effectively and sustainably in the long-term. In the meantime, it is not acceptable that Inuit be expected to waive or compromise our fundamental rights.

Accordingly, after many years of patience, NTI has agreed to purchase from the Inuit Organization that DFO most recently asked to submit an exploratory licence application – the Nattivak Hunters and Trappers Organization (HTO) – the same quantity of char (1000 kg.) that DFO has identified as not raising a conservation concern. On this basis, the Nattivak HTO is commencing the winter fishery that had been postponed on account of an NWMB approval proceeding that was not necessary to the exercise of Inuit rights.

NTI hopes that this information will lead the NWMB to decline to make any management plan approval decision regarding this fishery, at the Board's upcoming March 15 meeting. In any event, on NTI's recommendation, and with NTI's assurance that its members are acting lawfully, the HTO is exercising its fishing rights.

NTI always regrets litigation, but is willing to do whatever is necessary within the law to assert or defend Inuit rights, including vigorously defending any prosecution, and seeking available civil remedies, including damages for loss of economic opportunities.

At a practical level, future problems of this kind may be avoided by a clear assurance to NTI by DFO that there will be no further contravention of fundamental Inuit Nunavut Agreement rights to conduct commercial fishing in non-TAH situations, whether by the issuances of licences, misuse of management plans, introduction of ostensibly provisional fishing limitations, or reliance on inaccurate information regarding the legal requirements that apply to the purchase of fish by processing plants.

NTI sincerely hopes that you can provide these assurances, so that the long-term solution in the form of NFRs can be readily achieved.

I look forward to your reply.

Sincerely,



James Eetoplook
Vice-President

CC. Mr. Daniel Shewchuk, Acting Chairperson, NWMB

Hon. Johnny Mike, Minister of Environment, Government of Nunavut