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BACKGROUND

The Labrador Inuit Land Claims Agreement

A comprehensive land claims agreement is a modern treaty that provides an Aboriginal group with clearly defined land, resources and self-government rights. Land claims agreements receive constitutional protection.

The Labrador Inuit claim Aboriginal rights and title in and to territory in northern Labrador and northeastern Quebec. The Labrador Inuit never signed an historic treaty with the British Crown or, until now, a modern treaty or a land claims agreement with the Government of Canada or the Government of Newfoundland and Labrador.

Comprehensive land claims negotiations proceed through a series of stages: Framework Agreement, Agreement-in-Principle, Final Agreement and Implementation. In November 1990, the Government of Newfoundland and Labrador, the Government of Canada and the Labrador Inuit Association (LIA) satisfied the first stage by signing a Framework Agreement that set out the process and subjects for negotiation. The parties signed the Labrador Inuit Agreement-in-Principle (AIP) in June 2001. The AIP formed the basis for negotiation of the Labrador Inuit Land Claims Agreement (the Agreement). Negotiation of the Agreement concluded with its initialling on August 29, 2003.

Except for any Aboriginal rights that the Labrador Inuit may have in lands and waters in a defined area of northeastern Quebec and adjacent marine areas, the Agreement constitutes a final settlement of the Aboriginal rights of the Labrador Inuit in Canada, and exhaustively sets out the rights of the Labrador Inuit that are recognized and confirmed by section 35 of the *Constitution Act, 1982*. Certainty about ownership of the land and how the land will be managed will provide a stable environment for development and investment. Settlement of the land claim will promote the long-term economic and social development of the province and contribute to the self-sufficiency and the economic, social, cultural and political development of the Labrador Inuit.

In addition to the Agreement, the parties have concluded a number of associated agreements, including: an Implementation Plan, a Fiscal Financing Agreement, an Own-Source Revenue Agreement, a Tax Treatment Agreement and a Land Appendix. Canada and LIA have negotiated a Park Impacts and Benefits Agreement related to the Torngat Mountains National Park Reserve. Canada and Newfoundland and Labrador have also negotiated a land transfer agreement by which the land will be transferred to Canada for the purposes of creating the Torngat Mountains National Park Reserve.

The August 2003 initialling of the Agreement by the chief negotiators for each party signified the beginning of the Inuit ratification process. A Ratification Committee was established, comprising Inuit, provincial and federal government appointees, and an independent chairperson. The Committee was responsible for developing the Official Voters List for the Inuit vote, assuring that all prospective voters had an opportunity to be fully informed and then conducting the ratification vote for the Agreement. On May 26, 2004 the Labrador Inuit voted 76 per cent in support of the Agreement, with an 86.5 per cent voter turnout.

Members of the Newfoundland and Labrador House of Assembly passed provincial legislation on December 6, 2004 to give effect to the *Labrador Inuit Land Claims Agreement Act*. The *Act* received Royal Assent the same day.

Federal legislation to give effect to the Agreement is being prepared for introduction in Parliament.

The Agreement will come into effect on a date to be determined by legislation.

January 21, 2005