

ARTICLE 7 - OUTPOST CAMPS

PART 1: DEFINITIONS AND INTERPRETATION

7.1.1

In this Article:

"outpost camp" means a camp occupied by families or other groups of Inuit who occupy the particular location on a temporary, seasonal, intermittent, semi-permanent or a year round basis for the purposes of wildlife harvesting and the associated use and enjoyment of lands, and includes

(a) the residential base, and

(b) the surface lands on which the residential base rests and the surface of lands within a distance of two kilometres from the centre of the residential base,

but does not include any randomly occupied locations used only for periods of several days or weeks.

7.1.2

This Article shall be interpreted so as to be consistent with Article 5.

PART 2: CROWN LANDS AVAILABLE FOR OUTPOST CAMPS

7.2.1

Inuit may, subject to the terms of the Agreement, continue to occupy outpost camps.

7.2.2

From the date of ratification of the Agreement, Inuit may, subject to the exceptions mentioned in Sections 7.2.3 and 7.2.4, and also subject to the approval of the appropriate HTO or HTOs, establish and occupy new outpost camps in any lands in the Nunavut Settlement Area where Inuit enjoy a general right of access for the purpose of wildlife harvesting as granted by Section 5.7.16. The approval of the appropriate HTO or HTOs shall not be unreasonably withheld.

7.2.3

Outpost camps shall not be established on lands:

(a) that are held in fee simple and are not Inuit Owned Lands or lands owned by a Municipal Corporation;

(b) that are held under surface lease; or

(c) that are within the municipal boundaries, without the approval of the Municipal Corporation, provided that such approval shall not be unreasonably withheld.

7.2.4

Inuit may establish outpost camps in Parks and Conservation Areas, except where the establishment of such camps is inconsistent with the requirements of the Park or Conservation Area management plan required in Sections 8.4.13 and 9.3.7. Site locations shall be

determined as provided by an IIBA between the DIO and the appropriate management agency.

PART 3: TENURE OF OUTPOST CAMPS

7.3.1

Inuit shall occupy the outpost camps referred to in Sections 7.2.1 and 7.2.2 as tenants-at-will.

7.3.2

A tenancy-at-will shall continue until Inuit occupants receive notice from Government of an intention to make use of the lands so occupied for purposes that would be inconsistent with the presence of the camp, or would remove the lands from the general right of access by Inuit for wildlife harvesting as granted by Section 5.7.16. Upon receipt of written notice, the occupants shall have a reasonable period of time within which to remove their possessions.

7.3.3

Where Inuit notify Government of their actual or intended occupation of an outpost camp and where Government does not identify in writing any use or interest that would be inconsistent in the immediate future with the presence of the camp, Inuit may, notwithstanding anything in Section 7.3.2, continue to occupy the camp until one year after Government has given notice in writing of an intention to make use of the lands.

PART 4: GOVERNMENT TO MAKE LANDS AVAILABLE

7.4.1

Upon request by potential occupiers of outpost camps or by a DIO on their behalf, governmental owners of lands in the Nunavut Settlement Area shall make available such lands as are adequate, suitable and reasonably necessary for the purpose of establishing outpost camps. The lands may be provided under lease or by licence of occupation or in such other manner as to implement the intent of this section. The term shall be for five years or such longer period as may be reasonable. Renewal of a lease, upon request by the occupiers or by the DIO on their behalf, shall not be unreasonably withheld. Where an outpost camp is requested for establishment in Parks and Conservation Areas, Section 7.2.4 will apply.

PART 5: GENERAL RIGHTS

7.5.1

Inuit occupying or establishing outpost camps shall not be liable to pay any fee, levy, rent or like tax for the purpose of such occupation or establishment, associated with the purposes of wildlife harvesting.

7.5.2

The holders of rights in the subsurface of lands occupied as outpost camps shall enjoy the same rights of access as are available to subsurface rights holders through common law or statute.

7.5.3

As a general principle, the internal operation and management of outpost camps shall be left to the discretion of Inuit occupying the camp.

PART 6: OTHER MATTERS

7.6.1

Organizations and agencies responsible for the management of wildlife, lands, resources or the offshore as provided for in the Agreement or legislation shall endeavor to protect the interests and well-being of Inuit occupying outpost camps.

7.6.2

Nothing in the Agreement shall prevent outpost camps from becoming communities or municipalities.

7.6.3

Inuit may establish, subject to Section 7.2.4, outpost camps on archaeological sites. The Trust may develop policy guidelines for the use and occupation of archaeological sites. The Trust may put in place terms and conditions regarding the use and occupation of a site or sites.