



# A CIRCUMPOLAR INUIT DECLARATION ON RESOURCE DEVELOPMENT PRINCIPLES IN INUIT NUNAAT

## PREAMBLE

Recognizing the Arctic's great resource wealth, the increasing global demand for the Arctic's minerals and hydrocarbons, the scope and depth of climate change and other environmental pressures and challenges facing the Arctic; **Mindful** of the core rights of Inuit as recognized in the *United Nations Declaration on the Rights of Indigenous Peoples*, as provided for in a variety of other legal and political instruments and mechanisms, including land rights settlement legislation, land claims agreements (treaties), and self-government, intergovernmental and constitutional arrangements, and as asserted in *A Circumpolar Inuit Declaration on Sovereignty in the Arctic*; and **Respectful** of the ingenuity, resilience and wisdom of previous generations of Inuit, confident of the ability of every generation of Inuit to adapt to change, and determined to provide for the material and cultural well-being of Inuit into the future;

## WE, THE INUIT OF INUIT NUNAAT, DECLARE:

- Healthy communities and households require both a healthy environment and a healthy economy.
- Economic development and social and cultural development must go hand in hand.
- Greater Inuit economic, social and cultural self-sufficiency is an essential part of greater Inuit political self-determination.
- Renewable resources have sustained Inuit from the time preceding recorded history to the present. Future generations of Inuit will continue to rely on Arctic foods for nutritional, social, cultural and economic purposes.
- Responsible non-renewable resource development can also make an important and durable contribution to the well-being of current and future generations of Inuit. Managed under *Inuit Nunaat* governance structures, non-renewable resource development can contribute to Inuit economic and social development through both private sector channels (employment, incomes, businesses) and public sector channels (revenues from publicly owned lands, tax revenues, infrastructure).
- The pace of resource development has profound implications for Inuit. A proper balance must be struck. Inuit desire resource development at a rate sufficient to provide durable and diversified economic growth, but constrained enough to forestall environmental degradation and an overwhelming influx of outside labour.
- Resource development results in environmental and social impacts as well as opportunities for economic benefits. In the weighing of impacts and benefits, those who face the greatest and longest-lasting impacts must have the greatest opportunities, and a primary place in the decision-making. This principle applies between *Inuit Nunaat* and the rest of the world, and within *Inuit Nunaat*.
- All resource development must contribute actively and significantly to improving Inuit living standards and social conditions, and non-renewable resource development, in particular, must promote economic diversification through contributions to education and other forms of social development, physical infrastructure, and non-extractive industries.
- Inuit welcome the opportunity to work in full partnership with resource developers, governments and local communities in the sustainable development of resources of *Inuit Nunaat*, including related policy-making, to the long-lasting benefit of Inuit and with respect for baseline environmental and social responsibilities.

## IN FURTHER DETAIL, WE DECLARE:

### 1. Candour, Clarity and Transparency

1.1 The world's peoples and their social, cultural and economic systems are becoming more interconnected, the pace of change is accelerating, the challenges faced by the world are escalating in complexity, and the risks associated with human activities are of

increasing significance.

1.2 To prosper under these circumstances, the peoples and states of the world must conduct their relations cooperatively with candour, clarity and transparency – an approach in keeping with Inuit culture and custom.

1.3 It is our desire to declare our key understandings, positions and intentions in relation to resource development, recognizing that doing so will benefit Inuit and the global community.

1.4 While the focus of this Declaration is on the development of non-renewable resources, it must be understood that (a) issues surrounding the appropriate use of non-renewable and renewable resources are inextricably linked, and (b) the principles set out in this Declaration are, in many ways, applicable to the use of renewable resources.

### 2. United Nations Declaration on the Rights of Indigenous Peoples

2.1 Resource development in *Inuit Nunaat* must be grounded in the *United Nations Declaration on the Rights of Indigenous Peoples*.

2.2 The *UN Declaration* recognizes the right of indigenous peoples to self-determination. Under that right, Inuit have the right to freely determine collectively our political, social, economic, and cultural development. Resource development in *Inuit Nunaat* directly engages our right to self-determination, and many other provisions of the *UN Declaration*.

2.3 Our rights as an indigenous people, including our right to self-determination, may be exercised in a practical way through governance structures that combine both Inuit and non-Inuit constituents. No matter what level or form of self-determination the Inuit of any particular region have achieved, resource development in *Inuit Nunaat* must proceed only with the free, prior, and informed consent of the Inuit of that region.

2.4 Private sector resource developers, and governments and public bodies charged with the public management of resource development, must all conduct themselves in concert with the *UN Declaration*. Respect for the *UN Declaration* should be open and transparent, and be subject to independent and impartial review.

### 3. A Circumpolar Inuit Declaration on Sovereignty in the Arctic

3.1 Resource development in *Inuit Nunaat* must be grounded in *A Circumpolar Inuit Declaration on Sovereignty in the Arctic*, adopted by the Inuit Circumpolar Council in April 2009.

3.2 *A Circumpolar Inuit Declaration on Sovereignty in the Arctic* identified many principles that are relevant to the governance and carrying out of resource development in *Inuit Nunaat*, including the importance of the rule of law and recognition of the rights of Inuit as an Arctic indigenous people under both international and domestic law.

### 4. Inuit as Partners in Policy Making and Decision Making

4.1 Central to *A Circumpolar Inuit Declaration on Sovereignty in the Arctic* is the requirement that Inuit must be active and equal partners in policy-making and decision-making affecting *Inuit Nunaat*.

4.2 Partnerships with Inuit in relation to resource development will have different characteristics depending on the circumstances, but the spirit and substance of partnership must extend to both public sector governance and private sector enterprise.

4.3 Partnerships must include the meaningful engagement and active participation of Inuit in local communities who are most directly affected by resource development in *Inuit Nunaat*.

4.4 Partnerships must draw upon the growing capacity and aspirations of Inuit businesses and enterprises through use of vehicles such as joint ventures, commercial mechanisms for facilitating equity participation, and the issuance of land and resource rights through licences, leases and similar instruments.

4.5 Inuit recognize the need within *Inuit Nunaat* to create and implement inter-Inuit consultation mechanisms to ensure that

approval of major resource development projects in one Inuit region, with major environmental and other implications for one or more adjacent Inuit regions, is accompanied by sufficient opportunity for an informed exchange of information and opinion between or among the Inuit regions.

### 5. Global Environmental Security

5.1 Inuit and others – through their institutions and international instruments – have a shared responsibility to evaluate the risks and benefits of their actions through the prism of global environmental security.

5.2 Resource development in *Inuit Nunaat* must contribute to, and not detract from, global, national and regional efforts to curb greenhouse emissions and should always be seen through the reality of climate change.

5.3 In their implementation of mechanisms for adaptation to climate change, states and the international community as a whole must commit to paying the cost of climate change adaptation measures and the upgrading of fuel-related infrastructure in *Inuit Nunaat* regions and communities.

5.4 Resource development projects must not exacerbate the climate change-related stresses on the survival of Arctic wildlife.

5.5 To minimize risk to global environmental security, the pace of resource development in the Arctic must be carefully considered.

### 6. Healthy Communities in a Healthy Environment

6.1 The physical and mental health of human communities and individuals cannot be separated from the health of the natural environment.

6.2 Resource development proposals for *Inuit Nunaat* must be assessed holistically, placing human needs at the centre.

6.3 Resource development in *Inuit Nunaat* must promote the physical and mental health of communities and individuals within *Inuit Nunaat*.

6.4 Resource development must enhance, not detract from, Inuit food security.

6.5 In a contemporary context, healthy communities in the Arctic require the establishment, maintenance and improvement of core infrastructure needs, including housing, education, health care and social service delivery infrastructure, and core transportation and communications networks that facilitate both public sector activities and private sector entrepreneurship.

### 7. Economic Self-Sufficiency and the Sustainable Development of Resources in Inuit Nunaat

7.1 Inuit seek to make use of the economic opportunities available through long-term development of the resources of *Inuit Nunaat*.

7.2 Resource development in *Inuit Nunaat* must be sustainable. It must serve the needs of Inuit today without compromising the ability of Inuit meet their needs of tomorrow.

7.3 The proponent of a resource development project bears the burden of demonstrating that the proposed development is sustainable.

7.4 In determining the sustainability of a resource development initiative, the best available scientific and Inuit knowledge and standards must be determined and employed.

7.5 International standard-setting bodies must seek and secure direct and meaningful input from Inuit. National, regional and local bodies, such as offshore and land management regimes, must be designed and operated to be effective, transparent and accountable, thereby gaining and sustaining the confidence of the Inuit public at all times.

7.6 Sustainability standards must emphasize the need for the demonstrated support of those communities directly affected by a resource development proposal.

### 8. Impact Assessment, Prevention and Mitigation

8.1 Notwithstanding property rights or government rights-granting regimes, there is no free-standing or unqualified "right" to proceed

with non-renewable resource development in *Inuit Nunaat*. Projects must be scrutinized by Inuit and proved to be in the best interests of Inuit and the wider public.

8.2 Land and offshore management regimes must include (a) long-term land use plans that set out ground rules for development applicable to specific projects, and (b) robust impact assessment processes to gauge the likely impacts of specific projects.

8.3 Management, land use planning and impact assessment regimes must address the cumulative impacts of existing and potential projects and, where prudent, limit the number and scope of projects permitted.

8.4 Impact assessments covering broad geographic areas are important and necessary management tools, and their completion in advance of specific project proposals should be encouraged.

8.5 Impact assessments should examine all potential environmental, socio-economic and cultural impacts anticipated both during the project and after the project is completed or abandoned.

8.6 In accordance with relevant provisions of the *Rio Declaration on Environment and Development*, the precautionary principle and the polluter pays principle must be applied in all stages of project planning, assessment, implementation and reclamation.

8.7 Reclamation and recovery of habitat and affected lands and waters must be thoroughly planned and fully funded in advance of and throughout project implementation.

8.8 All development in *Inuit Nunaat* must adhere to the most developed and demanding environmental standards taking Arctic conditions fully into account. (For example, mining operations and offshore hydro-carbon development should entail zero-volume discharge onto land and into Arctic waters.)

8.9 Preventing spills offshore and eliminating release of toxic substances to land and waters are paramount. Prevention efforts should be viewed as investments that pay dividends in cost avoidance.

8.10 Response to spills, contamination of lands or waters, and mining emergencies must meet the highest technological standards and be anchored in proven cleanup technologies with full Inuit participation.

8.11 Proposals for spill response in Arctic waters must include a proven demonstration of the industry's ability to retrieve spilled oil in frozen, broken and refreezing ice conditions. Allowing resource development without such a demonstration would be fundamentally irresponsible.

8.12 Effective oil spill prevention and response in Arctic waters requires active monitoring of vessel traffic and swift and effective emergency response in the event of mishap. Public authorities and developers with relevant responsibilities must commit to increased investment in navigation aids, vessel traffic management, ship compliance inspections, security considerations, emergency response capability, and overall port and harbour infrastructure.

8.13 Standards and requirements for Arctic marine pilots must be carefully conceived and strictly applied.

8.14 An international liability and compensation regime for contamination of lands, waters and marine areas resulting from offshore oil exploration and exploitation must be established.

8.15 Respecting the Arctic Council's "Arctic Offshore Oil and Gas Guidelines" as minimum standards.

### 9. Improving Inuit Living Standards and Expanding Inuit Governance

9.1 Inuit expect that new resource development projects will contribute to an improvement in our material well-being. This expectation is well-rooted in the fundamental features of relevant international indigenous and human rights laws and standards, in the underlying constitutional constructs and political values of the four Arctic States in which Inuit live, and in the application of

fairness and reason.

9.2 Through a variety of mechanisms – land rights settlement legislation, land claims agreements (treaties), self-government arrangements, and intergovernmental and Constitutional provisions – Inuit have acquired critical means and levels of control over the governance of *Inuit Nunaat*. Many of these mechanisms provide for direct Inuit participation in specialized resource management bodies, including planning, project review, and regulatory bodies.

9.3 While this trend is primarily a result of Inuit effort and determination, it has often been assisted and welcomed as healthy and normative by and within the four Arctic States.

9.4 Accordingly, resource development projects must take into account the trend toward greater Inuit self-governance and, to the extent possible, advance it.

9.5 Public sector revenues derived from all phases of resource development should be distributed in a fair and visible way according to the following hierarchy of priorities:

- (1) providing security against unplanned or unintended environmental consequences,
- (2) compensating for negative community and regional impacts,
- (3) contributing to the improvement of community and regional living standards and overall well-being, and
- (4) contributing to the fiscal health and stability of institutions and mechanisms of Inuit governance. Only after the legitimate needs of the Inuit of *Inuit Nunaat* are met, should public sector revenues contribute to the coffers of central State treasuries.

9.6 Inuit employment at all levels must be maximized in resource development activities in *Inuit Nunaat*.

9.7 Independent of the rate of resource development, Inuit must derive direct and substantial employment income benefit from resource development projects. Accordingly, an Inuit education fund should be established in each of Canada, Greenland, Russia and the U.S.A. with public sector investments.

### 10. Promoting and Accommodating a Dynamic Inuit Culture

10.1 Many international law principles and standards in relation to indigenous peoples are rooted in the strong conviction that the development and preservation of human cultural diversity is both a responsibility and a benefit for all humanity. The *UN Declaration on the Rights of Indigenous Peoples* acknowledges that indigenous peoples have the right to maintain, control, protect and develop their language, traditional knowledge and cultural heritage and expressions.

10.2 Inuit culture is both well-rooted and dynamic. Inuit are committed to ensuring that resource development projects must be planned and implemented in such a way as to support and enhance Inuit culture, rather than subvert or overwhelm it.

10.3 Inuit are committed to safe-guarding Inuit culture against excess adverse pressures and impacts that could be brought on by an overly ambitious, ill timed, or poorly planned and implemented staging of major resource development projects, particularly insofar as such a scenario precipitated a major influx of non-Inuit while failing to impart the technologies, skills and training, and business opportunities needed by Inuit.

10.4 Governments, public bodies and private sector actors in *Inuit Nunaat* must share in these commitments.

**We, the Inuit of *Inuit Nunaat*, are committed to the principles on resource development in *Inuit Nunaat* set out in this Declaration. Inuit invite – and are entitled to expect – all those who have or seek a role in the governance, management, development, or use of the resources of *Inuit Nunaat* to conduct themselves within the letter and spirit of this Declaration.**

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