Kivalliq Inuit Association
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October 31, 2022

Kivalliq Inuit Association Press Release

Re: Response to Kanglliniq Hunters and Trappers Association

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Arviat

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Baker Lake

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Chesterfield Inlet

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Coral Harbour

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Naujaat

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Rankin Inlet

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Whale Cove

Today, in a final decision, the full Board of Directors of the Kivalliq Inuit Association (KIA) dismissed a petition from the Kangiqliniq HTO. The President of the KIA was not part of the decision to avoid a conflict of interest. A thorough review of the issue found that:

- The petition provided no evidence, and KIA does not otherwise have any evidence, that suggests the President of KIA acted disloyal and in a manner that did not reflect the Objectives of KIA.

- Secondly, the petition incorrectly alleged that Voting Members are entitled to vote at meetings of the Board of Directors, when in fact Voting Members are only allowed to vote at the Annual General Meeting (AGM)or at a Special Meeting of the Members.

- Thirdly, concerns were raised in the petition citing a motion that was alleged to have been omitted at the KIA AGM in early October 2022. During the AGM a member made a statement regarding the Agnico Eagle Mines gold mining operation north of Rankin Inlet. The member expressed his desire that the project be cancelled indefinitely. While it is acknowledged that the matters raised were important, they were too large to be addressed at the time and in manner requested. Based on the above, the facts do not suggest, or support any claim, that President Kono Tattuinee's actions or statements at the KIA AGM have met any of the grounds for removal.

- Finally, the petition itself was determined to be not valid as it failed to meet the basic formal requirements.

A full write up of the reasonings is attached below. The Board and the President look forward to continuing their important work with HTOs and Inuit beneficiaries to protect arctic wildlife and the environment, manage Inuit Owned Lands and promote the economic, social and cultural well-being of the region for future generations. No further comment will be made at this time.

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SCHEDULE A

1. Section 5.04(a) requires that each signatory to a petition must set out: (i) their full legal name, (ii) their phone number and/or their email address, (iii) their home address and (iv) their signature.

   Petition participants were not counted towards the minimum number of signatories required (ie. 100) if one or more of the following is true:

   (a) the full legal name of the signatory was not found on the Nunavut Enrollment List maintained by Nunavut Tunngavik Inc., as required by Section 3.02(a)(i);

   (b) the signatory did not provide either a phone number or an email address at which they could be reached [i];

   (c) the signatory did not provide their home address (or otherwise indicate their home address) and instead omitted the detail or only provided the community in which they reside [ii]; and/or

   (d) the proposed signatory did not provide their signature.

2. Reason 1 of the Petition claims that President Kono Tattuinee was disloyal to KIA by making the following statement during the 2021 Draft Nunavut Land Use Plan Hearing held on September 22, 2022:

   Thank you Mr. Chairman, aam just to add to Jeff's comments Kivalliq Inuit Association wants to retain flexibility to manage Inuit lands, and development on calving grounds would only occur after through consultation, through with affected communities as well being compliant with existing regulatory processes, where everyone around the table would have a say and, you know some of the consultation questions may be that the Kivalliq Inuit Association would only consider supporting development of a mine in a calving ground under very specific conditions, the mine could not be located in a concentrated calving ground around the area of concentrated use over the previous (chairman: into the mike please, sorry) over the past previous ten (10) years, it must have a small foot print, preferably underground and no satellite development, it could only operate with no activity during the pre-calving, calving and post-calving period, for example, mining operations would be completely shut down during May 15 to July 15, and it would be subject to communitive effects, thresholds as they are developed, to to refine this process the current mapping of calving grounds needs to be undated, sorry, excuse me, that was updated using recent collar data and Inuit Qaujimajatuqangit, and process be put in place to keep mapping current, going forward to ensure adaptability in mapping boundaries and season as caribou

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ranges shift and more informative information is made available, thank you Mr. Chairman. (sic)

The concept of disloyalty is a legal one, tied to the Duty of Loyalty, and the statement does not constitute disloyalty from an objective standpoint. The duty of loyalty is one that requires the Directors of KIA to not act for personal gain, and to always pursue the best interests of the Society as a whole, without priority to any individual Member or group of Members. KIA's Objectives, as stated in the Nunavut Agreement and in Section 2.01 of By-Laws, represent the wide scope of the interests of the Members of KIA and provide direction to the Directors on what matters they must pursue on behalf of the Members.

For a Director to be disloyal, that Director would have had to act in a manner that prioritizes his personal interest, without consideration for the varied interests of the Membership. Disloyalty would require a Director to have acted in a manner that did not reflect the Objectives of KIA.

The statement made by President Kono Tattuinee that is reproduced in Reason 1 of the Petition reflects a hypothetical response to a future hypothetical request in respect of development, and exemplifies KIA's desire to balance the interests of all Members through consultation, in an effort to pursue the Objective recorded in Subsection 2.01(b)(vi)(b) of the By-Laws: "to encourage and support the development of policies for the Kivalliq Region that will contribute to Inuit economic self-sufficiency while nurturing environmental values". The petition provides no evidence, and KIA does not otherwise have any evidence, that suggests that the quoted statement was made either: (i) out of Kono Tattuinee's self-interest, (ii) without regard to the Members interests taken as a whole, or (iii) without regard to KIA's Objectives. Therefore, it cannot be properly considered as disloyalty to KIA.

3. Reason 2 of the Petition claims that any Voting Member is entitled to vote at a regular board meeting. This is not correct. Only Directors may vote at a regular board meeting. Per Section 3.02(b) of the By-Laws, Voting Members are only entitled to vote at meetings of the Members—being an Annual General Meeting or any Special Meeting called pursuant to Section 4 of the By-Laws.

4. Reason 3 of the Petition claims that President Kono Tattuinee took action to omit a motion submitted by Kangiqliniq Hunters and Trappers Organization during KIA's Annual General Meeting held on October 6, 2022. Reason 3 does not cite any of the grounds for removal that are listed in Section 5.04(b) of the By-Laws and does not appear to, on its face, reflect any of those grounds.

The grounds for removal are triggered where a Director:

(a) fails to abide the By-Laws;

(b) is disloyal to the Society;

(c) is consistently disruptive to the meetings or functions of the Society;

(d) violates his/her Oath of Office of any Code of Conduct or other policy of KIA of the Board; or

(e) takes an action or omits to act, which with gross negligence or willful misconducted, that it adjusted to be harmful to the Society.

Records of the relevant meeting show that, during the portion of the meeting for Community Open Floor, a statement was read by a Member which contained concerns regarding the Agnico Eagle Mines gold mining operation north of Rankin Inlet. That Member expressed his desire that the project be cancelled indefinitely. President Kono Tattuinee, as chairperson, responded to the concerns that were raised and stated that more serious discussions would need to be held on the subject before decisions are made on how to deal with the relevant mining operation. Other Members in attendance were given an opportunity to speak further in respect of these concerns and one other Member expressed support for the first Member's statement and asked for a resolution to be developed. President Kono Tattuinee, as chairperson, reiterated that the concerns raised need to be considered and discussed in more detail before decisions are made in respect of the relevant mining operation. He stated that now the discussion has been raised, it would be considered by the Board.

KIA's policies and common rules of meeting order and governance require the following steps be taken first in order for a motion to be made to cancel an existing project:

i. The interested party gives advance notice to KIA and the matter is considered and, if appropriate, added to the Agenda for the meeting.

ii. In advance of the meeting, information regarding the proposal (including legal documentation, financial data, environmental data, etc.) would be gathered, analyzed and circulated to the Members so that the Members have sufficient background to engage in informed discussion at the Meeting.

iii. The Board would consider the matters and prepare to make a presentation at the meeting and make recommendations to the Members at that time.

iv. At the meeting, following the Board's presentation and recommendations, a Member would need to declare the motion, projecting a clear demonstration of their intention to make a motion to be considered by the Members. That motion would need to be seconded by another Member. If the motion is seconded, Members would either engage in informed discussion or it would need to be clear that the Members are ready to vote and do not require any further discussion or information.

v. Finally, a vote of the Members could be called by the chairperson of the meeting.

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None of the above steps were taken at the Annual General Meeting. While it is acknowledged that the matters raised were important, they were too large to be addressed at the time and in manner requested.

Based on the above, the facts do not suggest, or support any claim, that President Kono Tattuinee's actions or statements at the Annual General Meeting have met any of the grounds for removal that are set out in Section 5.04(b) of the By-Laws.

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Whale Cove

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[i] The phone number or email address is not required to be personal, but must permit KIA to contact the signatory.

[ii] "Nil" is an appropriate response only if a signatory does not have a home or mailing address where they can be reached.