

ARTICLE 10

PRINCIPLES TO GUIDE THE IDENTIFICATION OF NUNAVIK INUIT LANDS

- 10.1 The primary principle to guide the process for the identification of Nunavik Inuit Lands shall be to provide Nunavik Inuit with maximum opportunity to identify such areas in pursuit of the purposes of Nunavik Inuit Lands. Subject to this primary principle, the identification process for Nunavik Inuit Lands shall take into account the following:
- (a) identification may take place in areas subject to third party interests; any rights or interests of third parties affected shall be dealt with equitably; the identification may be made on a case-by-case basis;
 - (b) in general, identification shall not include areas subject to third party interests in the form of fee simple estates in private hands;
 - (c) on a case by case basis, identification may not extend to lands needed to ensure an amount reasonably representative of the topography and quality of lands, and lands accessible for public purposes including recreation and wildlife harvesting, the needs for which clearly become apparent to both Nunavik Inuit and Government during the identification process;
 - (d) areas may be identified in all lands currently required, or foreseeably required, for protected areas, archaeological sites or similar categories of lands dedicated for the protection of wildlife or wildlife habitat or for recreational or cultural purposes, provided that:
 - (i) such areas shall be subject to provisions of this Agreement and, if applicable, laws of general application; and
 - (ii) certain areas within areas of particular archaeological, historical or cultural significance to non-Nunavik Inuit may not be identified;
 - (e) lands may be identified in areas of overlapping use and occupation with aboriginal claimant groups as defined in Article 27 but the title shall not vest pursuant to Article 8 until issues relating to such overlap are resolved;
 - (f) on a case-by-case basis, identification may not extend to certain areas required at present, or in the reasonably foreseeable future, for specific government facilities or installations;
 - (g) on a case-by-case basis, identification may not extend to lands needed for public purposes or utilities, the need for which clearly becomes apparent to both Nunavik Inuit and government during the identification process;

- (h) in general, areas shall be identified so as to avoid undue fragmentation.
- 10.2 Notwithstanding the above, during the land identification process, Nunavik Inuit shall have the right to identify lands containing known deposits of carving stone as Nunavik Inuit Lands.
- 10.3 The parties agree that the provisions of this Article have been complied with in respect of Nunavik Inuit Lands vested on the effective date of this Agreement.
- 10.4 Neither Government nor Inuit shall have a claim or a cause of action based on non-compliance with this Article in respect of Nunavik Inuit Lands vested on the effective date of this Agreement.