



NunatuKavut Inuit Citizenship Law

*NunatuKavutiup Inungit
nunaginni maligatsak*

Approved by the Governing Council on February 12, 2024

NUNATUKAVUT INUIT CITIZENSHIP LAW

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PREAMBLE

WHEREAS the NunatuKavut Inuit (pronounced “Noo-na-too-ha-vut”) are the Inuit of Southern and Central Labrador;

WHEREAS the rights of the NunatuKavut Inuit are inherent and are recognized under section 35 of the *Constitution Act, 1982*, the United Nations Declaration on the Rights of Indigenous Peoples, and various Nation-to-Nation treaties and agreements, such as the British-Inuit Treaty of 1765;

WHEREAS the NunatuKavut Community Council is the representative governing body for the NunatuKavut Inuit;

WHEREAS the NunatuKavut Inuit has its own legal order or *maligatsak kavamakutinni* (mali/hut/su/k ga/van/muck/goo/din/nee), which comprises its own laws and legal systems, values, principles, language (Inuttitut) and practices that must guide determination of citizenship within the NunatuKavut Inuit;

WHEREAS the Constitution of the NunatuKavut Inuit defines who is eligible to request and be a NunatuKavut citizen; and

WHEREAS this Citizenship Law gives expression and set out the details on how to apply for and identify eligibility for Citizenship and creates the related procedures for the maintenance of a NunatuKavut Citizenship Registry.

NOW THEREFORE the Council of the NunatuKavut Community Council, on behalf of the NunatuKavut Inuit, at a meeting held virtually, on the 12th day of February 2024, hereby enacts the present NunatuKavut Inuit Citizenship Law as follows:

Part 1. PRELIMINARY MATTERS

Purpose

1. The purpose of this Law is to provide a fair, inclusive, and transparent process for individuals to be recognized as, and be NunatuKavut Citizens.

Definitions

2. Unless otherwise defined in this Law or required by the context, words and expressions used in this Law have the same meaning as they have been given in the *NunatuKavut Community Council Governance Law*.

3. For the purposes of this Law:

“Citizen” means an individual who is a NunatuKavut Citizen and a member of NunatuKavut Community Council Inc. in accordance with this Law, and includes both Non-Resident Citizens and Resident Citizens;

“Citizenship Appeals Committee” means the committee established under section 40;

“Citizenship Administrator” means the Citizenship Administrator of the NCC or their successor in function;

“Citizenship Committee” means the committee established under section 22;

“Citizenship Registry” means the Registry established under section 5;

“Law” means this NunatuKavut Inuit Citizenship Law;

“Minor” means an individual who is under the age of 19;

“NCC” means the NunatuKavut Community Council, the representative governing body of the NunatuKavut Inuit, as well as the NunatuKavut Community Council Inc., a corporation incorporated under the laws of Newfoundland and Labrador;

“Non-Resident Citizen” means a non-resident citizen as determined by the criteria set out in Part 3;

“Resident Citizen” means a resident citizen as determined by the criteria set out in Part 3.

Interpretation

4. In this Law, the following rules of interpretation apply:

- (a) headings and subheadings are for convenience only, do not form part of this Law, and in no way define, limit, alter, or enlarge the scope or meaning of any provision of this Law;
- (b) unless the context requires otherwise, words in the singular include the plural, and words in the plural include the singular;
- (c) a reference to a by-law, law, or other enactment includes any amendment or replacement of it and every regulation or other enactment made under it;
- (d) if a word or expression is defined, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
- (e) “shall” is to be construed as imperative and “may” is to be construed as permissive;
- (f) unless the context requires otherwise, the words “include”, “includes”, and “including” are to be read as if they are followed by the phrase “without limitation”; and

- (g) the schedules attached to this Law form part of, and are integral to, this Law.

Part 2. CITIZENSHIP REGISTRY

Registry

5. There is established a Citizenship Registry for the purposes of maintaining an up-to-date list of Citizens.
6. The Citizenship Registry shall be maintained by the Citizenship Administrator.
7. The Citizenship Registry may only be amended by adding, amending, or removing the names and contact information of individuals in accordance with this Law.

Citizenship Cards

8. All Citizens listed on the Citizenship Registry be issued a citizenship card by the NCC.
9. The NCC shall establish a process by which Citizens may replace lost or stolen citizenship cards.

Part 3. ELIGIBILITY, APPLICATION PROCESS, AND CITIZENSHIP CATEGORIES

Eligibility for Citizenship

10. As set out in the NunatuKavut Inuit Constitution, an individual is eligible to be a Citizen if that individual:
 - (a) is a citizen or permanent resident of Canada;
 - (b) is an Inuit descendant;
 - (c) is an Inuk according to NunatuKavut Inuit customs and traditions;
 - (d) identifies themselves as an Inuk belonging to NunatuKavut;
 - (e) has a familial, residential, historical, cultural, and social connection with NunatuKavut Inuit and our traditional territory; and
 - (f) was raised in NunatuKavut or whose parent or grandparent was raised in NunatuKavut.

Application for Citizenship

11. An individual may apply to become a Citizen by submitting an application to the NCC.
12. A parent or other legal guardian of a Minor may apply for that Minor to become a Citizen by submitting an application on their behalf to the NCC.
13. Any person who, by order of a court of competent jurisdiction or pursuant to legislation, has been vested with the authority to manage the affairs of an adult incapable of managing their own affairs may submit an application on behalf of that adult to the NCC.
14. A Citizen may not be a citizen or member of another Indigenous Nation or organization.

Citizenship Categories

15. An applicant pursuant to this Part may apply to be a Non-Resident Citizen or a Resident Citizen.
16. An individual who meets the criteria for citizenship under this Part is eligible to be a Resident Citizen if they have resided anywhere in the traditional territory of NunatuKavut (see map at Schedule A) or in other areas of Labrador outside of NunatuKavut territory for a minimum of six months over the 12 months preceding submission of their application for citizenship.
17. Any Citizen, who is not a Resident Citizen, is a Non-Resident Citizen.
18. A Non-Resident Citizen who satisfies the criteria under section 16 may submit an application to the NCC to amend their citizenship accordingly.
19. A Resident Citizen who has ceased to reside in any area described in section 16 for a minimum of six of the previous 12 months shall submit a change of address form to the NCC to amend their citizenship accordingly.
20. If the Citizenship Administrator has reason to believe that a Resident Citizen no longer meets the criteria set out in section 16, they may request proof of residency from such Citizen.
21. The rights, benefits, and entitlements of Resident Citizens and Non-Resident Citizen shall be as determined by the NCC.

Part 4. CITIZENSHIP COMMITTEE

Citizenship Committee Established

22. A Citizenship Committee is established made up of the following:
 - (a) the Chief Governance Officer, or delegate of the Chief Governance Officer, who shall act as chair;

- (b) the Citizenship Administrator, or delegate of the Citizenship Administrator; and
 - (c) three Citizens, who are not also Councillors, selected by the Chief Governance Office and recommended to Council for appointment to serve a two-year renewable term.
23. The Citizenship Committee shall be responsible for:
- (a) reviewing and approving or rejecting applications for citizenship received by the NCC in accordance with this Law;
 - (b) maintaining the confidentiality of personal information in accordance with all applicable laws; and
 - (c) any other responsibilities assigned to the Citizenship Committee under this Law.
24. Appointed members of the Citizenship Committee will receive honoraria for Committee meetings, in an amount determined by Council.

Citizenship Committee Decision-Making

25. The Citizenship Committee shall determine its own procedures for its meetings and decision-making but shall respect this Law and be informed in doing so by Inuit customs and traditions.
26. The Citizenship Committee may request any supplementary evidence or documentation from an applicant or a person who has submitted an application on behalf of an applicant that is necessary to confirm an applicant's eligibility for citizenship.
27. In considering whether an applicant has a cultural connection with the NunatuKavut Inuit, the Citizenship Committee shall consider the following as indicative of a cultural connection:
- (a) participation in cultural events;
 - (b) learning or engaging in cultural practices;
 - (c) learning or speaking Inutittut;
 - (d) participation in community engagement sessions led by NCC;
 - (e) demonstration of a knowledge of ancestral or familial connection within NunatuKavut;
 - (f) upholding of NCC Laws; and
 - (g) any other criteria the Citizenship Committee considers appropriate.

28. In considering whether an applicant has a community connection with the NunatuKavut Inuit, the Citizenship Committee may consult with an *ad hoc* committee made up from local community members of three Citizens, who shall be appointed by the Citizenship Committee to serve until a decision is made by the Citizenship Committee on the applicant's application, to confirm the applicant's connection to a specific region in NunatuKavut.
29. For the purposes of assessing an applicant's family connection to the NunatuKavut Inuit, the Citizenship Committee shall consider an adoptive connection as equivalent to a biological connection while maintaining eligibility criteria in Part 3.
30. Within 14 days of the Citizenship Committee making a decision on an application:
 - (a) the NCC must provide an applicant with notice of the decision; and
 - (b) the Citizenship Administrator must update the Citizenship Registry accordingly.

Death of a Citizen

31. Where the Citizenship Committee has reason to believe a Citizen has died, the Citizenship Committee shall confirm and if the Citizenship Committee determines that the Citizen is deceased:
 - (a) the Citizenship Committee shall direct the Citizenship Administrator to record the name of the deceased Citizen on a separate Registry for deceased Citizens; and
 - (b) remove the deceased Citizen's name and contact information from the Citizenship Registry.

Part 5. REVOCATION OF CITIZENSHIP

Revocation of Citizenship

32. An adult Citizen may submit an application to the NCC to revoke their own citizenship.
33. A parent or other legal guardian of a Minor who is a Citizen may apply for that Minor's citizenship to be revoked by submitting an application on their behalf to the NCC.
34. Any person who, by order of a court of competent jurisdiction or pursuant to legislation, has been vested with the authority to manage the affairs of an adult Citizen who is incapable of managing their own affairs may apply for that Citizen's citizenship to be revoked by submitting an application on their behalf to the NCC.
35. Unless there is reason to believe an application to revoke a citizenship has been submitted fraudulently or without legal authority, the Citizenship Committee shall automatically accept the application and the Citizenship Administrator shall update the Citizenship Registry accordingly.

36. Where the Citizenship Committee has accepted an application to revoke a citizenship:
- (a) the Citizenship Committee shall direct the Citizenship Administrator to record the name and contact information of the former Citizen on a separate Registry for former Citizens; and
 - (b) remove the former Citizen's name and contact information from the Citizenship Registry.
37. If the Citizenship Committee determines that an individual enrolled on the Registry is not eligible to be a Citizen under this Law because of an error or fraudulent information that was provided in the application process, that individual will have their Citizenship revoked and their name removed from the Citizenship Registry.

Reapplication

38. An individual whose citizenship is revoked by the Citizenship Committee under this Part may reapply to become a Citizen at any point.
39. Prior revocation of a citizenship shall not be a factor considered by the Citizenship Committee in considering an application for citizenship.

Part 6. APPEALS

Appeal of Citizenship Committee Decisions

40. There is established an *ad hoc* Citizenship Appeals Committee made up of three Citizens relevant to area of inquiry, who are not also Councillors or members of the Citizenship Committee, who shall be appointed by Council as necessary to deal with appeals on a case-by-case basis.
41. The Citizenship Appeals Committee shall determine its own procedures for its meetings and decision-making but shall be informed in doing so by Inuit customs and traditions.
42. The Citizenship Appeals Committee shall be responsible for:
- (a) reviewing and adjudicating on notices of appeal; and
 - (b) maintaining the confidentiality of personal information in accordance with all applicable laws.
43. An individual whose:
- (a) application for citizenship is rejected; or
 - (b) citizenship has been revoked

may appeal the decision of the Citizenship Committee in accordance with this Part.

44. An appeal may be made:
 - (a) within six months of decision of the Citizenship Committee; and
 - (b) by filing a notice of appeal, on the form prescribed for that purpose by the NCC, to the Citizenship Appeals Committee.
45. Within 14 days of the Citizenship Appeals Committee making a decision on a notice of appeal:
 - (a) the NCC must provide an applicant with notice of the decision; and
 - (b) the Citizenship Administrator must update the Citizenship Registry accordingly.
46. All decisions of the Citizenship Appeals Committee are final and binding.

Part 7. TRANSITION

Transition

47. Individuals who are Alliance Members shall cease to be members of NunatuKavut Community Council Inc. as of February 03, 2024, following approval of the Constitution of NunatuKavut Inuit.
48. Anyone who is a Full Member – Resident or Non-Resident on the date this Law comes into force shall be continued as, respectively, a Resident Citizen or Non-Resident Citizen on that date and their names shall accordingly remain in the Citizenship Registry.

Part 8. GENERAL

General

49. All personal information provided to NCC by Citizens or Applicants in relation to this Law must be treated with confidentiality by all NCC staff and committee members and will not be shared unless required by law or unless authorization is provided by that Citizen or Applicant.
50. All applications referenced in this Law shall be on the forms prescribed by the NCC for that purpose.
51. If a portion of this Law is found invalid by a court of competent jurisdiction, it shall be severed and the validity of the remaining portions of this Law shall not be affected.
52. This Law is deemed to be part of the corporate by-laws of NunatuKavut Community Council Inc.

53. Citizenship with NunatuKavut automatically results in membership with the NunatuKavut Community Council Inc.

Coming into Force

54. This Law, and any amendment of it, shall be in force once approved by Council.
55. Within one (1) week of the enactment of this Law by Council, the Chief Administrative Officer shall post a copy of this Law in a public place at the NCC office and on the website of the NCC.
56. As of the day of its adoption, this Law repeals and replaces any other membership rules or procedures of NCC.

IN WITNESS WHEREOF, WE HAVE SIGNED THIS ORIGINAL COPY OF THIS LAW IN HAPPY VALLEY-GOOSE BAY, NUNATUKAVUT ON THIS 14TH DAY OF FEBRUARY, 2024.


Todd Russell
PRESIDENT


Jim Holwell
VICE PRESIDENT

Schedule A

