

DOCUMENT: CREE.TXT

G R A N D C O U N C I L O F C R E E S (Q U E B E C)

Submission to the

COMMISSION ON HUMAN RIGHTS

Sub-Commission on Prevention of Discrimination and Protection of
Minorities

Working Group on Indigenous Populations

Fourth Session

Geneva

July 1985

RIGHT TO LAND AND TO NATURAL RESOURCES

The Grand Council of the Crees of Quebec represents the nine Cree communities that comprise the Cree Nation in Quebec, Canada. These Cree Bands have since time immemorial lived in the sub-arctic region of the Eastern shore of James Bay. We are indigenous people who hunt, fish, and trap as a way of life.

In the early 1970's the Government of Quebec, a provincial government within Canada, began the construction of a major hydro-electric project that would flood a large part of our land and would destroy, through the development of industrial activity, our traditional way of life.

The work was started without our approval and without any consultation or discussion with us. When we raised objections and expressed fears regarding the loss of our land and our way of life we were told that officially both the Government of Canada and the Government of Quebec considered us "squatters"; that we had no title to the land and that as a consequence we had no right to occupy the land.

With great difficulty and expense we brought this matter before the judicial system, and, while construction continued on our land, argued in court for almost a year to prove that we had never surrendered our land. We won in one court only to be overruled by a higher court that said our indigenous rights were subject to the "balance of convenience" of the large immigrant population to the South that wanted electricity.

Only because of the threat of a legal appeal by the Crees, Canada and Quebec agreed to negotiate Cree land claims with the Grand Council of the Crees of Quebec. However, during the negotiations the construction continued; the land was transformed and many of the people were forced to find a new kind of livelihood.

The Crees realized that they were being forced to change their way of life, and that even the most favorable legal decision would not bring back the land and animals that were being destroyed by the hydro-electric project. Under these circumstances we tried in our negotiations with Canada and Quebec to minimize the damage to our people and to our way of life.

Canada and Quebec were unwilling to share even a small part of the great wealth from the sale of electricity produced by the dams. Our major interest was to preserve as much as possible our traditional life of hunting, fishing and trapping. Even our requests to continue with these kinds of activity were opposed during the negotiations. Eventually we won limited rights to continue traditional activities; but some of the rivers we had fished were now dry, while the newly created lakes were contaminated with mercury.

Faced with the inevitability of the changes that were being forced upon us, we attempted in the negotiations to establish the basis for a Cree community where there would be a viable choice between continuing a traditional life on the land, or participation in the new wage earning economy that was being imposed.

The Crees fought for an environmental protection regime, protected hunting and fishing rights, and certain modifications in the project. But we also wanted Cree controlled educational facilities, and access to modern Cree controlled health services.

It may seem strange for a land claims settlement to be used to establish a Cree School Board or a Cree Health Board, but this was the only opportunity we had to alleviate the harm caused to our people by the sub-standard education, and poor or non-existent health care provided to Indians by the Canadian government.

We wanted to be sure that the Cree communities which would now be occupied throughout the year would have proper houses, clean water, and sanitary services. We also wanted a commitment from Canada and Quebec that Cree children growing up in this new urbanized society would have at least the same opportunities as other Canadians.

Finally, as the first inhabitants of this land, a sense of natural justice led us to the conclusion that we should be beneficiaries in the resources that the land provides.

In 1975 the James Bay and Northern Quebec agreement was signed by the Crees and Inuit, and Canada and Quebec. It is Canada's first modern treaty. The Government of Quebec completed the giant James Bay Hydro-electric Project, and the Crees as beneficiaries of the claims settlement began to reconstruct their society.

Since that time things have turned sour.

In 1980 an epidemic in the Cree communities killed seven of our children. Medical help came only after repeated requests to government authorities. Scientific study showed that the disease was caused by contaminated water and the absence of sanitary

:: The Center For World Indigenous Studies ::
:: www.cwis.org ::
:.....:

Originating at the Center for World Indigenous Studies, Olympia,
Washington USA www.cwis.org <<http://www.cwis.org>>

© 1999 Center for World Indigenous Studies

(All Rights Reserved. References up to 500 words must be referenced
to the Center for World Indigenous Studies and/or the Author

Copyright Policy

Material appearing in the Fourth World Documentation Project Archive is accepted on the basis that the material is the original, unoccupied work of the author or authors. Authors agree to indemnify the Center for World Indigenous Studies, and DayKeeper Press for all damages, fines and costs associated with a finding of copyright infringement by the author or by the Center for World Indigenous Studies Fourth World Documentation Project Archive in disseminating the author(s) material. In almost all cases material appearing in the Fourth World Documentation Project Archive will attract copyright protection under the laws of the United States of America and the laws of countries which are member states of the Berne Convention, Universal Copyright Convention or have bi-lateral copyright agreements with the United States of America. Ownership of such copyright will vest by operation of law in the authors and/or The Center for World Indigenous Studies, Fourth World Journal or DayKeeper Press. The Fourth World Documentation Project Archive and its authors grant a license to those accessing the Fourth World Documentation Project Archive to render copyright materials on their computer screens and to print out a single copy for their personal non-commercial use subject to proper attribution of the Center for World Indigenous Studies Fourth World Documentation Project Archive and/or the authors.

Questions may be referred to: Director of Research
Center for World Indigenous Studies
PMB 214
1001 Cooper Point RD SW Suite 140
Olympia, Washington 98502-1107 USA
360-754-1990
www.cwis.org <<http://www.cwis.org>>

OCR Software provided by Caere Corporation