

C E L E B R A T I N G 3 0 Y E A R S

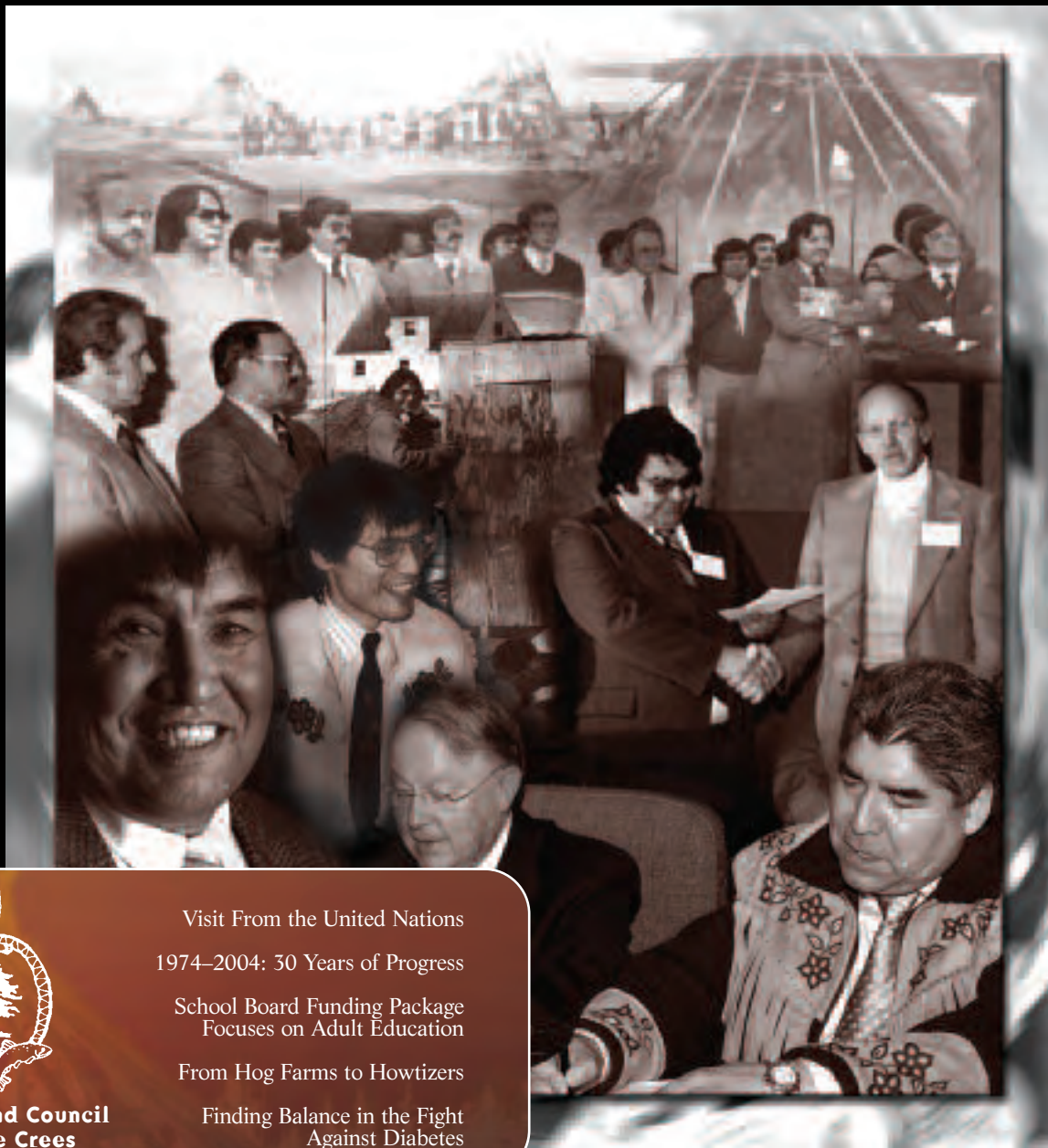
Eeyou Eenou

the voice of the people

SUMMER 2004

N A T I O N

1974–2004: 30 Years of Progress



The Grand Council
of the Crees

Visit From the United Nations
1974–2004: 30 Years of Progress
School Board Funding Package
Focuses on Adult Education
From Hog Farms to Howtizers
Finding Balance in the Fight
Against Diabetes

30 years of progress



SINCE THE FIRST AGREEMENT with the Quebec and Canadian governments was reached in 1974, there have been as many disagreements as agreements with the province and Canada. In fact, we have entered into legal proceedings on more than two dozen occasions to protect our rights. Yet, in looking back over the past three decades, it's clear that for every step backward we have taken two forward. The journey has been long and difficult but today, we maintain control over our land, culture and our future.



The Grand Council of the Crees

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A message from the Editor

Bill Namagoose



Thirty years ago Cree leaders got together and decided to form the Grand Council. They knew this was necessary, not only to defend Cree rights but to prepare for the future of our people, our Cree Nation.

In this issue of *Eeyou Eenou*, we examine the history of our struggle with those outside our nation who did not respect our rights or the obligations they agreed to in 1975. The struggle has not been easy, but it has been very worthwhile. Gradually, as we win battles, we gain the means to develop our nation.

There are some who claim that we should return to a time when there were no problems, when there were only Crees and when we lived from the land and the animals.

Also in this issue, we look at two examples of the progress we've made in education and the delivery of health services to our people. We learn of the improvements made in the education of our youth and adults, as

well as our increasing ability to deal with the social and health problems that we face.

Clearly, work still needs to be done to improve urgently needed services. We need to provide adults with the skills and training they need to access jobs now and in the future. At the same time, the education system must offer sufficient training to the more than 200 youth who will enter the job market every year.

Our health system faces its own challenges: diabetes, increasing heart disease, and the social problems that have resulted from the treatment at residential schools.

There are some who claim that we should return to a time when there were no problems, when there were only Crees and when we lived from the land and the animals.

In reality, the times that they talk of were not free of hardship. Hunger and disease were common and the Cree population was less than half of what it is today. Moreover, the fur trade was a difficult way to make a living and buyers were corrupt. Many elders tell us that they do not want us to experience the hardship they endured out on the land. While we can honour their achievements, the elders want us to put things in perspective.

When our leaders met in 1975, their children's education was in the hands of the Department of Indian and Northern Affairs or the Commission Scolaire of Nouveau Québec. Prior to that, education was delivered by the Roman Catholic and Anglican churches.

Similarly, health services were provided for us, not by us. Education and health services were pitiful, but we had little say in either case. Our local governments consisted of perhaps one or two band employees and

provided almost no services. We had no water and sewer systems, and little housing.

While continuing to practise the traditional activities crucial to our individuality, we must also work in the territory, invest in businesses and economic opportunities there, and increase our involvement in regional government.

As a result of our collective actions through the Grand Council, we now have local governments with hundreds of employees. We operate our school and health systems, and have an income security program for those who want to live in the bush. These are examples of what we have accomplished over the past 30 years. What will we accomplish in the next 30?

Our history proves that we have the capacity to deal with the problems we now face. We have made great progress in community development and need to do more.

For example, we must ensure that our people have equal access to community housing, and to leisure and other services. By working together through our Cree government we can make this happen.

I am very grateful for the wise decisions that our leaders have made in our local and national Cree governments...I feel confident about the future...

By making local and national Cree governments work better, we will increase our influence in the regional economy and administration. Our communities must be open to the territory. We must not only receive visitors and attract customers from the territory, but move into it as our grand-parents did every year when they went onto the land to make a living. While continuing to practise the traditional activities crucial to our individuality, we must also work in the territory, invest in businesses and economic opportunities there, and increase our involvement in regional government.

I am very grateful for the wise decisions that our leaders have made in our local and national Cree governments. Based on the progress we've made in 30 short years, I feel confident about the future of our nation.

Bill Namagoose



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A message from the Grand Chief

Dr. Ted Moses

This year is the 30th anniversary of the creation of the Grand Council of the Crees, or Winibegowiiyouch–Notchimiwiiyouch Enatinmatouch, as it is referred to in our language. In fact, the term in our language does not refer to the Council itself, but to what the Council does: coastal people and inland people working in support of each other’s interests. This is our mandate—to work in the interest of the people.

As anyone will conclude from reading the summary list of events that made up the bulk of our work over the last 30 years, working in the interest of the people often requires that we take a roundabout route.

It is a little like the adventures recorded in our traditional stories: we have met all kinds of people all over the world on our journey—many have helped us and a few have not. There have never been pre-set directions to go this way or that; the Cree leadership has always been guided by the spirit of what is right for the people.

When we decided to set up the Grand Council in August 1974 in Eastmain, we were indeed taking on a great task. We had just won and then narrowly lost the most important legal battle of our history, the Kanatewat Case, in which we had tried to stop the building of the La Grande

Complexe on our lands. Although we won in the Superior Court, a week later the Court of Appeal overturned the decision. It stated that the balance of interest lay in favour of completing the project, as its completion would benefit all Quebeckers. It added that in any case, the rights of the Crees, if any, could be compensated.

Clearly, the James Bay and Northern Quebec Agreement (JBNQA) is better than any agreements signed by other Aboriginal nations since 1975.

At the time these were very important decisions for all Aboriginal peoples. Government had always extinguished or ignored Aboriginal rights. These rights were considered lesser than the presumed rights of non-Aboriginal governments and companies to take our lands and resources. And

then came the Kanatewat Case. It suggested that Cree Aboriginal rights might well pose a challenge to the status quo. Governments and multinational companies were watching this situation and we were well positioned to negotiate an agreement that would surpass anything that had ever been accomplished.

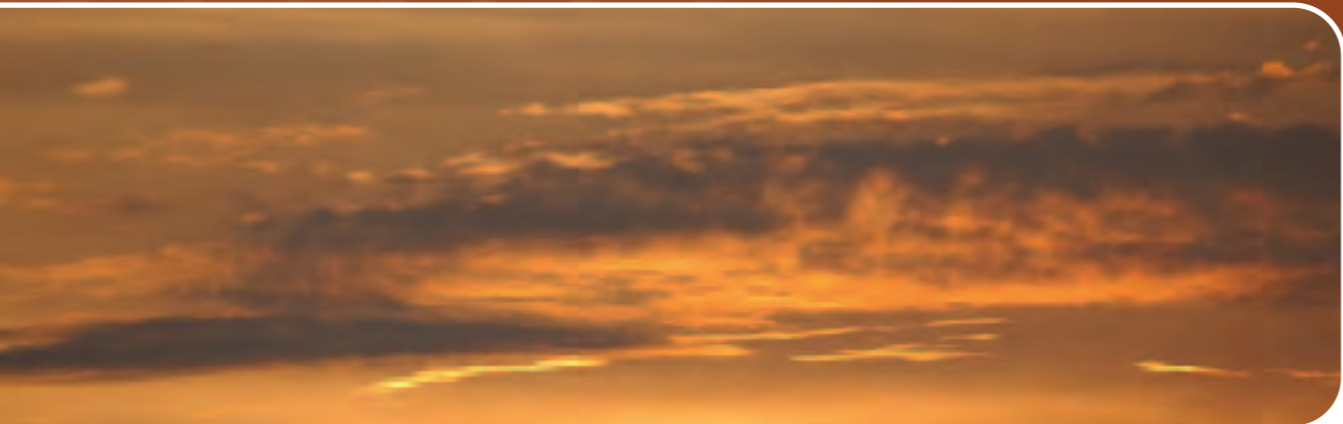
The James Bay Agreement did just that. It did away with reserves and created instead three categories of land on which the Crees maintained rights. The Crees hold priority rights to hunt on all categories of land and to participate in the development and governance of all categories of our traditional lands—Eeyou Istchee. The Agreement also recognizes Cree rights in the areas of education, health, governance, environmental and social protection, justice, police, and income security. Clearly, the James Bay and Northern Quebec Agreement (JBNQA) is better than any agreements signed by other Aboriginal nations since 1975.

Some argue that the Agreement’s language was too vague and that as a result the Crees have had to wait all these years to launch their 1975 development plan, and have had to launch it bit by bit. This is quite true.

However, the Agreement’s vagueness was essential. Had the terms been specific and had there been a precise schedule of implementation, the Agreement might never have been signed. Also, governments might have done then what they have done since with other agreements and insisted that the social development terms be removed because they were too expensive. The Agreement’s vague language actually allowed for negotiations to continue long after the Agreement was signed.

...Aboriginal peoples who have signed agreements since 1975 do not have commitments for social development...

I believe that the James Bay and Northern Quebec Agreement will prove to be the best agreement ever signed. Unlike the Crees, Aboriginal peoples who have signed agreements since 1975 do not have commitments for social development; they do not have treaty-mandated and protected school and health boards; and they do not have funding to develop themselves. For these Aboriginal peoples and for Canada, the lack of these provisions, will, in the long run, result in great social, political and economic costs. By purchasing “certainty” instead of



“It is to the credit of the Cree leaders who formed the Grand Council that they were able to think in terms of the future of the Cree Nation, and not let smaller issues stand between them.”

Aboriginal development plans in their treaties, these peoples will pay a much higher cost than had they followed the James Bay model.

We have fought every inch of the way for the implementation of our 1975 Agreement and we will continue to fight. As we gain recognition, we also gain the means to implement the training, education programs, community development measures and other services that are bringing the Crees the full benefits of economic participation.

Given Canada's rigid approach to implementation since 1975, it is ironic to read the following in the 1982 Federal Report on the Federal Implementation of the James Bay and Northern Quebec Agreement:

“The Agreement was designed to allow for the evolution of Inuit and Cree self-government and to allow for the adaptation of specific rights, benefits and institutions to changing conditions and circumstances.

The Agreement was not intended to be a fixed and static legal document but rather a flexible agreement which would allow problems to be worked out through on-going interaction.”

It was in this spirit that we negotiated and signed the New Relationship Agreement with Quebec. Implementing the Agreement in this way requires ongoing political will on the part of government. In the New Relationship Agreement we exceeded the original JBNQA in two major ways:

First, Quebec decided that it was unrealistic for the Crees not to receive benefits from the development that takes place on our traditional territory. It was decided that the Crees would receive \$70 million per year over the 50-year term of the Agreement, in spite of Quebec's insistence in 1975 that benefits be tied to specific obligations and not to development.

Second, in 1975 it was agreed that one major hydroelectric complex, the La Grande

Complexe, was to be built and that two others were a possibility. If all had been built, 25,000 square kilometres of territory would be flooded today. According to the New Agreement, the NBR Project that would have flooded 8,000 of those 25,000 square kilometres will be eliminated if the much smaller EM-1-A Project is approved.

As time goes on, it is becoming more evident that not all major river systems should be developed for hydroelectric purposes. Society in general is beginning to greatly value our increasingly rare pristine watersheds.

It is to the credit of the Cree leaders who formed the Grand Council that they were able to think in terms of the future of the Cree Nation, and not let smaller issues stand between them. If we are to progress, we must take a page from their book by building our nation to the benefit of all. We must do more with the resources we have and ensure that all Crees enjoy equal access to services and facilities.

I am certain that in 1974 when we set up the Grand Council, it was our survival as

the Cree Nation that was on our minds. It is clear that the Crees wanted access to good housing, employment, and the freedom to choose between the traditional way of life and development. Let us not lose sight of the fact that our survival as the Cree Nation, with our language, culture and spiritual values, depends on how each and every one of us does the job that we have undertaken. If we act with the honesty, persistence and respect for others that guided the lives of our ancestors, we will continue on the right path.



Eeyou Eeenu Nation Summer 2004



Cree/Quebec Forestry Board

The Cree/Quebec Forestry Board (CQFB) held its most recent meeting in Mistissini in June. This was the third time that the Board has met in person and this meeting represented somewhat of a watershed for the group. Unlike the past meetings, where discussion was focused mainly on administrative “start-up” issues, the majority of work at this meeting related to active projects within the mandate of Chapter 3.

For example, the Board spent quite a bit of time reviewing the Wildlife Directives Project. Mandated within the Paix des Braves Agreement, this project requires the Board to develop a series of measures to improve upon the existing provisions that address wildlife protection in both the *Forest Act* and the new Agreement.

The goal of the report was to review the events of the W-06 case and make positive recommendations to ensure that the situation is not repeated.

Over the past six months, the Board has established a sub-committee to begin this project. This sub-committee has worked very closely with the Local Joint Forestry Working Group members in Waswanipi, members of the Cree Regional Authority (CRA) and representatives from the wildlife branch of the Ministry of Natural Resources, Wildlife

and Parks (MNRWP). Thus far the sub-committee has established a framework for developing the Wildlife Directives and is in the process of identifying key species that the Cree Tallymen feel are priority. The subcommittee is planning further consultations with other Cree communities that are affected by forestry activities. Once this species list is finalized, the sub-committee will put forward measures to better harmonize forestry with the habitat needs of these animals.

Another important item that the Board reviewed at its last meeting was the case of W-06 in the Broadback River sector of Waswanipi. Last winter, workers from Abitibi Consolidated began intensive road construction and harvesting on trapline W-06. Unfortunately, the MNRWP did not follow the schedules for consultation within the Adapted Forest Regime of Chapter 3 prior to issuing permits for this work.

This caused a great deal of concern among the Tallymen and the Waswanipi Local Joint Forestry Working Group members, who were surprised that the work had been authorized without prior consultation.

In response, the Waswanipi Local Joint Working Group requested that the Cree/Quebec Forestry Board conduct an investigation into this case. The Board mandated the GCCEI and MNRWP Forestry Coordinators to prepare a report with recommendations for the Board to consider. A preliminary draft of this report was tabled at the last meeting in Mistissini. The goal of the report was to review the events of the W-06 case and make positive recommendations to ensure that the situation is not repeated. The Cree/Quebec Forestry Board is currently reviewing the recommendations made by the Forestry Coordinators and a decision will be taken at the next meeting on whether to accept and act on these recommendations.

The events surrounding the forestry activities on trapline W-06 this past winter illustrate part of the role that the Board will have to fulfill in the coming months and years. The Board’s approach to W-06 is in keeping with its mandate of ensuring

Explaining the new measures to control access to the territory

Under the new rules of the Adapted Forestry Regime, efforts are to be made to plan future road networks in a fashion that limits access to the territory. This is to be accomplished through two specific measures:

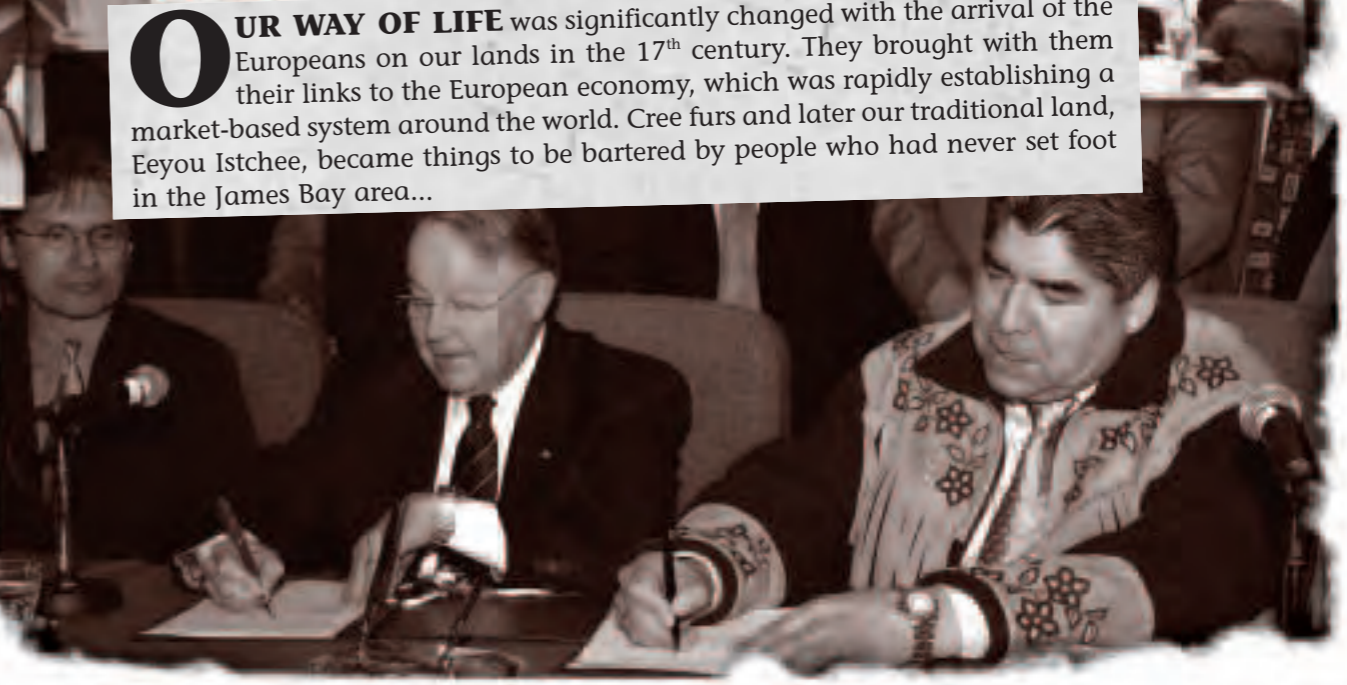
1. Limiting the number of road connections between two traplines. To do this, road junctions must be planned to form closed circuits that will not permit easy passage to neighbouring traplines. Winter roads will also be encouraged as an alternative to limited road connections. Ideally, access should be only one route in and out of each trapline.
2. Road construction providing direct access to permanent watercourses and lakes will also be limited, except for the construction of bridges and culverts.

Ensuring that these measures are effective will require careful planning among the forestry companies and the Tallymen. It is the job of the Local Joint Forestry Working Groups to facilitate this planning.

that the provisions of Chapter 3 are implemented. The ongoing work on the Wildlife Directives also demonstrates the Board’s challenge of developing innovative measures to improve the forestry regime in Eeyou Istchee.

1974-2004:

30 YEARS OF PROGRESS



OUR WAY OF LIFE was significantly changed with the arrival of the Europeans on our lands in the 17th century. They brought with them their links to the European economy, which was rapidly establishing a market-based system around the world. Cree furs and later our traditional land, Eeyou Istchee, became things to be bartered by people who had never set foot in the James Bay area...



In fact, between 1670 and the early 1900s, ownership of the Cree lands reputedly exchanged hands at least four times. Imagine their arrogance—all of this was done without our knowledge. Our ancestors woke up one morning in what in some people’s minds had become Rupert’s Land. Some time later they awoke in Canada and then in Quebec.

RECOGNIZING THE ENORMOUS THREAT THIS PRESENTED TO OUR LANDS AND FUTURE, THE CREES FILED AN INJUNCTION TO HALT THE PROJECTS.

After the arrival of the Europeans, nearly four centuries would pass before a historic agreement would acknowledge the Cree Nation’s presence on our own lands. The defining factors started to come together on April 30, 1971, when the Quebec government announced its intention to build three hydroelectric complexes in the James Bay Territory. Typically, the Crees were not told in advance of Quebec’s plans. Rather, most of us learned of the decision by radio.

Recognizing the enormous threat this presented to our lands and future, the Crees filed an injunction to halt the projects. That injunction was granted in November 1973. Unfortunately, a week later, the Quebec Court of Appeal set aside the injunction, citing the best interests of the Quebec population as its rationale for reversing a just decision. The Supreme Court of Canada, in a split decision, decided against hearing a Cree appeal.

Given the court decision, and recognizing the need to support the communities and people, the Crees decided the most reasonable course of action was to negotiate. In November 1974, a year after the injunction was first granted, we reached an agreement in principle for a treaty with Quebec and the Government of Canada.

That 1974 agreement in principle (the resulting treaty was approved in 1975) signalled the beginning of 30 years of negotiations, agreements, disagreements, political and media fights, and treaties, culminating in the Peace of the Brave, a landmark agreement signed in 2002. Some criticize the 1975 agreement for not having set out a clear plan for implementation. However, this ever-present fight for our rights has been one thing that now defines us as a nation. Without this history, we would probably not be as motivated, as knowledgeable or as united in our efforts to see the implementation of our rights and to garner respect for our existence as a nation. Today, new agreements are still being negotiated and new deals being considered.



The process of change and of worldwide economic integration has accelerated. Relations with the Hudson’s Bay Company were replaced over time by relations with Canada and Quebec, as schools, health services and local government took root on our lands. The fur economy was first supplemented in the 1950s by work in forestry and mining. Only in the past 30 years has it been overtaken by these activities as well as by hydroelectric and other types of development.

More than at any time in the past century, and particularly since the first agreement was reached 30 years ago, the future of the Cree Nation is now becoming more clear and more secure.

The following list traces the progress we’ve made over the past 30 years:

1971, April 30: The Government of Quebec announces the James Bay hydroelectric project.

1972: The Crees institute court actions against the Government of Quebec, Hydro-Québec and the James Bay Development Corporation and their contractors.

1974: The Grand Council of the Crees (of Quebec) is incorporated.

1974, Nov. 11: The Crees, the Inuit of Quebec, Quebec and Canada sign the Agreement in Principle that leads to the signing of the James Bay and Northern Quebec Agreement one year later.

1975: The Crees and Inuit of Northern Quebec sign the James Bay and Northern Quebec Agreement (JBNQA) with the province of Quebec, the Government of Canada, Hydro-Québec, the James Bay Development Corporation and the James Bay Energy Corporation. Under the JBNQA, the Crees receive \$125 million (and the Inuit \$100 million) and gain control in a



variety of areas of local and regional government. More importantly, the Agreement is intended to ensure Cree and Inuit participation in the development of the James Bay Territory. The Crees ratify the James Bay and Northern Quebec Agreement after it is signed. Of the 6,500 Crees, 922 vote in favour of the Agreement and 1 votes against.

1977: Quebec ratifies the James Bay and Northern Quebec Agreement and passes legislation to implement it.

IN THE SUMMER, HUNDREDS OF PEOPLE IN CREE COMMUNITIES FALL ILL AS A RESULT OF INADEQUATE AND OVERCROWDED HOUSING, AND THE ABSENCE OF CLEAN WATER AND PROPER WATER SYSTEMS...

1978: The province of Quebec informs the Crees that programs for community development do not apply to Cree communities, stating that the Crees are ineligible because they opted for federal lands in the Agreement. The Chisasibi Relocation Agreement is signed.

1978: Parliament ratifies the James Bay and Northern Quebec Agreement by passing the *James Bay and Northern Quebec and*



Northeastern Quebec Native Claims Settlement Act, which also recognizes the special relationship between the Crees and Canada.

1979: Hydro-Québec has problems meeting the water level commitments around Sakami Reservoir, as set in the JBNQA. The Sakami Lake Agreement is signed.

1980: In the summer, hundreds of people in Cree communities fall ill as a result of inadequate and overcrowded housing, and the absence of clean water and proper water systems. On August 13, 1980, the Grand Council of the Crees sends telegrams to Premier Levesque, Prime Minister Trudeau and Minister of Health, Monique Bégin, to ask them to fulfil their promises in the James Bay and Northern Quebec Agreement for adequate housing, sewer and water systems and health facilities.

1981: In spite of the JBNQA, living conditions deteriorate in the Cree communities. When Canada and Quebec fail to meet their obligations under the Agreement, the Crees are forced to use their compensation funds to build desperately needed sewage treatment systems.

An extensive review of the JBNQA by the Government of Canada confirms the government's failure to assist people in the James Bay area. A modest action plan is adopted to resolve the most immediate problems.

1981: The Grand Council attends a meeting in Geneva, Switzerland, the second historic meeting of non-governmental organizations to address the rights of indigenous peoples. Federal officials tell us that our participation will cause a "backlash" against the Crees in Canada and that federal officials in Geneva "will be watching you."

THE FEDERAL CONSERVATIVE GOVERNMENT OF BRIAN MULRONEY RENEGES ON ITS COMMITMENT TO FUND THE CREE LOCAL GOVERNMENTS...

1982: Canada publishes the results of its inquiry into the federal implementation of the James Bay and Northern Quebec Agreement, commonly referred to as the "Tait Report." The Report outlines a series of faults in the federal implementation of the Agreement. It states: "The Agreement was designed to allow for the evolution of Inuit and Cree self-government and to allow for the adaptation of specific rights, benefits, and institutions to changing conditions and circumstances." This has not begun to happened, however.

1982: The repatriated Constitution of Canada constitutionalizes the rights of the Crees and Inuit of Northern Quebec contained in the James Bay and Northern Quebec Agreement.

1982: Interest rates shoot through the roof and the world economy slows down. Hydro-Québec cancels its plans for the construction of the Great Whale and NBR Complexes.

1984: Federal government opens the James Bay and Northern Quebec and Northeastern Quebec Claims Implementation Office to address the lack of federal policy, plans and machinery for implementing the JBNQA. While the office has neither a budget nor a strong mandate, it succeeds in implementing the 1984 *Cree-Naskapi (of Quebec) Act* and secures capital grants for the Cree communities.

1985: The Federal Conservative government of Brian Mulroney reneges on its commitment to fund the Cree local governments in accordance with the "Statement of Understanding" signed in 1984.

1986: The La Grande 1986 Agreement is signed by the Crees, Quebec and Hydro-Québec, as is the Mercury Agreement. The configuration of the La Grande Project is changed to allow for the project to meet more of the peak demand.





1989: The first Oujé-Bougoumou Agreement is signed with Quebec.

1989: In response to an announcement by Quebec that it is going ahead with Phase II of the James Bay Project, the Grand Council decides at a General Assembly held in Montreal to take court action against the proposed projects. The Council also decides to bring its case to the world in a campaign

THE INTERNATIONAL LABOUR ORGANIZATION (ILO) APPROVES CONVENTION No. 169 ON INDIGENOUS AND TRIBAL PEOPLES IN INDEPENDENT COUNTRIES. THE CREES PLAY AN ACTIVE ROLE IN THE CONSULTATIONS... AND IN THE FINAL MEETING IN GENEVA.

organized in cooperation with environmental and consumer advocate groups.

1989: The Cree School Board signs an agreement with Quebec on the financing of the Board, which is outlined in Section 16 of the JBNQA.

1989: The International Labour Organization (ILO) approves Convention No. 169 on Indigenous and Tribal Peoples in Independent Countries. The Crees play an active

role in the consultations and negotiations, and in the final meeting in Geneva.

1991: The Federal Court decides that the Great Whale Project falls under the jurisdiction of both the Federal and Quebec government's Namagoose Case.

1991: Canada's Environment Minister, Lucien Bouchard, calls for an environmental and social impact review of the Great Whale Project, under the terms of the James Bay and Northern Quebec Agreement.

1991: At the UN, the Grand Council raises the issue of protecting the rights of the Crees in the event of Quebec separation.

1992: The Crees file a brief with the UN Commission on Human Rights to raise the possibility of human rights violations if we were to be removed from Canada without our consent.

1992: The Crees and Hydro-Québec sign the Opimiscow Agreement on the La Forge 1 Project and on La Forge 2, an addition to the La Grande Complexe 1975.

1992: New York State cancels its \$12.6 billion (US) contract with Hydro-Québec. This contract was one of the main commercial deals that caused Hydro-Québec to propose the Great Whale and NBR Projects.

1992: The Oujé-Bougoumou Canada Agreement is signed. Among other things, it calls for the construction of the new village.

1993: The Crees attend the UN World Conference on Human Rights in Vienna and help launch the UN's Permanent Forum for Indigenous Peoples.



1993: Crees lose the Eastmain Case asking for an environmental and social impact review of the EM-1 Project. While remarks made "in obiter" by Judge Decarie have since been used as a pretext by Canada for non-implementation of parts of Section 22 (of the JBNQA), the Crees nevertheless managed to negotiate the Nadoshtin Agreement in 2002.

1994: An agreement is signed with Quebec to see to the implementation of the 1989 Oujé-Bougoumou Quebec Agreement.

1995: The Great Whale Hydroelectric Complex is "frozen" by Premier Jacques Parizeau of Quebec.

1995: The Crees and Canada sign the first agreement on funding to support the operations of the Cree community governments.

1995: The Cree Grand Council meets in Montreal and decides to hold a Cree referendum on Quebec separation from Canada. The Cree analysis, *Sovereign Injustice*, is released. On October 24, 1995, the Cree vote on "Do you consent as a people that the Government of Quebec separate the James Bay Crees and Cree traditional territory from Canada, in the event of a yes vote in the Quebec referendum?" Result of the Cree referendum: 77% voter participation; 4,666 vote No, 183 vote Yes.



1997: The Cree Federal Round Table meets. Ms. Jane Stewart, federal Minister of Indian and Northern Affairs, tells Cree

...THE JAMES BAY AGREEMENT SIGNED IN 1975 WILL BE HONOURED...

[IT IS] "AN IMPORTANT PART OF THE RELATIONSHIP BETWEEN THE CREE AND CANADA."

leaders and other federal ministers that the James Bay Agreement signed in 1975 will be honoured, describing it as "an important part of the relationship between the Cree and Canada."

1998: The Crees file a major lawsuit against both governments and 26 forestry companies operating in Eeyou Istchee. Among the many issues cited, the Crees maintain that forestry as practised, violates Cree rights under the JBNQA. Mario Lord Case.

1999: The Crees and Canada sign an agreement regarding the provision of employment assistance and training services to the Cree communities.

1999: The Crees file additional injunctions against specific forestry companies in order to preserve and protect the rights sought in the main forestry case. Kitchen Case.

1999: In a preliminary decision on one of the forestry injunctions, Justice Croteau rules that, as written, Quebec's *Forest Act* is not in line with the rights of the Crees under the JBNQA. He then orders the government to reorganize its forestry regime within six months so that it maintains the Crees rights. His decision is soon overturned in appeal and he is dismissed from the case. Justice Croteau's recusal set a legal precedent in Canada. The Crees fought for his reinstatement all the way to the

Supreme Court of Canada, which refused to hear the case.

1999: The Crees launch a major public relations initiative on the forestry issue. This culminates in a highly publicized meeting with senior executives from Home Depot at their shareholders' meeting in Atlanta in the spring of 2000.

1999: Based on a Cree submission, the UN Human Rights Committee condemns Canada for extinguishing the rights of indigenous peoples (and contravening Article 1 of the International Covenant on Civil and Political Rights).

2000: The Crees launch a targeted intervention in the softwood lumber dispute between Canada and the United States. They make several lobbying trips to Washington to meet with various Senators and Congressional Representatives.

This culminates in a submission to the US Trade Representative. The submission asserts that by denying the Crees their rights with respect to forestry, Canada and Quebec are subsidizing the forestry industry.

2001: Mercury Agreement.

2002: Agreement Concerning a New Relationship between the Government of Quebec and the Crees of Quebec.

2002: Nadoshtin Agreement.

2002: Cree Employment Agreement.

2002: Agreement on the Decommissioning of HQ/SEBJ "work sites" or installations no longer in service.

2002: Waskaganish Transmission Line Agreement.



2002: Whapmagoostui Transmission Line Agreement.

2002: Agreement Respecting Disputes and a Dispute Resolution Committee.

2002: Settlement framework related to the transfer of lands between Mistissini and Oujé-Bougoumou.

2002: Agreement Concerning Mineral Resources Development in the James Bay Region.

2002: Complementary Agreement No. 13 to the James Bay and Northern Quebec Agreement.

2002: Complementary Agreement No. 14 to the James Bay and Northern Quebec Agreement.

2003: Implementation Funding Agreement related to the administrative and secretarial costs of the Cree-Quebec Forestry Board and the joint working groups under s. 3.51 of the Agreement Concerning a New Relationship.

2004: Agreement Concerning a New Relationship between Hydro-Québec and the Crees of Eeyou Istchee, an agreement which settles matters concerning the impact of the La Grande Complexe. ■

“THERE HAVE NEVER BEEN PRE-SET DIRECTIONS TO GO THIS WAY OR THAT; THE CREE LEADERSHIP HAS ALWAYS BEEN GUIDED BY THE SPIRIT OF WHAT IS RIGHT FOR THE PEOPLE.”

Dr. Ted Moses

A brief update on developments at the Cree School Board

By William Mianscum, Chairman of the Cree School Board

Over the past year the Cree School Board undertook a comprehensive review of all programs and of service delivery to our students. This review was motivated by many factors and was timely, given the negotiations that were planned for the renewal of the Cree School Board funding rules.

Our local schools and regional education support services group developed many new initiatives and these were presented to the Ministry of Education. An open dialogue on the challenges facing the Cree School Board and the Cree Nation regarding the status of education in our schools was undertaken through the negotiations and in other exchanges with the Ministry of Education.

I was pleased to see the Board enter into these negotiations with important data on school success rates, graduation and retention rates. The Board presented the data on student achievement and outlined the challenges we face. In subsequent editions of *Eeyou Eenou* and in other publications, we will present some of this data and the plans and initiatives we intend to implement to improve results. This will be done in a spirit of openness, to ensure that everyone has the information needed to partner with the Board to improve our students' education.



The discussions with the Ministry of Education brought forward many positive recommendations from experts within the Ministry, who commented on our approaches and plans to improve the results of our students.

Clearly, we need new approaches to help our students succeed in their education. At our last meeting, the Council of



Commissioners authorized a reallocation of programs and spending to prioritize the most important initiatives identified.

It is clear to us that we must focus on the delivery of services in our schools. We have identified significant new resources and recognize the need to reallocate certain existing funds. The Council has therefore authorized the reallocation of resources previously targeted to the Alternative Education program.

The Council has approved the first year of the plan, which will ultimately reallocate \$15 million over the next three years...

It has also called for improvements to the Teacher Training program to encourage trainees to access regular programs and to enter into specialized support agreements with selected universities. We will also allocate special resources to Post-Secondary Program Student Services to deal with the needs of this new initiative.

The Council has approved the first year of the plan, which will ultimately reallocate \$15 million over the next three years to the following initiatives: local support for specialized teachers in the maths and sciences, additional guidance counselors, improved technologies and Internet access in our schools, improvements to library services and many other priorities.

I intend to conduct a community tour in the coming months to explain the priorities we have set, to review the statistical results in our schools and to seek further community input regarding our curriculum and services.



A new five-year funding agreement

I am pleased to announce that the Cree School Board has finalized a new five-year funding agreement with the Governments of Canada and Quebec. The present agreement is the first ever tripartite funding agreement negotiated by the Crees and the Cree School Board pursuant to the provisions of the James Bay and Northern Quebec Agreement.

The need for services throughout the territory and in all communities has long been recognized as a priority...

In the past Canada did not participate but rather attempted to deal solely with Quebec on financing questions. The recent legal proceedings on Cree education affirmed the obligation for tripartite negotiations and the position of the Cree School Board and the Crees in this matter.

The new funding agreement provides long-term stability for the Board and has significantly increased the level of funding for continuing education. The budgets for

continuing education will double over the life of the agreement.

The Regional Technical/Vocational Training Centre, to be constructed starting this summer at a cost of \$18.3 million, will be a focal point for the development of community services in continuing education. At the same time, the Ministry has finally agreed to construct other local continuing education centres, and a first project is going to be negotiated in the coming months.

The need for services throughout the territory and in all communities has long been recognized as a priority for the Board. I am pleased to say that we are making progress in this regard.

This brief update is the first of many I hope to provide. I look forward to promoting better access to information at the Board and to securing the input of all stakeholders in the development of our education system.

I hope that you will provide input at the upcoming tours of the communities and through your local school committees.

School Board funding package focuses on adult education

A new five-year funding package for the Cree School Board will dramatically expand the number of opportunities available for Cree people in the James Bay Territory.



The new agreement, which has been approved in principle, builds on the previous five-year plan. It includes new funds for after-school daycare and maintains the funding rules and levels for youth education.

“The big increase,” says Abel Bosum, Negotiator for Cree Quebec Relations,

“is in continuing education, where there will be annual allocations exceeding \$12 million in the next five years and about \$18 million in capital investment in the professional training centre now under construction in Waswanipi.”

Additional facilities for adult education may be built in the next five years, says Bosum, but for the moment the focus is on completing the training centre in Waswanipi...

The focus on continuing education arose from the Paix des Braves agreement, which calls for greater Cree participation in the James Bay hydroelectric developments. The agreement will create employment opportunities for skilled workers. Increasing access to adult education will enable people to take advantage of these opportunities.

Additional facilities for adult education may be built in the next five years, says Bosum,

but for the moment the focus is on completing the training centre in Waswanipi. “If it’s successful and people are attending it, then we’ll look at other regional institutions.”

“There’s been good cooperation between the Cree School Board and the Ministry of Education... They’ve had five years of working with these funding rules and the Ministry knows what’s needed.”

“The negotiations went very smoothly,” says Bosum. “There’s been good cooperation between the Cree School Board and the Ministry of Education over the years. They’ve had five years of working with these funding rules and the Ministry knows what’s needed.”

While the text of the agreement is still being reviewed by the Ministry, Bosum says the terms are unlikely to change. He expects the agreement to be signed by the end of July.



In memory of Robert Jared Epstein

By Grand Chief Ted Moses

Robert Jared Epstein, “Bob” to those who knew him, passed away surrounded by his wife Sanni, sons Peter, Danny and Eric and daughter Katya, on Thursday, July 29, 2004, at his home near Wendover Ontario. He was born in 1940 in San Francisco, California where he and his brother Lewis and sister Elise were raised by parents who had fled Europe to escape the holocaust. After being trained in philosophy at the University of Southern California at Berkley, he taught there and at the University of Alaska. In 1970 he and his family moved to Montreal, where Bob became a supporter of the Crees in their efforts to oppose the James Bay Project and to have their rights recognized.

He became a key advisor to the Cree School Board and later to the Grand Council, where he worked on efforts to have Canada respect its obligations under the 1975 James Bay and Northern Quebec Agreement and, after 1980, on the Cree efforts to secure international recognition for the rights of indigenous peoples.

He was a key player in the drafting of the UN Declaration on the Rights of Indigenous Peoples, in securing the UN declaration of a Decade for Indigenous Peoples, and in the creation of the UN Permanent Forum for Indigenous Peoples. He was also instrumental in obtaining the recognition of the Grand Council of the Crees as having formal status in the UN human rights forums.

Bob was known internationally for his work in support of indigenous peoples and will long be missed by many academics, government experts and representatives as well as indigenous leaders around the world. He will also be missed by his friends and by those like myself who were not only his close friends but also his colleagues.

In addition to working with the Grand Council, Bob worked with, among others, the Council of the Conne River Micmacs, the Four Nations-Louis Bull Band Alberta, the Pimicikamak Crees at Cross Lake Manitoba, Nishnawbe-Aski Nation, the Gitanyow First Nation and the Algonquins of Long Point First Nation.

Ovide Mercredi, former National Chief, recently said of Bob: “...Bob Epstein was one of the main champions for our people in advocacy and institutional developments on the international stage, and for our human rights movement for freedom, justice and development. He will be missed. Many have been taught his knowledge while others have learned directly from him how to advocate for their people and how to advance the indigenous domestic and international agenda through intelligent action and self-determination.”

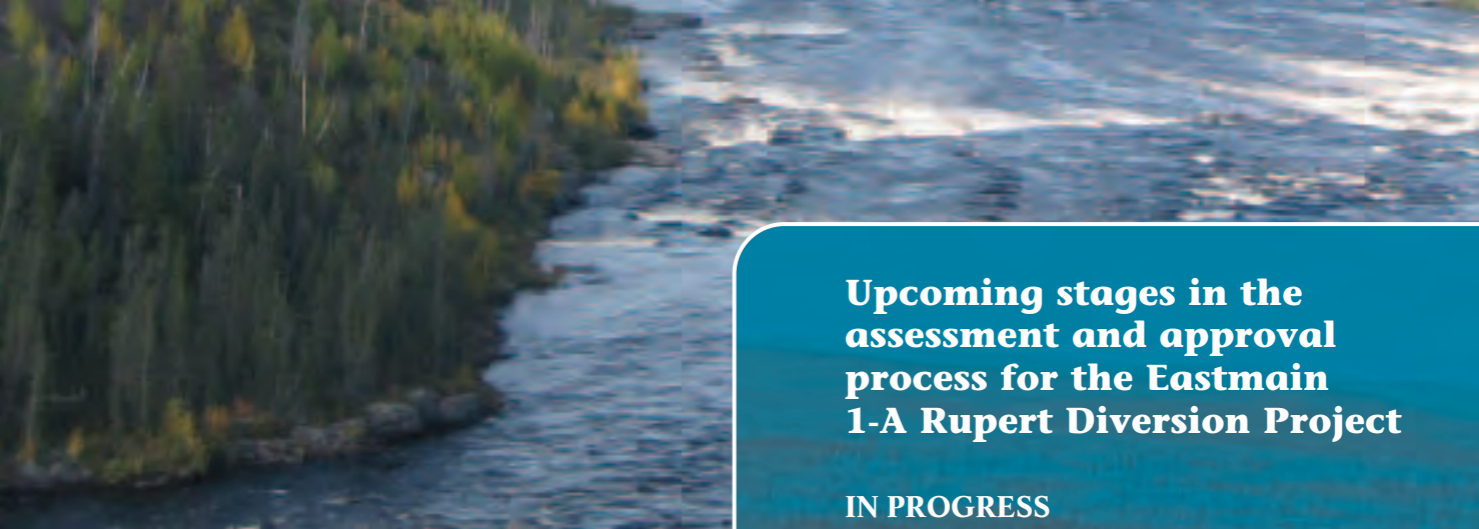
Bob had an ability to encourage people and to motivate them to find solutions to their problems. He was inspired by the persecution of the Jews to seek justice for indigenous peoples. Those who know Bob’s work, including former Grand Chiefs Billy Diamond and Matthew Coon Come, and myself, will forever be grateful that he was our friend and colleague. We will miss his good humour, his laugh and his love of life.

Grand Chief Ted Moses



The Boumhounan Committee

A study in cooperation



About halfway through the feasibility phase of the Eastmain 1-A Rupert Diversion Project, cooperation between the Cree and Hydro-Québec is “working beautifully,” according to Philippe Mora.

Mora is the Project Administrator responsible for managing the agreement between the Cree, Hydro-Québec and the Société d'énergie de la Baie James (SEBJ). The Boumhounan Agreement, signed in February 2002, ensures Cree participation in every stage of the Eastmain 1-A Rupert Diversion Project.

“When we send experts into the field to study fish, mammals or birds...they are always accompanied by a representative of the Cree Trappers’ Association.”

The Cree/Hydro-Québec Feasibility Study Group, or Boumhounan Committee, began its work about three months after the Agreement was signed. The Committee consists of Cree, Hydro-Québec and SEBJ representatives.

The Cree Regional Authority, the Cree Trappers’ Association and the Bands of Eastmain, Mistissini, Nemaska and

Waskaganish—the four communities that signed the Agreement—all have representatives. Coordinators from Chisasibi and Wemindji have also been invited to participate since these communities will be affected by the project, though they did not sign the Agreement.

The Committee assesses technical aspects of the project and its potential impact, and, through the Cree representatives, shares information with the communities. It has held meetings in all of the Cree communities that signed the Agreement, and met with the trappers whose family territories border the river. “We explain what we have in mind,” Mora says, “and try to deal with their concerns.”

The Committee also ensures that the Cree are directly involved in the scientific studies it is conducting. “We’re trying to pull together scientific and traditional knowledge,” Mora explains. “When we send experts into the field to study fish, mam-

mals or birds, for example, they are always accompanied by a representative of the Cree Trappers’ Association.”

Consultations with community members and trappers have dealt with concerns such as clearing forest land, navigating the river after the diversion, and ensuring adequate water levels for the spawning seasons of vulnerable aquatic species.

Mora has been particularly impressed with the way the Cree representatives have been able to provide information to the communities. Under the terms of the Boumhounan Agreement, the representatives are employed full-time. They are well prepared with maps, displays and presentations to help people understand the project and how it is being developed.

Groups including youth, teachers, students, elders and trappers, can approach their local representatives and request a meeting or presentation tailored to their needs.

For more information contact your representative (see page 37) or the Public Information Office at 1-877-880-8378 (toll free) or visit www.bip-pio.gc.ca

Upcoming stages in the assessment and approval process for the Eastmain 1-A Rupert Diversion Project

IN PROGRESS

Impact statement by the proponents

FALL 2004

Submission of the impact statement to the Provincial Administrator of the JBNQA and to the Review Panel (appointed under the *Canadian Environmental Assessment Act*)

2005

Public hearings on the project’s impacts and issues raised in the impact statement

EARLY 2006

Recommendations to the Provincial Administrator of the JBNQA by the Review Committee (appointed under the JBNQA)

EARLY 2006

Report to the federal Minister of the Environment by the Review Panel (appointed under the *Canadian Environmental Assessment Act*)

2006

Issuance of authorization certificates and permits required for the implementation of the project

Environmental and technical studies

The Cree/Hydro-Québec Feasibility Study Group (Boumhounan Committee) is conducting the following studies.

Environmental studies

- Water quality
- Mercury
- Geomorphology
- Oceanography
- Fish populations
- Lake sturgeon
- Instream flow
- Vegetation
- Large and small fauna
- Rare species
- Birds
- Landscape
- Land use by the residents of the James Bay region and other users
- Land use by the Crees
- Social aspects
- Archaeology
- Forestry
- Economic spinoffs

Technical studies

- Geodesics
- Mapping
- Hydrometry
- Bathymetry
- Geotechnics
- Hydraulics

Cree/Hydro-Québec Feasibility Study Group (Boumhounan Committee)

Cree Representatives

For more information about the Eastmain 1-A Rupert Diversion Project, don't hesitate to contact your local representative.



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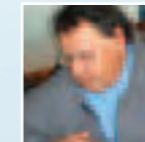
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Health Board achieves multi-year funding

The Quebec government has approved a new funding package for the Cree Health Board. The agreement will provide consistent increases in base funding as well as new capital to build and upgrade facilities. The approval follows discussions held pursuant to the New Relationship Agreement with Quebec to resolve health and social issues funding. These discussions were carried out jointly by the GCC(EI) and the Cree Board of Health and Social Services.

The funding package provides for base funding of \$69 million in 2004–2005, increasing \$40 million each year over the next five years. This will bring base funding up to \$109 million annually by the fifth year. New funding rules to be negotiated will govern the indexation factor, which will operate much like those in place for the Cree School Board.

Resources to make certain that doctors and dentists are available throughout the region will be ensured...

A capital funding envelope in excess of \$100 million will allow the Health Board to build and renovate health facilities in the Cree communities over the next five to seven years. Substantial funds will also be available to build approximately 275 new housing units for Cree Health Board staff.

Resources to make certain that doctors and dentists are available throughout the region will be ensured thanks to a provision governing the level of funding allocated by the Ministry of Health. “The Health Board doesn’t receive this funding directly,” says Abel Bosum, GCC Negotiator for Cree Quebec Relations. “It gets an allocation for a number of doctors and dentists for the region. In the past there’s never been an amount. Now we’re looking at a way of guaranteeing a certain level of resources for permanent or visiting doctors and dentists.”

The package also includes funds for multi-service centres for elderly and disabled people. Quebec has put \$20 million into building the centres, which are under construction. The new money will go towards operating and maintaining them and providing services.

Although the basic funding seems to be approved, there are a number of issues that have been deferred, Bosum says. One is residential services for the elderly. The agreement includes funding for multi-service centres, but residences are not yet in the package. Discussions about how to deliver residential services will continue after the agreement is signed and will include representatives from the Cree communities. Individual claims resulting from the 1980 gastroenteritis epidemic will also be dealt with in a separate process after the agreement is signed.

Discussions on amending the legislation governing the Cree Health Board will also continue after the agreement is complete. The legislation needs to be revised to reflect the terms of the new James Bay agreement.

Negotiations for the Cree Health Board funding package have taken five years, but Bosum says he is very pleased with the results. The text is still being fine-tuned, but both parties are working toward a final agreement by the end of September 2004.



From hog farms to howitzers

Scattershot development proposals for Chapais/Chibougamau have residents looking for lasting benefits



Mining, munitions testing and meat production—these three radically different development projects have residents in the Chapais and Chibougamau area weighing the social and environmental costs of economic progress.

The local economy has suffered from recent mine closures and reversals in the forestry sector. Residents are understandably ready to welcome any new projects that promise permanent employment opportunities and prosperity for the region.

But, as a recent opinion poll commissioned by the Grand Council of the Crees (GCC) shows, non-Cree members of the communities are not eager to sacrifice the environment or compromise the region's future in exchange for empty promises.

A proposed open pit mine could boost the local economy for almost a quarter of a century, employing between 250 and 300 people...

The projects—an open pit mine, an artillery testing range and a multi-phased hog production facility—are all currently undergoing environmental assessment. Under the terms of the James Bay and

Northern Quebec Agreement, the Grand Council has a representative on each of the assessment committees. The committees review impact statements and make recommendations to the Ministry of the Environment. They may recommend against allowing a project to proceed or propose conditions for development.

The big dig

A proposed open pit mine at Lac Doré, approximately 70 kilometres southeast of Chibougamau, could boost the local economy for almost a quarter of a century, employing between 250 and 300 people and generating a variety of indirect employment.

McKenzie Bay Resources Ltd., a wholly owned subsidiary of McKenzie Bay International Ltd., plans to mine and process vanadium from a surface ore deposit that is 16 kilometres long and estimated to contain 80 million tonnes of ore. The deposit is said to be the largest yet discovered in North

America and the second largest in the world. McKenzie Bay estimates a capital expenditure of approximately \$364 million on the development, which would exploit only a portion of the ore deposit over the next 20 years.

The Lac Doré facility would produce vanadium compounds primarily for use in high performance electrical storage devices, which McKenzie is developing in strategic support of its other core business, wind power.

In the past, processing vanadium has required a complex multi-stepped process. However, McKenzie Bay has developed and patented a streamlined, less expensive technique for purification. However, the process is characterized as “proprietary and confidential,” and scant information about it is available. The company filed an environmental impact study with Fisheries and Oceans Canada and the Quebec Ministry of the Environment in July 2003.

The case for shelling

Twenty-five kilometres southwest of Chapais, SNC Technologies is proposing to use a 20-kilometre-long tract of land to test howitzer shells. SNC, a subsidiary of SNC-

Assessing public opinion

Employment is a key issue for residents of Chapais and Chibougamau. The two newest projects—the proposed hog farming complex and the weapons testing facility—have stirred interest in the communities.

To find out how much the non-Cree residents of the two towns know about the proposed facilities and whether they support them, the Grand Council of the Crees commissioned POLLARA Inc. to conduct a public opinion survey.

The researchers also provided additional information about environmental and social aspects of the projects and asked residents how they felt about them in light of this information.

Lavalin, is Canada's largest munitions company. The \$1.5 million development would involve cutting down all of the trees in a five-square-kilometre “impact zone” and gating off up to 60 square kilometres during testing.

The test range may provide from three to five permanent jobs for the region and the company expects it to produce some “spin-off” economic activity in the form of increased trade for local gas stations, hotels and restaurants.

Happy with hogs

Residents were both aware and supportive of the hog farming proposal. Some 77% knew about it and 62% supported it primarily because of the jobs it could create. Over half were much more likely to support the project if it created 75 to 150 jobs.

In spite of this support, respondents were aware of the possible drawbacks. About 14% identified pollution and 40% cited bad odours. In general, respondents believed the complex would have a neutral impact on soil and water quality.

When researchers provided additional information, opposition increased. When residents were told that other communities had rejected the complex, that it might benefit only a few residents, and that it could undermine property values and tourism opportunities, support declined from 62% to 57%. At the same time, strong opposition increased from 16% to 25%.

Residents were also informed that the project proposes to use new technologies to reduce the environmental impact of the pork production process. The majority (77%) of respondents said they would be more likely to support the project if this were the case.

The proposed range would overlap several traditional Cree hunting grounds. According to Cree trapper Paul Dixon, 20 Dixon families have hunting camps in the vicinity, the nearest only two kilometres away. The wildlife population in these hunting

grounds has already come under pressure from logging, mining and sport hunting.

The company proposes testing two or three days every other week, about 60 days each year. SNC maintains that the range would have “almost no” effect on wildlife but acknowledges that the blasts will be heard from five kilometres away. It has volunteered to suspend testing during the Cree goose-hunting season.

Where the bacon comes home

A large-scale industrial hog farming and processing complex proposed for the Chapais area by the community’s Economic Development Corporation is being presented as a major new source of employment and prosperity for the area.

Developed in three phases over the next 5 to 10 years, the project could provide approximately 140 new jobs in the early stages and as many as 300 on completion. Local residents could be easily trained for most of the positions.

The project calls for the development of a feed mill, abattoir, pork processing facility, water treatment plant and offices within two kilometres of Chapais. Structures for breeding and raising livestock would be built about 15 kilometres to the southwest.

When complete, the complex would contain almost 58,000 live hogs at any given time. Disposing of the solid and liquid wastes from this population would require an infrastructure similar in size to that of a small city. The developers are planning to treat the waste water and dispose of it on one of the owner’s potato fields and/or in a

waterway that has yet to be determined. Solid wastes may go to a composting company or be burned in the electric co-generation plant in the town of Chapais. An assessment of prevailing winds suggests that any odors from the farm operation would veer north of the town most of the time.

The goal is to ensure that developments have no long-term negative impact...

The factory farm facilities would overlap traditional Cree hunting lands and some of the buildings would be less than four kilometres from cottages on Lac Cavan.

In search of the right balance

With all three proposals under review, balancing development in the Chapais /Chibougamau region will be an issue for some time to come. The environmental assessment process may play a critical role in deciding the economic future of the communities and surrounding area.

The New James Bay agreement ensures that the Cree people play a role in that process, but it has some inherent challenges, says Ginnette Lajoie, an Environment Coordinator in the Traditional Pursuits Department at the Cree Regional Authority. The goal is to ensure that developments have no long-term negative impact on the environment, public health, society or economy of a region. However, it is difficult to look at projects in a “global” context.

“Each project has to be assessed independently,” Lajoie says. That means there’s no mechanism for assessing “downstream” impact. Mining, munitions testing and meat



The EM-1-A/Rupert Diversion Project

production could have an impact on hunting, fishing and tourism, for example, but there is no means of addressing the cumulative effects of all three developments on these activities.

There's a worldwide move toward strategic environmental assessment, which attempts to look at development in a regional context, Lajoie says. But in Quebec, each project still has to be examined without reference to other nearby developments.

There is an exception. When a community has approved a formal land-use plan, stipu-

lating that it intends to focus on mining or tourism, for example, the environmental assessment committees can look at how a project will fit into the larger regional plan.

Chapais and Chibougamau do not have land-use plans, Lajoie points out. But if people are concerned about the scattershot nature of the proposed developments in the region, they do have the chance to be heard. The environmental assessment process does not require formal public hearings, she says, but they can be triggered if enough members of the community express their concerns in writing.

Sad about shells

Residents in the survey tended to be less aware of the proposed weapons testing facility. Although 81% of those in Chapais knew of the project, only 33% from Chibougamau had heard of it (bringing the average down to 42%).

Over half of the respondents (54%) opposed the facility while 42% were strongly opposed. Opponents expressed an aversion to violence and firearms and concerns about danger to the community, noise and pollution. Most respondents didn't expect the facility to have significant impact on the local economy.

When researchers provided additional information, the proportion strongly opposed to the project increased to 50%. People were more opposed when they heard that SNC chose the area because it is "remote" and has few people and animals, that the facility might contaminate ground

water and soil, and that it might disturb wildlife and migration patterns.

Subjects also responded negatively when they heard that the project might create only three to five new jobs, that it had been rejected by other communities, and that it could undermine tourism and property values. The concerns of Waswanipi Cree hunters about the range's effect on hunting also had an impact: almost one-third of respondents said they were more likely to oppose the project for that reason.

The majority said they'd be more likely to support the project if weapons testing were suspended during the big game and Cree goose-hunting seasons and if the test range were built to minimize noise and environmental impacts.

POLLARA conducted 716 telephone interviews with adult residents of the two communities in May 2004. Based on the sample size and methodology, the margin of error is ±5.7 percentage points, 19 times out of 20.

With Phase 1—the project evaluation—completed, the EM-1-A/Rupert Diversion Project is preparing to enter Phase 2, the impact statement review. The following schedule traces the evaluation phase of the project and looks ahead to the review phase.

Phase 1

Phase 1 was comprised of four segments: field studies, notification, scoping and directives.

Field studies

- Boumhounan Agreement reached on February 7, 2002.
- Cree involvement in feasibility studies, started in the spring of 2002, continues today.

Notification

- Hydro-Québec and SEBJ notified on December 12, 2002.

Scoping

- Draft directives (COMEV) completed in May 2003.
- Public consultation on draft directives takes place from May 28-June 11, 2003.

Directives

- Directives officially released on August 14, 2004, signalling the completion of Phase 1.

Phase 2

Phase 2 begins in November 2004, and is expected to be completed by January 2006.

Submission of impact statement

- Hydro-Québec and SEBJ to submit impact statement by November 2004.

Conformity analysis and receivability

- Written public input welcome through January 2005 (funding is available).

Public hearings on the impacts

- Written and oral public input welcome through January 2005 (funding is available).

Recommendations of review and assessment bodies

- Made available to Government of Canada, province of Quebec and Grand Council of the Cree (through January 2006).

Public consultation funding programs

Draft directives

- Total funding \$53,710 (province of Quebec \$3,861; Government of Canada \$49,849).

Conformity analysis

- Total funding \$134,000 (province of Quebec \$74,000; Government of Canada \$60,000).

Public hearings

- Total funding \$206,000 (province of Quebec \$116,000; Government of Canada \$90,000).

Ipperwash Inquiry into the shooting of Dudley George starts in Ontario

Last month, a Commission of Inquiry into the 1995 police shooting of native demonstrator Dudley George began its hearings in Ontario. There's a James Bay Cree connection with this extraordinary David and Goliath story.

On September 5, 1995, at Ipperwash Provincial Park in Ontario, Dudley George was shot by an Ontario Provincial Police (OPP) sniper. No ambulance came for Dudley, and he bled to death in the back of his brother Pierre's car while being driven to hospital 40 kilometres away.

In 1927, the federal government forced the Chippewas to surrender a few hundred acres of their reserve...

Dudley and about 30 other Chippewa men, women and children had just occupied the park, which was part of their former reserve. They were immediately confronted by a force of over 200 riot police and snipers. A few months before, they had occupied the Department of Defense Ipperwash military base, which was also part of their former reserve.

In 1927, the federal government forced the Chippewas to surrender a few hundred acres

of their reserve for a provincial park. Then in 1941, the government took the rest of the reserve at Ipperwash to make a military base. The residents of the reserve, including Dudley's family, were loaded onto military trucks and dumped into a neighbouring reserve. They no longer had any land of their own.

After the shooting, Dudley's elder brother Maynard "Sam" George called numerous big law firms in Toronto to try to find legal counsel. They all refused. Someone then suggested he call Andrew Orkin of Montreal, a human rights lawyer who works extensively with the Grand Council of the Crees. Along with Toronto lawyers Delia Opekokew and Murray Klippenstein, Andy agreed to take on Sam's case. So did the late Bob Epstein, also well known to the James Bay Crees.

"It looked to me like an extra-judicial execution," says Andy. "The more we investigated the facts of the case, the more the



evidence started pointing right to Ontario Premier Harris' office, and the more it seemed that Dudley George was killed to 'teach Indians in Canada a lesson about who's boss when it comes to land claims'."

The Georges were determined to uncover the truth about who had ordered the massive force of paramilitary police to violently confront a handful of unarmed native demonstrators. So in March 1996, Orkin and his fellow legal counsel filed a



\$7 million lawsuit against the Governments of Canada and Ontario, Premier Harris and three other Ontario Cabinet Ministers, the local member of the provincial legislature, the Ontario Provincial Police, the OPP chain of command, and the police sniper who had shot Dudley George.

There were leaks that the Premier, or someone close to him, had met with the OPP Commissioner hours before the shooting, and the OPP was told to "Get the f*ing Indians out of the park and use your guns if you have to!"**

The OPP sniper was convicted of homicide, but as far as Sam George was concerned, this was an attempt to scapegoat an individual for the crimes of a government and possibly the Premier himself. There were leaks that the Premier, or someone close to him, had met with the OPP Commissioner hours before the shooting, and that the OPP was told to "Get the f***ing Indians out of the park and use your guns if you have to!"

For the next eight years, in spite of having no funds and fighting a legal battle against



more than a dozen major government parties, Sam George and his legal team had forced Mike Harris to be examined under oath for discovery, and had survived millions of dollars of taxpayer-funded efforts to take them down (including an unprecedented court motion to make the lawyers personally liable for court costs).

“We are still up against the same governmental parties in the inquiry as Sam was in his lawsuit, and many of them...continue the cover-up...”

Andy and Bob ensured that the case became known all around the world. Amnesty International, the United Nations Human Rights Committee, and many churches, human rights organizations and trade unions, had all called for the truth to come out about the alleged role of the Premier of Ontario in causing the shooting of Dudley George.

In 2003, on the eighth anniversary of the shooting, Amnesty International stated: “The time is long overdue for a full, impartial public inquiry into the events at Ipperwash and the killing of Dudley George to be carried out, if not on the authority of the Government of Ontario then on the established authority of the Government of Canada. To fail to do so is to compound the injustice, and also to flout the clear requirements of Canada’s obligations under international law.” The George family had offered from the beginning to drop their court case immediately if a Judicial Inquiry was called to investigate the shooting. But for eight years, Premier Harris refused. Then in late 2003, the Conservative government was thrown out, and the new Liberal government agreed to do what the George family always wanted: call a public inquiry.

“We are still up against the same governmental parties in the inquiry as Sam was in his lawsuit, and many of them are still

determined to continue the cover-up,” says Andy, who now lives in Ontario but still works closely with the Grand Council of the Crees. “But it’s different now, because it’s not a few George family members and the lawyers carrying a massive court case against the Governments of Ontario and Canada. Instead, the process now belongs to an independent judge, and we hope and believe that Judge Sidney Linden, is determined to uncover the truth.”

While the fight is not yet over for the George family, their efforts to date have advanced all of our human rights...

The Ipperwash Inquiry is expected to issue its report by the end of 2005, and has been mandated to make recommendations to ensure that the shooting of First Nations demonstrators never happens again in Canada. The Grand Council is very proud of the tremendous contributions that Andy Orkin and Bob Epstein have made over the years to this historic case. While the fight is not yet over for the George family, their efforts to date have advanced all of our human rights.

Picture 1: Dudley George

Picture 2: Reg George, Andy Orkin, Sam George, Murray Klippenstein and Carol George arrive at the first day of the Ipperwash Inquiry hearings in Forest, ON, July 2004 (Photo: Nora Penhale, *Sarnia Observer*)

Finding balance in the fight against diabetes

Fifty years ago, diabetes was almost unheard of among the Cree of Northern Quebec. Today, more than one out of every seven adults is afflicted with the illness.

“There’s so much of it that people are not surprised when they find out they have it,” says Dr. David Dannenbaum, Medical Advisor to the diabetes program of the Cree Health Board and physician in Waskaganish. “They almost expect it.”

That’s a concern, says Dannenbaum, because people may begin to feel there’s nothing they can do about it. That’s far from the truth.

Scientists and mainstream medical practitioners don’t have a proven theory why diabetes has become so prevalent among Aboriginal communities...

The rate of diabetes among Aboriginal people across Canada is about three times as high as among the general population. “What’s scary,” Dannenbaum says, “is that people are getting it at a much younger age. In the rest of the population, type 2 or adult-onset diabetes is seen as a problem for people over 40. Among the Cree, one out of every four cases occurs in people under

40. People under 20 are getting it too, and that’s something you really don’t see in non-Aboriginal communities.”

The scary part is that if you develop diabetes at age 25 or 30, and you do not take care of your health, you will be more likely to have a heart attack or dialysis at a young age as well (about 10 to 20 years after diagnosis, if you don’t take care of your health).

Scientists and mainstream medical practitioners don’t have a proven theory why diabetes has become so prevalent among Aboriginal communities so quickly. For many in the communities themselves, the answers seem obvious. Previous generations led active lives, spending long periods of time hunting, trapping and camping. They ate healthy, natural foods. In today’s society, people are inactive and eat processed food that’s easily available.

“It took an effort to live 50 years ago,” Dannenbaum says. “Today we have to make an effort to lead healthy lives.”

Diabetes is a silent disease

Having a blood test at your clinic once a year is the best way to check for diabetes. Don’t wait until the damage of diabetes has been done. Check every year so that you can prevent the damage and live a long and healthy life. You can live with diabetes for quite a while without realizing it. However, here are a few common symptoms that may indicate a problem.

- Increased thirst
- Increased urination
- Increased appetite
- Fatigue
- Blurred vision
- Slow-healing infections
- Impotence in men

The message is getting out. “The Cree Health Board has been working to raise awareness and people are starting to make changes. They are much more active and are making an effort to eat healthy food.”

There are good reasons why they should. Diabetes can kill. It can cause blindness, heart disease, kidney failure and circulatory problems that can lead to amputations. There is no easy fix—it is a chronic condition that you have to think about for the rest of your life. Many Cree have been suc-

cessful at learning to “live with diabetes,” and most feel stronger and healthier than before they were told they have the disease.

The good news is that you can live a long and healthy life with diabetes. You can also prevent it. To a large extent, you prevent diabetes the same way you manage it: by exercising, eating wisely and keeping your weight down. There is a strong connection between diabetes and obesity. For those with the disease, losing weight can help control their blood sugar and prevent complications. For those who don’t have diabetes, losing weight can dramatically decrease the risk of getting it.

The only way to have an impact on the rising incidence of diabetes in the region is to encourage healthier living. The Cree Health Board has been doing just that. The Board is working with schools, daycare centres and restaurants to improve the quality of their food. It has also arranged for food labeling in local stores.

To address childhood obesity, the Health and School Boards have been cooperating on health promotions in schools. In Mistissini, for example, students are encouraged

on health promotions in schools. In Mistissini, for example, students are encouraged to join the 100-Mile Club, walking a mile a day to reach the 100-mile goal during the school year. Walking clubs for people of all ages are beginning to appear in many communities as well.

Initiatives such as Mistissini's Healthy Eating Active Living program (HEAL) provide nutritionists to speak to community groups about healthy food choices and to teach classes on food preparation.

There are nutritionists working with most of the community clinics now, either full-time or on a visiting basis, says Lily Sutherland, a Public Health Officer with the Waswanipi Band Council. "Last year we did some programs in which the nutritionist visited the homes of people with diabetes and provided them with information about meal planning and what to watch for when buying groceries."

Some improvements have occurred because of growing public awareness and general progress. Grocery deliveries are more frequent than in the past and fresh foods are more available in stores. Many of them have sections with foods for diabetics.

The diabetes challenge may also be helping to reestablish the central role of traditional healing in Cree communities. The best recommendations the medical establishment has for controlling the disease is for individuals to take responsibility for their own well-being and live more balanced lives. These are core values of traditional medicine.

In initiatives like the Eastmain Wellness Centre, Cree healers are once again helping

people strive for balance. People who don't feel well decide for themselves when they need to change their lives. Healers work with them as equals rather than as medical authorities and address their physical, mental, emotional and spiritual aspects as a whole.

The Eastmain Wellness Centre incorporates a sweat lodge, ceremonies and gatherings. It also works with traditional herbal preparations, provides information on healthy foods and supports people who choose to fast as a means of restoring balance in their lives. Some people have lost 40 to 50 pounds, according to Public Health Officer Johanne Cheezo. And some who were pre-diabetic are well today.

Community participation is key to the success of initiatives like the Wellness Centre, which has over 100 participants in various programs. "People help each other," Cheezo says.

People's willingness to help each other is also one of the reasons that David Dannenbaum is optimistic about the territory's long-term ability to manage diabetes. "Diabetes is a disease you can prevent and control. As long as people learn about it and take responsibility for fighting it, the prognosis is very good."

Let's learn from each other's strengths and share ideas and initiatives to help each other in the fight against diabetes. Together, as a nation, as a community and as individuals, we have to share in the responsibility to live healthy and strong lives.

Logo captures our way of life

In the spring of 2004, the Grand Council of the Crees adopted a new logo, one that would truly represent our history, and our way of life. The logo, shown below, will appear on all materials produced by the Grand Council of the Crees, including Eeyou Eenou. The stretched beaver pelt represents the Cree and their way of life on Eeyou Istchee. The symbols represent key elements in the Cree way of life.

Together, these symbols represent the connectedness of everything. We, the Crees of Eeyou Istchee, depend on them to sustain and maintain our way of life. The elements of the logo also show that if we are to continue our way of life, we have a responsibility to maintain and ensure a balance.

Specifically, here's what each symbol means:



The Fish represents the water and all life that water provides.



The Tree represents plant life, the earth, the animals and all that they provide.



The Goose represents air, winged creatures and all they provide.



The Drum represents spiritual strength of the Nation.



New flag may soon be flying

EXPECT A NEW FLAG to be displayed soon throughout Cree communities and offices. The new design for the flag has been reviewed by the Grand Council and is awaiting final approval from the General Assembly.

The three proposed flag designs are pictured right. The top one incorporates the colour used in the previous flag.

The middle and bottom ones are in blue and green, representing our coastal and our inland people and also of course, representing water and forest. The middle also incorporates a Cree drum, a symbol of Cree spiritual strength.

