

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

ROYAL COMMISSION ON
ABORIGINAL PEOPLES

ENDROIT/LOCATION: LE NOUVEL HÔTEL
 1740, BOUL. RENÉ-LÉVESQUE OUEST
 MONTRÉAL (QUÉBEC)

DATE: MERCREDI LE 1^{er} DÉCEMBRE 1993

VOLUME: 3

"for the record..."

STENOTRAN

1376 Kilborn Ave.

OTTAWA 521-0703

I N D E X

LE 30 NOVEMBRE 1993 / NOVEMBER 30, 1993

NOM / NAME	PAGE
Présentation par la Centrale de l'enseignement du Québec (CEQ) Lorraine Pagé, Présidente Daniel Lachance, Vice-Président Henri Laberge, Conseiller	630
Presentation by the Federation of Canadian Municipalities (IPP) Ron Hayter, President John Les, Chair, Task Force on Aboriginal Issues Kathy Watson, President, Association of Yukon Communities Ted Cholod, President, Saskatchewan Urban Municipalities Association Duncan Campbell, 2nd Vice-President, Canadian Association of Municipal Administrators	707
Presentation by the Canadian Universities for Northern Studies Jules Dufour, Director	753
Presentation by the Canadian Arctic Resources Committee (IPP) Nigel Bankes Terry Fenge Mary Crnkovich	791
Presentation by the Native Alliance of Quebec INC. (IPP) Ginette Racette, President and Grand Chief	828
Presentation by the Manitoba Keewatinowi Okimakanak Inc. (IPP) Chief Sydney Garrioch, Chairman Michael Anderson, Research Director	862
Présentation par le Centre de ressources sur la non-violence Gerry Pascal, coordonnateur du Comité de solidarité avec les autochtones, Centre de ressources sur la non-violence Jacques Boucher, Centre de ressources sur la non-violence	916

1 Montréal (Québec)

2 --- L'audience se poursuit à 9 h 07 le mercredi

3 1^{er} décembre 1993

4 **COPRÉSIDENT RENÉ DUSSAULT:** Bonjour à
5 tous. La Commission royale sur les peuples autochtones
6 au Canada reprend sa série d'audiences publiques avec la
7 présentation du mémoire de la Centrale de l'enseignement
8 du Québec.

9 Je voudrais sans plus tarder passer la
10 parole à M^{me} Lorraine Pagé, Présidente.

11 **M^{me} LORRAINE PAGÉ, Présidente, Centrale**
12 **de l'enseignement du Québec:** Bonjour, monsieur le
13 Président, madame la Commissaire.

14 Je voudrais dans un premier temps vous
15 présenter les personnes qui m'accompagnent ce matin.

16 À ma droite, M. Daniel Lachance,
17 Vice-Président, et à ma gauche M. Henri Laberge, Conseiller
18 à la Centrale et rédacteur du mémoire que nous vous
19 présentons aujourd'hui.

20 La principale ligne directrice de notre
21 mémoire est indiquée dans son titre. Nous y affirmons
22 notre conviction que la sauvegarde des identités
23 nationales et l'autonomie politique des nations font

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 partie des conditions essentielles de leur développement
2 intégral. Ceci vaut aussi bien pour la nation québécoise
3 que pour les Premières nations du Québec et du Canada.

4 **DANIEL LACHANCE, Vice-Président,**
5 **Centrale de l'enseignement du Québec:** La situation des
6 peuples autochtones et celle du peuple québécois par
7 rapport à la société canadienne majoritaire comporte de
8 nombreuses analogies qui devraient justifier une démarche
9 solidaire pour la réalisation d'objectifs similaires.

10 De part et d'autre ce que nous
11 revendiquons c'est un accroissement d'autonomie politique
12 pour apporter des solutions adaptées à des problèmes qui
13 nous sont propres et en tenant compte de nos cultures
14 respectives.

15 Nous ne partons pas du même point et nos
16 cheminements ne peuvent être identiques, ce qui a pour
17 effet de rendre moins claire la parenté de nos aspirations.

18 Comme cela se produit bien souvent, les groupes
19 défavorisés, qui le sont à des degrés différents, se voient
20 malheureusement plus comme des rivaux et des concurrents
21 que comme des alliés potentiels. Une telle perception
22 désavantage encore plus les uns et les autres.

23 **LORRAINE PAGÉ:** Nos peuples respectifs

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 méritent mieux que les multiples préjugés qui ont cours
2 à leur sujet et qui les divisent.

3 Depuis la crise d'Oka en 1990 il faut
4 reconnaître que les relations entre Québécois et
5 Autochtones se sont gravement détériorées, que certains
6 préjugés se sont renforcés, que certains malentendus sont
7 devenus plus profonds.

8 La CEQ veut contribuer à relancer un
9 dialogue constructif. Nous croyons que celui-ci doit se
10 développer sur la base d'une meilleure compréhension de
11 nos besoins respectifs et de nos aspirations respectives.

12 La CEQ y contribuera à partir de ce
13 qu'elle est et de ses options fondamentales.

14 Vous savez que la CEQ s'est engagée en
15 1990 à militer pour l'indépendance nationale du Québec.

16 Cette option est intimement liée à l'engagement de militer
17 aussi pour la reconnaissance effective du droit des peuples
18 autochtones à l'autodétermination.

19 C'est en fonction de ce double
20 engagement que nous développons dans le premier chapitre
21 de notre mémoire notre conception des questions
22 nationales, québécoises et autochtones.

23 Notre organisation oeuvre

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 principalement dans les institutions d'enseignement et
2 elle compte un certain nombre d'adhérentes et d'adhérentes
3 autochtones, principalement au Nouveau Québec, ce qui
4 explique l'intérêt particulier que nous portons dans le
5 deuxième chapitre de notre mémoire à la place de
6 l'éducation en regard du développement et de
7 l'autodétermination et à son rôle dans la lutte aux
8 préjugés.

9 Nous sommes une organisation syndicale
10 et nous avons cru important de soumettre dans le troisième
11 chapitre quelques éléments de réflexion sur le rôle du
12 syndicalisme en milieu autochtone.

13 Une des difficultés d'une approche
14 convergente des questions nationales, québécoises et
15 autochtones tient dans les malentendus que comporte
16 l'usage de certains concepts, notamment celui de nation
17 utilisé de part et d'autre pour désigner nos identités
18 collectives.

19 Il existe un préjugé selon lequel la
20 revendication d'autonomie gouvernementale des peuples
21 autochtones vise nécessairement la constitution de
22 gouvernements ethniques, voire à base raciale. Le même
23 préjugé est entretenu par certains tenants du nationalisme

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 canadien à l'encontre du nationalisme québécois.

2 Il y a par ailleurs une volonté politique
3 de détourner le sentiment d'appartenance au Québec en tant
4 que territoire national vers une identification
5 prioritaire à une catégorie ethnicolinguistique présente
6 dans l'ensemble du Canada. À cet égard nous croyons
7 important de rejeter clairement le recours au concept de
8 race pour identifier nos collectivités.

9 Il n'y a pas de race RIM (PH). Il n'y
10 a pas non plus de race amérindienne ou de race esquimaude.
11 Aucune société humaine ne correspond de façon intégrale
12 à quelque profil racial que ce soit. Le concept de race
13 ne peut fonder aucune revendication nationale.

14 D'ailleurs, l'héritage provenant de la
15 famille et des ancêtres est surtout un héritage culturel,
16 fondement premier de ce qu'on désigne comme étant l'ethnie.
17 Les identités ethniques, les cultures ethniques, méritent
18 d'être conservées et cultivées. Cependant, elles ne
19 correspondent pas de façon intégrale aux identités et aux
20 cultures nationales.

21 La nation n'est pas une catégorie
22 ethnique, encore moins, bien sûr, une catégorie raciale.
23 Elle n'est pas une catégorie de personnes. Elle est une

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 collectivité qui se caractérise principalement par le fait
2 de constituer une société cohérente, d'être rattaché à
3 un territoire, et d'avoir son propre mode de fonctionnement
4 en société, ce qui implique généralement le recours à une
5 langue nationale, à des lois, à des coutumes, ainsi qu'à
6 des institutions qui lui soient propres.

7 Il n'est pas nécessaire que toutes les
8 personnes appartenant à une nation soient culturellement
9 semblables au point de départ, qu'elles aient toutes hérité
10 d'une même culture ethnique. C'est le fait de participer
11 à une même société, d'être partie prenante à une oeuvre
12 commune ou un projet de société qui détermine
13 l'appartenance à une nation et non la conformité à un profil
14 culturel hérité des ancêtres.

15 Il y a donc une distinction nécessaire
16 à établir entre d'une part l'ethnie canadienne-française
17 représentée au Québec, au Canada et aux États-Unis, et
18 d'autre part la nation québécoise qui comprend des
19 personnes de diverses origines, langues maternelles et
20 croyances, liées au destin du Québec et participant de
21 plein droit au début sur son avenir.

22 De même, une nation autochtone devrait
23 pouvoir intégrer à son projet de société des personnes

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 d'origine autre, lesquelles y auraient les mêmes droits
2 fondamentaux, les mêmes obligations fondamentales que les
3 Autochtones d'origine y compris, s'il y a lieu, les droits
4 et obligations relatifs à l'apprentissage et à l'usage
5 de la langue nationale du peuple autochtone concerné, ou
6 relatifs aux droits autochtones coutumiers ou codifiés.

7 La question nationale autochtone
8 présente cependant des caractères particuliers qui font
9 qu'on ne peut pas la traiter totalement de la même manière
10 que celle du Québec. En effet, les peuples autochtones
11 constituaient, avant la colonisation européenne, des
12 sociétés organisées sur des territoires dont ils ont été
13 progressivement dépossédés sans qu'ils aient jamais choisi
14 ou accepté de les céder.

15 De plus, ils sont devenus minoritaires
16 sur les territoires qu'ils occupaient traditionnellement.
17 Ils ont été refoulés dans des réserves. On leur a défini
18 un statut juridique particulier en vertu duquel ils sont
19 soumis à une loi faite par d'autres, qui ne s'applique
20 qu'à eux.

21 Certains auteurs désignent comme
22 constituant un carmonde (PH) les peuples qui répondent
23 aux caractéristiques dont nous venons de parler. Ce qui

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 les distingue des peuples du Tiers-Monde c'est que ces
2 derniers, bien que conquis, dominés, exploités par le
3 colonisateur, sont demeurés majoritaires sur le territoire
4 conquis, de sorte que par l'accession à l'indépendance
5 nationale ils peuvent reprendre le contrôle politique de
6 ce territoire et de leur vie collective.

7 Dans les colonies où les descendants des
8 colonisateurs ont nettement dépassé en nombre la
9 population autochtone, celle-ci ne recouvre aucun pouvoir
10 politique avec l'indépendance de l'État maintenant
11 constitué sur le territoire ancestral, d'où la nécessité
12 pour les peuples autochtones de poser leurs questions
13 nationales dans des termes originaux et notamment de
14 revendiquer l'attribution de territoires qui leur soient
15 propres.

16 Les notions d'autonomie gouvernementale
17 autochtone, de souveraineté autochtone, et
18 d'autodétermination autochtone supposent l'existence
19 d'une base territoriale définie.

20 Nous croyons d'autre part que le statut
21 d'appartenance à un peuple ne peut légitimement être défini
22 que par ce peuple lui-même. C'est pourquoi notamment il
23 faut en arriver à remplacer au Canada la Loi sur les Indiens

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 par des lois que les peuples autochtones édicteront
2 eux-mêmes à leur égard.

3 Les Autochtones du Québec sont soumis
4 à la même Loi sur les Indiens que ceux du reste du Canada.
5 Ils sont aussi des pupilles de l'État, traités un peu
6 comme des mineurs perpétuels. Ce qu'il y a de particulier
7 pour eux c'est particulièrement sans doute l'éventualité
8 de l'accession du Québec au statut d'état souverain.

9 Plusieurs d'entre eux se demandent ce
10 que la réalisation de cette éventualité va modifier dans
11 leur situation actuelle et dans leur chemin vers
12 l'autonomie gouvernementale.

13 Nous sommes d'avis que le simple fait
14 de l'accession du Québec à l'indépendance ne modifie en
15 rien la situation des peuples autochtones par rapport à
16 la société dominante. Il demeure des peuples injustement
17 dominés, cette situation ayant a priori ni améliorée ni
18 aggravée.

19 La compétence à l'égard des Indiens est
20 transférée de l'état canadien à l'état québécois. Ce
21 dernier hérite de la Loi sur les Indiens et de l'obligation
22 de la mettre en oeuvre.

23 Nous croyons par ailleurs que l'état

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 québécois devrait alors logiquement offrir aux peuples
2 autochtones une redéfinition de leur statut politique sur
3 la base des principes adoptés en 1983 par le gouvernement
4 de René Lévesque et de ceux qu'a entérinés l'Assemblée
5 nationale en 1985.

6 Ces principes reconnaissent
7 explicitement comme des nations distinctes 11 peuples
8 autochtones du Québec. Ils leur reconnaissent le droit
9 à leur culture, à leur langue, à leurs coutumes et
10 traditions, le droit d'orienter eux mêmes leur propre
11 développement, de posséder et de contrôler leurs terres,
12 de se gouverner, de contrôler les institutions publiques
13 qui correspondent à leurs besoins, et de bénéficier de
14 fonds publics provenant du Québec et qu'ils administreront
15 en fonction des objectifs qu'ils jugeront fondamentaux.

16 Nous sommes d'avis que les principes
17 alors retenus par le gouvernement de l'Assemblée nationale
18 ne devraient être considérés que comme le point de départ
19 d'une reconnaissance plus complète du droit à
20 l'autodétermination des peuples autochtones.

21 Par exemple, les droits aux peuples
22 autochtones devraient être garantis non pas par des lois
23 ordinaires mais bien par un traité d'association qui aurait

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 la valeur et la portée d'un principe supra législatif.

2 Dans l'éventualité de l'indépendance du
3 Québec nous croyons que les 12 peuples qui y habitent
4 devraient se considérer comme des nations associées,
5 chacune ayant une base de souveraineté avec toutes les
6 compétences et tous les pouvoirs qu'elles décideraient
7 d'assumer elles mêmes. C'est là le sens que nous donnons
8 aux droits à l'autodétermination que nous affirmons
9 appartenir aussi bien au peuple québécois qu'aux peuples
10 autochtones.

11 Je passe maintenant à la partie traitant
12 plus spécifiquement de l'éducation.

13 Dans toute société organisée l'école est
14 le moyen par excellence de transmettre la culture nationale
15 et de faire en sorte que tous les enfants soient en mesure
16 de la partager. Mais le système d'éducation, les contenus
17 d'enseignement, les approches pédagogiques, doivent être
18 adaptés aux besoins particuliers de chaque peuple et à
19 sa culture nationale.

20 Nous savons que le niveau de scolarité
21 des Autochtones au Québec comme dans l'ensemble du Canada
22 est nettement inférieur à celui du reste de la population.
23 Et nous savons aussi que l'implication des communautés

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 autochtones dans l'orientation et la gestion de leur
2 système scolaire, quoique relativement récente, a déjà
3 donné des résultats heureux pour ce qui est de la
4 fréquentation de l'école primaire et des premières années
5 du cours secondaire.

6 Le taux de décrochage au secondaire
7 demeure encore trop élevé. Celui-ci, de même que
8 l'absentéisme, serait causé en partie par les problèmes
9 vécus au sein de la famille et en partie aussi par la
10 mésadaptation de l'école à la réalité autochtone.

11 La situation particulière des
12 populations du Nouveau Québec en regard de l'enseignement
13 est plus facile à circonscrire que celle des autres
14 Autochtones en raison de l'existence des commissions
15 scolaires criées et Kativik, qui dispensent l'enseignement
16 primaire et secondaire à leur population respective.

17 Jusque vers les années 1980 les taux de
18 scolarisation des populations autochtones du Nouveau
19 Québec étaient non seulement nettement inférieurs à ceux
20 du Québec dans son ensemble mais inférieurs à ceux de
21 l'ensemble des Autochtones du Québec. Plus de la moitié
22 de la population nordique était alors analphabète
23 fonctionnel.

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 Cela s'explique facilement par l'état
2 d'isolement relatif dans lequel les communautés du Nord
3 ont été tenues jusque vers le milieu du siècle qui s'achève.
4 Depuis la prise en charge autochtone du système scolaire
5 la situation s'est transformée.

6 On observe notamment une amélioration
7 visible en ce qui a trait à la fréquentation scolaire.
8 Dans la Commission scolaire Kativik l'augmentation est
9 constante depuis 1978-1979. Dans la Commission scolaire
10 Crie l'augmentation est moins est moins régulière mais
11 elle atteint un sommet, avec 3 023 élèves inscrits en
12 1989-1990.

13 Pour illustrer les progrès réalisés sur
14 une période relativement courte rappelons que le taux de
15 fréquentation scolaire chez les jeunes Inuits de 5 à 15
16 ans, qui était de 8 pour cent en 1950-1951, se situait
17 à 95 pour cent en 1984-1985, et se situe probablement
18 aujourd'hui à tout près de 98 pour cent.

19 Malgré ces progrès incontestables, de
20 sérieux problèmes subsistent. Là comme dans d'autres
21 communautés autochtones se pose avec une acuité
22 particulière les problèmes du décrochage et de
23 l'absentéisme.

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 Il y a sans doute des causes d'ordre
2 individuel ou d'ordre familial qui explique le taux élevé
3 de décrochage et d'absentéisme chez les Autochtones du
4 nord québécois, causes qui peuvent ressembler à celles
5 qui expliquent le même phénomène chez les jeunes des
6 régions rurales isolées ou chez ceux des quartiers
7 défavorisés des centres urbains du sud, mais il y a aussi
8 un problématique proprement autochtone et nordique du
9 décrochage scolaire qui doit tenir compte des contenus
10 culturels de l'enseignement, des activités
11 traditionnelles à caractère saisonnier et impliquant toute
12 la famille, ou d'autres aspects du mode de vie.

13 Pour répondre à cette problématique nous
14 croyons qu'il faut s'orienter vers un plus grand contrôle
15 du régime scolaire par les nations concernées pour qu'elles
16 apportent aux problèmes de leurs élèves des solutions
17 vraiment adaptées.

18 Mieux adapter l'école aux besoins et aux
19 intérêts des élèves cris et inuits cela suppose
20 certainement une présence plus importante d'enseignantes
21 et d'enseignants autochtones de même que d'un personnel
22 professionnel autochtone. Il faut donc encourager les
23 jeunes autochtones qui en manifestent l'intérêt à

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 s'orienter vers la profession enseignante.

2 Il faut accorder aussi une plus grande
3 attention à la formation du personnel non-autochtone
4 oeuvrant en milieu autochtone pour que ses interventions
5 soient de mieux en mieux adaptés à la culture autochtone
6 et au contexte autochtone, Mieux adapter l'école à la
7 culture autochtone cela suppose aussi qu'on accorde une
8 plus grande place à l'école à la langue propre de chaque
9 communauté.

10 Dans tout le Canada c'est au Québec que
11 les langues autochtones sont le plus utilisées et
12 enseignées à l'école, mais il y a encore des progrès à
13 réaliser.

14 Sans négliger l'apprentissage
15 nécessaire d'une langue seconde pour permettre la
16 poursuite d'études supérieures dans les institutions
17 québécoises du sud, il faut mettre plus d'efforts pour
18 faire de la langue autochtone, là où elle est encore la
19 langue d'usage de la majorité, la langue normale et
20 habituelle du travail, de l'enseignement, des
21 communications, du commerce et des affaires.

22 Pour cela l'école a un rôle
23 irremplaçable, mais elle ne peut pas réaliser seule cet

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 objectif. C'est l'ensemble des institutions de la
2 communauté qui doivent y contribuer.

3 Le dernier chapitre de notre mémoire
4 abordait la question du rôle du syndicalisme. Un des
5 changements importants qui affecte le mode de vie des
6 Autochtones du Nouveau Québec est l'introduction du
7 travail salarié. Celui-ci constitue une rupture avec la
8 tradition autochtone qui était fondée sur le partage,
9 l'entre-aide, l'égalitarisme.

10 À moins qu'il ne se regroupe avec
11 d'autres personnes partageant sa condition, l'individu
12 salarié se retrouve en situation de vulnérabilité
13 économique, de dépendance, et d'isolement social.

14 Nous croyons que le syndicalisme peut
15 apporter un début de réponse à la situation problématique
16 des salariés autochtones et contribuer à leur faire
17 retrouver les valeurs essentielles de leur culture
18 d'origine. Le syndicalisme, en effet, est fondé sur la
19 solidarité des travailleuses et des travailleurs dans la
20 recherche d'une plus grande égalité des conditions
21 économiques.

22 Le syndicalisme en milieu autochtone ne
23 pourra pas être une simple copie du syndicalisme tel que

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 pratiqué dans les pays occidentaux. Il devra s'adapter
2 aux spécificités des cultures autochtones et épouser les
3 revendications fondamentales des peuples autochtones.

4 Le syndicalisme n'est pas une
5 abstraction. Il est fait d'organisations dont les
6 politiques et les orientations sont décidées par les
7 membres qui le composent, plus précisément par les membres
8 qui s'y engagent. Pour que le syndicalisme épouse au mieux
9 la cause autochtone il faudra que les Autochtones
10 l'investisse, s'en empare, se l'approprie.

11 En conclusion, nous voulons indiquer que
12 les aspects de l'autodétermination et du développement,
13 que nous n'avons pas traités de façon spécifique dans notre
14 mémoire, n'en demeurent pas moins très importants. Ainsi
15 en est-il de l'indépendance économique et du développement
16 économique, qui sont des conditions d'une autonomie
17 politique réelle.

18 Mais le développement économique ne peut
19 pas se concevoir sans le développement culturel, sans la
20 diffusion des savoir et des savoir-faire, sans une
21 progression des niveaux de compétence. C'est pourquoi
22 nous avons insisté sur l'importance de résoudre au mieux
23 les problèmes liés au fonctionnement du système scolaire

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 et à la réussite éducative.

2 Le développement n'est jamais seulement
3 économique. Il n'y a pas de vrai développement là où il
4 n'y a pas développement intégral. La problématique du
5 sous-développement vécue dans les nations autochtones
6 concerne tout à la fois les plans économique, politique,
7 social, éducationnel, linguistique et culturel au sens
8 le plus large.

9 Nous estimons que la mise en oeuvre d'une
10 nouvelle politique autochtone fondée sur le principe de
11 l'autodétermination des peuples implique l'abandon de
12 toute définition de l'Autochtone comme individu
13 appartenant à une lignée généalogique et son remplacement
14 par le droit reconnu à chaque peuple de se définir à partir
15 d'un projet de société autochtone.

16 Nous estimons que l'exclusion de la
17 discrimination à l'égard des individus sur la base de leurs
18 antécédents ethniques doit se concilier avec la
19 reconnaissance des droits nationaux pour des peuples
20 distincts. Chaque peuple doit, dans le respect des droits
21 individuels de toutes les personnes qui partagent son
22 destin historique, pouvoir décider lui-même de son avenir
23 et se doter librement d'un cadre de vie autonome que des

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 instances politiques appropriées à sa dimension
2 géographique, à son environnement particulier et à sa
3 culture propre.

4 Nous estimons également que l'exercice
5 du droit à l'autodétermination suppose une base
6 territoriale possédée en propre. Il ne s'agit plus de
7 réserver des terres dont l'État canadien ou québécois
8 conserverait la propriété imminente pour y loger des
9 Autochtones. Il faut reconnaître à chaque peuple un
10 territoire dont il aurait la propriété imminente et sur
11 lequel il exercerait le degré d'autonomie politique qui
12 lui convient.

13 L'assise territoriale autonome d'un
14 peuple autochtone devrait nécessairement inclure toutes
15 les terres qui lui sont présentement réservées en
16 exclusivité, quitte à ce qu'elles soient agrandies pour
17 répondre aux besoins présents et pour permettre un
18 véritable développement aux populations concernées.

19 C'est sur cette assise territoriale que
20 le peuple qui le désire pourra constituer des instances
21 politiques autonomes qui dicteront des lois, développeront
22 des institutions, généreront en son nom les biens publics.

23 L'école publique nous apparaît comme une des institutions

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 dont la gestion et l'orientation devraient relever le plus
2 possible, en tenant compte de la situation particulière
3 de chaque peuple, de l'autonomie autochtone.

4 Dans le contexte de l'accession du
5 Québec à l'indépendance nationale nous proposons la mise
6 en place d'un modèle de souveraineté-association entre
7 les 12 peuples se partageant le territoire du Québec.
8 Douze gouvernements nationaux exerçant de façon distincte
9 et autonome les compétences de leur peuple respectif leur
10 auront été attribuées en propre collaboreront entre eux
11 dans de multiples domaines, notamment en ce qui concerne
12 la qualité de l'environnement, la protection de la faune
13 et de la flore, les relations commerciales, le
14 développement scientifique et technique, la défense
15 civile, et la défense du territoire.

16 C'est dans ce même contexte que pourrait
17 être prévue la mise en place d'institutions communes
18 auxquelles chaque peuple pourrait décider de confier, à
19 titre révocable, les compétences politiques qu'ils ne
20 désirent pas assumer directement.

21 Quoi qu'il arrive, les 12 peuples qui
22 habitent présentement le territoire du Québec, le peuple
23 québécois et les 11 peuples autochtones, ont intérêt à

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 se reconnaître mutuellement et à développer des relations
2 de coopération et d'amitié.

3 Je vous remercie.

4 **COPRÉSIDENT RENÉ DUSSAULT:** Merci,
5 madame Pagé. Je voudrais remercier la Centrale de
6 l'enseignement du Québec pour cette présentation, et sans
7 plus tarder demander à ma collègue, Mary Sillett, de
8 commencer à poser un certain nombre de questions sur votre
9 mémoire, qui est substantiel et qui certainement a un
10 impact important sur les travaux de la Commission royale.

11 **COMMISSIONER MARY SILLETT:** Thank you
12 very much.

13 You made a number of points but there
14 are three points in particular that I would like to pursue.

15 When you were making your presentation
16 you made a statement which said that -- I guess you were
17 referring to the Native peoples in northern Quebec, saying
18 that there was much illiteracy prior to the signing of
19 the James Bay Agreement and afterwards.

20 I remember feeling like I had my feathers
21 ruffled a bit because when we had our special consultations
22 with the High Arctic exiles we heard very, very clearly
23 from many unilingual Inuktitut-speaking people that

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 letters were written in Inuktitut and syllabics as early
2 as the 1950s.

3 --- (A short pause)

4 I just want to respond to some issues
5 that you raised.

6 On the issue of illiteracy I guess you
7 were saying that prior to the signing of the James
8 Bay-Northern Quebec Agreement there was much illiteracy
9 in northern Quebec probably due to the isolation. I
10 reacted a bit to that because we had public hearings with
11 High Arctic Inuit from Inukjuak who had been relocated
12 to the High Arctic in the early 1950s.

13 They told us very, very clearly that they
14 had written letters to their relatives in different parts
15 of the North and that those letters had been written in
16 the early 1950s. So definitely there was a writing
17 capability amongst the Inuit of northern Quebec even before
18 the 1950s, but definitely in the 1950s, and those letters
19 were written not necessarily in English, but they were
20 written using syllabics.

21 So I'm sort of challenging the statement
22 that you made. I was wondering if you'd like to have an
23 opportunity to respond.

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 **LORRAINE PAGÉ:** M. Laberge, qui a fait
2 la recherche qui a donné suite à ce mémoire, va vous donner
3 les éléments de réponse.

4 **HENRI LABERGE, conseiller, Centrale de**
5 **l'enseignement du Québec (CEQ):** Ce sont des données qui
6 sont connues, publiées par les autorités scolaires.

7 Il est possible que ces données-là
8 soient faussées parce qu'il est possible qu'avant les
9 années '50, à l'époque où le ministère de l'Éducation
10 n'était pas présent dans le nord du Québec en fait il n'y
11 avait pas de commission scolaire, il est possible que les
12 données concernent la connaissance de l'anglais en partie.

13 Ce sont les données que nous avons
14 consultées. Évidemment si c'est nous qui avons fait les
15 statistiques nous ne les aurions probablement pas fait
16 de cette façon-là.

17 En nous basant sur les données qui sont
18 corrigées par les autorités scolaires c'est ce qu'on avait,
19 8 pour cent à peu près de scolarisation primaire à l'époque
20 des années '50 et aujourd'hui environ 98 pour cent. Ce
21 qu'on voulait signaler c'était le progrès énorme qui avait
22 été fait.

23 Or, ce progrès-là a été fait dans un

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 système scolaire où l'usage de la langue inuite a été
2 valorisé de façon importante alors que dans les années
3 précédentes on n'enseignait pas du tout la langue inuite
4 dans les écoles.

5 Il est possible que la statistique ne
6 soit pas bonne, mais c'est celle que nous avons consultée.

7 **COMMISSIONER MARY SILLETT:** I'm not
8 saying that your statistics are no good. I'm saying that
9 maybe the definition of illiteracy was probably used --
10 you measured Inuktitut-speaking people by English
11 standards, and maybe that wasn't a fair assessment.

12 Having said that, I was sort of
13 interested in the comment made in the presentation that
14 there should be more Native teachers. I'm speaking
15 specifically of the Inuit here because I remember in
16 previous presentations we had heard, particularly in
17 northern Quebec, that of all of the professions I guess
18 they've been fairly successful in recruiting Native
19 teachers.

20 As you mentioned in the two regions, the
21 Cree and the Inuit have school boards, they've made
22 advancements with respect to introduction of Inuktitut
23 curriculum in the schools and the recruitment of teachers.

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 I was wondering if you'd like to elaborate on that.

2 I guess from what we've heard before,
3 of all the professions in northern Quebec, in the Nunavik
4 Region at least, they've been more successful in recruiting
5 teachers than they have, for example, doctors or nurses
6 or other professionals.

7 **LORRAINE PAGÉ:** Je pense que vous
8 illustrez bien dans ce propos que vous venez de tenir à
9 quel point le contrôle par les peuples autochtones de leurs
10 institutions a pu grandement faciliter les choses.

11 Quand on a une maîtrise d'oeuvre par le
12 contrôle de l'institution publique présente dans un
13 secteur d'activités, c'est le cas de l'enseignement avec
14 les commissions scolaires cri et kativik qui peuvent
15 exister, on se donne des moyens pour occuper cette sphère
16 d'activité et nul doute que cette situation a permis, par
17 exemple, entre les administrateurs de la commission
18 scolaire et le syndicat des enseignantes et des enseignants
19 de prévoir des mesures qui ont même faciliter le
20 recrutement et l'engagement d'enseignantes et
21 d'enseignants autochtones.

22 Il y a dans les conventions collectives
23 des dispositions qui prévoient, par exemple, que quand

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 il y a des enseignantes ou des enseignants autochtones
2 disponibles, c'est ceux-ci qui occupent les postes avant
3 des enseignantes ou des enseignants non-Autochtones.
4 Alors il y a toutes sortes de mesures qui peuvent
5 s'implanter, qui peuvent s'organiser quand il y a le
6 contrôle des institutions publiques.

7 Je pense qu'on a réussi à faire des
8 choses dans le secteur de l'éducation précisément parce
9 qu'on a eu ces moyens qu'on n'a pas dans d'autres secteurs,
10 comme la santé ou d'autres secteurs d'activités
11 économiques, culturelles ou sociales.

12 **COMMISSIONER MARY SILLETT:** Thank you
13 very much. My final question is this.

14 I think you said earlier that a territory
15 or a land base was an essential element for a nation.
16 As we've gone across the country we've been learning that
17 more and more Aboriginal people are now living in cities.
18 In actual numbers and percentages there are probably more
19 Aboriginal people living in cities than there are living
20 in the reserves or in the communities.

21 It's been very easy for many people to
22 conceive of self-government with a land base. That's easy
23 to understand. You can talk about that in concrete terms.

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 It becomes more difficult when you talk
2 about the possibility of self-government without a land
3 base, but it's a concept that has been considered by the
4 many people who are now living in cities.

5 If you talk about the possibility of
6 self-government without a land base, for example
7 Aboriginal Friendship Centres or to hospitals or, for
8 example, the national associations who have many members
9 who are living off-reserve like, for example, the Native
10 Council of Canada, it's been very easy for them to
11 understand that.

12 Two weeks ago we heard from, for example,
13 the Native Council of Canada, where they proposed different
14 models for Aboriginal self-government without a land base.

15 I guess one of the real problems we have in people trying
16 to talk about it is that there are no other examples.

17 What would it look like? Would it have
18 the structure like a school board authority or a hospital?
19 What kind of a model?

20 People are saying yes, we need
21 self-government in urban areas for Aboriginal people who
22 live there. The problem people are having is what would
23 it look like, how would it be financed.

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 I was wondering if you had any ideas on
2 that.

3 **LORRAINE PAGÉ:** Sur cette question
4 c'est M. Daniel Lachance, vice-président, qui y répondra.

5 **DANIEL LACHANCE, vice-président,**
6 **Centrale de l'enseignement du Québec:** Vous comprendrez
7 que sur cette question comme sur bien d'autres il n'y a
8 pas de modèle à ce moment-ci mais si on parle de la situation
9 des Autochtones en milieu urbain et en ce qui a trait
10 particulièrement à la relation aux services publics,
11 que ce soit aux services d'éducation, de santé, que ce
12 soit aux services, ce que je pourrais appeler la
13 main-d'oeuvre, la formation professionnelle, la recherche
14 d'emploi, l'ensemble des services publics qui permettent
15 à un citoyen et à une citoyenne d'avoir accès à un
16 développement individuel, qui lui permettent de vivre
17 correctement, il me semble que le rôle joué actuellement
18 par les Centres d'amitié autochtones devrait être, entre
19 guillemets, institutionnalisé de manière à ce que ces
20 centres aient une mission que j'appellerais de référence
21 pour l'ensemble des Autochtones vivant en milieu urbain.

22 En d'autres mots, nous ne croyons pas
23 que l'ensemble des services d'éducation, l'ensemble des

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 services de santé et de main-d'oeuvre dans les
2 municipalités devraient se voir particulariser pour les
3 populations autochtones vivant en milieu urbain, à savoir
4 un hôpital autochtone, une école autochtone, et caetera.

5 Donc l'ensemble des services devrait
6 être accessible pour les Autochtones vivant en milieu
7 urbain.

8 Par ailleurs, il devrait exister des
9 centres avec des budgets, avec des moyens, permettant une
10 accessibilité réelle aux Autochtones vivant en milieu
11 urbain à l'ensemble de ces services et non seulement une
12 accessibilité formelle.

13 Plusieurs Autochtones arrivent, par
14 exemple, à Montréal, je prends de Montréal parce qu'il
15 y a une concentration particulière, en ne parlant ni
16 français ni l'anglais, en ayant aucune connaissance des
17 services qui peuvent leur être accessibles et leur
18 permettre d'avoir accès à ce développement individuel,
19 accès à l'emploi, accès aux services de santé et
20 d'éducation.

21 Il me semble que ces centres devraient
22 être dotés des moyens permettant à tout Autochtone de
23 pouvoir s'organiser dans cette municipalité, et pendant

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 une période de transition, qui pourrait être de "X" années,
2 certains services pourraient être particularisés. Je
3 pense par exemple des services de langue, des services
4 de connaissance des emplois au niveau de la formation
5 professionnelle.

6 Mais comme je vous dit, il n'y a pas de
7 modèle sur cette question-là, mais il me semble que les
8 Centres d'amitié autochtones pourraient être une base à
9 développer pour permettre aux Autochtones vivant en milieu
10 urbain d'avoir accès de façon égale, en qualité et en
11 quantité, aux services publics.

12 **COPRÉSIDENT RENÉ DUSSAULT:** Peut-être
13 que je pourrais reprendre sur la première partie de votre
14 mémoire et la question de l'autonomie gouvernementale,
15 de la clarification que vous faites d'un certain nombre
16 de concepts. Je pense que c'est pas trop tôt, au
17 Québec comme au Canada, qu'on s'attache à clarifier les
18 concepts. Plusieurs sont souvent galvaudés ou utilisés
19 à des fins de chacun des groupes mais sans nécessairement
20 tenir compte de la réalité qui est derrière ces concepts.

21 Un des débats publics qu'on a amorcé et
22 qui va se poursuivre au Canada comme au Québec dans le
23 cadre de l'autonomie gouvernementale c'est celui du

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 gouvernement public versus le gouvernement ethnique.

2 On sait, par exemple, que les Inuits --
3 on a eu cette semaine les représentants des Inuits de
4 l'Arctique de l'ouest sur la Mer de Beaufort, on a eu les
5 représentants également des Inuits du Nunavut, dans la
6 terre de Baffin et le Canada central et aussi les Inuits
7 du nord du Québec, Makivik, et évidemment la position des
8 Inuits est bien connue d'un gouvernement public,
9 c'est-à-dire sur le territoire impliquant toutes les
10 personnes.

11 Ils sont bien sûr majoritaires, mais
12 avec le droit de vote au gouvernement, et caetera.

13 Du côté des Premières Nations la
14 perception de la situation est plus facile parce que,
15 évidemment, ils ont vécu historiquement sur des réserves,
16 non pas par choix mais parce que la politique canadienne
17 s'est déroulée de cette façon. Donc il y a un caractère
18 de nature davantage ethnique sur les réserves, sauf que
19 ce qui est souvent très méconnu est le fait...c'est la
20 distinction entre la notion d'ethnicité et la notion
21 d'entité politique.

22 Je pense que vous le faites bien
23 ressortir ici, où les nations autochtones ont toujours

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 eu des politiques d'échange de personnes, d'adoption de
2 personnes, de non-Autochtones comme de membres de d'autres
3 nations autochtones, et caetera, et vous le faites
4 ressortir très bien dans votre mémoire, de sorte que c'est
5 le caractère politique du vouloir-vivre ensemble comme
6 nation qui est le critère déterminant, y compris du côté
7 des nations autochtones.

8 Il y a une compréhension un peu difficile
9 dans le public. Il y a beaucoup d'éducation publique à
10 faire, je pense, à cause entre autres de critères en vertu
11 de la Loi sur les Indiens pour le statut d'Indien avec
12 les relations plus biologiques, et caetera, qui a faussé
13 la perception de la notion.

14 Je ne peux pas faire autrement, compte
15 tenu de l'importance de la présence de la Centrale de
16 l'enseignement au Québec, son nombre de membres, l'endroit
17 stratégique au fond où la Centrale de l'enseignement est
18 située pour passer l'information au niveau des écoles comme
19 dans le public de façon plus large, que de vous encourager
20 à poursuivre dans ce rôle d'éducation du public sur la
21 clarification des concepts. Je pense que ça améliorerait
22 grandement la qualité du débat démocratique.

23 Dans ce sens-là la Commission reçoit

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 certainement votre effort de façon très positive. On
2 souhaite que ça puisse se répercuter parce que souvent
3 ça empoisonne le débat sur le mauvais pied sur des concepts
4 aussi fondamentaux que ça, et sensibles en même temps.

5 Le fait que les gouvernements
6 autochtones sont des gouvernements politiques bien sûr
7 avec une politique de membership qui sera sous leur
8 contrôle, mais il faut garder la tradition, qui a été une
9 tradition largement d'ouverture historiquement dans le
10 passé. Je pense que c'est important.

11 Je pense que ma collègue, Mary Sillet,
12 a mentionné la question urbaine. Quand vous parlez de
13 nation évidemment spontanément c'est sûr que l'assise
14 territoriale est importante, encore qu'il y a des peuples
15 historiquement qui ont vogué à la recherche d'un territoire
16 pendant un certain nombre d'années, et souvent plus
17 longtemps qu'autrement.

18 Il reste que la réalité urbaine est très
19 importante au Canada et la tendance est lourde
20 d'accroissement des populations autochtones dans les
21 villes. On l'a un peu moins connue ici en raison en
22 particulier des conventions dans le nord du Québec, qui
23 a quand même permis aux Cris et aux Inuits de demeurer

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 et de venir moins massivement à Montréal qu'ils seraient
2 venus sans aucun doute. C'est plus fort dans l'ouest du
3 pays.

4 Je pense que la poursuite de la notion
5 de gouvernement au niveau des villes, je pense qu'il
6 pourrait y avoir beaucoup de flexibilité. On avait
7 l'Association des hôpitaux, par exemple, il y a 15 jours
8 à Montréal. On sait que depuis 1971 quand la Loi sur les
9 services de santé et de services sociaux a été refaite
10 il y un processus d'élection où on peut participer au
11 conseil d'administration des établissements de santé en
12 vertu de la Loi au Québec. Les Autochtones, évidemment,
13 ne s'en prévalent pas.

14 Il y a une coupure qui fait qu'il n'y
15 a pas de participation. Il est certain que du côté de
16 l'éducation, du côté des écoles et des commissions
17 scolaires il y a une volonté de contrôle important,
18 certainement au niveau de l'école primaire, en partie au
19 niveau de l'école secondaire les Autochtones reconnaissent
20 qu'éventuellement c'est sûr qu'ils doivent aller dans les
21 institutions publiques plus larges, mais que le système
22 scolaire a vraiment largement manqué son coup à la grandeur
23 du Canada quant à la valorisation des cultures autochtones

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 et quant à la sauvegarde de l'identité autochtone, et
2 caetera. Et ça se pose bien sûr en ville aussi, comme
3 dans les communautés et sur les réserves.

4 Peut-être un dernier point de
5 clarification.

6 Vous dites à l'ouverture de votre
7 mémoire, en introduction, que le référendum pan-Canadien
8 s'est soldé par un non retentissant majoritaire aussi bien
9 au Québec qu'ailleurs au Canada.

10 Je voudrais quand même souligner, vous
11 savez très bien que les Inuits en particulier ont voté
12 massivement pour la confirmation de l'existence du droit
13 inhérent qui était dans l'entente de Charlottetown.

14 Sur la question politique, quand vous
15 parlez d'un modèle de souveraineté-association de 12
16 peuples au Québec, peut-être aussi une petite parenthèse.

17 On aura plus tard dans la journée l'Alliance autochtone
18 du Québec, qui représente largement des Métis du Québec.

19 On a eu l'Association des Métis du Québec ici au mois
20 de mai.

21 Évidemment on nous dit toujours on passe
22 à travers les trous de la passoire, on est toujours oubliés,
23 on n'est pas reconnus dans la brochure du Secrétariat des

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 Affaires autochtones comme une 12^e nation. On parle
2 toujours de 11 nations. On est quand même une réalité
3 importante.

4 Je me permets juste de souligner cette
5 préoccupation du côté des Métis du Québec. C'est toujours
6 une situation qui est frustrante pour eux d'une certaine
7 façon où ils sont situés entre les non-Autochtones et les
8 Autochtones et balloter des uns aux autres, sans place.
9 Ce n'est pas leur vision des choses.

10 Ils ont fait des présentations devant
11 la Commission. Si ça vous intéresse on peut vous
12 transmettre les transcriptions de ce qu'ils ont dit. Il
13 y a une réflexion à faire de ce côté-là.

14 Je sais que vous participez au Forum
15 paritaire. On a eu la présentation lundi matin. Une des
16 questions que j'ai posées à ce moment-là c'est que la
17 formule de la souveraineté-association proposée dans le
18 contexte où le Québec accèderait à sa pleine souveraineté
19 et aussi indiquée comme étant valable dans le cadre du
20 fédéralisme canadien.

21 Donc ce serait le principe d'une
22 souveraineté-association des peuples autochtones avec le
23 Canada et évidemment les provinces s'appliquer. C'est

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 votre perception, c'est dans cet esprit-là même si vous
2 n'y revenez pas dans le mémoire vous faites évidemment
3 plus la démonstration sur le plan du Québec.

4 Vous avez considéré ce modèle-là comme
5 étant interchangeable sur le plan canadien du Québec

6 **LORRAINE PAGÉ:** Dans le cadre des
7 discussions au sein du Forum paritaire nous avons travaillé
8 sur la double option, mais dans la base du mémoire que
9 nous vous présentons, compte tenu de l'engagement formel
10 de notre Centrale en faveur de l'indépendance nationale
11 du Québec nous avons donc développé plus cet aspect de
12 souveraineté-association dans le cadre de l'accession à
13 l'indépendance pour le Québec, mais effectivement dans
14 les discussions que nous avons eues au Forum paritaire
15 on voyait bien que cette formule-là pouvait être
16 transférable dans le cas du maintien du cadre canadien.

17 Je dirais même si le Québec accédait à
18 l'indépendance cette formule de souveraineté-association
19 pourrait se vivre à l'intérieur du reste du Canada, dont
20 le Québec ne ferait plus partie.

21 Il y a vraiment là un concept qui est
22 adapté à la fois à la situation du Québec accédant à
23 l'indépendance et du reste du Canada que au Canada

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 demeurant intégralement comme pays reconnu.

2 **COPRÉSIDENT RENÉ DUSSAULT:** Vous êtes
3 conscients cependant que dans le cadre du fédéralisme
4 canadien une démarche comme celle-là où demeurent deux
5 niveaux du gouvernement, le gouvernement canadien et les
6 provinces, le concept de souveraineté-association vient
7 s'ajouter. Donc c'est plus complexe que ça le serait dans
8 le modèle québécois dans l'optique que vous discutez.

9 **LORRAINE PAGÉ:** Tout à fait. Nous
10 sommes convaincus que la Constitution canadienne, de toute
11 façon, est complexe.

12 **COPRÉSIDENT RENÉ DUSSAULT:** En ce qui
13 a trait à la deuxième partie de votre mémoire, sur
14 l'éducation, c'est une préoccupation majeure que de
15 réussir à amener les jeunes Autochtones à se rendre au
16 bout du secondaire, et vous l'indiquez à un moment donné,
17 pour les Cris, 4^e année, pour les Inuits, 3^e année. Le
18 secondaire sont les années charnières difficiles, où le
19 décrochage peut survenir.

20 Sur le plan de convaincre également les
21 jeunes de poursuivre après le secondaire, on a dans les
22 audiences publiques rencontré plusieurs milliers de jeunes
23 dans les écoles -- 9^e, 10^e, 11^e, 12^e année -- pour discuter

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 avec eux les barrières à la poursuite des études.

2 Est-ce que la Centrale de l'enseignement
3 du Québec, par ses membres qui sont rattachés, les
4 commissions scolaires dans le nord du Québec entre autres,
5 mais également du côté des commissions scolaires
6 publiques, que ce soit à Sept-Îles, Uashat et Malioténam,
7 et caetera, est-ce que vous avez une réflexion d'amorcée
8 pour réussir de façon spécifique...je sais que le
9 décrochage scolaire est un problème général, mais est-ce
10 qu'il y a une réflexion, une démarche propre à la réalité
11 autochtone pour essayer de contrer, parce que le décrochage
12 est encore plus grand chez les Autochtones et la population
13 est très jeune et en croissance.

14 Est-ce que vous avez un programme, une
15 façon de faire, une réflexion avec les professeurs en
16 relation avec les parents pour essayer de contribuer à
17 palier cette lacune qui est vraiment très coûteuse pour
18 les peuples autochtones.

19 **LORRAINE PAGÉ:** Quelques éléments de
20 réponse. Daniel et Henri pourront compléter.

21 Tout d'abord, nous vous avons remis un
22 document intitulé "Notes de recherche sur l'école de la
23 réussite au Nouveau Québec", où nous avons voulu plus

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 particulièrement aller plus loin dans la réflexion sur
2 le phénomène de l'échec, de l'abandon et donc de la réussite
3 scolaire, adaptée à la réalité des peuples autochtones.
4 C'est une préoccupation globale que nous avons.

5 Les travaux et les recherches que nous
6 avons menés à la Centrale sur le thème de l'échec et
7 l'abandon sont fort nombreux, mais nous avons voulu plus
8 spécifiquement nous attarder à cette situation pour les
9 Autochtones avec nos enseignants regroupés au sein de
10 l'AENQ, l'Association des enseignants du Nouveau Québec,
11 pour justement aller plus loin dans l'analyse du phénomène
12 et les solutions qui pourraient être mises de l'avant pour
13 régler ce problème.

14 Nous avons toujours en cours le projet
15 d'un colloque tenu sur le territoire des commissions
16 scolaires crie et kativik pour aller plus loin avec les
17 différents intervenants, et quand on parle des différents
18 intervenants ça englobe bien sûr les enseignants et le
19 personnel professionnel, mais ça touche également les
20 administrateurs scolaires, les parents, les représentants
21 de la communauté elle-même pour, je dirais, adapter la
22 réflexion à la situation particulière.

23 C'est un projet qui est en discussion

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 avec les deux commissions scolaires dans lesquelles nous
2 avançons il y a des difficultés organisationnelles
3 beaucoup plus importantes compte tenu de l'étendu du
4 territoire, mais malgré tout c'est un projet qui pourrait
5 avoir de bonnes chances d'aboutir et qui nous permettrait
6 vraiment d'aller un peu plus loin dans l'application
7 concrète, je dirais.

8 En même temps nous constatons avec nos
9 membres qui travaillent dans certaines régions que vous
10 aviez identifiées, non seulement au niveau des écoles
11 secondaires mais par exemple au niveau des institutions
12 d'ordre collégial, des projets en cours pour justement
13 favoriser l'intégration des jeunes Autochtones qui
14 arrivent au collège.

15 Même si on réussit à développer
16 l'enseignement public dans les communautés autochtones
17 pour le niveau primaire et secondaire, quand on arrive
18 au niveau postsecondaire on doit recourir à l'autre réseau,
19 et là il y a des formules, des programmes à mettre en place
20 pour favoriser, d'une part avoir de l'attraction pour les
21 jeunes Autochtones et après ça les maintenir, leur donner
22 des services appropriés, adéquats, et particulièrement
23 au CEGEP de Baie-Comeau et au CEGEP de Sept-Îles nous avons

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 là des initiatives qui ont été développées et qui
2 pourraient constituer des références intéressantes en
3 termes d'identification de solutions possibles au
4 problème.

5 Il y a quand même des constantes qu'on
6 veut constater. Dans le mémoire on le précise bien,
7 l'année charnière du Secondaire III, Secondaire IV, ce
8 sont des années charnière qu'on constate même chez les
9 Québécois et les Québécoises. Il y a vraiment là une
10 particularité.

11 Ça commande toutes sortes de mesures au
12 plan des approches pédagogiques, au plan de l'orientation,
13 parce que souvent c'est là que se pose avec acuité le choix
14 quant à l'orientation scolaire en lien avec l'orientation
15 professionnelle dans un contexte bouché.

16 Au plan du développement économique et
17 au plan de l'emploi ça pose des problèmes particuliers
18 aux non-Autochtones, ça en pose encore plus aux Autochtones
19 quand on sait la situation du développement économique
20 et des perspectives d'emploi qu'ils peuvent vivre dans
21 leurs propres communautés.

22 Alors, Daniel pour compléter ensuite
23 Henri.

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 **DANIEL LACHANCE:** Je continuerais dans
2 le même sens que M^{me} Pagé. Il y a des questions qui sont
3 propres à l'école. Il y a des problèmes qui peuvent être
4 traités à l'école elle-même, et on fait référence dans
5 le mémoire de la Centrale, par exemple, aux problèmes des
6 jeunes qui sont laissés en famille d'accueil pendant que
7 les parents et le reste de la famille vaguent aux
8 occupations traditionnelles.

9 On fait certaines propositions qui ne
10 sont pas une panacée, finalement, parce que je pense qu'il
11 faut regarder plus à fond cette question-là.

12 Par exemple, parce que les familles
13 d'accueil n'ont pas les moyens du tout d'appuyer et de
14 supporter les jeunes dans leur cheminement scolaire pour
15 toutes sortes de raisons, on parle ici de la création de
16 résidences étudiantes assorties d'un environnement
17 culturel et qui permettent aux jeunes d'être supportés
18 dans leur cheminement scolaire.

19 Quand on fait référence à des résidences
20 ça rappelle pour plusieurs nations autochtones des
21 souvenirs qui ne sont pas nécessairement très agréables
22 et qui se sont vécus au début de ce siècle.

23 On fait référence aussi à l'importance

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 de la formation des maîtres, la formation des maîtres qui
2 viennent du sud, dans cette période de transition où des
3 enseignants autochtones pourraient les remplacer mais qui
4 finalement arrivent au Nord sans aucune formation sur la
5 situation politique, économique, sociale et culturelle
6 dans laquelle ils auront à enseigner.

7 Donc certaines propositions sur le type
8 de formation que ces enseignantes et enseignants devraient
9 recevoir.

10 Il me semble qu'un coup tout cela mis
11 en branle et un coup tout cela fait, s'il n'y a pas
12 élimination de la Loi des Indiens, élimination de ce
13 sentiment d'être traités comme des pupilles de d'État,
14 des mineurs, et caetera, au sein de la population
15 autochtone, s'il n'y a pas ce sentiment de pouvoir
16 contrôler son territoire, contrôler son devenir, contrôler
17 son avenir, s'assurer qu'il y a un développement économique
18 réel, durable, des perspectives de pouvoir, mettre en
19 pratique cette formation, cette formation qui est celle
20 d'un citoyen et d'une citoyenne mais qui est aussi celle
21 d'une personne qui veut contribuer au développement
22 économique de sa région, il me semble que dans quelques
23 années on continue à assister à des taux de décrochage

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 scolaires encore importants, même si on a réussi à créer
2 un certain milieu de vie respectueux des valeurs de
3 l'histoire, et caetera.

4 Il me semble qu'il y a une clé de voûte
5 très importante dans le développement économique et dans
6 ce sens-là, je terminerai là-dessus, la formation
7 professionnelle aussi qui est peu développée dans un
8 contexte de développement économique d'un territoire donné
9 est peut-être aussi une clé qui permettra de diminuer
10 sensiblement le décrochage scolaire.

11 On a, au sud comme au nord d'ailleurs,
12 à revaloriser la formation professionnelle, mais je pense
13 que dans les territoires autochtones ça prendra encore
14 plus d'importance.

15 **HENRI LABERGE:** Je pense que
16 l'essentiel a été dit.

17 La part de l'école, parce que l'école
18 ne peut pas tout faire, c'est l'ensemble des institutions,
19 comme l'a bien dit Daniel, la part de l'école, je la
20 diviserais en deux parties. Il y a la part de contenu
21 d'enseignement et il y a l'organisation scolaire.

22 Pour ce qui est du contenu on a insisté
23 beaucoup sur la place des langues autochtones, la place

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 des cultures autochtones, l'adaptation des contenus aux
2 besoins spécifiques de chaque communauté d'une part.

3 Au niveau de l'organisation, il y a des
4 modes d'organisation qui doivent être adaptés à la
5 situation, par exemple, des familles chez les Cris, par
6 exemple, où, durant une partie de l'automne et tout l'hiver
7 la famille va en forêt. Ce sont des situations dont il
8 faut tenir compte, et il faut trouver des solutions qui
9 sont vraiment adaptées.

10 Nous, quand on suggère une solution
11 c'est juste à titre de suggestion évidemment. C'est pas
12 une proposition formelle parce que la véritable solution,
13 c'est la communauté qui devra l'inventer et trouver celle
14 qui correspond le mieux aux besoins et aux aspirations
15 des jeunes.

16 Le fait aussi que la différence entre
17 la longueur des jours et des nuits, entre l'hiver et l'été
18 n'est pas la même dans le sud que dans le nord. J'imagine
19 que sur le niveau d'intérêt à être à l'école il y a
20 probablement aussi des effets.

21 Ça aussi ce sont des éléments qui font
22 qu'il n'est peut-être pas nécessaire que le calendrier
23 scolaire soit exactement le même que celui dans le sud.

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 Il peut être réaménagé d'une autre manière pour tenir
2 compte des facteurs saisonniers, des facteurs climatiques,
3 des facteurs culturels du mode de vie des populations.

4 **COPRÉSIDENT RENÉ DUSSAULT:** Mary
5 Sillett voudrait compléter là-dessus.

6 **COMMISSIONER MARY SILLETT:** Thank you
7 very much.

8 I think we've heard very clearly that
9 schools can't do everything, but we've also heard very
10 clearly that one thing that the schools can do is to teach
11 Aboriginal history.

12 As you said, that Aboriginal history
13 must be adapted to the situation of the Aboriginal group.

14 It makes very little sense, I think, for the Innu of
15 Labrador to be taught about the Ojibway because I think
16 sometimes if you're living in a place like that somehow
17 you always think you don't relate that particular group
18 of people to yourselves. It has to be about the Innuk,
19 it has to make you proud of the Innuk.

20 We've heard that call for Aboriginal
21 history so often as a way of combatting racism. I was
22 wondering if you could offer any comments about the
23 effectiveness of that alone to combat and to eliminate

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 racism.

2 **LORRAINE PAGÉ:** Il est évident que
3 l'enseignement de l'histoire atteint plusieurs buts.
4 D'abord, la connaissance de soi-même, de son peuple, de
5 sa nation. C'est un élément je dirais de fierté nationale
6 qui est essentielle.

7 C'est aussi un enseignement qui permet
8 la lutte au racisme, la lutte aux préjugés, par non
9 seulement une meilleure connaissance de soi, de sa nation,
10 mais également des autres, de la part des autres au
11 développement de sa nation.

12 Tout autant le programme ou le contenu
13 d'histoire nationale devrait être adapté dans
14 l'enseignement de l'histoire pour les Autochtones, je
15 pense que ça nous renvoie en même temps à la nécessité
16 de revoir l'enseignement de l'histoire pour les
17 non-Autochtones, parce que notre histoire a été tronquée.

18 L'enseignement de l'histoire a été
19 tronqué au Québec comme au Canada et la place même des
20 nations autochtones a été très souvent occultée quand ce
21 n'est pas tout simplement avoir connu une illustration
22 caricaturale.

23 Quand on parle dans notre mémoire, par

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 exemple, de la lutte aux préjugés et de préjugés fort
2 tenaces qui sont souvent le résultat d'une méconnaissance
3 respective, il n'y a aucun doute dans notre tête à la
4 Centrale et encore moins dans ma tête, puisque j'ai
5 enseigné l'histoire pendant des années, pour dire que
6 l'enseignement de l'histoire est un facteur déterminant.

7 C'est vrai pour les relations avec les
8 peuples autochtones mais je dirais que c'est vrai aussi
9 dans une perspective d'éducation interculturelle, parce
10 qu'on ne peut pas non plus enseigner l'histoire au Québec
11 et au Canada en niant la réalité de l'arrivée de plusieurs
12 immigrantes et immigrants au fil des ans qui ont contribué
13 à la constitution même du peuple canadien ou de la nation
14 québécoise.

15 Donc ces éléments-là doivent
16 nécessairement être pris en compte. Et là ça nous renvoie
17 à deux concepts en même temps: la révision des programmes
18 d'histoire nationale, mais à plus que cela, à la marge
19 de manoeuvre qui est laissée pour les adaptations, pour
20 l'application, pour la configuration du cours d'histoire.

21 Effectivement il y a besoin d'avoir de
22 l'espace pour introduire des contenus qui sont plus
23 signifiants dépendant de la région où on enseigne, à la

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 nation ou au peuple auquel on enseigne.

2 Je pense que vous mettez le doigt sur
3 quelque chose de très important au niveau de la lutte au
4 racisme, à la connaissance et au respect mutuel. C'est
5 pour moi un facteur essentiel.

6 COMMISSIONER MARY SILLETT: Thank you.

7 COPRÉSIDENT RENÉ DUSSAULT: Je sais que
8 le ministère de l'Éducation a changé un bon nombre de choses
9 au niveau des manuels scolaires, et caetera, du programme,
10 La semaine dernière je participais à une
11 rencontre à l'Université Laval à Québec et je discutais
12 avec un enseignant de l'absence de connaissances des jeunes
13 au Québec dans les écoles sur la réalité autochtone. Il
14 faisait ressortir qu'il y avait un élément du programme
15 du ministère de l'Éducation. Au niveau du primaire, en
16 4^e année je pense, on prévoyait un enseignement spécifique.

17 Si j'avais une recommandation à faire
18 sur ce plan-là, il me semble que ça manque beaucoup, au-delà
19 de la question de l'histoire, qui est extrêmement
20 important, mais il n'y a pas de connaissances chez les
21 jeunes.

22 Les jeunes sortent du primaire, sortent
23 du secondaire, et ne connaissent pas la réalité physique

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 et géographique des Autochtones au Québec.

2 Vous parlez de 11 nations, peut-être 12,
3 les gens ne savent pas qui elles sont, où elles sont, l'état
4 des langues, le nombre de personnes impliquées. Purement
5 c'est en physique et géographie.

6 Il y a une petite brochure, vous la
7 connaissez, du Secrétariat des Affaires autochtones au
8 Québec qui comporte la carte et... Je ne peux pas faire
9 autrement que de penser que si on passait deux heures avec
10 les jeunes, sans tout bousculer le programme, à faire le
11 tour de cette réalité physique et géographique et la
12 situation des langues autochtones avec les jeunes, ça
13 ferait déjà au bout de la ligne toute une différence.

14 Je me permets, parce que vous êtes
15 certainement bien placés pour le faire, de faire cette
16 suggestion-là, si c'était possible, du côté du système
17 d'enseignement au Québec, qu'on fasse au moins cette
18 démarche-là, je pense qu'on viendrait de changer beaucoup
19 de choses sur un certain nombre d'années.

20 Ce n'est pas un cours de 45 heures. Il
21 me semble qu'il y aurait un minimum vital. Je ne sais
22 pas ce que vous en pensez pas. Et est-ce que c'est
23 réalisable. Il me semble que ça devrait pouvoir être

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 réalisable.

2 **LORRAINE PAGÉ:** D'abord, la suggestion
3 comme telle, je pense qu'elle est tellement minimale qu'il
4 n'y a pas vraiment de difficulté, mais je pense que ça
5 nous renvoie à d'autres questions d'importance qu'il ne
6 faudra pas éviter de poser même si votre suggestion peut
7 sembler tellement simple, tellement évidente, que ce
8 serait même un risque de ne se contenter que de ça.

9 Je pense que ça renvoie à un certain
10 nombre d'autres questions, et les conditions sont
11 peut-être créées à ce moment-ci pour soulever la question
12 plus que jamais et mieux que jamais.

13 La ministre de l'Éducation va proposer
14 au cours des prochains jours la mise sur pied d'un comité
15 de réflexion pour traiter, en termes très spécialisés,
16 des profiles de sortie, c'est-à-dire qu'est-ce qu'un élève
17 doit savoir quand il termine son cours.

18 Dans le travail d'un comité de cette
19 nature il y a des questions qu'il faut poser, qu'il faut
20 soulever, et je pense qu'il est anormal qu'un jeune au
21 Québec finisse son cours primaire, secondaire, sans
22 connaître une certaine réalité physique, politique de ce
23 qui constitue la réalité même du Québec d'aujourd'hui.

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 Je pense que c'est une question qu'il faut poser.

2 On est en train de mettre en place un
3 programme révisé de formation des maîtres. On ne peut
4 pas demander à des maîtres, qui ne connaissent pas eux
5 mêmes cette réalité, de l'enseigner. On procède à une
6 révision de la formation des maîtres.

7 Il ne faut pas que cette formation soit
8 le seul débat, de dire est-ce qu'on forme les maîtres à
9 enseigner une matière ou enseigner deux matières. Il faut
10 en même temps se demander comment dans la formation
11 initiale ou dans la formation de base des maîtres il faut
12 intégrer des nouvelles réalités, là je pense à l'aspect
13 de l'éducation interculturelle, mais comment aussi il faut
14 venir intégrer des réalités qui ont été complètement
15 ignorées pendant des années pour qu'elles fassent partie
16 véritablement de la formation des maîtres.

17 Là aussi il y a des conditions qui nous
18 permettent de soulever ces questions. Je pense qu'il faut
19 aller même plus loin que la simple suggestion que vous
20 avez faite.

21 Troisièmement, bien sûr pouvons-nous
22 prendre des initiatives? Nous avons dans le passé produit
23 avec des partenaires des cahiers d'intervention

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 pédagogiques sur l'éducation relative à l'environnement,
2 par exemple, ou à la paix, ou à la lutte contre le racisme,
3 où on aidait les enseignantes et les enseignants à travers
4 leur enseignement régulier à aborder certaines questions.

5 Il pourrait être fort intéressant de
6 concevoir un matériel de cette nature pour aider les
7 enseignantes et les enseignants à aborder la question
8 autochtone et à travailler à l'édification d'un rapport
9 différent entre le peuple québécois et les différentes
10 nations autochtones.

11 **COPRÉSIDENT RENÉ DUSSAULT:** C'est
12 exactement dans la ligne de la pensée de la Commission
13 et c'est vrai sur le plan canadien, sauf qu'on sait
14 d'expérience que dans ce domaine-là souvent le mieux est
15 l'ennemi du bien, et on préfère avoir quelque chose qui
16 arrive que de parler de quelque chose de meilleur mais
17 dont on parle indéfiniment.

18 Je comprends la nature de votre mémoire
19 et ce que vous nous dites ce matin, qu'il y a un certain
20 engagement de la Centrale d'enseignement du Québec par
21 rapport à ses membres de donner ce type d'information-là.

22 Par exemple, vous faites très bien la
23 distinction entre les communautés culturelles et les

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 Autochtones, qu'il ne faut pas mélanger les deux. Il y
2 a les droits historiques comme premiers habitants. Les
3 émigrants, c'est autre chose. On adhère à la société à
4 laquelle on émigre.

5 Ces distinctions-là sont très
6 importantes pour le débat public et la bonne compréhension
7 réciproque avec les Autochtones. Il me semble que vous
8 êtes vraiment placé à un endroit privilégié d'abord du
9 côté des enseignants, pour que ces distinctions-là ne
10 soient pas uniquement au niveau de la Centrale mais d'un
11 certain nombre de personnes, et qu'elles puissent être
12 véhiculées au niveau de la sensibilisation à la réalité
13 autochtone au Québec par les enseignants.

14 Je ne peux pas faire autrement que de
15 souhaiter que vous preniez un engagement assez ferme auprès
16 de vos membres pour pousser du côté des programmes dans
17 l'optique que vous décriviez pour que, effectivement, il
18 y ait des changements qui prennent place, qui ne sont pas
19 controversés et qui pourraient changer beaucoup de choses.

20 Le temps passe mais j'aimerais aussi
21 mentionner que ce que vous avez mentionné pour les CEGEP
22 c'est essentiel. Ce qui manque largement ce sont les
23 services d'accueil et de soutien pour faire la transition.

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 Lorsqu'on sort d'une communauté pour venir il y a un choc
2 culturel, et ça manque beaucoup.

3 Sur ce plan-là tout ce qui pourra être
4 fait pour permettre la transition des jeunes qui passent
5 du secondaire au CÉGEP...quand c'est à Montréal il y a
6 des communautés qui peuvent un peu plus prendre en charge,
7 et encore. Ça m'apparaît essentiel.

8 Il y a une question qui m'a frappé. Dans
9 le débat sur la discussion que j'avais eue au tout début
10 sur la question du fait que les gens quand même
11 s'exprimaient en syllabique, Inuktitut. Une des choses
12 qui nous a frappés beaucoup, et il y a plusieurs commissions
13 scolaires qui nous en ont fait part au Canada.

14 On a des programmes au niveau fédéral
15 de soutien à la langue seconde pour les immigrants, en
16 français ou en anglais, des COFI, par exemple. Les jeunes
17 Autochtones qui arrivent en première année unilingue
18 Cri-Attikamek ou Cri dans l'ouest, sont considérés, étant
19 Canadiens, comme parlant français ou anglais et donc ces
20 programmes-là ne s'appliquent pas. Les commissions
21 scolaires donc n'ont pas de soutien additionnel alors que
22 d'une certaine façon ils sont presque immigrants dans leur
23 propre pays. La réalité est aussi étrangère.

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 Est-ce que c'est une question que vous
2 avez considérée au sein de la Centrale?

3 **LORRAINE PAGÉ:** Il faut certainement
4 faire une différence entre ce qui peut se passer dans les
5 commissions scolaires cries, par exemple, où dans les
6 premières années scolaires l'enseignement se fait
7 presque uniquement dans la langue maternelle.

8 Même dans d'autres régions nous avons
9 des expériences, si on veut, qui sont en cours où les
10 premières années vont se faire plus dans la langue
11 maternelle, va laisser une plus grande place à
12 l'enseignement dans la langue d'origine. On voit ça
13 particulièrement sur la côte-nord même si on n'est pas
14 sur le territoire de la Commission scolaire Crie comme
15 telle.

16 Je pense que ce sont des expériences
17 qu'il faut favoriser et supporter. À peu près tout le
18 monde avec qui on aborde la question dans n'importe quelle
19 langue, quand on va par exemple même dans des programmes
20 de coopération internationale qu'on peut avoir avec nos
21 collègues africains, on s'aperçoit que la capacité dans
22 les premières années de l'enseignement de réserver un temps
23 important à l'enseignement dans la langue maternelle est

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 un facteur déterminant dans la persévérance scolaire, dans
2 la réussite scolaire.

3 C'est tellement probant comme
4 situations qu'il ne devrait même pas y avoir de doute ni
5 au plan culturel ni au plan politique et ni au plan
6 pédagogique. C'est vraiment ce qui a fait ses preuves.

7 Ce qu'il faut vraiment supporter c'est
8 cette capacité de le faire, et là ça veut donc dire avoir
9 des choix dans l'engagement des enseignantes et des
10 enseignants qui vont être capables de le faire, de laisser
11 la capacité aux commissions scolaires d'avoir cette marge
12 de manoeuvre pour être capables de développer cet
13 enseignement dans les langues maternelles, et non
14 seulement de préserver cet enseignement-là dans les
15 premières années mais de pouvoir même avoir des programmes
16 d'enseignement des langues d'origine. Ce n'est pas
17 simplement pour nos communautés culturelles que ça existe
18 dans la région de Montréal pour les différentes communautés
19 culturelles, mais ça devrait être même perçu comme tel
20 pour l'enseignement des langues autochtones d'origine.
21 Il y en a qui sont maintenant disparues, mais il y en a
22 qui existent encore dont il faut favoriser le maintien
23 et la persistance.

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 **HENRI LABERGE:** Pour ce qui est de
2 l'apprentissage du français par les Autochtones, je dirais
3 que c'est peut-être à des degrés différents mais il y a
4 une problématique qui ressemble un peu à celle des
5 Anglophones du Québec.

6 Quand ils se présentent dans les COFI
7 ou pour avoir accès aux classes d'accueil pour
8 l'enseignement français, et caetera, on ne les traite pas
9 de la même manière que les gens qui sont de langue autre.

10 Dans le cas des Autochtones évidemment
11 c'est doublement inacceptable. Si un jeune Montagnais
12 vient s'établir à Québec on ne peut pas le laisser à
13 lui-même. S'il ne connaît pas déjà le français il devrait
14 avoir au moins, et probablement plus même, droit aux cours
15 de français que les immigrants qui arrivent.

16 Pour nous c'est très clair, il n'est pas
17 question de considérer qu'il y a des catégories de citoyens
18 dont on présume qu'ils devraient savoir le français ou
19 l'anglais. Tous ceux qui ne connaissent pas le français
20 au Québec devraient avoir tous les services qui leur
21 permettent de fonctionner dans la société là où ils
22 s'établissent.

23 Évidemment c'est pas la même chose pour

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 quelqu'un qui vit dans une communauté autochtone. Là
2 c'est surtout sa langue autochtone qui doit être valorisée,
3 mais s'il s'établit à Québec il devrait avoir droit à tous
4 les services qui lui permettent de fonctionner de la même
5 façon qu'un jeune Italien ou qu'un jeune Grec qui vient
6 s'établir.

7 **COPRÉSIDENT RENÉ DUSSAULT:** Dans votre
8 projet de souveraineté association, je lis correctement
9 votre mémoire quand je comprends que vous dites que les
10 gouvernements autochtones devraient avoir l'autorité sur
11 leur système scolaire parce que c'est à peu près ce qu'il
12 y a de plus fondamental pour l'identité, et caetera.

13 Vous avez bien sûr à l'esprit des
14 pouvoirs non seulement d'administration comme on a
15 actuellement dans le nord du Québec mais des pouvoirs
16 législatifs en matière d'éducation sur les programmes.

17 Est-ce que c'est ce que je dois
18 comprendre? Ce n'est pas explicite dans votre mémoire,
19 mais que les gouvernements autochtones pourraient, dans
20 le cadre de l'exercice par exemple de droit inhérent à
21 l'autonomie gouvernementale, exercer un pouvoir
22 législatif en matière d'éducation.

23 **LORRAINE PAGÉ:** Quand tantôt on parlait

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 de nécessité pour les communautés autochtones d'adapter
2 le système d'enseignement à leurs réalités, il faut qu'ils
3 aient les pouvoirs pour le faire.

4 Je sais que cela peut sembler inquiétant
5 pour un certain nombre de personnes qui se diraient, bon,
6 voilà que vont commencer à surgir toutes sortes de profiles
7 d'éducation ou toutes sortes de systèmes ou toutes sortes
8 de formations, mais je pense qu'il n'y pas lieu de
9 s'inquiéter tant que cela.

10 Même s'il y avait des pouvoirs accrus
11 accordés aux peuples autochtones dans la maîtrise de leur
12 système d'éducation, l'économie générale du monde dans
13 lequel nous vivons, la nécessité quand les élèves auront
14 complété leur cours secondaire d'aller dans des
15 institutions publiques qui ne seront pas sous le seul
16 contrôle des communautés, et là je pense ici aux collèges,
17 je pense aux universités, va déjà faire qu'il y aura des
18 ajustements et des passerelles qui vont être inévitables.

19 Donc il n'y a pas véritablement de risque
20 d'éclatement ou de ce que d'aucun pourrait laisser croire
21 comme de l'éducation à rabais ou non adaptée à notre
22 civilisation moderne ou aux besoins de notre monde monder
23 en cette fin de siècle.

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 Je pense qu'il y a une place pour des
2 pouvoirs accrus pour une véritable maîtrise sur le système
3 scolaire sans que cela mette en péril la capacité pour
4 les jeunes d'accéder à des formations. Je pense que les
5 communautés elles mêmes ne voudraient pas maintenir leurs
6 jeunes dans des ghettos. Je pense que c'est clair. Quand
7 on parle avec des leaders autochtones on s'en rend bien
8 compte.

9 La sagesse, je dirais, commandera qu'il
10 y a, oui des adaptations, c'est nécessaire, c'est
11 essentiel, Henri en a soulevées tantôt au plan de
12 l'organisation scolaire, on en a abordé au niveau des
13 contenus, mais en même temps il va y avoir nécessairement
14 des ajustements parce que la perspective de développement
15 c'est de permettre à des jeunes d'avoir accès à une
16 formation de qualité, et donc au besoin d'aller à une
17 formation postsecondaire, parfois même universitaire.

18 En ce sens-là je ne pense pas qu'il y
19 ait des risques importants. Je pense qu'il faut rassurer
20 les gens. Tantôt on a parlé de préjugés, de peurs,
21 d'inquiétudes. C'est important de le dire, que les
22 pouvoirs accrus n'amèneront pas des qualifications de la
23 formation qui se donnerait, loin de là.

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 **COPRÉSIDENT RENÉ DUSSAULT:** La base du
2 traité que vous voyez entre les nations autochtones, il
3 pourrait possiblement y avoir 11 traités, et le peuple
4 québécois, dans votre modèle toujours, est une base qui
5 reconnaît l'autodétermination des peuples autochtones,
6 donc leur choix de faire une souveraineté-association avec
7 le Québec sur la base du droit inhérent à l'autonomie
8 gouvernementale. Est-ce que c'est la position de la
9 Centrale?

10 **LORRAINE PAGÉ:** Oui.

11 **COPRÉSIDENT RENÉ DUSSAULT:** Très
12 rapidement, parce que le temps file, une des difficultés
13 pour l'éducation chez les Autochtones actuellement c'est
14 le profil scientifique entre autres, l'intéressement aux
15 sciences. Pour aller du côté des professions de la santé
16 en particulier il y a un besoin important.

17 Est-ce que la Centrale a des mesures
18 particulières pour faire en sorte que les Autochtones d'une
19 certaine façon brise un peu le mur de la crainte par rapport
20 à cette réalité-là qui peut être brisée, on le sait, à
21 toutes les communautés.

22 Est-ce qu'il y a une préoccupation
23 particulière en plus de, bien sûr, compléter le secondaire

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 et de faire la transition au postsecondaire, mais du côté
2 scientifique pour amener les Autochtones à embarquer dans
3 le profil scientifique.

4 **HENRI LABERGE:** D'une façon très
5 générale...c'est pas une question qu'on scrutée d'une
6 façon spécifique, mais je pense que ça rejoint un peu toute
7 l'approche de l'accès à l'égalité dans l'ensemble des
8 disciplines.

9 On l'aborde notamment pour ce qui est
10 des femmes aux diverses disciplines universitaires. On
11 sait qu'il y a des concentration où il y a plus de femmes,
12 d'autres c'est plus au masculin. C'est le cas, par
13 exemple, des sciences jusqu'à très récemment.

14 Dans le cas des Autochtones c'est la même
15 chose. Il va falloir créer des méthodes qui vont faire
16 en sorte que les Autochtones soient présents dans toutes
17 les disciplines.

18 S'il y a des faiblesses, par exemple,
19 du côté scientifique, du côté du génie, et caetera, il
20 faudra créer des programmes qui vont permettre de les
21 attirer davantage. Mais cela ne peut pas se faire
22 uniquement du côté non-autochtone. C'est là que la prise
23 en charge par les Autochtones eux mêmes va leur permettre

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 de trouver des solutions adaptées.

2 Quand on parle de la prise en charge d'un
3 pouvoir politique, ça ne veut pas dire... Il est évident,
4 par exemple, que toutes les nations ne pourront pas prendre
5 la même part des responsabilités politiques. La nation
6 malécite ne prendra pas la même chose que la nation crie,
7 parce que c'est une question de volume.

8 Il est impossible d'avoir le même nombre
9 d'institutions et toutes les institutions qui répondent
10 aux besoins de la population. Mais il reste qu'il peut
11 y avoir prise en charge du pouvoir politique sur un domaine
12 tout en faisant des ententes avec d'autres gouvernements,
13 notamment et surtout le gouvernement du Québec, qui
14 pourraient administrer les services conjoints, avec
15 toujours la base que chaque nation a sa propre autorité
16 et peut reprendre, quand elle le désire, les compétences
17 qu'elle aurait confiées temporairement à un organisme
18 commun.

19 **LORRAINE PAGÉ:** La question que vous
20 soulevez renvoie tout d'abord à un constat général. La
21 voie de l'enseignement des sciences, des mathématiques,
22 est une voie sélective.

23 C'est cette réalité-là avec laquelle

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 nous vivons, avec laquelle les Autochtones vivent. En
2 même temps que c'est la voie royale c'est en même temps
3 une voie de sélection.

4 C'est vrai pour les Autochtones, c'est
5 vrai pour d'autres catégories je dirais d'étudiantes et
6 d'étudiants. Il y a là un phénomène d'exclusion qui est
7 important et qui doit retenir notre attention.

8 Je pense que c'est avec les enseignantes
9 et les enseignants en milieu autochtone, je dirais les
10 enseignantes et les enseignants autochtones qui sont
11 encore plus capables de saisir les difficultés
12 rencontrées, qu'on est capable de développer les approches
13 pédagogiques les plus adéquates pour justement mettre fin
14 à cette situation d'exclusion à l'égard des sciences, des
15 mathématiques, de ce choix de formation.

16 Et là ça nous renvoie autant aux
17 approches pédagogiques qu'aux choix pédagogiques qui sont
18 faits qu'à un certain nombre de mesures qu'il faut être
19 capable de mettre en place justement dans une vision
20 d'accès à l'égalité à certains savoirs qui présentement
21 ne sont pas conçus de cette façon.

22 Là je pense qu'il y a vraiment de la place
23 pour que, avec les enseignantes et les enseignants, avec

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 le personnel professionnel également, on puisse réfléchir
2 de façon plus fine, plus incarnée je dirais, plus concrète
3 aux solutions qu'on peut mettre de l'avant. C'est un
4 constat qu'on peut faire pour bon nombre de catégories
5 de nos étudiantes et de nos étudiants par rapport à
6 l'enseignement des sciences et des mathématiques.

7 **COPRÉSIDENT RENÉ DUSSAULT:** C'est vrai
8 que c'est un problème universel mais quand il y a un
9 rattrapage aussi important à faire pour un groupe du côté
10 des Autochtones...

11 **LORRAINE PAGÉ:** Il y a des mesures
12 spécifiques à prévoir.

13 **COPRÉSIDENT RENÉ DUSSAULT:** Oui.

14 On pourrait passer de longues heures à
15 continuer à discuter. On ne peut pas faire autrement que
16 de partager avec vous une expérience qu'on a vécue.

17 La Commission a fait une audience à
18 Restigouche au mois de juin, chez les Micmacs. La chef
19 de la Nation Micmac à Restigouche, Brenda Miller, nous
20 faisait état de la décision qu'ils ont prise de...

21 La situation est la suivante. Depuis
22 25 ans les Micmacs envoient, grosso modo, 500 élèves de
23 l'autre côté du pont, à la Commission scolaire à

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 Campbellton. Ça représente un-cinquième, un-sixième de
2 la clientèle scolaire à Campbellton.

3 Jamais pendant 25 ans on s'est préoccupé
4 du contenu du programme par rapport à l'aspect culturel,
5 d'identité micmac. On s'est préoccupé vraiment d'engager
6 des enseignants micmacs, d'intéresser sur le conseil de
7 la commission scolaire des parents à siéger.

8 On nous faisait part d'une décision du
9 conseil de bande en commençant par la maternelle et en
10 montant par le primaire, de retirer les enfants des écoles
11 graduellement pour faire sur le réserve ce qui doit être
12 fait, en disant on lance un peu la serviette par rapport
13 au système publique.

14 On a eu le syndicat d'enseignants, des
15 gens de la commission scolaire qui sont venus à nos
16 audiences, qui nous ont dit, écoutez, ça n'a pas de bon
17 sens. On va perdre 40 postes d'enseignants à la commission
18 scolaire.

19 Je voulais échanger ça avec vous parce
20 que ça m'a beaucoup frappé et je pense que vous êtes bien
21 placés pour comprendre tout ce qu'il y a dedans.

22 Je voulais en terminant avoir l'occasion
23 de soumettre ça à votre réflexion parce que c'est propre

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 à d'autres endroits au Québec. Je pense qu'on regarde
2 ça et on se dit il y a en partie...tout d'abord il y a
3 25 ans perdues d'une certaine façon, où les gens ont vécu
4 séparément, et il y a une perte aussi dans une démarche
5 comme celle-là, mais qui est nécessaire parce qu'il n'y
6 a pas eu le réflexe.

7 Je termine là-dessus. Je pense que
8 c'est assez percutant sur le plan de ce qui s'est passé
9 et ce qu'il faut corriger pour l'avenir.

10 Mary.

11 **COMMISSIONER MARY SILLETT:** This is my
12 final day here so I'm going to take that extra little
13 liberty, because I really do know that we are 15 minutes
14 past the time.

15 I just wanted to share with you some
16 information that we received throughout our hearings.

17 Yesterday we did hear from a group of
18 young people who basically as the number one priority said
19 we must be included in all the decisions, in all the
20 processes.

21 Secondly, they were concerned, for
22 example, about job security. We were told that many young
23 people these days lack motivation to complete -- why get

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 so many degrees, spend so many years when the possibilities
2 at the end of the tunnel aren't very, very bright.

3 We also heard, for example, from the
4 National Anti-Poverty Association in Ottawa saying that
5 one of the ways that has proven to be successful to get
6 out of poverty is higher education. They were saying they
7 have many, many members, many, many people who have
8 training, who have courses, who have many, many degrees,
9 et cetera, and the reality is that we're in a difficult
10 time in Canada. There are just no jobs. We have to look
11 at that as well.

12 We also heard, for example, from some
13 of the Aboriginal associations that have concluded land
14 claims that there are many jobs, that the economic
15 situation in their communities have improved as a result
16 of land claims. There are job openings, however they don't
17 have the people with the skills.

18 I wanted to share with you some of the
19 things that we had heard.

20 I told Mr. Dussault last night in this
21 Commission you hear everything single thing. You hear
22 many contradictions.

23 I was wondering if you would like to

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 comment on anything that we've heard.

2 **LORRAINE PAGÉ:** J'ai l'impression qu'on
3 pourrait recommencer la discussion pour une autre heure.
4 Toutes les questions que vous soulevez sont véritables,
5 sont complexes en même temps. Cela nous montre bien que
6 toutes les réalités sont présentes en même temps.

7 M. Dussault nous donnait l'exemple d'un
8 endroit où on a perdu 25 ans. En même temps on est capable
9 de témoigner de d'autres régions où on a avancé pendant
10 25 ans. Ce qui est important c'est de ne pas en perdre
11 un 25. On peut au moins s'entendre là-dessus.

12 Et aussi de constater que toutes les
13 questions que nous avons abordées sont inter-reliées.
14 On peut bien dire que l'éducation est un facteur de
15 développement personnel, que c'est un facteur pour le
16 développement économique, que c'est un facteur pour le
17 progrès social, et c'est vrai. Mais en même temps quand
18 on est dans une situation de décroissance, d'espoir zéro
19 au plan du développement économique ou du progrès social,
20 c'est difficile de convaincre les gens que l'éducation
21 est encore une clé pour accéder à un meilleur vivre ou
22 à un meilleur être.

23 On est capable de constater

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 qu'aujourd'hui un diplômé n'est pas exempté du chômage.

2 Mais en même temps on constate que les diplômés sont moins
3 frappés par le chômage chronique que les personnes qui
4 ne le sont pas.

5 C'est difficile de voir en l'éducation
6 ce qu'on pouvait voir il y a 25 ans. On disait qui
7 s'instruit s'enrichit. C'était clair, c'était simple,
8 c'était évident.

9 Aujourd'hui la situation est tellement
10 difficile au plan de l'emploi que les jeunes plus
11 particulièrement ont de la difficulté à croire qu'ils
12 auront un avenir quand ils ont l'impression qu'ils n'ont
13 même pas un présent. Et c'est encore plus vrai pour les
14 nations autochtones.

15 C'est peut-être là-dessus qu'il faut se
16 laisser, en se disant que vous abordez et nous abordons
17 aussi des questions fort complexes. Les solutions toute
18 faites sont de moins en moins évidentes et probablement
19 qu'à problématique complexe il faut être capable d'opposer
20 des réponses complexes, c'est-à-dire des réponses qui ne
21 sont pas univoques, qui sont multiformes, qui approchent
22 la réalité sous plusieurs angles, sous plusieurs facettes.

23 On ne peut pas aborder ces solutions sans

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 avoir un dialogue constructif. sans travailler en
2 collaboration, en alliance, pour rechercher les solutions.

3 C'est peut-être là-dessus qu'on
4 pourrait se laisser. Cet appel à travailler ensemble à
5 trouver des solutions qui seront véritablement porteuses
6 d'avenir.

7 COMMISSIONER MARY SILLETT: Thank you.

8 COPRÉSIDENT RENÉ DUSSAULT: Merci
9 encore pour votre contribution. Nous vous incitons à
10 continuer à pousser dans la bonne direction et nous sommes
11 toujours intéressés à garder le contact jusqu'à la fin
12 de nos travaux.

13 Si vous avez des idées additionnelles
14 à nous faire parvenir, n'hésitez pas à nous contacter.
15 Nous sommes disponibles et preneurs.

16 La Commission royale sur les peuples
17 autochtones au Canada suspend son audience publique pour
18 15 minutes.

19 Nous allons reprendre avec la
20 présentation de la Fédération canadienne des
21 municipalités.

22 Merci.

23 --- Suspension de l'audience à 10 h 48

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 --- Upon resuming at 11:06 a.m.

2 **CO-CHAIR RENÉ DUSSAULT:** I would like
3 to welcome the Federation of Canadian Municipalities who
4 are with us this morning. Without further ado, I would
5 like to ask the President to proceed with the presentation.

6 **RON HAYTER, President, Federation of**
7 **Canadian Municipalities:** Thank you very much. We are
8 very pleased to be here this morning.

9 We want to thank the Commission for the
10 opportunity to participate in the fourth and final round
11 of public hearings.

12 I am Ron Hayter, an alderman in the city
13 of Edmonton and President of the Federation of Canadian
14 Municipalities.

15 I think it is important to indicate that
16 the FCM is a national voice of municipal government in
17 Canada. We represent municipalities of all sizes in every
18 corner of this country, with a membership comprising close
19 to 600 municipalities and all major provincial and
20 territorial municipal associations.

21 We also want to indicate that municipal
22 government represents the grass roots of this country and,
23 as such, we tend to look at and deal with matters in a

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 practical, common-sense manner. That seems to be the
2 nature of municipal government, and we believe that our
3 presentation to day will reflect this approach.

4 Local government leaders attach a high
5 priority to productive relations between municipalities
6 and Aboriginal peoples, so we hope to contribute to your
7 mandate of seeking a new relationship between Aboriginal
8 and non-Aboriginal people.

9 The brief which we will be presenting
10 represents a consultation process among our members across
11 Canada. We believe it is significant that in our
12 consultation process approximately 50 per cent of our
13 municipalities responded to this very matter, which is
14 extremely high, as you know, when you can get that kind
15 of response from a membership. It indicates the
16 widespread interest about this particular matter.

17 We would suggest to the Commission that
18 the FCM position represents a grass roots position.

19 I would like to introduce the members
20 of our delegation who are here today.

21 On my immediate left is John Les, Mayor
22 of the District of Chilliwack in British Columbia and Chair
23 of the FCM Task Force on Aboriginal Issues.

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 On my immediate right is Councillor
2 Kathy Watson, President of the Association of Yukon
3 Communities; Alderman Ted Cholod, President of the
4 Saskatchewan Urban Municipalities Association; Duncan
5 Campbell, Director-General of the Town of Mount Royal and
6 a member of the Board of Directors of the Canadian
7 Association of Municipal Administrators, which
8 participated in our brief to the Royal Commission.

9 Behind the members at this table are some
10 very important people: James Knight, the Executive
11 Director of the Federation of Canadian Municipalities;
12 and Marja Hughes, the FCM Policy Adviser on Aboriginal
13 Issues and Executive Director of the Canadian Association
14 of Municipal Administrators.

15 I would like to point out at this point
16 that Mayor Les and Alderman Cholod have to leave at noon
17 to catch an airplane. So, if they get up and leave during
18 our discussion, I want to assure you that it has nothing
19 to do with the questions asked by the Commission.

20 With those opening remarks, I would now
21 like to turn it over to Mayor Les.

22 **JOHN LES, Chairman, Task Force on**
23 **Aboriginal Issues, Federation of Canadian Municipalities:**

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 Thank you, President Hayter, and good morning. It is
2 a pleasure for me to be able to make this presentation
3 on behalf of the Federation of Canadian Municipalities.

4

5 I propose this morning to give a brief
6 overview of our position as stated in our written brief
7 to the Commission and to conclude with a few questions,
8 after which all the members of our delegation would like
9 to engage in some dialogue with the Commissioners here
10 this morning.

11 We deliberately focused our attention
12 on the development of Aboriginal self-government and used
13 this notion as a prism through which we analyzed the
14 relationships between Aboriginal peoples and
15 municipalities. We understand and acknowledge that the
16 Commission has articulated that the inherent right to
17 self-government for Aboriginal peoples is already
18 supported in subsection 35(1) of the Constitution Act,
19 1982.

20 In its discussion of the constitutional
21 right of Aboriginal self-government the Commission,
22 however, fails to mention the impact on municipalities,
23 much less their participation in the development and

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 implementation of Aboriginal self-government, which we
2 see as crucial. We, therefore, appreciate the opportunity
3 both in our written brief and in our presentation today
4 to convince you of the tangible interface between municipal
5 and Aboriginal governments.

6 We wish to emphasize that, when all the
7 dust settles after land claims negotiations and agreements
8 to Aboriginal self-government have been finalized, it is
9 the Aboriginal community and the municipality who are
10 facing each other, regardless of their respective
11 constitutional status.

12 It is at the community level that
13 Aboriginal self-government will be developed and
14 implemented. Would it, therefore, not be far more
15 effective if both players had the opportunity to become
16 partners during the negotiations and to search for
17 solutions.

18 Municipal leaders understand the
19 importance of dialogue with Aboriginal leaders in
20 addressing the challenges faced by Aboriginal peoples to
21 lead a productive life. No more indicators of the
22 marginalized position of Aboriginal peoples are needed.
23 Instead, municipal leaders recognize that the increased

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 authority over their own affairs would allow Aboriginal
2 peoples to develop political, social and economic
3 self-sufficiency necessary for an improved quality of
4 life.

5 Municipalities, therefore, support the
6 notion of Aboriginal self-government, but they believe
7 it must evolve in co-operation with local government.

8 While witnessing the development of
9 Aboriginal self-government, municipalities are not
10 consulted with respect to the effect on local
11 responsibilities. Indeed, there is little apparent
12 federal, provincial or territorial support or support from
13 Aboriginal peoples themselves for consultative mechanisms
14 to reflect the priorities of local governments in the
15 context of addressing the needs of Aboriginal peoples.
16 Yet, Aboriginal self-government is necessarily exercised
17 at the local level.

18 Municipal government in Canada is the
19 order of government closest to its citizens, delivering
20 services necessary to sustain a good quality of life.
21 By sharing knowledge and capacity of service delivery,
22 local governments can play in the pivotal role in the
23 evolution of Aboriginal self-government.

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 While municipal and Aboriginal
2 governments share the common purpose of delivering
3 services to people and property, the implementation of
4 Aboriginal self-government should not in any way
5 compromise municipal jurisdiction of quality of service
6 to all citizens.

7 We understand that claims to Aboriginal
8 self-government have their foundation in international
9 law and original occupation of the land. They are
10 expressed in the sovereign right to determine the political
11 future and to freely pursue the cultural and economic
12 development of Aboriginal peoples while maintaining a
13 spiritual connection with the natural environment.

14 Aboriginal leaders maintain that the
15 jurisdiction of their governments will be exercised within
16 the Canadian federal system. As a further compromise,
17 they are willing to negotiate the implementation of
18 Aboriginal self-government.

19 We understand that Aboriginal peoples
20 do not accept the federal government's attempt to view
21 Aboriginal issues within a limited context and Aboriginal
22 self-government as a municipal political system. Such
23 approaches would erode the sovereign nature of their

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 status. Rather, they seek the formalization of Aboriginal
2 self-government as an order of government with similar
3 powers to provincial and territorial governments while
4 maintaining the federal government's fiduciary role
5 vis-à-vis Aboriginal peoples.

6 We do not seek to undermine the unique
7 relationship that exists between the federal government
8 and Aboriginal peoples as in nation-to-nation, nor do we
9 seek a new fiduciary role. But, in very practical terms,
10 we do seek to be partners in the solutions.

11 Our members know that Aboriginal peoples
12 face myriad obstacles, including poor health,
13 unemployment, isolation, loss of identity, poverty and
14 violence, which are greater than for non-Aboriginal
15 people. Municipalities with a growing Aboriginal
16 population are concerned about the impact on their
17 administrations of the increasing need for housing, health
18 care, education, social services, urban safety and other
19 responsibilities, particularly at a time when the
20 financial and jurisdictional parameters among other
21 governments are under revision.

22 Municipalities facing the implications
23 of land claim settlements are concerned both about their

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 revenue base and future development opportunities. The
2 advent of Aboriginal self-government, the settlement of
3 land claims and the possibility of urban reserves have
4 all contributed to a heightened awareness of Aboriginal
5 issues.

6 The prospect of autonomous territories
7 within, or adjacent to, municipal boundaries which may
8 not share service standards, development priorities or
9 regulatory objectives and the potential need to supply
10 unique services to particular groups within the municipal
11 area all could serve to compromise traditional municipal
12 approaches.

13 The crux of the relationship between
14 Aboriginal peoples and local governments is the concept
15 and implementation of Aboriginal self-government.
16 Municipalities believe that their communities will be
17 affected, and we insist that the context in which
18 Aboriginal government can be realized must be discussed
19 by all orders of government, including local government.
20 Aboriginal self-government cannot be developed in a
21 vacuum.

22 Without a clear understanding of the
23 principles and parameters, it is difficult for local

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 governments to participate in a meaningful and substantial
2 manner.

3 Municipalities understand that
4 different circumstances will require different agreements
5 of self-government. Whatever the form, municipalities
6 maintain that any amendments to jurisdictions and systems
7 of accountability must be addressed by all orders of
8 government.

9 The breadth of contextual
10 interpretations of Aboriginal self-government leaders
11 municipalities to ask how institutional harmony will be
12 ensured when Aboriginal self-government is established.

13 Whether Aboriginal self-governments will be able to adopt
14 laws that contravene federal, provincial and municipal
15 laws must be discussed in the context of legal transition.

16 Furthermore, the potential for
17 Aboriginal jurisdiction within municipal boundaries must
18 be addressed conclusively. Will Aboriginal jurisdiction
19 follow Aboriginal individuals, regardless of where they
20 reside? Similarly, if an Aboriginal government wishes
21 to purchase land within a municipality as a proper act
22 of self-government, will Aboriginal jurisdiction be
23 established within municipal boundaries by declaring the

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 land Indian land under section 91(24) of the Constitution
2 Act?

3 The development of Aboriginal
4 self-government has typically proceeded through
5 negotiations, a process from which local governments have
6 been excluded for the most part. While claiming not to
7 have the mandate to make commitments regarding the
8 participation of local governments, the federal government
9 nevertheless maintains that municipal involvement is not
10 expressly precluded on matters that affect them. \

11 Above all, municipalities are concerned
12 that Aboriginal governments will be elevated to an order
13 of government similar to provincial and territorial
14 governments while essentially being, like municipal
15 government, a delegated authority.

16 While some provinces have allowed
17 municipalities to gain observer status or advisory status
18 and the federal government has committed to respect the
19 general public interest as well as third party interests
20 and to deal equitably with potential conflicts, there is
21 no guarantee that municipal voices will be heard.

22 We ask that the Commission recommend
23 unequivocal recognition of local government as a key

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 contributor in establishing Aboriginal self-government.

2 With respect to land claims and
3 Aboriginal self-government, some key issues have emerged
4 from a municipal perspective, which we would like to draw
5 your attention to.

6 Concern is raised with respect to land
7 management, especially where it concerns land access,
8 zoning and environmental standards. It would seem that
9 the normal public consultative process and
10 federal-provincial regulations do not apply lands as they
11 do everywhere else.

12 Concern is raised with respect to
13 taxation and loss of revenue. Some municipalities are
14 owed for the delivery of services, and some land claims
15 agreements are not specific as to who is financially
16 accountable for the delivery of services contained
17 therein. In addition, the settlement of land claims can
18 result, and have resulted, in a loss of tax revenue for
19 municipalities.

20 Concern is raised with respect to land
21 claims and economic development. Whereas the principle
22 of land claims is supported, uncertainty over the outcome,
23 lack of participation by local governments and the length

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 of the process all work to undermine political goodwill.
2 Land claims tend to delay land and economic development
3 or impair resource industries and, thus, hurt local
4 economies.

5 Finally, concern is raised with respect
6 to the potential of more urban reserves. Aboriginal
7 leaders have argued that land awarded as part of a land
8 claim settlement or purchased as a proper act of
9 self-government should not be subject to municipal
10 taxation and by-laws.

11 Because the structure of municipal
12 regulations and services depends heavily on territorial
13 integrity, it is imperative that the legal and financial
14 implications of urban, land-based self-government be
15 clarified, with the participation of local governments.

16 A lack of guarantee with respect to standards of
17 accountability and performance could result in
18 institutionalized ghettoization.

19 We acknowledge that the majority of
20 Aboriginal peoples now live in urban centres. We insist
21 that the federal government cannot simply withdraw their
22 responsibilities for urban Aboriginal people. Some
23 residual responsibility must remain.

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 The needs of Aboriginal urban peoples
2 must be met through a distinct process, separate from
3 agreements with reserves. Municipalities must be
4 included in discussions among governments with respect
5 to changes in their relations with Aboriginal peoples.
6 Municipalities should not be left responsible for services
7 previously provided by federal or provincial governments
8 without consultation and an appropriate transfer of funds.

9 For example, in 1993 the federal government unilaterally
10 withdrew its support for Aboriginal housing.

11 Positive relations do exist between
12 municipalities and Aboriginal peoples, and they are often
13 rooted in pragmatic co-operation. Mutual understanding
14 and respect can emerge from the provision of services.
15 We intend to share and to build on these positive models.

16 At the same time, for us to continue to
17 help build positive relations between Aboriginal and
18 non-Aboriginal peoples, a few issues must be addressed
19 and resolved from our point of view.

20 First and foremost, there is a need for
21 all orders of government, as well as Aboriginal peoples,
22 to recognize and acknowledge local government as a
23 legitimate and valuable partner in the evolution of

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 Aboriginal self-government.

2 There is a need to develop a coherent
3 and comprehensive explanation of self-government and its
4 implications for local governments. Especially, the
5 potential form or forms of urban self-government with or
6 without a land base need to be defined and its implications
7 for municipalities addressed.

8 As municipalities are the principal
9 public agent for the quality of life of all citizens, we
10 would like to advocate local government as a useful model
11 to emulate with respect to Aboriginal self-government.
12 There is a need for municipal and Aboriginal leaders to
13 engage in an ongoing dialogue to identify and assess
14 together the barriers to positive relations and to work
15 together toward common solutions.

16 Finally, we would like to conclude with
17 the following specific questions:

18 1. Will the Commission recognize and
19 recommend that local governments be guaranteed a seat at
20 the negotiation table with respect to land claims?

21 2. Is the Commission prepared to ensure
22 municipal participation in the definitions and
23 implementations of Aboriginal self-government?

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 3. Will the Commission show leadership
2 in recommending the explicit involvement of local
3 governments in Aboriginal issues in general?

4 Thank you very much.

5 **CO-CHAIR RENÉ DUSSAULT:** I would like
6 to thank you very much for presenting us with a thoughtful
7 and informative brief. I must say that we have been
8 expecting it with great interest.

9 As you know, the Commission at the very
10 outset was highly concerned by the fact that the very notion
11 of self-government in urban settings had not been studied
12 in this country, while there have been many studies and
13 recommendations of all kinds of task forces and reports
14 on the situation of status Indians living on reserves and
15 also on the Inuit and the whole question of the Métis in
16 general and the question of taking into account the fact
17 that the majority of Aboriginal people are now moving from
18 the reserves or northern communities to the cities. This
19 is the trend for the future, as we did generally in Canada
20 move from rural areas to cities. Obviously, this is going
21 to continue for Aboriginal peoples.

22 While there is an obvious trend that has
23 to be looked at because of the impact it is already having

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 on cities, very little research and thought has been given
2 to it. That is the reason that we decided to have our
3 first national round table on urban issues, because we
4 knew that in a Commission like ours, with roughly a
5 three-year time frame, we were better to start early
6 because a lot had to be done. We realized that we wouldn't
7 be able to do everything in this area during the life of
8 the Commission, but we would like at least to help clarify
9 some of the key concepts and give some direction for those
10 who will have to really discuss and negotiate the future
11 of Aboriginal governments in their various forms and their
12 interrelations and harmonization with the cities.

13 So we are very happy that it was possible
14 for the Federation of Canadian Municipalities to commit
15 this brief, to think about it and come up with some of
16 the key concerns and also some elements of solution.

17 We have received in the first week of
18 November, in our hearings in Ottawa, a brief from the Native
19 Council of Canada. I think you are aware of that brief.

20 It shows that everybody is really having a first crack
21 at it. It is a substantial brief. Obviously, the Native
22 Council of Canada is also looking for its direction on
23 a very difficult question, and other organizations are

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 looking at the situation of Aboriginal people in the
2 cities.

3 Here in the province of Quebec we had
4 presentation by the Métis Association of Quebec, and later
5 today we are going to have a presentation by the L'Alliance
6 Autochtones Inc. which represents Métis people.

7 We are aware also that there is a
8 discussion across Canada among the Métis themselves.
9 The western Métis see themselves as a separate political
10 entity, and have built up a collective desire to govern
11 themselves for many generations, up to Louis Riel and so
12 on.

13 We also realize that there are many
14 status Indians who are living in the cities and treaty
15 people in the west coming to the cities to live.

16 One of the questions that comes before
17 the Commission most often is the treaty right question,
18 as to whether it should be restricted, as it is, to where
19 the person lives or if it should be portable to wherever
20 the person goes in Canada.

21 These are obviously difficult issues.

22 What I would like to say at the outset
23 is that we have published a report on the Urban Round Table.

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 We were aware that it was a first try, that we had a first
2 crack at it. Also, the Round Table happened during the
3 strong event of the constitutional negotiations, and a
4 lot of energy was turned to what was going on in the
5 negotiations leading to the Charlottetown Accord.

6 We are happy today to have the Federation
7 of Canadian Municipalities addressing the issue through
8 this brief. We know this is a preliminary effort which
9 will be followed by many others.

10 We have tried to get as many mayors and
11 cities to present briefs to the Commission during the
12 public hearings. I must say that it has not been easy.

13 We were not as successful as we would have liked, for
14 all kinds of reasons. It is the same with the provincial
15 governments to a certain extent. We met with quite a few
16 mayors of major cities or mid-sized cities to discuss the
17 issue of self-government in the context of the cities and
18 also the issues of the relationship between Aboriginal
19 people living adjacent to the cities. There are many
20 reserves or Aboriginal communities very close to the urban
21 settings. Here in Montreal, for example, we have the
22 largest Indian community in Canada, the Kahnawake Reserve,
23 which is almost within the city.

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 We have succeeded certainly in getting
2 views, but we haven't received such a comprehensive
3 document so far. I wanted to say that.

4 Also, in terms of the time frame of the
5 Commission and the plan for the year, we plan, now that
6 this is the phasing-out of the public hearings -- this
7 is the last week of the fourth round of hearings and the
8 last round -- we hope to complete our deliberations as
9 a Commission a year from now. That means our final report
10 would be available, we hope, in early 1995.

11 In addition to those four rounds of
12 hearings, we have published documents and an overview of
13 what was said. We have boiled down 15,000 to 20,000 pages
14 of transcript into 100 pages or so. We plan to test some
15 key policy options with governments and Aboriginal
16 organizations sometime next spring, from May to September.

17 At that time the Commission will come up with an analysis
18 and options and discuss these options, to give us a better
19 feeling about could work and what would fail and try to
20 get the reaction of both governments and Aboriginal
21 organizations and people.

22 Obviously, on this question of
23 self-government in urban settings, we would like to have

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 the municipal governments participating in these test
2 seminars. So we will be in touch with you later on to
3 discuss that. We want to keep those small because we want
4 to have a genuine discussion.

5 Again, to echo your concern about
6 consultation, I wanted to share that with you at the outset.
7 We will be in touch later on as far as the question of
8 self-government is concerned.

9 Getting back to your brief, you discuss
10 and stress many concerns about the relationship with
11 Aboriginal communities and reserves adjacent to cities,
12 the notion of an urban reserve. We had a Round Table in
13 Saskatoon on the Muskeg Reserve with some officials of
14 the City of Saskatoon last May.

15 You also stress the situation of
16 non-Aboriginal residents being taxed on land leased on
17 urban reserves.

18 We had presentations during our hearings
19 from non-Aboriginal people living on the Musqueam and
20 Squamish lands who are taxed by the Aboriginal government.

21 There is an agreement, which you refer to in your brief,
22 with British Columbia which allows municipal taxation.
23 So the whole question of non-Aboriginal people being taxed

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 without the right to vote for the government that levies
2 the tax is a question that was raised with the Commission.

3 We have been given some models of what
4 self-government could look like in the cities. It starts
5 from the idea of autonomous Aboriginal institutions within
6 the cities, such as hospitals, school boards and social
7 services. Then there is a debate, as you know, as to
8 whether these institutions should be status-blind or
9 distinct, to keep the distinction as between the Métis,
10 the Indians and Inuit. That is a difficult issue that
11 is before the Commission.

12 People involved in the front-line
13 services prefer the status-blind route, but the particular
14 organizations, certainly the Métis Nations, want to have
15 an identification.

16 The other question is the relationship
17 with northern communities or communities with Band
18 Councils that are outside the urban area, which would act
19 as a political organization to monitor those institutions.
20 Also there is a discussion on the possibility of setting
21 up a kind of government parallel to the city council on
22 the territory. That brings a host of questions also.

23 What I want to share with you is that

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 nobody has come up at this point with definite models.
2 Everybody is having a crack at it and trying to figure
3 out how it could work.

4 One of the things that was mentioned
5 often was along the line of the self-governing bodies of
6 the professions, a kind of government that is not
7 territorial as such but covers the people. For example,
8 the medical doctors and lawyers are governed by
9 self-governing bodies.

10 These are ideas that are put forward to
11 the Commission.

12 My first question -- and I realize that
13 you say in your brief that this notion of self-government
14 in the city should be clarified -- is: Did you look at
15 possible models? Did you enter into a couple of steps
16 into the technique to look at what it could be, what kinds
17 of model could be possible? Has the Federation entered
18 into that kind of research as a group?

19 **JOHN LES:** Just to give my thoughts on
20 that question, as we say in the brief, we feel that the
21 municipal model is one that could be emulated. I know
22 that across the country various municipal models, as we
23 know them today, have various levels of power. For

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 example, in my province of British Columbia a village does
2 not have the same powers as a city does, and a city
3 government is much more autonomous than a village.

4 Perhaps if we were not to call it a
5 municipal model but call it something else, to take away
6 whatever stigma we happen to have attached to us, I think
7 there is a lot of merit in examining that further to see
8 whether that model, without the label attached, is
9 something that could be implemented. It would certainly
10 make it much easier for us as municipalities to relate
11 to those structures of government. It is very much
12 services-to-people oriented.

13 The powers contained within that model
14 is something that we would obviously have to work out and
15 identify, hopefully in consultation.

16 We feel that there is a lot to be said
17 for that particular model.

18 **RON HAYTER:** In our examination there
19 is a suggestion -- and it is only a suggestion. I think
20 we have come to the point that you have to look at government
21 models that work.

22 Certainly, from a practical,
23 administrative and political standpoint, municipal

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 government does provide a framework which works, and it
2 really is a grass roots type of government where you do
3 have accountability, you have effective delivery of local
4 services and you also provide a very good quality of life.

5 Certainly, by suggesting that this model
6 should be looked at, we are not trying to be paternalistic.

7 In today's world we are all trying to survive, and
8 sometimes that depends on being able to accept good ideas,
9 even if they don't originate with yourself.

10 Municipal government, I think, stands
11 the test of scrutiny as a good model to look at.

12 **CO-CHAIR RENÉ DUSSAULT:** Again, the
13 debate stems, in part, from the fact that many Aboriginal
14 people are moving to the cities and establishing themselves
15 in the cities. Some of them are in transit, in and out,
16 and they really feel that they have been left out by the
17 social and economic institutions in the cities.

18 As you know, one of the reasons is the
19 rate of inmates in provincial jails, particularly in the
20 west, which is much higher than the normal rate among the
21 population at large. So there is a concern about the
22 sensitivity of the local institutions to take into account
23 the particularities of Aboriginal people coming to the

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 cities in a culturally acceptable way.

2 There is a challenge to the existing
3 institutions, and there will remain a challenge. We have
4 received many presentations where people stress ways to
5 get more influence on municipal councils and on the various
6 institutions under the municipal councils. This will
7 continue and should be improved. This normally should
8 be the easiest way.

9 Even alongside any form of
10 self-government, Aboriginal people are not saying
11 generally, "We want to be cut off from the municipal
12 institutions. We still want to have our say and to
13 influence institutions and make sure they are going to
14 be sensitive." So the situation varies.

15 You have given a host of examples of what
16 has been done so far to improve the situation along that
17 line. Calgary is a good example, with their committee.

18 Could we have your views on what are the
19 plans for the future to improve this situation of the
20 municipal institutions toward making more room for
21 Aboriginal people and to be more culturally sensitive and
22 also economically sensitive and socially sensitive to
23 Aboriginal people living in cities. Do you have some plans

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 to improve? I know many cities are working on that and
2 trying to achieve a better situation, but is there
3 something more specific than what is in your brief for
4 the future?

5 **TED CHOLOD, President, Saskatchewan**

6 **Urban Municipalities Association:** Commissioners, I come
7 from the city of Regina. I am an elected official there.
8 The City of Regina has deliberately put together a policy
9 that tries, as best it can, to bring the Aboriginal
10 community into the decision-making process.

11 We do have, for example, a five-member
12 Board of Police Commissioners, one of whom at the moment
13 is Native. We have other committees of Council which we
14 ensure look at the issue of Aboriginal representation and,
15 consequently, a voice in the various activities of
16 municipal government.

17 I think the awareness is there. Whether
18 there is a need for improvement, I would probably be the
19 first to admit "yes," because it is not that easy to find
20 people to sit on committees. You are aware of the fact
21 that the Aboriginals are there, but it is not that easy
22 to encourage representation on these various committees.

23 I think that is the type of activity,

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 it seems to me, that can get the Aboriginals to be more
2 influential.

3 If I might make just one comment with
4 respect to the self-government model within urban centres,
5 certainly if we can come up with one that will work, I
6 think we would encourage that. I guess our urban
7 communities are somewhat concerned that we can't seem to
8 come up with a model that will work.

9 One of the difficulties is that the
10 self-government unit on a reserve within a city would be
11 really responsible to no one -- perhaps the federal
12 government, but perhaps no one -- while the surrounding
13 municipal government is responsible to the provincial
14 government. You have a concern in terms of how you deal
15 with stress and the pushes and pulls of various decisions
16 being made on the reserve as opposed to off the reserve,
17 and that the whole group is still part of a community.

18 **JOHN LES:** In our written submission to
19 the Commission at the end of August there were a number
20 of recommendations made. Some seven or eight of those
21 recommendations were to municipalities themselves, as to
22 how they could better communicate and establish lines of
23 communication. That obviously has to be done where it

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 isn't being done already. Certainly our Federation is
2 willing to take a leadership role in that way.

3 In my own municipality, until this week,
4 for the last six years has had an Aboriginal representative
5 on our Council. He was a past Chief of one of the bands.

6 I want to say that he has made a number of very valuable
7 contributions to our decision-making process.

8 However, I have found that Aboriginal
9 people tend to prefer their own institutions rather than
10 getting involved in the general city government, for
11 example. It has been a little frustrating to try to
12 generate a good level of interest in the Aboriginal
13 community in getting involved with various commissions
14 and committees that have been established by Council, and
15 the results have been somewhat sporadic.

16 Certainly, in the last number of years
17 in particular, we have tried very hard in various community
18 activities to get the Aboriginal community involved.
19 We have had, for example, the B.C. Summer Games in our
20 community. We were very conscious of getting the
21 Aboriginal community involved. That has been successful,
22 but not always successful.

23 I do detect, in talking with Aboriginal

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 leaders a real desire on their part to have their own
2 institutions where they can do some of these things in
3 their own way and feel very uncomfortable sometimes in
4 a setting where it is not the Aboriginal setting.

5 **RON HAYTER:** Also in the original brief,
6 at pages 40 to 43, it outlines some of the initiatives
7 that have been taken by some municipalities across Canada
8 -- and this is only a listing of some of the municipalities
9 that have taken these initiatives.

10 Certainly, in my city of Edmonton, it
11 is a priority, and our experience has been a good one in
12 attracting involvement from the Aboriginal community in
13 a variety of ways.

14 Earlier you were saying that there seems
15 to be a difference in the way Aboriginals are treated in
16 some municipalities compared to the rest of the population.

17 Also in the main brief we indicate why that occurs in
18 many cases. It is because of this whole question of who
19 is responsible for whom, and it really causes difficulties.

20 Hopefully, through the process that we are going through
21 now, a lot of that will be clarified and the problems will
22 not be there.

23 **CO-CHAIR RENÉ DUSSAULT:** We realize

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 that the jurisdictional problem is a real one. We have
2 raised it in the introduction to our report on the Urban
3 Round Table. We are looking at it.

4 Aboriginal people very often feel that
5 they fall between the cracks and that various governments
6 are sending them to the others. We heard a lot about this
7 situation.

8 We are concerned because we know that,
9 with the financial constraints that are there, it is not
10 going to be easy.

11 I think you are certainly right in saying
12 that Aboriginal people are looking for their own
13 government. Once this is done, the message we have is
14 that they want to establish links with neighbouring
15 institutions and other levels of government and also to
16 participate in those levels. It is not a message of
17 returning inward only; quite the contrary. Of course,
18 it takes time to work together, and that is why it is
19 important, I think, that those initiatives that you list
20 and others that might not be listed there are encouraged
21 and pushed. The more contact there is, the more likely
22 we are to succeed in getting a formula that would fit both
23 the concerns of Aboriginal peoples and the municipalities,

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 such as harmonizing by-laws in cities and so on.

2 I would like at this point to ask my
3 colleague, Mary Sillett, to continue with a few questions.

4 **COMMISSIONER MARY SILLETT:** Thank you
5 very much for coming here.

6 I would like to return to a question that
7 was previously asked by Mr. Dussault on the whole issue
8 of jurisdiction.

9 During our Urban Round Table in Edmonton
10 people said over and over and over again that, when they
11 come into the cities there is a problem with jurisdiction.
12 It is really frustrating. We have often discussed this
13 amongst ourselves and said that, if there is one thing
14 we should really do, it is to look at this whole issue
15 seriously and considers ways it can be resolved.

16 I was wondering if you have any ideas
17 as to how this whole issue of jurisdiction could be
18 resolved.

19 **RON HAYTER:** I think in the remarks of
20 Mayor Les he pointed out the one point which I think is
21 important, and it is also on page 43 of our brief. That
22 is that the federal government cannot draw a line
23 separating Aboriginal people on reserves and Aboriginal

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 people in urban areas. There has to be a residual
2 responsibility.

3 Right now what happens is that you get
4 caught in this situation where Aboriginal people who do
5 come to the urban areas are tossed hither and fro because
6 of this whole question of who is responsible for whom,
7 in areas of social services, in health and matters of that
8 nature. Until there are very clear lines, there are always
9 going to be problems of interpretation.

10 **JOHN LES:** I think, when it comes to the
11 urban setting, if we are not talking about reserves which
12 we may well not be, the service delivery aspects and
13 institutionalized form of service delivery to Aboriginal
14 people that would be recognized by everyone would be a
15 potential model that we could develop. We have many
16 examples of people obtaining social services not always
17 necessarily from the same agency. Perhaps that is
18 something that could be further developed for Aboriginal
19 people as well, so that they would receive those services
20 in a culturally sensitive way, addressing specifically
21 the needs of Aboriginal people which may well be different
22 in some cases than it is for the population at large.

23 The implementation of self-government

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 in an urban setting is a very difficult question. If it
2 is not to be land-based -- and I would suggest that being
3 land-based would be very difficult -- it certainly can
4 be autonomous from a service delivery point of view without
5 a land base from which to work.

6 **COMMISSIONER MARY SILLETT:** As we were
7 saying earlier, I think it is very difficult for people
8 with a land base to think about how self-government is
9 possible without a land base. We have heard from people
10 who have been living in the cities for a long time, and
11 they have discussed it. There is much more discussion
12 about the possibility of self-government without a land
13 base by groups who have expertise in that area -- for
14 example, the Friendship Centres, groups who have political
15 representation for Aboriginal peoples off-reserve who are
16 not living in their communities, and organizations like
17 the Native Council of Canada. There has been a lot of
18 discussion about that.

19 I think Aboriginal people, because there
20 are so many of them now in urban areas, are saying, "We
21 must have the ability to make our own decisions and to
22 run our own lives. We must have our own institutions,
23 and we must have our own services."

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 Having said that, one of the things I
2 want to say is that I guess it is easier in the west --
3 you are talking primarily about Indians off-reserve, but
4 I just want to repeat that Aboriginal peoples who are in
5 the cities are many. There are Métis who really do feel
6 that they have been marginalized; there are Inuit who have
7 moved from their northern communities, and there are other
8 people not from reserves. I just want to make sure that
9 we all understand that. I think, nationally, that is true.

10 When you were talking, I was just
11 thinking about what my own personal experience has been
12 with a town council. I think it is true that, for the
13 most part, they might be there in your own city, but you
14 never feel that you are a part of it. So it doesn't
15 surprise me when I heard, for example, the speaker on your
16 right saying that Native peoples, although they know they
17 can run for municipal office in the big cities, prefer
18 to have their own institutions. That doesn't surprise.

19 I guess, for the most part, municipal
20 council is something I have never heard very much about.

21 Now I hear, for example, that municipal councils have
22 many concerns. You have concerns about land access; you
23 have concerns about zoning. You feel, for example, that

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 any land claim settlement or any self-government
2 negotiation may impact and, therefore, you feel your
3 interests should be represented.

4 Knowing that self-government and land
5 claims are separate processes, what roles do you see
6 yourselves playing at the national, regional or community
7 self-government negotiations and also in terms of the land
8 claims negotiations?

9 **KATHY WATSON, President, Association of**
10 **Yukon Communities:** If I can speak to that one, I am from
11 Whitehorse in the Yukon Territory and we are presently
12 going through the land claims process. It is happening
13 as we speak.

14 I think it is important that
15 municipalities think of themselves as a service-providing
16 government, a very hands-on kind of service. We provide
17 the quality of living type services to our people, and
18 I don't see the municipal role changing in this process.

19 I think, ideally, we work with service
20 agreements much like adjacent communities do now where
21 one community will provide recreational services for the
22 use of the next community on a service agreement basis,
23 a sort of fee for service provision. I don't see that

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 that role has to change or deviate.

2 We in the north are very far apart. Our
3 communities are measured in hundreds of miles distance
4 from each other, so service agreements are something that
5 are new to us. But we certainly working very hard through
6 our community association to provide that.

7 We have asked specifically for input
8 from the band governments as well as the Council for Yukon
9 Indians to help us with that process. Because of the
10 sensitivity of the status of our land claims at the time,
11 there is a reluctance to participate on behalf of the band
12 governments at that level at this point. However, they
13 have expressed interest, very much so, in looking at our
14 sort of footprints that we propose for service agreements
15 with our different community groups, and we are hoping
16 that that is the solution.

17 **RON HAYTER:** I think inherent in our
18 presentation today and also the written brief is an appeal
19 for meaningful consultation.

20 In many cases land claims are going to
21 impact on municipalities. If you don't have this process
22 where municipalities are involved in the discussions with
23 those who are making the claims, then you create an

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 atmosphere that is not very conducive to co-operation.

2 One thing that municipal government does
3 not want to be is an obstacle to the process of
4 self-government. But what happens if you are not a player,
5 if you are not at the table where the discussions are going
6 on and where all the information is not being shared?
7 Then there is a tendency for fear to develop. Usually
8 what happens when you have fear is that it leads to
9 polarization, and polarization does not create an
10 atmosphere for good working relationships.

11 Municipal government has survived in
12 this country since the beginning of this country, and it
13 has survived very well despite some unfair impositions
14 by other levels of government over the years. It has
15 thrived and prospered because it is a necessary form of
16 government. It provides the kinds of service that people
17 need at the grass roots.

18 That survival has meant a lot of
19 processes which involve agreements with different parties,
20 consultation, and we think it is a very good model for
21 success.

22 We think if we can be involved as
23 municipal government in the process of land claims and

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 in the process of self-government, we will be able to work
2 something out which will be beneficial to the Aboriginals
3 and also to the non-Aboriginal community. But if you don't
4 provide for that opportunity for meaningful consultation,
5 then there is always a possibility that you will be simply
6 sewing the seeds of future problems.

7 **COMMISSIONER MARY SILLETT:** We have
8 heard from over 2,000 presenters, and some of those groups
9 have said, "We have a real interest in the issues being
10 discussed by land claims and self-government. We want
11 to be involved."

12 You are saying that, because you are at
13 a different level -- you are not a third party. Your
14 interest is higher than that. You are another level of
15 government, and you actually want to be at the table.
16 You don't necessarily want an observer or third party
17 status. Is that what I am hearing?

18 **RON HAYTER:** That is correct. The
19 whole process of land claims and self-government, in so
20 many cases, impacts upon existing local government. The
21 federal government and the provincial governments are a
22 little further removed from the outcomes of such decisions,
23 but municipal government is there and, in many cases, the

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 impact is on the citizens in that local government area.

2 By having a process which involves local
3 government, we are confident that you will come up with
4 a lot better solution.

5 **CO-CHAIR RENÉ DUSSAULT:** On this very
6 point, I think it would be useful if you could forward
7 to us a good description of the impact that you have talked
8 about, the practical impact that land claims have on the
9 cities. This is said in your brief, but it would be of
10 benefit, certainly for the Commission and probably for
11 others, to have a concrete description.

12 For example, you are from Whitehorse and
13 the land claim is proceeding at this point. What are the
14 impacts?

15 Of course, in Saskatchewan the treaty
16 land entitlement has given money for Aboriginal people
17 to buy land in the market. They came down to Saskatoon
18 and they bought land, and then they got the status of a
19 reserve.

20 There are many kinds of possible impact,
21 and it would be useful if you could document that for us
22 as a supplementary.

23 **RON HAYTER:** We would be quite pleased

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 to do that. We can give you quite a number of examples.

2 **CO-CHAIR RENÉ DUSSAULT:** Again,
3 discussing self-government in the cities, it is totally
4 obvious. We don't have to document that. But the land
5 claims present a variety of situations, so I think it would
6 clarify what you have in mind and what you live through.

7 **KATHY WATSON:** I think there is ample
8 opportunity to provide many stories -- lots of success
9 stories and lots of frustrating situations. We can
10 certainly be specific and get those back to you in an
11 expedient fashion.

12 **RON HAYTER:** There are success stories,
13 and I think that is important. I think they come about
14 because of good communication and good consultation. I
15 think that is the keynote of our request, that this be
16 broadened so that it is not on a hit-and-miss basis but
17 accepted as a general principle rather than just on a
18 hit-and-miss basis.

19 There are situations where problems have
20 arisen because of a lack of consultation. I am sorry that
21 Alderman Cholod from Saskatchewan had to leave because
22 he was going to tell about the situation in Fort Qu'Appelle
23 where there is quite a major confrontation shaping up

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 there. It could have been avoided if the proper forms
2 of consultation had been followed.

3 **CO-CHAIR RENÉ DUSSAULT:** Thank you.

4 My very last point is that the policy
5 issue within the cities is very sensitive to cultural
6 minorities and also to Aboriginal people who are not a
7 cultural minority but have to be understood as being part
8 of the nations of Canada as First Peoples. I know you
9 alluded to some undertakings that are made for making the
10 police services and the police forces more sensitive to
11 the reality of Aboriginal people.

12 I would just like to stress that, from
13 our point of view and from what we have heard, it is very
14 important to proceed in that direction. I know you are
15 aware of that, but I wanted to have the opportunity to
16 share this with you.

17 Time is running. In closing, I know you
18 have a copy of the brief that was given to us by the Native
19 Council of Canada earlier this month -- or last month now;
20 we are in December now. The Native Council of Canada gave
21 us in their presentation what is labelled as a Model of
22 Urban Self-government. Do you have those four models?
23 It was given to us for our information, and I just want

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 to be sure that you have that, too.

2 **RON HAYTER:** We don't, but we will get
3 it.

4 **CO-CHAIR RENÉ DUSSAULT:** We are really
5 looking for models, wherever they come from, particularly
6 in this area, as it is something new and a concept that
7 is difficult to tackle. I just wanted to be sure that
8 you had come across this document.

9 I would like to thank you for coming and
10 sharing with us and presenting this brief to the
11 Commission. As I said earlier, we are going to keep in
12 close touch in the coming months. Meanwhile, perhaps you
13 could provide us with a supplementary and any other further
14 thoughts by the Federation of Canadian Municipalities.
15 We are anxious to get as much information from your
16 organization and all the cities across Canada.

17 **RON HAYTER:** We thank you very much for
18 this opportunity and also for the opportunity to provide
19 some additional information. We will certainly get you
20 that information as soon as possible.

21 **CO-CHAIR RENÉ DUSSAULT:** Thank you.

22 Nous allons suspendre l'audience pour
23 deux ou trois minutes. Nous reprendrons avec la

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 présentation de l'Association des Universités canadiennes
2 d'études nordiques.

3 --- Suspension de l'audience à 12 h 15

4 --- Reprise de l'audience à 12 h 30

5 **COPRÉSIDENT RENÉ DUSSAULT:** La
6 Commission royale sur les peuples autochtones au Canada
7 reprend son audience publique avec la présentation du
8 mémoire de l'Association universitaire canadienne
9 d'études nordiques.

10 Je cède la parole immédiatement à M.
11 Jules Dufour.

12 **JULES DUFOUR, Directeur, Association**
13 **universitaire canadienne d'études nordiques:** Merci
14 beaucoup, monsieur le Président, et bonjour, madame la
15 Commissaire.

16 Je tiens d'abord à vous remercier au nom
17 de l'Association pour cette possibilité de présenter notre
18 point de vue, et surtout notre réalité, la réalité de
19 l'Association universitaire canadienne d'études
20 nordiques.

21 Je vous remercie donc au nom du
22 Président, Roger King, et aussi au nom du conseil
23 d'administration. Le président s'excuse de ne pas être

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 avec nous aujourd'hui. Il n'était pas en mesure de se
2 présenter.

3 Je suis heureux, puisque j'ai rencontré
4 aujourd'hui l'ex-présidente, qui était présidente il n'y
5 a pas longtemps, D^r Marianne Stenbaek, et elle a bien
6 accepté mon invitation de m'accompagner pour la
7 présentation de notre mémoire.

8 Je le fait non pas en tant que directeur
9 exécutif mais en tant que directeur ou, si vous voulez,
10 membre du conseil d'administration de l'Association.
11 Nous avons dans le passé un directeur exécutif à temps
12 plein. Nous n'avons plus ce poste, ce poste a disparu
13 et nous essayons, les membres du Conseil, d'être plus
14 actifs depuis un certain nombre d'années.

15 Le mémoire a été préparé par les membres
16 de l'exécutif de notre association, les officiers, et il
17 reflète bien l'ensemble de notre réalité et traite aussi
18 des principales préoccupations que nous avons présentement
19 et que nous discutons présentement pour le développement
20 de la formation et de la recherche nordique au Canada.

21 J'aimerais aussi, avant de laisser la
22 parole à Marianne, féliciter la Commission pour le travail
23 extraordinaire que vous avez consenti à faire, puisque

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 c'est une tâche extrêmement difficile que de conduire une
2 commission dans un pays aussi large, aussi vaste, que le
3 Canada, et je vous félicite.

4 Ça répond à un appel du programme
5 Yawananchi (PH), un appel qui était pressant auprès des
6 gouvernements, et j'espère que les résultats de votre
7 Commission, j'en suis sûr, vont nous permettre de trouver
8 des solutions pour le meilleur partage des ressources de
9 ce pays.

10 Également j'avais vu dans le traité
11 mondial alternatif sur les peuples autochtones que nous
12 avons discuté à Rio l'année dernière cet appel pour une
13 recherche d'un meilleur dialogue et d'une meilleure
14 cohabitation dans l'ensemble des pays pour les peuples
15 autochtones.

16 Brièvement, nous allons tout simplement
17 vous présenter une première partie de notre mémoire et
18 ensuite je vous lirai et on pourra commenter aussi les
19 18 recommandations que nous avons élaborées, et nous
20 pourrons échanger sur ce qui nous préoccupe présentement.

21

22 **MARIANNE STENBAEK:** Thank you.

23 I would like to give you a brief overview

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 of the Association.

2 The Association of Canadian
3 Universities for Northern Studies was founded at
4 Churchill, Manitoba in 1977 and was incorporated in 1978.

5 It is registered as a charitable organization and is a
6 voluntary association of 37 Canadian universities and
7 northern colleges with northern interests. The
8 Association was established because of the need for a
9 communications network to link university scholars who
10 have an interest in northern studies with each other, with
11 government and with other agencies concerned with northern
12 science and development through education, professional
13 and scientific training and research

14 The purpose of ACUNS is the achievement
15 of northern scholarship through education, professional
16 and scientific training and research. More specifically,
17 the mission of ACUNS is to represent the interests of the
18 member universities and colleges by influencing government
19 and private sector policies and practices related to the
20 support of northern scholarship. ACUNS also seeks to
21 establish mechanisms through which resources can be
22 allocated to member institutions and northern scholars
23 for the purpose of increasing knowledge of the north and

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 ensuring an appropriate number of trained and skilled
2 northern scientists, managers and educators.

3 In addition, ACUNS strives to enhance
4 opportunities for northern peoples to become leaders and
5 promoters of excellence in education and research
6 important to northern society, to facilitate through
7 conferences, seminars, research and other methods the
8 understanding and resolution of northern issues and to
9 co-operate with other public, private and international
10 agencies and organizations concerned with the advancement,
11 application and impact of northern scholarship.

12 ACUNS publishes a bilingual newsletter
13 which Jules is going to show you, "Northline/Point Nord",
14 three times a year, which is devoted mainly to contemporary
15 issues and to Canadian northern science. It has a
16 circulation of approximately 3,000 people, not only in
17 Canada but also internationally, and is published three
18 times a year. It is sent free of charge to anyone
19 interested in northern science.

20 ACUNS has also organized three national
21 student conferences and plans are now under way to hold
22 a third such conference in Ottawa in October 1994.

23 Undergraduate and graduate students from all over Canada

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 attend these conferences and report on their work in the
2 Canadian north. In addition, ACUNS has also sponsored
3 a number of Regional Northern Studies Student Workshops
4 organized by students at which students from a number of
5 local institutions meet to present papers and exchange
6 information and experience. To date, workshops have been
7 held at Trent University, the University of Alberta, and
8 Arctic College in Fort Smith.

9 The seventh edition of the popular
10 directory of polar specialists in Canada has been published
11 recently by ACUNS with the Circumpolar Scientific
12 Directorate of the Department of Indian and Northern
13 Affairs.

14 ACUNS also publishes the booklet,
15 "Ethical Principles for the Conduct of Research in the
16 North." It has long been an essential document for all
17 scientific researchers in northern Canada, and for many
18 years the only printed source of ethical guidelines for
19 northern research. I think it has set a precedent for
20 many other such booklets. This publication is presently
21 being revised prior to the publication of the next edition.

22 The Canadian Northern Studies Trust, the
23 ACUNS Awards Program, established in 1982, raises funds

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 for the granting of Studentships, Special Awards, and other
2 support to persons interested in northern research and
3 education. These awards are granted to regular university
4 undergraduate and graduate students as well as to northern
5 residents wishing to further their learning through
6 shorter periods of training at Canadian universities.

7 The Trust also offers a research support
8 opportunity in Arctic Environmental Studies provided by
9 the Atmospheric Environment Service and Caribou Research
10 Awards on behalf of the Beverly and Qamanirjuaq Caribou
11 Management Scholarship Fund.

12 ACUNS considers that it is through a
13 concerted and diverse approach that Canada's north can
14 be kept at the forefront of academic and scientific
15 initiatives and that northerners, including Aboriginal
16 peoples, should share the resources and expertise in
17 Canadian universities. At present, the Canadian Northern
18 Studies Trust is the major polar scholarship program in
19 Canada.

20 In its work the Trust is directed and
21 assisted by a Management Committee appointed by the ACUNS
22 Board of Directors. In 1992-93 this committee was chaired
23 by Professor Nelson, and it consisted of Mr. Abrahamson,

StenoTran

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 Guy Brassard, Jean Fournier, Mr. Mackie, Professor Stager,
2 Marianne Stenbaek and Roger King representing the ACUNS
3 Board of Directors. The Management Committee selects
4 recipients for the awards, discusses policy and is
5 responsible for fund-raising. ACUNS is registered as a
6 charitable organization and issues receipts for donations
7 on behalf of the Trust.

8 Since 1982, the Trust has raised over
9 \$1 million dollars. Over \$800,000 has been directly
10 disbursed as awards, and \$195,000 has been put into
11 endowments sufficient to fund one Studentship in Northern
12 Studies, one Special Award for northern residents and one
13 Co-operatives Award annually. The endowments have been
14 made possible from major donations by the Donner Canadian
15 Foundation, the MacMillan Northern Canada Trust, Arctic
16 Co-operatives Ltd. and the Northwest Territories
17 Co-operatives Business Development Fund.

18 The Aboriginal Economic Program of the
19 Government of Canada provided funds for a program called
20 the Native Economic Graduate Scholarships Program from
21 1985 to 1991.

22 That gives an overview of some of the
23 activities of ACUNS.

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 **JULES DUFOUR:** Monsieur le Président,
2 madame la Commissaire, j'aimerais peut-être aussi
3 mentionné que nous aidons au développement du programme
4 de formation scientifique dans le Nord. Depuis que
5 l'Association a été fondée nous aidons ce programme du
6 ministère des affaires indiennes et du Nord pour aider
7 les étudiants gradués qui veulent poursuivre de la
8 recherche et des compléments de formation dans le Nord,
9 et surtout de la recherche dans le Nord, qu'on puisse les
10 aider à se déplacer sur le terrain, pour l'hébergement
11 et le transport.

12 Ce programme a connu un grand succès,
13 vous allez pouvoir le voir dans notre mémoire, depuis le
14 début de son existence.

15 Depuis 1962, 1963 il y a eu plus de 12
16 millions de dollars qui ont été octroyés à un grand nombre
17 d'étudiants. Vous voyez que ce programme s'est développé,
18 et aujourd'hui, en 1991-1992, on a distribué plus de
19 748 000 \$ parmi les 31 universités participantes.

20 Donc durant cette même année, 1991-1992,
21 plus de 280 étudiants, répartis à travers le Canada, ont
22 profité d'une subvention.

23 C'est un programme extrêmement

StenoTran

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 important et nous allons peut-être échanger là-dessus,
2 si vous le jugez à propos, après que j'aie lu les
3 différentes recommandations que vous trouvez aux pages
4 11, 12 et 13 de notre mémoire, si vous jugez que nous avons
5 le temps de le faire.

6 Although there is a growing appreciation
7 among the scientific community that social purpose must
8 drive scientific research, there is still a need to
9 increase the focus of university research in the north
10 into areas of inquiry most relevant to Aboriginal peoples.

11 At the same time, this should not be to the exclusion
12 of the interests of other residents of the north. This
13 necessitates some form of national co-ordination and a
14 unified approach based on co-operation at several levels
15 -- federal, provincial, territorial and among universities
16 and colleges.

17 Northern residents, including the
18 Aboriginal people, should play a greater influence in the
19 planning of northern research and circumpolar or bipolar
20 studies. This should be done without detracting from the
21 research needed in light of broader national and
22 international interests.

23 Information dissemination between

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 northern researchers and the local communities continues
2 to be a problem. Attention needs to be given to the
3 availability of scientific information to all northerners
4 who need it in a form in which they can use it.

5 There is a need to increase the interests
6 of the Aboriginal people in scientific studies and for
7 non-Aboriginal scientists to become better informed about
8 indigenous knowledge. In short, there is a need for better
9 appreciation by all sides of the characteristics and
10 capabilities, including the limitations, of indigenous
11 knowledge and western science.

12 Aboriginal people must require an
13 academic qualification that will enable them to
14 participate at all levels in national and world-class
15 research on subjects important to them. If northern
16 Aboriginal peoples are to be made aware of post-secondary
17 education opportunities and to be able to access these
18 opportunities, northern studies must be promoted, not just
19 in the north but throughout Canada.

20 Existing universities and colleges need
21 to increase courses and programs geared specifically to
22 northern studies and to Aboriginal populations, especially
23 in fields such as medicine, engineering and social studies.

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 Northern programs and resources
2 available at universities and colleges should be made more
3 readily available to northern Aboriginal peoples.
4 Scholarship programs should be flexible enough to allow
5 northern Aboriginal plus ordinary students to take
6 advantage of specific programs and expertise at several
7 universities rather than necessarily spending all their
8 time on one campus enrolled in one degree program.

9 Due to the lack of adequate planning,
10 funding and provision of resources, there is a very real
11 danger of Canada becoming dependent on the research,
12 expertise, and priorities of other countries. Canada
13 needs to increase scholarly attention on the study of
14 environmental, social, societal, economic and political
15 changes that are taking place in the Canadian north and
16 affecting Aboriginal peoples.

17 In spite of the creation of the Canadian
18 Polar Commission, there is still no co-ordinated polar
19 science program or even a polar science policy in Canada
20 which would be responsible for managing government support
21 of universities and other non-government organizations
22 engaged in polar research.

23 Polar science in Canada continues to be

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 poorly managed, and this impacts adversely on the
2 Aboriginal peoples.

3 There are dangers inherent in the
4 present trend toward an increased fragmentation of
5 research activities and funding sources in the Canadian
6 north. This appears to be largely attributable to the
7 current policy of federal government institutions of
8 transferring programs and jurisdictions to northern
9 institutions in response to demands for more local
10 authority and control. The research is likely to become
11 less focused, unco-ordinated, under-funded and of poor
12 quality.

13 Levels and continuity of funding of
14 university research, training and education programs are
15 presently inadequate. There is a problem in Canada
16 generally, but it is particularly acute in the Canadian
17 north because of the relatively high cost involved. There
18 continues to be a need for more inter-governmental support
19 for northern, nationally-relevant post-secondary
20 initiatives such as conferences, training programs and
21 research assistance.

22 Continued funding of the Northern
23 Scientific Training Program and its efficient management

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 is essential to the health, vigour and very future of
2 scientific research in the north.

3 Lack of adequate funding and increasing
4 uncertainties for the future make the current absence of
5 a science policy for the north even more critical.

6 Increased participation in the control,
7 planning and execution of university research in the north
8 by northern residents, including the Aboriginal people,
9 has become a reality. However, the present licensing and
10 reporting procedures are too complicated, too fragmented
11 and time-consuming for those involved. There is a very
12 real danger that they are becoming counter-productive.

13 It is important that the basis of
14 scientific licensing in the north be reviewed with the
15 aim of maintaining rigour and protecting the interests
16 of northerners while, at the same time, making the review
17 process more efficient so that projects are not delayed
18 unnecessarily and arbitrarily. At the same time, there
19 is a need for greater co-ordination of procedures between
20 the various organizations involved.

21 The meeting of interested parties being
22 organized by the Science Institute of the Northwest
23 Territories and scheduled for early December -- I think

StenoTran

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 it is next week -- is undoubtedly a move in the right
2 direction. In the meantime, it is strongly recommended
3 that a similar workshop be planned for the Yukon and that
4 workshops in both territories be co-ordinated in the
5 future. It is vital to maintain a dialogue between all
6 the stakeholders involved in northern research.

7 Thank you very much on behalf of the
8 Association and the Executive of the Association.

9 **COPRÉSIDENT RENÉ DUSSAULT:** Merci pour
10 cette présentation. Je vais demander à ma collègue, Mary
11 Sillett, de commencer la discussion.

12 **COMMISSIONER MARY SILLETT:** Thank you
13 very much. Thank you, Marianne, for coming at the last
14 minute.

15 I just want to say that Royal Commission
16 on Aboriginal Peoples has produced this booklet -- and
17 I am sure you are aware of it. I just want to say that,
18 as we have crossed the country, we have heard many
19 presenters saying, "We have been researched to death,"
20 and I am sure you hear that often as well.

21 What we have been told by our research
22 staff is that what people are really saying is, "We haven't
23 benefited from that research. We haven't seen any

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 improvement to our lives as a result of that research."

2 I was wondering if you could tell us if
3 that is what you think or don't think. Are there any areas
4 where research has been overdone? Are there any areas,
5 for example, where research hasn't been done? Are there
6 any areas where enough research has been done?

7 **JULES DUFOUR:** We mention in our memoire
8 that there were specific fields where we have succeeded
9 in doing good research in partnership with the northerners,
10 especially in land claim inventories. The Nunavut atlas
11 is a good example.

12 The Association is composed of different
13 universities, and they are free to do what they want, but
14 there is an increasing concern to do research which is
15 relevant to northern issues, in partnership with the
16 northerners. So this is a growing concern among the
17 members.

18 Especially, we try to use in a better
19 way the traditional knowledge. This is a new trend in
20 the Association. We have already had some workshops on
21 the traditional knowledge, and we are going to continue
22 in that direction.

23 Perhaps Marianne can add some comments.

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 **MARIANNE STENBAEK:** I was a little
2 hesitant to answer because, whatever one says, one is going
3 to step on somebody's toes here.

4 I think there is some research that might
5 not have been of very direct relevance to the communities.

6 I think there also has been a lot of research that has
7 been relevant. I think one problem is that a lot of the
8 research gets taken back to the southern university and
9 is never really communicated to the communities.

10 We have talked about this for a number
11 of years. I don't know what the answer is to it.

12 Personally, I don't think sending big reports to the
13 communities is the answer. I think some form, either over
14 the radio as radio programs, television programs -- I have
15 talked to TVNC on a number of occasions, and they have
16 said that their viewers would very much like science
17 programs. Maybe that is the kind of avenue that southern
18 researchers should explore. It should certainly be made
19 available in Aboriginal languages also.

20 The Danish Polar Institute publishes a
21 scientific periodical in Greenlandic and in Danish which
22 is widely disseminated amongst Greenlanders. Something
23 like that might be very useful.

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 There is an awful lot of research there,
2 and a lot of it is useful, but it kind of stays in the
3 south very often -- obviously not all the time, but maybe
4 far too often.

5 **JULES DUFOUR:** I would like to add that
6 the Association, as a whole, has tried, I would say in
7 the last 10 years, to have better links between the
8 researchers and the people dealing with the real issues
9 in the north by having in our Association Yukon College
10 and Arctic College as full members of the Association.
11 We meet every two years in the north. We try to have forums
12 and workshops, and we have set up an adult committee on
13 the northern colleges, on northern training. The
14 committee is still working on different issues in order
15 to improve research and to have a better involvement, which
16 I would say is the key for the future, of northern residents
17 in the research process.

18 That is the way the Association tries
19 to be more aware of what are the real concerns of the
20 northerners.

21 **MARIANNE STENBAEK:** I might add to that
22 that, in the conferences we have had -- I was President
23 until October 1 this year. In the last four years we did

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 always try to have Aboriginal peoples and students at our
2 conferences. We tried to include traditional knowledge
3 to the extent that we could.

4 If I were to sum up what I learned about
5 that in the four years I was there it is that the main
6 problem is the dissemination problem, how to get it to
7 the communities in a forum that is useful to the
8 communities.

9 The other thing that came up time and
10 again was that researchers from southern universities were
11 looking for some cross-cultural training. There is a lot
12 of goodwill, I think, in southern universities. Some
13 people just don't know how to go about it, but they would
14 be very willing to learn. Many researchers have spent
15 long times in the communities and have learned to speak
16 a little bit of the Aboriginal language and have learned
17 how to behave.

18 It might be a good idea to have some
19 formalized cross-cultural training of researchers so that,
20 when they go to a community, they avoid at least some major
21 mistakes.

22 **COMMISSIONER MARY SILLETT:** Thank you.

23 I feel in a way that I am having a discussion with the

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 converted. You have really, on record, proven that you
2 are very sensitive especially to the needs of the
3 northerners with respect to doing research in the north.

4 You said earlier that you have found ways
5 of incorporating traditional knowledge. As you know and
6 as I know, Native people have been very concerned that
7 the research capability, the wisdom, the knowledge of
8 people in their communities sometimes is under-utilized
9 with respect to research projects. There is a recognition
10 that we don't have enough hard scientific researchers.
11 What we are saying is that we do have a knowledge to
12 contribute. We have a contribution to make in this area,
13 and that contribution should be recognized and should be
14 used.

15 One of the things we understand very well
16 is that the way information is communicated in many
17 Aboriginal communities is orally. Many Aboriginal
18 communities have very strong oral histories, a very strong
19 tradition of oral history.

20 When we were thinking about how to get
21 certain information from the Inuit who had been relocated
22 from northern Quebec to the High Arctic in the early 1950s,
23 one of the things that we recognized was that there had

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 been a lot of information written about these people by
2 non-Aboriginal people. There had been a lot of
3 information written about these people from a
4 non-Aboriginal viewpoint. We felt we had a
5 responsibility, in the name of fairness, to allow people
6 to tell their story by themselves in a way that they were
7 comfortable. So we gave the opportunity in a public forum
8 for those Inuit to tell their side of the story.

9 I was really proud that the Royal
10 Commission did this. I don't know if there is any other
11 Royal Commission that has recognized that there is a
12 different way of giving information.

13 Yes, we have been preoccupied with the
14 question of information dissemination. We feel that, in
15 principle, it is our responsibility, if not our duty, to
16 give the research results back to the community. But,
17 you are right: Who wants volumes and volumes of books?

18 We are told this is a society where people read very
19 rarely; they watch television, and there is not a lot of
20 time any more. That is a challenge that you have to face
21 and that we have to face with respect to our research
22 projects.

23 I would like to congratulate you on the

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 work that you are doing.

2 **CO-CHAIR RENÉ DUSSAULT:** I would like
3 to get back to the ethical guidelines that the 37 university
4 members of your organization adopted in 1982. Of course,
5 the concern is with the north.

6 At the outset, very early, our
7 Commissioners had to face the larger issue that is, in
8 fact, exactly the same issue but covering the south also.
9 There is a huge debate across the world, in a way, under
10 the heading of decolonizing research. We are certainly
11 quite aware of it.

12 Of course, being a Commission on
13 Aboriginal peoples, the first message we got was that,
14 if we were to base our recommendations on a research
15 program, it would have to be seen as valid by both
16 non-Aboriginal people and Aboriginal people, and that
17 normally research had been done on Aboriginal people by
18 southerners, by non-Aboriginal people who made their
19 career and published in their own universities, but with
20 cultural bias because of the different world views.

21 What we did as a Commission was that we
22 organized two research symposiums where both Aboriginal
23 and non-Aboriginal researchers, joined by Aboriginal

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 leaders, came to Ottawa and to Alberta to discuss that
2 very issue. It was a tough discussion, and we realized
3 that we had to do as much as we could during the life of
4 the Commission and for our own research program, but that
5 this debate would go on long after we were gone.

6 Nevertheless, we have looked around to
7 see if this question had been tackled. We came across
8 your Code of Ethics and some other documents, but frankly
9 we didn't find much. So we decided to publish our own
10 Code of Ethics. We discussed this with the Federation
11 of Social Sciences in Canada, and they were quite
12 interested in it, I must say. This Code of Ethics is
13 attached to all our research contracts and is part of our
14 process. It is not always easy; we are breaking new ground
15 on many aspects.

16 What struck me the most is that we didn't
17 come across much written literature on the whole subject.
18 It seems to me that it is a field of study, as such.

19 My question is: Are you aware of
20 publications that address that large debate about
21 decolonizing the research and the way to conduct research
22 on Aboriginal peoples with Aboriginal people to make sure
23 that there is no bias put into it and that the reading

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 is there. Of course, it is more spontaneous when you have
2 a case study in a community, but it gets more tricky when
3 you move to economics or law, as such.

4 I would like to know, because you are
5 a group of 37 universities, whether we have missed
6 something that is available. If not, I would like to know
7 if the Canadian Association of Universities for Northern
8 Studies has ever envisaged really addressing that issue
9 in a more formal fashion as a field of study, and to publish
10 on that. There is a lot of people across not only this
11 country, but across the world, who are wrestling with this
12 issue.

13 **JULES DUFOUR:** I don't know,
14 personally, of research projects dealing with this issue
15 specifically. I am sure, with the growth of some specific
16 programs in ethics in universities
17 -- for example, in my own university, which is a very small
18 university, we have a very short program on ethics, and
19 I know some other universities do. But this issue of
20 ethics for scientific research or involvement of
21 researchers in other areas I am sure has been addressed,
22 but maybe not in a formal project such as you have
23 mentioned, with specific definition and all the usual ways

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 of doing research.

2 We have a committee working on that now.

3 Like the last recommendation of our report, we are going
4 to deal with that during the next year more deeply.

5 I take note of your concern. I would
6 like to share in the next year the experience you have,
7 and maybe we can help with any specific request you have
8 for the Association. We would be very pleased to come
9 to the next meeting and talk about it.

10 **CO-CHAIR RENÉ DUSSAULT:** That is good
11 news. We would have liked to have had some feedback on
12 this Code of Ethics from the academic community and other
13 circles. Frankly, we haven't had much, if any, so far.
14 We think we have put a rolling ball somewhere, and that
15 it is perfectible.

16 It is crucial because it is part of your
17 brief.

18 **JULES DUFOUR:** I would just like to add
19 that next week there is a very important meeting for two
20 or three days in Yellowknife dealing with that issue.
21 We recommend another meeting in Yukon. So this is also
22 something which concerns us at this moment.

23 **MARIANNE STENBAEK:** If I could add

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 something, there is a number of ethical guidelines for
2 dealing with northern research and Aboriginal research.

3 In the States the Arctic Research Commission as well as
4 the National Science Foundation has put one out. The
5 Nordic countries have put one out also; it came from the
6 University of Umayo (ph), which groups all the Nordic
7 countries together.

8 This coming spring, I think in April,
9 the Greenlandic government is putting on a conference on
10 traditional knowledge in Iceland. I know that in their
11 preparation for that meeting they are trying to look at
12 some of these issues also. You probably already know about
13 that.

14 I think one could also look at specific
15 individual universities to study their particular models
16 of community-based research. Arctic Institute at Calgary
17 is a good example. Tomorrow, when we come back with
18 McGill, we are going to show you some different models
19 that we have used.

20 So there are models out there, but very
21 little has been written about it.

22 **CO-CHAIR RENÉ DUSSAULT:** We are aware
23 that it is a growing concern in many areas, because the

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 trend of the future -- and one of the messages in your
2 brief is to say it is very important to continue to do
3 good research in the north. One of the problems that is
4 happening right now is this difficulty to work with
5 Aboriginal researchers. The relationships are strained,
6 so we have to adjust our ways of doing things.

7 That is the reason I wanted to say that
8 we understand exactly what you mean, that it is important
9 for the future.

10 It is also important to get funds. It
11 will certainly be easier if Aboriginal people and
12 non-Aboriginal researchers work together than if they
13 fight each other as to the ways of doing things, to get
14 funding from institutions.

15 We certainly were quite pleased to hear
16 your concerns and to share with you. We hope that you
17 are going to continue in that direction. We are available
18 to discuss with you. We feel that, if there is to be a
19 legacy from our Commission, it is that. There are all
20 kinds of legacies for royal commissions, but that is
21 certainly one of them. It is a growing reality and it
22 is going to continue.

23 We have tried to do our share, and we

StenoTran

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 are living the experience of going through the
2 implementation of such a code of conduct. We are available
3 to share with your organization on this.

4 **JULES DUFOUR:** Thank you. I would like
5 to mention my own personal experience in the last two years.

6 I am involved in the review process of the Great Whale
7 Hydro Project. It was a concern all the time for us, as
8 members of the commission and committees, to have the local
9 people involved in research and involved in the whole
10 process, even in the formal research. We tried to have
11 the views of all local community people in the process.

12 That is a concern for northern Quebec,
13 and I am sure for other projects in Canada in the northern
14 parts of the provinces and in the Northwest Territories
15 and Yukon.

16 **CO-CHAIR RENÉ DUSSAULT:** Thank you.
17 Mary Sillett has one last question.

18 **COMMISSIONER MARY SILLETT:** Thank you,
19 Mr. Dussault.

20 I am thinking about the issue of justice.

21 I have always been struck with the question: Do I,
22 myself, know very much about what the traditional justice
23 system looked like in Labrador, for instance? I have some

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 idea of that from the stories that my grandfather and
2 grandmother told me, but my grandfather didn't have his
3 whole life to tell me stories. He had to make a living.
4 You can't touch on every issue.

5 What resource do we have to look back
6 and find that information? We have limited literature
7 that is done by probably Qadlanaut anthropologists, and
8 I question the validity of the research they have done
9 more and more, as I get more and more information.

10 In Labrador, for example, they do have
11 ways of documenting oral knowledge. This is a woman's
12 personal project; "Them Days" it is called. It is a
13 Labrador magazine. They interview many Labrador Elders
14 and older people, and they get an idea. They document
15 their stories.

16 One of the real problems with that
17 magazine -- the idea is good. It is very good at preserving
18 information, knowledge and having that written for future
19 use, but it is about everything. It can be about someone
20 freezing their leg. You have to go through maybe 30 or
21 40 magazines to find what you want.

22 Have you considered ways of capturing
23 oral knowledge, ways of making sure that the knowledge

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 of the people somehow survives?

2 **MARIANNE STENBAEK:** I think that is
3 something that maybe the Commission could help with.
4 Really, it ought to be a national project. It really needs
5 to be something that the government or the Commission sets
6 into motion in every Aboriginal community in this country
7 before it is too late. A lot of it is very time-sensitive,
8 and for some of it, unfortunately, it is already too late.
9 They should go out and spend the money to collect all
10 of these stories and legends, and whatever, and do it now
11 -- not in 20 years, but now.

12 Then, once we have collected, we can
13 worry about how to systemize it and analyze it. I
14 understand that the Canadian Polar Commission is setting
15 up a data base on traditional knowledge. That is a very
16 worthwhile initiative, but we need to collect it now and
17 we need to do it before it is too late.

18 I think, if we did that, Canada would
19 really become quite a leader in that, and it would become
20 a project, or whatever you want to call it, that would
21 set a model for many other countries. I think, in my ways,
22 in our relationship between Aboriginal and non-Aboriginal
23 in research and other things, we are really far ahead of

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 other countries. We are modest about it, but we could
2 capitalize on it.

3 **COMMISSIONER MARY SILLETT:** I think, if
4 this initiative is taken, it is taken because of
5 individuals like Doris Saunders in Labrador, for example.
6 Pauktuutit has been very good about doing those kinds
7 of thing. In fact, they, more than anyone else, have said
8 that there is a vast knowledge in the Elders with respect
9 to traditional midwifery, and we have to document that
10 information -- not tomorrow, but today. We have to do
11 that fast because it is invaluable information. Once
12 these people go, you will never have that information
13 again.

14 I just wanted to say that surely there
15 must be a standardized way of getting this information.
16 What we have are sort of sporadic initiatives, depending
17 on someone's interest and depending on the political will
18 and too dependent on funding.

19 **MARIANNE STENBAEK:** To a very large
20 extent on the funding.

21 The Research Councils have something
22 called strategic grants. Maybe one thing the Commission
23 could do is recommend to the Research Councils that this

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 should be a priority. You are absolutely right that it
2 is now or never.

3 **COMMISSIONER MARY SILLETT:** Thank you.

4 **CO-CHAIR RENÉ DUSSAULT:** In closing, I
5 don't want to open a whole can of worms, but the definition
6 of the north is not an easy thing. The Commission has
7 to wrestle with it, of course. There is Labrador, the
8 Northwest Territories, Eastern and Western Arctics, and
9 also the northern parts of the provinces.

10 By definition, you focus on the north
11 and you must have your own definition as to what is the
12 north. We would be interested in sharing that with you
13 in the coming weeks. If you have information or documents,
14 we would be happy to receive them.

15 **JULES DUFOUR:** I will answer this.
16 There has been a long discussion, since the beginning of
17 the existence of the Association, especially for the
18 special training program when the students were requesting
19 money: Are you really going to the north? Are you too
20 close to your university. It was a very crucial question.

21 For sure, there is no problem when we
22 are talking about the Arctic that we are talking about
23 the north. When we are dealing with the natural resources,

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 we are dealing with small communities, even in the northern
2 parts of provinces. We are talking about the
3 psychological distance and the social problems.

4 Most of the time, we refer to the
5 definition of the north by the different classifications
6 of the north. I will just give you an example of the debate
7 we had in the last 10 years.

8 We decided in 1986 to form in the
9 Association a sub-association of four sub-Arctic
10 universities, mid-north universities. We have the two
11 in Quebec, Abitibi Temiskamingue and Chicoutimi, Lakehead,
12 and Laurentian, and then we added Memorial University in
13 dealing with Labrador, to try to have more links. We are
14 not in the south, but we are not in the north. We are
15 in the sub-Arctic region, and that was a concern for us.

16 I think you are dealing with degrees of
17 north when you travel. Now we would consider that, when
18 you are dealing with the resources and the social problems
19 of small communities in northern provinces and in the
20 Arctic, we are dealing with the north. That is the "mental
21 north" that was talked about many years ago.

22 We mention in our report, too, that we
23 are still developing this conscience of the north in

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 southern universities. The involvement of university
2 researchers and professors in the development of the
3 conscience of the north is very important, and the special
4 reality of the north.

5 **COPRÉSIDENT RENÉ DUSSAULT:** Merci.

6 **COMMISSIONER MARY SILLETT:** I just want
7 to mention that we should never forget that the people
8 who are in the room are very hungry, and I don't want them
9 to be really mad at me for the rest of their lives, but
10 I do want to know one thing.

11 The Makivik Corporation did make a
12 presentation to us the other day, and they gave us very
13 specific figures on the cost of living, for example, in
14 northern Quebec communities. Could you very quickly tell
15 me how that compares, for example, with Grise Fjord or
16 the cost of living in other parts of the northern provinces.
17 Is it equally as expensive to live in the northern parts
18 of the provinces as it is in Nunavik or Nunavut?

19 **JULES DUFOUR:** To make a comparison of
20 the cost of living in Yukon with that in the northern parts
21 of the provinces, such as Quebec?

22 **COMMISSIONER MARY SILLETT:** Northern
23 Saskatchewan.

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 **JULES DUFOUR:** I would say that maybe
2 in the prairies there are more links between north and
3 south. In Quebec, for example, or in the eastern part
4 of Canada, there are less links, so it is very expensive
5 for communication, for transportation, for everything.
6 Even coming from a southern university -- we call it
7 University of Quebec at Chicoutimi -- we have to pay \$500
8 to \$600 for the fare. So we are in the north in that sense.

9 **MARIANNE STENBAEK:** Mary, in terms of
10 what we have been talking about today, it also means that
11 doing research in the north is extremely expensive. As
12 money is becoming less and less, we are seeing researchers
13 who would really like to go Grise Fjord, but they just
14 cannot manage it, so they go to Sudbury or Quebec City
15 and they do something somewhat different. It means that
16 you lose out on a lot of potentially wonderful researchers
17 because the cost is astronomical.

18 **COMMISSIONER MARY SILLETT:** Thank you.

19 **CO-CHAIR RENÉ DUSSAULT:** It is always
20 interesting to be in Quebec City.

21 Je voudrais vous remercier de votre
22 présentation, qui a été très utile. Nous espérons pouvoir
23 garder un contact sur un certain nombre de questions.

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 Merci, monsieur Dufour et madame
2 Stenbaek.

3 La Commission royale sur les peuples
4 autochtones suspend son audience publique jusqu'à 14 h
5 15, où nous allons reprendre avec la présentation du
6 mémoire du Comité canadien des ressources arctiques.

7 --- Suspension de l'audience à 13 h 25

8 --- Reprise de l'audience à 14 h 27

9 **COPRÉSIDENT RENÉ DUSSAULT:** La
10 Commission royale sur les peuples autochtones au Canada
11 reprend son audience publique avec la présentation du
12 Comité canadien des ressources arctiques.

13 Je voudrais sans plus tarder demander
14 aux représentants du Comité canadien des ressources
15 arctiques de procéder à leur présentation.

16 I would like to welcome the three of you
17 and ask you to proceed whenever you are ready.

18 **NIGEL BANKES, Chairperson, Canadian**
19 **Arctic Resources Committee:** Thank you, Mr. Dussault and
20 Ms Sillett. It's a pleasure and an honour to be here today
21 on behalf of the Canadian Arctic Resources Committee to
22 present our brief.

23 My name is Nigel Bankes, and I am the

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 Chairperson of the organization. With me, on my right
2 is Mary Crnkovich, who I think is known to both of you.
3 She has already appeared before this Commission in her
4 capacity as legal counsel to Pauktuutit. Mary is also
5 a member of the Board of the Canadian Arctic Resources
6 Committee.

7 On my left is Terry Fenge who is the
8 Executive Director of the organization.

9 CARC has been in existence for over 20
10 years. From its inception the organization has argued
11 for environmentally-sustainable development in the north
12 and for development that benefits the people of the north,
13 especially its indigenous inhabitants. We have argued,
14 as an organization, for a balance between the renewable
15 and non-renewable resource economies and, from the time
16 of the Mackenzie Pipeline Inquiry to the present, we have
17 argued that settlement of land claims is a national
18 priority and should precede non-renewable resource
19 development.

20 Our brief today is concerned with
21 comprehensive land claims and the extent to which they
22 have, and may in the future, served as a vehicle for
23 reconciliation between the peoples of Canada and for

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 fostering reciprocity and sharing.

2 As you will have noted, our brief is
3 divided into two parts. The first part contains our basic
4 submission, and the second part contains six appendices
5 which are designed to provide supporting argumentation
6 for the main part of the brief. We have also made available
7 to you today a short list of rather more precise
8 recommendations. The heart of the brief, I think, is found
9 in the first 27 pages.

10 Like the Commission itself, we have been
11 searching for some sound, principled basis on which to
12 ground an appraisal or critique of modern land claims
13 agreements and the federal government's land claim policy.
14 We believe that the principles of sustainability,
15 informed by modern feminist writings, provide one such
16 basis, and we develop that argument in the brief and in
17 our recommendations.

18 We are attracted to the principles of
19 sustainability as a touchstone against which to measure
20 land claim agreements and federal policy for a number of
21 reasons. Not only are those principles consistent with
22 the philosophy of our own organization, but they have
23 achieved international recognition and support from a

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 number of sources. There is, therefore, a sense in which
2 they constitute an internationally-recognized standard
3 against which to measure Canadian achievements or the lack
4 thereof.

5 Perhaps most important, though, is the
6 sense in which the principles of sustainability force us
7 to set goals for the future. Rather than concentrating
8 on the historic, but real, injustices suffered by the
9 Aboriginal peoples of Canada, they force us instead to
10 direct our attention to the question: How can we, as
11 non-Aboriginal Canadians, in partnership with Aboriginal
12 Canadians, ensure a sustainable future for the Aboriginal
13 peoples of northern Canada? This, I think, is a tremendous
14 challenge, but it is a challenge that we have to meet.

15 In introducing the brief today, I would
16 first like to indicate how we define the principles of
17 sustainability and then present a few examples of how that
18 analysis might work. We will then be able to try to respond
19 to your questions. We don't have all the authors of our
20 submission here, but we will do our best.

21 Our usage of the term "sustainability"
22 has four components: economic; environmental;
23 socio-cultural; and political and institutional. Each

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 of those components overlaps with the others.

2 On the economic side sustainability
3 requires that renewable resources be managed to ensure
4 their continued productivity over time. Non-renewable
5 resources must be managed in such a way as to minimize
6 environmental damage while providing for the needs of all
7 members of affected communities, including women.

8 Environmental sustainability is
9 provided by insisting upon the preservation of genetic
10 diversity and the protection of functioning ecosystems.

11 Socio-cultural sustainability can only
12 be achieved by insisting upon social justice, gender
13 equality, respect for cultural and linguistic diversity
14 and by according to indigenous peoples the opportunity
15 to self-determine their future.

16 Finally, governmental and
17 quasi-governmental institutions, including institutions
18 established by land claim agreements, will only meet the
19 tests of sustainability if they govern themselves in
20 accordance with principles of transparency, openness,
21 accountability and gender equality.

22 How, then, do model land claim
23 agreements and current federal policy measure up? Do they

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 make provision for these different elements of
2 sustainability? Do they value equally the roles and
3 values of men and women?

4 We argue in the brief that they fall
5 short. This is not entirely surprising, for it is evident
6 that federal land claim policy was developed in a much
7 narrower policy environment than the more holistic
8 approach demanded by the principles of sustainability.
9 To make that assertion a little more concrete, I would
10 like to provide some examples.

11 Take, first, the question of balance
12 that is at the heart of the different elements of
13 sustainability -- balance between the renewable and
14 non-renewable sectors of the economy; balance between
15 economic and socio-cultural considerations; and balance
16 between the different roles and values of men and women.

17 We do not see that need for balance and
18 that need for the preservation of options reflected in
19 a rigorous way in the federal government's land claim
20 policy or in modern land claim agreements. Modern land
21 claim agreements all but ignore issues of justice,
22 language, culture, education and housing. They focus
23 instead on creating complex administrative regimes within

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 which non-renewable resource development will be able to
2 occur. Much of the provisions are taken up with detailed
3 statements as to the terms and conditions pursuant to which
4 developers will have access to Aboriginal land and the
5 circumstances under which expropriation will be able to
6 occur.

7 By implication, the contributions of the
8 renewable resource sector are devalued. Also devalued
9 are the social and cultural preconditions necessary for
10 people to live meaningful and fulfilled lives of dignity.

11 A more specific example arises in the
12 context of wildlife. The modern land claim agreements
13 do create co-management regimes for the management of
14 wildlife. But, with the exception of the James Bay and
15 Northern Quebec Agreement, they do not provide, through
16 hunter income support programs and the like, an economic
17 means for people to stay on the land. In our view, that
18 is a significant omission.

19 Our Appendix on hunter income support
20 programs illustrates that these programs have the
21 potential to fulfill a broad range of health and social
22 objectives, including the support of family units and the
23 reinforcement of traditional knowledge.

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 The failure of governments to support
2 these programs is not only short-sighted but also
3 illustrates the extent to which the land claim negotiation
4 agenda is driven by government, not by community needs.

5 We recommend that the range of issues
6 that can, and should, be negotiated as part of a land claim
7 agreement be expanded to reflect the full range and balance
8 of sustainability principles, as well as the full range
9 of concerns of all members of Aboriginal communities.
10 We recommend that specific attention be given to hunter
11 income support programs.

12 Second, let's take the issue of
13 financial compensation. Lying at the heart of
14 sustainability is the ideal of social justice and the
15 observation that no society will be sustainable if there
16 are members of that society whose basic needs are not being
17 met. Needs, then, might form a basis for measuring the
18 adequacy of federal compensation payments; yet, there is
19 no evidence that this is in fact the case. Instead, the
20 adequacy, or otherwise, of payments seems to be determined
21 by reference to a per capita formula arrived at on an
22 entirely arbitrary basis and applied to modern settlements
23 across the board.

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 If anything, these compensation
2 payments, as the name implies, look to the past rather
3 than to the future for their justification. We understand
4 that factors such as past injustices and alienations of
5 land to third parties ought to be taken into account in
6 determining compensation but, equally, we need to look
7 to the future and to the satisfaction of needs.

8 Similar observations, I think, can be
9 made about the quantum of land and resources that remain
10 in Aboriginal hands after settlement agreements. Quantum
11 seems to be arbitrary rather than based upon an assessment
12 of present and future needs of the Aboriginal peoples
13 concerned.

14 Third, and finally, take the related
15 issues of finality and certainty.

16 We acknowledge that government has a
17 legitimate interest in creating conditions in which the
18 respective legal entitlements of the crown and of the
19 Aboriginal people concerned are clarified or rendered
20 certain. It is less clear, however, that this same claim
21 can be made for finality or, indeed, that the principle
22 of finality is at all consistent with principles of
23 sustainability.

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 In fact, we would suggest otherwise, for
2 the adaptability of physical and social systems is an
3 important part of ensuring sustainability. So, too, is
4 the idea of learning by doing and incorporating the lessons
5 of the past into future practice.

6 This suggests to us that land claim
7 agreements should provide for a regular review in
8 accordance with agreed-upon principles that include
9 reference to the attainment of sustainability. It also
10 suggests to us -- and this is addressed in detail in one
11 of the appendices. It also suggests to us that
12 implementation is just as important as the agreements
13 themselves and, as our analysis of the implementation
14 negotiations of the Nunavut Agreement demonstrates,
15 deserves a much higher priority than it currently receives.

16 At present, implementation negotiations
17 seem to be treated more as an add-on than as an integral
18 part of creating a better future.

19 These are just a few specific examples
20 of how the sustainability analysis that we propose might
21 be applied. Our most fundamental recommendation is simply
22 that the principles of sustainability provide an important
23 touchstone against which to measure current government

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 policy as well as existing agreements. These principles
2 ought to be explicitly incorporated into both, and we
3 recommend that the government comprehensive land claims
4 policy be amended to that effect.

5 As I mentioned at the outset, we tabled
6 with you this afternoon a more precise statement of our
7 recommendations than is contained in the full brief.

8 With those introductory remarks, we are
9 available to try to answer your questions.

10 Thank you.

11 **CO-CHAIR RENÉ DUSSAULT:** Thank you very
12 much for presenting us with your brief. As we were just
13 forwarded your recommendations, we haven't had an
14 opportunity to read them beforehand.

15 Because your brief is raising major
16 issues, of course the question is always what is the best
17 route to implement them. I am just a bit uncomfortable
18 because I didn't have the opportunity to read your
19 recommendations at length.

20 Do you feel you have given us the summary
21 that is necessary?

22 **NIGEL BANKES:** I think the
23 recommendations that we tabled today are drawn from the

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 first 27 pages of the full brief.

2 **CO-CHAIR RENÉ DUSSAULT:** So there is
3 nothing additional.

4 **NIGEL BANKES:** I will let Terry speak
5 to that, if I may.

6 **TERRY FENGE, Executive Director,**
7 **Canadian Arctic Resources Committee:** What I could do,
8 perhaps, is recount for you some of the recommendations,
9 and then I would hand the microphone on to Mary to talk
10 about some of the additional recommendations.

11 You have in front of you two and a half
12 relatively short pages. We have tried to distil a number
13 of our thoughts and ideas on two and half pages, and we
14 have organized it under three headings: Principle and
15 Process; Negotiating Agenda; and then the crucial question
16 of Implementation.

17 Nigel has already given you the
18 background on our fundamental recommendation, which is
19 that the current land claim policy needs to be reformed,
20 and we are suggesting that the principles of sustainability
21 be used as a touchstone in which to do so.

22 Let me mention a few things on the
23 negotiating agenda on page 2 -- two things. First of all,

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 on the land quantum, we found that, if one looks at the
2 land claim agreements that have been negotiated to date,
3 the amount of land that Aboriginal peoples retain under
4 land claim agreements roughly falls within a quantum of
5 15 to 25 per cent. The James Bay situation is
6 significantly underneath that.

7 We don't believe that is an equitable
8 situation.

9 Second, if you look at the whole question
10 of Aboriginal peoples sharing in the generation of revenue
11 from the development of crown land and resources within
12 Settlement Areas, I think this is a rather interesting
13 topic. When the federal land claims policy was reformed
14 in 1986, amidst great fanfare, the federal government
15 announced that it was prepared to share royalties derived
16 from oil, gas and mineral development with Aboriginal
17 peoples. The share of those royalties that has been
18 provided to Aboriginal people through the northern land
19 claim settlements is very small.

20 However, there is another side to this
21 issue. The federal government in the north uses other
22 tools and techniques to capture economic rent rather than
23 royalties. Unfortunately, the land claim agreements do

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 not provide the ability for Aboriginal people to share
2 in those tools and techniques. Aboriginal peoples are
3 restricted to sharing royalties.

4 If one is to abide by the principle of
5 fiscal equity, one would need to broaden the range of tools
6 and techniques which Aboriginal people can use to gain
7 a fair share of the revenue and rents that the crown
8 receives from development within Settlement Areas.

9 A third area we would suggest you look
10 at is the whole question of the ownership and management
11 of sub-surface resources. We find that in the northern
12 land claim settlements, notwithstanding the term "land
13 claim," Aboriginal peoples are provided with, in essence,
14 a marginal role in the disposition of rights to use the
15 sub-surface and an inability to own portions of the
16 sub-surface.

17 We think this is entirely inequitable
18 and is a major sin in the land claim policy to date. It
19 is something that we would suggest that you turn your
20 attention to.

21 Nigel has already mentioned at some
22 length the whole question of renewable resource
23 development and our position in favour of programs and

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 other means to bolster and support hunting, fishing,
2 trapping and gathering economies, so I won't speak to that.

3 Lastly is the whole question of
4 implementation, a very important question. I would invite
5 Mary to make some comments on that.

6 **MARY CRNKOVICH, Canadian Arctic**

7 **Resources Committee:** Thank you, Terry.

8 In our recommendations we have called
9 upon you to consider recommending that the guidelines
10 currently in place for comprehensive claims be discarded.

11 These are guidelines that were developed in 1991 by the
12 federal government. They were not part of the
13 comprehensive claims policy that was developed in 1986,
14 and that policy development was the result of ongoing
15 discussions with a number of the claimant groups.

16 Unlike that, the guidelines themselves
17 are something done very internally and, as you can well
18 imagine, have a direct impact on the effectiveness of any
19 land claim agreement. These guidelines are inappropriate
20 and do not reflect any of the Aboriginal claimant groups'
21 viewpoints and, in our view, should be discarded.

22 As well, in discarding them, we are
23 proposing that you recommend that implementation is an

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 integral part of the land claims process and, therefore,
2 should be part of a new comprehensive claims policy, that
3 it should not be separated and isolated as an additional
4 after-the-fact matter.

5 We have said that the implementation
6 contracts that exist -- the Nunavut Land Claim Agreement
7 is discussed at length in an appendix to this brief. That
8 implementation contract is negotiated by the parties, but
9 it is done at the end of a process, after many, many years
10 of negotiating a land claim. It is our view that these
11 plans to implement and give life to the meaning of the
12 agreement should be done at the same time, by the same
13 people and at the same negotiating table, not done after
14 the fact by people who have had no involvement in the
15 development of the comprehensive claim agreement.

16 These plans that do get developed should
17 have legally-binding commitments in them. They should
18 be given contractual status so that the Aboriginal claimant
19 group, once they have completed an agreement, have some
20 commitment to knowing that their agreements will be
21 implemented as agreed to.

22 Another important recommendation we
23 felt should be made is that the implementation plan, since

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 it is an integral part of a comprehensive agreement, should
2 be made available to the Aboriginal claimant group and
3 the community that is represented in the agreement prior
4 to their ratifying any agreement. They should have an
5 opportunity to review it and fully understand not just
6 the agreement but what the contract entails. Without
7 that, they are not being fully informed, and it would be
8 unfortunate for them not to have that opportunity.

9 Generally, in the principal section of
10 our recommendations another important aspect to
11 implementation was the recommendation that land claim
12 agreements be regularly reviewed. What we recommended
13 here was that perhaps every five years there would be a
14 review.

15 Under the Nunavut Land Claim Agreement,
16 there is a commitment to review every five years, but it
17 is only review as to how the legal contract, the
18 implementation plan, is being implemented. There is not
19 a general review of how the land claim itself is succeeding
20 in its implementation.

21 It is our view that that type of
22 five-year evaluation of the agreement could be done by
23 some party outside of the two parties who sign the contract

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 and also sign the land claim agreement. We have
2 recommended that one group that could be considered could
3 be the Claims Commission which was the commission proposed
4 by the Liberal Party in its October 8, 1993 paper.

5 I will stop there and leave you to your
6 questions. Thank you.

7 **CO-CHAIR RENÉ DUSSAULT:** Thank you
8 again. I would like to thank the Canadian Arctic Resources
9 Committee for presenting us with a very informative brief.
10 Obviously, a lot of thought and effort has gone into the
11 provision of this brief. It is certainly going to be very
12 useful for the Commission. I would like to thank you very
13 much for doing this.

14 It is always good for us when out of our
15 Intervenor Funding Program support -- and I know that it
16 was not all that was needed for the preparation of this
17 report -- good results flow.

18 That being said, you described the
19 structure of your organization. I believe you have 14,000
20 members. You are not federally-funded; you are privately
21 funded by your members. What is the process in your
22 organization when you present a brief like this one? Is
23 it a committee report? Is it a report that has the support

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 of the Board of Directors?

2 Could you expand a bit on that.

3 **NIGEL BANKES:** I can speak to that.

4 We have, as an organization, a committee
5 composed of some 20 individuals who are selected to serve
6 on the committee because of their background in northern
7 issues. They are drawn from all sorts of professions and
8 from across the country.

9 In addition to the formal committee
10 members, we have members who support the organization
11 through actually joining the organization and subscribing
12 to the organization. The process that we go through for
13 preparing a brief such as this is to internally, within
14 the Executive Committee of the Board, thrash around what
15 sort of position we wish to take and then to have different
16 members of the Board and others contribute to the
17 preparation of that submission.

18 Drafts are then circulated to interested
19 Board members for their comment and input.

20 It would be misleading to say that 14,000
21 members or 5,000 members had signed on to this brief.
22 Those members support the organization and the general
23 goals of the organization, which I think are well-known

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 to our supporting public. We remain consistent with those
2 general goals which, no doubt, evolve over time.

3 **CO-CHAIR RENÉ DUSSAULT:** Thank you for
4 that clarification. It is useful.

5 There are two main issues I would like
6 to raise with you. The first one is about the whole
7 question of extinguishment.

8 You say in your brief that to achieve
9 certainty and clarity of title -- and you agree that this
10 should be achieved, that it is not a necessary step to
11 include the extinguishment clause in whatever form it has
12 evolved in the last few years, that it is not necessary
13 to do that to achieve this end. I know you have appendices
14 to your brief.

15 As you know, we hope to be able to come
16 up with an interim report on the whole issue of
17 extinguishment -- an interim report because we feel that,
18 if it would help to create some movement, it is never too
19 soon. It has been one of the problems in the way of many
20 settlements.

21 But it is easier said than done. Of
22 course, since the Coolican report in 1985, many people
23 have been looking at alternatives to achieve that certainty

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 and clarity of title without having to go that far, in
2 terms of surrender, release and on and on.

3 Do you have additional technical
4 documents that you could share with us to support? Many
5 people say that and, of course, we were really looking
6 for technical solutions. We feel that a small step is
7 a big step in this area, and it would be very useful.

8 Could you tell us a bit more as to the
9 ways and means to achieve the goal that is shared by many
10 people in this country while meeting the necessity for
11 certainty and clarity of title?

12 **NIGEL BANKES:** It is clearly a very
13 difficult issue -- not just a difficult issue but a
14 tremendously emotional issue given the connection that
15 Aboriginal peoples feel to the land. Extinguishment of
16 title to land is, in some sense, extinguishment of them
17 as people.

18 We have given a lot of thought to this
19 problem. A number of the members of the Board are lawyers
20 who have worked for and with Aboriginal organizations and
21 have thought about the problem in that context.

22 We don't have a formal, technical, legal
23 brief that we could share with you at this stage.

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 In terms of alternatives to
2 extinguishment that actually might provide the required
3 certainty, it seems to us that the basic problem that one
4 has to be concerned with is that people will go to court
5 based upon an unextinguished title and, therefore,
6 threaten the security of third party title. If that is
7 the problem, then that is the specific issue that needs
8 to be addressed.

9 We perhaps discussed two solutions, if
10 they can be called solutions. One is to suggest that the
11 rights contained within a land claim agreement constitute
12 an entire statement of rights to land, thus making it
13 extremely difficult for anyone to sue on the basis of
14 another interest in land. So define the rights in the
15 agreement and state that the agreement provides an
16 exhaustive list of rights in relation to land.

17 A second possibility is to look at the
18 sort of thing that was being talked about at the time of
19 the Charlottetown Accord last year, when discussions were
20 focusing on the inherent right to self-government and the
21 entrenchment of that in the Canadian Constitution, but
22 also a significant discussion focusing on when that right
23 should become justiciable and a clause being put into the

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 Accord, either in the text or in the political accord,
2 indicating that the right would be non-justiciable for
3 a number of years.

4 I don't think we have thought this
5 through every precisely, but maybe that which seemed to
6 be politically acceptable to both Aboriginal organizations
7 and to the provincial governments and the federal
8 government last year could be looked at as a way of dealing
9 with the issue of certainty.

10 **CO-CHAIR RENÉ DUSSAULT:** Just to be sure
11 I hear you correctly on the second one, the rights
12 recognized or defined in the agreement and the issue of
13 justiciability, it would not be justiciable for Aboriginal
14 people for a length of time to secure security to third
15 parties, or is it the reverse? What do you have in mind?

16 **NIGEL BANKES:** Sir, what I was
17 suggesting is that the rights contained in the agreement
18 certainly would be justiciable and they would need to be
19 enforceable. The land claim agreement would be recognized
20 under section 35 of the Canadian Constitution, and
21 constitutional rights would flow from that and would be
22 justiciable.

23 I think other rights outside the

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 agreement, based upon Aboriginal use and occupation, might
2 not be justiciable.

3 Maybe the second option is nothing more
4 than a technical way of expanding on the first option.

5 **CO-CHAIR RENÉ DUSSAULT:** That makes it
6 clear.

7 The second point concerns the royalty
8 on resources and sharing the economic rent. One of the
9 things that struck us while touring the country and meeting
10 with many groups in the resources field -- forestry,
11 mining, electricity, and whatever -- is that in many land
12 claims Aboriginal peoples are not made partners or given
13 compensation. They remain largely spectators to the
14 development of the resources that happened on their
15 ancestral territories.

16 We feel that the whole idea of trying
17 to make Aboriginal people, through those settlements,
18 partners in the development of the resources is an
19 interesting idea.

20 Of course, if you are a shareholder, it
21 brings you to another level of discussion. You have some
22 say in the management of the enterprise.

23 Do you have some thoughts on the whole

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 idea? I know you say in your brief and in your
2 recommendations that there should be capital transfers
3 also. When you addressed the whole issue of economic rent
4 and royalties, did you give some thought to the ways and
5 means to use those land claims agreements to really make
6 Aboriginal people partners in the development of the
7 resources -- not only to get their authorization, but
8 taking into account some of their concerns? They would
9 be part of the development process.

10 **TERRY FENGE:** You raise an important,
11 but complex, question. Let me take a first stab, and then
12 I will pass the microphone along.

13 The first thing to note is the actual
14 language used in the 1986 land claims policy. I think,
15 if you go back to that policy, you will see that much of
16 the rhetoric behind that policy is very similar to the
17 concepts that you were espousing and rather similar to
18 your own remarks in the press release that you published
19 earlier this year in relation to reciprocity and sharing.

20 I think perhaps the problem was that the
21 1986 policy, when it was reformed, did not go far enough
22 to actually reflect the rhetoric involved.

23 Secondly, I think it is fair to suggest

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 that nobody who is sitting down and facing a bevy of lawyers
2 and government people on the other side of the table would
3 have all the answers. Therefore, surely it is important
4 that Aboriginal peoples have the opportunity to try to
5 design perhaps a variety of tools and techniques to enable
6 them to become partners in economic and social development.

7 These might through Inuit Impact and Benefit Agreements,
8 through the Nunavut Agreement; it might be through
9 participation agreements in the Inuvialuit Agreement.

10 We think, through sharing in royalties
11 and sharing through rents and other mechanisms that are
12 used to cream off economic rent, by sharing management
13 rights for sub-surface as well as surface -- all of these
14 things build Aboriginal peoples into partnership with
15 government.

16 Therefore, we should perhaps not
17 concentrate on one or two tools or means; we should be
18 expansive in thought here and seek to free negotiators
19 to think expansively, to see what they can design, rather
20 than being limited arbitrarily by the limits of the land
21 claims policy.

22 **NIGEL BANKES:** I am not sure that I have
23 much to add to that, other than that I distinguish, I

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 suppose, in my own mind between an opportunity to
2 participate in a project in terms of its job opportunities,
3 management opportunities, training opportunities and the
4 right to economic rents. I sort of sever out almost as
5 a third question this issue of whether or not Aboriginal
6 people wish to actually invest in a project that is
7 occurring on their traditional lands.

8 It seems to me that the latter is a very
9 risky option which clearly needs to be evaluated on a
10 case-by-case basis with great care.

11 **CO-CHAIR RENÉ DUSSAULT:** Let me be a bit
12 more specific.

13 Two weeks ago in Montreal we had a
14 discussion on this very issue with the Grand Council of
15 Crees. Mary and I were in Montreal earlier last May, and
16 one of the things that struck us was that the Crees in
17 James Bay told us that to see the young Crees going to
18 work for Quebec Hydro, for them and for the community
19 leaders, was to see them as a kind of traitor.

20 There is a training centre with 50
21 positions in James Bay to get the training in the
22 electricity techniques. They said, "Because we don't feel
23 we have a partnership in Quebec Hydro, it is kind of an

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 adversarial relationship."

2 It seems to me, at least, that there is
3 something wrong there. There are jobs available in the
4 Cree territory in the north.

5 That is why the whole issue of being a
6 partner in the development of the resource seems to be
7 so important. Otherwise, people get cash payments, and
8 they resist development and then get other cash payments,
9 but they never feel part of what is happening on their
10 own land. The process was not made to make them partners.

11 "We give you money, and we do what we feel is necessary
12 to do on the territory." It is the same with the forestry
13 industry, and so on.

14 That is the kind of thing that we would
15 like to address: What are the means to bring partnerships,
16 a feeling that there is an interest in the development
17 of the resource, not only in terms of receiving cash payment
18 but a longstanding interest of the Aboriginal people
19 involved?

20 I don't know whether that clarifies what
21 I had in mind in putting that question, but it seems to
22 me to be pretty fundamental.

23 **NIGEL BANKES:** It certainly is a

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 fundamental issue. I think, if one looks at the two
2 northern agreements that I am most familiar with, the
3 Nunavut Agreement and the Inuvialuit Agreement, it would
4 seem to me that the participation agreements that are
5 provided for under the Inuvialuit Agreement actually seem
6 to have been quite successful in bringing people on side
7 and in developing partnerships with Imperial and Shell
8 in the development of oil exploration in the Delta area.

9 In the context of the Nunavut Agreement,
10 I think there was an important opportunity missed in the
11 negotiations there because of an attempt by the federal
12 government, between the agreement-in-principle stage and
13 the final agreement, to severely restrict the ambit of
14 what are called the Inuit Impact and Benefit Agreements.

15 They were initially designed to apply very broadly to
16 any developments occurring anywhere within the Nunavut
17 territory.

18 As the agreement was finalized, it
19 really only applies to developments occurring where Inuit
20 land is directly affected, where mineral exploration, for
21 example, is occurring under Inuit land or in relation to
22 hydro projects anywhere within the Nunavut territory.

23 I think there was an opportunity there

StenoTran

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 to provide a basis for negotiating partnerships which might
2 provide jobs, training and economic opportunities for
3 people, and there was a pull-back.

4 **COMMISSIONER MARY SILLETT:** I am really
5 sorry that I am not Mrs. Wilson because I know you had
6 hoped that she would be here. I will tell her that when
7 I see her.

8 I just have one question because I am
9 very conscious of the time factor, although I have a number
10 of questions I can privately pursue with both Terry and
11 Mary because I have known you for a very long time.

12 I am encouraged that this document
13 addresses gender equality issues. That is something I
14 don't see very often in terms of the discussion of land
15 claims and the discussion of self-government. I guess
16 we have Mary to thank for that.

17 This morning we heard from the Canadian
18 Municipalities, and they said very clearly that the land
19 claims and self-government are issues they are very
20 interested in. They say, for example, that land claims
21 do have an impact upon the issues they are responsible
22 for, issues such as zoning or land access or taxation,
23 and that in future they would very much like to be a party

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 at the table -- not an observer but an actual party. They
2 feel they have a legitimate request. They say they are
3 not a third-party interest; they are a level of government
4 that has actual responsibilities and actual jurisdiction
5 and, therefore, they should be sitting at the table with
6 Aboriginal groups who are negotiating land claims.

7 I know that you have primarily
8 concentrated your work on land claims and self-government
9 in the north, but I was wondering whether you have come
10 across those kinds of issues -- requests from groups such
11 as municipalities or hamlet councils or, in the case of
12 northern Quebec, hamlet settlement councils or third-party
13 interests, and how have they been addressed in the land
14 claims settlements to date?

15 **NIGEL BANKES:** I am not sure that I have
16 much to offer you there. I think, because there is a much
17 greater congruence between the people who sit on municipal
18 councils and the beneficiaries under a land claim
19 agreement, perhaps the issues of conflict are not as severe
20 in many northern areas as they might be in the south.

21 The analogous situation in the north
22 almost is the question of: To what extent do the
23 territorial governments get to sit at the land claim

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 agreement negotiation table as a separate party? If one
2 looks at the northern land claim agreements being handled
3 quite differently, in the Nunavut Agreement very clearly
4 the position that was taken was that the territorial
5 government was an arm of the federal government, could
6 sit as part of the federal negotiating team, but was not
7 technically a party. That was important in terms of the
8 enforceability of the agreement and against whom one might
9 be suing in the event of a dispute.

10 My understanding is that in the Yukon,
11 the Yukon government is actually a party to the land claim
12 agreement.

13 I think there is some experience in
14 dealing with those issues in the north, but it is primarily
15 at the party level rather than the question of whether
16 or not somebody else gets to sit at the table. It would
17 be my understanding that no other parties, other than the
18 governments including the territorial government, have
19 been able to sit at the table in northern land claim
20 negotiations.

21 **MARY CRNKOVICH:** I think it is an
22 interesting note to add that in the Nunavut Land Claim
23 Agreement, the municipalities did participate but that

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 they participated to the extent that during the land
2 selection negotiations the Inuit included members of the
3 Hamlet Council to participate with them. They were asked
4 to participate, and members of the Hamlet Council came
5 with the Inuit negotiators, and they collectively
6 negotiated for the lands.

7 In some cases lands were selected in the
8 municipalities. While the federal government was clearly
9 the ultimate nay- or yeasayer for government, they did
10 work closely with the municipalities. But, again, that
11 was the choice of the Aboriginal claimant group in that
12 case. They were not given status to come in.

13 **COMMISSIONER MARY SILLETT:** I think the
14 answer to my question is very different in the north from
15 the south. You are very right, in that, when we were
16 meeting this morning, I thought about the situation,
17 particularly in Labrador, where people are on the community
18 councils. The composition of the communities is that the
19 majority of the people are Inuit. Usually the mayor is
20 an Inuk, and that mayor is probably involved in the land
21 claim negotiation. There is a lot of communication.

22 For example, the mayor might not sit at
23 the land claim negotiations in his capacity as mayor, but

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 certainly he has the interests at heart, so that there
2 is a lot more representation; whereas, the situation in
3 the south is completely different. Municipal governments
4 are almost alien to the reality of the life of an Aboriginal
5 person.

6 Thank you very much.

7 **TERRY FENCE:** I would like to draw your
8 attention to our first recommendation. While we have
9 talked about the need for further reform of the land claim
10 policy, we have quite purposely in our recommendations
11 put, I think, a fairly significant burden -- at least,
12 we are recommending that you assume a fairly significant
13 burden.

14 We are suggesting that, in light of the
15 variety of briefs and recommendations that you have
16 received and in light of the rather significant research
17 that you have contracted, you may be in a position to
18 publish before the release of your final report a draft
19 land claims policy. We are suggesting that you might want
20 to get such a document into the public realm to see what
21 might fly in advance of the presentation of your final
22 report.

23 We would, furthermore, suggest this in

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 light of recent political changes in Ottawa and in light
2 of published statements by the Liberal Party indicating
3 that they are amenable to looking again at the land claims
4 policy.

5 If I may be colloquial, strike while the
6 iron is hot.

7 Thank you.

8 **CO-CHAIR RENÉ DUSSAULT:** Thank you. As
9 I mentioned, we hope to be able to come up with an interim
10 report on the issue of extinguishment and the land claim
11 policy. Whether we could commit ourselves to come up with
12 a full draft in all aspects is something else, but the
13 top priority is to address that issue in an interim fashion,
14 as we did in "Partners in Confederation" in order to have
15 the benefit of feedback for our final report.

16 As you know, we hope to be able to finish
17 with our deliberations at the end of 1994, a year from
18 now, so that gives us the possibility to do that.
19 Obviously, time is running short, and we have to honour
20 the priorities.

21 We share the concern that is in your
22 first recommendation. Whether we could go all the way,
23 as you suggest, is interesting. It is an idea that we

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 are certainly going to look at.

2 We could go at it for quite a long time.

3 You have some very interesting recommendations on the
4 implementation side. We are going to look at them.

5 For the time being, I would like to thank
6 you for coming and sharing with us these thoughts and
7 recommendations. We hope to keep in touch in the coming
8 weeks and months. I think your brief will be influential
9 in the work of this Commission.

10 Thank you. Merci.

11 La Commission royale suspende ses
12 travaux pour deux ou trois minutes. Nous allons reprendre
13 avec la présentation de l'Alliance Autochtone du Québec
14 Inc.

15 --- Suspension de l'audience à 3 h 22

16 --- L'audience reprend à 15 h 37

17 **COPRÉSIDENT RENÉ DUSSAULT:** La
18 Commission royale sur les peuples autochtones au Canada
19 reprend son audience publique avec la présentation d'un
20 mémoire par l'Alliance autochtone du Québec Inc. Je
21 voudrais sans plus tarder demander à M^{me} Racette, la
22 présidente, de procéder à la présentation du mémoire et
23 la présentation de son groupe.

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 Madame Racette.

2 **GINETTE RACETTE, présidente et grand**
3 **chef, Alliance autochtone du Québec:** Je pense que je vais
4 procéder en français. Malheureusement, M^{me} Sillett
5 doesn't speak French, but I will do my best to give a little
6 bit of my presentation in English.

7 Before starting my presentation, I want
8 to introduce the members who are with me today. To my
9 left is Mrs. Catherine Cheezo; she is a member of the Native
10 Alliance of Quebec and she is status from the Cree Nation.
11 Beside her is Mrs. Nancy Doucet; she is the Director of
12 the Habitat Métis du Nord Program. At the end of the table
13 is Mr. Gilles Bérubé, who is the President and General
14 Manager of Waskahegen Housing Corporation in Quebec.
15 Behind me is Mr. André Ladouceur, who is a volunteer worker
16 with Native Alliance of Quebec and who is a Métis. Then
17 is Mrs. Lilas Durocher; she is working with CUIIC in
18 Campbells Bay for native people. Mr. Pierre Veilleux is
19 Community President in Saint-Jean-sur-Richelieu and he
20 is also a Métis.

21 Dear Members of the Commission, it is
22 a real pleasure for me to be here to present to you the
23 memorandum of the Native Alliance of Quebec on the role

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 that it is going to play within the Canadian Confederation.
2 As President and Grand Chief, I am really happy about
3 the Royal Commission's interest in all organizations, off
4 reserve particularly. I would like to thank all the people
5 who joined me today to help me present the memorandum of
6 the Native Alliance of Quebec.

7 I will not go through the whole
8 memorandum; you have it. I don't know if you have had
9 a chance to translate it, because, with the small amount
10 that we received and the short time -- it was translated?
11 All right. We didn't have the time or the budget to do
12 the translation.

13 **CO-CHAIR RENÉ DUSSAULT:** In fact,
14 summaries were done in English but not the whole thing.

15 **GINETTE RACETTE:** Not the whole thing.
16 I will do my best to have it translated and send it to
17 the Commission later.

18 About self-government, we didn't make
19 recommendations because, for the moment, our association
20 didn't have the time and the budget to work on it, and
21 for many reasons.

22 First, the large majority of our members
23 declare themselves as Métis and most of them are living

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 in rural communities. Many of them are living in urban
2 areas, but it is not clear whether we are going to proceed
3 with self-government in rural communities.

4 Second, there is a very important point:

5 We are going to start negotiations with the Quebec
6 government for the enumeration and the registration of
7 natives not recognized by the Indian Act.

8 Finally, our people off reserve have to
9 live with discrimination in different programs, like CUIIC,
10 where we don't receive services for people off reserve
11 if they are farther than the third generation. So we have
12 to fight against that.

13 We are not really safe in Quebec, if I
14 can use that word, because we don't know in the nearest
15 future what kind of government we are going to have in
16 Quebec. We don't know if we will be part of Canada in
17 a year or two, because some people want to separate Quebec
18 from our country. So when we talk about self-government
19 and land claims, it is really hard to deal with, because
20 we don't know where we are going in the nearest future.

21 On the economic development, there is
22 a new program with ISTC that really works for native people
23 off reserve. Many people from my association and other

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 associations can receive benefits from this program. So
2 we are really happy about that.

3 On the Indian Act, we made
4 recommendations because it is the strong idea of most of
5 the people off reserve that the Indian Act separated many
6 families and brothers and sisters, because some are living
7 on reserve, which is their choice, and some other people
8 are living off reserve in urban centres; it is their choice
9 too, but they still are Indians.

10 On education, we still have to face some
11 discrimination with regard to CUIIC. Mrs. Durocher has
12 been working with CUIIC in Campbells Bay for 13 years, and
13 she could elaborate a little later on the programs that
14 she is working on for native people off reserve.

15 On education and culture, last spring
16 and during a bit of the summer there were hearings about
17 a child care program. I am going to give you later the
18 recommendations of the Native Alliance of Quebec that we
19 presented to the Native Council of Canada earlier. Mrs.
20 Cheezo is a living proof of why we strongly believe that
21 we should have our own education program and our own daycare
22 program -- native programs; she can talk about why it is
23 really important with regard to the tradition, the culture

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 and language.

2 So, if I may, I would like to let Mrs.
3 Cheezo talk about that.

4 **CATHERINE CHEEZO, Alliance autochtone**
5 **du Québec:** Je vais parler au sujet de ma culture. J'ai
6 été élevée dans des foyers d'accueil; j'en ai perdu ma
7 propre langue. Ce programme-là qu'on veut vous présenter
8 aujourd'hui ce serait un programme qui pourrait nous aider
9 à retrouver nos cultures, retrouver nos traditions; pas
10 juste pour moi, mais c'est pour nos descendants futurs
11 aussi. C'est un projet qui est très positif, qu'on voit
12 comme très légal aussi.

13 Ayant été élevée privée de tout cela,
14 aujourd'hui, je prends conscience que c'est vraiment très
15 important pour nous. C'est un point vraiment très
16 important: nos propres traditions aujourd'hui sont
17 effacées, et on veut remettre ça sur le point parce que
18 c'est une culture à ne pas gaspiller.

19 **GINETTE RACETTE:** The recommendation
20 that the Native Alliance of Quebec is giving you today
21 is that we are asking the Commission to make a strong
22 recommendation to government to provide native people with
23 all the facilities to set up -- first, we want to have

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 the enumeration of native kids in the white areas. With
2 the statistics that is going to come out of this
3 investigation, if I may, we can prove to all governments
4 that there is a need, a real need, to have our own education
5 system and our own daycare and to provide to all native
6 people off reserve the budgets to set up a course for --
7 there is a lot of young women who want to be teachers.
8 They want to work in native daycare, but we don't have
9 that many. I know that there are some in Montreal, maybe
10 there are some in Quebec City, but there are some other
11 places where it is a real need, like the North Coast and
12 up to Val-d'Or, the Algonquin area; there is a real need.

13 So this is the recommendation that we
14 give to the Commission. We strongly believe that it is
15 a real need. It is the start, you know. We have to teach
16 again -- we should not have to, but we have to teach the
17 young people again, to start at the beginning, their
18 language, tradition and culture. Now they believe that
19 they are whites because they don't speak their language
20 and so they are part of the white people.

21 We don't have anything against the white
22 people because they bring us lots of things, lots of
23 education. But I think that if we say that we are Métis

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 or that we are Indian, status or non-status people -- we
2 have to get back our culture, traditions and language.

3 Another program the Native Alliance of
4 Quebec wants to make strong recommendations on is the
5 Housing Program. There is a document I am going to give
6 to the Commission today which was presented to Mr. Claude
7 Ryan, who is the Housing Minister in Quebec, and also Mr.
8 Elmer McKay, the federal Minister. I would like to let
9 Mr. Gilles Bérubé, the President and General Manager of
10 Waskahegen Corporation, talk about this.

11 **GILLES BÉRUBÉ, président et directeur**
12 **général, Corporation Waskahegen, Alliance autochtone du**
13 **Québec:** Dans le mémoire qu'on a présenté au fédéral et
14 au provincial au niveau de l'habitation au début de
15 l'année, nous disions clairement à l'intérieur de ça que
16 nous voulons devenir une institution autonome au niveau
17 de l'habitation. Je pense que notre mémoire est clair
18 par lui-même en disant que nous voulons avoir nos propres
19 programmes d'habitation.

20 Je pense que la Corporation Waskahegen,
21 qui a été fondée par l'Alliance autochtone en 1972 et qui
22 a déjà 21 ans d'existence, est capable aujourd'hui de faire
23 ses propres programmes avec l'expertise qu'elle a et avec

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 la connaissance de la clientèle comme telle, dans le sens
2 du peuple autochtone vivant hors réserve.

3 On soumet aussi dans notre mémoire qu'on
4 veut avoir notre autonomie, faire nos propres programmes,
5 mais nous voulons quand même que la responsabilité de
6 l'habitation reste au niveau fédéral comme tel. Nous ne
7 voulons pas avoir de différence entre les programmes, que
8 tu restes à Ottawa ou que tu restes à Hull; le peuple
9 autochtone veut avoir les mêmes programmes d'habitation
10 parce qu'il vit les mêmes problèmes, que ce soit en Ontario
11 ou au Québec. Donc nous tenons fortement à ce que la
12 responsabilité soit au niveau fédéral au niveau de
13 l'habitation.

14 Nous avons aussi un Comité national sur
15 l'habitation qui a été fondé l'année passée, où nous nous
16 sommes concertés sur ça et nous avons tous la même opinion
17 -- un consensus -- en disant que c'est la responsabilité
18 du fédéral. Nous voulons que le fédéral soit un partenaire
19 financier et un partenaire d'expertise aussi, mais nous
20 savons que les spécialistes au niveau de l'habitation chez
21 le peuple autochtone, ce sont les autochtones eux-mêmes.
22 Nous savons de quels programmes nous avons besoin, nous
23 savons ce dont nous avons besoin.

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 Nous ne rejetons quand même pas la
2 possibilité d'avoir des critères de performance. Nous
3 ne disons pas, à l'intérieur de ça, au gouvernement de
4 donner de l'argent et donner de l'argent et que nous allons
5 construire comme nous voulons. Nous voulons performer.
6 Nous sommes conscients aussi que les budgets fédéral et
7 provincial sont assez restreints, et nous voulons
8 performer davantage avec les mêmes argents qui sont
9 disponibles.

10 C'est un petit peu ce que nous proposons
11 au niveau national.

12 Nous disons aussi à l'intérieur de notre
13 document que nous voulons aussi profiter de nos propres
14 retombées économiques, ce qui est très, très difficile
15 présentement. On sait une chose, et c'est que si le
16 gouvernement comme tel dit: "Vous avez besoin de 100
17 logements au Québec", par exemple, si on construit les
18 100 logements nous autres mêmes, si on crée de l'emploi
19 pour une trentaine de personnes, ce sont 30 personnes qui
20 vont être capables de se payer un logement et, donc, qui
21 n'auront pas besoin du programme comme tel. Nous voulons
22 attaquer l'habitation par les deux bouts, autrement dit.
23 Je pense que nous avons l'expertise pour le faire, et

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 le gouvernement doit reconnaître cette expertise-là au
2 niveau canadien.

3 Nous allons sûrement faire es erreurs
4 mais nous allons apprendre par nos propres erreurs; c'est
5 un petit peu ce que les gouvernements ont appris, eux aussi.

6 Nous voulons, par ce programme
7 d'habitation, diminuer le nombre de chômeurs en profitant
8 de nos propres retombées économiques, nous voulons
9 diminuer l'aide sociale. Comme je vous dis, il y a moins
10 de familles qui auraient besoin de logements parce qu'il
11 y aurait des familles qui travailleraient. Les retombées
12 économiques chez nous, c'est bien, bien important.

13 L'expérience de travail que les
14 autochtones acquerraient au niveau de la construction
15 aussi leur servirait au niveau du développement
16 économique, pour aller travailler ailleurs que sur nos
17 logements comme tels. Donc ils auraient une expérience
18 de travail.

19 À la fin on vous remettra, si ça ne vous
20 a pas été remis, une copie du document comme tel, qui est
21 bien, bien clair et qui dit tout. Je peux vous dire que
22 nous avons présenté ça à plusieurs politiciens autochtones
23 au niveau national, et ils sont parfaitement d'accord avec

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 ce document-là. Et le document fait l'"assertation" de
2 tous les membres de l'Alliance autochtone du Québec.

3 Merci beaucoup.

4 **GINETTE RACETTE:** I didn't elaborate on
5 the justice program because I think that there was a
6 presentation to the Royal Commission.

7 I didn't talk too much about the Métis
8 Nation because I know that last spring, in April or May,
9 there was a strong presentation from a certain group from
10 the islands; they made a presentation about the Métis
11 Nation.

12 Everything is turning around the Métis
13 fact in Quebec, because we don't have the official
14 recognition of the Quebec government. But, in my mind,
15 it is clear that there is Métis in Quebec, a strong Métis
16 Nation in Quebec -- maybe not a nation, but a Métis
17 population. So all the programs that close the door on
18 most of the people in my association, it is always, always
19 because we are Métis. I don't think it is the government
20 who is going to tell me who I am, and I don't think it
21 is the nations that are going to tell me who I am, because
22 I am not questioning who all the people around me are.
23 I believe what they say they are.

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 So the recommendation that I would
2 strongly make to the Royal Commission is that it makes
3 a recommendation to the government that the people are
4 the proof; they know what they are, who they are and what
5 they have to do.

6 That's it for me.

7 **COPRÉSIDENT RENÉ DUSSAULT:** Alors ça
8 complète la présentation de votre mémoire?

9 **GINETTE RACETTE:** Oui.

10 **COPRÉSIDENT RENÉ DUSSAULT:** Je voudrais
11 d'abord vous remercier d'avoir accepté notre invitation
12 et d'être venus nous rencontrer pour partager avec la
13 Commission royale le résultat de votre mémoire.
14 Également, je sais que vous suivez le dossier depuis notre
15 création et bien avant et que vous allez continuer après.

16 Je voudrais simplement avoir l'occasion
17 de dire que depuis le début de la semaine, et il y a deux
18 semaines à Montréal mais certainement depuis le début de
19 la semaine, nous avons eu l'occasion de rappeler à
20 plusieurs groupes qu'il existait une réalité métisse au
21 Québec, que ce soit ce matin avec la Centrale de
22 l'enseignement du Québec qui faisait la présentation de
23 son mémoire, et par rapport à d'autres organisations aussi,

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 comme le Forum paritaire Autochtones/Québécois lundi
2 matin.

3 Nous voulons en tout cas dire que nous
4 sommes conscients que ce n'est pas aussi spontané que l'une
5 ou l'autre des 11 nations traditionnelles pour les groupes,
6 et nous ne manquerons pas une occasion pour indiquer que
7 la réalité métisse existe au Québec. Ceci étant dit, je
8 sais qu'il y a deux organisations -- l'Association des
9 Métis du Québec, que nous avons rencontrée et qui a fait
10 une présentation fort éloquente au mois de mai devant nous,
11 et également bien sûr votre association, l'Alliance
12 autochtone du Québec Inc. -- et évidemment, de façon plus
13 large le Conseil national autochtone du Canada, qui y
14 travaillent.

15 Alors ma première question serait:
16 Vous avez mentionné que vous avez amorcé des discussions
17 avec le gouvernement du Québec sur l'énumération des Métis
18 au Québec. Pourriez-vous élaborer là-dessus, avec qui
19 et dans quel contexte?

20 **GINETTE RACETTE:** Lors de ma première
21 élection l'an passé, j'avais eu l'occasion de rencontrer,
22 en tripartite avec M. Richard Garand et M. André Maltais,
23 à savoir... il nous avait été fait une proposition pour

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 commencer les négociations en vue de l'énumération et de
2 l'enregistrement des Métis au Québec. À partir de notre
3 association, il s'est formé un autre groupe qui travaille
4 à l'élaboration de la nation métisse.

5 On est revenu à la charge, le
6 gouvernement est revenu à la charge, c'est-à-dire que M.
7 Maltais et M. Meunier nous ont rappelés à Québec au début
8 de cette année pour encore discuter. On n'en est pas venu
9 à une entente encore à savoir quelle procédure nous allions
10 entreprendre et de quelle manière nous allions élaborer
11 l'énumération. Cependant, lors d'un récent colloque à
12 Québec, il y a trois semaines, j'ai eu l'occasion de
13 discuter avec M. André Maltais, et il devrait se tenir
14 au printemps 1994 un forum sur la question métisse au
15 Québec. Je pense qu'à partir de ça on devrait être en
16 bonne voie de faire l'énumération et l'enregistrement des
17 Métis.

18 **COPRÉSIDENT RENÉ DUSSAULT:** Merci.

19 Dans votre mémoire, évidemment, vous
20 faites état de la difficulté de reconnaissance de la part
21 des Métis de l'Ouest. Évidemment, la Commission doit
22 vivre avec cette réalité-là; c'est vrai pour les Métis
23 du Québec et du Labrador. Ceci rend le dossier encore

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 plus complexe d'une certaine façon.

2 Vous dites dans votre mémoire que, dans
3 le fond, il y a plusieurs des ancêtres des Métis de la
4 rivière Rouge qui sont partis du Québec et qui sont venus
5 là et, évidemment, ont vécu avec la nation métisse pendant
6 un certain nombre de décennies.

7 Alors, de votre côté, il n'y a pas de
8 progrès, il n'y a pas de contact avec le Ralliement national
9 des Métis.

10 **GINETTE RACETTE:** Actuellement il n'y
11 a aucun contact avec le Ralliement national des Métis.
12 Il y a un fait assez cocasse. L'hiver passé j'avais eu
13 l'occasion d'écouter un enregistrement d'une ligne
14 téléphonique dans laquelle un ministre d'une province
15 disait qu'il n'y avait pas de Métis au Québec ni à l'est
16 du Québec et il parlait avec le président du Labrador Métis
17 Association. C'est extrêmement faux.

18 Alors il y a un fait métis qui, oui, je
19 dois l'admettre, depuis peut-être une couple de décennies,
20 n'était pas en branle; c'était latent. Sauf que
21 maintenant il y a un mouvement très fort au niveau des
22 Métis, des Métis convaincus et qui ont la preuve qu'ils
23 sont autochtones et qui travaillent avec acharnement pour

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 la reconnaissance et le mieux-être de toute la collectivité
2 autochtone au Québec.

3 **COPRÉSIDENT RENÉ DUSSAULT:** Écoutez, je
4 pense que, quant à nous, on doit en prendre acte et
5 travailler de part et d'autre avec la réalité.

6 Sur un autre plan, dans votre mémoire,
7 sous le titre de l'autonomie gouvernementale, le mémoire
8 n'est pas paginé mais vous dites au troisième paragraphe
9 que le droit à l'autonomie gouvernementale exige une base
10 territoriale pour le peuple autochtone, qu'il n'y a pas
11 d'autonomie gouvernementale sans territoire défini.

12 J'aimerais un peu avoir une clarification, parce que nous
13 avons eu beaucoup de discussions depuis un an et demi sur
14 la notion de gouvernement autochtone en milieu urbain;
15 ce matin nous rencontrons la Fédération canadienne des
16 municipalités.

17 Quel est votre point de vue là-dessus?

18 C'est sûr que c'est plus spontané, mais est-ce que, pour
19 vous, le concept de l'autonomie gouvernementale implique
20 nécessairement un territoire en ville, une réserve
21 urbaine? J'aimerais avoir des explications.

22 **GINETTE RACETTE:** Évidemment, c'est une
23 question qui est très directe. Comme on le voit, nous,

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 à l'Alliance autochtone du Québec, comme je le mentionnais
2 dans ma présentation, beaucoup de nos membres, beaucoup
3 d'autochtones vivant hors des réserves vivent en milieu
4 rural.

5 Comme je l'expliquais aussi
6 précédemment, on ne s'y est pas vraiment encore attardé,
7 vu les inquiétudes à savoir, au niveau du gouvernement
8 du Québec, ce qui va nous arriver au Québec. Est-ce que
9 nous devons aller vers des institutions à l'intérieur
10 des villes? Est-ce que nous devons aller vers
11 l'autonomie des communautés? Est-ce que nous devons
12 former des communautés en ville? Ce sont toutes sortes
13 de questions qui ont été même mises en place lors du dernier
14 colloque à Québec. C'était un colloque très intéressant.

15 On n'est pas encore vraiment situé, en
16 tout cas pour notre part à l'Alliance autochtone, vers
17 quelle sorte d'autonomie gouvernementale nous devons
18 aller. Ça va être très difficile. Quand on parle au
19 niveau des réclamations territoriales, les Métis qui sont
20 un peu partout au Québec n'ont pas vraiment de territoire
21 défini. Alors ça va être très difficile à négocier, j'en
22 conviens.

23 COPRÉSIDENT RENÉ DUSSAULT:

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 (Microphone fermé) Par exemple, vous dites que vous
2 regroupez 14 000 ou 15 000 membres. Je comprends que
3 l'énumération en général n'est pas faite, mais vous
4 connaissez un peu l'origine de vos membres. Au mois de
5 mai on a eu un peu une démonstration du spectrum.

6 Est-ce que vos membres recoupent un peu
7 ceux de l'association ou est-ce que c'est distinct?
8 Est-ce que la plupart de vos membres sont en situation
9 urbaine, petites villes comme plus grandes villes, ou dans
10 des zones rurales?

11 **GINETTE RACETTE:** Évidemment, je pense
12 que vous avez été à même de prendre connaissance qu'à la
13 fin de notre mémoire on avait envoyé un organigramme de
14 l'Association. Je vais vous donner juste un exemple.
15 Dans la communauté de Sault-aux-Moutons sur la Côte-Nord,
16 ces gens-là, je peux dire que c'est moitié-moitié, moitié
17 Métis et moitié statués Montagnais. Alors comment
18 atteindront-ils l'autonomie gouvernementale dans cette
19 communauté-là? Est-ce qu'ils devront aller vers des
20 situations de se regrouper plusieurs communautés ensemble
21 sur la Basse Côte-Nord?

22 Évidemment, dans l'Association, c'est
23 tout près de 14 000 membres inscrits au registre. Il y

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 en a de décédés, il y en a qui se sont rajoutés dans les
2 dernières semaines, mais c'est tout près de 14 000 membres,
3 et ces gens-là relèvent des 11 nations présentement au
4 Québec.

5 **COPRÉSIDENT RENÉ DUSSAULT:** Ici, à
6 Montréal, est-ce que vous avez un bon nombre de membres
7 ou si c'est davantage réparti sur le territoire...

8 **GINETTE RACETTE:** La communauté
9 Hochelaga 12 de Montréal contient au-delà de 400 membres
10 inscrits au registre présentement.

11 **COPRÉSIDENT RENÉ DUSSAULT:** Merci.

12 Je voudrais passer à la société
13 d'habitation. Vous dites que vous avez présenté un projet
14 au ministre des Affaires municipales, Claude Ryan. Vous
15 dites que l'Alliance participe avec d'autres groupes
16 autochtones depuis mars 1992 à la mise sur pied et au bon
17 fonctionnement de la Société de crédit commercial
18 autochtone, d'un côté; ça, c'est du côté de financement.

19 Est-ce que vous pourriez, sur ce
20 plan-là, nous donner un petit peu plus d'explications,
21 et après ça également du côté de l'habitation.

22 **GILLES BÉRUBÉ:** Je vais vous en donner
23 au niveau de l'habitation comme telle et je vais laisser

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 Ginette, au niveau de...

2 Au niveau de l'habitation, je devrais
3 peut-être vous donner un petit historique qui est bien,
4 bien important.

5 On a été incorporé en 1972 et on a
6 commencé à délivrer les programmes du fédéral; on s'est
7 entendu avec le fédéral pour délivrer certains programmes.
8 En 1985 il y a eu une entente fédérale-provinciale; les
9 logements ont été administrés au niveau de la Société
10 d'habitation du Québec, et le fédéral a continué à
11 contribuer quand même à 75 pour cent de ces budgets-là.

12 Vous savez, en cours de route, les
13 négociations qui se faisaient entre le Québec et le
14 fédéral, même si on avait un comité tripartite, il n'y
15 avait plus de place... nous autres, on était le troisième.

16 On était tripartite mais on était vraiment le troisième.

17 Quand venait le temps de dire nos idées et de dire nos
18 besoins au niveau des autochtones, il n'y avait plus de
19 place. Il y avait de la place juste en termes
20 fédéral-provincial comme tel.

21 Depuis ce temps-là nous appliquons les
22 programmes sociaux qui sont appliqués à tout le monde au
23 niveau de l'occupation hors réserve. Et on veut se

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 débarrasser un peu de ça, le programme social. On veut
2 un programme autochtone comme tel, ce qui est bien, bien
3 important. C'est bien différent. Les autochtones sont
4 différents du reste de la population comme telle. Il y
5 a des besoins spécifiques, il y a des façons de vivre
6 différentes.

7 Je pense qu'au niveau du Québec il est
8 très, très dur de faire reconnaître cette partie-là. Cela
9 apporte des conflits. "Fitter" les autochtones dans des
10 programmes qui ne sont pas fait pour eux, étirer des
11 programmes, ça apporte des conflits avec le Québec comme
12 tel, et ce n'est pas ça qu'on veut. C'est pour ça qu'on
13 vous disait tantôt que ce qu'on veut, c'est la
14 responsabilité du fédéral au niveau de l'habitation.

15 On a du monde qui appliquent d'Ottawa,
16 ou proches de l'Ontario, qui viennent au Québec, et on
17 ne peut pas les loger comme tel parce que ce ne sont pas
18 les mêmes programmes en Ontario et au Québec parce que
19 le Québec a un statut différent.

20 **COPRÉSIDENT RENÉ DUSSAULT:** Mais
21 actuellement le statut de cette société d'habitation,
22 c'est un statut tripartite d'une certaine façon suite à
23 l'entente?

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 **GILLES BÉRUBÉ:** C'est un statut
2 tripartite présentement. On pense quand même qu'on ne
3 rencontre pas le besoin d'habitation pour le peuple
4 autochtone du Québec dans un comité tripartite comme ça.
5 Pourquoi? Parce que, quand tout le monde a mis son grain
6 de sel, on n'a plus de place pour vraiment dire ce qu'on
7 veut, ce dont on a besoin.

8 On dit qu'à l'intérieur de ces
9 programmes-là, à l'intérieur de ces budgets-là, nous
10 sommes convaincus que nous pouvons faire plus chez nous
11 avec le même budget. On ne revendique pas des budgets
12 additionnels, on revendique de faire plus avec les mêmes
13 budgets. C'est un petit peu ce qu'on revendique chez nous.
14 Et on pense que si c'est la responsabilité du fédéral,
15 ça va aller mieux.

16 Rien n'empêche quand même la Corporation
17 Waskahegen ou les groupes autochtones de se virer de bord
18 et de négocier avec la province de Québec pour venir
19 contribuer au logement au niveau du Québec, mais sur une
20 base d'entente où le peuple autochtone aura décidé de ses
21 programmes comme tels, de ce dont il a besoin pour ses
22 gens qui sont mal logés, ses gens qui sont pauvres.

23 **COPRÉSIDENT RENÉ DUSSAULT:**

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 Actuellement vous êtes capables de construire combien de
2 logements?

3 **GILLES BÉRUBÉ:** À chaque année,
4 présentement, on a 2 000 logements en réserve, qu'on a
5 présentement, qu'on a livrés depuis 1985; on construit
6 266 logements par année, soit 133 urbains et 133 ruraux.
7 Présentement les budgets ont été coupés; cette année on
8 va construire seulement 42 logements. Depuis les trois
9 dernières années il y a eu des coupures budgétaires, et
10 on pense que 42 logements pour la population autochtone
11 hors réserve... on a une liste d'attente quand même d'une
12 couple de mille noms et on ne court pas pour en avoir
13 d'autres, parce qu'on ne peut pas répondre aux attentes
14 comme telles.

15 **COPRÉSIDENT RENÉ DUSSAULT:** Vous
16 parliez de retombées économiques. Actuellement, par
17 exemple, dans la construction de ces nouveaux logements,
18 c'est la réglementation provinciale qui s'applique? Ça
19 fonctionne comment?

20 **GILLES BÉRUBÉ:** Oui, on a la
21 réglementation provinciale, qui a quand même,
22 dernièrement, été déréglementée, et on connaît certaines
23 conséquences. Par contre, on réussissait quand même

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 toujours à opérer à l'intérieur de ça dans certains cas,
2 mais on semble toujours dire, à chaque fois que les
3 autochtones profitent de retombées économiques, qu'on est
4 en conflit d'intérêt. On semble dire ça, et à plusieurs
5 endroits. Je ne pense pas qu'au fédéral on dise ça, mais
6 à plusieurs endroits on semble dire ça.

7 C'est un petit peu pour ça que dans notre
8 mémoire on parle de certains conflits. Comment
9 voulez-vous que les autochtones se développent eux mêmes
10 si la population en général dit: "On n'encouragera pas
11 trop les peuples autochtones." Si on ne peut pas acheter
12 chez nous sur nos propres programmes, comment veux-tu que
13 les peuples autochtones se développent? C'est un petit
14 peu ça. On se pose la question.

15 Je pense que les peuples autochtones du
16 Québec ont l'intention de se prendre en main. À
17 l'intérieur de ça, si on a les outils pour le faire, c'est
18 bien sûr qu'on y arriverai.

19 **COPRÉSIDENT RENÉ DUSSAULT:** Merci.

20 Mary.

21 **COMMISSIONER MARY SILLETT:** I would
22 like to thank you very much for your presentation. I would
23 like also to thank you very for trying to be nice to me

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 and speaking in English, although obviously your first
2 language is Aboriginal; I think that's a sign of respect
3 and I thank you very much for that.

4 I have just one question. I was
5 interested in the recommendation that funds be found for
6 Aboriginal daycare situations. I think one thing that
7 we have heard is that there are many Aboriginal children
8 who were placed in foster care or placed in institutional
9 care. We have heard from Aboriginal youth who have been
10 adopted into non-Aboriginal families. Sometimes the
11 situation is not too bad, but, no matter what the situation
12 is like, there is always a desire, we have often heard
13 the desire for Aboriginal people to know where they came
14 from, to know who they are, to know their language. There
15 is always an interest in that.

16 I was wondering, even before you get to
17 daycare, what kinds of things should be done so that
18 Aboriginal children are not in a situation where their
19 choices are to leave their families, whether that be on
20 reserve or in the cities, but to leave their families,
21 to leave their culture. There are situations which I know
22 are necessary, sometimes children have to be moved, but
23 I always think that that's sad; it is a sad thing for many

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 children.

2 I was wondering if you had any idea as
3 to how that can be addressed.

4 **GINETTE RACETTE:** Last spring I had a
5 chance to visit some communities on the North Coast, from
6 Tadoussac to Seven Island, and I had a very interesting
7 meeting with Mrs. Marceline Kanabe (PH), who is the Grand
8 Chief of the Betsiamites Nation. We had a good
9 conversation about the fact that we have to face many
10 families that are getting out of reserves and want to live
11 in urban centres.

12 She said that she was really concerned
13 by the fact of education. On reserve specifically, they
14 are able to pursue their studies until Secondaire V but
15 after that, if they want to go to college or university
16 they have to go to a big city. So they are completely
17 lost. They are starting their studies in August, and when
18 there is a week off in October or November, they are getting
19 back on the reserve. But the time they are living in the
20 city, it is too expensive for them -- the rent, the food,
21 everything. They don't know how to spend money because
22 they have been living on reserve from the time they were
23 born until they are 17 years old. So when they have a

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 week off, they are getting back on the reserve and they
2 don't finish their studies. So she said that there should
3 be a place specifically for native students.

4 What Catherine says -- she has been
5 raised in white families, she lost her language, she lost
6 her traditions, her culture.

7 So we are looking, at the Native Alliance
8 of Quebec, to ask for a budget -- I don't know the term
9 for "les gardiennes", "educators"; there should be a course
10 starting in Quebec to teach how to have our education --
11 women's.

12 I know it is a big deal, but I think the
13 first step is to have the enumeration and the registration.
14 We clearly know that there are many, many young kids,
15 when the women are getting out -- and we know that because,
16 for alcohol and drugs, we have go backward, so long ago.
17 The troubles caused by alcohol and drugs -- many women
18 have to divorce on reserve, they are going to town and
19 they have to work to raise their kids. So the kids are
20 going to daycare, but there are just white daycare. They
21 don't have a chance to speak their language, to practise
22 their culture and traditions. So they are becoming white
23 really fast.

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 If we could have a chance to do the
2 enumeration, to know how many native kids are educated
3 in white daycare, we could have the statistics to send
4 to the Quebec government first and then to the federal
5 government to show that we need -- just like I said to
6 Mr. Dussault, it is a real need.

7 **COMMISSIONER MARY SILLETT:** The other
8 part of my question was: How do we make sure, how can
9 you make sure that Aboriginal children are not taken away
10 from Aboriginal communities? How can we keep them -- if
11 they can't stay with their own parents, how can we find
12 other ways of maybe keeping them with Aboriginal people
13 so that they don't lose their culture, their language,
14 their identity or their values?

15 **GINETTE RACETTE:** Just as an example,
16 with Waskahegen, there is a building in Châteauguay, close
17 to Kahnawake, and many Mohawk women who have to get off
18 the reserve are going to our apartments there. I was
19 working for Waskahegen before I was elected as Grand Chief
20 and I know that they are so busy finding some money to
21 work, finding some money to raise their kids that the
22 culture is not really important at this time. They need
23 money to feed their kids. I worked there for a short time,

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 about a year, but the problem is still there.

2 So I am really convinced that, in a few
3 years, if they are not getting back on the reserve or if
4 nothing is done for them, they will lose everything, and
5 I am really sad about that.

6 COMMISSIONER MARY SILLETT: Thank you.

7 COPRÉSIDENT RENÉ DUSSAULT: J'ai une
8 dernière question sur la Société de crédit commercial
9 autochtone, dont vous dites que c'est un succès total.
10 C'est toujours intéressant. Pourriez-vous nous en parler
11 davantage?

12 GINETTE RACETTE: À peu près il y a un
13 an, ou un petit peu plus qu'un an, avait été mise sur pied
14 la Société de crédit commercial autochtone, communément
15 appelée SOCCA, à partir de la nation Huronne-Wendat à
16 Québec. S'est jointe à la nation huronne la nation
17 algonquine, je crois, les Micmacs, les Abénaquis et les
18 Algonquins. Aussi, l'Alliance autochtone avait fait des
19 représentations pour être partie prenante dans ce
20 programme.

21 À partir de ça il avait été décidé au
22 niveau de la SOCCA qu'allait être mise en place peut-être
23 une sous-corporation appelée SECPAQ, qui est la Société

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 d'experts conseils en programmes autochtones au Québec
2 et qui fonctionne très bien. J'en suis très contente,
3 très fière, parce qu'il y a beaucoup de membres de
4 l'Alliance, beaucoup de membres des autres nations qui
5 sont parties prenantes dans SOCCA et SECPAQ et qui ont
6 eu accès à des prêts commerciaux soit pour partir une
7 nouvelle entreprise ou agrandir une entreprise déjà
8 existante. Je ne pourrais pas dire combien, mais en dedans
9 de huit ou neuf mois, cela a été un succès au-delà de nos
10 espérances et des espérances des représentants de SOCCA.

11 Le président de SOCCA est M. Gilles
12 Bérubé et le gérant général est M. Jean Vincent.

13 **COPRÉSIDENT RENÉ DUSSAULT:** Le
14 financement vient d'où?

15 **GINETTE RACETTE:** ISTC. C'est à 100
16 pour cent subventionné par les programmes d'ISTC, et
17 l'Alliance autochtone a son propre agent de développement
18 économique. Alors on peut dire que c'est un succès total
19 à date.

20 **COPRÉSIDENT RENÉ DUSSAULT:** Vous avez
21 pu financer combien d'entreprises?

22 **GILLES BÉRUBÉ:** Il y a eu depuis un an
23 137 demande chez nous, des demandes de prêts. Je pense

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 que, au moment où on se parle, il y a eu quand même une
2 cinquantaine de demandes qui ont été acceptées comme
3 telles. Ça vient de plus en plus, et plusieurs petites
4 PME démarrent à partir de ces fonds-là, parce qu'ils n'ont
5 pas accès à des banques. Pour aller aux banques comme
6 telles, c'est plus difficile d'accès. Donc ils viennent
7 chez nous. Il faut que tu rembourses pareil, parce qu'il
8 faut être rentable...

9 **COPRÉSIDENT RENÉ DUSSAULT:** C'est la
10 question que je vous posais. Il n'y a pas eu de défaut?
11 Évidemment, l'expérience est encore courte, mais...

12 **GILLES BÉRUBÉ:** Non. Jusqu'à présent,
13 on n'a personne en défaut. Ça va très bien. On a un grand
14 succès. C'est pour, justement, démontrer que le peuple
15 autochtone est capable de se prendre en main si on lui
16 en donne la chance.

17 **GINETTE RACETTE:** Où je me réjouis
18 encore plus de ce programme qui dessert les autochtones,
19 c'est qu'il n'y a pas de discrimination au niveau du nombre
20 de générations. Une personne de l'Alliance qui est Métis
21 et qui a sa carte a accès au programme. La plupart des
22 gens de l'Alliance qui ont eu accès à des prêts avec SOCCA
23 ou SECPAQ sont Métis.

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 **COPRÉSIDENT RENÉ DUSSAULT:** Très bien.

2 Évidemment, on pourrait continuer assez
3 longtemps, mais il y a d'autres présentations qui suivent.
4 Ça nous a fait extrêmement plaisir d'avoir l'occasion
5 de vous recevoir, de recevoir votre mémoire et d'échanger
6 sur un certain nombre de points. Nous espérons avoir
7 l'occasion de le faire informellement -- c'est la
8 terminaison des audiences publiques cette semaine -- et
9 de garder le contact dans la prochaine année, alors qu'on
10 va essayer de mettre ensemble une analyse qui va
11 sous-tendre des recommandations à partir de toute
12 l'information qu'on a reçue.

13 Merci.

14 **GINETTE RACETTE:** I would also say thank
15 you to the Royal Commission for listening to us, especially
16 with the lack of language.

17 **CO-CHAIR RENÉ DUSSAULT:** It was going
18 very well.

19 **GINETTE RACETTE:** I was really happy to
20 make the presentation to you.

21 **COPRÉSIDENT RENÉ DUSSAULT:** Merci.

22 Nous allons suspendre les audiences pour
23 quelques minutes et nous reprendrons avec une présentation

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 du Manitoba Keewatinowi Okimakanak Inc. Merci.

2 --- Courte suspension à 16 h 21

3 --- Reprise de l'audience à 4 h 39

4 **COPRÉSIDENT RENÉ DUSSAULT:** La

5 Commission royale sur les peuples autochtones reprend son
6 audience avec la présentation du mémoire de Manitoba
7 Keewatinowi Okimakanak Inc.

8 I would like to ask Chief Sydney Garrioch
9 to make the presentation. Please proceed when you are
10 ready.

11 **CHIEF SYDNEY GARRIOCH, Chairman,**

12 **Manitoba Keewatinowi Okimakanak Inc.:** Thank you. Good
13 afternoon.

14 First of all, I would like to bring
15 greetings on behalf of my people and the First Nations
16 population and constituents whom we represent in northern
17 Manitoba.

18 I want to further thank the
19 Commissioners for hearing the presentation this afternoon
20 and your staff for arranging it.

21 My name is Sydney Garrioch. I am Chief
22 of Cross Lake First Nation. I am Chairman of the Manitoba
23 Keewatinowi Okimakanak. With me is Michael Anderson, who

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 is the Research Director of the Natural Resources
2 Secretariat.

3 I realize that there has been a number
4 of hearings in Manitoba, in Thompson and in Winnipeg in
5 the First, Second, Third and final rounds. The most recent
6 was two weeks ago, but time did not allow us to make a
7 proper presentation, and there were no arrangements with
8 the Commission.

9 Also, due to the extensive research and
10 reading and compiling information, the report has been
11 presented to the Commission, and we didn't want to miss
12 this final round of presentations.

13 The MKO presentation is being broken
14 into three parts: the historic overview; the Keewatinowi
15 Okimowin; and mechanisms and solutions.

16 The Cree and Ojibway-Cree and Dene
17 people of northern Manitoba are sovereign and
18 self-governing nations which have occupied the lands in
19 what is known as northern Manitoba for at least 7,500 years.

20 We have realized that our people in the
21 north have been very independent and pursued their
22 lifestyles in the way they enjoyed. We have expressed
23 time and time again to various people and governments that

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 our people are unique and distinct in this society.

2 The area we cover is a very large area.

3 There are four treaties signed with the people we
4 represent, Treaty 4, Treaty 5, Treaty 6 and Treaty 10.

5 Following the signing of the initial
6 numbered treaties and the creation of the reserve system
7 in 1875, prairie First Nations and their Métis neighbours
8 quickly became frustrated with persistent inaction by
9 government and a failure to implement treaty promises.

10 As you all realize, by the spring of
11 1885, this frustration was expressed in an armed rebellion
12 against the Dominion government, in which the Plains Cree
13 and Métis joined forces in an attempt to create a separate
14 government similar to that formed earlier in Manitoba.

15 We are trying to continue to provide and
16 also honour and respect the treaties that were signed by
17 Nations. We, as First Nations, are trying to fulfill the
18 treaties and the treaty rights that have been made
19 available to Canadians and non-Aboriginal people.

20 In northern Manitoba there are various
21 things that have been an economic base that our people
22 have enjoyed. There are so many natural resources
23 available for our people to enjoy their lifestyles and

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 they are very interested in continuing those. The land
2 was very resourceful -- water, wildlife, vegetation, and
3 so on. These natural resources were very useful for our
4 people to continue and survive in this society.

5 Throughout the days we have seen much
6 happening in the north. We are trying to pursue and
7 maintain the proper lifestyles for our people, but it is
8 very difficult.

9 I want to continue by stressing why MKO
10 has been established. In 1981 the 25 northern-most
11 Manitoba First Nations formed the Manitoba Keewatinowi
12 Okimakanak to serve as a stronger voice for the aspirations
13 of Manitoba First Nations. The Manitoba Keewatinowi
14 Okimakanak was incorporated on October 9, 1981 as a Council
15 of the 25 First Nations of northern Manitoba, represented
16 in Council by their Chiefs, Elders and Councillors. Today
17 MKO represents approximately 34,000 on-reserve treaty
18 First Nations people.

19 MKO strives to promote, advance and
20 protect the interests of the membership and to do all things
21 that are lawful, incidental and conducive to the attainment
22 of the undertakings of the corporation; and in particular:

23 - to preserve and advance the culture

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 and society of First Nations' peoples;

2 - to protect and expand First Nation
3 treaty and Aboriginal rights;

4 - to protect and advance the powers,
5 authority and autonomy of member First Nations' councils;
6 and

7 - to promote and advance the economic,
8 educational, social and cultural goals of First Nations
9 people.

10 We are attempting to continue on that
11 basis. We have seen a lot of things happening in mining,
12 hydro projects, forestry, roads, railroad. Our lives
13 continue to be disrupted. There is continuous destruction
14 in northern Manitoba of the things that we have enjoyed.

15 Throughout the mining process our people
16 were really up-front in providing direction and assisting
17 people in prospecting. When there was an exploration of
18 the geographic area, throughout water and land, our people
19 have to be used as guides. Our people have continued to
20 work in harmony throughout the treaty process.

21 We, as people, are very honoured to
22 oblige with the things that we have made available to
23 Canadians and non-Aboriginal people who have migrated to

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 the area and the territory of northern Manitoba. Once
2 that happened, our people were set aside and were not part
3 of the employment and economic process.

4 When we look at the history of our
5 people's involvement at the initial stages and when we
6 continue on in society today, we see little useful for
7 our people to be part of the system. History has always
8 proven, and always too often, that what is decided to be
9 in the public interest is rarely in the interests of the
10 Indian people.

11 We want to express that we have been very
12 dissatisfied with the things that have developed with
13 regard to the things I have mentioned. Further, I want
14 to turn this over to Michael Anderson who will give you
15 the overview of the things that are happening in northern
16 Manitoba.

17 Thank you.

18 **MICHAEL ANDERSON, Research Director,**
19 **Natural Resources Secretariat, Manitoba Keewatinowi**

20 **Okimakanak Inc:** Thank you, Commissioners.

21 We thought it would be helpful to share
22 with you today some of the imagery and some pictures of
23 our region as well as some concepts of what our communities

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 are like, to assist in placing the submission that we have
2 presented to the Commission in context.

3 The MKO region is in the northern part
4 of what is today Manitoba and is really in the heart of
5 what was once Rupertsland which was, of course, the Hudson
6 Bay watershed.

7 As Chief Garrioch has pointed out,
8 people from the MKO region first met the original
9 travellers and tradespeople that eventually became the
10 Hudsons Bay Company at the mouth of the Nelson River.
11 They continued trade with the Hudsons Bay and their
12 successors for some 320 years in this region.

13 One of the aspects that characterized
14 this long period of trade and association was mutual
15 associations that were beneficial both to the Hudsons Bay
16 Company, to their partners the North West Company, and
17 to the First Nations of northern Manitoba. In the period
18 between contact in the early 1600s, the creation of The
19 Bay in 1670 and the eventual transfer of Rupertsland to
20 Canada, that entire period was characterized by
21 mutually-beneficial relations, by business development
22 and by very close contact between non-Aboriginal peoples
23 and the First Nations people within northern Manitoba.

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 There are very few other regions in all
2 of Canada that have this record of long contact.

3 Today the MKO First Nations cover some
4 two-thirds of Manitoba, and it requires us to carry out
5 a large number of activities as MKO and is the basis of
6 much of the presentation that I am giving you today.

7 You can see that our First Nations go
8 below the 53rd parallel -- the Indian Birch and Shoal River
9 First Nations, which are signatories to Treaty 4. Most
10 of the region is signatory to Treaty 5 and its adhesions.
11 The Northlands First Nation and the Barren Lands First
12 Nation are signatories to Treaty 10, and the Mathias Colomb
13 First Nation is a signatory to Treaty 6.

14 So, in addition to this long record of
15 experience with non-Aboriginal traders and others within
16 this region, we also have a considerable amount of
17 experience with respect to treaty interpretation and
18 constitutional matters, in that four treaties fall within
19 our region.

20 An easy description of these
21 communities, which you can see are quite scattered and
22 distant within our area, is that we have Ojibway-Cree
23 communities here in the Island Lake area; we have two

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 Denesoline communities in northern Manitoba; and we also
2 have Cree throughout much of the rest of the region within
3 MKO.

4 Also, our experience has led us to
5 communicating in four languages, five including French:
6 Ojibway-Cree, Denesoline, Cree and, of course, English.
7 There are many people within our own organization that
8 do interpretation for us, who can speak all four languages
9 fluently. We have needed to do that to bring all of our
10 people together in assembly and to carry out the work we
11 have as regional government.

12 To describe a bit about our First
13 Nations, this table which we have prepared, which is also
14 in our report, can help as a bit of a snapshot. You can
15 see that our communities range from Chief Garrioch's
16 community at Cross Lake, which is our largest with over
17 4,000 people, to the tiny community at War Lake of 163
18 First Nations members.

19 Only 10 of all the communities within
20 the MKO region are accessible by all-weather road, and
21 more than half of them are accessible only by winter road
22 or by air, which means that within the region reliance
23 on traditional pursuits is considerably greater than it

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 may be in other regions in Canada. The effects of
2 large-scale development and other activities within our
3 region have a considerable effect because of the reliance
4 of our communities directly on the land base due to
5 isolation.

6 Split Lake First Nation has allowed us
7 to share these maps to try to describe to you how the land
8 within or region is used.

9 As we have indicated, the MKO region
10 spans the northern two-thirds of Manitoba. To most, it
11 appears to be a wilderness, empty and unused land. But
12 to the MKO First Nations members, it is homeland and it
13 is a critical resource area.

14 This is a piece of 1:250,000 National
15 Topographic Survey of Canada map sheet that we have scanned
16 and brought for this presentation. The Split Lake Cree
17 First Nation is here on Split Lake, Waskawaka (ph) Lake
18 is here. This area is approximately 60 miles in length
19 and some 38 miles across.

20 You will note from looking at this map,
21 which is typical of those that all government officials
22 use, that there is virtually no indication of First
23 Nations' presence on this map whatsoever. The only

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 indication of any First Nations' presence here is this
2 one winter trail between Waskawaka Lake and Split Lake.

3 The Natural Resources Secretariat of
4 MKO, at the direction of our Council, has developed the
5 ability to collect land use, occupancy and habitation
6 information for its work with government in terms of claims
7 negotiations, settlements, environmental assessment and
8 a variety of other matters which we can explore later.

9 The maps I am sharing with you now are
10 three maps from three individual harvesters using this
11 region. The first map depicts several different types
12 of land use. The blue lines are hunting, the yellow lines
13 are trapping, the purple areas are where timber is
14 harvested for cabin construction and firewood, the green
15 areas are primary fishing sites, and we have also collected
16 information on old community sites, campsites, burial
17 locations -- virtually everything this individual knows
18 about their area of the land. We call these map
19 biographies. They are literal stories of a person's
20 presence and record on the land.

21 When I add the second map, we can see
22 that these two harvesters use a considerable amount of
23 this land together. These are just two people using this

StenoTran

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 entire region. This is not including the maps of their
2 families, of their children, their wives and relatives.

3 When I add the third image to this map,
4 we can see that what could be viewed as an empty region
5 is actually intensively used and occupied by these three
6 harvesters.

7 In effect, the entire region is utilized
8 for harvesting purposes. This is typical, in the mapping
9 work that we have done within MKO, of our entire region.
10 Virtually every square inch of the Manitoba Keewatinowi
11 Okimakanak region is intensively used, occupied and
12 inhabited by our First Nations membership.

13 We have now mapped something in excess
14 of 250,000 square kilometres of the Northwest Territories,
15 Manitoba, Ontario and Quebec in projects we have been doing
16 in affiliation with other First Nations. This is a very
17 typical map.

18 We find that our First Nations typically
19 use territories that are no less than some 16,000 square
20 kilometres each for one First Nation's total land use area.

21 A map that we prepared recently for the Manitoba
22 Denesoline First Nations' traditional territory, to help
23 explain their associations with the Inuit of the Northwest

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 Territories is this map. What this shows is the
2 traditional territory based on our map biographies of two
3 First Nations: the Northlands First Nation at Lac Brochet
4 and the Sayisi Dene at Tadoule Lake, who I understand have
5 made presentations to this Commission before.

6 What we see is that these two First
7 Nations in their current use of the land utilize some
8 175,000 square kilometres of Manitoba and the Northwest
9 Territories. Some of the individual travel maps, which
10 help to develop this composite, indicated repeated
11 multi-seasonal travel in excess of 350 kilometres.

12 So, when the Government of Manitoba and
13 developers see Manitoba as an empty land, when they see
14 the Manitoba Keewatinowi Okimakanak region as a
15 wilderness, as a resource area, we know that it is not
16 the truth; it is not the picture.

17 The government has attempted to
18 recognize some First Nations land use within our region
19 through the imposition of the registered trap line system
20 in the 1940s and 1950s. These large registered trap line
21 districts represent roughly the areas traditionally used
22 and occupied by the First Nations after which they are
23 named. For example, the Split Lake Creek First Nation

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 utilizes some 7 per cent of Manitoba in its trap line block;
2 the Cross Lake First Nation's territory is roughly within
3 the same region. But we have learned that it is an
4 imperfect vision of the manner in which land is used.

5 The fact that during the era of
6 development, beginning in the 1920s and only recently
7 ending with the construction of the limestone generating
8 station on the Nelson River, none of this intensive and
9 extensive land use was incorporated. In fact, several
10 researchers have indicated that they believe that the use
11 of lands and territories within northern Manitoba are
12 perhaps the most intensive and extensive of any First
13 Nations group in North America because of the large
14 population we have and the intensity with which the land
15 traditionally continues to be used, primarily due to the
16 fact that more than half of our communities are isolated.

17 As a result of the government not being
18 aware or understanding it, during the era of the beginning
19 of development and the ending, a large number of extremely
20 mining projects were constructed in the north: the mines
21 at Lynn Lake; the Inco smelter at Thompson; the mines at
22 Snow Lake, Flin Flon. You can see that all of these major
23 mining operations are entirely within the MKO region.

StenoTran

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 In terms of the construction of the vast
2 water resources of northern Manitoba, Manitoba Hydro, of
3 course, has constructed a tremendous generating system
4 within the north. As you can see, all of the major
5 generating stations constructed in Manitoba fall within
6 the MKO region, as do all the transmission lines,
7 connectors, road, substations, converter stations and all
8 the other associated facilities.

9 The dams that began with the
10 construction of the Grand Rapids generating station,
11 blocking the flow of the Saskatchewan River at Lake
12 Winnipeg in 1961, were followed by the construction of
13 Kelsey to power the Inco smelter in 1967, and then dams
14 were built earlier by mining companies at Lorry River to
15 power the mines that were developed in the Lynn Lake and
16 Rutan area.

17 In addition to the mines and the
18 considerable development of hydro power which has affected
19 every major river in northern Manitoba.

20 There also are forestry allocations
21 within our region. This is the Forest Management Licence
22 of Repap Manitoba. It covers 108,000 square kilometres
23 of Manitoba. It represents something like 74 per cent

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 of all the marketable timber in the province. As you can
2 see, virtually all of it falls within the MKO region.

3 So we see that we have immediate
4 difficulties with a First Nations population which
5 extensively relies on and uses the land and natural
6 resources for their own economic support, for cultural,
7 linguistic and institutional continuity. At the same
8 time, since 1925, a tremendous overlay of mining, hydro
9 power and forestry developments have occurred within the
10 region without any meaningful involvement or consideration
11 of these First Nations communities having taken place
12 whatsoever.

13 The result, if we turn to some imagery
14 that we have begun to utilize within MKO
15 -- this is a Lansat image which I am sure many of you have
16 seen. It is taken by the Lansat satellite by the
17 Government of Canada. It is taken from some 400 kilometres
18 in space. This is the very north end of Lake Winnipeg;
19 this is the community of Cross Lake right here; this is
20 the Nelson River.

21 MKO has had to develop this sort of
22 expertise because of the vast regions of land that are
23 affected within our territories and to understand the

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 changes that have taken place. The Natural Resources
2 Secretariat processes and routinely utilizes satellite
3 information for the benefit of our First Nations
4 communities.

5 What you can see in this is the
6 integration of all of the imposition of land use activity
7 within the region. This is a 500-kilovolt transmission
8 line coming through the Cross Lake area. This is Highway
9 6 and the road to Thompson. These small squares are not
10 farms; they are 15-square-kilometre clearcuts around Moose
11 Lake and Repap Manitoba has constructed, and its
12 predecessor Manfor.

13 These light blue areas along the banks
14 of the Nelson River are actually mud flats created by the
15 impoundment of water upstream at the Genpeg generating
16 station. You can find Genpeg very quickly on this image.
17 Above Genpeg the water is high, creating a clear
18 shoreline; below it, it creates extensive mud flats many
19 of which you have seen in photographs and documentaries
20 regarding Cross Lake, where walkways extend into the water
21 for hundreds of feet to try to maintain the fishing, hunting
22 and other resources that are used in this area.

23 The large emerald green areas, by the

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 way, are remnants of the 1989 fires that ravaged northern
2 Manitoba.

3 In addition to this kind of imagery which
4 shows a lot of modification of the landscape, we can also
5 use from French satellite information to show what has
6 happened along the Nelson River as a result of several
7 decades of hydro power development. This is the Kelsey
8 generating station, creating its forebay at Stevens Lake,
9 and the silt and other mud that is lifted by the water
10 fluctuations is clearly visible here.

11 This is the Long Spruce generating
12 station just downstream of Gillam, and the brand new dam
13 at Limestone.

14 We can see that the northern landscape
15 has been extensively modified by these developments, which
16 can be highlighted by some processed imagery that we have
17 created doing close-ups of those very same forestry cuts
18 I was showing you.

19 When we combine the two impacts
20 together, again using the example of Cross Lake, we can
21 see just how extensive this change is. The areas that
22 have been highlighted by our computers is yellow, to show
23 the low-water damage caused by the Genpeg generating

StenoTran

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 station. It has disturbed soil. The purple areas are
2 areas that have been harvested of timber.

3 If we took an overlay of the Cross Lake
4 resource area and placed it here, we would very quickly
5 see that the Cross Lake resource area is like this.

6 So most of the usable and critical
7 natural resources that sustain and provide a future for
8 the Cross Lake First Nation have been affected by
9 development within our region. The pattern is similar
10 for many of our First Nations.

11 In trying to accommodate the issues and
12 concerns of our First Nations, the MKO Assembly has placed
13 a high priority on developing a fair bit of capacity and
14 developing high-quality research, information, analysis
15 and skills to be able to deal with the impacts, the
16 implications, the negotiations that are related to this
17 type of intense activity within our region. All of these
18 circumstances have yielded enormously high unemployment,
19 exacerbated social conditions due to the loss of resources,
20 have created health and social and family concerns that
21 are significant due to the disruption of the land base
22 and the loss of linkage between our communities and the
23 land.

StenoTran

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 Every time we undertake an issue within
2 our region, whether it is health care, education, natural
3 resources negotiations or other work, we follow this same
4 pattern.

5 The first is that we work on policies,
6 legislation and regulations. We recognize that we have
7 to modify, reform and create the necessary legal structure
8 to achieve the objectives of MKO First Nations.

9 Once we get that ball rolling and that
10 process under way, then we concentrate on developing
11 mechanisms, like working groups and framework agreements.
12 For example, I am involved in several working groups at
13 the Department of Natural Resources that we call
14 "shirtsleeves and coffee pot environments," where their
15 technicians can sit with our technicians and we can move
16 ourselves along instead of endlessly bouncing proposals
17 back and forth. We can work together as parallel
18 government.

19 We have an information base through our
20 land use research that the government does not possess.

21 Many times in negotiations we have an equal or better
22 information base than they do. There is only one other
23 place within Manitoba that satellite imagery can be

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 analyzed, and that is the government itself.

2 So we work at creating mechanisms where
3 we can be parallel, where we can work together with
4 governments.

5 Then we work on creating facilities,
6 once we have a working environment and the type of trust
7 and familiarity and information base and the education
8 that is necessary to understand our concerns. Facilities
9 to us would include things like the Medicine Lodge at Nelson
10 House; it would include Solvent Abuse Centres that we are
11 working on for Cross Lake; it would include the Youth
12 Centres that we are building close to Hudson Bay for youths
13 to return and recognize the importance of the teachings
14 of Elders and their parents and families. Facilities,
15 to us, prepare, present and continue the objectives of
16 First Nations government within northern Manitoba in a
17 way that is controlled at the community level and
18 culturally appropriate.

19 While we are moving through all of these,
20 we are also at the same time working on developing long-term
21 funding arrangements so that the facilities that are
22 created can survive. One of the things the Natural
23 Resources Secretariat, for example, which is a facility

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 itself, has been instructed to do is not to operate with
2 core government funding, which is an assignment that the
3 Chiefs have instructed us. It makes us do a lot of work,
4 but we are independent then, so that we cannot be cut off
5 when we are supplying satellite imagery on forest
6 harvesting and cannot be cut off when we are showing damages
7 as a result of hydro projects, when we are calculating
8 the area by satellite image analysis in detailed form.

9 However, for those things that are not
10 as sensitive as that and where there is mutual agreement,
11 such as health care centres and other issues, we work on
12 long-term funding arrangements. Year-to-year funding,
13 as I am sure many organizations have presented to you,
14 simply doesn't work. The continuity of personnel, the
15 value of training, everything is lost when the funding
16 is destroyed.

17 One of the great benefits of a lot of
18 the programming that MKO has been able to deliver is the
19 continuity of the people. The people who are trained
20 within our region that work with us as well as within our
21 own organization are the most important assets of all.
22 The knowledge they carry will not go away when the funding
23 is taken away, but the activity levels and the working

StenoTran

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 facilities may be hampered and, therefore, reduce the
2 availability to our First Nations.

3 As I have already begun to discuss, there
4 is critical importance placed on capacity development and
5 training.

6 The entire objective of MKO is not to
7 create a centralized government authority. Keewatinook
8 Okimowin means a Council of First Nations, which mutually
9 are supported in the achievement of their goals and
10 objectives.

11 MKO, although it may begin and pilot
12 certain projects and develop certain critical capacities
13 such as ours in our health liaison program, intends and
14 works always to bring in, involve and train people within
15 our First Nations organizations to take up the reins of
16 government on all of the full spectrum of government
17 services and issues, such as education, health care,
18 natural resources concerns and everything else that we
19 have done.

20 Following this model, we have come very
21 close, for example, to establishing a First Nations
22 controlled health system, which is something that we are
23 extremely proud of. We have developed the first Bachelor

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 of Nursing program in all of Canada, training nurses for
2 our nursing stations and for our health centres. We also
3 have a program where we are training our community health
4 representatives and our NAADAP workers. We are also
5 working on regionalizing -- that is, upgrading -- the
6 status of the federal hospital at Norway House.

7 If we succeed in doing that, that means
8 that health care within the MKO region will fall completely
9 under our control, will be administered and delivered
10 primarily by our own First Nations members in a
11 fully-trained manner.

12 In addition to this, we have been working
13 on additional control of our education system within the
14 MKO region. At the present time, well more than half of
15 our school boards are administered locally. As Chief
16 Garrioch is aware, there has been a tremendous training
17 initiative to make sure that the administrators of schools,
18 school boards and teachers are trained so that the teachers
19 are from First Nations communities as well.

20 So the capacity development and
21 following our model has led us, in both of those areas,
22 to considerable successes.

23 At the present time, two of our staff

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 in the Natural Resources Secretariat are trained and are,
2 themselves, training people. One of our staff is the first
3 person from Manitoba to receive a Master's of Natural
4 Resources Management at the University of Manitoba. He
5 is the Director of our Mapping Program. Our Geographic
6 Information System operator is the only person from our
7 region to achieve a four-year certificate program in
8 forestry management. These individuals continually go
9 out to Career Days. They are encouraged to travel
10 throughout Manitoba to try to encourage other people from
11 the MKO region, particularly youth, to follow in their
12 footsteps.

13 So we are eagerly working very hard to
14 develop within our region the tools that we require to
15 provide all the services that we need. As Chief Garrioch
16 began in his presentation, the MKO First Nations members
17 are sovereign nations that have existed in this territory
18 for 7,500 years at least.

19 During the period of time of
20 interference by the federal government after 1870 to today,
21 the First Nations in northern Manitoba intend to restore
22 their communities under First Nations law, guidance,
23 traditions and languages in a First Nations hand and to

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 transfer back to the communities control over the services
2 that they require, control over the lives and futures of
3 the people within our communities.

4 That is a bit of an explanation of what
5 MKO is and why we have put the effort we have into the
6 submission we present to you.

7 Thank you very much.

8 **CHIEF SYDNEY GARRIOCH:** Thank you,
9 Mike.

10 I want to further stress that MKO is the
11 First Nations government of northern Manitoba. The MKO
12 Assembly and Executive have placed a priority on skills
13 development and training to support high-quality research
14 policy, communications and program administration
15 capabilities.

16 The overriding objective is to ensure
17 that most initiatives established at the MKO regional level
18 will be decentralized to the community level.

19 When we are talking about presenting
20 these things that happened in northern Manitoba, we had
21 no means of consultation, participation and so forth.
22 Throughout the process the government and many people have
23 manipulated our First Nations people to resist them. They

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 even intimidated them: "Either you do it, or else."
2 Somehow at the end the resources are exploited from the
3 First Nations people, the very people who had traditionally
4 practised and established their livelihood in these
5 territories.

6 I want to add further that there is a
7 principle of mutual recognition, respect and
8 understanding. I will highlight some of the main points.

9 3.2.1 Recognition

10 The recognition that First Nations are
11 distinct societies. With this recognition must come the
12 protection and maintenance of Aboriginal languages,
13 cultures, traditions, institutions and communities.

14 The recognition that First Nations are
15 the original peoples of Canada.

16 The recognition that First Nations have
17 never surrendered or ceded the inherent right of
18 self-government over the affairs and lives of First
19 Nations' lands and peoples.

20 I want to continue on to honour.

21 Your role is to establish a new
22 relationship between First Nations and governments and
23 Canadians in general.

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 Our view is that there is an existing
2 constitutional relationship, to fulfill the obligations
3 on these matters, including the terms of treaties, land
4 claim settlements and other agreement signed between First
5 Nations, non-Aboriginal governments and non-Aboriginal
6 Canadians.

7 I want to further state on the record
8 that we want to encourage governments to refer these issues
9 that require legal interpretation directly to the Supreme
10 Court of Canada, such as the issue of the constitutionality
11 of the Natural Resources Transfer Agreement and, in light
12 of Sparrow and Sioui, the "medicine chest" and the treaty
13 right to federal medical services; the right to
14 post-secondary education and the right to freedom from
15 taxation.

16 Ensure that First Nations enjoy housing,
17 community infrastructure, services and economic
18 opportunities that are at least equivalent to the standards
19 enjoyed by the majority of Canadians.

20 With regard to acceptance and
21 understanding, I want to highlight:

22 Accept that a principal objective of
23 First Nations is to assert the intent, meaning, enjoyment

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 and benefit of Aboriginal and treaty rights, and understand
2 that these rights -- and any priorities, exemptions and
3 opportunities they may represent relative to the rights
4 of non-Aboriginal Canadians -- form an inviolable sacred
5 trust between the crown and Aboriginal peoples.

6 The other component is independence:
7 Implement self-government of First
8 Nations through a bilateral process between First Nations
9 and Canada.

10 Initiate the restructuring of the Indian
11 Act and repeal the most intrusive features immediately.

12 Transfer all other federal programs and
13 services not presently provided by the Department of Indian
14 Affairs that affect First Nation-to-First Nation control
15 and administration, such as health, education and economic
16 development programs.

17 With regard to consultation, as we said
18 earlier in our presentation, there is no consultation.

19 Any policies, laws or regulations
20 established by Canada or the provinces affecting First
21 Nations or First Nations lands must not be imposed and
22 must incorporate, as opposed to conflicting with, First
23 Nations' laws, customs, traditions institutions and

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 decision-making structures and treaty and Aboriginal
2 rights. In all cases such decisions must be arrived at
3 in the spirit of consultation.

4 The other area is participation:

5 The right of Aboriginal peoples to
6 participate as equals in the process of legislative and
7 constitutional change must be recognized and exercised.

8 First Nations must directly participate
9 in any process of policy, legislative or financial reform,
10 agreement or implementation, whether initiated by the
11 federal, provincial, regional or local government, and
12 whenever these processes directly affect the interests
13 of First Nations.

14 I want to talk about sharing with regard
15 to the resources.

16 Treaties provided for the sharing of the
17 resources within First Nations' territories among and
18 between First Nations, the crown and non-Aboriginal
19 Canadians. Therefore, no First Nation or individual First
20 Nations member should suffer additional losses to the
21 integrity and diversity of lands traditionally used and
22 occupied, existing commercial and domestic resource uses
23 or other economic activities, culture, health or social

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 and community stability as a result of government policy
2 or site-specific development, whether existing or planned.

3 Again, every effort must be made to restore these rights
4 wherever impacts have occurred.

5 For example, in the hydro project there
6 are dams that were built previously in the 1960s, 1970s
7 and the early part of the 1980s. There is an ongoing user
8 fee made by Manitoba Hydro crown corporation to the
9 Province of Manitoba. In this year's annual report, the
10 forty-second annual report, there was a user fee payable
11 from Manitoba Hydro to the Province of Manitoba in an
12 estimated amount of \$45 million. In the forty-first
13 annual report there was \$37 million paid. In the fortieth
14 annual report there was \$32 million paid to the Province
15 of Manitoba.

16 This is what we are talking about share.

17 With regard to timber, there are no
18 royalties paid to First Nations people or on other
19 resources that have been expropriated or exploited by the
20 government and non-government people.

21 With regard to education:

22 Equal access to high-quality education
23 facilities by First Nations peoples is essential for First

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 Nations to realize the full effect of the exercise of the
2 right of self-government as well as to become active
3 participants in the institutions of contemporary Canadian
4 society.

5 These are some of the things that I
6 highlight. I know time is running out, and that is why
7 I only picked parts and pieces of the recommendations that
8 we made. I am sure that the Commissioners will certainly
9 take time to review and document wherever necessary.

10 With that, I am sure you have done a lot
11 of travelling, have spent time in hearing, reading and
12 reviewing also documenting. You have a very great task
13 that you have done, and your work has been very encouraging.
14 The documents that I read have very valuable information
15 in them, and I am sure that we are all optimistic that
16 things will turn out in the best interests of all people
17 to live in harmony in Canada.

18 Thank you.

19 **CO-CHAIR RENÉ DUSSAULT:** Thank you.

20 I would like to thank you for presenting
21 us with a brief of great magnitude. It is always a pleasure
22 to see that some money that went through the Intervenor
23 Funding Program that the Commission has set up has been

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 put to great use. We realize that it did not cover all
2 the endeavours and effort that was put into the brief.
3 Nevertheless, you are presenting us with something that
4 is very valuable, and we thank you very much for that.

5 As you know, we received your brief a
6 few days ago and we have had an opportunity to look at
7 it carefully. Our research staff will also benefit
8 greatly from not only reading it but putting it together
9 with many other sources of information.

10 I think your presentation was very
11 effective on the use of the land by the First Nations coming
12 under the regional government. We are quite aware that
13 there are different ways to see the lands through the
14 mapping. I think it is very useful and effective to have
15 a presentation made such as the one you just made.

16 Two weeks ago here in Montreal we had
17 a presentation along that line where the Innu from the
18 North Shore of Quebec took great effort to show their
19 presence on their ancestral territory.

20 We thank you very much for this. We wish
21 that many people could see a presentation like that.

22 That being said -- and, as you said, time
23 is running, and we could spend a whole day discussing a

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 brief that has such a large reach as yours. First of all,
2 I would like to ask you about the MKO financing. Is it
3 financed through the various communities, the various
4 First Nations? I understand you have been in operation
5 since 1981.

6 Could you give us a bit more information
7 on the regional government itself. Also, you mentioned
8 that you have an Assembly where everybody meets in four
9 languages. Do you have that kind of meeting once a year?
10 What is the frequency of this? We just want to get an
11 understanding of the strength of the government itself.

12 You spoke about the administrative arm
13 of the government. That would complete the picture.

14 **MICHAEL ANDERSON:** The MKO Assembly, as
15 an assembly, meets at least twice a year. We have one
16 Annual Assembly and we have at least one Special Assembly
17 that is held six months later, which often will deal with
18 special issues.

19 During the Annual Assemblies and the
20 Special Assemblies, there are opportunities for First
21 Nations to bring their own specific concerns to the
22 attention of the Council as a whole, and there is
23 discussion, support if necessary, and direction provided.

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 The Assembly selects from the 25 First
2 Nations representatives who serve as an Executive. We
3 have a seven-member Executive. The seven members of the
4 Executive each have a portfolio or portfolios of
5 responsibility -- for example, justice, health care,
6 education, natural resources and other issues.

7 The Executive meets once a month at least
8 to deal with these issues and provides direction to the
9 Executive Director and to senior staff, such as myself,
10 to carry out the specific direction of the Assembly, the
11 administrative direction of the Executive and the
12 day-to-day workings of the projects that MKO carries out.

13 One thing that is important is that we
14 routinely, regularly, and as much as we can, co-ordinate
15 with our Tribal Councils and with our individual First
16 Nations. We have people within our various Tribal
17 Councils who are very good at certain things, so we form
18 that linkage, that network, that association of First
19 Nations through that.

20 Funding comes from the provincial
21 government, from the federal government, and from our own
22 First Nations.

23 The Natural Resources Secretariat that

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 gets most of its funding from either our own First Nations
2 or from First Nations in other parts of Canada who are
3 asking us to assist them with the mapping research and
4 our computer capabilities that we have in our negotiations
5 work.

6 The other facilities we have are
7 government-driven services in many ways. At the present
8 time they rely on a recognition of the existing fiduciary
9 responsibility and the rights granted under treaty for
10 the federal government to provide the financial resources
11 that are necessary to sustain them.

12 For those things that Canada has become
13 accustomed to providing since 1870, the object is certainly
14 to transfer the delivery, control, administration and
15 design of all of that programming into First Nations'
16 control within our region.

17 Canada has a long-term relationship with
18 the First Nations of the north. The revenues and resources
19 that form the wealth of this country are very large in
20 comparison to the small amount of resources that Canada
21 has to maintain with First Nations as a result of its
22 fiduciary obligation.

23 So the sources of funding are

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 independent. We have bingos and bake sales and all of
2 the things that we need to do. In other words, we turn
3 over all available opportunities to raise money both within
4 the communities, as First Nations in Assembly, and from
5 government.

6 Our objectives are fairly clear, and we
7 need to make sure they take place.

8 **CO-CHAIR RENÉ DUSSAULT:** Just as a
9 matter of range, could you tell us what kind of budget
10 you have and the number of employees?

11 **MICHAEL ANDERSON:** We have an annual
12 budget of approximately \$1.6 to \$1.8 million. We have
13 approximately 22 employees.

14 The key thing to remember is that these
15 individuals are facilitators, networkers, so they are in
16 the middle of hubs of other professional at Tribal Council
17 levels. For example, the Swampy Cree Tribal Council,
18 although MKO gave a great deal of assistance in terms of
19 the policy framework in the steps that I described, is
20 actually being administered by the Swampy Cree Tribal
21 Council. So we do it all together.

22 A small number of highly-skilled,
23 dedicated individuals can effect a great deal of change

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 working in concert with others of like mind.

2 **CO-CHAIR RENÉ DUSSAULT:** Thinking about
3 future self-government -- and I realize that you said that
4 you want to return as much power as possible to the
5 communities. Do you have a model of self-government that
6 would be include both the communities and this regional
7 government? If we were to move from the Indian Act to
8 a different situation, what do you have in mind? Do you
9 have some clear views as to the form it could take in
10 northern Manitoba?

11 **CHIEF SYDNEY GARRIOCH:** Presently there
12 is no model, no structure in place. We are continuing
13 to initiate and develop this.

14 The communities are so scattered and
15 isolated. They are unique in their own ways and diverse
16 as well. We are trying to continue to build a common
17 structure. Hopefully, by the turn of the century we will
18 finalize that. It has been a very long process for us
19 to amalgamate all the government structures in existence
20 now.

21 There is no one real model that will
22 work, but it is an ongoing practice and process.
23 Hopefully, we will structure one final model in the end.

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 **CO-CHAIR RENÉ DUSSAULT:** Thank you.

2 At this point I would like to ask Mary
3 Sillett to ask questions.

4 **COMMISSIONER MARY SILLETT:** Thank you
5 very much for an excellent presentation. It is good to
6 see you again. I remember seeing you in Ottawa during
7 the AFN suicide consultations.

8 My first question is related to the issue
9 of taxation. We have been having public hearings now for
10 three or four days, and I think the whole issue of taxation
11 has been raised at least two times. During our
12 consultations throughout the years, we recognize that this
13 is an issue where there are different perceptions,
14 particularly as between non-Aboriginal and Aboriginal
15 peoples.

16 I have before me a press release which
17 covered our meetings yesterday. There was a speaker from
18 the Quebec municipalities who said that they cannot live
19 harmoniously with Native communities until the government
20 stops giving Natives special treatment. Then he goes on
21 to say that there is a thorny problem of taxation: "Do
22 we have to remind the members of this Commission that the
23 tolerance level among Quebecers is at its limit?"

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 So we fully recognize that there are
2 problems in perceptions.

3 We are in the business of
4 reconciliation, so I was wondering if you could offer any
5 advice on public education or on what can be done to address
6 the different types of understanding that exist,
7 particularly with the non-Aboriginal people, on these
8 kinds of issues.

9 **CHIEF SYDNEY GARRIOCH:** That is not a
10 very easy question, but I will certainly attempt to answer
11 it.

12 In the press release you mentioned the
13 special treatment. It is not special treatment; it's a
14 treaty-making process. They have to fulfill their
15 obligations and try to get the meaningful things that are
16 already expressed in the treaties, and also the promises
17 made by the people who first migrated to Canada.

18 We want to make sure that our people were
19 protected. We want to make sure that our people have
20 benefits out of the lands that were set aside under the
21 treaties. Canadians in general have to fulfill the
22 obligations on their part. It is not special treatment.

23 Certainly, as First Nations people,

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 there are things that accrue to us through the treaties,
2 so it is not special treatment.

3 The wrong perception probably has to be
4 worked on more clearly in regard to treaty rights and
5 Aboriginal rights and under the Indian Act, section 87.

6 There has to be a way to introduce it with the government
7 to make changes and also for us to participate and to
8 collaborate forces and for us to agree. The
9 participation, consultation and sharing I expressed.
10 That is part of the system that we want to see in regard
11 to taxation.

12 Our people were taxed previously, and
13 all of a sudden there were court cases. That has turned
14 around now. There is an ongoing fight with the governments
15 and other parties involved.

16 We want to be able to express that we
17 want to exercise the taxation that will be acceptable to
18 our people, but there is no immediate solution or
19 recommendation I can make. It is just a matter for us
20 to get together. There has to be goodwill on both sides,
21 by First Nations people and the government. Throughout
22 that discussion we have to be able to come together for
23 a very meaningful discussion to get the proper arrangements

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 that could be acceptable to all.

2 We are trying to express that we are
3 willing to come to the table to discuss the taxation
4 provisions of the Indian Act.

5 **MICHAEL ANDERSON:** There are two
6 examples, I might suggest, to help. Particularly in my
7 work in Natural Resources, there is conflict between treaty
8 rights and the workers at these dams and hydro stations
9 and mines that are in the middle of MKO traditional
10 territory -- the conflict they feel when the impacts of
11 development plus their own over-harvesting by having a
12 large number of people harvesting in one small area,
13 whereas it was a sustained harvest for the nearby community
14 before.

15 They realize that under the doctrine in
16 Sparrow and under treaty rights the non-Aboriginal
17 harvesting is eliminated first, leaving the treaty
18 harvests intact. That is a very explosive situation in
19 much of the MKO region. There are areas where it is
20 something that is just upsetting, and there are areas where
21 it results in really quite unbelievable acts of racism
22 such as the burning of trappers' cabins and other issues.

23 One of the models and examples that we

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 have been studying because of its success is the quiet
2 way in which the Opasquiak Cree Nation has joined with
3 members of the Department of Natural Resources and the
4 local wildlife organizations in The Pas and developed a
5 co-management framework for much of the region without
6 any paper work or agreement with the Ministry of any kind.
7 They are doing it because they all know they need to do
8 it.

9 There is an area called Game Hunting Area
10 No. 8 that was closed totally to moose hunting for a period
11 of time. When the population recovered as a result of
12 this co-operative process and they determined that there
13 was a harvest of 100 moose, they realized that it was all
14 treaty harvest, that the Opasquiak Cree members could
15 harvest all 100 of those first moose coming out. The
16 Opasquiak Cree Nation offered 30 moose out of its
17 allocation to the non-Aboriginal hunters in their region.

18 As a result, it has assisted in providing the quiet glue
19 to keep everyone working together, by being considerate
20 of the feelings of others.

21 They haven't relinquished their right
22 to those 30 moose, but they are sharing them.

23 Another example is at the government

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 level. Because government often has a role in creating
2 public perceptions on issues -- a tremendous role; small
3 comments made by senior officials, actions taken by
4 government, enforcement actions taken as a result of
5 legislation -- all of that is in the public mind. We noted,
6 when the government intended to implement environmental
7 assessment on a broad scale in 1984 that they passed the
8 Environmental Assessment Guidelines Order, which became
9 defined by the court as a regulation, a justiciable and
10 enforceable regulation binding all departments to the
11 process.

12 One of our recommendations was a
13 Treaties Implementation Act that would have the same
14 impact, that would dictate to government departments their
15 responsibilities under treaty. Whether it is the
16 Department of Transport, the Department of Revenue or
17 Department of Indian Affairs, there is a justiciable and
18 enforceable framework requiring them to uphold the terms
19 of treaty.

20 Eliminating the actions of government,
21 eliminating the aggression of government, eliminating the
22 difficulties in the imbalance between treaty
23 interpretation, one being to enforce their own view --

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 that is, government
2 -- and others desperately trying to find the resources
3 to combat and interpret treaties -- that is, First Nations
4 -- to level that out will do a lot in the public's mind
5 and take away a lot of the conflict that helps to fan the
6 flames of a visualized special treatment.

7 It's a treaty obligation. The crown,
8 as a whole, has to abide by it.

9 **COMMISSIONER MARY SILLETT:** Thank you.

10 The other question I have has been in
11 the news prior to the announcement of Nunavut.
12 Essentially, Nunavut will become a reality sometime in
13 the near future. As you indicated, there are areas where
14 the Inuit use certain areas, but also the Aboriginal
15 populations that you represent use that area, and there
16 were tensions with respect to that.

17 Could you tell me what the status of that
18 is now.

19 **MICHAEL ANDERSON:** Yes. There
20 actually is still an action before the Federal Court on
21 this issue. In the report that we have submitted to you,
22 Figure 11 is a summary of the land use issues regarding
23 that.

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 The reason we have chosen to incorporate
2 it into this report is because of the manner in which the
3 Department of Indian Affairs interpreted and applied its
4 comprehensive claims policy. A simple reading of the
5 comprehensive claims policy states that where two claimant
6 groups are neighbours and they cannot agree on land, then
7 land shall not be provided. The Government of Canada
8 interpreted as meaning two claimants with comprehensive
9 claims. Therefore, the specific claims of Denesoline in
10 northern Manitoba were denied. As a result, it was on
11 a full collision course at one point, and it got very tense,
12 as you have pointed out.

13 The present situation is that there is
14 an agreement between Canada, the Inuit and the Denesoline
15 to bring this issue to court and try it on its merits.
16 Basically, all the land south of that red line that is
17 within the red line is viewed by Denesoline as Denesoline
18 homeland, and they are adamant about it. The land that
19 is north of the line they recognize, particularly the area
20 from Hicks Lake to the coast, is viewed as shared use area.

21 One of the difficulties is that our role
22 in this is that we wanted to bring our land use data on
23 a First Nation-to-First Nation basis, present it to the

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 harvesters and Elders and the other Inuit communities on
2 the coast and decide where the boundary was. The report
3 that we produced, "Denesoline Nene and Nunavut: A
4 Boundary in Dispute" spoke to that. The people know where
5 the boundary is.

6 The boundary is somewhere along where
7 that red line is, not where the green line that Canada
8 drew is. So having Canada impose the boundary after
9 centuries of shared mutual co-operating has created this
10 difficulty between Denesoline and Inuit. It is a matter
11 of great concern.

12 Look at all the land claims in British
13 Columbia. We have neighbouring First Nations. If the
14 Minister of Indian Affairs or his designate gets frustrated
15 with the claims process, will the department draw the
16 boundaries? The cultural diversity on the west coast is
17 equally as fully felt as this. There are many language
18 groups there, many traditions and many peoples who will
19 all resist having boundaries drawn for them by the crown.

20 That is the issue here. The Inuit
21 Elders and the Denesoline Elders never met to talk
22 boundary. Where do they drink tea? Where do they join
23 each other on the ground run? Where do they camp? They

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 know. But the line that is designated as the southern
2 boundary of Nunavut is not that line.

3 So it has gone to court to see if the
4 court will allow a re-examination of that boundary line.

5 **CO-CHAIR RENÉ DUSSAULT:** I have a last
6 question because time is going fast.

7 When we were in Ottawa three weeks ago,
8 in November, we discussed the issue of clarifying the very
9 question as to whether section 35 encompasses the inherent
10 right to self-government. In "Partners in Confederation"
11 we came up with what we think are strong arguments to say
12 that there is good reason to think that it is covered.

13 The whole discussion went around the
14 possibility of making a reference to the Supreme Court
15 of Canada. I must say that national organizations did
16 not have a single view on that. There is always a risk
17 of using the technique of a reference case to the Supreme
18 Court.

19 I realize that in Point 9 of your brief
20 you ask the Commission to encourage the government to refer
21 a host of issues that require legal interpretation directly
22 to the Supreme Court of Canada through a reference case.
23 You mentioned the medicine chest, treaty rights,

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 education rights and the right to taxation. As you have
2 said, there are is a lot of interpretation conflict as
3 to what the treaties meant between governments and First
4 Nations and very often between what is the spirit and what
5 is written.

6 I just wanted to check with you. Let's
7 take freedom from taxation, for example. I think it is
8 only Treaty 8 that in black letter law expressed that there
9 is an exemption from taxation. In the other numbered
10 treaties it is more vague.

11 Do you really suggest the route of a
12 reference to the Supreme Court to clarify those issues,
13 with the risk that it goes one way or the other, as opposed
14 to the negotiation route? I wanted to have a good
15 understanding of what the position of the regional
16 government is. I understand that that seems to be the
17 position.

18 **CHIEF SYDNEY GARRIOCH:** The main
19 purpose of highlighting it to bring it to your attention
20 is that it could be a reference that has already made
21 adjustments on it. That is one route. There are
22 different routes that could be established.

23 Your work is to establish that new

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 relationship. That new relationship has to have at the
2 forefront goodwill and good faith to be able to discuss
3 and compromise and to be able to negotiate. Hopefully,
4 through compromise, both sides win, even when they feel
5 they are giving too much or when one feels that are getting
6 too much on the other end.

7 That is why we are having problems with
8 treaty rights. When the British came to us, they thought
9 they gave too much. We feel the same way, that we gave
10 too much. At least I think there is room to express and,
11 hopefully, a dialogue can start. Everybody is trying to
12 defend themselves, and there is no real discussion. The
13 only decisions that are being made are by Justice, and
14 that is not a very meaningful way for both parties. We
15 all end up losing through the court system.

16 I think the proper way to be able to touch
17 base with each other is with the two nations discussing
18 it. I think that is the proper way. There is no one
19 option. We just wanted to highlight it.

20 **CO-CHAIR RENÉ DUSSAULT:** Thank you.

21 That is a useful clarification.

22 We could go on and on. I would like at
23 this point to thank you very much again for coming from

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 Manitoba to Montreal. It was a good opportunity for us
2 to have your presentation. You can be sure that it is
3 going to be considered very carefully by the Commission.

4 Merci.

5 **MICHAEL ANDERSON:** Thank you very much
6 for having us here.

7 **COPRÉSIDENT RENÉ DUSSAULT:** La
8 Commission suspend ses travaux pour deux ou trois minutes.
9 Nous allons reprendre avec la présentation du Centre de
10 ressources sur la non-violence.

11 --- Suspension de l'audience à 17 h 49

12 --- L'audience reprend à 18 h 03

13 **COPRÉSIDENT RENÉ DUSSAULT:** La
14 Commission royale sur les peuples autochtones au Canada
15 reprend ses audiences avec la présentation du Centre de
16 ressources sur la non-violence, Comité de solidarité avec
17 les autochtones.

18 Nous vous souhaitons la bienvenue pour
19 la seconde fois à la Commission. C'est avec plaisir que
20 nous acceptons de recevoir un mémoire additionnel. Sans
21 plus tarder, je vous passe la parole, si vous voulez
22 procéder quand vous êtes prêt, madame et monsieur.

23 **GERRY PASCAL, coordonnateur du Comité**

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 **de solidarité avec les autochtones, Centre de ressources**
2 **sur la non-violence:** Mon nom est Gerry Pascal. Je suis
3 coordonnateur du Comité de solidarité avec les autochtones
4 du Centre de ressources sur la non-violence.

5 Aujourd'hui, M. Jacques Boucher, qui est
6 à ma gauche, va présenter le mémoire, dont le thème en
7 général est le droit inhérent dans la Constitution
8 canadienne, et surtout touchera le concept terra nullius.

9 Jacques Boucher.

10 **JACQUES BOUCHER, Centre de ressources**
11 **sur la non-violence:** Comme le disais Gerry, notre mémoire
12 vise essentiellement à souligner un fait d'actualité où
13 l'Australie a réalisé un précédent qui pourrait servir
14 d'exemple au Canada. Le 19 octobre 1993 le premier
15 ministre australien a obtenu l'aval de son gouvernement
16 pour un nouveau système d'administration des terres qui
17 tiendrait compte des droits territoriaux désormais
18 reconnus aux autochtones, ceci suite à la décision de la
19 Cour suprême australienne énoncée l'an dernier. Il s'agit
20 d'une décision historique révoquant la notion de terra
21 nullius qui a été la base de toutes les prises de possession
22 après découverte par tous les empires coloniaux européens.
23 Cette attitude se prolonge jusqu'à nos jours lorsque,

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 par exemple, le gouvernement canadien invite les forces
2 aériennes étrangères à se servir du territoire innu pour
3 leurs exercices d'entraînement militaire, le leur
4 décrivant comme inhabité et relevant de sa juridiction
5 parce que n'appartenant à personne d'autre que la Couronne.

6 Le gouvernement australien proclamera
7 donc par loi que les autochtones, qui étaient là avant
8 les Européens, ont un droit inhérent à leur territoire.
9 Ceci est un premier pas vers des négociations justes,
10 d'égal à égal, qui entraîneront d'autres mesures de justice
11 sociale.

12 Face à l'opposition énorme inspirée par
13 la convoitise et la crainte d'une population
14 majoritairement ignorante de la question, et d'ailleurs
15 de tout ce qui concerne les autochtones, il faut lever
16 nos chapeaux devant un politicien capable de maintenir
17 une position ferme lorsqu'il a été convaincu de la justice
18 de la reconnaissance des droits inhérents de ceux qui
19 étaient jusqu'ici pratiquement invisibles.

20 Les premières nations sont des sociétés
21 de dignité et de raison avec lesquelles la nôtre a toujours
22 refusé de réellement traiter d'égal à égal. Nous avons
23 tenté l'assimilation. Elle ne s'est faite que pour le

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 pire: une partie de leur société a déjà assimilé les
2 notions occidentales de respect du lucre et de la force
3 violente. Elles leur ont été inculquées par notre
4 société, nos écoles et nos médias. Bientôt ce seront là
5 les personnes qui seront nos interlocuteurs et qui, dans
6 le fond, tiennent toujours à leurs droits tout en ayant
7 appris de nous comment abuser des avantages. Nous aurions
8 pourtant tellement à apprendre de gens qui ont encore leurs
9 traditions au lieu de mépriser leur douceur, leur honnêteté
10 et leur force spirituelle.

11 Il est temps que les dégâts dus à la
12 rapine cessent. Il est temps de ne plus détruire le
13 territoire d'autrui après les avoir dépouillés. Nous ne
14 sommes pas responsables pour ce qu'on fait les générations
15 qui nous ont précédés, mais si nous continuons sur leurs
16 traces, nous devenons solidaires de tous leurs actes.
17 Assez de fermer les yeux parce que la vérité est vilaine.
18 Le temps est venu pour nous de protester et de demander
19 justice. Nous devons regarder la vérité en face et
20 constater que nos gouvernements successifs ont agi sans
21 respect, en visant à déposséder les premiers occupants
22 de ce territoire.

23 Pour l'amour de la justice et de la paix,

StenoTran

le 1^{er} décembre 1993

**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

1 nous devons reconnaître les droits inhérents de ceux qui
2 étaient les gardiens de cette terre où nous vivons.
3 Reconnaître ces droits serait pour notre gouvernement une
4 preuve de maturité et de sagesse. Est-ce que vraiment
5 les Canadiens ne seraient pas capables de choisir une façon
6 nouvelle de vivre? De renoncer au colonialisme?
7 D'admettre le tort et de poser le premier pas sur le sentier
8 de l'amitié? C'est le seul chemin vers une situation sans
9 gagnant ni perdant, la situation la plus en accord avec
10 la pensée traditionnelle autochtone. Car reconnaître un
11 droit et corriger un tort est le premier pas vers l'amitié,
12 et l'amitié assure la paix et la coopération bénéfique
13 à tous.

14 En guise de clôture à cette année
15 internationale des peuples autochtones, nous recommandons
16 donc à cette Commission de fortement conseiller au
17 gouvernement de poser le geste positif d'insérer dans la
18 Constitution le concept du droit inhérent des premières
19 nations et d'agir en conséquence dorénavant.

20 **COPRÉSIDENT RENÉ DUSSAULT:** Merci.

21 Est-ce que ça complète votre présentation?

22 **JACQUES BOUCHER:** Oui.

23 **COPRÉSIDENT RENÉ DUSSAULT:** Alors nous

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 sommes très heureux qu'un groupe comme le vôtre apportiez
2 sur le plan public la réalité de ce récent jugement de
3 la Haute Cour d'Australie et du geste qui s'en est suivi
4 de la part du gouvernement australien. La Commission est
5 au fait de la licence du jugement et de cette démarche-là,
6 mais ça nous permet cet après-midi de partager plus
7 largement, via les transcriptions publiques des audiences
8 publiques, cette réalité qui s'est déroulée ces derniers
9 mois en Australie. Ça fait partie de la réflexion de la
10 Commission et de la documentation qui est actuellement
11 devant la Commission royale.

12 Votre recommandation au sujet de la
13 reconnaissance du droit inhérent dans la Constitution...
14 évidemment, je pense que vous connaissez bien la situation
15 canadienne présente: les constituants de Charlottetown,
16 les 17 représentants au fond autour de l'Accord de
17 Charlottetown, avaient convenu de confirmer le droit
18 inhérent à l'autonomie gouvernementale dans la
19 Constitution. Évidemment, le référendum populaire en a
20 disposé autrement; il y avait beaucoup de choses dans
21 l'ensemble des ententes de Charlottetown.

22 Donc actuellement on est un peu revenu
23 à la case de départ, où on a la Loi constitutionnelle de

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 1982, qui reconnaît les droits ancestraux issus de traités
2 existants. La Commission a produit un document pour
3 étayer l'idée et l'opinion qu'il y a de bonnes raisons
4 de croire que, de façon implicite, parmi les droits
5 existants reconnus en 1982 se trouve le droit inhérent
6 à l'autonomie gouvernementale.

7 Donc c'est l'état actuel du dossier.
8 Il est évident que nous travaillons dans le cadre de la
9 Constitution actuelle, mais il est évident aussi que le
10 dossier constitutionnel sur le plan canadien, un jour ou
11 l'autre, devra sans doute être repris. À ce moment-là
12 la question va certainement être l'une des premières
13 soulevées.

14 Nous avons déjà eu l'occasion de dire
15 que cette Commission est une commission, bien sûr, sur
16 les questions autochtones au Canada mais va beaucoup plus
17 loin et touche la fabrique même du Canada, du pays, pour
18 le tournant du siècle et le prochain siècle. Alors c'est
19 beaucoup plus fondamental qu'uniquement ajuster des
20 problèmes sociaux et économiques, mais ça interpelle ce
21 qu'est le Canada véritablement.

22 Alors dans ce sens-là je vous remercie
23 de votre présentation. Je suis heureux d'un côté que ça

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 puisse se faire en public, mais que nous étions au
2 courant... ça n'enlève pas, au contraire, le geste, le
3 mérite de votre démarche de venir en faire part à notre
4 Commission.

5 Ce sont des remarques que me suggère
6 votre présentation.

7 Je voudrais peut-être à ce moment-ci
8 demander à ma collègue Mary Sillett de dire quelques mots.

9 **COMMISSIONER MARY SILLETT:** I would
10 like to thank you very much. I have no comments, but I
11 would like to thank you for the work that you are doing.
12 Thank you very much. This is the second time that we
13 have seen you, and we have had much opportunity to talk.
14 Thank you very much.

15 **COPRÉSIDENT RENÉ DUSSAULT:** Écoutez, je
16 ne sais pas si vous avez des remarques additionnelles à
17 nous faire. Sinon, je pense que ça complète l'audition
18 de votre mémoire.

19 **JACQUES BOUCHER:** Ça va.

20 **COPRÉSIDENT RENÉ DUSSAULT:** Ça va?
21 Alors merci encore une fois.

22 La Commission royale sur les peuples
23 autochtones au Canada suspend ses travaux jusqu'à demain

le 1^{er} décembre 1993

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

1 matin, alors que nous allons entendre une présentation
2 par M. Roger Julien et, à 10 h 00, une présentation du
3 gouvernement du Québec par l'entremise de son ministre
4 délégué aux Affaires autochtones, M. Christos Sirros.
5 Dans l'après-midi nous aurons l'occasion d'entendre des
6 mémoires de la Fédération des femmes du Québec, de M^{me} Lise
7 Bourgault, ancienne députée fédérale de la circonscription
8 de Châteauguay, donc qui a été très près des événements
9 d'Oka/Kanesatake, et également un mémoire de l'Université
10 McGill.

11 Merci et à demain.

12
13

14 --- L'audience est suspendue à 18 h 14,
15 pour reprendre à 9 h 00 le jeudi
16 2 décembre 1993