

**Eeyou (Cree) Governance:
A Brief Account**

March 10, 2015

Eeyou Governance

Cree Nation of Eeyou Istchee

- ❖ call themselves Eeyou of Eeyou Istchee
- ❖ population of about 18,000
- ❖ live in ten Eeyou communities located along the coast and inland of Hudson Bay and James Bay, Quebec, Canada
- ❖ are beneficiaries of the *James Bay and Northern Quebec Agreement* ...a modern day Treaty



Eeyou Governance



Eeyou believe that Chisaaminituu - the Great Spirit – has given them a portion of the Earth as their homeland.



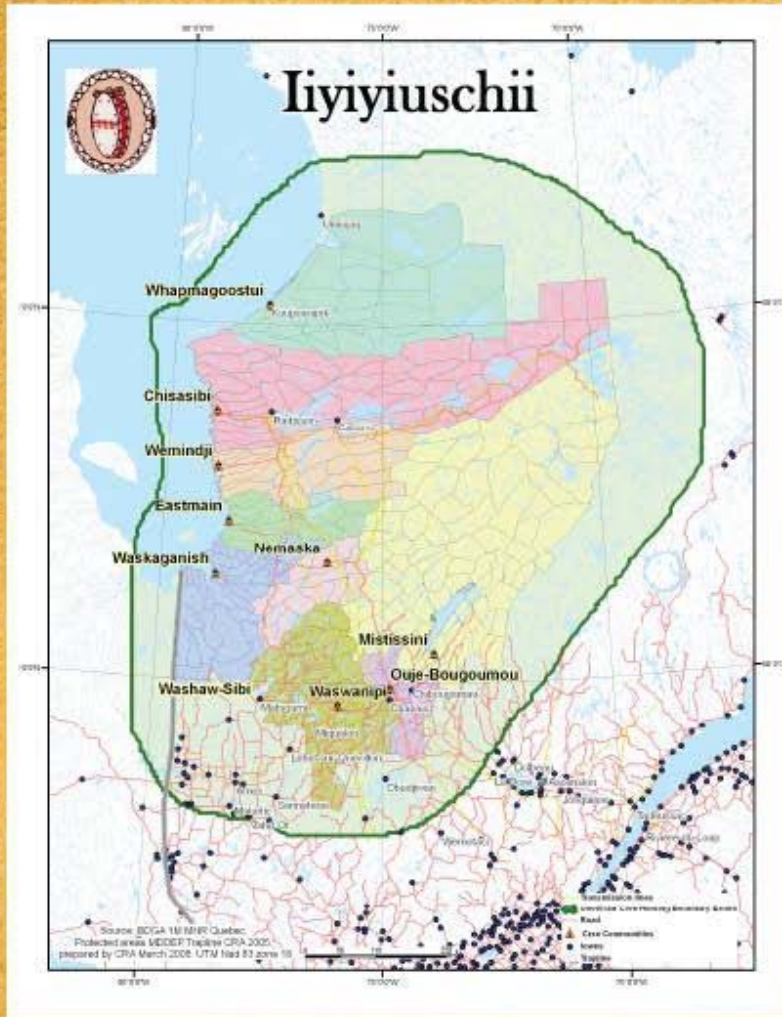
Eeyou Governance

Eeyou Istchee

- ❖ Eeyou Istchee traditional and historical territory
- ❖ land of Eeyou forefathers who named all its geographical features
- ❖ foundation of Eeyou origin, identity, governance, history, heritage, culture, way of life, and spirituality
- ❖ “Eeyou Istchee” means “Eeyou (Cree) land” in the Eeyou language



Eeyou Governance



**Eeyou Istchee
is the Eeyou
homeland of
yesterday,
today and
tomorrow.**



Eeyou Governance

Eeyou Responsibilities

- ❖ to preserve and protect Eeyou heritage
- ❖ to maintain, preserve and protect Eeyou Istchee

In response to Eeyou responsibilities, Eeyou governed and still govern themselves and their territories in accordance with Eeyou laws, traditions, customs, practices, values and aspirations.



Eeyou Governance

Eeyou Governance

Consequently, Eeyou consider ourselves the custodians, guardians and stewards of Eeyou Istchee.

In recent times, Eeyou governance has been recognized and advanced by the James Bay and Northern Quebec Agreement and its related Agreements and by the *Constitution Act, 1982*.



Eeyou Governance

Eeyou Culture and Eeyou Law

- ❖ Eeyou way of life adopted by Eeyou
- ❖ Shaped by Eeyou Eedouwun– the Eeyou way of doing things

Eeyou Eedouwun influences the determination and substance of Eeyou laws

Eeyou Law as shaped by Eeyou Eedouwun prescribes the traditional use, occupation and governance of Eeyou Istchee.



Eeyou Governance

Traditional Eeyou Governance

The Eeyou have determined and implemented the Eeyou laws that set out the rules and tools regarding the allocation of hunting territories, the governance of these hunting territories and the conduct of activities within these territories.



Eeyou Governance

Traditional Eeyou Governance of Hunting Territories

Each Indoh-hoh Istchee (Hunting Territory) is allocated to an Eeyou hunter who is determined by families and recognized by the Eeyou community as the Indoh-hoh Istchee Ouje-Maao (Hunting Territory Custodian/Governor).



Eeyou Governance

Traditional Eeyou Governance of Hunting Territories

Under Eeyou law, the Indoh-hoh Istchee Ouje-Maaooch (Hunting Territory Custodians/Governors) have the authority and responsibility for the governance, supervision of activities, management of wildlife resources and territorial integrity of their Indoh-hoh Istchee (Hunting Territories).



Eeyou Governance

Traditional Eeyou Governance of Hunting Territories

The allocation of Indoh-hoh Istchee and the designation of the Indoh-hoh Istchee Ouje-Maaooch constitute an essential and fundamental element of Eeyou traditional governance as well as the Eeyou traditional land tenure system of Eeyou Istchee.



Eeyou Governance

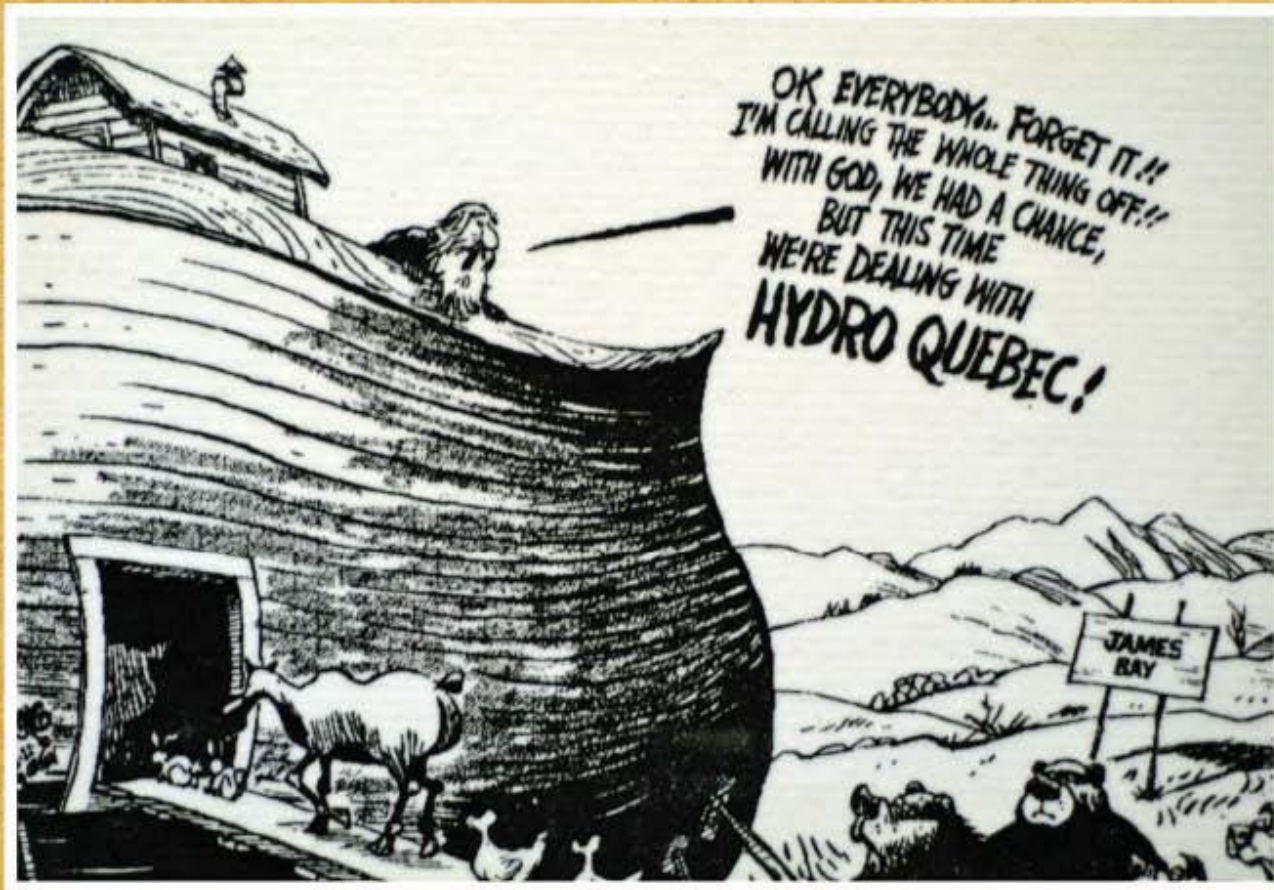
Traditional Eeyou Governance of Hunting Territories

Presently, the Eeyou have about 300 Indoh-hoh Istchee (Hunting Territories) and each is governed by an Eeyou hunter who is designated by families and recognized by the Eeyou communities as the Indoh-hoh Istchee Ouje-Maao (Hunting Territory Custodian/Governor).

This traditional Eeyou governance of hunting territories is recognized by the James Bay and Northern Quebec Agreement – modern-day Treaty.



Eeyou Governance



In April, 1971, without consultations with Eeyou, Quebec announced the first major hydroelectric development project which would flood huge areas of Eeyou hunting territories.



Eeyou Governance

On June 29, 30 & July 1, 1971 – The Chiefs of Eeyou of Eeyou Istchee meet together, for the first time in modern history, in Mistissini to discuss the James Bay Hydroelectric Project and Eeyou formally declare their opposition to the Project. The Eeyou Chiefs also decide to unite as one people, one nation and one voice for Eeyou of Eeyou Istchee. In this manner, Eeyou empowered themselves. This was the beginning of the Eeyou Tapaytahchehsou (Eeyou Nation Government) for Eeyou of Eeyou Istchee.



Eeyou Governance



**June 29, 30,
and July 1,
1971- First
meeting of
the Eeyou
Chiefs and
leaders in
Mistissini.**

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Eeyou Governance



Eeyou talk about Eeyou Istchee, Eeyou Eedouwun, their rights and aspirations.



Eeyou decide to take court action to defend their rights.



Eeyou Governance



Eeyou hunters were instrumental and essential in the court proceedings to explain Eeyou Eehdou-wun and the use, occupation and governance of Eeyou Istchee.



Eeyou Governance



In November 1973, Judge Albert Malouf renders his historic judgment recognizing Cree rights and orders all works on the James Bay Hydroelectric Project to stop.

Subsequent negotiations lead to an out-court-settlement and a modern-day Treaty called the James Bay and Northern Quebec Agreement in November 1975.



Eeyou Governance



In Eastmain, Eeyou Istchee, August, 1974, Eeyou of Eeyou Istchee decide to establish the Grand Council of the Crees (of Quebec) which is the political arm of Eeyou of Eeyou Istchee.



Eeyou Governance



Under the Grand Council of the Crees (of Quebec), negotiations for an out-court-settlement respecting the James Bay Hydroelectric Development Project and a modern-day treaty continue.

What was the vision of the Treaty-Makers and Eeyou leaders in the early 1970s?



Eeyou Governance



The vision of the Treaty-Makers and Eeyou leaders in the early 1970s was based on a strong desire and will to change and improve the social, political and economic status and situation of Eeyou.

Consequently, the Eeyou Treaty-Makers and leaders embarked on a journey for social justice.



Eeyou Governance



The journey of the Eeyou Treaty-Makers and leaders for social justice is also about empowerment and nation-building by and for Eeyou of Eeyou Istchee with a particular mission to seek and achieve recognition and protection of Eeyou rights.



Eeyou Governance

1975 Socio-political Situation of Eeyou of Eeyou Istchee:

- ❖ about 6000 Eeyou living in 6 rudimentary settlements without electricity, water and sewage systems;
- ❖ isolated communities without access roads;
- ❖ radio communications only way of communicating;
- ❖ hunting, fishing and trapping way of life;



Eeyou Governance

1975 Socio-political Situation of Eeyou of Eeyou Istchee:

- ❖ non-recognition of rights such as hunting, fishing and governance
- ❖ domination and control by federal authorities in political, social and economic affairs
- ❖ imposed, restricted and supervised regimes of local government
- ❖ politics of denial and exclusion



Eeyou Governance

1975 Socio-political Situation of Eeyou of Eeyou Istchee:



Eeyou Governance



On November 11, 1975, Grand Chief Billy Diamond, on behalf of Eeyou of Eeyou Istchee, signs the *James Bay and Northern Quebec Agreement*.

PHOTO: COURTESY OF CANAPRESS PHOTO SERVICE



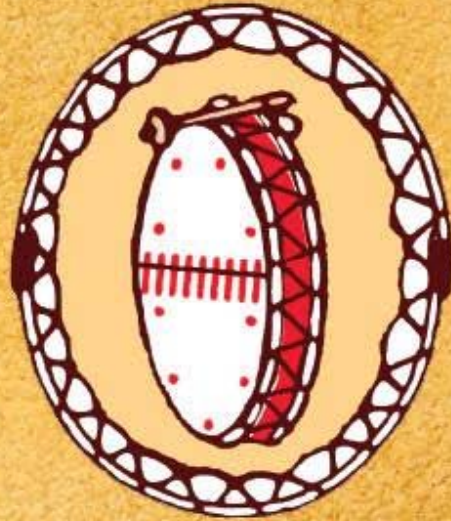
Eeyou Governance

With the implementation of the *James Bay and Northern Quebec Agreement* (JBNQA) and related Agreements, Eeyou-Canada-Quebec relations changed.

- ❖ Eeyou rights are recognized
- ❖ Eeyou traditional governance of hunting territories continues
- ❖ Eeyou seized and exercised more authority through their local and regional (Eeyou Nation) governments and institutions
- ❖ Eeyou participate in the governance and administration of JBNQA Territory



Eeyou Governance



1978: The Cree Regional Authority is established by legislation of Quebec. The CRA becomes the administrative arm of Eeyou of Istchee and is contemplated in the JBNQA.



Eeyou Governance



In 1978, the Cree School Board was established and Eeyou of Eeyou Istchee assume and exercise jurisdiction and responsibility for elementary and secondary and adult education. The Eeyou School Board Commissioners declare that “Cree shall be the language of instruction in the schools under the jurisdiction of the Cree School Board.”



Eeyou Governance



Conseil Cree de la santé et des services sociaux de la Baie James
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Cree Board of Health and Social Services of James Bay

1978: The Cree Board of Health and Social Services of James Bay was established and Eeyou of Eeyou Istchee assume control and responsibilities for the provision and administration of health and social services for all persons residing in the Eeyou communities. The Cree Health Board takes over the operations of the hospital in Chisasibi and clinics in the Eeyou communities from the federal and provincial governments.



Eeyou Governance

1984: After nine (9) years of difficult negotiation between Canada and Eeyou of Eeyou Istchee, the *Cree-Naskapi (of Quebec) Act* is enacted by Parliament.

The *Cree-Naskapi (of Quebec) Act*, contemplated by the JBNQA, is special federal legislation that provides for an orderly and efficient system of Eeyou (and Naskapi) local government. This special legislation replaces the *Indian Act* for the 'Cree' and 'Naskapi'.



Eeyou Governance

1975 -2002: The signing of the JBNQA did not end confrontations and negotiations between Eeyou of Eeyou Istchee and Quebec and the Federal Government. The proper implementation of the Agreement led to disputes, reviews, and negotiations over the intent, spirit and letter of the major terms and provisions of the JBNQA. Eeyou of Eeyou Istchee initiated about thirty (30) lawsuits against Quebec and Canada for serious breaches of the Agreement.



Eeyou Governance



On February 7, 2002, the Eeyou of Eeyou Istchee and the Government of Quebec sign the Agreement Respecting a New Relationship between le Gouvernement du Quebec and the Crees of Eeyou Istchee.



Eeyou Governance

Under this Agreement, Eeyou of Eeyou Istchee assume greater responsibility for its economic and community development as an innovative means of implementing the JBNQA. Consequently, Eeyou governance is enhanced. In particular, in order for Eeyou to assume these responsibilities, the Agreement provides for funding of about \$70 million a year for 50 years. The Agreement provides also for the sharing of revenues derived from mining, hydro-electric development and commercial forestry activities carried out in Eeyou Istchee.



Eeyou Governance



On February 21, 2008, Eeyou of Eeyou Istchee and Canada sign the *Agreement Concerning a New Relationship between the Government of Canada and the Crees of Eeyou Istchee.*

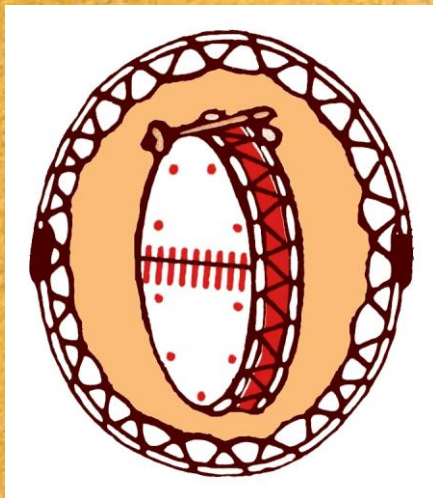


Eeyou Governance

Under this Agreement and as a way of implementing the JBNQA, Eeyou of Eeyou Istchee assume greater responsibility for its economic and community development. It also provides for negotiations and subsequent legislation concerning a Cree Nation Government. In addition, the Agreement provides for funding in an amount of \$1.4 billion over a 20 year period (\$70 million a year) to facilitate the implementation of Canada's obligations under the JBNQA and assumed by the Eeyou.



Eeyou Governance



Furthermore and pursuant to the Eeyou/Canada New Relationship Agreement, the *Cree-Naskapi (of Quebec) Act* has been amended to empower the Cree Regional Authority to carry out the assumed federal responsibilities and to equip the CRA with certain by-law-making powers. A Cree/Canada Governance Agreement and subsequent Governance Legislation will expand Eeyou Nation Governance beyond the scope of the *Cree-Naskapi (of Quebec) Act*.



Eeyou Governance



On July 24, 2012, Eeyou of Eeyou Istchee and the Government of Quebec sign the *Agreement on Governance in the Eeyou Istchee James Bay Territory Between the Crees of Eeyou Istchee and the Gouvernement of Quebec.*

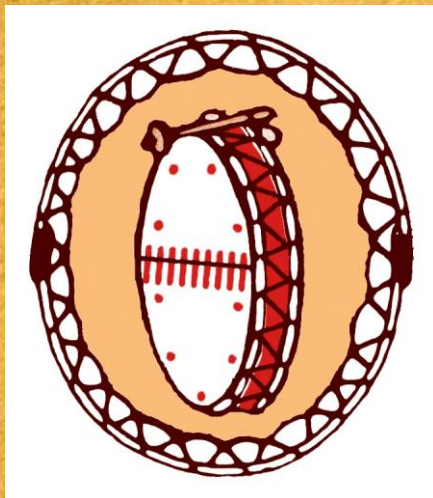


Eeyou Governance

This Agreement provides for the modernization of the governance regime in the Territory and the inclusion of Eeyou of Eeyou Istchee in this governance regime. In particular, the Agreement aims to include Eeyou of Eeyou Istchee in the governance of the Eeyou Territory covered by the JBNQA.



Eeyou Istchee Tipaayihchichaawin (Eeyou Nation Governance)



Consequently, in 2013, Quebec enacted *An Act establishing the Eeyou Istchee James Bay Regional Government* and introducing certain legislative amendments concerning the Cree Nation Government. This Regional Government replaces the James Bay Municipality. The Act respecting the Cree Regional Authority is amended so that the CRA is known as the Cree Nation Government as of January 1, 2014.



Evolution of Eeyou Tipaayihchichaawin (Eeyou Governance)



Summary of Eeyou Governance (2013)



Eeyou Governance



Eeyou Traditional Governance – Eeyou Istchee consists of over 300 Indoh-hoh Istchee – each is governed by Eeyou Indoh-hoh Istchee Ouje-Maaoo



Eeyou Governance

Local Governments: Eeyou Istchee with the present 10 Eeyou communities – each governed by Eeyou Chief and Council



Cree Nation of Chisasibi



Cree Nation of Eastmain



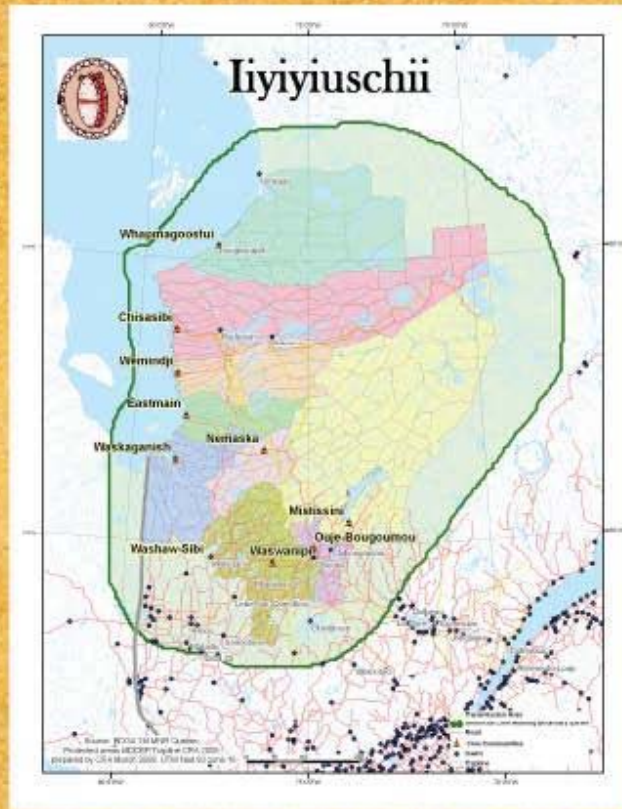
Cree Nation of Mistissini



Cree Nation of Nemaska



Ouje-Bougoumou Cree Nation



Cree Nation of Washaw Sibi



Waskaganish Eeyou First Nation



Cree Nation of Waswanipi



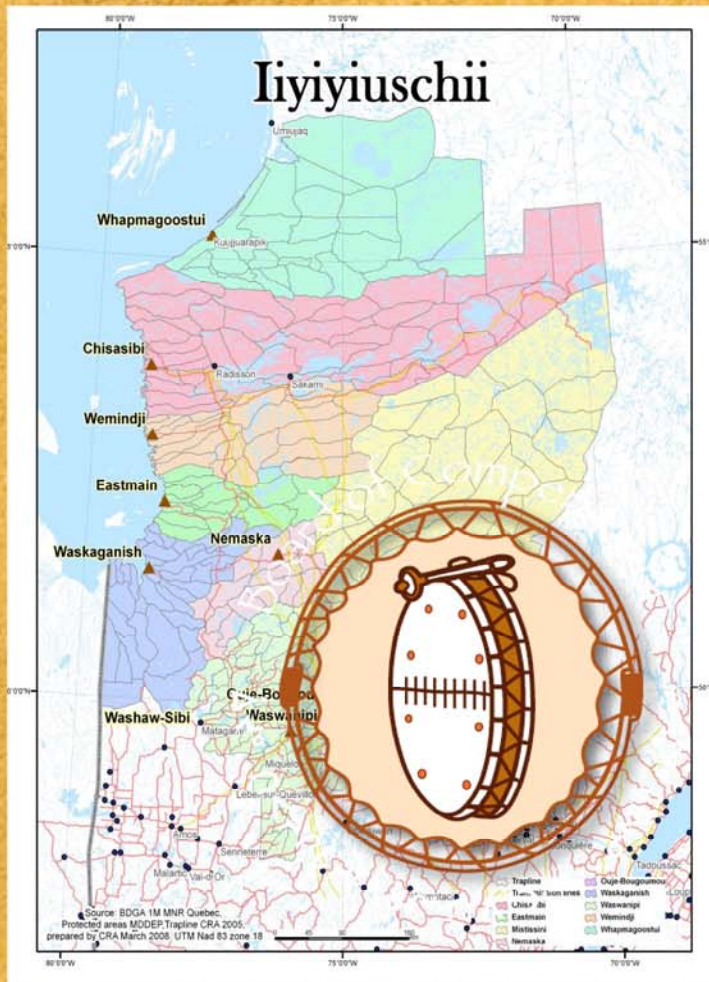
Cree Nation of Wemindji



Whapmagoostui First Nation



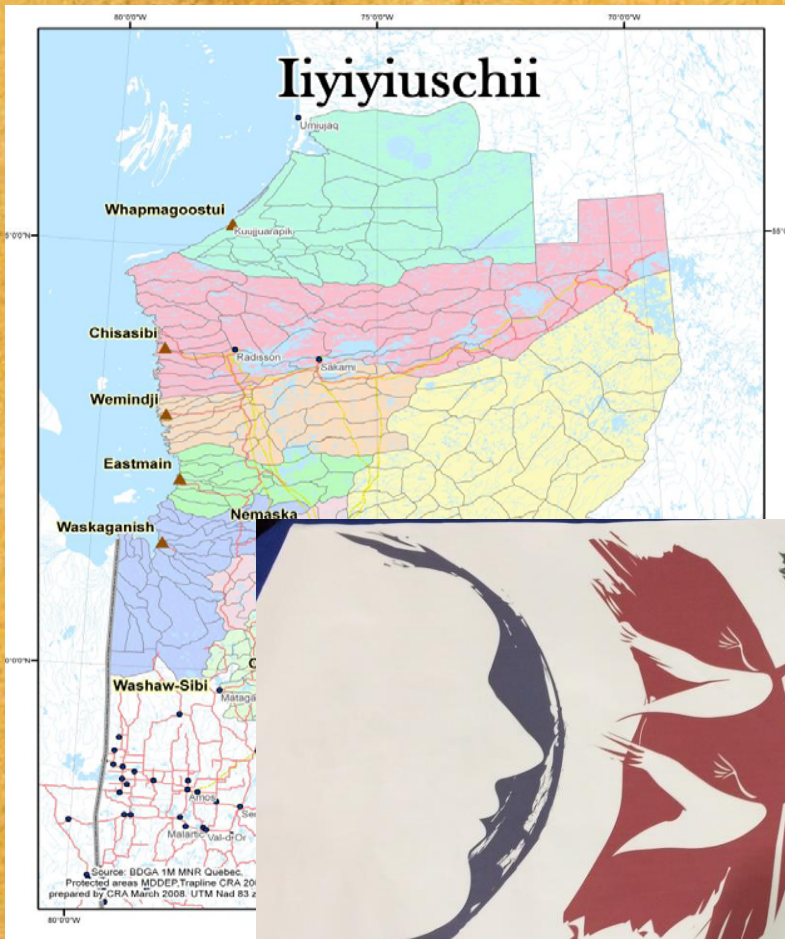
Eeyou Governance



Cree Nation Government – On January 1, 2014, the Cree Regional Authority became the Cree Nation Government with authority and jurisdiction within Category II lands and jurisdiction over certain matters within Category IA lands of Eeyou/Eenou



Eeyou Governance



On January 1, 2014, the Eeyou Istchee James Bay Regional Government replaced the James Bay Municipality. Through this new regional government, Eeyou participate in the governance of Eeyou Istchee lands covered by the JBNQA.



Eeyou Governance

Summary

The Eeyou of Eeyou Istchee have taken the following principal paths and arrangements for governance of Eeyou Istchee:

- 1) traditional Eeyou system of governance for each Eeyou Hunting Territory;
- 2) local government by Eeyou through Chief and Council over an exclusive territorial base (Category IA and IB lands);
- 3) Eeyou Nation Government that involves a broad measure of authority over certain Eeyou lands;



Eeyou Governance

- 4) public regional government (Eeyou Istchee James Bay Regional Government) that involves significant Eeyou participation in decision-making over shared lands and resources;
- 5) establishment of Eeyou Institutions such as the Cree School Board and the Cree Health Board and Social Services of James Bay; and
- 6) co-management with Canada and Quebec of the hunting, fishing and trapping regime and the social and environmental protection regime.



Eeyou Governance

Conclusion

This Eeyou journey and shift to a more meaningful self-government is a fundamental aspect of nation-building as Eeyou of Eeyou Istchee have reclaimed governance as an aboriginal and treaty right and activity.



Eeyou Governance

Conclusion

But nation-building and hence self-government by Eeyou of Eeyou Istchee are continuous activities that must evolve and sustain Eeyou society that work – economically, socially, culturally and politically.

Eeyou of Eeyou Istchee still have many challenges to meet and overcome...the journey continues.

