



CREE TRAPPERS' ASSOCIATION




Impacts of Mining and Exploration Activities in Eeyou Istchee

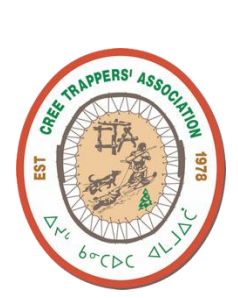
January 21-22, 2024

Chisasibi, QC



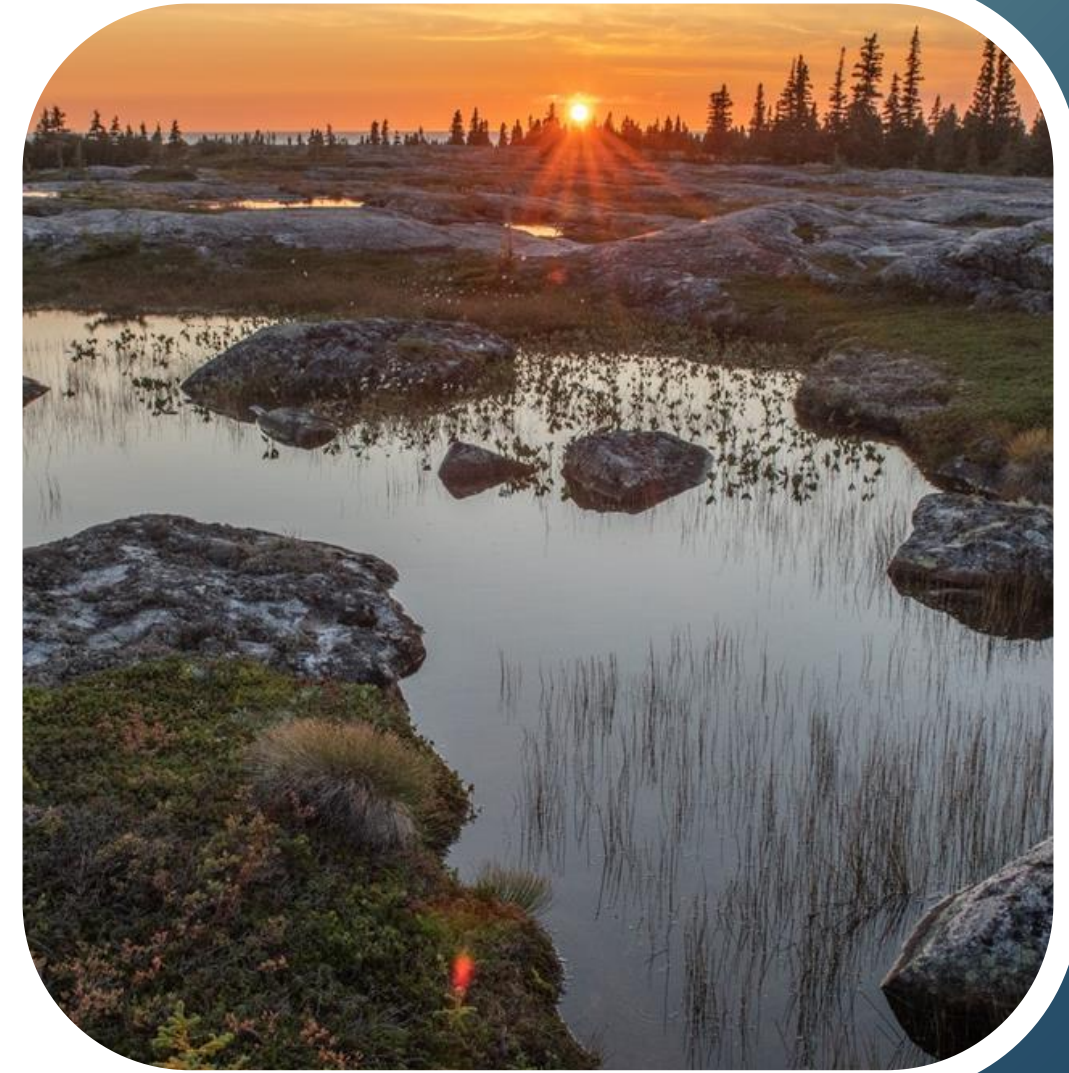
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Indoh-hoh Istchee (Cree Traplins)

The Indoh-hoh Istchee (hunting territory) land management system is based on Eeyou customary law and traditions that predates the Cree trapline system affirmed in the James Bay and Northern Quebec Agreement (JBNQA). The spirit and values of Eeyou, recognition of Eeyou rights, including their traditional hunting territories, led to the negotiation and signing of the JBNQA. Under the JBNQA, a Cree trapline is defined (24.1.9) as an area traditionally managed by a Cree Tallyman (24.1.8).



24.1.8 "Cree Tallyman" means a Cree person recognized by a Cree community as responsible for the supervision of harvesting activity on a Cree trapline.

24.1.9 "Cree trapline" means an area where harvesting activities are by tradition carried on under the supervision of a Cree tallyman.

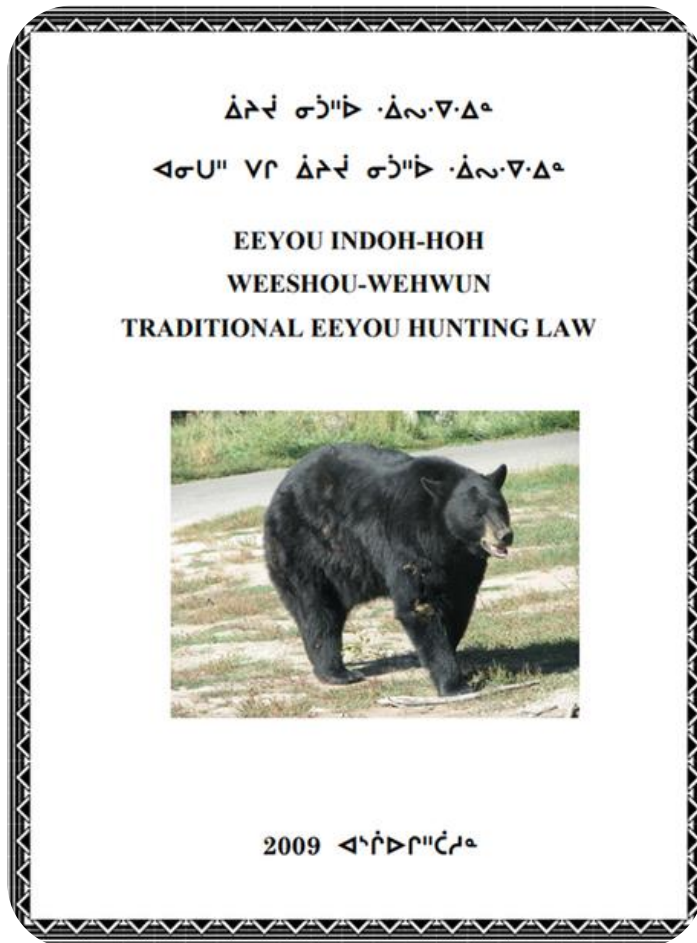


Eeyou Indoh-hoh Weeshou-Wehwun/ Eeyou Hunting Governance (Law)



Basic Summary

The Law sets out provisions for the **allocation** of the Indoh-hoh Istchee (hunting territories), the **governance** of these hunting territories by the Kaanoowapmaakin (hunting leaders or Tallymen), and the conduct of **harvesting activities** within these hunting territories. It also establishes a **register** of hunting territories and Kaanoowapmaakin, processes for their transfer, and processes for resolving **disputes**.



The Law does not fully capture all aspects of Eeyou traditions and values, as they cannot be completely expressed in writing.

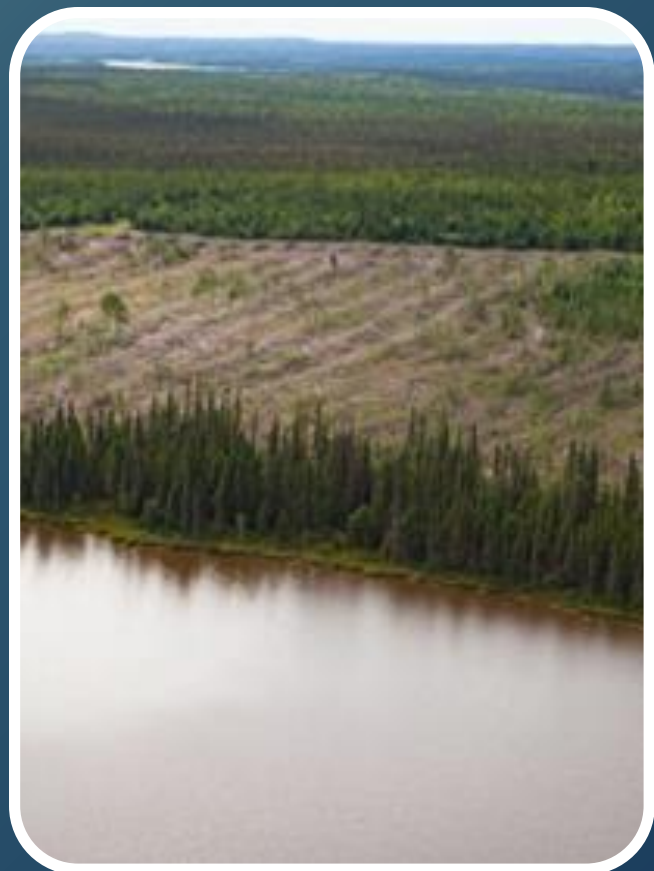


This document consists of ten (10) parts, with part eight (8) specifically addressing the "Guidelines for the Approval Of Economic Development Affecting an Indo-hoh Istchee."



Collective Interest:

1. Each Eeyou First Nation has a shared interest in its traditional territory. Consequently, any activity or project, including preliminary or exploratory activities, on or affecting Eeyou Nation territory requires approval from the Eeyou First Nation Council and the community.
2. The Kaanoowapmaakin are responsible for overseeing and protecting the land for the benefit of the Eeyou Nation, including monitoring access to the Indo-hoh Istchee. Therefore, any activity or project, including preliminary or exploratory work, on or affecting the Indo-hoh Istchee must be approved in accordance with the Eeyou system and involve the Kaanoowapmaakin of the affected area.
3. If a proponent seeks approval for a project or activity directly from a Kaanoowapmaakin, the Kaanoowapmaakin must notify the Chief and Council of the Eeyou First Nation.
4. When involved in deciding on a project or activity, the Kaanoowapmaakin considers the interests of the entire community and consults them about their preferences for the use of land or resources.
5. The consent of an individual Eeyou member, including the Kaanoowapmaakin of the affected Indo-hoh Istchee, does not represent consent from the Eeyou First Nation as a whole.





Cont'd –

Guidelines for the Approval of Economic Development Affecting an Indoh-hoh Istchee.



Remedial Measures / Compensation

1. When a project or activity affects an Indoh-hoh Istchee, its impacts must be addressed. Priority should be given to finding alternative harvesting areas for the affected Eeyou and promoting the sharing of Indoh-hoh Istchee.
2. Remedies for Eeyou affected by the project or activity should prioritize options that support the Eeyou way of life and provide long-term benefits for Eeyou and their families.





APPROVAL PROCESS SO FAR



Approved by the CTA Board of Directors since June 2009



The presentation has been made, but the approval process is not yet complete, with only 7 out of 9 communities having approved

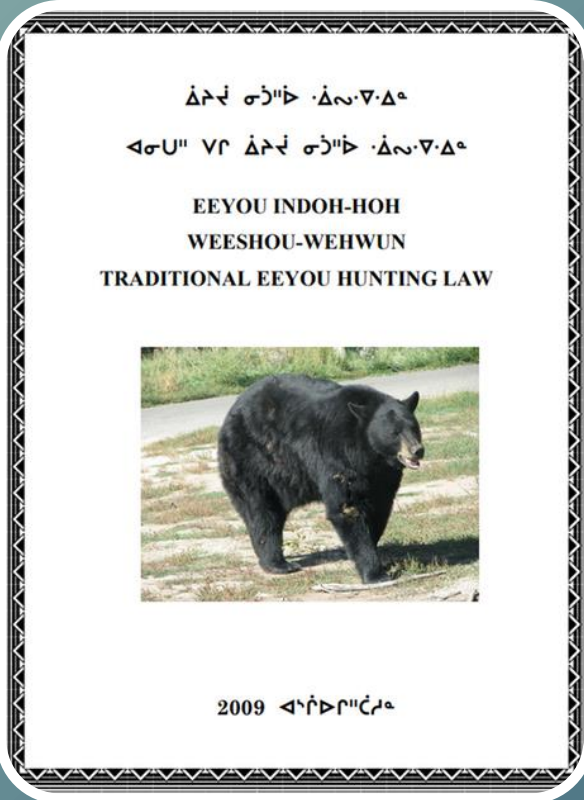


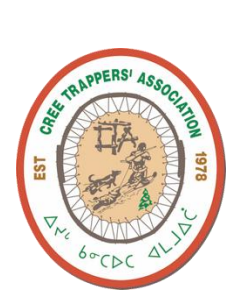
The Law has been presented to, but not yet adopted by, the Cree Nation Government

To facilitate the finalization of the Eeyou Hunting Governance Document, an action plan has been developed which includes:

- educating the community about the law,
- gathering feedback for potential amendments; and,
- engaging with the Cree Nation Youth Council and the Cree Nation Government Council Board.

A legal firm will assist in finalizing the document, which will then be submitted to the CTA Board of Directors for approval at the CTA General Assembly.





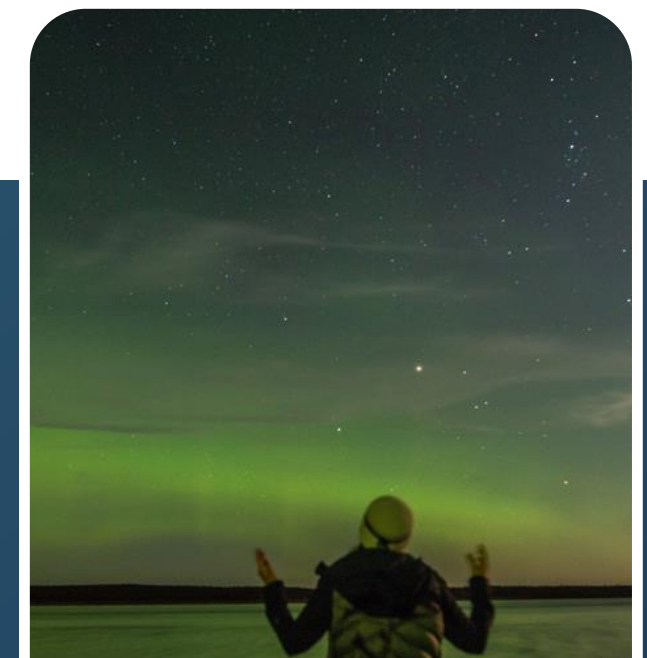
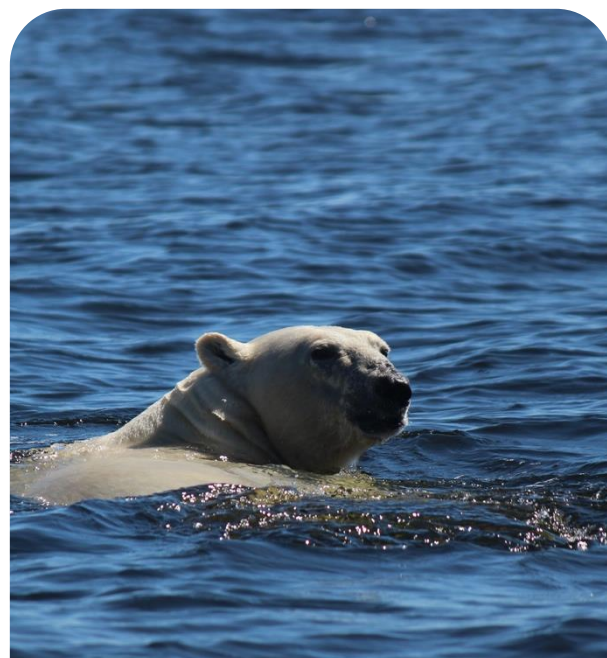
Eeyou

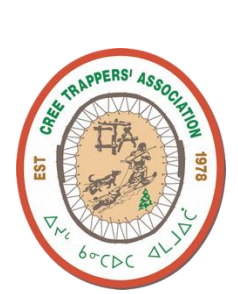


“Being an Eeyou encompasses a deep connection to Eeyou Istchee and reflects a way of life deeply rooted in the land, culture and traditions.

Eeyou customary law, traditions, and practices include established rules, values and codes of conduct for harvesting activities such as hunting, fishing, trapping and related activities within Eeyou Istchee and specifically within Indoh-hoh Istchee. These legal traditions are primarily oral and are passed down through generations, with their vitality dependent on this ongoing transmission and reception.

Eeyou Istchee is vital to the holistic well-being of the Eeyou, serving as the cornerstone of their governance, culture, identity, history, spirituality, and way of life. This deep and unique connection between the Eeyou and Eeyou Istchee defines their distinct society and is integral to the essence of "being Eeyou." ”





Kaanoowapmaakin or Indoh-hoh uchimaau or amiskw uchimaau (Cree Tallyman)

The Eeyou system of Indoh-hoh Istchee uchimaau, often referred to as the "Cree Tallyman" in the JBNQA, 24.1.8, is established and implemented by Eeyou families. This individual is selected by their family and recognized by the community.

While Paragraph 24.1.8 of the JBNQA broadly defines a Cree Tallyman as someone responsible for overseeing harvesting activities on a Cree trapline, the role of the Indoh-hoh uchimaau under Eeyou law and traditions extends far beyond this. The Indoh-hoh uchimaau is responsible for stewardship, guardianship, custodianship and governance of their hunting territories. Therefore, the term "tallyman" is inaccurate, as it does not reflect the full scope of the Indoh-hoh uchimaau's duties, which do not involve tallying animals.





Responsibilities of the Kaanoowapmaakin



Kaanoowapmaakinch are the stewards, guardians of the land and resources for the benefit of the Eeyou Nation, their community and their family ...



The responsibilities and authority of the Kaanoowapmaakin to control access to and manage harvesting in the hunting territory exist so that they can fulfill their responsibilities under Eeyou law to the land, to the community and to future generations

Responsibilities include:



1. stewardship of the wildlife and natural resources to provide for its sustainable use both by the community and future generations
2. ensuring the conservation of the wildlife and natural resources.
3. ensuring the just sharing of the wealth of the land by members of the hunting group, their families, the community and other Eeyou





Authority includes:

1. monitor access to and monitor the use of the hunting territory
2. actively manage the wildlife resources
3. provide guidance to Eeyou in their harvesting activities and educate the youth regarding Eeyou customs, practices and values
4. authority to perform other specific duties

Limits on the authority of the Kaanoowapmaakin:

1. they may not require payment in exchange for granting permission to access or harvest from the territory
2. they may not withhold permission to an Eeyou person to hunt and fish for subsistence unless is for conservation purposes.



Role and Responsibility of Eeyou Hunters

Basic rules which govern harvesting by Eeyou hunters:

- All Eeyou may, harvest in the Indoh-hoh Istchee, subject to the *rules of Eeyou traditional law and this law, but...*
- No Eeyou may harvest in an Indoh-hoh Istchee *without first obtaining the permission of the Kaanoowapmaakin (where required)*



Indoh-hoh Eeyou have to follow traditional rules and rules of conduct such as:

respect the land and the animals

respect the authority of the Kaanoowapmaakin

share meat and other wildlife resources

generally avoid conduct unworthy of an Eeyou hunter

avoid waste

“

The Kaanoowapmaakin has the authority to apply appropriate sanctions after issuing warnings

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THANK YOU

Questions?