



EXECUTIVE SUMMARY

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RÉSUMÉ EXÉCUTIF



GCC

Canada



EXECUTIVE SUMMARY

EEYOU MARINE REGION LAND CLAIMS AGREEMENT

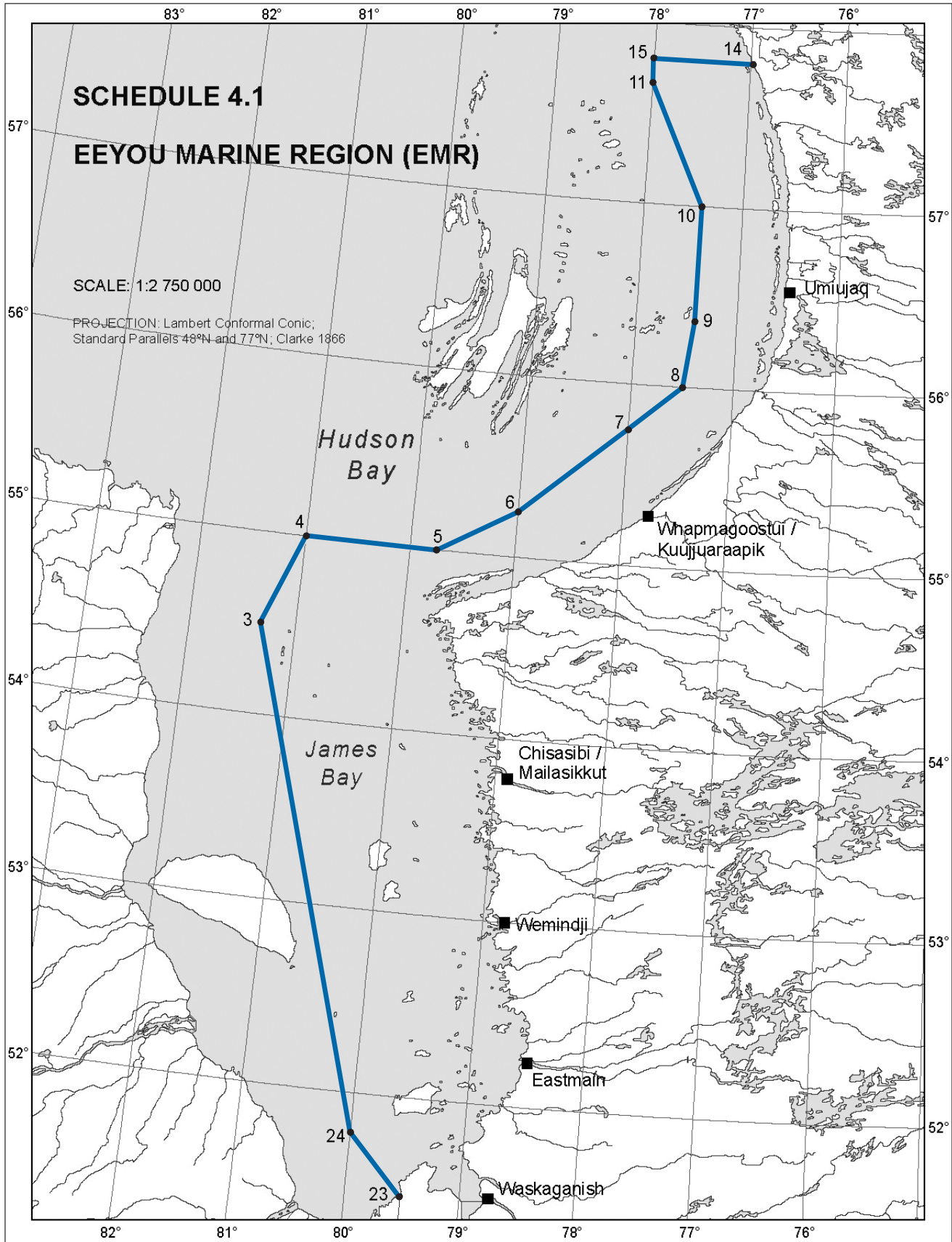
PREPARED FOR THE CREE OF EYYOU ISTCHEE RATIFICATION VOTE
OF THE CREE OFFSHORE AGREEMENT

This Executive Summary of the proposed Cree Offshore Agreement was prepared to inform the general Cree population and eligible voters about the proposed Agreement. It is intended to make some information on the Agreement accessible to a wider audience and it is not intended to be used for legal interpretation of the Agreement. For more precise and complete information on the Agreement please consult the full document. Any views expressed in this document are for information purposes only and are without prejudice to any rights of the Crees.



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EEYOU MARINE REGION LAND CLAIMS AGREEMENT

The proposed Cree Offshore Agreement will be a treaty protected under Section 35 of the *Constitution Act*, 1982. As such, the provisions of this Agreement will have higher legal status and will have precedence over inconsistent or conflicting laws.

A major reason for negotiating the Cree Offshore Agreement is for both the Cree and government parties to clearly define their respective rights and obligations and determine how these rights and obligations will be implemented in the future. Therefore, the proposed Cree Offshore Agreement represents the settlement of rights over the Offshore Area and it states that the rights described in that Agreement are the *full* extent of the Cree aboriginal rights to land and natural resources. Any other Cree rights, including self-government, are not addressed or affected by this Agreement.

Before it becomes effective, it will need to be ratified by referendum in all communities and approved by more than 50% of all Cree beneficiaries eligible to vote. All Cree beneficiaries of the *James Bay and Northern Quebec Agreement* will automatically be enrolled as beneficiaries under the Cree Offshore Agreement, and they will benefit from all the rights contained in that Agreement.

Land

Under the proposed Cree Offshore Agreement, the Crees will have full ownership, including subsurface rights, over almost all of the islands in the Cree traditional area in the Eeyou Marine Region of eastern James Bay and Hudson Bay from Long Island going South. They also have joint ownership with the Nunavik Inuit of most of the islands from Long Island to North of Umiujaq.

These islands are held for and on behalf of all Crees and not for an individual Cree or individual Cree Band. These islands cannot be sold, although long-term leases may be granted on specific parcels of land. All Crees will continue to have access to these islands, while non-Crees will need permission, unless they are casually passing through. Also, the Government will have a right to access the islands but only for certain purposes.

Under this Agreement, protected areas proposed in the Offshore Area require Cree consent and participation. Crees would participate in the planning and management of new protected areas and generally speaking, harvesting rights for the Crees in these protected areas would continue unaffected. Prior to establishing a new protected area, the government has an obligation to conclude an impact benefit agreement with the Crees.

Land use planning will be managed through a new Planning Commission located in Eeyou Istchee, with Cree (2), Nunavut (1) and Canada (1) representatives.

Harvesting and Wildlife

Under the proposed Cree Offshore Agreement, the Crees will have the right to harvest in the Offshore Area without the need for permits and licenses but harvesting may be subject to certain conservation measures. Certain species will be reserved for harvesting by the Crees only. For certain other species, the Crees will have the exclusive right to harvest for *commercial* purposes. The right to harvest includes the right to set up camps and to use the necessary equipment.

The Cree Trappers' Association will be recognized as playing an extended role in the Offshore Area. In particular, it will recommend wildlife management measures and participate in the implementation of conservation measures.

A Wildlife Board with Cree (3), Nunavut (1) and Canada (2) representatives will be the main instrument for managing wildlife, including researching wildlife in the Offshore Area. The Crees may also be involved in the coordinated management of marine species over the entire James Bay and Hudson Bay (outside the Eeyou Marine Region).

Development

Under the proposed Cree Offshore Agreement, the Crees will have the right be consulted before any major decisions are taken regarding development projects in the Offshore Area. Furthermore, proponents hoping to undertake certain development projects in the Offshore Area will be required to negotiate impact and benefit agreements (IBA) with the Crees.

A new Impact Review Board, located in Eeyou Istchee, with Cree (2), Nunavut (1) and Canada (1) representatives will screen and review projects and recommend if and under what conditions projects would proceed.

The Crees will have the right to receive a share of royalty payments made to government from the extraction of natural resources in the offshore marine area.

As well, Crees will have the right to be compensated for any loss of property, income or harvested wildlife, present or future, caused by certain development activities.

Business and Employment

Crees will have priority for government employment opportunities in the Offshore Area and Cree enterprises will have access to assistance to compete for government contracts.

Financial Matters

Canada will provide a capital transfer payment of \$50 million to the Crees. Canada will also provide the Crees with a one-time \$5-million payment to assist the Grand Council of the Crees (Eeyou Istchee) to implement certain aspects of the Cree Offshore Agreement. Canada will provide funding for the implementation of the Agreement in accordance with the Implementation Plan, which includes the costs associated with the establishment and ongoing operation of the Wildlife Board, the Planning Commission and the Impact Review Board.

A \$5-million research fund will be established and managed by the Wildlife Board for the purpose of supporting wildlife research in the Offshore Area.