

Major Native land claims in Canada

(Editor's Note: From time to time, this newspaper publishes stories about efforts toward settlement of aboriginal claims of Canadian Eskimos and Indians. It is sometimes difficult to understand Canadian Native Claims settlement issues because of differences of national policies, procedural approaches for handling of claims, and unique political climates faced by Canadian Natives. This is the fifth and final installment in a series of articles on what the Canadian Government considers are the ten major Native claims and an explanation of how the government is handling them. This series, prepared by the Office of Native Claims in the Department of Indian Affairs and Northern Development first appeared in the Whitehorse STAR.)

Council for Yukon Indians

3. The Council for Yukon Indians (C.Y.I.). On October 19, 1976 the Federal Government appointed a Special Claims Representative to handle negotiations on the Yukon claim on its behalf. A "co-operative planning" process was agreed to at a meeting between the C.Y.I. and Federal and Territorial representatives in Whitehorse in January, 1977, and a Planning Council was established as the body responsible for the conduct of negotiations.

In addition to the Planning Council, working groups were set up, composed of representatives appointed by each party on the Council. By the end of July, 1977, the Planning Council had agreed on and made public four documents relating to the Yukon claim, including a "Settlement Model" describing the goals of the Yukon Indians and outlining the ways in which they could be reached.

Discussions are continuing towards the signing of an agreement in principle.

NWT Indian Brotherhood

4. The Indian Brotherhood (I.B.N.W.T.) formally presented a "Statement of Rights" and an "Agreement in Principle" to the Federal Government on October 25, 1976.

The proposed Agreement sought the establishment of a "Dene government with jurisdiction over a geographical area and over subject matters now within the jurisdiction of either the Government of Canada or the Government of the Northwest Territories," and including such matters as land ownership; control over non-renewable resource development; protection of hunting, fishing and trapping rights; preservation of the Dene language and culture, and compensation for the "past use of Dene land by non-Dene."

Progress has been slow in beginning negotiations on this claim. To expedite matters, the Government presented to the Brotherhood and the Metis Association of the N.W.T. specific proposals for discussion in Yellowknife on Jan. 14, 1978.

Metis Association

5. The Metis Association of the Northwest Territories (M.A.N.W.T.), which did not accept the "Dene Declaration" of the I.B.N.W.T. as a basis for a claim proposal decided, in the fall of 1976, to proceed with a separate land claim proposal.

A land claim coordinating committee was set up and a claim proposal, in the form of a discussion paper, was presented to the Federal Government on April 4, 1977. M.A.N.W.T. submitted their formal claim on September 28, 1977 and have indicated they are prepared to begin negotiations.

However, the Government

has stated that, while it was prepared to accept two separate claims, there can be only one settlement involving all Native people in the Mackenzie Valley.

Labrador Inuit

6. The Labrador Inuit Association (L.I.A.) initiated its land claims project in July 1975. On March 4, 1977 the L.I.A. forwarded its claim to the Federal Government. It stated, in general terms that the Inuit and native settler people of Labrador had aboriginal title and "customary legal rights" to the land and sea-ice of northern Labrador, based on their ancestral and continuing use and occupancy.

The Government received the Inuit Land Use and Occupancy Study in December, 1977. This study will assist the Government in analyzing and assessing the claim in order to make a formal response.

7. The Naskapi Montagnais Innu Association representing Labrador Indians, presented the Federal Government with a brief outlining a number of its concerns pertaining to the land claim and other matters on March 4 1977.

A formal statement of claim was submitted by the Association on November 22 1977, and the Government is currently reviewing and assessing the claim.

Nishga Tribal Council

8. The Nishga Tribal Council initiated formal negotiations on its claim with the Federal and Provincial Governments in January, 1976 and presented both Governments with an initial statement of their claim on April 27 of that year.

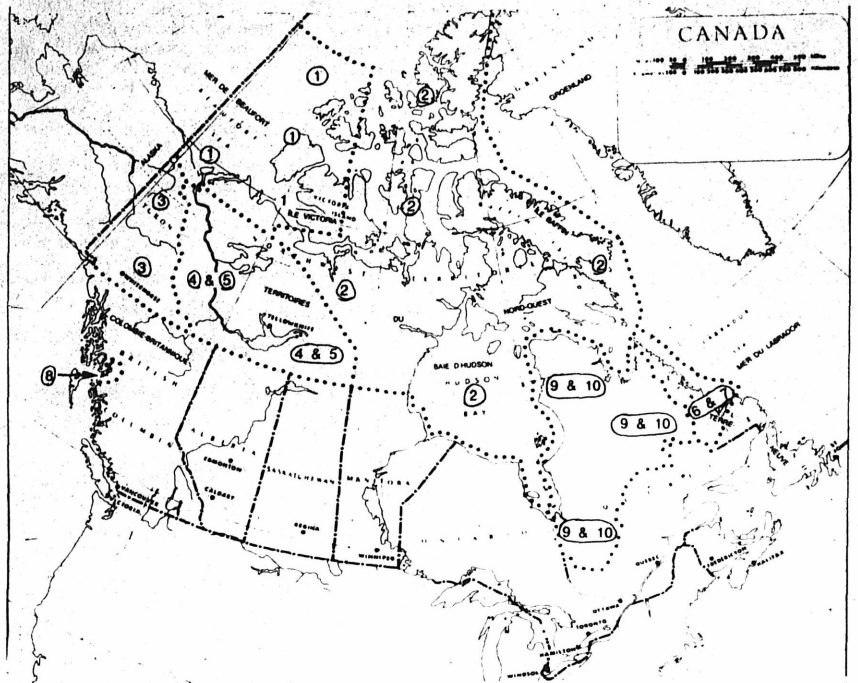
After a delay of 15 months required for the Province of B.C. to formulate a basic policy on such claims, the two levels of government presented their respective responses to the Nishga paper on January 10 1978 in Ottawa. The next negotiation meeting is scheduled for Feb. 10 when the Tribal Council will present its views on the initial position of both Canada and B.C.

Late in 1977 the Federal Government accepted two additional claims—from the Gitksan Carrier Tribal Council and the Kitwancool Band—conditional upon the participation of the Province in the negotiations. B.C. has not yet made a firm commitment to the extension of negotiations beyond the Nishga claim.

Northern Quebec: A Settled Claim

9. & 10. The Grand Council of Crees of Quebec, the Northern Quebec Inuit Association, the Federal Government and the Province of Quebec signed the James Bay and Northern Quebec Agreement on Nov. 11, 1975.

It was the first comprehensive



NATIVE LAND CLAIMS IN CANADA -- The areas outlined on this chart show approximate boundaries of the various claims that have been laid by different Native groups across Canada. These are: (1) Committee for Original Peoples Entitlement (COPE), (2) Inuit Tapirisat of Canada (ITC), (3) Council for Yukon Indians (CYI), (4) Indian Brotherhood of the Northwest Territories (IBNWT), (5) Metis Association of the Northwest Territories (MSNWT), (6) Labrador Inuit Association (LIA), (7) Naskapi Montagnais Innu Association (representing Labrador Indians), (8) Nishga Tribal Council, (9) Grand Council of Crees of Quebec (GCCQ) and (10) Northern Quebec Inuit Association (NQIA).

--Map originally published in The Whitehorse STAR

sive claim settlement of its kind in Canada.

In addition to land and financial compensation, the Agreement provides the 10,700 Cree and Inuit beneficiaries with concrete social and economic benefits; hunting, fishing and trapping rights; control over education; substantial participation in local and regional government, and environmental protection.

Federal Legislation (Bill C-9) received third reading in the Senate July 6, 1977, and was given full force and effect when proclaimed on Oct. 31, 1977 concurrently with the Provincial legislation.

Naskapis of Schefferville

The Naskapis of Schefferville, a band of 400 Indians living within the Territory covered by the James Bay and Northern

Quebec Agreement, joined in the negotiations with the Crees and Inuit in January, 1975.

Although a conscientious effort was made by all parties, the James Bay and Northern Quebec Agreement was signed without an agreement in principle with the Naskapis.

Negotiations with the Naskapis continued and culminated in the Northeastern Quebec Agreement.

ment which was signed on Jan. 31, 1978, by the Naskapis of Schefferville and all the signatories to the James Bay and Northern Quebec Agreement.

The agreement provides the Naskapis with rights and benefits similar to those gained by the Crees and Inuit under the James Bay and Northern Quebec Agreement.

End of Series