

Cree Nation Government

Cree
First
Nations

Cree
Regional
Services

Cree
Business
Enterprises

Cree Nation Mining Policy



CREE NATION MINING POLICY

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CREE NATION MINING POLICY

Introduction

The Crees of Eeyou Istchee (“The Peoples Land”) support and promote the development of mineral resources in the James Bay region of Northern Quebec. The Crees of Eeyou Istchee recognize the increased economic and social opportunity offered by the mining sector, subject to ensuring that their unique social and environmental regime is adhered to. Accordingly, they have developed the present Mining Policy which provides guiding principles for the conduct of mineral exploration and mining activities within a sustainable manner and in a manner that is respectful of Cree rights and interests.

The purpose of the policy is to develop a standardized, consistent and effective approach for Cree involvement in all mining related activities occurring on the Territory, including but not limited to, exploration, extraction and the closure of mining projects.

Mining activity in Eeyou Istchee is not a new trend. In the 1950s, mines opened in many locations in the southern part of the territory and adjacent areas to the south. By the 1970s, exploration activity continued to be strong, decreased significantly in the early 1980s and did not recover previous levels until after 2000. The number of claims made in the territory in recent years and the variety of minerals found suggest that one can expect continuing interest in mineral exploration activity and the opening of more new mines in Eeyou Istchee. Several new mines are still in the developmental stage and are either in the process of impact assessment or will be moving on to environmental review in the near future.

The Crees have already gained mining experience, mostly from the Troilus mine, an open pit gold and copper mine located west of Lake Mistissini, which operated for about 15 years. It is the first mining operation in Eeyou Istchee to have been the subject of a comprehensive negotiated agreement to address issues related to employment, economic development and environmental protection. This first experience allowed the Crees to identify the opportunities and challenges of Cree participation in the mining sector.

Governance

The [Grand Council of the Crees \(Eeyou Istchee\)](#) is the political body that represents the approximately 17,000 Crees or “Eeyouch” (“Eenouch” – inland dialect), as we call ourselves in our language. The Council is constituted of twenty (20) members including: a Grand Chief and Deputy-Grand Chief elected at large by the Eeyouch, the chiefs elected by each of the nine (9) recognized Cree communities¹, and one (1) other representative elected by each community.

The [Cree Regional Authority](#) (CRA) was set up by virtue of the signing of the [James Bay and Northern Quebec Agreement](#) as the administrative arm of the Cree Nation Government. It has responsibilities in respect to environmental protection, the hunting, fishing and trapping regime, economic and community development, Cree governance and other matters as decided by the

¹ The Cree Nation of Chisasibi, the Cree Nation of Eastmain, the Cree Nation of Mistissini, the Cree Nation of Nemaska, the Crees of the Waskaganish First Nation, the Waswanipi Band, the Cree Nation of Wemindji, the Whapmagoostui First Nation and the Oujé-Bougoumou Eenuch Association. The Washaw Sibi First Nation First Nation attends the meetings of the GCCEI-CRA as observers.

board of directors. The Board of Directors of the CRA is the same joint governing body that manages the Grand Council of the Crees and is referred to as the “Council/Board”.

Over the years, the Crees have signed agreements with both the federal and provincial agreements, most notably the [James Bay and Northern Quebec Agreement](#) signed in 1975 with Canada and Québec (modified by numerous complementary agreements), the [Agreement Concerning a New Relationship between le Gouvernement du Québec and the Crees of Quebec](#) signed in 2002 (also referred to as the *Paix des Braves*) and the [Agreement Concerning a New Relationship between Canada and the Cree of Eeyou Istchee](#) signed in 2008. All of these agreements create a unique legal environment in the Eeyou Istchee Territory.

Guiding Principle

The Cree Government will support and promote the development of mineral resources within the territory of Eeyou Istchee that provide long term social and economic benefits for the Cree and that address sustainable development within the larger context of natural resources management and the environmental and social protection regime in the Territory.

Pillars

This mining policy is based on three (3) fundamental pillars which together guide mineral exploration and mining activity within the Eeyou Istchee Territory. The pillars of the Cree Nation Mining Policy are:

1. *Promotion and Support of Mining Activities* - The Crees support and promote the development of Mining as part of their approach to Natural Resource Management and as a tool for social and economic development.
2. *Mining and Sustainable Practices* - The Crees believe that Mining and Sustainable Development should be made compatible, and appropriate existing governance tools such as social and economic agreements, and environmental assessment and remediation processes should accompany all forms and all phases of mining activities.
3. *Transparency and Collaboration* - The Crees believe that mineral exploration and mining activities in the territory should be a transparent and collaborative process.

Pillar #1: Promotion and Support of Mining Activities

Mineral Rights:

The Cree Government ensures the protection of rights, interests and benefits of all Crees collectively over their lands and resources to be impacted by proposed mining projects.

The Cree Government acknowledges and endorses the principles of allocation and acquisition of mineral rights and the corollary right to develop the mineral resources, while addressing Cree environmental and social concerns.

Cree contribution

The Cree Government will bring on all their expertise on land and mineral resources management and will bring their technical support through the appropriate land management and geosciences resources to proponents of mining projects who request such support.

The Cree Government will ensure the proper management of lands and resources including mineral resources, in accordance with Cree Nation principles and governance.

The Cree Government will ensure appropriate and adequate representation and involvement to protect the interests of all Crees and Cree local governments in all negotiations with mining proponents and governmental authorities.

Pillar #2: Mining and Sustainable Practices

Sustainable Development Policy:

The Cree Government is committed to sustainable development of the Eeyou Istchee, in accordance with the following principles derived from the *Eenou Astchee – Eenou Estchee Natural Resources Declaration* issued in 1995:

- Recognition of the importance of the system of Cree family land use and occupation of the territory and their continuing management by tallymen;
- Administration of natural resources for the needs of the Crees without compromising the needs of future generations;
- Providing for management of natural resources based on the Cree principle of respect for the land;
- Balancing ecological, productive, spiritual and traditional values to meet the cultural and economic requirements of all peoples and communities within the Eeyou Istchee territory;
- Conservation of cultural and spiritual values and traditions as embodied in the land and notably in specially designated sites;
- Conservation of biological diversity, soils, water and watercourses, flora, fauna, scenic diversity and recreational values;
- Application of the precautionary principle in all decision-making processes related to natural resources;
- Restoration of damaged ecosystems.

Mining must be compatible with Sustainable Practices:

The Cree Government recognizes the importance of sustainable mining initiatives within the national and international mining industry standards and best practices.

The Cree Government seeks to improve the economic, social, environmental, cultural and sustainable development of all Crees and Cree local governments in the context of mining activities on the Territory (Impact Benefit Agreements, respect protected areas, hiring and training of local manpower, sharing of infrastructures, etc) and to ensure that mining projects contribute not only current benefits but also to the development of longer-term alternative employment and business opportunities in non-mining related sectors, and to the productive use of the land beyond the life of a mine.

Decision-making and governance tools to ensure sustainability:

The Cree Government has an Environmental and Social Protection Regime that is unique to the territory, as described in the [James Bay and Northern Quebec Agreement](#) and has proved to be a valuable tool for effectively managing development within the territory.

The Cree Government recognizes the importance of agreements. The [Paix des Braves](#) specifically mentions that the Government of Quebec will facilitate and encourage agreements between the Crees and proponents of mining projects concerning a wide range of issues, such as remedial works, employment and contracts. The Cree Government views such agreements as the most appropriate instrument to ensure that the social, cultural, economic (employment, business contracts and profit or revenue sharing), and environmental issues are properly addressed in the context of mining developments. Accordingly, all agreements between the Crees and mining proponents will have to provide for such measures, based on the specificities of every mining project.

Pillar #3: Transparency and Collaboration

A) *Transparency:*

The Cree Government will support communities that have established direct and close liaisons with mining proponents.

The Cree Government will encourage proponents to establish direct and close liaisons with the communities and other Cree entities.

B) *Collaboration:*

The Cree Government will develop and promote collaborative and flexible approaches that respect the vital role of the communities in shared decision-making processes under this Policy.

The Cree Government will ensure that all concerned Cree parties are to be involved as appropriate, at the earliest possible time in any proposed mining activity or mining projects to ensure that Cree rights, interests and benefits are properly protected and promoted.

The Cree Government recognizes and support the principle that Cree involvement in mining projects is fundamental to ensuring that Cree rights are protected and to promote positive relations between all parties.

C) *Support for the Mining Community:*

The Cree Government, through the [Cree Mineral and Exploration Board](#) (CMEB), will provide support to the mining community by directing interveners to contacts within the CRA and communities. The mission of the CMEB is to develop mineral exploration in Eeyou Istchee and promote increased involvement of Crees in activities related to the development of natural resources. As part of its mandate, the CMEB assists the Crees in accessing mineral exploration opportunities and facilitates the development of mineral exploration activities by Cree Enterprises.

The Cree Government encourages the proponent to work with the community, the local Cree families, including the tallymen, and Cree entrepreneurs.