

**THE DRAFT DEVELOPMENT OF THE MFFP POLICY ON RELATIONS
WITH ABORIGINAL NATIONS AND COMMUNITIES**

Context:

On March 30th, the Cree-Québec Forestry Board was invited to participate in the consultation process of the Ministère des Forêts, de la Faune et des Parcs (MFFP) aiming to provide the MFFP with a first policy on relations with Aboriginal nations and communities. In the context of this first phase of consultation, the MFFP wishes to better understand the issues of the Aboriginal nations and communities, as well as the organizations concerned regarding sustainable management and conservation of forests, wildlife and parks, the state of their relations with the MFFP, as well as their expectations and needs in this regard.

For nearly 20 years, the Cree-Québec Forestry Board has been the privileged witness of the positive evolution of the relations between the Gouvernement du Québec, the Cree Nation and its communities affected by the Adapted Forestry Regime of the Paix des Braves.

The following comments are mainly based on this experience and the expertise acquired over the years. The agreements that prevail on the Eeyou Istchee James Bay territory are unique. They offer concrete approaches, structured mechanisms, and real opportunities that contribute to ensuring, maintaining and improving relations between the Gouvernement du Québec and the Crees of Quebec. They are a source of inspiration for many Nations.

The comments have been structured considering the MFFP's consultation document. However, they are not specific to the context of the Paix des Braves territory but rather presented as a contribution to the development of the MFFP's policy on relations with Aboriginal nations and communities.

Cree-Québec Forestry Board comments
In the context of a consultation on

**THE DRAFT DEVELOPMENT OF THE MFFP POLICY ON RELATIONS
WITH ABORIGINAL NATIONS AND COMMUNITIES**

Reference page of the consultation document	TOPICS DISCUSSED	ELEMENTS / FINDINGS Taken from the consultation document	OBSERVATIONS, COMMENTS AND QUESTIONS
p. 1	Introduction and Policy Objectives	<ul style="list-style-type: none"> - This policy intends to affirm, consolidate and strengthen the MFFP'S commitment to develop and maintain harmonious and privileged relations with Aboriginal nations 	<ul style="list-style-type: none"> - It would be interesting to add: to contribute to the development of Aboriginal nations and communities and the enhancement of a territory that is jointly occupied.
		<ul style="list-style-type: none"> - The preferred tools are dialogue, cooperation, trust, mutual respect, participation and contribution of Aboriginal nations and communities. 	<ul style="list-style-type: none"> - A constructive and mutually respectful dialogue must be maintained and ensured; - The development of collaboration could be defined as doing things together with a common and agreed-upon objective; it must involve a mutual commitment. - The development of a climate of trust must be based on respect, transparency, the pooling of different knowledge and the sharing of mutual information. - Expected participation and contribution involves agreeing on realistic common goals, fostering and supporting the contribution (collaboration) of Aboriginal nations and communities to ensure that what needs to be done is fulfilled. - When we talk about collaboration and contribution, it must be understood that this must allow to showcase knowledge from both parties. - Such an approach must be conducted in a way that recognizes the cultural differences of each party, the traditional way of life and respects their respective identities. - It must be recognized that there are different ways of doing things that may very well vary from one community or one nation to another. - The MFFP needs to be clear that it can adopt different ways of doing things and agree on approaches that move away from a rigid normative framework. - A commitment to perform adequate monitoring and reporting should be considered.

Cree-Québec Forestry Board comments
In the context of a consultation on

**THE DRAFT DEVELOPMENT OF THE MFFP POLICY ON RELATIONS
WITH ABORIGINAL NATIONS AND COMMUNITIES**

Ref.	TOPICS DISCUSSED	ELEMENTS / FINDINGS Taken from the consultation document	OBSERVATIONS, COMMENTS AND QUESTIONS
	Development phases of the policy	<ul style="list-style-type: none"> - The purpose of the first policy development phase is to better know the issues of the Aboriginal nations and communities and the concerned organizations regarding sustainable management and development of forests, wildlife and parks, the state of their relations with the MFFP and their expectations and needs in this regard. - The MFFP's draft policy will eventually be submitted to the Aboriginal nations and communities, as well as the organizations concerned, for consultation. 	<ul style="list-style-type: none"> - This first stage of consultation, upstream of the process, is interesting because it should allow the main stakeholders to express their opinions and propose improvements that will be considered during the development of the draft policy. - The consultation report that the MFFP undertakes to produce following this first stage will have to be distributed to the stakeholders solicited and feedback will have to be provided on the consideration or processing of the results of this first consultation.
		<ul style="list-style-type: none"> - The consultation concerns the sustainable management of forests, wildlife and national parks. - The document recognizes that Aboriginal nations and communities have specific knowledge, interests, expectations and concerns in this regard. 	<ul style="list-style-type: none"> - Forest and wildlife management and land protection should ideally be approached as components that are integrated, forming a whole within land use planning.
		<ul style="list-style-type: none"> - It is specified that the policy will be developed in compliance with the agreements duly concluded with the Aboriginal groups. 	<ul style="list-style-type: none"> - The various agreements in force on the territory are adequately highlighted.
Theme 1			
p. 5	Theme 1 Consultation and accommodation of Aboriginal nations and communities regarding the management of forests, wildlife and national parks	<ul style="list-style-type: none"> - The MFFP favours the development and maintenance of harmonious relations based on dialogue, collaboration, trust and mutual respect in the implementation of these consultation and accommodation processes. In this context, it wishes to see the continuous improvement of these relationships and practices. 	<ul style="list-style-type: none"> - Several references are made to the effectiveness of the MFFP's practices and initiatives in terms of participation, consultation and accommodation. It would be important that an assessment of what has been put in place so far is evaluated to measure its relevance and continuation in the future. - There is a need to ensure that what is already being done in terms of practices is monitored to ensure that they meet the objectives set. The MFFP's openness to take into consideration the opinions and recommendations proposed by the Aboriginal nations and communities or concerned organizations and to adjust its ways of doing things to adapt its practices could also be affirmed. - The MFFP indicates that it agrees with the importance of promoting the coordination of interdepartmental consultations. It would also be interesting for the MFFP to indicate its commitment to coordinate departmental consultations from its various sectors of activity while considering the schedule of traditional Aboriginal activities.

**THE DRAFT DEVELOPMENT OF THE MFFP POLICY ON RELATIONS
 WITH ABORIGINAL NATIONS AND COMMUNITIES**

Ref.	TOPICS DISCUSSED	ELEMENTS / FINDINGS Taken from the consultation document	OBSERVATIONS, COMMENTS AND QUESTIONS
p. 7	Sub-theme 1.1 Forest Field	<ul style="list-style-type: none"> - It is specified that <ul style="list-style-type: none"> - the objective of the MFFP’s consultation is to better conciliate forest development and management, particularly with the activities practiced by Aboriginal peoples for food, domestic, ritual or social purposes; - the consultation processes pertaining to forest planning requires active participation by the Aboriginal nations and communities and leads to several meetings and discussions with the MFFP to account for the concerns expressed. - adapted dispute resolution processes may be applied; - The MFFP’s obligation to consult and accommodate Aboriginal communities is clearly established; - Specific agreements between the Gouvernement du Québec and the Cree Nation are specifically identified. The specific participation and concerted action of the Gouvernement du Québec with the Crees are clearly stated and recognized in the document. The specific consultation and monitoring mechanisms of the forestry regime applicable on the territory are noted. 	<p>Conciliation of the forestry development activities and management and Aboriginal activities/concerns.</p> <ul style="list-style-type: none"> - The SFDA and its strategy (SFMS) insist, among other things, on the importance of integrating the rights, interests, values and needs of Aboriginal communities in the management and development of forest resources and territory. - The wildlife and wildlife habitats that represents the forest environment is at the heart of the communities’ concerns, interests, values and needs. - The ministerial approach carried out during the elaboration of plans and consultations related to the forestry sector, make little room for wildlife and territorial concerns of the Aboriginals (sites of particular interest) and the impact of the proposed activities on them. - Consultations, especially those relating to forest planning, should give more importance Aboriginal people’s wildlife concerns. To reconcile forest management with the interests and activities of Aboriginals, knowledge and a real consideration of their wildlife and territorial concerns related to the forest environment must be ensured. The MFFP and its representatives must be able to consider the knowledge and concerns of Aboriginals and to inform them on how they are considered and integrated. - Such an exercise, with adequate feedbacks to Aboriginals, would be part of a sustainable development approach and management of the forest territory and in the concrete expression of a collaboration and of a real consideration of the interests, values and needs of Aboriginals. <p>Aboriginal Participation in TGIRTs</p> <ul style="list-style-type: none"> - The SFDA and the amended Agreement provide for Aboriginal participation in TGIRTs. Although essential, the mandate and activities of this forum are very often misunderstood and not well suited to Aboriginal participation. This leads to a loss of interest among participants.

Cree-Québec Forestry Board comments
 In the context of a consultation on

**THE DRAFT DEVELOPMENT OF THE MFFP POLICY ON RELATIONS
 WITH ABORIGINAL NATIONS AND COMMUNITIES**

Ref.	TOPICS DISCUSSED	ELEMENTS / FINDINGS Taken from the consultation document	OBSERVATIONS, COMMENTS AND QUESTIONS
			<ul style="list-style-type: none"> - The use of recognized methods or approaches provided for in the SFDA and even in the amended Agreement does not always work in the Aboriginal context (e.g.: local GIRT tables: variable participation, misunderstood mandate and role by the representatives, deficient common language, overly specialized vocabulary and concepts, etc.). - It is necessary for the MFFP to properly evaluate its various Aboriginal consultation processes, including the TGIRT mechanism in which they are called upon to participate. - A large part of the elements produced and planned by the MFFP (SFDA, SFMS, consultation manual, agreements, etc.), require the development of a particularly good expertise on the part of the Aboriginal nations and communities which too often is not in place and requires a lot of time and energy to train. - It would be appropriate to plan, in consultation with the stakeholders concerned, the programs and resources necessary to train the delegated representatives and to maintain the Aboriginal participation planned for these consultations. - At the very least, it would be necessary to promote and respect the consultation habits and dynamics specific to each Nation or community (e.g. general assemblies in the communities) and to ensure that the chosen approach is appropriate and accepted by avoiding a wall-to-wall approach. - Any consultation process with the Aboriginal people should include a special effort of communication and popularization, well beyond the distribution of documents or a lecture. - The Paix des Braves forestry regime introduces consultation processes and mechanisms that are well defined, structured and funded. This model has established a clear framework for collaboration and consultation with the Cree Nation and communities on issues related to the forest and its wildlife habitats. It should be a reference in the development of positive and constructive relationships adapted to First Nations.

Cree-Québec Forestry Board comments
In the context of a consultation on

**THE DRAFT DEVELOPMENT OF THE MFFP POLICY ON RELATIONS
WITH ABORIGINAL NATIONS AND COMMUNITIES**

Ref.	TOPICS DISCUSSED	ELEMENTS / FINDINGS Taken from the consultation document	OBSERVATIONS, COMMENTS AND QUESTIONS
			<ul style="list-style-type: none"> - Although the context and needs differ from one Nation or community to another, the signing of specific agreements and the granting of financial resources to support the implementation of organizations, structures or processes favoring a real involvement of the First Nations concerned are desirable. - The Paix des Braves agreement and its Adapted Forestry Regime allow for consultation at many levels, from the base, the land user, to the community and the nation. This approach is interesting and should be favored with the Aboriginal nations and communities. The implementation of such agreements requires time, the development of expertise and rigor in monitoring the process from the MFFP as well as the Nations and communities.
			<p>Transparency - trust - collaboration</p> <ul style="list-style-type: none"> - In order to solidify its relations with First Nations and to build on a relationship of mutual trust, it is important that the MFFP carries out adequate follow-ups and shares the results on an ongoing basis with them.
p. 9	Sub-theme 1.2 Wildlife Field	<ul style="list-style-type: none"> - The MFFP wishes to strengthen the participation of Aboriginal nations and communities in the wildlife field, better know and consider their knowledge, and pursue the establishment of separate consultation processes agreed with them. 	<p>Although the Board's activities and expertise are more in the area of habitat management than wildlife management, it should be noted that</p> <ul style="list-style-type: none"> - Wildlife management involves, in particular, the maintenance and the renewal of the habitats specific to each species thus by the forest cover. We notice that there is a lot of knowledge in wildlife and forestry, but not enough in the integration of forestry/wildlife management activities in a global territorial management project. - Aboriginal people must be considered as real partners in wildlife management by the MFFP. The sharing of knowledge is certainly a challenge but is necessary for a more integrated management that meets the concerns and needs of First Nations. - Integrating Aboriginal knowledge in wildlife and habitat management with scientific knowledge requires expertise and knowledge that is currently insufficient.

Cree-Québec Forestry Board comments
 In the context of a consultation on

**THE DRAFT DEVELOPMENT OF THE MFFP POLICY ON RELATIONS
 WITH ABORIGINAL NATIONS AND COMMUNITIES**

Ref.	TOPICS DISCUSSED	ELEMENTS / FINDINGS Taken from the consultation document	OBSERVATIONS, COMMENTS AND QUESTIONS
			<ul style="list-style-type: none"> - The management of wildlife is also done through the management and development of the forest which has a definite impact on wildlife habitats and the species that occupy them. Within the MFFP, the management of these two components should be better integrated. Consider wildlife upstream of forest planning. That the latter includes wildlife objectives and not only forestry objectives. That biologists work in concert with forest managers during the development of operational planning. - Forest and wildlife planning horizons must take into account the recovery time of the habitats of species of interest to Aboriginal people. - The management of wildlife species of interest to Aboriginal people cannot be achieved without reliable data on harvesting and population trends on an ongoing basis. To promote the proper management of species of interest to Aboriginal people, it would be appropriate to work with the Aboriginal entities concerned to promote and enhance the availability of those information's that are key elements to the management of these species. - Sharing of information and data resulting from wildlife population survey and monitoring are important to foster relations between Aboriginal nations and communities and the MFFP. In a context of partnership and collaboration in the management of wildlife, policies and measures should be put in place to facilitate information sharing and data concerning wildlife population monitoring. - It is important that the different sectors of the MFFP work together to ensure that the quality of wildlife habitats is maintained, particularly in the planning phase of forest management and harvesting activities.
p. 11	Sub-theme 1. 3 National parks field	<ul style="list-style-type: none"> - The Gouvernement du Québec plans to associate Aboriginal nations and communities with the development of projects regarding national parks in the perspective of establishing and maintaining relations based on trust, partnership and mutual respect. 	<ul style="list-style-type: none"> - The consultation project focuses mainly on Quebec's national parks. Aboriginal nations and communities have concerns about the territory that go beyond the boundaries and definition of Quebec's national parks, such as territories of wildlife interest or protected areas. The nations and communities wish to develop differently the territories that present, to their knowledge, particular interests for the wildlife or for their culture. The new policy should provide a framework for consultation on these territories.

Cree-Québec Forestry Board comments
In the context of a consultation on

**THE DRAFT DEVELOPMENT OF THE MFFP POLICY ON RELATIONS
WITH ABORIGINAL NATIONS AND COMMUNITIES**

Ref.	TOPICS DISCUSSED	ELEMENTS / FINDINGS Taken from the consultation document	OBSERVATIONS, COMMENTS AND QUESTIONS
Theme 2			
p. 12	Theme 2 Activities performed by Aboriginal people for food, ritual and social purposes Sub-theme 2.1 Wildlife Conservation and Development	<ul style="list-style-type: none"> - The MFFP is engaged in an approach in view to better conciliate wildlife management and conservation with the activities carried on by Aboriginal peoples for food, ritual or social purposes, to foster coexistence in the territory and increase the involvement of the Aboriginal nations and communities in the wildlife management processes. 	<ul style="list-style-type: none"> - The common objectives are very commendable and should make it possible to promote the conservation and development of wildlife, while respecting all existing agreements with the First Nations. - The objective of involving Aboriginal nations and communities in the identification of knowledge acquisition projects related to wildlife conservation and development, and especially their collaboration in the implementation of these projects, should be considered a priority. - The implementation of specific agreements allowing to value and oversee the activities carried out by the Aboriginals for food, ritual and social purposes is necessary and desirable. A collaborative approach with the Aboriginal organizations concerned must be ensured to properly identify the issues and needs.
p. 14	Sub-theme 2.2 Coexistence in the territory	<ul style="list-style-type: none"> - The development and maintenance of initiatives, with the aim of raising the awareness of the various community players regarding the presence and distinctiveness of Aboriginal nations and communities, are essential. 	<ul style="list-style-type: none"> - The elements that the MFFP wishes to focus on are perfectly valid. However, when we talk about cohabitation on a territory, it is important to also work with the TGIRTs to ensure the understanding, collaboration and adhesion of the other users. - The MFFP has an important and necessary role in the development of mechanisms that allow dialogue and rapprochement between the various Aboriginals and non-Aboriginals users. It should be more insistent with non-Aboriginal people wildlife partners in order to facilitate cohabitation on the territory. - It is necessary to develop a climate of mutual trust based on information and to work together so that the agreements and initiatives calling for cohabitation are known and that the expected benefits are there.
p. 15	Sub-theme 2.3 Education, Awareness and Control	<ul style="list-style-type: none"> - The MFFP wishes to involve the Aboriginal nations and communities in the establishment and maintenance of a collaborative approach by offering tools that allow them to take over certain responsibilities in relation to monitoring and control, including education and awareness measures, to prevent activities that could have negative effects on wildlife. 	<ul style="list-style-type: none"> - The proposed initiatives are likely to meet certain concerns and expectations of the Nations and communities. - In consultation with the Aboriginal entities concerned, the MFFP should support the Nations and communities in the implementation of the proposed initiatives and tools. - However, it is important to give the Aboriginal nations and communities all the space they need to ensure the leadership of these initiatives and projects.

Cree-Québec Forestry Board comments
 In the context of a consultation on

**THE DRAFT DEVELOPMENT OF THE MFFP POLICY ON RELATIONS
 WITH ABORIGINAL NATIONS AND COMMUNITIES**

Ref.	TOPICS DISCUSSED	ELEMENTS / FINDINGS Taken from the consultation document	OBSERVATIONS, COMMENTS AND QUESTIONS
Theme 3			
p. 17	Theme 3 Involvement and capacity building of Aboriginal nations and communities in forestry, wildlife and national parks field	<ul style="list-style-type: none"> - The MFFP is engaged in an approach intended to favor the involvement, socioeconomic development and capacity building of Aboriginal nations and communities in the forest, wildlife and national parks fields. - The MFFP places in the foreground the importance of favoring the development of the Aboriginal nations and communities and their participation in the development of the territory and its resources, while allowing them to take over certain responsibilities and equipping them with economic levers to increase their autonomy, particularly from a financial point of view. 	<ul style="list-style-type: none"> - The various measures proposed in the different fields can contribute to the economic development of the nations and communities. Their implementation with involvement of the Aboriginal nations and communities is part of a context where many issues and challenges are present. Aboriginal nations and communities must be at the heart of the development and implementation of these initiatives. - The MFFP must continue to promote and support the nations and their communities in the implementation of levers contributing to the economic development and training of Aboriginal people. It must be attentive to the needs expressed, the difficulties encountered and continue its contribution by collaborating with the institutions, organizations, nations and communities concerned. - The proposed measures and initiatives must not be changed, but rather the necessary knowledge, efforts and expertise must be developed and implemented. - The focus should be on human capital and investing in capacity building in each nation and community as a priority. - The creation of bipartite entities whose main mandate is the socioeconomic development of nations and communities is of interest. However, for such a formula to work, it is essential that human and financial resources be dedicated to these entities so that the expected spin-offs can be achieved within an acceptable timeframe.