

FIRST MINISTERS' CONFERENCE
ON
ABORIGINAL CONSTITUTIONAL MATTERS

QUEBEC'S ANSWERS TO PROPOSALS BY THE ABORIGINAL PEOPLES

QUEBEC

Ottawa
March 15-16, 1983

QUÉBEC'S ANSWERS TO PROPOSALS BY THE ABORIGINAL PEOPLES

1. Québec recognizes that the aboriginal peoples of Québec constitute distinct nations, entitled to their own culture, language, traditional customs as well as having the right to determine, by themselves, the development of their own identity.
2. It also recognizes the right of aboriginal nations, within the framework of Québec legislation, to own and to control the lands that are attributed to them.
3. These rights referred to in 1 and 2 are to be exercised by them as part of the Québec community and hence could not imply rights of sovereignty that could affect the territorial integrity of Québec.
4. The aboriginal nations may exercise, on the lands agreed upon between them and the government, hunting, fishing and trapping rights, the right to harvest fruit and game and to barter between themselves. In so far as possible, their traditional occupations and needs are to be taken into account in designating these lands. The ways in which these rights may be exercised are to be defined in specific agreements concluded with each nation.
5. The aboriginal nations have the right to take part in the economic development of Québec. The government is also willing to recognize that they have the right to exploit to their own advantage, within the framework of existing legislation, the renewable and unrenovable resources of the lands allocated to them.
6. The aboriginal nations have the right, within the framework of existing legislation, to govern themselves on the lands allocated to them.
7. The aboriginal nations have the right to have and control, within the framework of agreements between them and the government, such institutions as may correspond to their needs in matters of culture, education, language, health and social services as well as economic development.
8. The aboriginal nations are entitled within the framework of laws of general application and of agreements between them and the government, to benefit from public funds to encourage the pursuit of objectives they esteem to be fundamental.
9. The rights recognized by Québec to the aboriginal peoples are so recognized to women and men alike.

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10. From Québec's point of view, the protection of existing rights includes also the rights arising from agreements between aboriginal peoples and Québec concluded within the framework of land claims settlement. Moreover, the James Bay and Northern Québec Agreement and the North Eastern Québec Agreement are to be considered as treaties with full effect.
11. Québec is willing to consider that existing rights arising out of the Royal Proclamation of October 7, 1763, concerning aboriginal nations be explicitly recognized within the framework of Québec legislation.
12. Québec is willing to consider, case by case, the recognition of treaties signed outside Canada or before Confederation, aboriginal title, and all rights of the aboriginal peoples which could be derived thereof.
13. The native peoples of Québec, due to circumstances that are peculiar to them, may enjoy tax exemptions in accordance with terms agreed upon by them and the government.
14. Were the Government to legislate on matters related to the fundamental rights of the aboriginal nations as recognized by Québec, it pledges to consult them through mechanisms to be determined by them and the Government.
15. Once established, such mechanisms could be institutionalized so as to guarantee the participation of the aboriginal nations in discussions pertaining to their fundamental rights.

Québec, February 10, 1983