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FEDERAL-PROVINCIAL MEETING OF MINISTERS ON
ABORIGINAL CONSTITUTIONAL MATTERS

Letter addressed to Premier René Lévesque
from the Aboriginal Peoples of Quebec on
the Constitution

Assembly of First Nations

OTTAWA
January 31 -
February 1, 1983

ABORIGINAL PEOPLES OF QUEBEC
ON THE CONSTITUTION

1500 Sullivan Road
Val d'Or, Quebec
J9P 1M1

4898 de Maisonneuve West
Montreal, Quebec
H3Z 1M8

November 30, 1982

Premier René Levesque -
Hotel du Gouvernement
Quebec, Quebec

Dear Mr. Prime Minister:

You are already aware of the very great importance which the Native Peoples of Quebec attach to constitutional issues.

Since the arrival of the white man in America, we have been attempting to have our sovereignty, rights and titles, culture, language, traditions, way of life and values recognized and respected by all. This is essential to us and it has been something for which our ancestors and the present generations of Native Peoples in Quebec have fought and are still fighting.

In 1867, our fundamental concerns and our future were included in one small section of the British North American Act and were supposedly made subject to the supreme authority of Parliament. It was thought by many non-Natives that Parliament could even say who was an Indian, Inuit or Metis and who was not, and whether such peoples had any rights whatsoever.

When constitutional amendments were being discussed in 1981, we were determined to have our fundamental rights enshrined. Although we made some progress, much remains to be done. Just as the Government of Quebec feels that the aspirations of the Peoples of Quebec had not been met by the new Constitution, we, as Native Peoples of Quebec, strongly take the view that the present Constitution does not satisfy our basic aspirations and needs.

We are therefore determined to make a vigorous attempt to obtain this respect and recognition through the constitutional conference provided for in Section 37 of the Constitution Act, 1982. At the same time, we realize that your position on possible constitutional reform can have very significant effects for us.

We feel that the possibility of future constitutional reform which could affect our rights as Nations and Peoples, at least insofar as non-Natives are concerned, presents an unparalleled opportunity for the Quebec government to unite its efforts with the Native Peoples of Quebec to ensure that at long last justice is done.

On December 10, 1982 in Quebec City, we are hopeful that we can discuss a basis for a common approach to constitutional reform. We particularly hope that you will agree to participate in the coming constitutional conference and that you will support our positions.

To assist you in preparing for this meeting, we would mention that the nature of the constitutional positions which we will be seeking at the next First Ministers Conference will be along the lines set out below and will include the specific constitutional recognition of at least the following:

1. That the aboriginal peoples of Quebec are Nations with the right to self-determination within the Canadian federation.
2. That aboriginal peoples have the right to their own self-identity, culture, language, customs and traditions.
3. That aboriginal peoples have the right to areas of land under their exclusive ownership and control.
4. That aboriginal peoples have the right to hunt, to fish, to trap, to harvest, to gather and to barter at all times of the year in the traditional areas occupied by them or in the places otherwise agreed to by them.
5. That aboriginal peoples have economic rights, including rights relating to renewable and non-renewable resources.

6. That aboriginal peoples have the right to self-government on the lands they own, control or occupy.
7. That aboriginal peoples have the right to their own institutions, including their own educational, health and other social and economic institutions.
8. That aboriginal peoples have access to public funding for specified fundamental concerns.
9. That Native women's rights, including the principle of equality between male and female persons, be recognized.
10. That treaty rights include those rights acquired in the past, or which may be acquired in the future, by way of claims settlement, including the rights of the beneficiaries and the Cree, Inuit and Naskapi entities under the James Bay and Northern Quebec Agreement and the North-eastern Quebec Agreement.
11. That the rights recognized by the Royal Proclamation of October 7, 1763 in regard to aboriginal peoples be constitutionally protected.
12. That Part II of the Constitution Act, 1982 be amended to recognize aboriginal title, all treaties signed outside Canada or before Confederation and all rights of the aboriginal peoples recognized and confirmed before or after the proclamation of the said Act.
13. That aboriginal peoples be exempt from taxation of any kind, anywhere in Canada.
14. That aboriginal peoples must consent to any constitutional amendments directly affecting them.

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15. That an on-going constitutional process be established in which aboriginal peoples are guaranteed full participation.

At our December 10th meeting, we expect a response from the Government of Quebec on the subject matters and principles outlined above.

We anticipate meeting with you with considerable enthusiasm and hope that this might mark the beginning of a new and fruitful relationship between your government and the aboriginal peoples of Quebec.

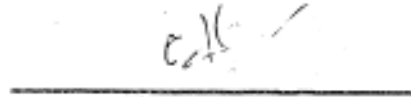
Yours very truly,



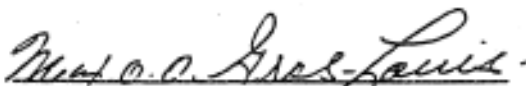
Billy Diamond, Grand Chief
Grand Council of the Crees
(of Quebec)



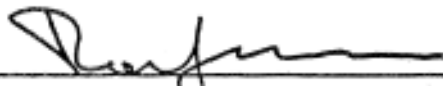
Fred Kistabish, President
Conseil Algonquin



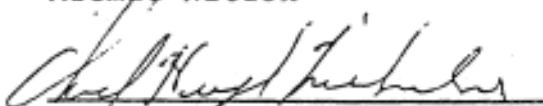
Joseph Guanish, Chief
Naskapi Nation




Grand Chief Max "Onè-Onti"
Gros-Louis
Huron Nation



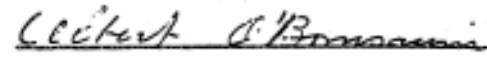
Ronald Jacques, Chief
Micmaq Nation



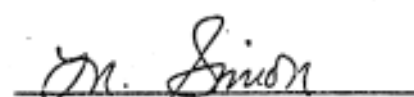
Hugh Nicholas, Grand Chief
Kanestake-Mohawk Nation




René Simon, President
Conseil Attikamek-Montagnais



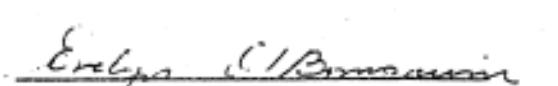
Albert O'Bomsawin, Chief
Abenaki Nation



Mary Simon, President
Makivik Corporation



Fernand Châlioux, President
Laurentian Alliance of Metis
and Non-Status Indian Associatio



Evelyn O'Bomsawin, President
Quebec Native Women's
Association