



# The Adapted Forestry Regime

## (Chapter 3)

of

*the Agreement concerning a new relationship between  
the Gouvernement of Québec and the Crees of Québec*

### **ACHIEVEMENTS AND ISSUES**

September 2009

February 7, 2002 – signature of  
« *La Paix des braves* »  
(*Peace of the Brave*)

# Background

*Agreement concerning a new relationship between the Gouvernement du Québec and the Crees of Québec*



- In link with the JBNQA commitments relative to the economic and the community development of the Cree
- Common desire to continue the development of Northern Québec and the self-fulfilment of the Cree Nation

# The Peace of the Brave (the *Agreement*)

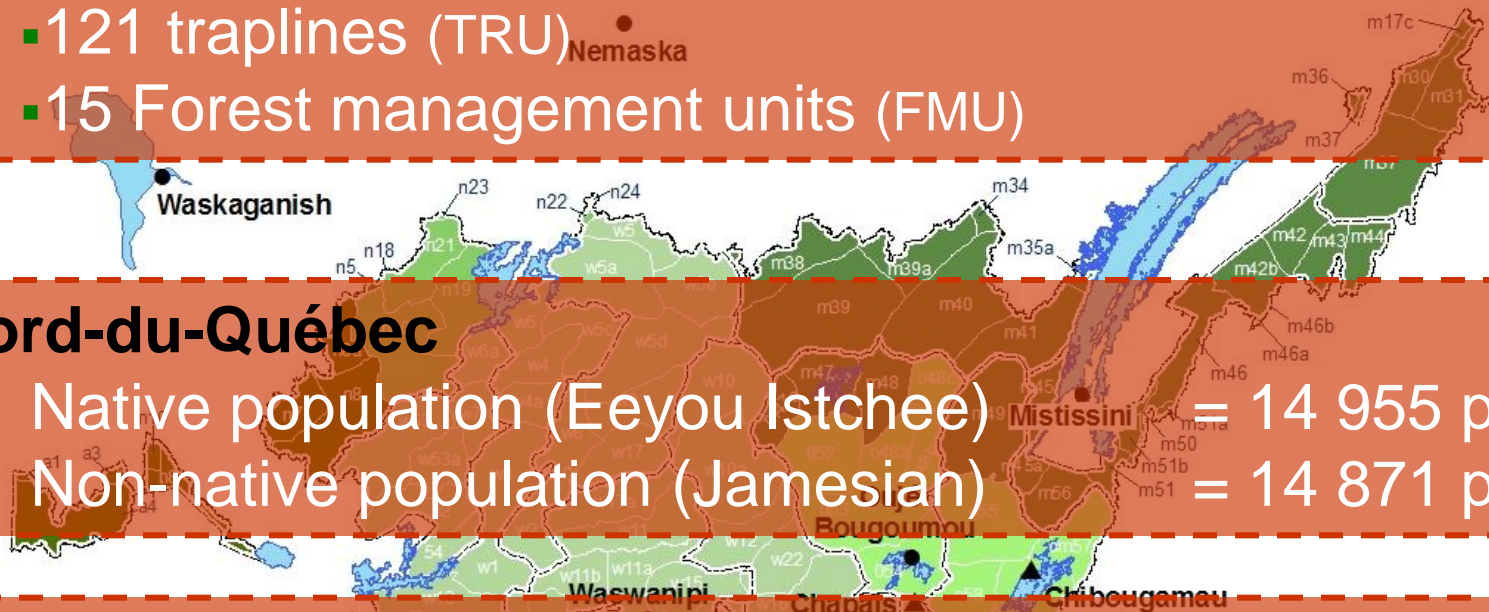
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- ❑ New relation between the Crees of Québec and the Gouvernement du Québec
- ❑ A 50-year agreement, starting in February 2002
- ❑ Implementation of means for the parties to work together to the development of mineral, forest and hydroelectric resources
- ❑ Greater responsibility on the part of the Cree Nation for its economic and community development
- ❑ Settlement of disputes and legal proceedings;
- ❑ Consent to the carrying out of major hydroelectric developments on James Bay territory (Eastmain 1 and Eastmain1-A/Rupert)
- ❑ Financial commitment from Québec

## Chapter 3 Territory

# Chapter 3 – Territory of application

- Total area = 66 036 km<sup>2</sup>
- Forest production area = 34 661 km<sup>2</sup>
- 121 traplines (TRU)
- 15 Forest management units (FMU)



# The Peace of the Brave:

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- A whole chapter (chapter 3) devoted to forestry and land use

## **“THE ADAPTED FORESTRY REGIME”**

### ***3 specific goals***

1. Adaptations taking into account the Cree traditional way of life
2. Participation by the Crees in the various forest activities operations planning and management processes
3. Greater integration of concerns relating to sustainable development

# Adaptations and Commitments

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- Forest management modalities
  - by trapline
  - grouping of 3 to 7 traplines = 1 FMU
- Specific methods for taking into account the Cree land use and traditional way of life
- Allocation of timber volumes and access to job, contract and partnership opportunities in the forest management sector
- Creation of the Joint Working Groups and of the Cree-Québec Forestry Board

# Examples of specific modalities

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- Preservation or conservation of portions of each trapline that are essential for the Crees
  - 1 %** - sites of special interest to the Cree
  - 25%** - Specific forest intervention modalities in order to maintain or improve forested areas presenting wildlife interest for the Cree
- Maintain forest cover
- Protection of forests adjacent to watercourses
- Consultation for developing road access network
- **Participation of the tallymen to the preparation of the forest management plans**

# Two implementation mechanisms

Adapted forestry regime

THE JOINT WORKING GROUPS



THE CREE-QUÉBEC FORESTRY BOARD



# The Joint Working Groups (JWG)



- ❑ Implement, on the field, Chapter 3 provisions
- ❑ Facilitate cooperation between the agreement holders and the tallymen
- ❑ Give their opinion to the Minister (MRNF) on forest management plans or conflict resolution
- ❑ Established in the five Cree communities concerned
- ❑ **Autonomous** group composed of 4 or 6 members (50% Québec, 50% Crees)

# The Cree-Québec Forestry Board (CQFB)

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- ❑ Advisory organization for the benefit of the parties, created as a result of the Agreement of the “Peace of the Brave”
- ❑ Created in September 2003
- ❑ Composed of
  - five members appointed by the Crees
  - five members appointed by Québec
  - 1 chairman appointed by Québec after consultation with the Crees
- ❑ Supported by a Secretariat



# Mandate of the CQFB

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- ❑ Monitor, analyze and assess the implementation of Chapter 3 (Forestry) of the Agreement
- ❑ Make recommendations to the parties on adjustments or modifications to the adapted forestry regime
- ❑ Advise the MRNF Minister on any amendment to laws, regulations, instructions, programs related to the adapted forestry regime
- ❑ Review the implementation mechanisms of the Joint Working Groups regarding the forest management plans in the Territory
- ❑ Involvement in the different forest planning processes such as:
  - monitoring and review of the general forest management plans (GFMPs)
- ❑ Any other mandate assigned by the parties

# A few accomplishments of the CQFB

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- 39 meetings since September 2003 (min. 6 / year)
- 22 advices to the Minister (MRNF) and the Grand Chief of the Crees
- Preparation and support to JWG's in the fulfilment of their mandate
  - GFM's and FMS
- Contribution to the Family Maps and to the Forest Planning Support Maps
  - Modification of Quebec forest regime
- Review of the GFM's further to the Chief Forester's new allowable cut calculations
- 2002-2008 Status report on the implementation of the adapted forestry regime (to be finalized)

# 1<sup>st</sup> assessment of the implementation of the adapted forestry regime (2002-2008)

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- Rigorous exercise led by the CQFB Secretariat, in collaboration with the parties
  
- 2 levels of analysis
  - Detailed analysis of the implementation of Chapter 3 provisions
  - Consultation of stakeholders involved in the implementation of the Agreement

# Among the main findings

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- ❑ A vast majority of the forestry provisions are implemented and respected
- ❑ Increased contribution of the Crees, especially tallymen's contribution to the different forest planning processes
- ❑ Specific efforts to taking into consideration the Cree land use and way of life, during forest planning
- ❑ Development of field expertise for the integration of different stakeholders' needs (JWGs-agreement holders)
- ❑ Important amount of time devoted to form a common understanding of the Agreement and build relations among the "new partners"
- ❑ Creation of an active forum for discussion – the Board
- ❑ Continuous collaborative learning experience

# A few of the stakeholders' points of view

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## □ **Tallymen**

- Appreciate their increased involvement in the forest planning process
- Do not observe yet differences in means of operating in the Territory

## □ **Members of the Joint Working Groups**

- Consider their contribution is positive in the implementation of the Agreement
- Deplore their lack of training, resources and support

## □ **Forestry Agreement holders**

- Emphasize the advantage of operating in a clear regime
- Deplore the rigid normative framework, which adds to the complexity of the planning and leaves little place to harmonization initiatives
- Would like to influence the adapted forestry regime

# Assessment of the implementation of

## Chapter 3

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### Priority Issues

- ❑ Optimize the planning process and improve the participation mechanisms
- ❑ Reinforce the Joint Working Groups' capacity to assume fully their responsibilities
- ❑ Encourage the sharing of information among stakeholders
- ❑ Jointly establish the follow-up necessary to assess if the objectives of Chapter 3 are met
- ❑ Support the evolution of the adapted forestry regime in a context of adaptative management and sustainable development

# All this in the context of the proposed reform of the Québec forest regime

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- Analysis and evaluation of the reform in the context of the Peace of the Brave and its adapted forestry regime
  - Legal framework
  - Modalities / management approach versus the agreement
  - Modifications / necessary adjustments
  - Advice to the parties

# Conclusion

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- ❑ The parties are progressing positively in the implementation of the adapted forestry regime
- ❑ Continuous improvement and further collaboration to pursue
- ❑ The assessment identifies issues that need follow up
- ❑ Challenges posed by the reform of the Québec forest regime versus the adapted forestry regime

