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# MI'GMAWEI MAWIOMI SECRETARIAT

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November 19, 2002

Hon Rémy Trudel  
Minister de SAA  
905 Ave Honora-Mercier  
1er étage  
Quebec, Qc  
G1R 5M6

Dear Mr. Minister;

I am writing you in my capacity as Chairperson of the Mi'gmaoewi Mawioomi.

Before we turn to other matters, please accept our belated good wishes to you in the carrying out of your new responsibilities as Minister responsible for the Secretariat aux Affaires Autochtones (SAA). Although not without periods of tension and difference of view, I believe that Mi'gmaq relations with your predecessor were characterized by mutual respect and common commitment to frank and constructive dialogue. The MMA hopes now for respectful and constructive relations with you and your government as we move forward with a new agenda. We believe that this can best be achieved through a principled approach focused on addressing the interests of the parties, rather than insisting on entrenched positions.

As you may be aware, on August 4, 2000 the Mi'gmaq of Gespegewagi through the Chiefs and Councils of Listuguj, Gesgapegiag and Gespeg concluded a historic Political Accord (Enclosed text in Mi'gmaq, French and English). The rights and territory of the Mi'gmaq Nation in Gespegewagi, including the lands and surrounding waters of the Gaspé Peninsula form the cornerstone of our Accord. Our communities come together in the Mi'gmaoewi Mawioomi Assembly (MMA) to address common concerns and take political decisions regarding access to land and resources and the economic and social development of our communities. These joint efforts do not however replace or affect other ongoing initiatives of our individual self-governing communities, including for example the negotiations on land and self-government issues between the Micmac Nation of Gespeg, Quebec and Canada.

As you may also be aware, since September , 2001 we have been engaged in certain exploratory talks with the Government of Canada regarding broad-based negotiations on the exercise and implementation of our Aboriginal rights and title

including Mi'gmaq Treaty rights. In this reference Minister Robert Nault wrote to Minister Chevrette on July 27, 2001 and your predecessor replied on September 29, 2001.

As appears from the enclosed copy of our letter dated November 8<sup>th</sup>, 2002 to Chief Federal Negotiator Tom Molloy, our work internally and with Canada has now progressed to the point that:

- we expect that the Mi'gmawei Mawiomi Assembly will decide soon on entering into formal negotiations with Canada and appropriate provincial parties; and,
- assuming a mandate to proceed, we have proposed the conclusion by mid-2003 of a Negotiation Protocol Agreement in order to structure the negotiation process.

We now wish to address our relations with the Government of Quebec in the context of these developments.

First, as we understand from Minister Chevrette's above-mentioned letter dated September 29, 2001, your Government was only prepared at that time to participate in discussions as an observer. We believe that our common interests now demand the full participation of Quebec in the projected establishment of a Negotiation Protocol Agreement. Therefore, we ask that you review the previous position and carefully consider the interest of Quebec in naming a chief representative and being at the table from an early stage of the negotiations.

Second, we understand that questions your government has as to the nature of Mi'gmaq rights may be for you an obstacle to full Quebec participation. We do not believe that the record of your government over the last 25 years and the contemporary relations of your government with other Aboriginal peoples, including the Crees and the Innu, are consistent with a reluctance to sit down and discuss a process for negotiations that would deal with such matters as land, resources, economic development and self-government.

On May 9-10, 2001, Quebec representatives attended the presentation of the Kenny and Parenteau Research Associates Report entitled "Aboriginal Presence in Southeastern Quebec during the Pre-Historical and Early Historical Periods" prepared on behalf of the federal Department of Indian Affairs. To the extent that your questions regarding Mi'gmaq rights may arise from the analysis and conclusions of that report or similar research, we wish to underline that we have already forcefully communicated to the Government of Canada that we regard the authors of the report as unqualified in the relevant history and pre-history, the conclusions denying or limiting our rights as frankly wrong and the exclusion of Mi'gmaq from the research process as unacceptable. The report of Kenny and Parenteau has been rejected by consensus of the Assembly in August of 2001.

For our part, in preparation for negotiations, the Mi'gmawei Mawiomi Secretariat is coordinating the Wesgijinua'luct Research Title Project. Although this work is still at a preliminary stage, it already casts severe doubt on the research commissioned by the federal government. On a confidential and without prejudice basis, and on the understanding that it will not be invoked by Quebec in any litigation context whatsoever, we enclose for your review the June 2002 "Summary of Research Reports" prepared by Dr William Wicken. We would be pleased to arrange to have Dr. Wicken present our preliminary results to your officials.

Finally, and in view of all of these various considerations, we believe that an early meeting between yourself and the Chiefs of the Mi'gmawei Mawiomi is indicated. We suggest that this take place in Quebec City or in one of our communities.

In peace and friendship,

I remain,

Respectfully,

Chief John Martin

Chair, Mi'gmawei Mawiomi Assembly

C.c. Chief Allison Metallic, Vice Chair, MMA

Chief Richard Jalbert, Vice Chair, MMA

Hon Robert Nault, Minister, Department of Indian Affairs and Northern  
Development

Thomas Molloy, Chief Federal Negotiator