Canada’s Fiduciary Obligation to Aboriginal Peoples in the Context of Accession to Sovereignty by Quebec, Volume 2: Domestic Dimensions

Renée Dupuis
Kent McNeil, Osgoode Hall Law School of York University

Available in the Osgoode Hall Law School Library (1.1 MB)

Description
The Royal Commission on Aboriginal Peoples was established on 26 August 1991 by Order in Council P.C. 1991-1597 with the following mandate: “The Commission of Inquiry should investigate the evolution of the relationship among aboriginal peoples (Indian, Inuit and Métis), the Canadian government, and Canadian society as a whole. It should propose specific solutions, rooted in domestic and international experience, to the problems which have plagued those relationships and which confront aboriginal peoples today. The Commission should examine all issues which it deems to be relevant to any or all of the aboriginal peoples of Canada...” (P.C. 1991-1597)

ISBN
0660155818

Publication Date
1995

Publisher
Royal Commission on Aboriginal Peoples

City
Ottawa

Disciplines
Indian and Aboriginal Law | Law

Repository Citation
https://digitalcommons.osgoode.yorku.ca/faculty_books/389

The Aboriginal peoples of Canada are divided into around historic 50 nations or tribes, which are split into more than 600 smaller bands. These are usually grouped into six broad communities, based mostly on geography: The Haudenosaunee people, also known as the Indians of the Eastern Woodlands, are Canada’s largest native community, and historically lived in farms around the St. Lawrence river and Great Lakes in modern day Ontario and Quebec. Dancers at an aboriginal cultural festival held on a Mohawk nation reserve in Kahnawake, Quebec. Alina R/Shutterstock. An entry from a photo series called “Perceptions” (2015) by indigenous Canadian artist K.C. Adams (b. 1971). The Government of Canada’s recognition of the ongoing presence and inherent rights of Indigenous peoples as a defining feature of Canada is grounded in the promise of section 35 of the Constitution Act, 1982, in addition to reflecting articles 3 and 4 of the UN Declaration. This transformative process involves reconciling the pre-existence of Indigenous peoples and their rights and the assertion of sovereignty of the Crown, including inherent rights, title, and jurisdiction. Reconciliation frames the Crown’s actions in relation to Aboriginal and treaty rights and informs the Crown’s
broader relationship with Indigenous peoples. In accordance with section 35, all Indigenous peoples in Canada should have the choice