

Testimony of Chief René Simon  
Pessamit Innu First Nation  
Pessamit, Canada

July 20, 2017

Ladies and gentlemen of the State of New Hampshire Site Evaluation Committee, my name is Paul Pouliot. I am the Sag8mo of the Cowasuck Band of the Pennacook Abenaki People, based in Alton, NH. Chief René Simon and the elected officials of Pessamit have asked me to deliver this message and thank you for the opportunity to speak at the Northern Pass public hearings. It is with confidence in a better future that the "Pessamit Innu First Nation" is addressing you today.

It is not Pessamit's intention to take a position on the impacts of the Northern Pass Project in New Hampshire. However, we want to share our experience with regard to the source of electricity and its environmental and social legitimacy.

In 1973, the Supreme Court of Canada confirmed our Ancestral Rights, territories and the value of the Indigenous treaties with France and England. However, the Quebec Government challenged the Supreme Court's decision until 1996 when the Supreme Court ruled against Quebec's position.

The Government of Quebec strategically allowed enough time for completion of Hydro-Québec, a government owned entity, to invade our Nitassinan our homelands. As such, thirteen hydroelectric plants and eleven reservoirs were implanted on our homelands without impact studies, without our consent and without compensation. This state-run fraud now makes 29% of Hydro-Québec's installed capacity which is illegally acquired at the expense of Pessamit. The Government of Quebec, which is Hydro-Québec's sole shareholder, has become one of the largest and most profitable energy companies in the West. In return, Pessamit has been plunged into environmental, economic, cultural and social chaos that has no historical equivalent since the contact with Europeans in the sixteenth century.

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Hydro-Québec's flooding of all the major rivers of our homelands, which served as transport routes, seasonal food resources and fur trade, resulted in the forced and brutal removal of the Pessamiuinut and relocation onto a reserve that was not and is still not structured to ensure the economic well-being of its population.

What's more, the Betsiamites River near the reserve, whose salmon is the source of our diet, was also destroyed by the peak demand cycling of Hydro-Québec. This salmon is currently on the verge of extinction. Pessamit's right to

fish although recognized by the Supreme Court, is simply no longer applicable as the salmon are simply not there.

It goes without saying that the Government of Quebec and Hydro-Québec are, directly and with impunity, violating several historic treaties, provincial and federal laws and three international conventions, including the UN Declaration on the Rights of Indigenous Peoples. The greed of the Quebec Government, Hydro-Québec's sole shareholder, is a form of state delinquency that seems impossible to curb.

The Innu Nation has never been conquered, has never given up its rights over its homelands and has never accepted the attempts to relinquish our rights.

For decades, Pessamit has tried to work within the confines of the democratic and political venues in Québec to enforce the recognition of its rights. Our action outside of Canada's borders aims to change the course of history and to make New England aware that 29% of the electricity that Hydro-Québec intends to sell was acquired in an immoral and illegal manner, to the detriment of Pessamit.

We thank you for your devoted attention.

Chief René Simon  
Pessamit Innu First Nation

COWASUCK PENNACOOK - ABENAKI  
ARE NOT AT ISSUE WITH NPT BUT  
WE ~~ARE~~ WITH HYDRO-QUEBEC  
THAT CONTINUES TO COMMIT  
ACTS OF GENOCIDE AGAINST THE  
PESSAMIT - CREATING A VAST  
AREA OF ECOLOGICAL DESTRUCTION  
DESTROYING THE <sup>VAST AREA OF THE</sup> ~~ENTIRE~~ PESSAMIT  
HOMELANDS AND WATER SITES  
FOR WHICH THEIR CONTINUED LIVES  
DEPEND - SO WE ASK SHOULD NA  
BECOME COMPLACENT BY ENABLING  
HYDRO-QUEBEC TO CONTINUE THEIR EXPANSION INTO NA  
<sub>OR COMPLIANCE</sub>



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Chief René Simon and the elected officials of Pessamit have asked me to thank you for the opportunity to speak at the Northern Pass public hearings. It is with confidence in a better future that the "Pessamit Innu First Nation" is addressing you today.

### **Message from Chief René Simon**

#### **The Context of Pessamit's Intervention**

It is not Pessamit's intention to take a position on the impacts of the Northern Pass Project in New Hampshire. However, we want to shed some light on our experience with regard to the source of electricity and its environmental and social legitimacy.

#### **Pessamit Ancestral and Treaty Rights**

Our ancestors lived and prospered for some 8,000 years on a large part of the territory that would eventually become the province of

Quebec. When the Europeans first came into contact with our ancestors in the 16<sup>th</sup> century, the Innu occupied a specific territory in northeastern Quebec and formed an organized society. We still occupy this same territory, known as "Nitassinan," which means "Our Land." The PessamitNitassinan covers more than 53,000 square miles and the community of Pessamit has some 4,000 members. The recognition of our continued occupation of Nitassinan before and after the period of contact with Europeans is the basis of our « *ancestral rights* ».

Moreover, as early as 1603, Innu Chief Anadabijou concluded a treaty of alliance with Samuel de Champlain, which gave permission to the French to settle on the Innu lands. In 1763, during the conquest of Canada by England, the territorial rights of the Innu were again recognized by the "Royal Proclamation," which came from the King of England, George III. These two historic events are the foundation of our « *treaty rights* ».

The economic importance of the fur trade with Europe allowed us to retain our traditional territories until the 1850s. Indeed, the InnuNitassinan was, until that time, under the direct control of the British Crown (King's Domain), which was the exclusive beneficiary of the sale of our furs.

### Negation of Our Rights

In the middle of the XIX<sup>th</sup> century, our multi-thousand-year-old way of life began to shift. At that time, the balance of power irrevocably reversed with newcomers. The pressure from forestry entrepreneurs was such that the government ended the concept of the "King's Domain" as established under the French and English regimes. We were gradually pushed back into the territory and the Pessamit Reservation was created by the government in order to make us sedentary and prevent our traditional activities from impairing economic development. Fortunately for us, this did not

work since we only returned to the reserve in the spring and summer depending on the presence of salmon, which has always been our main summer food resource.

In 1876, as the measures to control us were deemed insufficient, the government adopted the "Indian Act" which established a tutelage system that made us minors within the meaning of the Act.

The Innu Nation has never been conquered, has never given up its rights over its Nitassinan, and has never accepted the attempts to relinquish its rights.

### The Government of Quebec's Illicit Schemes

Beginning in 1973, in a series of historic judgments, the Supreme Court of Canada again recognized our Ancestral Rights and the value of treaties with France and England. This led the Canadian Government to enshrine our rights in the Constitution in 1982. From that point on, however, Quebec was the only province to refuse this movement. The Quebec Government challenged the validity of historic treaties and the existence of our Ancestral Rights. In 1996, the Supreme Court of Canada overturned Quebec's ill-founded position.

The Government of Quebec's ill will, strategically allowed enough time for Hydro-Québec, a government entity, to invade our Nitassinan. As such, between 1952 and 1978, thirteen (13) hydroelectric plants and eleven (11) reservoirs were, with one exception, implanted on our Nitassinan without impact studies, without our consent and without compensation. This state-run fraud now makes 29% of Hydro-Québec's installed capacity illegally acquired at the expense of Pessamit. The Government of Quebec, which is Hydro-Québec's sole shareholder, has enabled the latest to become one of the largest and most profitable energy companies in the West. In return, Pessamit has been plunged into economic,

cultural and social chaos that has no historical equivalent since the contact with Europeans in the sixteenth century.

Hydro-Québec's flooding of all the major rivers of Nitassinan, which served as transport routes based on the availability of seasonal food resources and fur harvesting, resulted in the forced and brutal removal of the Pessamiulnut and their settlement on a reserve that was not and is still not structured to ensure the economic well-being of its population.

What's more, the Betsiamites River near the reserve, whose salmon is the historic summer source of our diet, was also destroyed by Hydro-Québec. This salmon is currently on the verge of extinction. Pessamit's right to fish for traditional purposes, although recognized by the Supreme Court of Canada, is simply no longer applicable. The salmon are not there.

It goes without saying that the Government of Quebec and Hydro-Québec are, directly and with impunity, violating several historic treaties<sup>1</sup>, provincial and federal laws<sup>2</sup> and three international conventions<sup>3</sup>, including the United Nations Declaration on the Rights of Indigenous Peoples. The venality of the Quebec Government, Hydro-Québec's sole shareholder, is thus a form of state delinquency that seems impossible to curb.

Since decades, Pessamit has tried to work within the confines of the democratic and political venues in Québec to enforce the recognition of its rights. Our action outside of Canada's borders aims to change the course of history or, at least, to make New Englanders aware that 29 % of the electricity that Hydro-Québec

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1. *Historic treaties* : « La Grande Alliance – 1603 » - « Royal Proclamation – 1763 »

2. *Provincial laws* : « Act respecting the conservation and development of wildlife » section 128.6 - « Environment Quality Act » section 20 - « Charter of Human Rights and Freedoms » section 46.1 – *Federal laws* : « Migratory Birds Convention Act » paragraph 5 (1) - « Fisheries Act » sections 34 (1), 35 (1) and 36 (3) - « The Constitution Act » 1982 section 35

3. « Convention for the Conservation of North Atlantic Salmon » - « United Nations Convention on the Law of the Sea » - « Declaration on the Rights of Indigenous Peoples »

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We thank you for your devoted attention.

Chief René Simon,  
PessamitInnu First Nation