

HERE and THERE

## REPORT WARNS INDIANS MAY SUE CANADA

Ottawa - Failure to protect the interests of 5,000 Indians adversely affected by the James Bay hydro project could leave the federal government liable for a major law suit by the Indians, warns a study prepared by the federal environment dept.

The 57-page study concludes Canada could be sued by the U.S. government for failing to protect migratory birds affected by the mammoth hydro project and the flooding of an estimated 3,377 sq. miles of Northern Quebec.

Although Environment Minister, Jack Davis said the study is not federal policy, it could still prove embarrassing in view of the current court action by Cree Indians and Eskimos aimed at halting the \$6 to \$10 billion project.

"The federal government has not only a legal but also a moral responsibility to protect the interests of Eskimos in the James Bay region", states the study prepared by Michael Bird, now a third year law student at Dalhousie University, Halifax.

In addition to federal jurisdictional responsibility for Indians and the migratory birds treaty, the study also cites navigable waters and protection of fisheries as grounds for federal intervention.

The major thrust of the Bird Study centers on federal responsibility for the Cree Indians who live in the northern woods that would be drowned by the planned river diversion, flooding and damming. The study contends that:

-The Quebec government exceeded it's constitutional powers in enacting sections of the James Bay Development Region Act which force surrender of Indian property rights;

-The Indians both north and south of the Eastman River have "a valid claim to usufructuary rights", a form of aboriginal claim to land use which the federal government has not conceded.

If the federal government cannot reach agreement with the Quebec government on protection of Indian interests, Mr. Bird suggested the James Bay Development Region Act be referred to the Supreme Court to test its constitutional validity.

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## UNION OF ONTARIO INDIANS CLAIMS SCHOOL SYSTEM DISCRIMINATES

Wallaceburg, Ont. - There is discrimination against Indians in the Wallaceburg public school system, says the U.O.I.

"Discrimination will probably never be eliminated and all we can hope for is that the situation can be brought up to a more tolerable level," the report says.

The report, prepared for the Walpole Island Indian Band, also says 90% of the pupils on detentions at W.T. Laing Public School are Indian-even though only 10% of the school's 800 children are Indians.

An Indian teacher on Walpole Island said pupils there are "wonderful to work with." She suggested the sudden adjustment to Wallaceburg came as a shock. "They reacted by withdrawing and generally saying nothing."

A truant officer on Walpole Island said he had no jurisdiction over pupils in Wallaceburg but he gets "a lot of complaints" from the kids of mistreatment in the Town's schools.

One girl, he said, complained of being slapped and kicked by a male teacher. There was a written