

**381****DB31**Projet Horne 5 à Rouyn-Noranda par  
Ressources Falco Ltée

6211-08-020

Winneway, October 9, 2024

**Sent BY EMAIL  
WITHOUT PREJUDICE****Minister Maïté Blanchette Vézina**Ministre des Ressources Naturelles et des Forêts (MRNF)  
5700 4th Avenue West  
Suite 320, Quebec (Quebec) G1H 6R1**Subject: Formal request to initiate a consultation process with Long Point First Nation regarding the Horne 5 mining project**

Dear Minister Blanchette Vézina,

I am writing on behalf of the Long Point First Nation (hereinafter "LPFN") to formally express our profound dissatisfaction and grave concerns regarding Falco Resources' proposed Horne 5 polymetallic mining project, located approximately 80km from our community, within our traditional territory of Anicinabek Aki (hereinafter the "Project"). Despite the significant and undeniable impacts this Project will have on LPFN's inherent and constitutionally protected Aboriginal rights, our Nation has not been consulted, nor accommodated, by the Quebec government as is legally required.

The duty to consult is a well-established principle in Canadian law. It arises when the Crown has knowledge, real or constructive, of the potential existence of Aboriginal rights or title and contemplates actions that may adversely affect those rights. We LPFN Anicinabek have pre-existing Aboriginal rights and title to our traditional unceded territory, predating European contact, and are vested with a sacred, inherent responsibility for the stewardship of the land, waters, animate and inanimate things within Anicinabek Aki. We are thus entitled to be consulted and accommodated for the Project, especially since its impacts will affect our People and our ability to exercise our Aboriginal rights.

The Quebec government cannot claim ignorance of LPFN's rights in this region. In fact, we have previously put Quebec on formal notice in relation to the Horne Smelter operations situated in very close proximity to the proposed mining Project, as appears from a copy of the Anicinabek Chiefs' letter to Minister Charette dated August 2022 hereby attached. As stated in our August 2022 letter, the Horne Smelter is located at the heart of our unceded traditional territory, where we continue to exercise our Aboriginal rights.

The Quebec government's failure to consult LPFN regarding this mining Project constitutes a serious breach of its constitutional obligations. Quebec, in dealing with this Project, has cavalierly run roughshod over the Aboriginal rights and interests of LPFN and has thus acted contrary to the principles of the honour of the Crown, which is always at stake in the Crown's dealings with Aboriginal Peoples.

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In failing to consult and accommodate us, the government has not only disregarded our legal rights but has acted contrary to the principles of reconciliation and respect that are meant to guide Crown-Indigenous relations.

I must also emphasize that Quebec's failure to consult and accommodate violates international legal standards, particularly those set out in the *United Nations Declaration on the Rights of Indigenous Peoples* (hereinafter "UNDRIP"), which Canada has committed to upholding. Article 32 of UNDRIP requires States to obtain the free, prior, and informed consent of Indigenous Peoples before approving any development projects that affect their lands or resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources. Deciding how our land will be used, managed, and protected is at the heart of decolonization and is a crucial component of reconciliation. The Quebec government's failure to engage with LPFN in any meaningful consultation regarding this Project is a blatant violation of this international standard.

Additionally, Canadian courts have recognized that consultation on individual projects must include an assessment and accountability for cumulative effects of development on our land and our traditions. LPFN is gravely concerned about the cumulative effects of industrial development in our traditional territory, including the significant potential impacts of this Project on our rights, lands, and way of life. We must be afforded the opportunity to assess the full extent of these impacts, as is our right. However, without consultation and accommodation, we are left in the dark, marginalized from decisions that directly affect our future and those of our seven future generations. We Anicinabek people govern ourselves in accordance with the Seventh Generation Principle, which dictates that the decisions we make today honor the seven generations that have come before us and result in a sustainable world for the next seven generations.

Furthermore, I must raise the issue of Quebec's divisive and colonial approach in its dealings with First Nations. LPFN is well aware that the Quebec government has entered into a mining consultation agreement with Abitibiwinni First Nation, which territory of application overlaps with ours. However, Abitibiwinni has, as signatory to Treaty 9, ceded its rights to these lands in exchange for treaty benefits. It is deeply troubling and unacceptable that Quebec is now using this consultation agreement with a community that has ceded its rights, as an excuse to avoid its constitutional duty to consult with LPFN, who has never surrendered its rights. This approach undermines Indigenous unity and is a direct affront to the principles of fairness and justice.

In light of these serious breaches, we formally demand that Quebec consults with LPFN regarding the Project. Given the significant impacts the Project will have on Anicinabek Aki and the adverse impacts to the exercise of our Aboriginal rights, we expect that your government will immediately address these issues and take corrective action. Specifically, LPFN demands that the government quash any permits or authorizations issued in violation of our constitutional rights, engage in good faith consultation with our community regarding this Project and provide us with all the information we require to meaningfully engage and carry out our assessment and formulate our concerns. Should Quebec fail to do so, LPFN will have no choice but to consider all legal options available to protect our rights, including litigation.

**Minister Maité Blanchette Vézine**  
**Letter dated October 9, 2024**

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The inactions of the Quebec government in this matter represent a fundamental failure to respect the legal and constitutional rights of LPFN. We cannot and will not stand by while our rights are disregarded and violated. I trust that you understand the gravity of this situation and will act with the urgency and respect that it demands.

We expect a prompt response within the upcoming week and a clear commitment to rectifying these issues.

In spirit of truth and reconciliation.

Kitci meegwetch,



Chief Henry Rodgers  
Long Point First Nation

Enclos: Anicinabek Chiefs' letter to Minister Charette dated August 2022

cc. LPFN Council  
Chief Chantal Kistabish, Conseil de la Première Nation Abitibiwinni  
Chief Vicky Chief, Timiskaming First Nation  
Chief Lance Haymond, Kebaowek First Nation  
Chief Jean-Guy Whiteduck, Kitigan Zibi Anishinabeg  
Chief Lucien Wabanonik, Conseil de la Nation Anishnabe du Lac-Simon  
Chief Régis Pénosway, Conseil des Anicinapek de Kitcisakik  
Chief Greg Sarazin, Algonquins of Pikwakanagan First Nation  
Chief June Black, Apitipi Anicinapek Nation  
Grand Chief Savanna McGregor, Algonquin Anishinabeg Nation Tribal Council (AANTC)  
Benoît Charette, Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks  
Ian Lafrenière, Minister Responsible for Relations with the First Nations and the Inuit  
Gary Anandasangaree, Minister of Crown-Indigenous Relations (Canada)  
Luc Lessard, President, CEO and Director Falco Resources