

# IROQUOIS CAUCUS

## **RECORD OF DECISIONS – FINAL**

Akwesasne July 29 & 30, 2015

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### **PARTICIPANTS**

**Kahnawake:** Grand Chief Joseph T. Norton, Chief Martin Leborgne, Chief Robert Patton Jr., Chief Gina Deer, Dennis Diabo (technical advisor), Francis Walsh (legal counsel)

**Akwesasne:** Chief Louise Thompson, Chief Steve Thomas, Chief Connie Lazore, Chief April Adams, Chief Ryan Jacobs, James Ransom (director dept. of Tehotienawakan), Natalie Jacobs (Quebec liaison officer), Lisa Francis Benedict (A/government support manager),

**Tyendinaga:** Chief Don Maracle, Tanya King-Maracle (policy analyst)

**Six Nations:** Councillor Terry General, Councillor Wray Maracle, Councillor Lewis Staats,

**Oneida:** Chief Sheri Doxtator, Councillor Harry Doxtator, Councillor Olive Elm, Martin Powless (Policy Analyst)

**Kahnesatake:** Grand Chief Serge Otsi Simon, Chief Victor Bonspille, Chief Patricia Meilleur

**Wahta:** Councillor Stuart Lane

**Guests:** Andrew T. Delisle Sr. (Kahnawake), Elder Billy Sunday (Akwesasne), Sheri Bonaparte (Akwesasne), Robbie Dickson (Kahnawake), Peggy Mayo (Kahnawake), Brian Delormier (Kahnawake), Skye Antone (Oneida)

**Chair:** Chief Joe Lazore

**Recorder:** Trevor Bomberry

Not all participants were able to be present for the duration of the meetings.

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Akwesasne Elder Billy Sunday opened the meeting.

### **APRIL 28 & 29, 2015 RECORD OF DECISIONS**

The April 28 & 29, 2015 draft #2 record of decisions was finalized.

## **ONTARIO BIRTH CERTIFICATE, ONE NAME UPDATE**

Ontario is meeting with other First Nations communities, banks etc., to inquire if there will be an issue with one name. Ontario is currently writing regulations regarding this issue, there should be a draft by the end of November. It was asked of IC members to open doors to other organizations to garner support for this matter, and to bring this issue to Premier Wynne's attention directly if possible.

It was stated to have the lawyer (Jaime Lickers) look at UNDRIP for any relevance also.

## **TOBACCO**

AKWESASNE PILOT PROJECT: Akwesasne's pilot project covers wholesale and retail with tobacco and relates to the tobacco tax acts, this includes; revenue collection, pricing, licensing, stamping, penalties etc., it covers everything that the outside governments do but is under Akwesasne's control. Whatever is collected will stay in the community.

Phase one was to develop the law (completed), phase two was for the Akwesasne elected council to accept the law (completed), phase three is for community feedback – this is currently underway.

RAINBOW TOBACCO: Robbie Dickson (owner of Rainbow Tobacco) and Julian Falconer (lawyer) presented on the test case currently proceeding in the Ontario courts, charges are from Brockville, Cornwall and Kingston – these three locations were chosen to assert the Haudenosaunee right to trade along the 401 corridor. Grand River Enterprise has joined Rainbow Tobacco in this legal battle.

It was asked of the IC to provide guidance to Rainbow Tobacco since this is about Treaty rights and self-governance. It was pointed out that the Haudenosaunee have a pre-contact right of trade and commerce. It was proposed that the IC pass a resolution to organize and become an intervener in this matter, Akwesasne stated that their participation could jeopardize their pilot project. It was said that a coalition could be formed that includes other First Nations along with IC members that wish to participate. Mr. Dickson is seeking political support only, he will cover all the costs associated with this case. The tentative date for the next hearing is in December, it is expected to be remanded because Ontario is trying to make room for negotiations. This matter will have to be taken back to each community's respective council for a decision.

ROBERT GREENWOOD REQUEST FOR A RESOLUTION: Tyendinaga member Robert Greenwood is seeking an IC resolution (draft resolution provided) to support his right to advertise his business, Cigar Chief. Health Canada has issued notices to Mr. Greenwood to cease and desist from advertising his cigar business, it was pointed out that it would be difficult for a business to succeed if they are not allowed to advertise. It was stated that each council needs to take this back to their respective councils for a decision.

NOTE: Tyendinaga has passed a resolution supporting Mr. Greenwood and his right to advertise his cigar business.

**Undertaking:** Each IC community is to take the issue of supporting Mr. Dickson of Rainbow Tobacco in his court case and whether each community will be part of a coalition to act as intervener. It was agreed to have a decision by August 12<sup>th</sup>.

**Undertaking:** Each IC community is to take the issue of supporting by an IC resolution Mr. Greenwood of Cigar Chief is his fight for the right to advertise his business. It was agreed to have a decision by August 12<sup>th</sup>.

**Undertaking:** Kahnawake Grand Chief Norton committed to reviving the Chief's committee on tobacco.

## **BORDER CROSSING UPDATE**

There is currently a court case (handout distributed) regarding non-reporting at the border in Cornwall. Closing arguments lasted for two days on July 23<sup>rd</sup> and 24<sup>th</sup>. The judge's decision will be forthcoming.

## **IC FREE TRADE MOU**

Oneida has suggested some minor amendments.

**Undertaking:** Oneida will send the amendments to the ICC for circulation.

## **ICC UPDATE FINANCES**

It was reiterated that it is good to continue to have a surplus in case issues arise. It was suggested to use the surplus to cover the cost of reviving the Chief's committee on tobacco.

**Undertaking:** Each IC community is to take back to their respective council the request to use the IC surplus to cover the cost to revive the Chief's committee on tobacco.

**Undertaking:** ICC will re-circulate the IC surplus letter to be updated by each IC community.

## **FEDERAL CONSULTATION AND ACCOMMODATION: BRYN GRAY INVITATION**

It was stated that a position paper which addressed consultation and accommodation was sent to PM Harper in 2013. It was decided not to meet with Bryn Gray but to enhance the 2013 position paper then send this document to Mr. Gray.

**Undertaking:** ICC to circulate the 2013 position paper sent to PM Harper to be updated.

## **ECONOMIC SUMMIT**

Kahnawake has taken the lead on this initiative, due to matters that required their immediate attention and their election, it has not been addressed.

**Undertaking:** Kahnawake will look into organizing an economic summit.

## **TYENDINAGA RESEARCH**

Tyendinaga hired a lawyer to conduct research using primary and secondary documents for their traditional territory. A handout was distributed for information only.

It was stated that the IC needs to take information to international forums such as the United Nations. Follow up with the AFN National Chief regarding the AFN-IC agreement.

**Undertaking:** ICC to follow up with AFN National Chief on AFN-IC agreement.

## **BRETTON WOODS IV CONVOCATION – KEVIN DEER**

Kevin Deer presented with Wilimena Harris and Stuart Weeks on the upcoming Bretton Woods IV convocation to be held in Concord U.S. starting on September 29, 2015. This is the location that the International Monetary Fund was established in 1944, which led to the monetary system being globalized.

There have been three previous meetings at Bretton Woods between politicians and bankers, this fourth meeting will be to help everyone on earth, and every citizen of the world is invited to attend. There will be a condolence on September 29<sup>th</sup> and a sunrise ceremony every morning. Information can be found at: <http://brettonwoodsiv.org/about>

**Undertaking:** Each IC community is to take back to their respective councils the invitation to attend the Bretton Woods IV Convocation.

## **ENBRIDGE AND TRANSCANADA**

ENBRIDGE: Akwesasne stated that they are an intervener, they are still researching and have not taken an official position. Six Nations said that Enbridge was to conduct a community presentation – this has not happened.

TRANSCANADA: Kahnawake is aware of the projects TransCanada is doing, nothing has been approved at this point.

It was pointed out that Enbridge and TransCanada are trying to isolate First Nations by conducting meetings at different locations. It was emphasized that all IC communities need to be on the same page when dealing with both of these proponents. It was suggested to invite Enbridge to the next IC.

**Undertaking:** ICC will circulate the prospect of inviting Enbridge to the next IC in September 2015.

## **ALGONQUIN LAND CLAIM AIP**

The Algonquin land claim agreement in principle is progressing. It was stated that IC communities have overlapping interests regarding this claim and that an agreement between the IC-Ontario-Algonquins needs to be signed. It was agreed to send IC representatives to meet

with Algonquin Chief Kirby Whiteduck and his council to notify them of the IC's concerns and to invite the Algonquins to the next IC in September 2015 to reach an agreement

**Undertaking:** ICC and Chief Maracle will send documents to Kahnawake to create a draft agreement.

## **TAXATION SUMMIT**

Oneida has taken the lead on this initiative. It has not yet been addressed.

Oneida has a member that is being harassed by the CRA to repay \$30,000 that had been paid in child tax benefits. This member was born in Syracuse but has resided in Canada for the last 20 years. Indian Affairs has told the member that if he applied for citizenship, they wouldn't harass him anymore. It was said that if the children were born in Canada, they can't deny the child tax benefit. Kahnawake has similar issues, the IRS is after people born in the U.S., people put together an information package regarding this matter – this info will be sent to the IC.

**Undertaking:** Oneida will look into organizing a taxation summit.

**Undertaking:** Oneida to send the details of the child tax issue to Akwesasne for assistance.

**Undertaking:** Kahnawake will send the information package to the IC.

## **LANGUAGE SUMMIT**

Kanesatake is hoping to host a language summit in the spring of 2016. Oneida has committed to assist in the planning of this summit.

**Undertaking:** Kanesatake and Oneida will work on organizing a language summit for the spring of 2016.

## **IC CONSULTATION POLICY**

Defer to the next IC, send amendments to the ICC.

**Undertaking:** Send amendments to the IC consultation policy to the ICC.

## **NEW BUSINESS**

HUNTING & FISHING: The Cree's are given the right to hunt and fish in our territory but we can't hunt and fish in their territory – there needs to be a reciprocal agreement to hunt and fish.

TRUTH AND RECONCILIATION COMMISSION: It was stated that the 94 recommendations was released in June. Each IC community needs to read the report and formulate concerns/suggestions and whether the IC will release a statement on the findings.

**Undertaking:** Each IC community will review the TRC report and decide if the IC will release a statement.

## **NEXT MEETING**

The next meeting will be in Wahta on September 22 & 23, 2015

Councillor Olive Elm closed the meeting.