

# **IROQUOIS CAUCUS**

## **RECORD OF DECISIONS – FINAL**

Wahta September 22 & 23, 2015

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### **PARTICIPANTS**

**Kahnawake:** Grand Chief Joseph Norton, Chief Martin Leborgne, Chief Gina Deer, Dennis Diabo (technical advisor)

**Akwesasne:** Chief Louise Thompson, Chief Connie Lazore, Chief April Adams, Chief Joe Lazore

**Tyendinaga:** 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:** Chief Philip Franks, Councillor Stuart Lane, Councillor Teresa Greasley

**Guests:** Lucia Sahanatien (Wahta), Rosalie Doxtator (Oneida)

**Chair:** Chief Philip Franks

**Recorder:** Trevor Bomberry

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

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Wahta member Lucia Sahanatien opened the meeting.

### **JULY 29 & 30, 2015 RECORD OF DECISIONS**

The July 29 & 30, 2015 draft #1 record of decisions had two minor amendments and was finalized.

## **ICC UPDATES**

FINANCES: A current summary and IC budget was distributed. To date, five of the IC communities have sent their annual contributions.

AFN-IC PROTOCOL AGREEMENT: A response from the AFN National Chief's office has not been received as to whether the AFN will honour the agreement signed on December 4, 2012.

ENBRIDGE: The decision of the IC is not to meet with Enbridge, but individual communities may meet with them if they wish.

## **TOBACCO**

RAINBOW TOBACCO: Kahnawake has put forth their full support for Mr. Robbie Dickson of Rainbow Tobacco in his constitutional challenge in regards to the charges he is facing for transporting cigarettes. Wahta has offered to support Mr. Dickson, Kanesatake has offered their support also, but not for GRE (Mr. Dickson stated at the IC in Akwesasne that GRE has joined him in his legal battle). Oneida is comfortable with supporting Mr. Dickson's rights based approach to his charges. Akwesasne cannot support Mr. Dickson at this time, they will need to consult their full council, an answer will be forthcoming. Six Nations asked if Mr. Dickson is looking for individual letters or a blanket letter from the IC.

It was suggested that a non-derogation clause would be a good idea if the IC were to offer their political support to this issue.

A coalition could be formed if the IC does not have consensus to support Mr. Dickson, it was pointed out that someone needs to lead and coordinate a coalition if that is the decision.

It was reiterated that Mr. Dickson is moving forward with or without the IC's participation.

ROBERT GREENWOOD REQUEST FOR A RESOLUTION: Deferred until the next meeting

**Undertaking:** Akwesasne, Six Nations and Tyendinaga will need to decide if they will support Mr. Robbie Dickson in his legal battle.

## **IC CHIEF'S COMMITTEE**

Kahnawake Grand Chief Norton has not had the opportunity to move this item forward.

**Undertaking:** Grand Chief Norton will make contact with the other IC Chief's and organize an IC Chief's Committee meeting.

## **MURDERED AND MISSING INDIGENOUS WOMEN**

Kahnawake had a representative that was going to go to an event regarding Murdered and Missing Indigenous Women in Edmonton from September 27-30, 2015. The representative is unable to attend, it was asked if the IC would like to send representatives to Edmonton.

Kahnawake also hosted a golf tournament as a fundraiser for Murdered and Missing Indigenous Women. The tournament raised \$22,000 which will be used to bring awareness to this issue.

The Chiefs of Ontario have an action plan for this issue, they will be hosting an event in December which will coincide with the AFN-AGA, further details will be forthcoming.

Oneida stated that they are involved with a Chief's Committee that has been established to work on an inquiry on their own terms regarding this matter. Events are being planned, information will be forwarded as details become available.

It was stated that First Nations across Canada may have a day of demonstration and protesting prior to the Federal election, MMIW and general difficulties in dealing with the federal government will be the theme.

## **TAXATION SUMMIT**

Oneida has taken the lead on this initiative, there has been no movement on this to date. It was asked if other communities would assist in planning this event, Kahnawake stated that they are willing to help Oneida and Wahta offered their support also.

MBQ shared a letter from a wholesaler that supplies their territory with cigars, the letter stated that the wholesaler will be charging tax on the product before it is delivered to Tyendinaga. It was asked if other communities have received a similar letter, other communities affirmed that they have received similar letters. It was pointed out that the government can be taken to court by taxing products before it gets delivered to a First Nations territory – this needs to be researched further. Gowlings law firm was suggested to use for this issue, Kanesatake will

follow-up. It was pointed out that First Nations are “non-taxable” which is different from “tax exempt”.

**Undertaking:** Oneida will continue as the lead organizing a taxation summit, Kahnawake and Wahta will assist Oneida with this item.

**Undertaking:** Kanesatake will follow-up with Gowlings on the issue of taxes being charged on products before they are delivered to a First Nations territory.

### **LANGUAGE SUMMIT**

Kanesatake and Oneida will be organizing this event. This summit will be designed to promote and protect the language and to hold the governments financially accountable. The summit will be held in Kanesatake in the spring of 2016. It was asked if some of the IC surplus could be used to financially help out with this event.

**Undertaking:** Kanesatake and Oneida will organize a language summit to be held in Kanesatake in the spring of 2016.

**Undertaking:** Each IC community will take the issue of using some of the IC surplus towards this event.

### **ECONOMIC SUMMIT**

Kahnawake’s Chief Deer and Chief Clinton are organizing this event, they need input from IC communities on what each community would like to see from this summit. Oneida Chief Doxtator may have potential investors to help with the summit.

Kahnawake Chief Leborgne reminded the IC that the issue of generating revenue was brought forth a year ago, this would help with the funding cuts that are affecting all IC communities. It was suggested that the seven communities invest in a business such as a casino.

**Undertaking:** Chief Deer and Chief Clinton will continue with the organization of an economic summit

**Undertaking:** Each IC community take the issue of investing in a business such as a casino.

## **EDUCATION SUMMIT**

Akwesasne has the lead organizing this summit. It was stated out that not every IC community is structured the same when it comes to education. Input from IC communities is needed to move forward. Akwesasne will create a survey/needs assessment and circulate it with the IC.

ICC will re-circulate Kahnawake technician's comments/concerns from a year ago regarding a proposed education summit

Kanesatake is currently conducting a study on educational needs, the results of the study will be shared once it is complete. It was suggested that each IC community assign a technician to deal with the issue of education.

The summit will be a collective approach, it will address the shortfalls of funding and resources. Kanesatake has a model of a survey/needs assessment that they will share

**Undertaking:** ICC will re-circulate Kahanawake technician's comments/concerns from last year.

**Undertaking:** Kanesatake will share their model of a survey/needs assessment on education. They will also share the results of their study once it is complete.

**Undertaking:** Akwesasne will create and circulate a survey/needs assessment.

## **IC FREE TRADE MOU**

The IC Free Trade MOU states that each community will need a resolution to sign this document. Oneida said that they do not utilize the resolution process but decide things by consensus.

**Undertaking:** The remaining IC communities are to get a resolution in order to sign the IC Free Trade MOU.

## **SETH LEFORTE PRESENTATION**

Mr. Leforte is a Mohawk from Tyendinaga living at Six Nations, he was charged with possession of unstamped tobacco and possession for resale when travelling from Tyendinaga to Six Nations

with cigarettes in a trailer. Mohawk lawyer, Steve Ford was the only lawyer that would take Mr. Leforte's case. Research has been ongoing, a constitutional challenge will be used to fight this legal battle. Mr. Leforte and Mr. Ford were told that a test case is already in the courts and that the test case should result in a stay of similar cases that are before the courts. It was stated that there is a third case making its way thru the courts also – they too are committed to issuing a constitutional challenge. Mr. Ford said that these three cases to collaborate with each other so that neither is falling into the individualization trap.

It was asked of Mr. Leforte to provide printed materials to the ICC for distribution.

**Undertaking:** ICC will distribute Mr. Leforte's materials regarding his court proceedings once they are received.

### **IC CONSULTATION POLICY**

This item was deferred to the next meeting.

### **TRUTH AND RECONCILIATION COMMISSION**

The full report is due to be released soon, there was discussion on whether the IC should issue a statement using the 94 recommendations that was released this past June or to wait until the full report is released. IC communities were to have reviewed the 94 recommendations since the July IC and come prepared to discuss this matter today.

Kahnawake committed to submit a draft statement for circulation addressing the TRC's recommendations.

**Undertaking:** Kahnawake will circulate a draft statement addressing the TRC's recommendations.

## **NEXT MEETING**

There was discussion that the IC should meet in Ottawa during the winter months and meet in IC communities during the summer months.

Next Meeting: December 7, 2015 in Gatineau (to coincide with the AFN-AGA).

Wahta member Lucia Sahanatien closed the meeting.