

FINAL REPORT

RATIRHIWARO:ROKS

SEIGNEURY COMMUNITY GROUP

Period Covered: October 2007 to March 2008

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TABLE OF CONTENTS

Introduction.....	Page 2
General Finding.....	Page 4
Overall Statistics – Chart.....	Page 5
General Comments.....	Page 6
Land Comments.....	Page 8
Land Statistics – Chart.....	Page 11
Financial Comments.....	Page 12
Financial Statistics – Chart.....	Page 14
Administration of Financial Compensation.....	Page 15
Ratification.....	Page 17
General Comments on Process.....	Page 19
A Community Member’s Recommendations.....	Page 20
Community Member Questions.....	Page 22
Next Steps.....	Page 25
Final Recommendations.....	Page 26

INTRODUCTION

The Ratirhiwaro:roks Seigneurie Community Group was contracted in October 2007 to provide an update to Kahnawa'kehró:non concerning the recent progress of the Seigneurie of Sault St. Louis Land Grievance and to ask community members what type of settlement they would like to receive as compensation for the land grievance.

Initially the Community Group consisted of 5 Researchers and 1 Coordinator. The members of the Group were Trina Skye Norton, Coordinator, and Researchers Melvin Diabo, Peter Taylor, Valerie Delisle, Karlie Goodleaf, and Terri Thomas.

The Group was given 16-weeks to complete the project but due to unforeseen problems, such as the loss of 2 Researchers (Valerie Delisle and Terri Thomas), The SSSL Technical Team granted an extension of 6-weeks to complete the project. During the 22-week project period, the Community Group was requested to meet with as many Kahnawa'kehró:non as possible, with a target number of 1000 people.

To assist in attaining the target number, the Community Group determined that another researcher (Shereen Meloche) would have to be hired to replace at least 1 of the 2 that we lost, and this was completed in December 2007, 10-weeks into the project.

The Community Group experienced other setbacks such as 2 Researchers becoming ill during the project, the Christmas Holiday Season, and the March Break season. Despite, these setbacks the Community Group was able to reach 661 Kahnawa'kehró:non. This number represents the total number of people that participated in an interview and declined to participate.

The Community Group held various functions to acquire as much community participation as possible. The Group held 2 Open Houses, spent numerous days at the Services Complex, and held call-in shows on K103 Radio. The Group also used various methods to contact community members such as; personal contact/interviews, on-line surveys, telephone surveys, group meetings, family meetings, and meetings with community groups. As an incentive to gain more community participation, the Group purchased prizes to be drawn at random times throughout the project. In order to be eligible to win a prize, a Community Member had to participate in an interview, and their name was entered into a draw for 1 of the prizes. Examples of the prizes were Canadian Tire Gift Card, Tim Hortons Coffee Package, and Radio Bingo Packages.

Page 2

The Community Group also provided 3 Status Report Updates on November 8, 2007, December 3, 2007 and January 18, 2008 to the SSSL Technical Team to advise them of

our progress. Community updates were also provided in the Eastern Door, Mohawk TV, and public postings.

Despite the project end date of March 2008, the Community Group continued to meet with Community Members as a sign of our commitment to the project. So, in fact the project continued until April 2008, and the Group was successful in reaching more Members.

A point to note is that towards the end of the project it became evident that Kahnawake Teachers were not interviewed during the project, and an attempt was made to contact them. The 3 Principals of Kahnawake Schools were sent letters requesting their participation in the project. The scheduled date for the presentation to Kateri School was in April 2008 but unfortunately not 1 teacher attended the presentation. Both KSS and Karonhianonhnha have scheduled dates in the near future. Although this was a disappointment, it was determined that some of the teachers at Kateri School may have already been interviewed individually or do not wish to participate at this time.

In conclusion, the Seigneurie Community Group gained a lot of knowledge about the Seigneurie Land Grievance from Mr. Dennis Diabo and the Technical Team and we feel fortunate to have learned of the Kahnawake Process, which is proposed to the Government. We are also grateful to Community Members for taking the time out of their busy lives to participate in the project, and again we gained interesting insight into Kahnawake's desires for the Seigneurie Land Grievance.

GENERAL FINDINGS

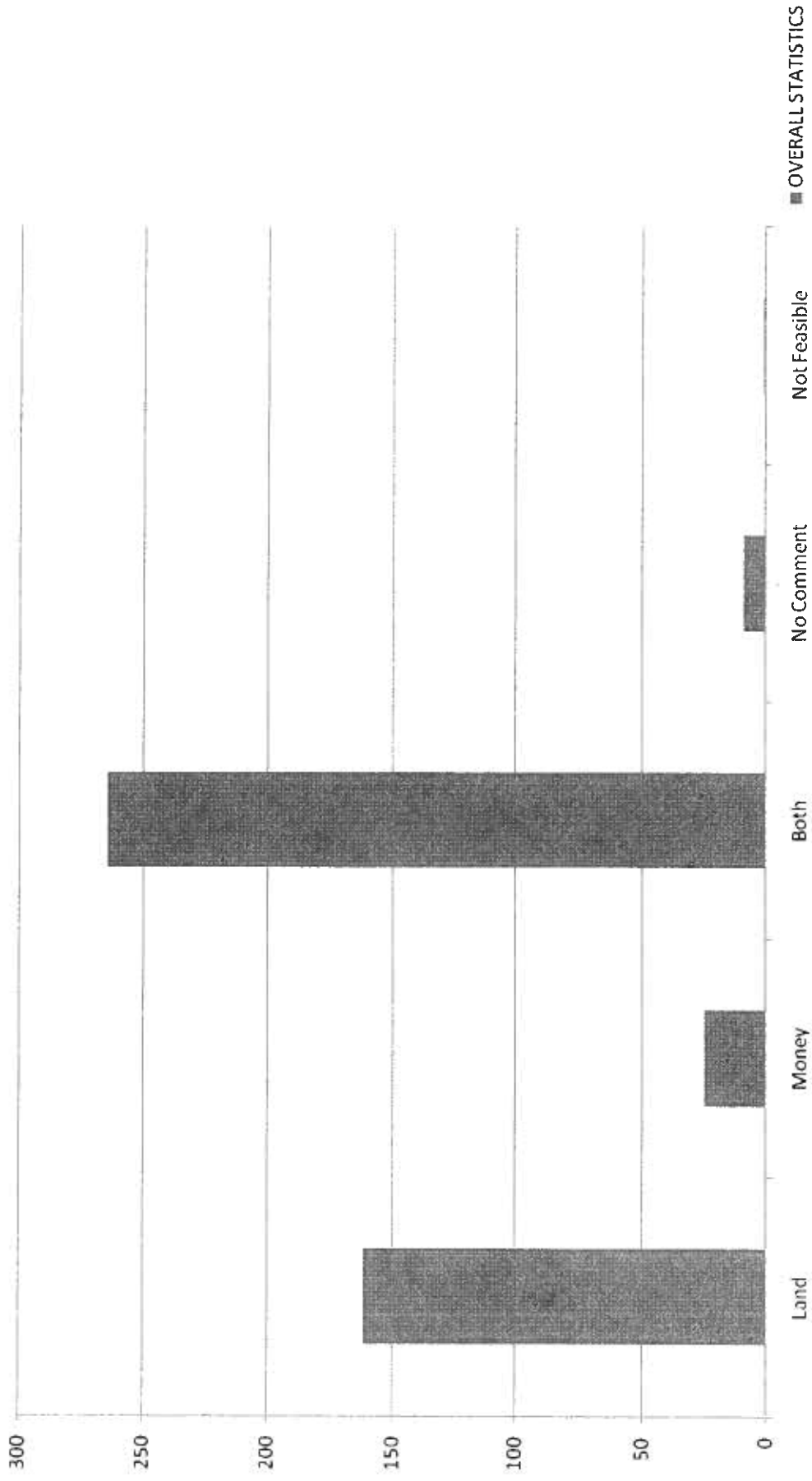
The following chart identifies that Kahnawa'kehró:non would like to receive both land and cash as a form of compensation for the settlement of the Seigneury Land Grievance.

Most participants indicated that land is more important than money because we must have a land base to sustain ourselves. Participants commented that our community land is dwindling quickly, and Kahnawake needs to ensure that there is something for future generations.

As for the area of land for Kahnawake to acquire, Participants want somewhere that is close to the current Kahnawake yet are open to other lands, which could either be used for hunting, fishing, farming, leisure or for commercial ventures. Wherever the land may be, it is a required part of the SSSL Land Grievance Settlement. Any land acquired for Kahnawake should be an addition to reserve lands and carry the same status as the current Kahnawake.

Participants also want to see some form of financial settlement as well. The money should either come in the form of back rents owed, current rents, tax dollars from the current occupants, or compensation for the loss of use of our territory. The financial compensation received should be used for the collective. It is recommended that the funds be used to offset the constant cutbacks that we see each year, and put towards the community as a whole. Although, the financial compensation should be for the collective, it was also suggested to give each community member an individual cash payment so each person could see a personal benefit from the settlement.

OVERALL STATISTICS



GENERAL COMMENTS

In order to remain as true to the participants as possible, I have included direct quotes from the individual interviews. The most repeated comments are included and the statements are grouped according to theme.

Neighbors

"We must work with outside communities to ensure that they know we are not trying to take anything away from them"

"Be nice to the people there"

"Shouldn't displace anyone"

Government

"What level of commitment did the government make? Could they show us some kind of "good faith" gesture?"

MCK

"The MCK seems very irresponsible at times. How can we trust them with our money, which may be our only future, when they fight amongst themselves all the time?"

"MCK has not made good economic decisions, so it is best if they don't get involved in business ventures"

"Don't believe MCK will follow what people say in this survey – they do what they want"

Community

"We need land to maintain and keep forever our way of life for our seventh generation"

"Encourage individuals to go to school to learn how to run a community. If we have the SSSL Lands, then we will need to employ people to run it."

"Won't get resolved in our lifetime"

Traditional

"In no way should this land grievance interfere with the bigger Mohawk Nation Land Claim"

"Ensure that this doesn't jeopardize the Mohawk nation land claim"

"Longhouse needs to be recognized as "traditional government" to make treaties. Treaties can not be changed. Change the title to "Original Government"

"Regarding the term Seven Generations, the number seven was picked because it represents a long history of people, generations and that it is ongoing without stop. We never really reach the seventh generation because the whole concept represents a cycle of life among Mohawks. The seven generation principle refers to the amount of care that must be taken for serious decision because it will affect all our forth coming generations of children for as long as the seven generations time period and well beyond for another seven generation. It's an ongoing unending time period and goes forward in a circular fashion".

Community Members:

- ❖ Very frustrated at the lack of results/progress
- ❖ Feeling that this is very important and everyone must be consulted
- ❖ Wanting their voices to be heard! Is MCK really going to listen to our comments, what happened to all the other surveys, it seems they are going to survey us until they get the answers they want
- ❖ Wanting our rights to flow into the Seignury Land area
- ❖ Not wanting to displace anyone because Kahnawa'kehro:non know how that feels so we don't want to do it to anyone else
- ❖ Wanting to get land as a priority. Cash will come and go
- ❖ Feel that Land should not be used for another cigarette store/factory – we have too many
- ❖ An apology from the Jesuits would be nice
- ❖ Settle the Highway 30 issue

LAND COMMENTS

The following chart demonstrates that Kahnawa'kehró:non would like to re-acquire the SSSL Lands but are willing to have land in another location as compensation if it proves too difficult to come to a final settlement for the SSSL Lands. Kahnawa'kehró:non would like the following items considered when negotiating the SSSL Lands:

- ✓ Title to the land MUST remain with Kahnawake
- ✓ Our land base is here, so try to get as much of the SSSL as you can
- ✓ Consider taking the un-developed areas, and get land in another location equal to the areas that are developed
- ✓ As a good faith gesture, insist that further developments on SSSL Lands stop
- ✓ The land could come back piece by piece
- ✓ Negotiate the owning of Highway 30 for farming

Participants added that if only a certain amount of the SSSL Lands are returned, then they would like that a certain area be exclusive to Kahnawa'kehró:non only. It is also suggested to use the un-developed areas for commercial development. It is suggested that given the success of the existing commercial ventures, a Kahnawake venture would flourish as well. Another recommendation is to allow community members the opportunity to choose where they want land, have the Government acquire it for them and declare that piece tax free.

"Only acquire undeveloped lands because there is a lot of potential for future economic development due to the existing commercial ventures on the land".

If negotiations prove unsuccessful for re-acquiring SSSL Lands, then participants suggest that all lands must be of equal size and as close to the current Kahnawake as possible. Lands must not be in a remote location but should be within 100 miles of developed areas. Any lands must have a high value. It is suggested to negotiate a higher ratio of land for what we are allowing the governments to keep. For example, they can keep 1 acre but they must give us 5 acres in exchange.

"If some of the SSSL Land doesn't come back to us, then we should get an equal size of land somewhere else. But it should be as close as possible to ensure that families stay close"

Regarding the individuals residing on the SSSL Lands, the majority of participants are of the opinion that they could remain living there but underlying Title to the land belongs to Kahnawake. It is suggested that the occupants could pay Kahnawake their taxes and in turn Kahnawake would provide them with services and administration. Further to this, Kahnawa'kehró:non would like to enter into long-term leases with these individuals in anticipation that all the SSSL Lands will become part of Kahnawake one piece at a time. The duration of the leases is to be determined.

"We shouldn't move the people that live there. We didn't like it when it was done to us. So why would we do it to them? Realistically, they are innocent in all of this".

An important item to consider is that participants do not want to see anymore contaminated land in Kahnawake, whether it be SSSL Lands or lands negotiated in another area. All the contaminated lands within the SSSL should be the responsibility of the governments, and the governments could keep that land. Kahnawake should receive land in another location as replacement for the contaminated areas. Kahnawake land should be safe and clean. This would also provide opportunity for hunting, fishing and farming, which are suggested uses for land from the participants.

"Any land returned or given in exchange should be free from toxins or large refineries. Nothing polluted. We should get beautiful and fertile areas with clean water and fresh air. Give replacement land for all the contaminated land of the SSSL because we don't want that land".

Participants would like the current benefits that we receive to continue onto the SSSL Lands and any other lands that may become part of this settlement. It is very important to maintain our tax free status, and to have it more accepted on the SSSL Lands. It was also suggested that as a good faith gesture, our tax exemption would apply immediately.

"Lands must include our tax free status, residential and commercial and have the same status as current Kahnawake. Any other land given should have a RESERVE LAND status".

Additional Comments

- What about the development of a land code/act, zoning, by-laws?
- Include waterways
- Acquire farmlands surrounding Kahnawake
- Common Ownership of the land
- Individuals should not be permitted to buy big pieces of land - conserve
- Land used for residential mostly, limit the commercial

Page 9

Other Recommendations

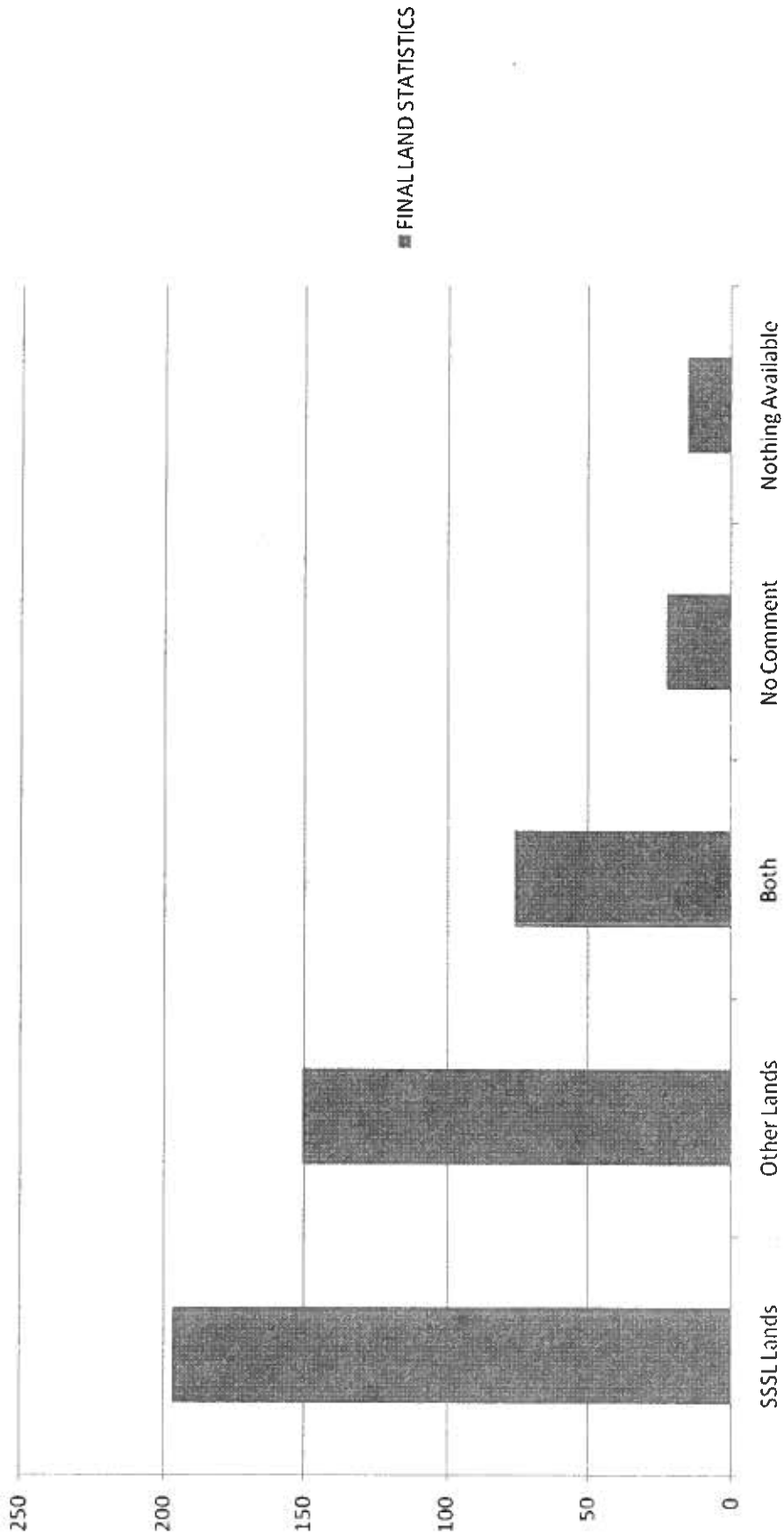
- Show a strong presence on the SSSL Lands to force the government to act promptly in a fair and just manner. The participant insisted that there should be

dedicated activists to peacefully and symbolically occupy the Seigneurie Lands to state loudly and politically that this land belongs to Kahnawa'kehró:non

- All crown lands within the SSSL should be returned to Kahnawake. All Crown Corporations such as the area that Hydro Quebec occupies should belong to Kahnawake
- Men do not have a voice when it comes to land – women are the care takers, it is their jurisdiction
- Suggested Locations for Other Areas of Land
 - Akwesasne
 - Anywhere
 - Along Highway 15
 - Eastern Townships
 - Gaspé
 - Lake Champlain
 - Laurentians
 - Near the USA Border
 - Ontario (Southern)
 - Plattsburgh
 - South West Quebec
 - St. Anicet
 - St. Lucie/Tioweró:ton
 - Up North
 - Verendrye Park

“Don’t ever sell land because they don’t make it anymore” – Will Rogers

FINAL LAND STATISTICS



FINANCIAL COMMENTS

According to the participant's responses, it appears that Kahnawa'kehró:non would like to receive both back rents and a cash settlement for the settlement of the Seigneury Land Grievance but oddly the same amount of people did not provide a comment to this question. When questioned further, the participants answered that the Land Grievance is about land first and money second. So if money is part of the settlement, it doesn't matter in what format it comes.

There is not a clear definition regarding whether receiving back rents or receiving a cash settlement is more important. The responses are very close in numbers as well.

Regarding back rents, participants request that the back rents include the interest lost on the investment of these funds. Also, if the occupants of the SSSL Lands continue to live there, then Kahnawake should receive rents/taxes from those people because Kahnawa'kehró:non will not be able to use it for ourselves. So "future rents" must be considered too. On the other side, a small minority of participants feel that the past is the past and back rents should not be collected. They are unsure how this could be determined fairly, and feel that efforts should not be concentrated on this issue.

Regarding a cash settlement, participants would like to receive this for the loss of use of the land and in lieu of acquiring developed lands a cash settlement should be obtained.

Another item to consider regarding financial compensation is the distribution of the funds. Majority of responses indicate that participants would like to receive a 1-time payment. Comments from the participants reveal that if community members receive a 1-time payment, it will show them that we have come to an end of this grievance. It was suggested, as a way to decide the amount of the financial payment would be to determine the market value of individual community member's homes and land and give them that much as a settlement. And for non-homeowners, they should receive an average size home and land for free. Another suggestion is to provide Kahnawa'kehró:non with a choice as to whether they would like to receive a piece of land or a cash payment.

The clearest issue regarding a cash settlement is that the Mohawk Council of Kahnawake should not be involved, associated, make a decision, or administer any funds that come out of this land grievance. Participants lost the trust in the MCK. Participants feel that the MCK has no authority regarding the cash settlement.

Page 12

Recommended Uses for Financial Compensation

✓ Place In Trust – 98

✓ Individual Payments (not all the money save
some for community) – 65

- ✓ Community Development (Infrastructure, water & sewer, bike path, public transportation) -- 38
- ✓ Community Groups/ Organizations (Arts, culture, drama, sports, public pool, after school activities, youth groups, library, K103, fire brigade etc.) -- 27
- ✓ Education (build an aboriginal college/ university) - 27
- ✓ Economic Development (Hotel, convention center, tax free Costco, ski resort) -- 21
- ✓ No Individual Payments - 22
- ✓ Housing Needs - 20
- ✓ Buy More Land - 13
- ✓ Language Initiatives (pay people's salary) -- 10
- ✓ Elders or Individuals with Disabilities (monthly pension, palliative care) - 10
- ✓ Hospital (x-ray machine, ultrasound, dialysis, MRI, cancer treatment, therapy center) -- 5
- ✓ Set up New "Kahnawake Community" -- 4
- ✓ Free Medicare-3
- ✓ Environment (environmental toxicology, clean moldy creeks & highly polluted areas) -- 2
- ✓ Casino, Kahnawake Lottery -- 2

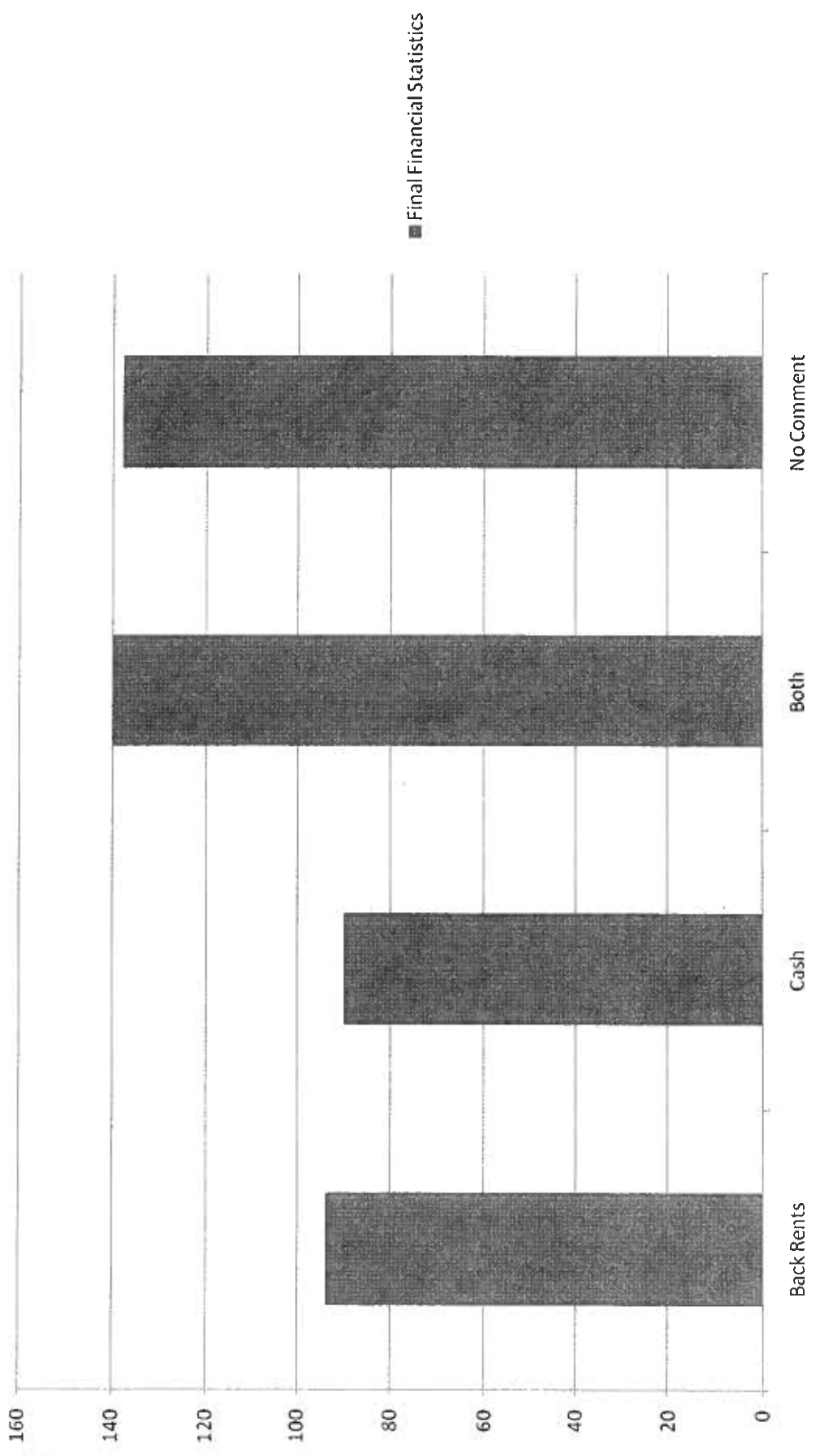
- ✓ Hire individuals to look after the area -- 1
- ✓ Improve Tekakwitha Island for uses other than the Pow Wow -- 1
- ✓ Daycare subsidy - 1
- ✓ Training on how to work within a Traditional Government -- 1

- ✓ Pension Packages to Community Members Who Worked For Community For A Long Time -- 1
- ✓ Rehabilitation Center -- 1
- ✓ Ceremony/Traditional Medicine Learning Center -- 1
- ✓ Emergency (shelters, fire/disaster victims) -- 1
- ✓ Purchase Mohawk Artifacts - 1
- ✓ Disband MCK and Move To Traditional Government-- 1
- ✓ Fill in Seaway & Restore Area -- 1
- ✓ Pay off Mortgages

Funds should not be used to

- ✓ subsidize private businesses - 1
- ✓ salaries of the MCK Councilors or Executive Directors - 1

Final Financial Statistics



Administration of Financial Compensation

The majority of participants would like the administration of any funds received from the land grievance to be administered by an independent community group or treasury board who:

- Is Voted/selected/acclimated by the Community
- Has evidenced integrity and honesty within the community and has experience and knowledge
- Will ask the Community on how the funds should be spent
- Will develop criteria regarding what the money can be used for
- Will ask permission from the Community before spending large sums of money
- Are from various sectors in the Community
- Have proper competencies and qualifications

The Board/Group must have

- Administrative & Governing Powers
- Be equally accessible by all
- An accounting firm to audit the funds
- Access to administrative and technical support

Qualifications for Individuals to Sit on the Board

- Knowledge on the Administration of Programs
- Understanding Financial Arrangements
- Understanding of Financial Statements
- Ability to Review Proposals
- Ability to Make Sound Decisions & Problem Solve
- Ability to Manage Conflict
- Ability to Work Under Pressure from Lobby Groups
- Board Training

Possible Names

?? - Land Grievance Group or Committee

?? - Seven Generations Fund

An independent party should be hired to develop the items below in consultation with individuals in the community:

- Accountability
- Appeals/Grievance
- Cause for Removal
- Determine Decision Making Process
- Level of Discretionary Spending
- Liability
- Policies
- Procedures
- Recording Decisions
- Reporting
- Roles & Responsibilities
- Structure
- Transparency

Other groups that were suggested to administer the funds:

- Longhouse
- A dedicated management organization directly responsible to the Longhouse
- Traditional Bodies like the 5 Nations
- Clan System – set up a finance committee to empower the clan system
- MCK's Accounting & Finance Department
- Caisse Populaire

Recommendations

- ✓ There is a very clear and strong will that the Mohawk Council of Kahnawake or any organization under its umbrella, should NOT be involved in the administration of the funds received from the settlement in any way, shape or form. There is an evident lack of faith and trust in the MCK among Kahnawa'keheó:non.
- ✓ Groups or organizations that receive funding from this money, should have to submit proposals detailing what they intend to do with the funds and then be subject to an auditing process to ensure the funds were spent correctly.
- ✓ Research "foundations" to see if that type of operating system could work for Kahnawake
- ✓ If back rents were paid, who received that money?

RATIFICATION

During our discussions with community members, it was discovered that every person that has a tie to Kahnawake must be included in the approval of the final settlement. Ensuring that everyone has the opportunity to participate is very important to all Kahnawa'kehro:non – exclusion is not permitted. In order to achieve inclusion, it is our recommendation to use a variety of the methods listed below.

Another important suggestion is to publicize the details of the final settlement using as many methods as possible, for example TV, radio, internet, newsletters, and meetings. This is to allow people the time to hear and digest the information, talk amongst themselves, talk to the negotiators, discuss with family members, and to ensure that this is what they really want. People feel that this is a very important decision that will affect not only them but their children as well. So by providing time (6 months was suggested) it is believed that participation will increase because everyone will be more comfortable with making a decision that they understand and feel confident with their choice.

On the other side of the previous point, community members felt that if someone chooses not to participate, then they must abide by the outcome. Silence equals agreement. A small amount of community members also felt that lack of participation disqualifies a person from benefitting from the final settlement. But a solution for lack of participation is to provide incentives to community members to come forward with their approval. One suggestion for the type of incentive was to give a bingo package.

Surprisingly, something to mention is the fear of what people think of each other. Several comments were received that participation in the ratification procedure should be kept confidential. Ensuring confidentiality will increase the amount of participation because people will not be worried what others say about them.

All of the methods listed below came from community members, no response was omitted. Beside each suggestion is the number of times community members provided that response.

Top 9 Responses:

- Vote – 71
- Door to Door – 46
- Referendum – 29
- Combination of Methods – 23
- Consensus – 14
- One on one contact – 12
- Traditional Government/Council - 6
- Petition - 5
- MCK - 5

Received 4 Responses:

- Online Survey/Computer Stations
- The different factions in the community appoint a spokesperson & all give their opinion

Received 3 Responses:

- Consultation
- Phone Surveys
- Mail out final settlement and have people mail their answer back
- Community Meeting

Received 2 Responses:

- Clan System
- ILC
- Leave questionnaires in stores and people can give their opinion by filling it out
- Majority Rule

- Make a meal & invite people to come to give their opinion
- Tribunal of Chosen People
- Polling

Received 1 Response:

- Acquire signatures for agreement/disagreement
- Call in Vote
- Community Health Groups
- Community back into sections & conduct a vote
- Families
- Go to Onondaga and proceed from the Tree of Peace. Then speak to every person using the correct procedures
- Great Law
- Group Decisions
- Kahnawake Band List
- Longhouse to get approval from their respective houses & say they speak for “x” amount of people
- Obligatory Participation
- Outside Consulting Firm
- Present settlement to population 80 yrs & older (who is able), let them make the decision
- Private Poll
- Random Selection of Community Members
- Ratification Fair
- Within the Process of Council under the Longhouse
- Democratic System

GENERAL COMMENTS ON PROCESS

- ✓ Community Members feel that the questionnaire developed was short and to the point – very good!
- ✓ Community Members recommend putting a survey into the Eastern Door to try to reach more people
- ✓ Community members want to know how many people were contacted and they want to ensure that everyone gets a chance to participate
- ✓ Community Members feel that we must become more aggressive in our pursuit of a settlement
- ✓ Community Members felt that this is not a good enough use of their time, it makes no difference what they have to say, and they have little to no faith in the process
- ✓ Community members are apathetic and don't believe that their opinion will make a difference – MCK will do what they want anyway

A Community Member's Recommendations

The following recommendations were provided by a community member, and the Group felt that the entire recommendation warranted re-printing in the Final Report given the thought, effort, and time spend on the recommendations. The following statements represent the views of 1 community member only and are provided for your consideration.

First thing I want to make clear is that in order for this process to be successful it has to be a non-threatening approach. I learned a long time ago that Quebecers and Canadians can be strong allies or disruptive enemies. As we saw during the aftermath of 1990 and other flash points in recent history they can make life miserable for us. Therefore, with Seigneurly Land Grievance we have to be very careful on how we package our final submission to Canada and Quebec.

Let us not forget that the Quebec Government wants to limit as much as possible its liability in this process. Therefore, we have to bring Quebec on board as an ally by submitting an economic plan that is attractive and beneficial to the region and to the entire province.

Upon reaching an agreement in principle with Quebec and Canada there must be a massive P.R. push to get the general population on side in order to take the process to the next level of development. We (Quebec, Canada and Kahnawake) should study and learn from other urban and rural settlements that created backlash from the general population and in turn caused all sorts of inquiries, commissions, hearings and court challenges to occur. This in turn delayed finalization and forced amendments to the agreements reached. In other words the process must be transparent and friendly enough to minimize back lash from the general population as well as the opposition in governments.

The Kahnawake approach to the SSSL process must be inclusive of our neighbors or it will fail miserably. Although we would like to think that we are the only ones that have a stake in this matter we had better acknowledge that our neighbors have held their form of title to our lands for centuries and we are about to dispossess them of it. You can well imagine the legal and political battles that will evolve over the next generation trying to settle on those terms. I say in order to avoid that scenario we begin immediately to be the promoters of a "Regional Economic Benefits Accommodation Process" Kahnawake must be seen as the rock solid, steady

political influence in this process. There is much more that can and should be examined on this approach. A final note on this part of my response is this "land grievance" is one of a kind and is not just about land and \$\$\$\$, its about renewing/solidifying relations with our neighbors which includes their representative governments.

We can demand billions of dollars from Canada/Quebec using a variety of justifiable means to reach these calculations. But we must understand one thing Canada/Quebec will not meet what they consider to be unreasonable demands. This has been proven time and time again throughout Canada's history. We can drag them into court and spend millions of dollars and win some sort of settlement that is far less than what we are demanding or we can be smarter than them. We can develop a long-term plan which includes reasonable a cash settlement and land matters. What we can also include is a long-term economic benefits package to Kahnawake. In lieu of huge compensation demands lets put together a land use and management plan. I believe if done properly and efficiently this approach could bring Kahnawake incredible long term benefits for generations to come. The completion of Highway 30 could prove to be a major part of our future development. The impending Seigneurie Grievance process could prove to be a vehicle for success to that end. Meaning that the proposed completion of Highway 30 through SSSL lands could prove to be a strong bargaining point for Kahnawake.

The lands along the highway will become very valuable for present and future development. A casino on those adjacent lands maybe acceptable to Kahnawa'kehró:non as an alternative to lands within the present Kahnawake Territory.

There are a variety of ways that Kahnawake could put forth meaningful proposals for long term development that would be an alternative to hard bargaining positions on compensation and return of lands. I am advocating a given and take process.

For example huge tracts of SSSL are presently occupied by residential and commercial development. In exchange for giving up those areas we could request return of other unoccupied lands (especially along hwy 30) calculated compensation and guarantees of access to Federal and provincial economic programs that Canadians and Quebecers enjoy. We would demand as part of the process that the rules and policies have to change in the two levels of government that will allow for our people to have access to these programs that for to long have been denied to us.

COMMUNITY MEMBER QUESTIONS

Again, the following questions are direct questions posed by the participants. The questions are included in this report because the Community Group was unable to provide answers, and the Community Members were advised that their questions would be forwarded to the appropriate people. The Group advised the Community Members that responses to their questions would be provided via local media outlets. The Community Group is requesting that someone be appointed to answer these questions.

1. *Since the entire SSSL is considered Provincial Land, how can the Federal Government get the land back for us?*
2. *Why is the MCK still holding the seaway money? \$1 million was given to Kahnawake approximately 50 years ago. MCK used the funds once or twice but had to ask for the community's permission during a Band meeting. Is it making interest and how much is left?*
3. *The priests rented out our land and collected rent for it. Where is that money? The Federal Government is at the table but where is the church – the wrong-doers? What is their responsibility in all of this?*
4. *The Indian Act is ultra vires the British North America Act, 1867. Sections 109 and 132 were never repealed or amended. Canada and the Mohawk Nation must negotiate nation-to-nation. Canada never got informed consent of the majority of the people to allow anyone to have jurisdiction over us and our land. These negotiations between Canada/Quebec and its Canadian band council violate the nation-to-nation relationship and the rule of law. Can you explain how you can legally represent us?*
5. *Our constitution provides that the women are the "progenitors of the soil", the holders of the land. To be legal doesn't this mean that negotiations can only be conducted by the Women and a final decision can only be made through the informed consent of a clear majority of the constitutional people?*
6. *Isn't the Two Row Wampum Agreement our basic relationship with the settlers? Everyone understood that we would never give up any land or become part of the colonial state. Doesn't that mean we can only deal nation-to-nation? Don't you agree that legally, the members and followers of the Canadian government band council system are sitting on the side of the bargaining table? They have violated Wampum 58 of the Great Law.*

7. *Isn't it a violation of the rule of law for one party to the dispute (band council/Canadian government) to sit in judgment? Shouldn't there be a neutral third party agreeable to both parties if there is a dispute?*
8. *The band council brochure states that the Seignery claim is based on a 1680 land grant to the Jesuits by the French Crown. Where's the evidence of French ownership of land our ancestors inhabited since time immemorial? The settlers are illegally on our land. Only we, the land owners, can tell them the terms by which they will either stay or leave. Canada and Quebec have no right to be involved because we never gave them jurisdiction*
9. *Why doesn't Canada want to go back to the time of the French incursion? Would it confirm our position that the Mohawks never gave up anything?*
10. *Federal/provincial/local entities have no constitutional jurisdiction over Indians. The band council does not own the Seignery land as it claims in its brochure and its 1988 declaration. It belongs to the people. Canadian and Quebec laws do not apply on unsundered lands. Our tenants must deal directly with the true Mohawk Nation people.*
11. *You agree we always asserted our title. In 1701, the Great Peace of Montreal was a "peace" treaty, not a land surrender. It is acknowledged that the Jesuits had no right to give our 'seignery' to French settlers. In 1762 didn't British General Gage reconfirmed Mohawk title? Didn't the Royal Proclamation forbid colonial governors from making grants or purchases of Indian lands all over North America?*
12. *Are you aware that we cannot part with our land? Parliament only had jurisdiction to make treaties of cession and surrender with us, which we didn't. Section 91(24) contradicts the Canadian constitution. We continue to be governed by our own constitution. Do you agree?*
13. *Existing aboriginal rights" under the Kaianereh'ko:wa/Great Law and the Canadian constitution provides that Indigenous jurisdiction and sovereignty supersede that of Canada and its provinces. Can you find a valid treaty in which we authorized their appropriation of and jurisdiction over our land? Isn't it the duty of Canada and Quebec to return the lands they are squatting on?*
14. *How can the seignery land claims be settled by monetary remedy? Is the band council saying that other lands will be given to us so that our land can be turned over to the non-native settlers? How can this settlement have no effect on our ownership of the remainder of our territory? Isn't this fraudulent settlement going to be used to extinguish our Nation's title to all our land? (Tell us how this ain't so.) Why are the other communities of the Mohawk Nation being kept out of this?*

15. *Is it true you're making plans to set aside lands for us in the northern Laurentians and near Sherbrooke? Why don't the settlers go there? Moving us would cut our roots from our land so we can't fight for it.*
16. *Canada was founded on systematic genocide. Canada illegally forced the Indian Act band council system on the Kahnawake'ro:non in 1889. It breaches Section 109 of their constitution. International law has made it clear that the appropriation of the assets of other nations is illegal. Why should Canada be exempt from international standards – especially when Canada has promised to meet them?*
17. *Why are you and the Canadian and Quebec governments suddenly so anxious to settle this at this time? It's a nation issue. Why the one-year decision deadline? Is the band council holding back critical information from the People? What is meant by "the land was taken away physically but not legally"? Are we being tricked into thinking there's nothing we can do about it?*
18. *How much are the lawyers getting? Isn't the Seigneurie fraud being worked out mostly between the lawyers of both Canada and the band council and the judiciary?*

NEXT STEPS

Community members would like:

- To have the results on all the other Seignury Surveys distributed for their review. They feel somewhat “used”. They provide information and points of view and then they don’t know what happened with it.
- Karonhianonhnha tsi Ionterihwaienstákhkwa has requested a session on May 16/08 with the teachers and staff. Unfortunately, due to the time constraints of the Seignury Community Group, we could not accommodate this meeting. The administration of Karonhianonhnha tsi Ionterihwaienstákhkwa was advised that the Seignury Technical Team would be willing to meet with them. Please contact Ka’nahsohon Deer to schedule a time.
- A communications notice will be placed in local media advising community members that the process is complete, and that participants will be mailed an Executive Summary of the report. Copies of the Executive Summary will be provided to MCK, should other community members request a copy.
- A SSSL Representative to provide a response to the Community Member Questions
- To research the islands located east of Mercier Bridge and bordering Cote St. Catherine. There are a lot of buildings there being used by Hydro Quebec, which should be looked into as soon as possible. The island may be part of the St. Lawrence Seaway expropriation but nevertheless this choice piece of land must revert back to Kahnawake. In addition, there is a small electrical power producing plant located at this site and this must also be checked out. We know that all the islands, both west and east of Kahnawake belong rightfully to Kahnawake. In fact, when hydro Quebec got these pieced of land, they immediately allowed white people to build and dwell and live in this area.
- To research the land that the St. Lawrence Seaway Authority took from Kahnawake to build and construct the seaway and some of this land was taken from the Seignury. During this time in the 1950’s, the Seaway Authority offered to pay or buy this tract of land from Kahnawake since it was common land. Kahnawake refused to accept payment for said land. But later, the Band Council unfortunately chose to accept payment for this strip of land thus surrendering Aboriginal Title to the piece of land forever.

FINAL RECOMMENDATIONS

1. The participants have expressed their desire to have more land returned to Kahnawake due to the decrease in available land that we see now. People are also expecting to have an increase in the population, and unsure where their children will have to build their homes one day. Throughout these discussions, land has and always will be the main target for the participants.
2. Participants expressed that our tax free status should apply on all SSSL Lands at a minimum but expanding this right should be pursued further. It is recommended that this could be part of our settlement – tax free on all goods, services, residential purchases, and commercial ventures in Canada. The acknowledgment of our rights is very important to the participants. Regarding recognition, participants would like to take the settlement further to include the recognition of the Sovereignty of Turtle Island. Another recommendation for inclusion in the settlement is to provide free services to the community. i.e. hydro and water
3. Participants requested that regular updates on the process and new developments be provided. They are also recommending that when a final settlement is reached use every possible means to get the information out to the community because everyone should be included in the ratification of the settlement. A massive PR Campaign should be set in motion, which must include our neighbors. Participants do not want to cause ill-feelings between us. It is recommended that we advise the residents living on the SSSL Lands of the situation and ask them for their opinion as well. This will ensure that they remain on our side. Although, it is recommended that they shouldn't be allowed to sell their land privately from this point forward. It must come back to Kahnawake.
4. Participants feel that the Governments should not be released from their Fiduciary obligation to us upon the settlement of the Land Grievance. It is recommended that appropriate arrangements for their fiduciary responsibility of our existing services be maintained.
5. It is also recommended to review the actual size of the Seigneury because some participants are stating that it may be bigger than what the map depicts and

participants are requesting to have a more detailed map provided for review. It is recommended to use the churches as boundary points.

6. Should compensation become a part of the settlement, participants feel that individual payments should be given to community members over a period of time to avoid potential problems and only a fraction of the funds should be given as payments, and the rest should be placed in a trust fund for community development.
7. The MCK Negotiators should attempt again to include the Longhouse's into their discussions. This will promote unity and will speed up the process because the houses will be aware of the progress as it occurs.
8. Participants recommend that all further development on SSSL lands stop until the land grievance is settled.
9. Unfortunately, the participants are very distrustful of the MCK. Participants relayed that the MCK should not have control over the financial portion of the settlement. Participants stated that the MCK does not listen to what the community tells them so it appears that their opinion doesn't matter. The MCK needs to seriously review its relationship with the community.