

# MOHAWK COUNCIL OF AKWESASNE

*Sustaining our inherent rights, facing challenges together to build a strong and healthy future.*



OFFICE OF THE GRAND CHIEF

Ennisko:wa/March 7, 2018

Watkwanonhwera:ton/Greetings,

It's amazing that we have rolled into the month of March already! Up until last weekend I would have thought we were going to have an early spring, but the weather quickly changed again. I'm sure that like me you are all looking forward to the first "official" day of spring, which is coming soon, on March 20, 2018.

At the January 2018 General Meeting, Council continued discussions with the community on cannabis. The Government of Canada has announced that in July 2018, legislation that decriminalizes cannabis for recreational purposes will come into effect. The Mohawk Council of Akwesasne (MCA) formed a working group back in September 2017 to engage the community in discussions on this topic and obtain your thoughts on whether or not you feel that the Mohawk Council should develop our own regulations governing the sale of cannabis within the MCA jurisdiction. One of the things that we are asking community members to consider is the potential for economic benefits to the community to be gained from the sale of cannabis. If we developed regulations, we could ensure that Akwesasne benefits from the legalization of the recreational use of cannabis through various compliance requirements, such as fees for a business to register as a dispensary and for every sale made, as examples. There is no intent for any assumptions to be made that target consumers would include Akwesasronon. Canada is taking steps to legalize recreational cannabis; this can only mean that there must be a demand out there among Canadians. The development of our own regulations is strictly a potential concept at this point and discussions are meant to elicit comments and valuable feedback from community members. The working group has issued a survey to community members and I encourage you to take a few minutes to participate, through the following link: <https://fr.surveymonkey.com/r/TheMohawkCouncilofAkwesasneRecreationalCannabisSurvey>

The last General Meeting was held on March 1, 2018 on Kawehno:ke. If you would like to view the recording it is available at this link: <https://www.youtube.com/watch?v=ObwWvCj55Xs&feature=youtu.be>. My monthly report on January 2018 activities is attached. I remind you that my report contains a brief outline of meetings/events attended, but does not include every meeting attended. Should you have any questions on my report or any of the files our Council is working on, please do not hesitate to reach out to me or any of the District Chiefs. We welcome your insight, feedback, and input into all the files we are working on, and any others that you feel we should be working on.

I hope you have a great month ahead and to those heading off to the Little NHL, good luck, play hard, and have fun!

Sken:nen/Peace

A handwritten signature in blue ink, appearing to read "Abram Benedict".

Abram Benedict  
Grand Chief



## **Grand Chief Monthly Activity Report Tsiothohrko:wa/January 2018**

### **JANUARY 5, 2018 FISCAL RELATIONSHIP WORKING GROUP**

On January 5, 2018 I attended the Mohawk Council Fiscal Relationship Working Group. This Working Group was formed to research and prepare for the fiscal negotiations to support the Entewatatha:wi process. Part of the Entewatatha:wi process will include negotiations for a fiscal transfer agreement with Canada, to support the Akwesasne self-government agreement. On January 5 members of the working group reviewed the mandate given to the working group by Council and held a lengthy discussion on Canada's Own Source Revenue (OSR) policy and the potential implications to Akwesasne. Canada's OSR policy states that any revenue a First Nation generates on its own will be deducted from the transfer payments to the community. Canada placed a moratorium on the policy which is set to expire in a few years, and the policy implications are concerning to Akwesasne and many other First Nations. At our working group meeting we discussed political strategies to lobby Canada to get rid of the policy altogether.

### **JANUARY 8, 2018 COUNCIL MEETING**

- Council discussed the recent call out for an Overseer for the Akwesasne Community Settlement Trust and agreed to proceed with a second recommendation from the Internal Technical Team.
- A recent issue at the US customs experienced by a local community business was discussed. Council also discussed the Akwesasne Residents Remission Order and agreed that administration would research community store authorization.
- A consultant provided Council with an overview and report of a recent operational review conducted on a MCA department.

The consultant outlined recommendations for consideration. MCA administration will follow up on recommendations.

- MCRs passed: Approval of amendment to Canada/Akwesasne Financial Agreement; Approval of funding agreement with Ministry of Health and Long-Term Care; Two (2) allotments of land to Community Members (housing loans paid off); Appointment of Trust Overseer to the Akwesasne Community Settlement Trust.

### **JANUARY 8, 2018 LEADERSHIP MEETING**

On the afternoon of January 8, 2018 members of our Council, members of the Saint Regis Mohawk Tribe (SRMT), and representatives from the Mohawk Nation Council of Chiefs (MNCC) attended a regularly scheduled Leadership Meeting. The three Councils meet every 2-3 months to discuss several files in common among the three Councils. The SRMT requested the Mohawk Council of Akwesasne (MCA) provide water and sewer connection to a future housing expansion project the SRMT is planning in the proximity of the Kanonhkwashteri:io health facility. The MCA will consider the request and follow up with the SRMT. I provided the leadership with an overview of the presentation on the proposed Canada Border Service Agency (CBSA) alternative reporting. Representatives from the MCA provided an update to the leadership on the Cannabis working task group and the MCA's efforts to engage the community and obtain their thoughts about the legalization of cannabis. The SRMT and MCA discussed the recent MCA funding announcement to create a SAVE unit under the Akwesasne Mohawk Police Services. MCA Aboriginal Rights and Research staff provided the leadership with an overview and update on the Dundee and Seaway claims.

### **JANUARY 9, 2018 AKWESASNE MEMBERSHIP BOARD REVIEW**

Over the last several months, we have been working in collaboration with Entewatatha:wi and the Office of Vital Statics toward retaining a consultant to review the Akwesasne Membership Board and associated laws in order to make recommendations for

improvement. On January 9, 2018 members of the MCA met with Dr. Alma Rose McDonald of Katenies Research to review the proposed Terms of Reference (TOR) for the review. Dr. McDonald was the successful consultant after a call out for proposals was issued. Dr. McDonald reviewed the proposed timelines with the MCA and reviewed the methodology of the review. Over the next several weeks a number of interviews will be scheduled with key stakeholders including members of the Akwesasne Membership Board. The review is designed to make recommendations for efficiency improvements as well as recommendations for modernization operations and practices. This review was initiated by the MCA in an effort to improve the Akwesasne Membership Board as well as ensure that they are being adequately supported by the MCA and all risks are mitigated.

#### **JANUARY 11, 2018 SEAWAY CLAIM MEETING WITH CANADA**

On January 11, 2018 leading up to a meeting with Canada regarding the Seaway Claim, members of the Mohawk Council of Akwesasne (MCA) met with our legal counsel to prepare for an upcoming meeting with Canada. In December 2017 the MCA received an offer from Canada to settle the Seaway Claim. Since then, our lawyers have been communicating with Canada's lawyers on the development of a final settlement agreement. On the afternoon of January 11, 2018 our MCA team met with Canada's negotiating team to review a draft final settlement agreement. Under the terms of the offer, Canada would pay Akwesasne \$45 million and would shrink the footprint of the international corridor on Kawehno:ke and return those lands to Akwesasne. We agreed that each party's lawyers would work together to bring a final settlement agreement together that both parties can agree on. The final settlement agreement will go to the community for acceptance in a referendum vote.

#### **JANUARY 12, 2018 FEDERAL BRIDGE CORPORATION LIMITED**

On the morning of January 12, 2018 the Director of Technical Services, Chief Vince Thompson, and I met with representatives of

the Federal Bridge Corporation Ltd. (FBCL) in Ottawa to discuss and review a proposed reconfiguration of the Seaway International Bridge Corporation (SIBC) toll plaza. The FCBL has been working with Transport Canada on the negotiations of the Seaway Claim which if accepted will result in a reconfiguration of the toll plaza. The meeting was requested by the FBCL to provide the MCA with an opportunity to review the preliminary design. After reviewing the design and receiving our feedback, the FBCL committed to considering our recommendations and will provide us with a redesign in the near future.

### **JANUARY 12, 2018 CBC INTERVIEW ON FIRST NATION POLICING**

Recently the Public Safety Minister announced that the Government of Canada would invest \$291 million over five years into the First Nation Policing Program. On January 12, 2018 I provided an interview to CBC on the Mohawk Council of Akwesasne's thoughts on the recent announcement. I explained to CBC that Akwesasne welcomes the investment and explained that the investment must be long term in order to support sustainable community police forces. The full article is available at the following link: <http://www.cbc.ca/news/canada/ottawa/first-nations-reaction-federal-funding-increase-1.4485597>

### **JANUARY 15, 2018 COUNCIL MEETING**

- The Acting Manager for the Aboriginal Rights and Research Office (ARRO) provided Council with an overview and report from a recent meeting with Canada and explained the components of the offer to settle that we received from Canada.
- A representative from Bell Canada outlined the process for installing equipment on community land and offered to work with MCA to mitigate any concerns.
- Council received a progress report update from the Cannabis Working Task Group.

- The General Meeting agenda was set and Council agreed to host the General Meeting on January 27, 2018 at 10am at the Tsi Snaihne Recreation.
- Legal counsel briefed Council on the application of taxes on reserve and explained court challenges that have failed.
- A concern with respect to road flooding and maintenance was discussed and will be followed up on by administration.
- Administration was asked to follow up with Communications and the Akwesasne Mohawk Police Service on reminding the community about ATV and snowmobile safety and the rules on road usage.
- MCRs passed: Approval of appointment of two community members to serve as legislative commission members; Approval of funding submission to INAC for financial program.

## **JANUARY 15, 2018 TRANSPORT CANADA ST. LAWRENCE SEAWAY REVIEW**

Recently the Mohawk Council of Akwesasne received notification from Transport Canada that they were conducting a comprehensive review of the St. Lawrence Seaway. On January 15, 2018 members of our Council met with Transport Canada representatives to receive information on the review. The Transport Canada representatives explained that the review would consider: how best to position the Seaway so it remains a critical part of North America's multi-modal transportation system, supporting the local, regional and national economy; determine its greatest contribution as a key trade and transportation corridor; and provide strategic considerations for continuing the success of a productive, safe, and reliable waterway in a cost-effective, efficient, and sustainable manner. After receiving the information from Transport Canada, MCA informed the Transport Canada representatives that all reviews needed to give serious consideration to the environmental impact which should include both current and future impacts. Transport Canada representatives received the message from the MCA and committed

to making environmental impacts of the St. Lawrence Seaway a component of the review.

### **JANUARY 17, 2018 MULTI JURISDICTIONAL TABLE ON ROADS**

Early in 2017 the Mohawk Council of Akwesasne negotiated a tentative agreement with the Government of Quebec for road construction and maintenance funding. A condition of the agreement with Quebec was that Akwesasne would establish a multi-jurisdictional table with Ontario and Canada to discuss the ongoing infrastructure needs of Akwesasne. On January 17, 2018 representatives from the Ministry of Transportation Ontario, Ministry of Transport for Quebec, and Indigenous Services Canada met with our representatives to review a draft term of reference for the multi-jurisdictional table. The Director of the Department of Technical Services provided the group with an overview of the current road inventory and the need for improvements in Akwesasne. The representatives from the respective governments committed to reviewing the draft agreement and working toward a final agreement that will document each government's commitment to working with Akwesasne to meet our infrastructure needs. Each government will work to get the agreement approved for final signature. A technical meeting will be set up in the near future to go over the technical requirements of Akwesasne's road projects.



## **JANUARY 18, 2018 ONTARIO ASSOCIATION OF CHILDREN'S AID SOCIETIES**

The board for the Ontario Association of Children's Aid Societies (OACAS) met on January 18, 2018 to conduct its regular monthly business. The Director for Shared Services provided the board with an update on the shared services program, a budget overview, and explained what the recruitment of staff would entail. The OACAS Chief Executive Officer provided an update on the progress to implement the Indigenous commitments made during the apology and explained that the OACAS is working on transferring resources to the Native Association. Members of the Board Governance Committee explained the importance of an upcoming survey on governance practices and outlined how the data will be used to strengthen OACAS board practice. Other board business and updates provided included: Provincial Election Strategy; Intra-Zone Updates; Strategic Planning; Finance Report; and CEO Report. The next board meeting is set to occur on February 15, 2018.

## **JANUARY 22, 2018 COUNCIL MEETING**

- A representative from the University of Ottawa provided an overview of the university's Public Sector and Leadership Program and requested Council consider hosting the cohort for an afternoon; Council agreed to host and directed staff to begin the planning process.
- Council was briefed on the recent fire at the A'nowara'kowa Arena and directed administration to host a debrief session with management on the incident.
- A briefing was provided on an upcoming request from the Cree Nation requesting permission to hunt in the territory; additional information will be sought.
- Council discussed a recent incident at CBSA and will follow up with the community member.
- A request to host an Elders Dinner at the upcoming Akwesasne Winter Carnival was discussed; Mohawk Government to follow up.



- MCRs passed: Approval of authority to issue occupancy licenses for Ionkwanonhsassetsi Adolescent Group Home for non-Member residents; Approval of authority to issue occupancy licenses for Iethinisten:ha Family Wellness Program non-Member residents; Approval of land transfer to community members; Approval to set aside community land for the purpose of a road on Kawehno:ke; Approval of 2018/19 funding agreement with Ministry of Health; Approval of funding agreement for Section 84 early release program; Approval of transfer agreement with Ontario and Canada for Police Services for equipment purchase; Approval of extension of timelines for Cannabis Working Task Group; Approval of two (2) sets of Council Meeting Minutes.

### **JANUARY 23, 2018 ASSEMBLY OF FIRST NATIONS CHIEFS COMMITTEE ON ECONOMIC DEVELOPMENT**

On January 23, 2018 I was invited by the Assembly of First Nations (AFN) to attend the Chiefs Committee on Economic Development meeting being held in Montreal. National Chief Perry Bellegarde chaired the meeting and welcomed the other Chiefs and delegates to the meeting. The committee was briefed from AFN lawyers and the National Chief on the Canada/US/Mexico NAFTA negotiations.

The National Chief explained that he and the AFN had been lobbying Canada for the inclusion of an Indigenous Chapter in the NAFTA agreement; he further explained that Canada had agreed to the chapter and had already provided the US and Mexico with draft language for them to consider. The lawyer for the AFN explained that the challenge Canada is facing with an Indigenous Chapter is that the current US administration has varying views on Indigenous people and Mexico has no way of determining who is Indigenous. These two challenges makes it difficult for the US and Mexico to agree to an Indigenous Chapter. The AFN Chiefs committee agreed to set meetings up with members of Congress in the US when the next NAFTA negotiations are held in the US.

Steve Verheul, the Chief Federal Negotiator for Canada, provided the committee with a brief update on the status of the NAFTA negotiations and outlined the potential next step for the Indigenous Chapter proposal. Representatives from Innovation Science and Economic Development Canada presented to the committee on a Federal Policy on Intellectual Property. The government representatives explained what is covered under intellectual property and what isn't and also explained that the policy isn't clear on Indigenous Knowledge. The Chiefs present expressed concern with the policy and expressed the need to have Indigenous knowledge clearly included for protection purposes. Representatives from Garwill Law gave the committee an overview of the International Intertribal Trade and Investment Organization and explained the international work the organization has been doing to strengthen and promote tribal trade among international Indigenous Nations. Updates were provided to the committee on recent AFN resolutions and recent strategy meetings.

### **JANUARY 25-26, 2018 EMERGENCY CHILD WELFARE MEETING**



I was invited by the Minister of Indigenous Services to attend a two day emergency meeting in Ottawa on child and family services. On January 25, 2018 I traveled to Ottawa to attend the emergency session. The Minister of Indigenous Services welcomed the participants and outlined that the next two days were designed as a listening session for the government to hear from First Nations, Inuit and Metis on child and family service reform.

Following the opening prayers and welcoming remarks from the National Chief and leaders for the Inuit and Metis Nation, the participants were asked to participate in concurrent sessions.

The morning session focused on key causes that lead to high rates of children in care within First Nation communities. Participants shared experiences from their communities and expressed frustration with the lack of government responses. A number of other sessions occurred throughout the day under varying themes including data and measurements; child rights and advocacy; youth perspective; and community and agency collaboration. I participated in the data and measurements and information sharing panel discussions. The panel spoke about the importance of data collection and the use of the data to shape programming and also safe storage of the data. The first day wrapped up with a panel discussion with the youth who shared their stories of foster care and the challenging experiences they faced including struggling with identity and other issues with child and family services agencies.

The second day of the emergency meeting brought together representatives from the provinces and territories to listen to the First Nation political leadership and to provide input into transforming the child welfare system for Indigenous People. First Nation representatives from each region (province and territory) addressed the Minister and provincial representatives and spoke about challenges and the regional perspectives on transformation of child welfare.

Following the presentations, the Minister of Indigenous Services Jane Philpott committed the Government to comply with the human rights tribunal rulings and additionally the Minister committed to: work with partners on culturally appropriate programs for prevention, early intervention and family reunification; work with communities to redraw areas of jurisdiction for child and family services; work with the provinces and territories and Indigenous communities to support reform; support Inuit and Métis leaders on culturally appropriate child and family services; and work to develop a better way of collecting and sharing data on the rates and reasons children are taken from homes. The Minister announced

that the next federal budget will include additional money for Indigenous Child Welfare.

### **JANUARY 27, 2018 GENERAL MEETING**

On the morning of Saturday January 27, 2018 Council hosted the monthly General Meeting at the Tsi Snaihne Recreation Center. The agenda included a presentation from the MCA governance committee on a proposed political service agreement. Over the last year the governance committee has been working on developing an orientation manual for each new Council; the Committee has also been working on the creation of a political service agreement. Members of the committee presented the concept at the General Meeting and answered questions on the concept. The agreement would basically replace the existing Chiefs working conditions agreement. It was further explained that this is only a proposal and that additional consultation meetings with the community on this proposal will take place. Members of the Aboriginal Rights and Research (ARRO) team provided the community with an update and presentation on the Dundee and Seaway land claims. A number of questions were received from the community on the Seaway claim settlement offer. Members of the Entewatatha:wi team provided the community with an update on the Akwesasne/Canada self-government negotiations. Following the presentations we held a discussion with the community on the upcoming legalization of cannabis. Members of the MCA cannabis working task group provided the community with an update on the MCA initiative to engage the community and gather their opinions on how our community could address the sale and distribution. The recording of the January General Meeting is available at the following link: <https://youtu.be/naSimxXWOhg>.

### **JANUARY 29, 2018 COUNCIL MEETING**

- The Acting Manager of the Aboriginal Rights and Research Office (ARRO) provided Council with an update on the Seaway and Dundee claims settlement progress.

- The Executive Director for Mohawk Council provided Council with an update and overview of collaborative efforts to work with Indigenous Services Canada Ontario Region on an outcomes measurement proposal and a 10-year grant for MCA.
- Council agreed to cancel the weekly Council meeting for the week of February 19th due to the Family Day holiday.
- A request from the St. Regis Mohawk Tribe (SRMT) to connect to water and sewer services was discussed and will be followed up on by the administration.
- Council agreed the next General Meeting will be held on Thursday, March 1, 2018.
- A brief was provided to Council regarding a recent Housing Authority meeting.
- MCRs passed: Approval of funding agreement with Ontario for Akwesasne Mohawk Police Service; Approval of housing upgrade loan to a community member.

## **JANUARY 31, 2018 MEETING WITH INDIGENOUS SERVICES**



Since the Minister of Indigenous Services announced to the Chiefs in Assembly in December that the Government of Canada would work toward establishing 10-year funding grants for communities, the Mohawk Council has been developing a proposal for consideration, to receive a 10-year funding grant. On January 31, 2018 we met with the Ontario Regional Director (RDG) of Indigenous Services to present our proposal. The RDG and her support staff were very supportive of the proposal; they explained what some of the regional limitations were, but committed to working with Akwesasne to enhance and refine our proposal so that we can collaboratively submit it to Indigenous Services Headquarters for consideration and funding.

### **JANUARY 31, 2018 MEETING WITH ENBRIDGE GAS**

On the afternoon of January 31, 2018 the Executive Director for the MCA and I met with representatives from Enbridge Gas. The purpose of the meeting was to receive an update from our joint application to the Ontario Natural Gas Expansion Fund. The representatives explained that it's expected that Ontario will announce the successful applicant in the near future but no definite date has been set. The Enbridge representatives explained the next steps on consultation and an environmental review should the project be awarded funding from Ontario. Once the Mohawk Council receives official confirmation on the status of the application, the community consultation process will begin.

### **JANUARY 31, 2018 CANADIAN COUNCIL FOR ABORIGINAL BUSINESS TORONTO GALA**

On the evening of January 31, 2018 I was invited by Enbridge Gas to attend the annual Canadian Council for Aboriginal Business (CCAB) Toronto Gala. The evening began with a welcoming reception, followed by a catered meal, then the awards presentation. The CCAB awarded the 2018 Aboriginal Lifetime Achievement Award to Harry Flaherty from Qikiqtaaluk Region, Nunavut. The 2018 Aboriginal Youth Entrepreneur of the Year Award was provided to Jordan Jolicoeur who is Metis from Stony Plain, Alberta.