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Tsi Nahóten Karihwanákere No'nenk News Release

MCK addresses land sales and transfer issues caused by Matrimonial Real Interests law

For immediate release

(Kahnawake – 11, Ohiari:ha/June 2015) The Mohawk Council of Kahnawà:ke (MCK) wishes to inform the community that Chief & Council have unanimously supported a recommendation by its Lands Unit to *temporarily* utilize new forms developed by Aboriginal Affairs & Northern Development Canada (AANDC) in order to process land sales and transfers within the Territory.

The new forms were developed in the wake of Canada's passage of the *Matrimonial Real Interests* law that was passed in 2013 and put into effect on December 16, 2014. The forms are to be used whether or not a First Nations community has its own law to address the issue of the division of property in the aftermath of a divorce or the ending of a common law relationship.

"First Nations were informed that they had a year to either accept the legislation or develop their own law," explained Lands Portfolio Chief Clinton Phillips. "Kahnawà:ke responded with its *Kahnawà:ke Family Homes and Property Law* in 2014 which, despite unanimous support using the Community Decision Making Process, was not accepted by the AANDC Minister of Aboriginal Affairs Bernard Valcourt. To complicate matters, the new forms left us with no acceptable way to process land sales and transfers – even in cases of straightforward land sales and transfers."

Therefore, the Lands Unit proposed a temporary solution to use the forms provided by AANDC, with the MCK providing a **letter of protest** to AANDC indicating its strong concerns regarding the inconsistencies that the new forms are causing.

"Since there was a substantial backlog developing, we felt it was unfair to hold people hostage to AANDC's actions," he continued. "Therefore, we support the Lands Unit's recommended temporary solution. We are drafting the letter of protest and will advise all of the local stakeholders of our planned actions in this matter."

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