



Tsi Nahò:ten Karihwanákere Nó:nen'k

PRESS RELEASE

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MCK congratulates Derek White & Hunter Montour

For immediate release

(Kahnawake – 1, Kentenhkó:wa/November 2023) The Mohawk Council of Kahnawà:ke (MCK) would like to congratulate Kahnawà:kehró:non Derek White and Hunter Montour on today's landmark decision in the Quebec Superior Court case, R. v. White and Montour. Although White and Montour were found guilty of indictable offences related to their role in the tobacco trade on May 9th, 2019, they sought and were granted a stay of proceedings while a Notice of constitutional questions was filed on the basis of Aboriginal and Treaty rights.

Today, Honourable Judge Sophie Bourque's ruling granted them a permanent stay of proceedings and dramatically altered the landscape of Canadian Aboriginal law. Bourque's ruling proposed a tremendous change to the legal test Canada uses to determine what they recognize as an Aboriginal right under *Section 35 (1)* of the *Constitution Act*.

"Although the MCK was not involved with the legal proceedings, as we viewed them as extending beyond the mandate of an elected Council, today's decision was monumental in that the Judge meaningfully understood the true essence of the Nation-to-Nation relationship between the Haudenosaunee and Canada. Not only did she capture the spirit and intent of the Covenant Chain, but she understood that Aboriginal rights cannot be frozen in time and are living, breathing rights" said Ohén:ton Í:iente ne Ratitsénhaiensh (Grand Chief) Kahsennenhawe Sky-Deer. "The MCK marks that this is an important milestone for all Onkwehón:we, and we commend all those involved in this huge step forward."

A comprehensive legal analysis on the 400-page ruling will be conducted regarding today's historic decision. More information and any developments will be provided to the community in the near future.

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