

STRENGTH

PEACE

UNITY

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14, Tsothorhkó:wa/November 2018

OPEN LETTER

The Honourable Justin Trudeau
Prime Minister of Canada
Office of the Prime Minister
80 Wellington Street
Ottawa, Ontario K1A 0A2

The Honourable Carolyn Bennett
Minister of Crown-Indigenous Relations and Northern Affairs Canada
10 Wellington St. Suite 2100
Gatineau, Quebec K1A 0H4

Subject: MCK Position on the Government of Canada's "Collaborative Process on Indian Registration, Band Membership and First Nation Citizenship"

Dear Prime Minister & Minister,

On behalf of the Mohawk Council of Kahnawà:ke (MCK), I submit this open letter to your attention regarding the Federal Government of Canada's "Collaborative Process on Indian Registration, Band Membership and First Nations Citizenship" (Collaborative Process). The Government of Canada must consider this letter as our official position on S-3 and related Indian registration and membership issues, until such time that we forward a Kanien'kehá:ka of Kahnawà:ke position on matters of registration and the Collaborative Process.

In recent years, the MCK has repeatedly informed Canada of its strong opposition to Bill S-3, *An Act to amend the Indian Act in response to the Superior Court of Quebec decision in Descheneaux c. Canada*. We maintain concerns that the amendments to the Indian Act extend far beyond the Descheneaux Court Case decision, and that Canada had not conducted adequate consultations with First Nations on the amendments and pursuant impacts. We can view the approach Canada has taken on Bill S-3 as nothing other than an attempt by Canada to appropriate the inherent right of Indigenous Peoples to determine who their own members are.

With the passage of Bill S-3, the Federal Government of Canada will be creating new 'Status Indians' tied to the Mohawks of Kahnawà:ke. Our community has done extensive research and analysis of the Federal legislative amendments and demographic projections and is forecasting at least 35,000 potential new registrants that Canada will tie to the Mohawks of Kahnawake. Of these new registrants, our research demonstrates that it is unlikely that any of them will have any real substantive ties to the community of Kahnawà:ke.

The influx of new S-3 registrants opens the community to a variety of challenges, most notably ethnocultural erosion, endangering the ability for our community to maintain our collective identity and culture. The MCK maintains its position that only the Mohawks of Kahnawake have the right to determine who is a member of our community, and that the Federal Government must immediately cease unilaterally creating new Mohawks of Kahnawake.

As if the Bill S-3 amendments were not enough, the MCK is appalled that despite our strong opposition to S-3 the Federal Government of Canada would adopt an even bolder attack on Indigenous nationhood through launching the Collaborative Process, an attempt to engage First Nations in extending well past registration and into the reaches of membership and citizenship. I feel compelled to remind you that Indigenous Peoples exclusively hold the inherent right to govern membership and citizenship matters. No nation, including Canada, is entitled to impose criteria for belonging onto another nation.

The inherent right of the Kanien'kehá:ka to govern our own membership and citizenship are principles that are not only supported by articles of the United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP), but are also fundamental to a true "Nation-to-Nation" relationship, which the Federal Government has committed to adopt. The Collaborative Process is a direct contradiction of both the UNDRIP and the "Nation-to-Nation" relationship that the Federal Government is promoting to foster with First Nations.

What constitutes belonging to a nation and knowing its culture and history cannot be determined through legislative amendments by an external government. As Kanien'kehá:ka, our nationhood and citizenship is not Canadian, we have our own Constitution, culture, language and values that are unique and essential to our existence. We cannot allow for another government to usurp the collective right of the Kanien'kehá:ka and we will vehemently protect these paramount pieces of our nationhood and sovereignty.

As such, and in accordance with our Mohawk Council Executive Directive # 60/2018-2019 (attached hereto), the MCK affirms our position that we: will not participate or engage in, or access any funding related to, the Collaborative process; maintain the position that the Kanien'kehá:ka of Kahnawake solely hold the right to control membership, and; assert that the Collaborative Process shall not be considered to be inclusive of Kahnawà:ke, and will engage with community to form a position on the Collaborative Process and related registration issues.

Over the course of the coming weeks and months, our community will engage in dialogue on these matters to decide on a course of action. At the completion of our discussions I will forward our community position to your attention. It should be clear that this position is not to be considered as one that can be integrated into the overall Collaborative Process consultations and will be a matter that must be addressed between Nations. In the meantime, I strongly encourage the Federal Government to rethink its strategy and cease moving forward with the Collaborative Process.

If you have questions or would like to discuss the contents of this letter, you may reach my office at your convenience.

In Peace and Friendship,

**ON BEHALF OF THE OFFICE OF THE COUNCIL OF CHIEFS
MOHAWK COUNCIL OF KAHNAWÀ:KE**


Grand Chief Joseph Tokwiro Norton

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CC: Council of Chiefs
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