



Kahnawà:ke Ratítsénhaiens

Mohawk Council of Kahnawà:ke

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Enhsakotò:kénhte Nitiotié:ren Tsi Ietsenhaiéntákhwa

Tsi Nahóten Karihwanákere No'nenk News Release

Grand Chief sends open letter to Aboriginal Affairs Minister Valcourt

For immediate release

(Kahnawake – 17, Onerahtókha/April 2014) The Mohawk Council of Kahnawà:ke wishes to announce that Grand Chief Michael Ahrihron Delisle, Jr. has sent a letter to Aboriginal Affairs Minister Bernard Valcourt in regard to Canada's First Nations education legislation.

It is being described as an 'open letter' due to the need to share the information contained within to other First Nations communities and leadership across the country.

Grand Chief Delisle directly addresses Kahnawà:ke's strong discontent with Canada's failure to honor its obligations and commitments to engage this community in meaningful engagement on the issue of education.

"The correspondence we've received from the Minister's office confirms that Canada has engaged the Assembly of First Nations to collect consent and move forward," said Grand Chief Delisle. "Our letter makes it clear that we are opposed to the Federal government's use of the AFN as a duly mandated body to engage in consultations on matters that affect our rights. Simply put, that is unacceptable."

"We have fought for decades to establish and develop an education system that reflects our unique realities," he continued. "As the letter says, this community will not drop the fight and will not succumb to imposed legislation that violates our Right to oversee our own system. It is urgent that Canada heed this fact and meet with our community to find a way to resolve our concerns."

The letter is available for viewing at www.kahnawake.com.

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STRENGTH

PEACE

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14, Onerahtókha/April 2014

The Honourable Bernard Valcourt
Aboriginal Affairs and Northern Development Canada
Terrassess de la Chaudière
10 Wellington, North Tower
Gatineau, Quebec
Ottawa, Ontario
K1A 0H4

Wa'tkonnonhwerá:ton/Greetings,

The Mohawk Council of Kahnawà:ke (MCK) is taking opportunity to respond to your broadly addressed letter, dated April 2nd, 2014, regarding the federal First Nations education legislation. Based upon our review of your letter, it has become clear to us that we must reiterate our grave concerns with the legislation and process. While we direct this letter to your attention, we also feel it is necessary to share our concerns with other First Nations communities and leadership across the country. Please consider this letter an open letter.

Firstly, the MCK would like to inform Canada that education is a matter of highest importance to our community and which the jurisdiction of belongs entirely and solely to our respective community. The control of our education systems is an Inherent Right. We have the right to determine how we educate our children. This was expressed in our previous letter to Prime Minister Stephen Harper on November 25th, 2013 and in the collective Kahnawà:ke Position Statement as submitted to your attention on January 21st, 2014.

In our November 25th, 2013 letter and accompanying Mohawk Council Executive Directive, the MCK called upon Canada to honour its obligations and commitments to meaningful engagement; requesting that Canada meet with Kahnawà:ke. Despite such call and request, the MCK must express that we are of the position that Canada has willfully ignored obligations to engage the community of Kahnawà:ke in meaningful consultations.

The correspondence we have received from your office on April 2nd, 2014 illustrates that you have engaged the Assembly of First Nations (AFN) to collect consent in moving forward. We must inform you that we are in strong disagreement with the Federal government's use of the AFN as a duly mandated body to engage in consultations on matters that affect our Rights, and that you have neglected to engage the true Right's holders. The AFN is not a Rights holder, but is simply an advocate that can serve as a conduit to communicating with First Nations. As you are aware, you have an obligation to engage the true right's holders. The true Right's holders are First Nations, including Kahnawà:ke, of which we have not been duly and meaningfully consulted, nor have we provided consent.

In accordance with the Canada endorsed *United Nations Declaration on the Rights of Indigenous Peoples*, any legislation of this nature should engage First Nations and meet *Free, Prior and Informed Consent*. While your April 2nd letter announces that you have met all of the obligations identified in the AFN's November 2013 open letter and the Special Chiefs Assembly December 2013 resolution, First Nations have not been provided with any opportunity to review such changes as there has been no information shared with us on contents of the legislation.

The AFN has not been mandated to provide consent on whether these obligations have been suitably or adequately met, and First Nations have not been provided with any direct opportunity to review such changes. The MCK insists that the Federal government has not taken appropriate actions to collect consent in this regard.

On December 2nd, 2013 the MCK received a letter from Aboriginal Affairs and Northern Development Regional Director Luc Dumont, extending an offer to engage in consultations regarding the First Nations Education Act. Shortly after the submission of our collective community position to the federal government on January 21st, 2014, Prime Minister Harper announced the First Nations Control of First Nations Education Act on February 7th, 2014. Consequently, on March 17th, 2014 we formally requested information on the First Nations Control of First Nations Education Act, association with the First Nations Education Act, and status of offer to engage in consultations, through Regional Director Luc Dumont. We have yet to receive a response to this request.

The MCK has had little information besides the broad information provided during the February 7th, 2014 announcement to analyze. From the limited information we have been able to retrieve from the announcement, we are certain that our primary concerns with the legislation have not been adequately addressed. Imposition of compulsory language instruction of French or English without reciprocal importance placed on Indigenous languages, and imposition of external culturally-incompatible curriculum and system standards, are but two blatant examples that illustrate the disregard for our Right to control our own education systems. It must be understood that these are only examples, and that our community has several other unresolved concerns that must be addressed.

As we were preparing this response, the Federal government advanced with introduction of the federal First Nations education legislation to the Parliamentary process. It is unjust that repeated calls for meaningful consultations and offers to meet have been disregarded, and the Federal government is proceeding with a Bill that it has not even disclosed to the Peoples that it affects. Not having seen any new information since the February 7th announcement, coupled with the lack of opportunity to meaningfully engage on issues of substance, leaves us with no option but to affirm that we continue to be fundamentally opposed to this new action.

Our collective history in education has been a turbulent one. Kahnawà:ke has had to experience having our most valuable resource, our children, taken and subjected to attending residential schools and day schools. For the past several decades, Kahnawà:ke has fought hard for the establishment and fostering of an education system that reflects the unique realities of our community. Kahnawà:ke will not give up this right. This community will not drop that fight and will not succumb to imposed legislation that violates our Right to oversee our own system. It is urgent that Canada heed this fact and meet with our community to find a way to resolve our concerns.

I trust this information is satisfactory; should you require further information please do not hesitate to contact 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 Michael Ahrírhon Delisle Jr.

Md/wpl/04162014/B.Valcourt

Cc: His Excellency the Right Honourable David Johnson, Governor General of Canada
Right Honourable Stephen Harper, Prime Minister of Canada
Shawn Atleo, AFN National Chief
Ghislain Picard, AFNQL Regional Chief
Lise Bastien, Executive Director, First Nations Education Council
Thomas Mulcair, Leader of the Official Opposition, NDP
Jean Crowder, Aboriginal Affairs Critic, NDP
Justin Trudeau, Leader of the Liberal Party of Canada
Carolyn Bennett, First Nations' Affairs Critic, Liberal Party of Canada
Kahnawake Combined Schools Committee
Mohawk Nation at Kahnawà:ke
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