



Tsi Nahò:ten Karihwanákere Nó:nen'k

PRESS RELEASE

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Update and comments on Community Engagement sessions for proposed Kahnawà:ke Tobacco Law

For immediate release

(Kahnawake – 3, Kentenhkó:wa/November 2022) The Mohawk Council of Kahnawà:ke (MCK) wishes to inform the community on a number of matters regarding the recent Community Engagement sessions concerning the proposed *Kahnawà:ke Tobacco Law*.

Due to its extremely complex and sensitive nature, the original draft went through a special version of the Community Decision Making Process (CDMP) but was never ratified, as there were a number of clauses that could not be accepted before passing the law. Most notably, certain definitions were inconsistent with other community laws – which would have been hugely problematic should someone use the law in a court case. In effect, the law that is being created to regulate and protect the industry would not stand up to a challenge without amendments and, therefore, would not meet its mandate.

Community Engagement sessions on the draft *Kahnawà:ke Tobacco Law* were attended by a sizeable number of community members, with many expressing opposition and concern. It was also clear that some are in support of the content contained within the draft but are wary of it becoming law. The original draft has been available for viewing since it originally went through the CDMP in 2014-2015; however, a significant number of participants admitted that they had not viewed the draft, which has slowed down the discussion on the content.

Additionally, a message was delivered by the representatives of the Mohawk Nation at Kahnawà:ke (People of the Longhouse) during the October 25th session with the headline “Longhouse Opposed to MCK Tobacco Law” ([click here to see statement](#)).

The MCK must clarify some key statements made in the letter. To be clear, the proposed law was brought forth by persons involved in the tobacco industry – and **not** the MCK. Furthermore, members of the tobacco industry were intrinsically involved in the drafting of the law.

The letter also states that “*the clans will be discussing its own solutions concerning tobacco under the principles and values defined by the Kaianere’kó:wa.*” While commendable, it is unfortunate that the timing of this declaration did not occur several years ago, when the industry initially brought their concerns forward in/circa 2014. Since that time, there has been much time and effort put into the work of drafting and otherwise developing the law.

Additionally, the issue of paramountcy of this law over others is aimed at *outside* entities and external laws as it clearly states that “this Law is paramount to any act or regulation of the *Parliament of Canada, the legislative assembly of any province of Canada and any of their governmental authorities*, relating to or concerning any matter enumerated in this Law.”

Finally, the assertion that the law is subject to “*coercive enforcement by the Peacekeepers*” is, simply put, incorrect. The Law and its regulations are to be administered by an independent body to be known as the Kahnawà:ke Tobacco Regulatory Commission. The Kahnawà:ke Peacekeeper’s authority is reserved for breaches that lie outside the scope of the Commission’s mandate to remedy.

For many years, the stated goal of the MCK has been to work collaboratively with all sectors of the community. The CDMP was developed as a process in which ALL Kanien’kehá:ka Kahnawa’kehró:non could participate in the development of community laws – which is in line with the Shared Vision Statement. Perhaps now is a good time for all of us to re-consider increasing our efforts to work toward common goals that would serve the community as a whole.

In the coming weeks, the community will need to determine the next steps in the development of the proposed law. We ask that all interested persons make themselves familiar with the draft, along with the draft amendments, [by clicking here](#).

Further questions should be sent to the attention of Ratsénhahienhs Cody Diabo at cody.diabo@mck.ca or at **450-632-7500**.