



February 15, 2022

Mohawk Council of Kahnawà:ke
P.O. Box 720
Mohawk Territory of Kahnawà:ke, QC
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Six Nations of the Grand River
1769 Chiefswood Road
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Letter of Mutual Cooperation

Over the past 25 years, Kahnawà:ke has consistently exercised its inherent Indigenous jurisdiction over gaming that is conducted, facilitated and regulated within the Mohawk Territory of Kahnawà:ke. The *Kahnawà:ke Gaming Law* (1996) established and empowered the Kahnawà:ke Gaming Commission (“KGC”).

Since 1996, Six Nations of the Grand River has also exercised its inherent Indigenous jurisdiction over gaming within its territory and has established its own regulatory regime through the Six Nations Gaming Commission (“SNGC”).

In 1985, without consultation with or considering the interests of Indigenous Peoples, Canada entered into an agreement that purported to delegate exclusive authority over gaming to the Provinces. The *Criminal Code* was amended in accordance with the terms of this agreement. The 1985 agreement and everything that flowed from it, was and is a breach of Canada’s fiduciary obligations to Indigenous Peoples and a fundamental breach of the honour of the Crown.

Recent actions taken by Canada, Ontario and other Provinces make it clear that they will continue to ignore and denigrate the legitimate interests of Indigenous Peoples in the gaming industry. Most recently, the Province of Ontario has taken steps to establish an igaming initiative, under the auspices of the Alcohol and Gaming Commission of Ontario (“AGCO”). Ontario’s igaming initiative will not benefit Six Nations of the Grand River and will significantly damage the igaming industry Kahnawà:ke has built over the past 20+ years and, in particular, will damage Mohawk Online—a socio-economic initiative that benefits Kahnawà:ke, and other Indigenous communities and organizations.

The time has come for Indigenous Peoples to work together to defend, assert and enhance our inherent Indigenous jurisdiction over gaming.

As the Grand Chief and Chief of our respective communities, we hereby affirm our commitment of mutual cooperation to:

- Defend by any means possible, our Indigenous jurisdiction over gaming and the socio-economic benefits our communities may derive from it, including but not limited to the benefits our communities receive from Mohawk Online;
- Facilitate a Memorandum Of Understanding between the KGC and the SNGC, for each body's mutual support and benefit;
- Discuss and implement commercial opportunities in the igaming industry that would be mutually beneficial to both Kahnawà:ke and Six Nations of the Grand River;
- Discuss and implement legal, political and public relations strategies that protect and advance the interests of Kahnawà:ke and Six Nations of the Grand River;
- Work collaboratively with one another, and with other Indigenous communities across Turtle Island, to create a national body of Indigenous gaming regulators;
- Take other actions that serve the best interests of both parties—with the intent to defend and strengthen our respective jurisdiction and interests in the gaming industry.

It is understood that, given the aggressive legislative actions that have been taken by Canada and Ontario in the past few months, time is of the essence. Accordingly, the parties are committed to working together to develop and implement a more detailed, mutually agreeable, workplan to accomplish the foregoing commitments as expeditiously as possible. It is also understood and agreed that each party will be responsible for their own costs.

In alliance,



Grand Chief Kahsennenhawe Sky-Deer

MOHAWK COUNCIL OF KAHNAWÀ:KE



Chief Mark Hill

SIX NATIONS OF THE GRAND RIVER